

Archived Decisions for the Portfolio Holder for Property and Assets 2012



County Hall
Llandrindod Wells
Powys
LD1 5LG

For further information please contact

Stephen Boyd
steve.boyd@powys.gov.uk
01597 826374

ARCHIVED PORTFOLIO HOLDER DELEGATED DECISION

1.	2012-07-20 HAY CEMETERY
----	-------------------------

(Pages 3 - 10)

2.	2012-08-30 21 DERWEN FAWR CRICKHOWELL
----	---------------------------------------

(Pages 11 - 18)

3.	2012-10-15 NEW SEVERN VALLEY WELSH MEDIUM SCHOOL, NEWTOWN
----	--

(Pages 19 - 26)

4.	2012-12-28 CATERING AND CLEANING FEES
----	---------------------------------------

(Pages 27 - 32)

This page is intentionally left blank

Decisions taken by Individual Portfolio Holders

**Councillor G.R. Banks
Portfolio Holder for Property and Assets**

Decision Taken 20 July 2012

Sale of Cemetery Lodge, Hay-on-Wye

DECISION	Reason for decision:
That Cemetery Lodge, Hay-on-Wye, as outlined on the plan filed with the signed minutes by a red line, be sold for the sum reported with the proviso that the sale is completed in a timely manner.	To generate a capital receipt for the Council and to dispose of an on-going maintenance liability.

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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.

Document is Restricted

This page is intentionally left blank

Decisions taken by Individual Portfolio Holders

**Councillor G.R. Banks
Portfolio Holder for Property and Assets**

Decisions Taken 30 August 2012

**Sale of County Farm Estate land adjacent to 21 Derwen Fawr,
Crickhowell**

DECISION	Reason for decision:
<p>That the land extending to 0.07acres approximately and outlined on the attached plan by a red line, be sold for the sum reported as soon as is practically possible, subject to an agreement that the land sold shall be used for garden purposes only.</p>	<p>To generate income for the County Council without affecting the viability of the retained estate, whilst protecting the Council's position, in the event that the land is redeveloped in the future.</p> <p>To adhere the Councils Corporate Asset Policy.</p> <p>Additionally, to ensure that the sale is completed in a timely manner without unnecessary delay.</p>

This page is intentionally left blank

By virtue of paragraph(s) 14 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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.

Document is Restricted

This page is intentionally left blank

3

Decisions taken by Individual Portfolio Holders

Councillor M.C. Alexander
Portfolio Holder for Learning and Leisure

Councillor G.R. Banks
Portfolio Holder for Property & Assets

New Severn Valley Welsh Medium School, Newtown

Decision Taken 15th October 2012

DECISION	Reason for Decision:
To procure a design and build contractor for the New Severn Valley Welsh Medium School, Newtown using the Powys County Council Framework agreement for Property Construction Works	To ensure legal compliance and achieve the positive outcomes of the recently completed Ystradgynlais schemes at Newtown.
To strengthen where possible the contractual requirements placed on the Framework contractors to achieve Community Benefits.	To meet the wider objectives of the Council including economic regeneration

This page is intentionally left blank

CYNGOR SIR POWYS COUNTY COUNCIL.

**PORTFOLIO HOLDER DELEGATED DECISION
9 October 2012**

**Cllr Myfanwy Alexander – Learning & Leisure
Cllr Gary Banks – Property & Assets**

**REPORT AUTHOR: David Bradley; Construction Procurement and Premises
Manager**

SUBJECT: New Severn Valley Welsh Medium School, Newtown

REPORT FOR: Decision/ Information

Summary

On 14th February 2012, Cabinet resolved that a new Welsh medium school for 300 pupils be constructed adjacent to Newtown High School with a target implementation date of September 2014.

The property team, in conjunction with education colleagues and user stakeholders, have developed the scheme to the point where the Authority needs to procure the services of a contractor to develop the design and tender price and, subject to contract, manage the construction phase. The process that is followed in this case is set out in this paper for information and/or approval.

Proposal

The value of the construction project exceeds £4.348m therefore an EU Procurement Directive compliant process must be followed for the project to ensure legal compliance.

The Authority tendered and awarded six contractors, arranged in various lots, to a Framework Agreement for property construction works of value £2m to £100m in late 2010, (for background and information see next section) using an EU Procurement Directive compliant process. Therefore, it is proposed to procure the services of a design and build contractor using the Framework Agreement.

The Framework ensures competition for each specific project. A mini-competition is tendered between the three contractors awarded to the appropriate Lot. The competition tests price and quality with quality questions focussing on the contractor's ability to deliver the specific project and add value.

The Newtown scheme is now ready to tender and therefore it is proposed to run the mini-competition tender for the project allowing the scheme to be delivered on time.

