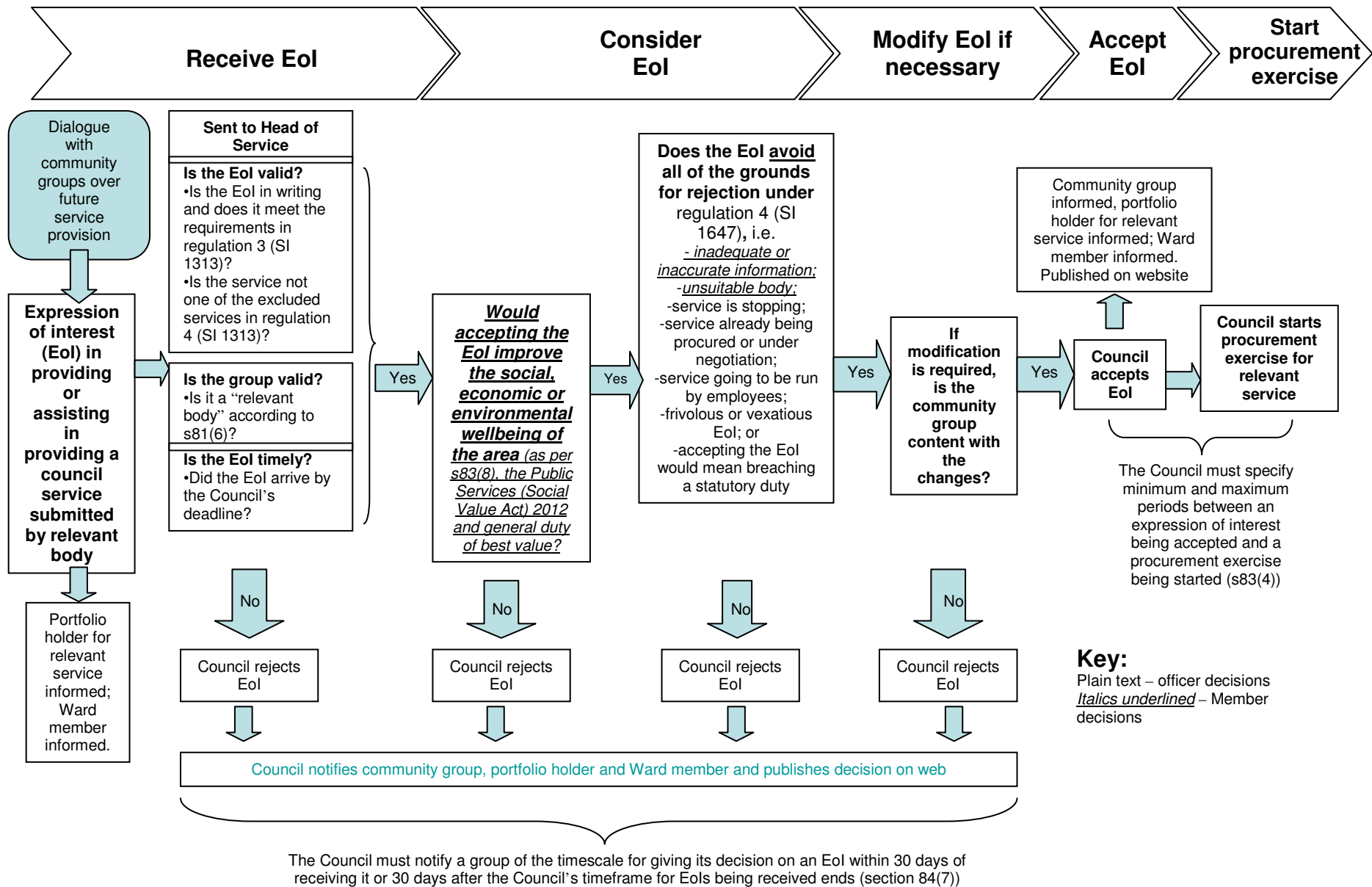


# Appendix A: Community right to challenge (ss81-86)



## **APPENDIX B: TIMESCALES FOR SUBMISSION OF EXPRESSIONS OF INTEREST**

Contract area	Contract / lease expiry date		Expected date of start of formal procurement process		Timeframe for receipt of expressions of interest		Lead officer	
	FHDC	SEBC	FHDC	SEBC	FHDC	SEBC	FHDC	SEBC
<b>Leisure centres (SEBC) / leisure services (FHDC)<sup>1</sup></b>	30 June 2013	31 March 2020	Jan 2013	October 2019	1 Aug 2012 – 30 Sept 2012	1 April – 31 May 2019	Simon Phelan	Neil Anthony
<b>Dog collection and kennelling (FHDC &amp; SEBC)</b>	30 Sept 2016	30 Sept 2016	July 2016	July 2016	1 Jan 2016 - 29 Feb 2016	1 Jan 2016 - 29 Feb 2016	Andy Newman	Richard Whitehead
<b>Horticulture and Arboriculture (FHDC)</b>	31 Oct 2017		Nov 2016		1 May 2016 – 30 June 2016		Simon Phelan	
<b>Tree Maintenance Contract (SEBC)</b>		31 March 2014		July 2013		01 January – 29 Feb 2013		Mark Davison
<b>Public building cleaning (inc window cleaning) (SEBC only)</b>		31 May 2016		February 2016		1 August – 30 Sept 2016		Ivan Sams

In due course, the Council may wish to consider setting windows for other services currently run in-house, in light of further discussions about future options for service provision.

<sup>1</sup> This window may be amended in light of wider discussions around the future of the agreement with Anglia Community Leisure

## **APPENDIX C:**

**Proposed scheme of delegations for handling expressions of interest made under the provisions in chapter 2, part 5 of the Localism Act 2011 and described in The Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012 (SI 2012 No. 1647); and The Community Right to Challenge (Expressions of Interest and Excluded Services) (England) Regulations 2012 (SI 2012 No. 1313).**

It is proposed that all powers in the above statutes relating to “the relevant authority” should be delegated to:

