



NOTTINGHAM CITY COUNCIL
COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Date: Wednesday, 14 December 2016

Time: 2.00 pm

Place: LB 31 - Loxley House, Station Street, Nottingham, NG2 3NG

Councillors are requested to attend the above meeting to transact the following business

Corporate Director for Strategy and Resources

Governance Officer: Zena West, Governance Officer **Direct Dial:** 0115 8764305

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTERESTS**
- 3 MINUTES** 3 - 8
To confirm the minutes of the meeting held on 16 November 2016.
- 4 VOLUNTARY AND COMMUNITY SECTOR UPDATE**
- 5 CRIME AND DRUGS PARTNERSHIP CONTRACT APPROVAL** 9 - 12
Report of the Assistant Chief Executive/ Corporate Director for Strategy and Resources, and the Director of Commissioning and Procurement
- 6 EXCLUSION OF THE PUBLIC**
To consider excluding the public from the meeting during consideration of the remaining item(s) in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- 7 CRIME AND DRUGS PARTNERSHIP CONTRACT APPROVAL - EXEMPT APPENDIX** 13 - 14

IF YOU NEED ANY ADVICE ON DECLARING AN INTEREST IN ANY ITEM ON THE AGENDA, PLEASE CONTACT THE GOVERNANCE OFFICER SHOWN ABOVE, IF

POSSIBLE BEFORE THE DAY OF THE MEETING

CITIZENS ATTENDING MEETINGS ARE ASKED TO ARRIVE AT LEAST 15 MINUTES BEFORE THE START OF THE MEETING TO BE ISSUED WITH VISITOR BADGES

CITIZENS ARE ADVISED THAT THIS MEETING MAY BE RECORDED BY MEMBERS OF THE PUBLIC. ANY RECORDING OR REPORTING ON THIS MEETING SHOULD TAKE PLACE IN ACCORDANCE WITH THE COUNCIL'S POLICY ON RECORDING AND REPORTING ON PUBLIC MEETINGS, WHICH IS AVAILABLE AT WWW.NOTTINGHAMCITY.GOV.UK. INDIVIDUALS INTENDING TO RECORD THE MEETING ARE ASKED TO NOTIFY THE GOVERNANCE OFFICER SHOWN ABOVE IN ADVANCE.

NOTTINGHAM CITY COUNCIL

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

MINUTES of the meeting held at LB 31 - Loxley House, Station Street, Nottingham, NG2 3NG on 16 November 2016 from 14.00 - 14.21

Membership

Present

Councillor Alex Norris (Chair)
Councillor David Mellen

Absent

Councillor Jon Collins
Councillor Nicola Heaton
Councillor Dave Trimble
Councillor Jane Urquhart

Colleagues, partners and others in attendance:

Katy Ball	- Director of Procurement and Children's Commissioning
Rachel Doherty	- Partnership Manager
Christine Oliver	- Nottingham Crime and Drugs Partnership
Jo Pettifor	- Strategic Procurement Manager
Chris Wallbanks	- Strategic Commissioning Manager
Maria Ward	- Nottingham Community and Voluntary Service
Zena West	- Governance Officer

Call-in

Unless stated otherwise, all decisions are subject to call-in and cannot be implemented until 29 November 2016.

30 APOLOGIES FOR ABSENCE

Councillor Nicola Heaton – other Council business
Councillor Dave Trimble – other Council business
Dave Robinson (Nottingham Community and Voluntary Service)

31 DECLARATIONS OF INTEREST

None.

32 MINUTES

The minutes from the meeting held 14 September 2016 were agreed and signed by the Chair.

33 VOLUNTARY AND COMMUNITY SECTOR UPDATE

Maria Ward, Nottingham Community and Voluntary Service (NCVS), updated the Sub Committee on the Voluntary and Community sector, as per the attached update sheet.

Following questions from the Sub Committee, Maria provided some further information on area based grants. The decision was to roll the area based grant funding out through the 8 area committees, as a result of listening to the sector. In 4

of the areas, NCVS has been sub contracted to provide the infrastructure support. For the other 4 there is inconsistency in who is providing that support and the level of support provided. Voluntary sector organisations need to be targeted for support, they need one-on-one support. A list if kept of the organisations that are referred on by NCVS to area leads, but often they are referred back. A quick guide for who organisations should talk to for support is available on the NCVS website, as is an area map, and information about what is happening and what support is available in each area. There is also information available about citywide providers networks.

RESOLVED to thank Maria Ward for the update and note its contents.

