

DATE 24TH MARCH 2016

Executive Board Member:	Portfolio:
Cllr. David Jenkins	Resources

Subject: Property Maintenance & Construction Division – Monitoring Officer and Section 151 Officer Exception Reports/Commercial Roofing/Decoration Allowance Reports

Purpose: Approval required to comply with Contract Procedure Rules

Recommendations / key decisions required:

Approval is sought to extend the existing arrangements for the periods defined within the Reports and continue with the current practices for the procurement of Commercial Roofing/Decoration Allowance Provision

Reasons:

As outlined within the Reports

Directorate Environment Name of Head of Service: Mark V Davies Report Author: Emyr Phillips	Designation Area Building Manager	Tel No. 01267 225854 (Ext 5554) E Mail Address: IEPhillips@carmarthenshire.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

N/A

(If the answer is yes exact details are to be provided below:)

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

Executive Board Member for Resources – Decisions Meeting 24th March 2016

Property Maintenance & Construction Division – Monitoring Officer & Section 151 Officer Exception Reports/Commercial Roofing and Decoration Allowance Reports

1. The Property Maintenance and Construction Division procures the following key services on behalf of the Authority

- Servicing of and maintenance of fixed mechanical and electrical plant and equipment
- Maintenance of Sewer Treatment Works/Pumping Stations/Foul Drain Clearance/Tankering Services
- Arboricultural Works

2. Many of these services are required to comply with legislation and approved industry codes of practice and are essential to indemnify the Authority from potential prosecution and protect the health, safety and wellbeing of our residents, service users, pupils and staff.

3. The existing arrangements which cover the procurement of the above services are due to expire and approval is sought to extend the existing arrangements until a compliant procurement exercise is undertaken

4. In addition to the above the Division procures Commercial Roofing Works. Whilst the majority work in terms of value has been procured through competitive quotation exercises, it has not been in accordance with Financial Procedure Rules.

5. Approval is sought to extend current arrangements until the National Procurement Service (NPS) delivers a Regional National Framework for Commercial Pitched and Flat Roofing.

6. The New Homes Team within the Division undertakes repairs and maintenance to empty properties with the County. New tenants are offered a Decoration Allowance which can facilitate quicker sign-up of new tenants, thus reducing rent loss.

7. Approval is sought to formalise the current arrangement with Wilko's

8. The Division has been in consultation with the Corporate Procurement Division in examining the potential for the NPS to provide Frameworks to deliver some of these essential services. Whilst the provision of Electrical and Mechanical Services was identified as a potential tender opportunity, this is yet to materialise in both content and delivery.

9. The Division has also been attempting to develop a Regional Framework Partnership for Mechanical & Electrical Work with Ceredigion, Pembrokeshire, Neath & Port Talbot and Swansea Council but it was clear that other Authorities were unwilling to engage

DETAILED REPORT ATTACHED ?

YES

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: Mark Davies

Head of Property Maintenance and Construction

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

1. Finance

- The Property Maintenance & Construction Division is currently not complying with Contract Procedure Rules in procuring these Services
- Extending the current arrangements would allow sufficient time for a compliant procurement exercise to be established.
- Whilst the current arrangements for procuring Commercial Roofing works offer value for money, they are not in compliance with Contract Procedure Rules
- Whilst the current arrangements with “Wilko’s” for Decoration Allowance offer value for money they are not in compliance with Contract Procedure Rules.
- If the Division procured decoration materials through the existing Framework (ie Travis Perkins/LBS) there would be additional costs incurred estimated at £30,000 per annum.

2. Risk Management Issues

- The Servicing of Fixed Electrical & Mechanical Plant & Equipment is a legislative requirement under the Health & Safety at Work Act 1974.
- Failure to undertake essential servicing would leave the Authority open to potential prosecution from the Health and Safety Executive and other statutory bodies.
- Failure to undertake essential servicing would not be compliant with the requirements of the Authority's insurers and would affect the safety and wellbeing of our residents, service users, pupils and staff.
- Failure to adequately maintain the Sewerage Assets – Pumping Stations and Treatment Works, or failure to react to any incident in a timely manner could ultimately lead to prosecution by Natural Resources Wales if it found that the Authority has negligently contaminated water courses, streams, rivers or land with sewage.
- Failure to undertake essential Commercial Roofing (for example on Industrial Premises) may lead to potential claims from tenants for damages/loss of business and a reduction in rental income if the properties are deemed not fit for purpose as a result

3. Physical Assets

- Failure to adequately maintain assets within the portfolio will lead to deterioration and may affect the value of properties.

CONSULTATIONS

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

Signed: Mark Davies

Head of Property Maintenance and Construction

1. Scrutiny Committee

N/A

2. Local Member(s)

N/A

3. Community / Town Council

N/A

4. Relevant Partners

N/A

5. Staff Side Representatives and other Organisations

N/A

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE

Title of Document	File Ref No.	Locations that the papers are available for public inspection