



AGENDA

MAYOR AND CABINET (CONTRACTS)

Date: WEDNESDAY, 25 JUNE 2014 at 5.50 pm

**Committee Rooms 1 & 2
Civic Suite
Lewisham Town Hall
London SE6 4RU**

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MEMBERS

Sir Steve Bullock	Mayor	(L)
Councillor Alan Smith	Deputy Mayor - Growth & Regeneration	(L)
Councillor Chris Best	Health, Well-Being and Older People	(L)
Councillor Kevin Bonavia	Resources	(L)
Councillor Janet Daby	Community Safety	(L)
Councillor Joe Dromey	Strategy and Performance	(L)
Councillor Damien Egan	Housing	(L)
Councillor Paul Maslin	Children & Young People	(L)
Councillor Joan Millbank	Third Sector and Community	(L)
Councillor Rachel Onikosi	Public Realm	(L)

Members are summoned to attend this meeting

**Barry Quirk
Chief Executive
Lewisham Town Hall
Catford
London SE6 4RU
Date: Tuesday, 17 June 2014**



INVESTOR IN PEOPLE

The public are welcome to attend our committee meetings, however occasionally committees may have to consider some business in private. Copies of reports can be made available in additional formats on request.

ORDER OF BUSINESS – PART 1 AGENDA

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MAYOR & CABINET (CONTRACTS)		
Report Title	Declarations of Interests	
Key Decision	No	Item No. 1
Ward	n/a	
Contributors	Chief Executive	
Class	Part 1	Date: June 25 2014

Declaration of interests

Members are asked to declare any personal interest they have in any item on the agenda.

1 Personal interests

There are three types of personal interest referred to in the Council's Member Code of Conduct :-

- (1) Disclosable pecuniary interests
- (2) Other registerable interests
- (3) Non-registerable interests

2 Disclosable pecuniary interests are defined by regulation as:-

- (a) Employment, trade, profession or vocation of a relevant person* for profit or gain
- (b) Sponsorship –payment or provision of any other financial benefit (other than by the Council) within the 12 months prior to giving notice for inclusion in the register in respect of expenses incurred by you in carrying out duties as a member or towards your election expenses (including payment or financial benefit from a Trade Union).
- (c) Undischarged contracts between a relevant person* (or a firm in which they are a partner or a body corporate in which they are a director, or in the securities of which they have a beneficial interest) and the Council for goods, services or works.
- (d) Beneficial interests in land in the borough.

- (e) Licence to occupy land in the borough for one month or more.
- (f) Corporate tenancies – any tenancy, where to the member’s knowledge, the Council is landlord and the tenant is a firm in which the relevant person* is a partner, a body corporate in which they are a director, or in the securities of which they have a beneficial interest.
- (g) Beneficial interest in securities of a body where:-
 - (a) that body to the member’s knowledge has a place of business or land in the borough; and
 - (b) either
 - (i) the total nominal value of the securities exceeds £25,000 or 1/100 of the total issued share capital of that body; or
 - (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person* has a beneficial interest exceeds 1/100 of the total issued share capital of that class.

*A relevant person is the member, their spouse or civil partner, or a person with whom they live as spouse or civil partner.

(3) Other registerable interests

The Lewisham Member Code of Conduct requires members also to register the following interests:-

- (a) Membership or position of control or management in a body to which you were appointed or nominated by the Council
- (b) Any body exercising functions of a public nature or directed to charitable purposes , or whose principal purposes include the influence of public opinion or policy, including any political party
- (c) Any person from whom you have received a gift or hospitality with an estimated value of at least £25

(4) Non registerable interests

Occasions may arise when a matter under consideration would or would be likely to affect the wellbeing of a member, their family, friend or close associate more than it would affect the wellbeing of those in the local area generally, but which is not required to be registered in the Register of Members’ Interests (for example a matter concerning the closure of a school at which a Member’s child attends).

