

EXECUTIVE DECISION NOTICE

DELEGATED EXECUTIVE DECISIONS

A record of delegated decisions made by individual Portfolio holders or officers on Thursday, 21 October 2021.

The reports (unless exempt under Section 100(B)(2) of the Local Government Act 1972, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the Paragraphs indicated and, in all the circumstances of the case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it) are available for inspection from the Solicitor to the Council, South Lakeland House, Kendal.

DEX/6 WATER SUPPLY AND WASTE WATER (TREATMENT) - CONTRACT AWARD (Director of Customer and Commercial Services)

Summary

Consideration was given to the award of the contract for water supply and waste water (treatment) services for all Council-owned properties.

Note – A tender analysis report was included as Appendix 1 to the report in Part II of the Agenda which was excluded from inspection by members of the public in accordance with Section 100 (B) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, and, in all the circumstances of the case, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing it. (A Part II Appendix 1a to the report had been circulated prior to the meeting and contained information which had been omitted from Appendix 1 in error.) Copies of the document were excluded, as it contained information as described in Schedule 12A of the Act as follows:-

- Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Paragraph 3)

Decision

RESOLVED - That

(1) The contract for the water supply and waste water (treatment) services is awarded to the preferred bidder identified in the Part II appendix 1 to this report for a contract term of 2 years.

(2) Delegation is given to the Operational Lead for Delivery and Commercial Services in conjunction with the Lead Specialist for Legal, Governance and Democracy, to enter into the necessary contracts with the approved bidder.

Reasons for Decision

The decision is as a result of a compliant procurement process using a recognised procurement framework which is managed by Crown Commercial Services. This is in line with procurement best practice and preferred over other options.

Alternative Options Considered and Rejected

An alternative option would be to use an alternative framework or to select a different preferred supplier or go direct to the market, however, this is not recommended because it's unlikely that the Council would have achieved the costs as noted in the Part II Appendix to the report.

A further alternative option would be to start a new procurement from scratch. However, it is unlikely that savings would be achieved over the national framework, and there would have been significant resource implications to do so, resulting in little or no financial gain.

The only alternate option would be to do nothing. This is not a viable option as it would affect water supplies for all Council property.

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PURCHASE OF 2 NO. 3.5 T VEHICLES FOR STREETSCENE

(Director of Customer and Commercial Services)

Summary

Consideration was given to the award of the contract for the purchase of 2 No. 3.5T streetscene fleet vehicles.

Note – A tender analysis report was included as Appendix 1 to the report in Part II of the Agenda which was excluded from inspection by members of the public in accordance with Section 100 (B) of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, and, in all the circumstances of the case, it was considered that the public interest in maintaining the exemption outweighed the public interest in disclosing it. Copies of the document were excluded, as it contained information as described in Schedule 12A of the Act as follows:-

- Information relating to the financial or business affairs of any particular person (including the authority holding that information). (Paragraph 3)

Decision

RESOLVED - That

(1) The contract for the purchase of the 2 No. 3.5T refuse collection vehicles for Streetscene is awarded to the recommended bidder as noted in the Part II Appendix 1 to the report.

(2) The Director of Customer and Commercial Services, in conjunction with the specialist procurement officer and Lead Specialist Legal, Governance and Democracy, enter into the appropriate contract on behalf of the Council with the successful bidder.

Reasons for Decision

To assist in reducing the maintenance and servicing costs for the service and provide a reliable fleet of vehicles to help the service run effectively.

Alternative Options Considered and Rejected

To not purchase new vehicles and to run the existing fleet. This will inevitably lead to increase in maintenance and servicing costs and will provide an ageing fleet which will be less reliable. Reliability of vehicles is key to the streetscene department with collections expected on set days.

To lease as opposed to buy new vehicles. This is not recommended with the increase pressure on the revenue budget that this will likely bring. It also means that any servicing and maintenance would not be undertaken in house which again can lead to issues in terms of vehicles being available for set rounds on set days.

Another alternative option is to not award a contract to the recommended bidder in this procurement exercise. This is not considered a preferred option because the recommended bidder met the necessary criteria to proceed as set out in the analysis in the Part II Appendix to the report.

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URGENT ITEM - USE OF APPRENTICESHIP LEVY FOR APPRENTICESHIP TRAINING WITH CHARTERED INSTITUTE OF HOUSING

(Director of Strategy, Innovation and Resources)

Summary

Note - The Constitution stated that the call-in procedure should not apply where a decision being taken by the Cabinet was urgent and any delay likely to be caused by the call-in process would, for example, seriously prejudice the Council's or the public's interests. In accordance with paragraph 16(j) of the Constitution, the Vice-Chairman of the Council had been consulted and had agreed that the decision proposed was reasonable in all the circumstances and for it to be treated as a matter of urgency and that the call-in process should be waived. The reason for urgency was due to need for the contract for training services to be signed by close of business on 21 October 2021 or the training would need to be postponed. The matter would be reported to the next available meeting of the Council, together with the reasons for urgency. Copies of the report had been circulated prior to the meeting.

Consideration was given to the use of the Apprenticeship Levy to fund apprenticeship training for one existing employee. The training was a Level 3 Housing Apprenticeship Standard via the Chartered Institute of Housing.

Decision

Approval is given for the use of the Apprenticeship Levy funding for one Level 3 Housing Apprenticeship Standard training with the Chartered Institute of Housing.

Reasons for Decision

To support the Council's apprenticeship programme.

Alternative Options Considered and Rejected

Use of an alternative training provider could be considered, although there are only specific providers who can provide apprenticeship training due to apprenticeship levy funding rules.