**a) Heads of Service, where it is proposed to accept an expression of interest (s83(1)a), or reject it on the following grounds;**

Regulation 3, schedule 1, SI 1313	Expression of interest not in writing or does not meet the requirements of the regulation in terms of its form (must include financial information, evidence of capability, information about the service and geographical area, information about outcomes and information about employees)
s81(6)	The community group does not meet the definition set out in regulations
s82(2)	The expression of interest was not made during the prescribed time period for the corresponding service
Regulation 4 (4) (SI 1647)	The relevant service is stopping
Regulation 4 (5) (SI 1647)	The relevant service is provided jointly with the NHS and joint provision is critical to the wellbeing of the service users
Regulation 4 (6) (SI 1647)	The relevant service is already being procured
Regulation 4 (7) (SI 1647)	The relevant service is currently under negotiation
Regulation 4 (8) (SI 1647)	The authority has published its intention to consider the provision of the service by 2 or more employees
Regulation 4 (9) (SI 1647)	The expression of interest is frivolous or vexatious
Regulation 4 (10) (SI 1647)	Accepting the expression of interest is likely to lead to a breach of a statutory duty

**b) the Cabinet, where it is proposed to reject an expression of interest (s83(1)b) on grounds of:**

s83(8)	Acceptance of the expression of interest does not promote or improve the social, economic or environmental well-being of the authority’s area
Regulation 4 (2) (SI 1647)	Inadequate or inaccurate information was provided
Regulation 4 (3) (SI 1647)	The relevant body or its subcontractor is not suitable to provide or assist in providing the relevant service
	The relevant body is not content to accept proposed modifications to the expression of interest

For a), it is proposed that Members are informed of expressions of interest relating to their ward or portfolio area i) as soon as they are received and ii) before they are accepted