34 NOTTINGHAM CITY COUNCIL PROCUREMENT PLAN 2016-21

Jo Pettifor, Category Manager Strategy and People, presented a report to the Sub Committee on the Procurement Plan 2016-2021.

The Procurement Plan is a 6-monthly report to the Sub Committee, with the plans (People, Places and Products) contained within the appendices. The plan for the next 5 years, along with the approach that will be taken, is set out. So far this year, £64,000,000 of contracts have been awarded, with 71% of those going to local suppliers.

RESOLVED to:

- (1) note the Nottingham City Council Procurement Plan 2016 – 2021;**
- (2) note that the Procurement Plan is indicative of planned procurement activity and timescales, which may be subject to change dependent on the outcomes of the strategic commissioning process, service budgets and priorities and the full consideration of procurement options for each requirement;**
- (3) note that the outcomes of procurement activity undertaken in accordance with the Plan during 2016/17 will be reported at the end of the financial year.**

Reasons for decision

- (1) The Procurement Plan supports compliance with the Public Procurement Regulations and the Contract Procedure Rules of the Council's Financial Regulations by enabling procurement activity to be planned and undertaken within the duration of existing contracts. This minimises the need for dispensation from the Financial Regulations to be sought to extend contracts beyond their expiry date without formal tendering being undertaken, other than in genuinely exceptional circumstances. This is particularly important in relation to goods and services that are subject to the full application of the European Procurement Directives.
- (2) The Procurement Plan is a key mechanism in the implementation of the Nottingham City Council Procurement Strategy 2014-17, enabling the planning of procurement activity to deliver the Council's strategic priorities:

- Grow the local economy
 - Drive increased local job opportunities for local people
 - Deliver effective value for money for our citizens
 - Lead as an Early Intervention City
 - Lead as a Green City.
- (3) The Procurement Plan supports compliance with the Public Procurement Regulations and the Contract Procedure Rules of the Council's Financial Regulations by enabling procurement activity to be planned and undertaken within the duration of existing contracts. This minimises the need for dispensation from the Financial Regulations to be sought to extend contracts beyond their expiry date without formal tendering being undertaken, other than in genuinely exceptional circumstances. This is particularly important in relation to goods and services that are subject to the full application of the European Procurement Directives.
- (4) The Procurement Plan provides information for internal and external stakeholders about planned procurement activity and presents a clear, transparent and robust process of procurement planning. It facilitates joint working with partner organisations and collaboration in procurement activity. It allows other service departments (such as Legal Services) to include support for procurement activity in their work plans.
- (5) The Procurement Plan supports the Council's commercialisation agenda by enabling potential 'Make or Buy' opportunities to be identified in a timely way in advance of existing contracts being due for renewal. It facilitates the forward planning of 'Make or Buy' considerations by the Make or Buy Panel.
- (6) The Procurement Plan informs provider markets about forthcoming opportunities to bid for contracts with the Council; enabling potential suppliers to prepare for these and enabling market development support to be offered.

Other options considered

Do nothing. This would impact on the planning of the Council's procurement activity across all goods, works and services. It would risk non-compliance with the Council's Contract Procedure Rules and Financial Regulations through contracts needing to be extended beyond their expiry date due to procurement activity not being undertaken in a timely way. In relation to commissioned services it would impact on the alignment of procurement activity with the programme of Commissioning Reviews undertaken within the Strategy and Commissioning Directorate. For these reasons, this option was rejected.

35 EXTENSION OF HEALTH VISITOR AND SCHOOL NURSING CONTRACT - KEY DECISION

Chris Wallbanks, Strategic Commissioning Manager, presented a report to the Sub Committee on the extension of Health Visitor and School Nursing contracts.

The recommendations in the report are for an extension of the existing service, and to award directly to CityCare for the children's element, subject to consultation with

Councillor Graham Chapman as the Portfolio Holder for Resources and Neighbourhood regeneration. The reason for the extension is to ensure those services are maintained, whilst the review is put into place to move towards an integrated service. One of the reasons for the delay is because Nottingham City Council is looking into a new and innovative model of procurement, and hoping to reduce the contract values going forward.

The Sub Committee added that keeping the message of the integrated service as simple as possible is important. The size of the resource is tremendous, and it is important to ensure the review is complete correctly. It is a chance to do something that will be right for the children of Nottingham and their parents for decades to come if it is done right.