Procurement is not an objective in its own right, but is used as a lever to support the Council's wider objectives. Of particular interest is the development of innovative mechanisms aimed at assisting local SME's in becoming more competitive so that they can win an increasing share of the Council's business.

To contribute to the regeneration and economic development agenda, it is important that community benefits and SME development are fully considered within commissioning and procurement plans in a proportionate manner.

To encourage Small & Medium Enterprises and Micro business (SME's) to embrace collaborative working and to build capacity in the local supply chain, Framework contractors are directed, and contractually required to respond to a range of community benefits requirements ranging from targeted Recruitment and Training for the local community through to offering opportunities to local contractors, thus maximising local impact. It is proposed to build on the successes of the Ystradgynlais projects by placing greater demands on the contractors tendering the Newtown project to engage with the local supply chain. (see later section for examples).

Background

The recently completed High School extension at Maesydderwen, the four new primary schools, pavilion/sports pitch in Ystradgynlais and the Integrated Health and Social Care building under construction in Builth Wells were all procured through the framework.

The completed schemes have demonstrated that through the Framework agreement the awarded contractors can deliver multi-million pound schemes not only on time and budget but also meeting the Authority's quality standards for delivery and built outcomes.

During 2010 the Authority identified that a number of planned schemes would be required to follow an EU compliant process, therefore a Framework agreement was tendered and awarded in December 2010 with partner Authorities. This was supported by Welsh Government who encourages such arrangements. Similar arrangements have been put in place across Wales. Therefore, this approach was included in the Powys Strategic Outline Program for 21st Century Schools submitted to WG in October 2010.

The Framework is split into value and area lots allowing suitable and experienced contractors to be awarded to Lots most suited to their skills and turnover. Contractors were selected on price/quality criteria as required by the Authority's financial regulations.

Quality questions and presentations examined the contractor's economic and professional capacity and ability to deliver projects with particular reference to the delivery of school building programmes

This method of procurement allows contractors to be included in the delivery team during the design process. This allows the overall project delivery program to be shortened. The contractor can ensure build-ability in the design and drive efficiencies resulting in higher quality outcomes and a substantial reduction in defects at handover.

The Authority benefits from the skills and experience of major Welsh based contractors who regularly deliver multi-million pound school contracts across Wales to manage, procure and construct our schools. At the same time, it can be said that they 'break up' the project into packages of work that are individually tendered. This gives opportunities for SME's from the locality where the works are undertaken to bid for work. The Framework contractor ensures that the package contractors meet minimum health and safety requirements.

Powys is amongst the leading Authorities in Wales embedding Community Benefit in frameworks and implementing the Welsh Governments Community Benefits Measurement Tool. Our documents and approach have been commended by Welsh Government.

In the mini competition for the Newtown Scheme we are increasing the contractual requirements placed on the Framework contractors to achieve Community Benefits, and will score the tender submissions demonstrating innovative, Powys orientated proposals, higher. These are summarised in the next section Therefore, there is an incentive for the contractor to have a thorough understanding of pre-procurement market engagement and a knowledge of the local supply side..

The approach to Community Benefits is fully in line with the priorities in the Powys Change Plan, Regeneration Strategy 2011 and the Commissioning & Procurement Strategy.

Clearly, whilst compliance needs to be ensured, designing an effective procurement strategy is about giving all competitors (including our local SME's) a fair opportunity to win business.

Community Benefit; summary of enhanced requirements

Throughout the requirements for Community Benefits, the term “local” is used. The Council currently defines “local” as follows: Powys County and any neighbouring/bordering counties.

Community Benefits include the following: Targeted Recruitment and Training, Community Engagement and Supply Chain Opportunities.

A summary of the enhanced requirements follows:

- The Welsh Government Community Benefits Tool will be completed by the contractor at mid-way through the term of the contract in addition to reporting at the completion of the contract. This allows us to monitor progress. The contractor will be expected to gather the appropriate data during the course of the contract to complete the Tool and liaise with the Council in doing this. In order to calculate the “Welsh Multiplier” effect.
- We are going to implement a pilot project where the same data is gathered for the “local” area only, calculating a “local” multiplier figure (£) showing for every £1 spent on this contract, the amount of money that has been re-invested in the “local” economy. We are not aware of any other local Authority undertaking such an exercise.
- Contractors will be required to devise the sub contract packages in a way that the size or type does not exclude their provision by contractors they have not worked with before, particularly those based in the locality of where the works will take place.
- In addition to holding an initial ‘Meet the Contractor’ event, if appropriate, additional events should be held during the contract period. For example just before the finishing trade packages are issued.
- Require that all the Supply Chain/Sub-Contractors endorse and implement the policies of The Council, and ensure they make opportunities available to the supply chain for supply of materials, plant and labour in the locality of where the works are being completed.
- In terms of the design and professional services packages, ensure there are opportunities offered during the tender process to include SMEs/ Micro business from the locality where the works are being completed, if they have suitable and demonstrable skills.