(5) Declaration and Impact of interest on members' participation

- (a) Where a member has any registerable interest in a matter and they are present at a meeting at which that matter is to be discussed, they must declare the nature of the interest at the earliest opportunity and in any event before the matter is considered. The declaration will be recorded in the minutes of the meeting. If the matter is a disclosable pecuniary interest the member must take no part in consideration of the matter and withdraw from the room before it is considered. They must not seek improperly to influence the decision in any way. **Failure to declare such an interest which has not already been entered in the Register of Members' Interests, or participation where such an interest exists, is liable to prosecution and on conviction carries a fine of up to £5000**
- (b) Where a member has a registerable interest which falls short of a disclosable pecuniary interest they must still declare the nature of the interest to the meeting at the earliest opportunity and in any event before the matter is considered, but they may stay in the room, participate in consideration of the matter and vote on it unless paragraph (c) below applies.
- (c) Where a member has a registerable interest which falls short of a disclosable pecuniary interest, the member must consider whether a reasonable member of the public in possession of the facts would think that their interest is so significant that it would be likely to impair the member's judgement of the public interest. If so, the member must withdraw and take no part in consideration of the matter nor seek to influence the outcome improperly.
- (d) If a non-registerable interest arises which affects the wellbeing of a member, their, family, friend or close associate more than it would affect those in the local area generally, then the provisions relating to the declarations of interest and withdrawal apply as if it were a registerable interest.
- (e) Decisions relating to declarations of interests are for the member's personal judgement, though in cases of doubt they may wish to seek the advice of the Monitoring Officer.

(6) Sensitive information

There are special provisions relating to sensitive interests. These are interests the disclosure of which would be likely to expose the member to risk of violence or intimidation where the Monitoring Officer has agreed that such interest need not be registered. Members with such an interest are referred to the Code and advised to seek advice from the Monitoring Officer in advance.

(7) Exempt categories

There are exemptions to these provisions allowing members to participate in decisions notwithstanding interests that would otherwise prevent them doing so. These include:-

- (a) Housing – holding a tenancy or lease with the Council unless the matter relates to your particular tenancy or lease; (subject to arrears exception)
- (b) School meals, school transport and travelling expenses; if you are a parent or guardian of a child in full time education, or a school governor unless the matter relates particularly to the school your child attends or of which you are a governor;
- (c) Statutory sick pay; if you are in receipt
- (d) Allowances, payment or indemnity for members
- (e) Ceremonial honours for members
- (f) Setting Council Tax or precept (subject to arrears exception)

Agenda Item 2

MAYOR AND CABINET (CONTRACTS)		
Report Title	Minutes	
Key Decision		Item No.
Ward		
Contributors	Chief Executive	
Class	Part 1	Date: June 25 2014

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet which were open to the press and public, held on April 9 2014 be confirmed and signed as a correct record. (copy attached).

MINUTES OF THE MAYOR AND CABINET (CONTRACTS)

Wednesday, 9 April 2014 at 5.50 pm

PRESENT: Sir Steve Bullock (Chair), Councillors Alan Smith, Chris Best, Janet Daby, Damien Egan, Helen Klier, Paul Maslin, Joan Millbank and Susan Wise.

ALSO PRESENT: Councillor Stella Jeffrey.

Apologies for absence were received from Councillor Crada Onuegbu.

1. Declaration of interests

None were made.

2. Minutes

RESOLVED that the minutes of the meeting held on March 19 2014 be confirmed and signed as a correct record.

3. Exclusion of Press and Public

RESOLVED that in accordance with Regulation 4(2)(b) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information)(England) Regulations 2012 and under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs [3, 4 and 5] of Part 1 of Schedule 12(A) of the Act, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

4. Managed Print Services MFDs Award of Contract
5. Lewisham ICT Futures in Education
6. Primary Places Delegated Authority for Contract Awards

4. Managed Print Services MFDs Award of Contract

Having considered a confidential officer report and a presentation by the Cabinet Member for Resources, Councillor Paul Maslin, the Mayor and Cabinet (Contracts), for the reasons set out in the report:

RESOLVED that the contract for the provision of a Managed Print Service for a 3-year period, with options to extend by up to 4 more years, be awarded to Xerox UK Ltd.

5. Lewisham ICT Futures in Education

The Executive Director for Resources and Regeneration's representative referred to an addendum report which contained information on the proposed financial settlement reached between the Council and the LEP/B4S. Officers recommended agreement of the settlement subject to resolving an issue relating to the provision of telephone functionality in PFI schools.

