

WEST SOMERSET COUNCIL

Minutes of Special Council held on 31 August 2016 at 4.30 pm

in the Council Chamber, Williton

Present:

Councillor B Heywood Chairman
Councillor R Woods Vice-Chairman

Councillor I Aldridge	Councillor M Dewdney
Councillor G S Dowding	Councillor S Goss
Councillor A Hadley	Councillor T Hall
Councillor I Jones	Councillor B Leaker
Councillor R P Lillis	Councillor B Maitland-Walker
Councillor K M Mills	Councillor C Morgan
Councillor P H Murphy	Councillor J Parbrook
Councillor S J Pugsley	Councillor R Thomas
Councillor A H Trollope-Bellew	Councillor D J Westcott

Officers in Attendance:

Assistant Chief Executive (B Lang)
Assistant Director – Operational Delivery (C Hall)
Finance Manager – (J Nacey)
Meeting Administrator (M Prouse)

C34 Apologies for Absence

Apologies for absence were received from Councillors Archer, Behan, Chilcott, Clifford, Davies, Thwaites, Turner and Venner.

C35 Declarations of Interest

Members present at the meeting declared the following personal interests in their capacity as a Member of a County, Parish or Town Council:

Name	Minute No.	Member of	Action Taken
Cllr I Aldridge	All	Williton	Spoke and voted
Cllr S Goss	All	Stogursey	Spoke and voted
Cllr R Thomas	All	Minehead	Spoke and voted
Cllr B Maitland-Walker	All	Carhampton & Withycombe	Spoke and voted
Cllr C Morgan	All	Stogursey	Spoke and voted
Cllr P Murphy	All	Watchet	Spoke and voted
Cllr J Parbrook	All	Minehead	Spoke and voted
Cllr A H Trollope-Bellew	All	Crowcombe	Spoke and voted
Cllr D J Westcott	All	Watchet	Spoke and voted

C36 Public Participation

No members of the public spoke at the meeting on any items on the agenda.

C37 Street and Public Toilet Cleaning Retendering

(Report No. WSC 96/16, circulated with the Agenda.)

The report identified the process used to bring a compliant procurement activity to a position where a new contract to deliver street and toilet cleaning for West Somerset Council can be awarded. When setting the Budget for 2016/17 in February 2016, Members approved a target budget saving of £39,000 in full year, with half of this saving - £19,500 – included in 2016/17 reflecting the expectation that the new contract would be in place midway through the financial year. Approval of the recommendation by Members would mean the new contract price would deliver a saving against the current cost of the service, but this would not fully meet the approved budget savings and therefore result in a budget shortfall of £3,900 in 2016/17 and £22,860 in a full year from 2017/18 onwards.

The Lead Member for Environment presented the report and provided background information. He drew Members' attention to the delay in the tender process, and the contract start date of December 1st. Members were also informed of the decision of Taunton Deane Borough Council to also sign up to a separate contract with the preferred bidder at their meeting on the 22nd August. The Portfolio Holder also drew attention to the small increase in cost pressure on the Budget, and that the new contractors will be providing their own equipment. WSC already have equipment on the books which can be rented, purchased or leased by the preferred bidder and so a Capital Receipt could be received. The Portfolio Holder also took this opportunity to inform Members that the Council was in the process of supporting the delivery of new refuse collection vehicles onto the road and that this is hopefully the first stage of an updated Recycle More Project.

The Lead Member proposed the recommendations of the report which were seconded by Councillor B Leaker.

During the discussion, the following comments were made:

- Concerns were raised about the delays in getting the contract through the process, and it was hoped that there would be enough time left between now and the proposed contract date for everything to be done?
- Members were reassured that the preferred bidders were extremely comfortable with the handover date, with TUPE being a relatively straightforward process that they have extensive experience of dealing with.

- There was an explanation of the scoring percentages mix with the split between the finance and the quality in the tender process
- It was explained that the split was 60% on price and 40% on quality and the preferred bidder scored first place on both elements.
- Cllrs affirmed they were pleased to see that the retention of the quality of the service delivered by the preferred bidder was still there despite cost pressures.
- Cllr Murphy drew attention to the Scrutiny comments included within the report, and stated that as Chair of Scrutiny he had felt very pleased with the work that had been done.
- Cllr raised a slight issue with the figures in the second part of the recommendation, which had seemed to have changed from the ones that were attached to the Scrutiny Report to the one before Members on this report, and asked why have the figures changed?
- It was clarified that this was simply because of the removal of all reference to the Public Toilets elements of the contract acting upon further advice given by the s151 officer.
- It was also explained that there were some decisions in budget setting last year where there was an assumption that the price from the existing contractor would continue, but this lower price did not materialise during the tender process. This lower price has had to be removed.
- Cllrs sought reassurance that within the contract there was scope for an assessment process that would check what should be done is done, for example level of road sweeping, and that if the contractor is not doing what is specified can the Council remove itself from it?
- It was confirmed that the contract was based on an output specification which is itself based on DEFRA guidance on the COP on Litter and Detritus which is a published statutory guideline.
- Some detail was provided on zoning, and that each local authority must identify a zone for each area of its borough, that zoning is dependent upon the land use type, whether it is residential or high impact for example, and the level of cleansing requirement is based on that zoning. Importantly, the contractor cannot change the zoning need.
- It was also stated that the preferred bidder zoned the district in further detail as part of their bid, which they were under no obligation to do.
- It was confirmed that there was a formal assessment process, key performance indicators and strategic ones also are in place and there is a financial penalty if there was serious breaches of the contract and as a last resort termination procedures are there as with any contract.
- Another Cllr following on from this exchange wanted to know if there were specific break clauses within the 8 year contract which allowed for either party to walk away, and it was confirmed that there were none.

- The Officer did state that all bidders were made aware of the authority's strained finances in future years as is the case for many organisations in the public sector, and it was emphasised that this would continue into the future so any contract had to deliver efficiency and overall cost savings.
- It was stated that the preferred bidder had gone above and beyond again on this point and had committed to an Annual Innovation Meeting with interested parties which would acknowledge the pressure on public services and look for further ways to look for efficiencies.
- Cllrs wished to know whether the contract included extras for bin empties and sweeping around special events, as West Somerset was known especially for holding many special extra events throughout the year.
- It was confirmed that events were noted as part of the contract with several specifically identified, and that the preferred bidder was keen on supporting major events as well as other smaller events for the community such as providing litter picking equipment, but within reason.
- Cllr wished to know whether savings had been established with this work, and whether any of that fed into the High Level Business Case.
- The Portfolio Holder assured Members that this contract does not change whether for one authority or two, is the best for value and quality and is the most future-proofed as well.

RESOLVED (1) that the Council supported the contract award to The Landscape Group with effect from 1st December 2016.

RESOLVED (2) that the Council approved a supplementary budget allocation from General Reserves of £3,900 in 2016/17, and supported an increase within the Medium Term Financial Plan estimates for 2017/18 of £22,860.

The meeting closed at 5.05 pm.