RESOLVED to:

- (1) approve the extension of the Public Health contracts listed in exempt Appendix 1 to the report, for up to 1 year from 1 April 2017 – 31 March 2018, at a cost not exceeding current contract values;**
- (2) approve dispensation from sections 5.1.1 and 5.1.2 of the Council's Contract Procedure Rules, in accordance with section 3.29 of the Council's Financial Regulations, in respect of the Public Health contracts indicated in exempt Appendix 1 – in consultation with the Chief Finance Officer and the Portfolio Holder for Resources and Neighbourhood regeneration;**
- (3) approve the issuing of a direct award to Nottingham CityCare Partnership for the Children's Public Health Nutrition Service from 1 April 2017-31 March 2018, at a cost of £79,000;**
- (4) delegate authority to the Director of Public Health in consultation with the Portfolio Holder of Adults and Health, to agree the final values and award contracts for the services listed in exempt Appendix 1 to the report, providing these do not exceed current contract values;**
- (5) delegate authority to the Head of Contracting and Procurement to sign the final contracts and contract extensions in respect of all services detailed in exempt Appendix 1 to the report, following approval by the Director of Public Health to the agreed contract awards;**
- (6) approve the budget to support the contractual values set out in exempt Appendix 1 to the report (if the contractual values are over and above current indicative values a separate report will be presented for approval).**

Reasons for decision

- (1) Extending the contracts listed in exempt Appendix 1, for one year will ensure that access to essential public health services and the continuity of service provision is maintained for children and families whilst the Child Development

Strategic Commissioning Review work is completed and recommendations arising from review work during 2017/18 are implemented in a timely manner.

- (2) The Child Development Review Team has reviewed these commissioned services and recommended that one integrated service be procured in order to allow the provider to develop an innovative and flexible approach to delivering the existing functions which is free from historic service divisions and offers the opportunity for a more efficient and streamlined service, responsive to the needs of children and their families.

Other options considered

- (1) Do nothing. This option was rejected as this would mean that existing contracts for these services would expire in March 2017, leaving the city without essential public health services. Two of the contracts listed in the exempt appendix deliver mandatory aspects of the Healthy Child Programme.
- (2) Re-procuring all services immediately for new contracts to commence in April 2017. This option was rejected as it would allow insufficient time to explore the potential benefits and enhanced efficiencies of integrating children's services and other partnership delivery models. It is essential that procurement is not undertaken before the long term strategy for all services detailed in the exempt appendix is agreed. Extending current activity for one year will enable service delivery and value for money benefits arising from the commissioning reviews to be realised as quickly as possible. It will also avoid the risk of destabilising current health services and reducing the quality of current provision to citizens.
- (3) De-commissioning the children's function of the Public Health Nutrition Team until the broader integrated service specification is ready to be procured in 2017/18 risks the disintegration of an expert team and a valuable service to our families and the workforce. For this reason, this option was rejected.

36 EXCLUSION OF THE PUBLIC

RESOLVED to exclude the public from the meeting during consideration of the remaining items in accordance with Section 100A(4) of the Local Government Act 1972 on the basis that, having regard to all the circumstances, the public interest in maintaining the exemption outweighed the public interest in disclosing the information, as defined in paragraph 3 of part 1, Schedule 12A of the Act.

37 EXTENSION OF HEALTH VISITOR AND SCHOOL NURSING CONTRACTS - EXEMPT APPENDIX

RESOLVED to note the information in the exempt appendix.

