

Croydon Council

REPORT TO:	CABINET 21st March 2022
SUBJECT:	INVESTING IN OUR BOROUGH
LEAD OFFICER:	PETER MITCHELL, DIRECTOR OF COMMERCIAL INVESTMENT Jane West, S151 OFFICER & CORPORATE DIRECTOR OF RESOURCES
CABINET MEMBER:	COUNCILLOR CALLTON YOUNG CABINET MEMBER FOR RESOURCES AND FINANCIAL GOVERNANCE
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT Effective outcome based commissioning and prudent financial transactions contribute to all corporate priorities. 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.	
FINANCIAL SUMMARY: Financial implications are set out in each individual report.	
KEY DECISION REFERENCE NO.: There are key decisions mentioned in this report, but approval of the Recommendations would not constitute a key decision.	

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 note:

1.1.1 The request for approval of the award for Children with Disabilities Care Provider Register (CPR) as set out in agenda item 13b and section 5.1.1.

1.1.2 The request for approval of the contract variation for Residual Waste Treatment Contract Variation as set out in agenda item 13a and section 5.1.1.

1.1.3 Contract award decisions to be made between £500,000 and £5,000,000 by the nominated Cabinet Member or, where the nominated

Cabinet Member is in consultation with the Leader as set out in section 5.3.1.

1.1.4 Delegated award decisions made by the Director of Commercial Investment since the last meeting of Cabinet, as set out in section 5.4.1

1.1.5 Property lettings, acquisitions and disposals to be agreed by the Cabinet Member for Resources and Financial Governance in consultation with the Leader since the last meeting of Cabinet, as set out in section 5.5.1

1.1.6 The Cabinet recommends to the Leader of the Council, that prior to the next meeting of Cabinet in June, in respect of decisions requiring Cabinet's approval, or prior reporting to Cabinet, concerning the acquisition or disposal of property, procurement strategies and contract awards and variations:

1.1.6.1 The Cabinet Member for Resources and Financial Governance* in consultation with the Leader*, be authorised to agree such decisions concerning the disposal or acquisition of properties;

1.1.6.2 The nominated Cabinet Member* in consultation with the Cabinet Member for Resources and Financial Governance* or, where the nominated member is the Cabinet Member for Resources and Financial Governance in consultation with the Leader*, be authorised to agree such decisions concerning procurement strategies and the award and/or variation of contracts;

Note that any awards made under this delegation will be notified in the standard contracts report to the next meeting for Cabinet

*Following the Local Government and Mayoral Elections on 5th May 2022, the relevant member of the Executive carrying the appropriate and relevant function/portfolio as the Leader/nominated Cabinet Member/ Cabinet Member for Resources & Financial Governance as the case may be.

2 EXECUTIVE SUMMARY

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

- Contract awards and strategies to be agreed by the Cabinet at this meeting which are the subject of a separate agenda item;
- Revenue and capital consequences of contract award decisions taken by the Leader due to decisions required prior to the March Cabinet meeting;

- Contracts between £500,000 and £5,000,000 anticipated to be awarded under delegated authority from the Leader by the nominated Cabinet Member, in consultation with the Cabinet Member for Resources and Financial Governance and with the Leader in certain circumstances, before the next meeting of Cabinet;
- Delegated contract award decisions made by the Director of Commercial Investment since the last meeting of Cabinet;
- Property lettings, acquisitions and disposals to be agreed by the Cabinet Member for Resources and Financial Governance in consultation with the Leader since the last meeting of Cabinet;
- 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 5.1.1 of this report lists those contract and procurement strategies that are anticipated to be awarded or approved by the Cabinet.
- 3.2 Section 5.2.1 of this report lists those contract award decisions taken by the Leader due to decisions required prior to the March Cabinet meeting.
- 3.3 Section 5.3.1 of this report lists those contracts that are anticipated to be awarded by the nominated Cabinet Member
- 3.4 Section 5.4.1 of this report lists the delegated award decisions made by the Director of Commercial Investment since the last meeting of Cabinet.
- 3.5 Section 5.5.1 of this report lists the property acquisitions and disposals to be agreed by the Cabinet Member for Resources & Financial Governance in consultation with the Leader since the last meeting of Cabinet.
- 3.6 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 PRE-DECISION SCRUTINY

- 4.1 This report does not require pre-decision as all the reports listed below are compliant with the Council's Tender & Contracts Regulations.

