

MEMBER QUESTIONS TO OFFICERS at Corporate Services Scrutiny Committee – 28 September 2017

From Councillor Musgrave

Responses made by Councillor Pearson, (Portfolio Holder for Support Services).

Question 1

I understand the Council are about to procure three major service contracts in respect of the construction of the new leisure complex and bus station, the operation of the new leisure complex, and arboriculture services. Given the fact these are public facing services, does the Portfolio Holder agree with me that it's essential that we have demonstrable evidence that we have consulted with the public in accordance with the social value act in respect of these three contracts?

Response 1

The Social Value act was one of the components of the tendering requirements for the bus station and leisure centre building contract and was evaluated during the tender selection process. The procurement process was agreed with the Programme Board and Members involved with the criteria and weighting for selection.

The Social Value Act does not make public consultation mandatory. What is mandatory is to consider consultation; not necessarily public consultation, as supply market consultation is also of particular relevance. In order to develop a robust and intelligent specification a soft marketing exercise has been carried out with all the leading UK leisure operators, and demonstrable evidence of this process is available. (This exercise also had some benefit to the D&B construction contract procurement process).

Some informal consultation has been carried out with local sports clubs such as the swimming and bridge club, and consultation with the chair of the Health and Wellbeing Board, CCG and Active Devon has also been carried out. Elected members have been consulted on the draft service specification and a digital end user consultation will be used to shape elements of the final service specification. This will ensure that citizen and user perspectives on the service are linked to outcomes and specifications.

Consultation is designed to be relevant and proportionate and the tender pack will contain clear evidence that environmental, economic and social benefits have been considered in accordance with PPN Information note 10/12 (20 Dec 2012). In fact, a full local authority outcomes section is included within the service specification which addresses this requirement. This approach has been designed into the process and will allow the Council to seek a competitive price from the market and also secure wider social, economic and environmental benefits from the leisure contract.

Question 2

Can the Portfolio holder confirm the Council fully considered the business case for all the various options in respect of the three contracts?

Response 2

The business case for operating the new leisure complex has been considered by the Council. Members have debated the report from the consultant 'Continuum' in relation to this matter.

Question 3

Did the Council consider self-delivery for all of the three contracts?

Response 3

Self-delivery of the leisure management service, including the new leisure complex, has been considered as an option and rejected by the project steering group.

Question 4

Have elected members been involved in weighting the criteria with regarded to the evaluation criteria for procurement?

Response 4

A Procurement Policy is being drafted and currently being circulated at Officer Level and the Portfolio Holder has been consulted on the content of the policy. Once finalised the Policy will be sent for approval through, Scrutiny, Executive and Full Council ensuring all Members have an opportunity to review and input prior to the final Policy being adopted.

Elected members on the Programme Board have been involved in discussions about the criteria and weightings for this tender, along with the fundamentals of the quality/price ratio.

Question 5

Has the Portfolio Holder ever received advice that cross party involvement in procurement planning is desirable?

Response 5

No specific advice had been received. Procurement planning in the future will be determined by the nature and size of contracts and a timeline of when contracts are due for re-tendering. They will be completed in compliance with the Council's Contract Standing Orders.

Question 6

What is basis of engagement for the new procurement staff? Will they continue with current procurement projects or is a change of direction envisaged?

Response 6

There was one procurement officer in post and three more posts were still be filled on a full time basis. They will be filled as soon as possible and will of course continue with the programme of work that the Council has prioritised. The policy will direct the way procurements are undertaken, but the type of work will be similar.