

Community Managed Libraries

Update 5

13th April 2015

**Community Managed Libraries access to County Council Suppliers - Eastern Shires
Purchasing Organisation**

We have been in discussion with the County Council's main arranger of suppliers of goods and services to the County Council, the Eastern Shires Purchasing organisation (ESPO), regarding whether Community Managed Library Groups are able to access their contracts and suppliers once the transfers have been completed.

The advice received from ESPO is that in their view, groups that take over the running of their local libraries will be eligible to use ESPO's catalogue and framework agreements to purchase the goods and services necessary to run their library.

ESPO have caveated their advice with the following comments:

Although groups are unlikely to have been specifically referred to in the official EU contract notices which would have been placed before the frameworks were tendered, there is a provision contained in guidance issued by central government (in its PPN Action Note 16/100).

Although this is official government guidance, it is not actually legally binding. This means that the organisations wishing to rely upon the guidance would need to be aware of the risk that if an entity was to argue that the organisation was unlawfully accessing the framework, the courts could find that the guidance was not correct and that in fact as the organisation was not listed it could not use the framework. ESPO's own legal advisors think the risk of this arising is very low (though the advice comes with the usual caveat that groups should seek your own legal advice and rely upon that).

If you are interested in using the ESPO catalogue and framework agreements then further information can be found as follows.

- To see what frameworks are available (and who to contact in each case if a group has particular queries about them) go to <http://www.espo.org/Frameworks>
- To register to download all the details of how to use the frameworks, prices, etc., Groups should register at <http://www.espo.org/Registration>

- Groups are eligible to use the ESPO catalogue and order products from it, but groups will need to set up an account at <http://www.espo.org/Catalogue>