



AGENDA

MAYOR AND CABINET (CONTRACTS)

Date: WEDNESDAY, 3 SEPTEMBER 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	Policy 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, 26 August 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.

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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: September 3 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: September 3 2014

Recommendation

It is recommended that the minutes of that part of the meeting of the Mayor and Cabinet Contracts which were open to the press and public, held on July 16 2014 be confirmed and signed as a correct record. (copy attached).

MINUTES OF THE MAYOR AND CABINET (CONTRACTS)

Wednesday, 16 July 2014 at 5.50 pm

PRESENT: Sir Steve Bullock (Chair), Alan Smith, Chris Best, Kevin Bonavia, Janet Daby, Joe Dromey, Damien Egan, Paul Maslin, Joan Millbank and Rachel Onikosi.

ALSO PRESENT: Councillor Stella Jeffrey and Councillor John Muldoon.

12. Minutes

RESOLVED that the minutes of the meeting held on June 25 2014 be confirmed and signed as a correct record.

13. Declaration of interests

There were none.

14. 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. Violence Against Women and Girls Commissioning
5. Culturally Specific Day Service
6. Functional Family Therapy Youth Offending Service
7. Primary Places Delegated Authority Adamsrill School

15. Violence Against Women and Girls Commissioning

Having considered a confidential officer report and a presentation by the Cabinet Member for Community Safety, Councillor Janet Daby, the Mayor and Cabinet (Contracts) for the reasons set out in the report:

RESOLVED that permission be granted to tender a single VAWG service for Lewisham residents covering community and accommodation services.

16. Culturally Specific Day Service

Having considered a confidential officer report and a presentation by the Cabinet Member for Health, Wellbeing & Older People, Councillor Chris Best, the Mayor and Cabinet (Contracts), for the reasons set out in the report

RESOLVED that:

- (i) a contract be awarded for the delivery of culturally specific day services for older adults to HESTIA Housing & Support for a period of three years with the option to extend for up to a further two years at a stipulated annual value;
- (ii) a contract be awarded for the delivery of the Calabash Centre Concierge Service to Lewisham Nexus Service for a period of three years with the option of extending for a further two years at a stipulated annual value;
- (iii) an extension of the current contract with Lewisham Park Housing Association be approved for a maximum two month period at a stated maximum cost from the 1st August to the 28th September to allow the recommended new provider the necessary time to carry out due diligence in regards to staff TUPE implications/transfers;
- (iv) a stated one off sum be allocated for the purchase of furniture and equipment;
- (v) a stated maximum sum be allocated towards any potential redundancy costs that may arise once the service has transferred to the new service providers;
- (vi) authority be delegated for agreeing the terms of the lease to the Director of Regeneration and Asset Management in consultation with the Head of Law;
- (vii) the cost of these two services represents an annual efficiency of £186,350 without taking into account in year one expenditure agreed for furniture and equipment and potential redundancy costs;
- (viii) should the terms of the lease be amended, the recurring efficiency to the Council will remain the same, but will show part in the adult social care saving target and part in the Community Assets Service income target; and
- (ix) there is a potential further efficiency to the Council of 40% of any surplus made by the concierge provider on the leasing of the small rooms or the building out of hours, and the concierge provider using their 60% of any surplus to reduce the running costs of the building.

17. Functional Family Therapy Youth Offending Service

Having considered a confidential officer report and a presentation by the Cabinet Member for Community Safety, Councillor Janet Daby, the Mayor and Cabinet (Contracts), for the reasons set out in the report:

RESOLVED that a waiver of the Council's Contract Procedure Rules be approved and South London and Maudsley NHS Foundation Trust be awarded the contract to run a Functional Family Therapy programme in

Lewisham for two years with the option to extend for a further year.

18. Primary Places Delegated Authority Adamsrill School

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

RESOLVED that:

(i) authority be delegated to the Executive Director for Resources and Regeneration with the advice of the Executive Director for Children and Young People and the Head of Law to approve the award contracts for works at Adamsrill Primary School, Adamsrill Road, SE26 4AQ in a stated range of values for the provision of accommodation and internal refurbishment / remodelling; and

(ii) should the contract exceed the stated limit a report will be brought to Mayor & Cabinet (Contracts) for further consideration and approval.

The meeting closed at 6.05pm.

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: September 3 2014

Recommendation

It is recommended 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. Highways Resurfacing Contract
5. Adult Social Care Extension of Block Contract
6. Adult Social Care Extension of Domicillary Care Framework

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of the Local Government Act 1972.

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