5 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

5.1 Proposed Strategy and Award approvals

5.1.1 Procurement strategies and awards 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 items 13a and 13b.

Award/Strategy	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept/Cabinet Member
Children with Disabilities Care Provider Register (CPR)	£5,846,813 (Total aggregated Spend)		£1,461,703.06	Cllr Alisa Flemming Cabinet Member for Children, Young People and Learning Cllr Callton Young Cabinet Member for Resources and Financial Governance
Residual Waste Treatment Contract Variation	-£443,000 (value of variation to Croydon Council) £262,000,000 (revised total aggregated value)		£10,859,000	Cllr Ali for Sustainable Croydon Cllr Callton Young for Resources and Financial Governance

5.2 Contract Award decisions taken by the leader

5.2.1 Revenue and capital consequences of contract award decisions taken by the Leader due to decisions required prior to the March Cabinet meeting.

Contract Title	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept/Cabinet Member
	£ (value of extension) £ (Total aggregated spend)		£	

5.3 Contract Awards

5.3.1 Revenue and Capital consequences of contract award decisions to be made between £500,000 and £5,000,000 by the nominated Cabinet Member in consultation with the Cabinet Member for Resources & Financial Governance or, where the nominated Cabinet Member is the Cabinet Member for Resources & Financial Governance, in consultation with the Leader.

Contract Title	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept/Cabinet Member
Capita One, Education Management System, Support & Maintenance Contract Extension	£143,744 (value of 1 year extension) £ 1,085,000 (total aggregated spend)		£143,744	Cllr Callton Young Cabinet Member for Resources and Financial Governance

5.4 Strategy and Contract Awards

5.4.1 Revenue and Capital consequences of delegated decisions made by the Director of Commercial Investment for procurement strategies up to £5 million, contract awards (Regs. 11, 28.4 a & b) between £100,000 and £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).

Contract Title	Contract Revenue Budget	Contract Capital Budget	Annual Spend	Dept
St Giles and Rutherfords Minibus Contract Strategy	£4,000,000 (contract length of 3 + 1 years)		£1,000,0000	SCRER

CONTRACT VARIATIONS & EXTENSIONS						
Contract Title	Value of Contract to Date	Value of Extension Term	Total Revenue value including extension term	Contract Capital Budget	Annual Spend	Dept.

5.5 Acquisitions and Disposals

5.5.1 Revenue and Capital consequences of property acquisitions and disposals over £500,000 to be agreed by the Cabinet Member for Resources and Financial Governance in consultation with the Leader.

Contract Title	Disposals	Acquisitions	Dept/Cabinet Member
Property Disposal Update as part of the Interim Asset Disposal Strategy	Addington Community Centre and 90 Central Parade		Resources and Financial Governance/Cllr Young
Increasing Housing Supply		Ten 3 bed houses in Tollers Estate Old Coulsdon	Resources and Financial Governance/Cllr Young

Approved by: Matthew Davis, Interim Director of Finance, on behalf of Jane West, S151 Officer & Corporate Director of Resources

6 LEGAL CONSIDERATIONS

- 6.1 The information contained within this report in relation to contracts is being reported to Cabinet in accordance with the Council's Tenders Contracts Regulations and, in relation to the acquisition or disposal of assets, Regulation 9.3 of the Council's Financial Regulations, which states 'Recommendations on acquisitions or disposals valued between £500k and up to £5m must also be approved by the Cabinet Member for Resources and Financial Governance in consultation with the Leader of the Council, subject to the intention to do so having been reported to a previous meeting of Cabinet and in accordance with the Leader's Scheme of Delegation. Recommendations on acquisitions or disposals valued over £5m will be reported for approval to Cabinet.

Approved by: Kiri Bailey, Interim Head of Commercial & Property Law, on behalf of the Interim Director of Legal Services

7 HUMAN RESOURCES IMPACT

- 7.1 There are no immediate HR issues that arise from the strategic recommendations in this report for LBC employees and staff. If any HR matters should arise as a result of any specific contracts these will be managed under the Council's policies and procedures.

Approved by: Gillian Bevan, Head of Human Resources – Resources and Assistant Chief Executives

8 EQUALITY IMPACT

- 8.1 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.
- 8.2 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.
- 8.3 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.

9 ENVIRONMENTAL 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 CRIME AND DISORDER REDUCTION IMPACT

- 10.1 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.

11 DATA PROTECTION IMPLICATIONS

- 11.1 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 have 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: Peter Mitchell, Director of Commercial Investment and Scott Funnell, Head of Strategic Procurement and Governance

CONTACT OFFICER:

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BACKGROUND DOCUMENTS:

- Capita One, Education Management System, Support & Maintenance Contract Extension
- Property Disposals as part of the Interim Asset Disposal Strategy