Preferred Choice and Reasons

Recent procurement through the Framework Agreement for property construction works is successfully delivering approaching £40m of construction works for the Authority. Projects have been completed on time, to budget and meet the Authority's quality standards for delivery and built outcomes.

By increasing the contractual requirements placed on the Framework contractors to engage with the Community, the supply chain and those requiring training and recruitment in Powys. A benefit of the framework is that we can drive continuous improvement with the contractors.

To ensure legal compliance, continue the success recently enjoyed with the Ystradgynlais projects and further develop Community Benefits, the Newtown project will be procured under the Framework and through a compliant mini-competition process.

Support Services (Legal, Finance, HR, ICT, BPU)

Legal officers have commented "We support the recommendations"

Corporate procurement officers have commented "We support the recommendations"

Statutory Officers View:

Strategic Director, Finance & Infrastructure (Section 151 Officer)

The Strategic Director, Law & Governance (Monitoring Officer) has commented:-

"I support the recommendations"

Recommendation:	Reason for Recommendation:
To procure a design and build contractor for the New Severn Valley Welsh Medium School, Newtown using the Powys County Council Framework agreement for Property Construction Works	To ensure legal compliance and achieve the positive outcomes of the recently completed Ystradgynlais schemes at Newtown.
To strengthen where possible the contractual requirements placed on the Framework contractors to achieve Community Benefits.	To meet the wider objectives of the Council including economic regeneration
	.

Relevant Policy (ies):	Powys Change Plan Regeneration Strategy 2011 Commissioning & Procurement Strategy		
Within Policy:	Y / N	Within Budget:	Y / N

Relevant Local Member(s):	
----------------------------------	--

Person(s) To Implement Decision:	David Bradley
Date By When Decision To Be Implemented:	September 2012

Contact Officer Name:	Tel:	Fax:	Email:
David Bradley	01597826540		David.bradley@powys.gov.uk

Background Papers used to prepare Report:

F:\wlegal\Clarence\Reports\CABINET REPORT TEMPLATE VERSION 2

Decisions taken by Individual Portfolio Holders

Councillor G.R. Banks

Portfolio Holder for Property, Assets & Catering

Decision taken 28 December 2012

Decision Effective from 1 January 2013

Catering Service:

Review of Fees and Charges for January 2013

DECISION	Reason For Decision
<p>That the following price increases, exclusive of VAT are implemented with effect from January 2013:</p> <ul style="list-style-type: none"> • the primary school meal from £2.00 to £2.10 which is a 5% increase • the meal of the day in High School from £2.05 to £2.15 which is a 5% increase • the price of adult meal tickets from £2.80 to £3.00 (plus VAT - 60p) • NNEB meals from £2.83 to £2.90 (plus VAT - 58p) • the price of meals on wheels remain at £4.10 (including VAT) • County Council Restaurant prices to be reviewed individually and where required be increased by a maximum of 5.5%. 	<p>In view of above inflation increases on many food items and vehicle fuel an increase in charges is required to ensure the current level of service can be delivered. To increase income in line with budget target.</p>

This page is intentionally left blank

CYNGOR SIR POWYS COUNTY COUNCIL

CABINET REPORT

Date

REPORT AUTHOR: Cheryl Leighton
Catering and Cleaning Services Development Manager

SUBJECT: Catering service:
Review of Fees and Charges for January 2013

REPORT FOR: Decision

1. Summary

1.1 To review the current scale of charges for the Council's Catering Service and to recommend changes where appropriate. The schedule of charges for school meals was last uplifted in September 2010. The authority has not increased the cost of school meals since this date.

To enable the Catering service to stay in line with current budget targets, a new menu and rapidly rising fruit and vegetable, milk and bread costs, complying with Welsh Government's *Appetite 4 Life* standards, as well as nutritional standards, the service now requests an increase from January 2013.

Catering school meals is a required service within Powys.

1.2.1 At the time of the last price review the average cost of the food element of the meal was 71p, with the remaining costs being associated with staff, equipment and transport costs. The current average cost of the food element of the new menu for the meal is 94p with the highest cost of a meal within the 3 week menu being £1.26p and the lowest 52p. This average is based on the higher cost of either the hot meal of the day or the alternative tuck box of the day.

1.3 The RPI on food and catering percentage is 3.1 for October 2012 and an average of 2.9 for 2012/13. Applying the above inflation to the food element of the current costs would increase the food element cost of the primary meal and secondary school meal of the day by 3p which would not cover the actual increase in food costs.

