

SUBJECT	Appointing Buckinghamshire Lottery External Lottery Manager
RELEVANT MEMBER	Cllr L Walsh, Portfolio Holder for Healthy Communities
RESPONSIBLE OFFICER	Martin Holt - Head of Healthy Communities
REPORT AUTHOR	Claire Speirs – 01895 837306 Claire.Speirs@ChilternandSouthBucks.gov.uk
WARD/S AFFECTED	All

1. Purpose of Report

To seek Cabinet permission to waiver standing order procedures to appoint Gatherwell as the External Lottery Manager for the new Buckinghamshire Lottery.

RECOMMENDATIONS to Cabinet:

- 1. Contract Procedure Rules to be waived to appoint Gatherwell Ltd as external lottery manager for Buckinghamshire Lottery.**
- 2. That Chiltern District Council enters into a contract with Gatherwell Ltd which will transfer on 1st April 2020 to Buckinghamshire Council under Regulation 4 of the Local Government (Structural Changes) (Transitional Arrangements) No.2 Regulations 2008**

2. Reasons for Recommendations

To enable the appointment of Gatherwell Ltd to the ELM for the new Buckinghamshire Lottery which will be operating from 1st April 2020.

3. Content of Report

- 3.1. Aylesbury Vale, Wycombe and Chiltern and South Bucks Councils are all currently running a Community Lottery scheme each holding an Operator's licence issued by the Gambling Commission. Each authority, following an assessment of the benefits provided appointed the same External Licensed Manager (ELM), Gatherwell Ltd to operate the online lottery.
- 3.2. Following the implementation of the Buckinghamshire Council on 1st April the existing lotteries will cease to exist. The Chiltern and South Bucks Lottery launched in 2017 and has raised £13,884 for 292 good causes in the districts (Year to date October 2019)
- 3.3. Following consultation with the Informal Shadow Executive of Buckinghamshire Council on 5th November 2019, members preferred to operate a single local authority lottery across the geographical area of Buckinghamshire

- 3.4. To enable a Buckinghamshire lottery to go live on 1st April 2020 it is necessary to establish the ELM, platform and the communications, to notify existing players and good causes of the transfer to the new Lottery.
- 3.5. To support the establishment of a new lottery it is proposed to seek a waiver of contract standing orders by Chiltern District Council in order to commission Gatherwell as the External Licensed Manager to operate Buckinghamshire Lottery.
- 3.6. The waiver of contract standing orders would enable the move to a single platform contract from the existing 3 district lotteries. Chiltern District will need to enter into the contract ahead of Vesting Day so that it can transfer under the relevant statutory provisions without interruption to the operation of the lottery
- 3.7. The reasons for the waiver of contract standing orders are as follows:-
- 1 Urgency: there is insufficient time to comply with the requirement to obtain 2 quotes as no other organisation delivers an online lottery with the range of benefits provided by Gatherwell and the platform is required to be in place and live on 1st April 2020.
 - 2 No genuine competition for the reasons detailed below:
 - a. Whilst other lottery providers exist, Gatherwell are the only provider of a dedicated local authority 'on line' lottery
 - a) All administration of the scheme including payments and prizes would be undertaken by Gatherwell requiring minimal administration by the Council.
 - b) 80% of the lottery ticket goes to prizes and 'Good Causes and the Community Fund' as opposed to 50% from other lottery providers
 - c) Gatherwell has the specialist knowledge and experience to establish the lottery by 1st April 2020.
 - d) The initial contract cost payable from the Council to Gatherwell is £5,000 thereafter the lottery itself funds the ELM costs.
- 3.8. The relationship between the Council and Gatherwell is summarised as the Council setting the strategic approach, and exercising control of the licence, and Gatherwell fulfilling the day to day delivery.
- 3.9. A new contract will be completed between Gatherwell and Chiltern District Council. This will then transfer to Buckinghamshire Council upon vesting day in accordance with the statutory Regulations which provide for continuity of contracts entered into by the predecessor councils.

4. Financial Implications

Current Costs of three lotteries	
Annual Licence Fees	£1,736
Annual Membership Lotteries Council	£1,400
Marketing and promotion per annum	£6,000
Total	£9,136
New Licence Costs – year 1	
Gambling Commission Fee	£696
Small Application Fee	£160
Annual Membership Lotteries Council	£385
Gatherwell set up costs	£5,000
Marketing	£8,794
Total	£15,000
Costs year 2 onwards	
Annual Licence Fees	£696
Annual Membership Lotteries Council	£385
Marketing and promotion per annum	£6,000
Total	£7,046

4.1. The above costs are funded from the Shadow Buckinghamshire Council transformation fund.

5. Consultation

Not Applicable

6. Options (if any)

None.

7. Corporate Implications

Reports must include specific comments addressing the following implications:

7.1 Financial – all costs detailed above

7.2 Legal – Paragraph A6 of the Contract Procedure Rules 2018 allows for exemption from the contract procedure rules in cases of urgency and no genuine competition.

7.3 To enable the lottery to be live on the 1st April a licence holder has been appointed from the Buckinghamshire Council.

8. Unitary Implications (if applicable)

- The funding is below the financial commitments agreed by the Shadow Executive.
- The level of expenditure is below key decision threshold of Buckinghamshire Council.
- Informal Shadow Executive has agreed to proceed with Buckinghamshire Lottery and the appointment of Gatherwell subject to a district Council waiving standing orders to appoint and establish platform by 1st April 2020.

9. Links to Council Policy Objectives

Provide excellent services

- Managing the transition and implementation of the new Unitary District Council with the best intentions for residents
- Support the voluntary sector
- Engage with Parish and Town Councils and local neighbourhoods

10. Next Steps

Appointment of Gatherwell to establish the new Buckinghamshire Lottery.

Background Papers:	None other than those referred to in this report.
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