

# Croydon Council

<b>REPORT TO:</b>	<b>CABINET 21<sup>st</sup> OCTOBER 2019</b>
<b>SUBJECT:</b>	<b>INVESTING IN OUR BOROUGH</b>
<b>LEAD OFFICER:</b>	<b>SARAH WARMAN, DIRECTOR OF COMMISSIONING &amp; PROCUREMENT</b>  <b>JACQUELINE HARRIS-BAKER, EXECUTIVE DIRECTOR RESOURCES</b>
<b>CABINET MEMBER:</b>	<b>COUNCILLOR SIMON HALL</b> <b>CABINET MEMBER FOR FINANCE AND RESOURCES</b>
<b>WARDS:</b>	<b>ALL</b>
<p><b>CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON:</b> Effective outcome based commissioning and prudent financial transactions contribute to all corporate priorities.</p> <p>The Council's Commissioning Framework (2019 – 2023) sets out the approach to commissioning and procurement and puts delivery of outcomes at the heart of the decision making process. As the Council develops more diverse service delivery models, it is important to ensure that our contractual and partnership relationships are not only aligned to our corporate priorities but also represent value for money for citizens and taxpayers, contributing to the growth agenda for Croydon.</p>	
<p><b>FINANCIAL SUMMARY:</b> There are no direct costs arising from this report.</p>	
<p><b>KEY DECISION REFERENCE NO.:</b> There are key decisions mentioned in this report, but approval of the Recommendations would not constitute a key decision.</p>	

The Leader of the Council has delegated to the Cabinet the power to make the decisions set out in the recommendations below

## **1 RECOMMENDATIONS**

1.1. The Cabinet is requested to approve:

1.1.1. The award of contract variation for Agency Contract in accordance with the recommendations set out in the report at agenda item 14a;

1.2. The Cabinet is requested to note:

1.2.1. Contract awards recommended to the Cabinet for approval which are the subject of a separate agenda item and referenced in section 4.1.3 of this report.

1.2.2. The list of delegated award decisions made by the Director of Commissioning and Procurement, between 16/08/2019 – 16/09/2019.

1.2.3. Property acquisitions and disposals agreed by the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet.

## **2 EXECUTIVE SUMMARY**

2.1 This is a standard report which is presented to the Cabinet, for information, at every scheduled Cabinet meeting to update Members on:

- Delegated contract award decisions made by the Director of Commissioning and Procurement 16/08/2019 – 16/09/2019;
- Contract awards and strategies to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item;
- Property lettings, acquisitions and disposals agreed by the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet;
- Contract awards to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item;
- Contracts anticipated to be awarded under delegated authority from the Leader by the nominated Cabinet Member, in consultation with the Cabinet Member for Finance and Resources and with the Leader in certain circumstances, before the next meeting of Cabinet;  
[As at the date of this report there are none].
- Delegated contract award decisions under delegated authority from the Leader by the Nominated Cabinet Members for Finance and Resources & for Children, Young People & Learning related to the new Addington Valley SEN School;  
[As at the date of this report there are none].
- Partnership arrangements to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item.  
[As at the date of this report there are none].

## **3 DETAIL**

3.1 Section 4.1.1 of this report lists those contract and procurement strategies that are anticipated to be awarded or approved by the Cabinet.

3.2 Section 4.1.2 of this report lists the contract award recommended to the Cabinet for approval at this meeting. This contract award is the subject

of a separate agenda item and is itemised in this report for information only.

- 3.3 Section 4.2.1 of this report lists the delegated award decisions made by the Director of Commissioning and Procurement, between 16/08/2019 – 16/09/2019.
- 3.4 Section 4.3.1 of this report lists the property lettings, acquisitions and disposals agreed by the Cabinet Member for Finance and Resources in consultation with the Leader since the last meeting of Cabinet.
- 3.5 The Council's Procurement Strategy and Tender & Contracts Regulations are accessible under the Freedom of Information Act 2000 as part of the Council's Publication Scheme. Information requested under that Act about a specific procurement exercise or contract held internally or supplied by external organisations, will be accessible subject to legal advice as to its commercial confidentiality, or other applicable exemption, and whether or not it is in the public interest to do so.

## **4 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS**

### **4.1 Proposed Contract Awards**

- 4.1.1 Contract award for the purchase of goods, services and works with a possible contract value over £5 million decisions to be taken by Cabinet which are agenda item 14a.

