

WRITTEN STATEMENT OF A KEY DECISION CABINET MEMBER HEALTH AND WELLBEING

ITEM:	DIRECT AWARD OF LEARNING DISABILITY DAY OPPORTUNITIES CONTRACT
Date of Decision:	27 April 2017
Exempt:	No
Confidential	No
This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function to which the decision relates.	
Notice has been served in accordance with Part 3, Section 10 (General Exception) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) Regulations 2012.	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To approve the direct award to Aspire Living of a contract for the provision of daytime opportunities for learning disabled people at St Owen's Centre in Hereford.
Decision:	<p>THAT:</p> <p>(a) the direct award of a contract to Aspire Living is approved for a period of 18 months from 15 May 2017; and</p> <p>(b) the assistant director commissioning and transformation be authorised to negotiate the final contract price within the existing agreed budgetary provision.</p>
Reasons for the Decision:	The current provider is terminating its contract early on 15 May 2017. It is necessary to secure the service in its current form to meet assessed needs and there is insufficient time to conduct a competitive procurement process. A direct award is the only viable option and during a recent soft market testing, only one provider, Aspire Living, expressed specific interest in operating the St Owen's Centre service. Aspire has the local capacity and credibility to provide the service.
Options Considered:	<p>To undertake a full competitive procurement process to award the contract. This option is not recommended as there is insufficient time to procure a new service to provide continuity. The contract with the existing provider will end on 15 May 2017. To delay would leave learning disabled people without a service. To not provide this function would leave the council in breach of its duty to meet the eligible assessed needs of vulnerable adults and so open to legal challenge and reputational damage.</p> <p>Not to re-commission the service. This would involve leaving the eligible assessed needs of vulnerable learning disabled people</p>

	unmet, which is not recommended as it would result in the risks identified above, only for a longer period.
Conflict of Interest ■ (See below):	
Date the key decision is due to take effect:	27 April 2017 <i>Under the Council's Constitution – 4.5.17 Limitations of Call Ins – decisions taken under Regulation 10 General Exception are not subject to call in.</i>

<p>COUNCILLOR P MORGAN 27 April 2017 Cabinet Member Health and wellbeing</p>
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.