

 the low tax borough	London Borough of Hammersmith & Fulham CABINET 22 JULY 2013
PROVISION OF A BLUE BADGE INVESTIGATION AND ENFORCEMENT SERVICE	
Report of the Cabinet Member for Transport and Technical Services, Councillor Victoria Brocklebank-Fowler	
Open Report	
Classification - For Decision	
Key Decision: Yes	
Wards Affected: All	
Accountable Executive Director: Nigel Pallace, Executive Director Transport and Technical Services	
Report Author: Osa Ezekiel, Assistant Head of Parking Services	Contact Details: Tel: 020 9753 3264 E-mail: osa.ezekiel@lbhf.gov.uk

1. EXECUTIVE SUMMARY

- 1.1. This report seeks approval to award a contract for the provision of blue badge investigation and enforcement services to BBFI Ltd for three years from July 2013.

2. RECOMMENDATIONS

- 2.1. That a contract be awarded for the provision of blue badge investigation and enforcement services to BBFI Ltd for a term of up to three years with the option to terminate on giving 6 months notice at an annual notional value of the contract is £60,000 excluding VAT.
- 2.2. That Contract Standing Orders requiring officers to seek a minimum of 5 tenders be waived in this case.

- 2.3. That authority be delegated to the Director for Highways and Transportation, in consultation with the Director of Law, to agree the final form of contract to be entered into with BBFI Ltd.

3. REASONS FOR DECISION

- 3.1. After a failed tender exercise, officers were given permission by the Cabinet Member to enter into negotiations with BBFI Ltd for the provision of the services.

4. INTRODUCTION AND BACKGROUND

- 4.1. The Council piloted a scheme to tackle the abuse of disabled badges (blue badges). The pilot started in May 2009 and has proved to be successful in dealing with abuse of the badges. During this period approximately 395 cases have been prepared for prosecution and there have been approximately 108 joint police operations.
- 4.2. The Council then decided to tender for the provision of the services for a minimum of 3 years and a maximum of 7. Only one tender was received from G4S and after evaluation it was found to be unsuitable.
- 4.3. Unfortunately the incumbent provider BBFI Ltd could not submit a tender. As a small and medium enterprise, they did not meet the Council's published turnover thresholds and therefore would not have passed the financial assessment stage.
- 4.4. Although BBFI Ltd was unable to tender for the contract, officers have been very satisfied with the service they have provided to date. BBFI Ltd have built excellent working relationships with the Police and demonstrated the necessary flexibility in carrying out joint operations with the Police at weekends. Permission was given by the Cabinet Member to enter into negotiations with BBFI Ltd for the provision of blue badge investigation and enforcement services.
- 4.5. The Council does not currently have the specialist resources to provide the services.
- 4.6. As part of on-going Bi-borough work in Parking Services, one option that may emanate from the current service reviews is that the existing permit fraud team in the Royal Borough of Kensington & Chelsea (RBKC) take on this work for LBHF. This would, however, be subject to suitable training being provided and the ability of the RBKC to provide the service on any day of the week as a lot of the joint patrols with the Police take place on Saturdays and Sundays.
- 4.7. It is likely to be at least a year before the RBKC permit fraud team will be able to provide this service for LBHF.

5. PROPOSAL AND ISSUES

- 5.1. H&F need to ensure that we retain the ability to effectively tackle the abuse of the blue badge scheme.

6. OPTIONS AND ANALYSIS OF OPTIONS

- 6.1. The only alternative to awarding the contract would be to let it lapse and lose the ability to deal with cases of blue badge abuse. This would be disadvantageous to the Council as it would lead to more complaints from residents about abuse of the blue badge scheme.

7. CONSULTATION

- 7.1. Not applicable.

8. EQUALITY IMPLICATIONS

- 8.1 This report recommends entering into a contract to investigate blue badge investigation and enforcement services. This will impact on residents in general, who will benefit from having more parking spaces available if there is a reduction in people abusing disabled badges. The service provider can also take action against people discovered to be using disabled badges to park without the disabled badge holder being present. Such action could include prosecution in court
- 8.2 However, this will mainly impact and be of relevance to disabled people who have a genuine need for their blue badges as there should be more suitable parking spaces available for them. S149 of the Equality Act 2010 requires the Council to give due regard to the need to advance equality of opportunity between disabled people and non-disabled people, and by investigating fraud in a service that is for disabled people will help to do this as it will help to ensure that non-disabled people are not using a service that they should not use. If evidence of this is found and investigations take place, appropriate action then taken will also help to ensure that equality of opportunity for disabled people is being advanced.

9. LEGAL IMPLICATIONS

- 9.1. Legal services have been providing advice to the client department during the unsuccessful tender process and negotiations with BBFI Ltd. Legal will work with the client to finalise the contract with BBFI Ltd.
- 9.2. Implications completed by Catherine Irvine, Senior Contract Lawyer
Telephone: 020 8753 2774.

10. FINANCIAL AND RESOURCES IMPLICATIONS

- 10.1. This report seeks approval for the contract for blue badge fraud investigation to be awarded to the current provider, under the same financial terms as the current provision.
- 10.2. Therefore, the contract cost will be funded from existing revenue budgets for the service.
- 10.3. Implications completed by Amit Mehta, Principal Accountant - TTS
Telephone: 0208 753 3394

11. PROCUREMENT AND IT STRATEGY IMPLICATIONS

- 11.1. The Corporate Procurement Team have provided advice to the client department during the unsuccessful tender process and negotiations with BBFI Ltd.
- 11.2. The Bi-Borough Head of Internal Audit & Risk Management has requested that the client department liaise with her team to assess the relative values and costs of the contract and potential for undertaking this service by the RBKC Fraud Team prior to agreeing a contract for 3 years
- 11.3. The client department has obtained approval to negotiate via a Cabinet report which set out the risks and options to have this service provided on a contractual basis
- 11.4. The Director of Procurement & IT Strategy agrees with the recommendations of this report subject to the comments set out in 11.2 above
- 11.5. Implications completed by Robert Hillman, Procurement Consultant
Telephone: 020 8753 7177

LOCAL GOVERNMENT ACT 2000

LIST OF BACKGROUND PAPERS USED IN PREPARING THIS REPORT

No.	Description of Background Papers	Name/Ext of holder of file/copy	Department/ Location
1.	Tender documents (exempt)	Osa Ezekiel	TTS, Bagleys Lane depot