2. Proposal

2.1 It is proposed that the following price increases, exclusive of VAT are implemented with effect from January 2013:

- the primary school meal from £2.00 to £2.10 which is a 5% increase
- the meal of the day in High School from £2.05 to £2.15 which is a 5% increase
- the price of adult meal tickets from £2.80 to £3.00 (plus VAT - 60p)
- NNEB meals from £2.83 to £2.90 (plus VAT - 58p)
- the price of meals on wheels remain at £4.10 (including VAT)
- In view of above inflation increases on many food items and vehicle fuel an increase in charges is required to ensure the current level of service can be delivered.

- 2.2 In addition, the staff restaurants had an annual uplift in April 2011 and it is requested that uplift from January 2013 of up to a maximum of 5.5% be considered for these outlets. Individual menu items will be reviewed in line with food costs before any uplift is implemented.

3. Corporate Improvement Plan

- 3.1 Risks to the Council if these increases are not implemented are that the Catering Service returns a deficit, however the requested uplift may potentially also reduce take-up of the service.

4. Options Considered/Available

- 4.1 Leave the charges for school meals as is – the increase of additional costs cannot be absorbed within the catering budget.
- 4.2 An increase of 5p would generate an additional income of £54,570 per annum based on 2011 – 2012 take-up.
- 4.3 An increase of 10p would generate an additional income of £109,140 per annum based on 2011 – 2012 take-up.

5. Preferred Choice and Reasons

- 5.1 Option 4.3 is the preferred choice as £2.00 per primary meal does not recover all costs to provide the meal in line with Appetite for Life. That is school meal increases to be 10p. Therefore Primary School meals will increase from £2.00 to £2.10 per day, and the High School ‘meal of the day’ that is currently £2.05 will increase to £2.15.
- 5.2 With Appetite for Life compliance, all menus have to meet all the criteria which has led to an additional oily fish item, an additional meat dish and a fruit based desert daily. These menu items based on current supplier charges have put the average food cost per meal up by an additional 23p, taking into account inflation to date, plus additional costs for implementing Appetite for Life.
- 5.3 The Authority will shortly be legally required to monitor the compliance with Appetite for Life which will incur yet further additional costs, as there is not capacity to carry this out within the current staffing structure. Therefore the preferred option recommends a minimum price increase of 10p to cover these additional costs.
- 5.4 The following meals had no increase last year and therefore the preferred choice is detailed exclusive of VAT as follows –
Adult meal tickets £3.00 and NNEB meals will increase to £2.90

The prices for meals on wheels to remain at £4.10 inclusive of VAT

- 5.5 County Council Restaurant prices to be reviewed individually and where required be increased by a maximum of 5.5%.

6. Sustainability and Environmental Issues/Equalities/Crime and Disorder,/Welsh Language/Other Policies etc

Meals are available to all, with price rises limited and balanced to ensure that the NNEB take up does not adversely affect those in an otherwise supporting role. There is no change in any prior impact upon these issues.

7. Children and Young People's Impact Statement - Safeguarding and Wellbeing

The Service promotes and is seeking to promote further, the take up of free school meals which are unaffected by the proposals. The proposals allow the service to cover predictable inflationary food rises partially.

8. Local Member(s) N/A

9. Other Front Line Services

10. Support Services (Legal, Finance, HR, ICT, BPU)

The Principal Accountant for Communities, Skills and Learning comments that the 2012-13 Original Income Target was based on an overall increase in the charges for meals effective from April 2012 of 5%. As all charges have been held at the 2011 rates, this together with the reduction in take up has led to an underachievement in income. This shortfall has been offset to date by reduced food purchases and other underspends within the Service, but with the increasing cost of food, this situation is no longer sustainable. Therefore the proposed increase of 10p per meal will mitigate this additional cost.

There would be no legal implications arising from the implementation of these proposals

11. Local Service Board/Partnerships/Stakeholders etc

11.1 No specific implications for LSB

12. Communications

13. Statutory Officers

The Director of Finance notes the comment of the Principal Accountant that this will allow the service to breakeven.

Recommendation:	Reason for Recommendation:
It is recommended that the above catering increases are implemented for January 2013.	To increase income in line with budget target.

Relevant Policy (ies):			
Within Policy:	Y	Within Budget:	Y

Relevant Local Member(s):	N/A
----------------------------------	------------

Person(s) To Implement Decision:	Stuart Mackintosh / Cheryl Leighton
Date By When Decision To Be Implemented:	January 2012

Contact Officer Name:	Tel:	Fax:	Email:
Stuart Mackintosh	X7583		Stuart.mackintosh@powys.gov.uk

Background Papers used to prepare Report:

F:\wlegal\Clarence\Reports\BOARD REPORT TEMPLATE VERSION