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Agenda Item 5
14/12/2016

COMMISSIONING AND PROCUREMENT SUB-COMMITTEE

Subject:	Crime and Drugs Partnership Contract Approval		
Corporate Director(s)/ Director(s):	Candida Brudenell, Assistant Chief Executive & Corporate Director for Strategy & Resources Katy Ball, Director of Commissioning and Procurement Alison Challenger, Director of Public Health		
Portfolio Holder(s):	Cllr Norris		
Report author and contact details:	Lucy Putland Lucy.putland@nottinghamcity.gov.uk 0115 8765732		
Key Decision	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	Subject to call-in
			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Reasons:	<input type="checkbox"/> Expenditure	<input type="checkbox"/> Income	<input type="checkbox"/> Savings of £1,000,000 or more taking account of the overall impact of the decision
			<input type="checkbox"/> Revenue <input type="checkbox"/> Capital
Significant impact on communities living or working in two or more wards in the City			<input type="checkbox"/> Yes <input type="checkbox"/> No
Total value of the decision: £235,354			
Wards affected: All	Date of consultation with Portfolio Holder(s): 28 th October 2016		
Relevant Council Plan Key Theme:			
Strategic Regeneration and Development			<input type="checkbox"/>
Schools			<input type="checkbox"/>
Planning and Housing			<input type="checkbox"/>
Community Services			<input type="checkbox"/>
Energy, Sustainability and Customer			<input type="checkbox"/>
Jobs, Growth and Transport			<input type="checkbox"/>
Adults, Health and Community Sector			<input checked="" type="checkbox"/>
Children, Early Intervention and Early Years			<input type="checkbox"/>
Leisure and Culture			<input type="checkbox"/>
Resources and Neighbourhood Regeneration			<input type="checkbox"/>
Summary of issues (including benefits to citizens/service users):			
The purpose of this report is to seek authority to extend the contract referred to in exempt appendix A.			
Potential benefits to service users and citizens are set out in 2.6 of exempt appendix A.			
Exempt information:			
An appendix to the report is exempt from publication under paragraph 3 of Schedule 12A to the Local Government Act 1972 because it contains information relating to a commercially sensitive tender and, having regard to all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information. It is not in the public interest to disclose this information because to do so may compromise any future tendering opportunity.			
Recommendation(s):			
1 That the Commissioning and Procurement Sub-Committee agree to an extension of the current contract as set out in the exempt appendix.			

1 REASONS FOR RECOMMENDATIONS

- 1.1 An extension to the existing contract referred to in the exempt appendix would allow time to engage in local partnership discussions as set out in exempt appendix A.
- 1.2 Efficiencies have already been negotiated within the existing contract and the level of financial risk reduced.

2 BACKGROUND (INCLUDING OUTCOMES OF CONSULTATION)

- 2.1 Please refer to exempt appendix A for background.

3 OTHER OPTIONS CONSIDERED IN MAKING RECOMMENDATIONS

- 3.1 Please refer to exempt appendix A for other options considered.

4 FINANCE COMMENTS (INCLUDING IMPLICATIONS AND VALUE FOR MONEY/VAT)

- 4.1 The July 2016 Commissioning and Procurement Sub-Committee report referred to sought and was granted an extension to this contract up to the end of Aug 2017. This report seeks to further extend up to end March 2018.
- 4.2 The CDP budget for 2018/19 has not yet been confirmed but it is expected that the value of £235,534 can be contained within the budget and will align with the MTFP.
- 4.3 Savings have already been delivered within the contract and so represents value for money.

Dee Fretwell
Commercial Business Partner.

5 LEGAL AND PROCUREMENT COMMENTS (INCLUDING RISK MANAGEMENT ISSUES, AND INCLUDING LEGAL, CRIME AND DISORDER ACT AND PROCUREMENT IMPLICATIONS)

- 5.1 Based on discussions with the report author who has confirmed there is an option to extend this contract, there are no legal or procurement concerns relating to this decision and the recommendation is therefore supported.

6 STRATEGIC ASSETS & PROPERTY COMMENTS (FOR DECISIONS RELATING TO ALL PROPERTY ASSETS AND ASSOCIATED INFRASTRUCTURE (STRATEGIC REGENERATION COMMITTEE REPORTS ONLY)

- 6.1 Not applicable

7 SOCIAL VALUE CONSIDERATIONS

- 7.1 Recommendations have been considered in line with the Public Services (Social Value) Act 2012. All services within this report aim to improve the social wellbeing of the client groups they target.

8 REGARD TO THE NHS CONSTITUTION

- 8.1 Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making decisions relating to public health functions we consider the NHS Constitution where appropriate and take into account how it can be applied in order to commission services to improve health and wellbeing.

9 EQUALITY IMPACT ASSESSMENT (EIA)

- 9.1 Has the equality impact of the proposals in this report been assessed?

No



An EIA is not required because:

A comprehensive EIA will be undertaken as part of the review of service provision in order to inform the final service model and commissioning decision. The EIA will be used to ensure that the final service model will meet the needs of all service user groups.

Yes



Attached as Appendix x, and due regard will be given to any implications identified in it.

10 LIST OF BACKGROUND PAPERS RELIED UPON IN WRITING THIS REPORT (NOT INCLUDING PUBLISHED DOCUMENTS OR CONFIDENTIAL OR EXEMPT INFORMATION)

- 10.1 Crime & Drugs Partnership Contract Approval 2016/17, Commissioning and Procurement Sub-Committee, 13 July 2016

11 PUBLISHED DOCUMENTS REFERRED TO IN THIS REPORT

- 11.1 Please refer to exempt appendix A for published documents referred to in this report.

12 OTHER COLLEAGUES WHO HAVE PROVIDED INPUT

- 12.1

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