Having considered a confidential officer report, an addendum report and a presentation by the Cabinet Member for Children & Young People, Councillor Helen Klier, the Mayor and Cabinet (Contracts), for the reasons set out in the report:

RESOLVED that:

- (i) the entering in to commercial Heads of Terms to agree, with the LEP and B4S, the early end of the current BSF ICT Services Agreements be approved,
- (ii) authority be delegated to the Executive Director for Resources and Regeneration, taking into account the advice of the Director for Children and Young People Services and the Head of Law to reach agreement with the PFI Special Purpose Vehicle service provider for the provision of telephone functionality under the BSF PFI Facilities Management Contracts;
- (iii) subject to agreement being reached on the issue referred to the recommendation above, authority be delegated to the Executive Director for Resources and Regeneration, taking into account the advice of the Director for Children and Young People Services and the Head of Law to finalise the Heads of Terms referred to in the first recommendation above;
- (iv) the OJEU procurement of an ICT Specialist Service Provider Framework to provide the Council and schools with a choice from a range of specialist ICT service and solution providers be approved;
- (v) authority be delegated to the Executive Director for Resources and Regeneration, taking into account the advice of the Executive Director for Children and Young People Services and the Head of Law, to re-tender the ICT requirements for the new build Sydenham and Brent Knoll Schools as a component part of the ICT Specialist Service Provider Framework; and
- (vi) recommendations on the award of the contracts to the relevant bidders for the appropriate Lots of the ICT Specialist Service Provider Framework be made to Mayor and Cabinet Contracts in September 2014.

6. Primary Places Delegated Authority for Contract Awards

Councillor Susan Wise said she was very pleased that a decant site had been found for Adamsrill Primary School in Willow Way.

Having considered a confidential officer report and a presentation by the Cabinet Member for Children & Young People, Councillor Helen Klier, the

Mayor and Cabinet (Contracts), for the reasons set out in the report:

RESOLVED that:

(i) where possible the nominated contractor will be called off using standards, terms and conditions and schedules of rates established under the Framework Agreement for the provision of modular/traditional educational buildings and ancillary works and owing to the buoyancy of the construction market, to ensure sufficient competition some work will be tendered to approved contractors on the EXOR list where the value of the works is below the EU threshold.

(ii) authority be delegated to the Executive Director Children and Young People and the Executive Director Resources and Regeneration on the advice of the Head of Law to approve the award contracts for works at Willow Way SE26 in a stated range of values for the provision of decant accommodation for Nursery and Key Stage 1 pupils at Adamsrill during the redevelopment of the school site.

(iii) subject to approval of the permanent expansion of Cooper's Lane Primary School, authority be delegated to the Executive Director Children and Young People and the Executive Director Resources and Regeneration on the advice of the Head of Law to approve the award of contract for works at school a stated range of values for the provision of temporary accommodation and infrastructure improvements necessary to enable the school to admit 30 additional pupils and meet the requirements of the policy to provide free school meals pending the availability of permanent accommodation;

(iv) authority be delegated to the Executive Director Children and Young People and the Executive Director Resources and Regeneration on the advice of the Head of Law to approve the award of contract for works at Haseltine Primary School in a stated range of values for the provision of the accommodation and infrastructure improvements necessary to necessary to enable the school to admit 30 additional pupils and meet the requirements of the policy to provide free school meals;

(v) subject to approval of the permanent expansion of John Ball Primary School, authority be delegated to the Executive Director Children and Young People and the Executive Director Resources and Regeneration on the advice of the Head of Law to approve the award of contract for works at the school in a stated range of values for the provision of the accommodation and infrastructure improvements necessary to enlarge the school from 2 to 3 forms of entry;

(vi) authority be delegated to the Executive Director for Resources and Regeneration and Executive Director for Children and Young People to award one or more contract between a stated range of values but with a maximum stated aggregate value as required for the building works relating to the provision of bulge classes for September 2014; and

(vii) if contracts exceed the stated limits a report be brought to Mayor & Cabinet (Contracts) for further consideration and approval.

The meeting closed at 5.59pm

Agenda Item 3

MAYOR & CABINET (CONTRACTS)		
Report Title	Exclusion of the Press and Public	
Key Decision	No	Item No.
Ward		
Contributors	Chief Executive (Head of Business & Committee)	
Class	Part 1	Date: June 25 2014

Recommendation

It is recommended that under Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3, 4 and 5 of Part 1 of Schedule 12(A) of the Act, as amended by the Local Authorities (Executive Arrangements) (Access to Information) (Amendments) (England) Regulations 2006 and the public interest in maintaining the exemption outweighs the public interest in disclosing the information:-

4. Drug and Alcohol Services Contract Extension
5. Recommissioning of 7 Supported Living Services and 3 Residential Care Services

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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