

Document Pack



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

THURSDAY, 15 SEPTEMBER 2016

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR RESOURCES** WHICH WILL BE HELD IN **DEMOCRATIC SERVICES COMMITTEE ROOM, COUNTY HALL, CARMARTHEN, AT 11.00 AM, ON THURSDAY, 22ND SEPTEMBER, 2016** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Mark James

CHIEF EXECUTIVE



PLEASE RECYCLE

| | |
|---------------------------------|-------------------------|
| Democratic Officer: | Martin S. Davies |
| Telephone (direct line): | 01267 224059 |
| Fax: | (01267) 224911 |
| E-Mail: | |
| Ref: | AD016-001 |

AGENDA

1. DECLARATIONS OF PERSONAL INTEREST.
2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 5TH AUGUST, 2016. 3 - 4
3. OPT OUT OF NATIONAL PROCUREMENT SERVICE FOOD CONTRACTS. 5 - 10
4. REPORTS NOT FOR PUBLICATION.
FOLLOWING CONSIDERATION OF ALL THE CIRCUMSTANCES OF THE CASE AND FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE EXECUTIVE BOARD MEMBER MAY CONSIDER THAT THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPHS 14 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007.
5. FORMER TENANT DEBT WRITE-OFF. 11 - 20
6. IRRECOVERABLE ACCOUNTS. 21 - 26
7. NON-DOMESTIC RATES - DISCRETIONARY RELIEF. 27 - 36
8. COUNCIL TAX - DISCRETIONARY REDUCTIONS. 37 - 66

**EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR
RESOURCES**

Friday, 5 August 2016

PRESENT: Councillor D. Jenkins (Executive Board Member for Resources)

The following Officers were in attendance:

K. Thomas, Democratic Services Officer

Meeting Room 1, Town Hall, Ammanford - 9.00 - 9.05 am

1. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 22ND JULY, 2016.

RESOLVED that the decision record of the meeting held on the 22nd July, 2016 be signed as a correct record.

3. WELLNESS AND LIFE SCIENCES ENTERPRISE ZONE ON DEVELOPMENT LAND AT DELTA LAKES, LLANELLI - EXEMPTION AND WAIVER.

The Executive Board member considered a report seeking an exemption to Condition 5.3 of the Council's Contract Procedure Rules in relation to the appointment of Arup, Cardiff Office to produce a revised master plan for South Llanelli, building upon the previous work undertaken by that company for the Llanelli Joint Venture.

The Executive Board Member noted that the report referred to the Memorandum of Understanding between the Council, Hywel Dda University Health Board, Abertawe Bro Morgannwg University Health Board and Swansea University to deliver a "transformational, innovative wellness and life sciences enterprise zone on land at Delta Lakes, Llanelli". The Welsh Government had previously directly funded an initial scoping study on the above proposal and had appointed Arup to undertake the study, on account of its historic master planning of south Llanelli. With works having concluded on that scoping study, a more detailed master plan was now required to provide further detail, to be completed within a 12 month period from May 2016. It was recommended that appointing Arup to undertake the revised master plan would be the most cost-effective option given the limited time scale, its past experiences in the south Llanelli area and that any other consultant would not be able to commence works from the same advanced position thus having to re-evaluate works previously commissioned, generating unnecessary fees and the duplication of works.

The Council's monitoring Officer and Section 151 Officer had both consented to the exemption.

RESOLVED that Condition 5.3 of the Council's Contract Procedure Rules/Quotation Procedure Rules be waived and that Arup, Cardiff Office, be

appointed to produce a revised master plan for the South Llanelli area.

CHAIR

DATE

22ND SEPTEMBER 2016

| | |
|--------------------------------|-------------------|
| Executive Board Member: | Portfolio: |
| Cllr. David Jenkins | Resources |

Opt Out of National Procurement Service Food Contracts

Purpose: To appraise the EBM of the latest position in respect of the current NPS Food Contracts and to seek approval to opt out and undertake our own procurement process.

Recommendations / key decisions required:

Opt out of current NPS Food Contracts and undertake a tender process direct with the market.

Reasons:

Following serious concerns raised with the Director of NPS in relation to the proposed arrangements for collaborative food contracts, it is proposed that Carmarthenshire County Council opt out of the planned procurement exercise(s) for food.

| | | |
|--------------------------|-----------------------------------|--------------------------------|
| Directorate | | |
| Name of Head of Service: | Designation | Tel No. 01267 246217 |
| Phil Sexton | Head of Audit, Risk & Procurement | E Mail Address: |
| Report Author: | | Psexton@carmarthenshire.gov.uk |
| Phil Sexton | | |

Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

Yes. When Executive Board accepted the invitation to join the NPS at its meeting on 10th December 2012, it was agreed that "Any decision not to participate in an NPS arrangement to be subject to an Executive Board Member decision by the EBM for Resources".

