

CONTRACTS SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 8 December 2016

Present:

Councillor Stephen Wells (Chairman)
Councillor Chris Pierce (Vice-Chairman)
Simon Fawthrop, William Huntington-Thresher, Keith Onslow and
Angela Wilkins

33 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Councillor Chris pierce apologised that he would need to leave the meeting early at 9pm.

34 DECLARATIONS OF INTEREST

There were no declarations of interest.

35 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

36 MINUTES OF THE MEETING OF CONTRACTS SUB-COMMITTEE HELD ON 2ND NOVEMBER 2016 AND MATTERS ARISING

The Sub-Committee noted the importance of PDS Chairmen and Committees using Internal Audit reports to scrutinise services. The Contracts Sub-Committee had to restrict its work to where issues relating to contracts had been identified. It was suggested that the paper on the difference between contract monitoring and contract management should be re-circulated to members of the Sub-Committee.

It was noted that the contracts database system was still on-track, although there would be a focus on key issues, with other matters added later as the system grew. This would include key dates, in particular flagging that work on retendering larger contracts needed to start at least eighteen months before expiry. There would be a live demonstration at the next meeting in January.

RESOLVED that the minutes of the meeting held on 2nd November 2016 be confirmed.

37 EXPENDITURE ON CONSULTANTS 2015/16 AND 2016/17 - REFERENCE FROM RENEWAL AND RECREATION PDS COMMITTEE

Report CSD16181

At its meeting on 22nd November 2016, the Renewal and Recreation PDS Committee had considered a report outlining the total expenditure of the Council

on consultants in 2015/16 for the Renewal and Recreation Portfolio. This followed consideration of a report on the employment of consultants covering all departments and portfolios which had been considered by Executive and Resources PDS Committee on 7th September 2016.

The Renewal and Recreation PDS Committee had noted the expenditure in its own portfolio, but had also suggested that this Sub-Committee should consider whether the format of the report could be modified in future to identify whether or not expenditure had been approved and whether the individual projects had been taken forward.

The Sub-Committee considered the format of the reports, but concluded that there was nothing to stop individual PDS Committees requesting the information in whatever layout they found appropriate to their services. It was perhaps more important that the requirement to report on use of consultants prevented unnecessary expenditure and ensure that they were only employed where there was a very necessary reason.

RESOLVED that the report be noted.

38 STRAY DOGS CONTRACT - REFERRAL FROM AUDIT SUB-COMMITTEE

At its meeting on 29th November 2016 the Audit Sub-Committee had received a follow up on the audit of the Stray Dogs contract, which, in November 2015, had identified nine priority one recommendations. The contract had been extended and had not been re-tendered for several years.

Jim McGowan, Head of Environmental Protection, attended the meeting to brief Members on the current position. He confirmed that all there were now no outstanding priority one recommendations, only priority two recommendations, and explained the history of the contract. There had initially been an aspiration to merge the service with another borough. Discussions had taken place with RB Greenwich, but the timing had not worked out. A joint proposal with LB Southwark had then been developed, with Southwark intending to build their own kennel facilities. An architect had been commissioned to develop the scheme, but Southwark Councillors had decided not to proceed. There had then been further delays in re-tendering due to the need to align with other Public Protection contracts. A tender had been issued for kennelling, and the cheapest tender had been accepted, producing some savings. The Council also now had access to Battersea Dogs Home's satellite kennel at Brands Hatch. A report was being prepared for Public Protection and Safety PDS Committee on 18th January 2017 – a final extension of nine months until the end of January 2018 would be required before a new contract could be started.

Members commented that it was clear that the issues should have been brought before Members at an earlier stage, and that the risks involved, such as changes to legislation and being dependent on other authorities or third parties, had not been properly assessed. The Sub-Committee considered that the establishment

of the Commissioning Board and changes to the waiver process would now have prevented the delays that occurred, and was reassured that action had been taken to address the priority one issues, and was now being taken on the priority 2 issues. Lessons had been learnt by the department. However, Members were still concerned that the problems had not been identified from the Contracts Register or addressed by Public Protection and Safety PDS at an earlier stage. Above all, it was necessary to have a commissioning strategy in place to avoid the delays, last-minute waivers and false-starts that had occurred.

RESOLVED that the current situation be noted.

39 WORK PROGRAMME 2016/17
Report CSD16170

The Sub-Committee received the latest version of its work programme report for 2016/17 and discussed how it could identify issues that needed to be scrutinised. Issues could arise through a number of sources including Internal Audit, PDS Committees, the Contracts Register, the Commissioning Projects list or the Risk Register.

Members inquired about the delays in transferring strategic property staff to Cushman and Wakefield. This had now been completed on 1st December 2016, after issues about pensions had been resolved. The delay had been to protect the position of staff; this had been an unusual contract combining facilities management, property maintenance and strategic property, and the lessons learnt had been incorporated into new guidance. The Sub-Committee decided that there were no further issues for them to pursue.

It was also suggested that the Sub-Committee could look at the agreement with V22 for the Priory, but as this was more a matter of a lease than a contract it was decided not to pursue this.

The following issues were added to the work programme –

- Change notices – this could be part of the contracts database demonstration (January)
- A report on the Orchard and Shipman report, to include Manorfields, but also looking at the overall contract – (January)
- CCTV contract (April)
- Commissioning Projects List (April)

RESOLVED that the work programme for 2016/17 be updated as set out above.

40 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT

RESOLVED that the Press and public be excluded during consideration of the items of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summary
refers to matters
involving exempt information**

41 AUTHORISATION FOR EXEMPTION TO CONTINUE THE CONTRACT FOR SUPPORT SERVICES TO CHILDREN AT RISK OF SEXUAL EXPLOITATION
Report CS17068

At its last meeting the Sub-Committee had discussed contract ECHS 54 Support Services to Children at Risk of Sexual Exploitation. The Sub-Committee had been informed that following the Ofsted inspection, the current contract was going to be extended to allow time for a detailed specification for an enhanced contract to be drawn up, which required a growth bid. The Sub-Committee had requested that further details be provided to them at this meeting.

The contract had been considered for pre-decision scrutiny by Care Services PDS Committee on 15th November 2016 prior to the Care Services Portfolio Holder taking a decision to award a further six month contract to allow the contract to be re-tendered on a revised specification to start on 2nd October 2017 – this report was provided to the Sub-Committee.

The Director of Commissioning stated that the contract could not be allowed to be extended again, and Members expressed disappointment that the extensions were necessary.

RESOLVED that the current position with this contract be noted.

The Meeting ended at 9.11 pm

Chairman