<b>ContractTitle</b>	<b>Contract Revenue Budget</b>	<b>Contract Capital Budget</b>	<b>Dept/Cabinet Member</b>
Agency Contract Variation	£135,000,000 (Increase in cost by £55,000,000) (12 months extension)		Finance and Resources / Cllr Hall

- 4.1.2 Revenue and Capital consequences of contract award decisions to be taken by Cabinet which are the subject of a separate agenda item

<b>Contract Title</b>	<b>Contract Revenue Budget</b>	<b>Contract Capital Budget</b>	<b>Dept/Cabinet Member</b>
Section 75: Public Health Nursing	£40,999,000 (Contract length 7 years)		Children, Young People and Learning / Cllr Flemming

## 4.2 Contract Awards

4.2.1 Revenue and Capital consequences of delegated decisions made by the Director of Commissioning and Procurement for contract awards (Regs. 19, 28.3 a & b) between £100,000 & £500,000 and contract extension(s) previously approved as part of the original contract award recommendation (Reg. 28.4 d) and contract variations (Reg.30).

<b>Contract Title</b>	<b>Contract Revenue Budget</b>	<b>Contract Capital Budget</b>	<b>Dept/Cabinet Member</b>
Provision of Fibre Broadband Employer Agent (FEA) and Fibre Project Co-Ordinator (FPC) Award Report	£431,200 (Contract length 2 years)		Homes & Gateway Services / Cllr Butler
Croydon Medium Term Financial Strategy Review Support (MTFS) 2030	£170,000 (Contract length 7 months)		Finance and Resources / Cllr Hall

## 4.3 Property Acquisitions and Disposals

4.3.1 Revenue and Capital consequences of property lettings, acquisitions and disposals over £500,000 to be agreed by the Cabinet Member for Finance and Resources in consultation with the Leader of the Council.

<b>Title</b>	<b>Lettings</b>	<b>Disposals</b>	<b>Acquisitions</b>	<b>Dept/Cabinet Member</b>
Letting of the 2nd floor annex BWH to NHS Property Services	Commercially sensitive – refer to background document			Finance & Resources / Cllr Hall
Letting of unit 7C the Colonnades to K&Z South London Ltd	Commercially sensitive – refer to background document			Finance & Resources / Cllr Hall

Approved by: Ian Geary, Head of Finance - Resources on behalf of Lisa Taylor, Director of Finance, Investment and Risk and Section 151 Officer.

## **5 LEGAL CONSIDERATIONS**

- 5.1 The Director of Law and Governance comments that the information contained within this report is required to be reported to Members in accordance with the Council's Tenders and Contracts Regulations and the council's Financial Regulations in relation to the acquisition or disposal of assets.

Approved by: Sean Murphy, Director of Law and Governance and Deputy Monitoring Officer.

## **6 HUMAN RESOURCES IMPACT**

- 6.1 There are no immediate HR issues that arise from the strategic recommendations in this report for LBC staff. Any specific contracts that arise as a result of this report should have their HR implications independently assessed by a senior HR professional.

Approved by: Sue Moorman, Director of Human Resources

## **7 EQUALITY IMPACT**

- 7.1 An Equality Analysis process has been used to assess the actual or likely impact of the decisions related to contracts mentioned in this report and mitigating actions have been defined where appropriate.

- 7..2 The equality analysis for the contracts mentioned in this report will enable the Council to ensure that it meets the statutory obligation in the exercise of its functions to address the Public Sector equality duty (PSED). This requires public bodies to ensure due regard to the need to advance equality of opportunity; foster good relations between people who share a “protected characteristic” and those who do not and take action to eliminate the potential of discrimination in the provision of services.
- 7..3 Any issues identified through the equality analysis will be given full consideration and agreed mitigating actions will be delivered through the standard contract delivery and reporting mechanisms.

Approved by: Yvonne Okiyo, Equalities Manager

## **8 ENVIRONMENTAL IMPACT**

- 8.1 Any issues emerging in reports to the relevant Cabinet member will require these considerations to be included as part of the standard reporting requirements, and will not proceed without full consideration of any issues identified.

## **9 CRIME AND DISORDER REDUCTION IMPACT**

- 9.1 Any issues emerging in reports to the relevant Cabinet Member will require these considerations to be included as part of the standard reporting requirements, and will not proceed without full consideration of any issues identified.

## **10 DATA PROTECTION IMPLICATIONS**

- 10.1 Will the subject of the report involve the processing of ‘personal data’?

NO

Has a Data Protection Impact Assessment (DPIA) been completed?

NO

Data Protection Impact Assessments has been used to assess the actual or likely impact of the decisions related to contracts mentioned in this report and mitigating actions have been defined where appropriate.

Approved by: Sarah Warman, Director of Commissioning & Procurement.

**CONTACT OFFICER:**

<b>Name:</b>	Stephen Hopkins
<b>Post title:</b>	Head of Commissioning and Procurement (Corporate)
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**BACKGROUND DOCUMENTS:**

The following public background reports are not printed with this agenda, but are available as background documents on the Croydon Council website agenda which can be found via this link [Cabinet agendas](#)

- Letting of the 2nd floor annex BWH to NHS Property Services
- Letting of unit 7C the Colonnades to K&Z South London Ltd