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

| Recommendation of Officer adopted | YES / NO |
|---|----------|
| Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified: | |
| Reason(s) why the Officer's recommendation was not adopted: | |

EXECUTIVE SUMMARY EBM RESOURCES 22ND SEPTEMBER 2016

Opt Out of National Procurement Service Food Contracts

The Authority accepted Welsh Government's invitation to join NPS in December 2012. In agreeing to join NPS, the Executive Board agreed that any future decision not to participate in an individual NPS Contract should be subject to an Executive Board Member for Resources decision.

NPS have signalled for some time their intention to run a collaborative food tender but there has been a series of delays which have resulted in the Authority extending existing arrangements (to 31st March 2017). It is critical that the new arrangements for procuring food are running from 1st April 2017.

The Authority has had significant concerns about NPS' delays in running contract exercises, the lack of savings resulting from NPS Contracts and the potential threat to the local economy.

Following discussion with the Executive Board Member for Resources, the Director of Corporate Services wrote to the Director of NPS on 11th August 2016 setting out the concerns of the Authority:

"I am writing to advise you that having given serious consideration to the existing proposals for the forthcoming NPS Contracts in relation to Food, Carmarthenshire County Council intend to "opt out" of the current NPS Food Contracts.

Our Elected Members have been concerned for some time at the limited benefits of participating in NPS Contracts and we have recently requested details of the financial benefits relating to Carmarthenshire CC's involvement in relation to 2015/16.

As you will appreciate Food is a key commodity for us as a County. We require Value for Money (with quality / food safety being a key issue) and a sensitivity to the local economy. Recent developments in relation to the Stationery Contract concerned us in that partners on the Delivery Group were keen to go for a single contract to cover Wales when there are clearly regional or local companies able to compete in their areas but unable to compete across Wales. This underlines the problem of NPS attempting to represent the whole Welsh Public Sector but not being sensitive to the local economy or local supply issues.

With Food, we have extended our existing contracts twice and have been concerned that NPS may again fail to meet their latest targets. More specifically, I would add the following comments in relation to the existing food commodities:

Bread, Rolls, Cakes and Associated Products

We note that the other contract relating to Bread, Rolls, Cakes and Associated Products is split into 15 geographical zones. Again, we fail to understand the rationale for how the lotting has been put together especially as we were to be part of a bigger geographical area for these products ie Carmarthenshire, Pembrokeshire and Ceredigion. How has it been decided to nearly triple the number of geographical zones across Wales compared to **Groceries, Provisions and Frozen Foods** (4 zones) yet for South West Wales you proposed to increase the size of our geographical zone by adding Ceredigion?

Our County is currently well served by 3 SME's who provide fresh bread to the various establishments across our County. We have historically found it difficult to find Bread Suppliers willing to service all our establishments.

We are at a loss to understand how you could possibly achieve your aim of awarding a Fresh Bread Contract to a single Supplier to cover Carmarthenshire, Pembrokeshire and Ceredigion. Our overall concern is that there is a lack of any understanding in relation to the needs of our Council and the local economy.

Fruit and Vegetables

It is too early for us to comment in detail on this area but it is our intention to critically examine NPS' proposals and reserve the right to "opt out" if we feel that the arrangements are not appropriate or fail to reflect the issues of sustaining and developing the local economy."

DETAILED REPORT ATTACHED?

NO

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Phil Sexton**

Head of Audit, Risk & Procurement

| Policy and Crime & Disorder | Legal | Finance | ICT | Risk Management Issues | Organisational Development | Physical Assets |
|-----------------------------|------------|------------|-------------|------------------------|----------------------------|-----------------|
| NONE | YES | YES | NONE | YES | NONE | NONE |

1. Legal

EBM Resources has delegated authority to decide to opt out of an NPS arrangement. This is the first time that CCC has opted out of an arrangement. If the Authority does not opt out, there are serious concerns that the Authority will not be able to comply with its legal responsibilities under EU Procurement Rules.

2. Finance

Opting out of the NPS Food Contracts allows the Authority more control over the procurement exercise.

3. Risk Management Issues

The risks associated with procuring food will need to be managed more fully within the Authority including ensuring adequate Food Audits. Support will be required from Environmental Health.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Phil Sexton

Head of Audit, Risk & Procurement

1. **Scrutiny Committee** Not applicable – EBM Decision
2. **Local Member(s)** Not applicable
3. **Community / Town Council** Not applicable
4. **Relevant Partners** Not applicable
5. **Staff Side Representatives and other Organisations** Not applicable

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE

Agenda Item 5

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

Agenda Item 6

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

Agenda Item 7

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

Agenda Item 8

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Document is Restricted

This page is intentionally left blank