

Hampshire Fire and Rescue Authority

Finance and General Purposes Committee

Item: 9

24 July 2013

Contracts requiring the Authority's seal

Report by the Chief Officer

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1 Summary

- 1.1 The Authority's standing orders require contracts which need to be sealed to be authorised by Authority or one of its committees. This report seeks agreement to sealing three contracts.

2 Recommendation

- 2.1 The Committee is invited to agree to the sealing of the following contracts:
- a) Deed Of Accession for the provision of construction services (section 4);
 - b) Contract for the provision of Medical Director Services (section 5); and
 - c) Southern England Local Partners (SELP) agreement (section 6).

3 Introduction and background

- 3.1 The Hampshire Fire and Rescue Authority's (HFRA) standing orders make provision for the use of the Authority's seal:

Standing Order 23 - Sealing of Documents

The common seal of the Authority shall not be affixed to any document unless the sealing has been authorised by a resolution of the Authority or of a committee or sub-committee to which the Authority or of a committee or sub-committee to which the Authority has delegated its powers on its behalf, but a resolution of the Authority (or of a committee or sub-committee where that committee or sub-committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, issuing a levy or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the authorisation.

The seal shall be attested by the Clerk or other person duly authorised in writing by him/her and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be authenticated by the person who had attested the seal.

- 3.2 This report identifies three contracts or agreements which are required to be signed under seal.

4 Access to procurement arrangements for construction services

- 4.1 Surrey County Council and Hampshire County Council have established a procurement framework for purchasing construction services.
- 4.2 Hampshire Fire and Rescue Service (HFRS) wishes to take advantage of this framework which is allowed under the established arrangement. To participate in the framework the HFRS needs to sign a Deed of Accession.
- 4.3 The Deed does not involve additional costs except the minor legal costs involved in its signature. Agreeing the Deed will however allow the HFRS to take advantage of procurement savings when it lets construction contracts. It does not involve any additional contractual obligations; each of the parties to the agreement remains responsible for their own use of the framework and liabilities are not shared.

5 Contract for the provision of Medical Director Services

- 5.1 This is a proposed contract between HFRS and Promedsol Ltd for the provision of medical director services. An exception to the normal tendering process has been made to HFRS's standing orders in accordance with paragraph 13.2 as it is a 'purchase of supplies, services or works only obtainable from one supplier or contractor'.
- 5.2 The contract has an annual value of £24,375 (excluding VAT) and is initially for one year with an option to extend beyond this. There are no particular obligations which fall to the HFRS under this agreement; matters such as the supplier's insurance and liability for taxes are clearly set out.
- 5.3 The contract covers a range of services including advice on medical matters (e.g. policies), trauma training, acquisition and use of medical equipment, audit and clinical follow up.

6 Southern England Local Partners (SELP) agreement

- 6.1 The HFRA has been a partner to an agreement designed to help the Authority to get the most from the European Union (including understanding funding opportunities) and to enhance understanding, opportunities and engagement in EU affairs across Southern England. There are 17 partners which means that the Authority gets the benefits from sharing costs. The partners include county councils, a Local Enterprise Partnership, universities, borough and district councils plus some specific organisations.
- 6.2 There are 5 tiers of membership. The HFRA pays an annual membership of £4,400 for level 2 membership (level 5 is the most expensive level with the greatest benefits).
- 6.3 The partnership agreement has recently been redrafted and approval is being sought to sign the revised partnership documents. The revisions have reduced the liabilities and legal responsibilities placed on partnership members. Beyond the requirement to pay the annual subscription the agreement does not commit the HFRS to any shared liabilities across the partnership.

- 6.4 The membership provides access to regular updates on EU activities and in particular funding opportunities as these are announced. The Partnership is run by Hampshire County Council and has been active in running a number of events to support engagement with the EU and is very willing to offer help and advice.

7 Supporting our corporate aims and objectives

- 7.1 The contracts referred to in this report are supportive of the work of the Authority.

8 Risk analysis

- 8.1 The Deed of Accession is designed to ensure that the Authority secures value for money in its procurement of construction services. There is a risk that without this the Authority may pay more for its contracts.
- 8.2 The Medical Director Services contract is intended to provide essential professional advice and support to the Service. Without the contract there are risks of operating without appropriate advice or policies, which might lead to claims that would be more difficult to defend.
- 8.3 The SELP partnership provides information about developments in the EU and in particular funding opportunities. Without this information the Service may be less aware of developments in Europe and the chances to obtain grant funding.

9 People Impact Assessment

- 9.1 The proposals in this report are considered compatible with the provisions of the equality and human rights legislation.

10 Environmental and Sustainability impact assessment

- 10.1 None undertaken

11 Resource implications

- 11.1 There are no additional resource implications arising from this report. The cost of the two contracts will be met within the agreed budget.

12 Background papers

- 12.1 The following documents disclose the facts or matters on which this report, or an important part of it, is based and has been relied upon to a material extent in the preparation of the report:

Deed of Accession produced by Surry County Council DK/51386

Contract for Medical Director Services

The Combined Brussels Partnership for Southern England Local Partnership Agreement and covering letter from SELP dated 24 April 2013

Note: The list excludes: (1) published works; and (2) documents that disclose exempt or confidential information defined in the Act.