

Cabinet

25th April, 2016

PRESENT:-

Councillor S. Brady (Chair), Councillor D. R. Hale (Deputy Chair), Councillor S. Bayes, Councillor J. Black, Councillor A. Clark, Councillor T. Geraghty, Councillor M. C. Mancey, Councillor R. Nicola, Councillor H. J. Spencer and Councillor P. J. Webster.

IN ATTENDANCE:-

M. Jukes (Chief Executive), T. Dalby (Deputy Chief Executive), M. Jones (Director of Regeneration), B. Arnold (Director of Finance, Infrastructure and Transformation), I. Anderson (Town Clerk) and L. Scholes (Senior Democratic Services Officer).

G. Lutkin (Investment Programmes Manager) – minute 131, N. Bottomley (Resources Manager) – minute 133, A. Burton (City Streetscene Manager) – minute 136-137, A. McArthur (Assistant City Manager, Waste, Cleansing, Grounds & Parks) – minute 136-137, M. Charlton (Assistant City Manager, Community Safety & Partnerships) – minute 137, N. Howbridge (City Property and Assets Manager) – minute 138 and J. Haymes (Principal Property Manager) – minute 138.

APOLOGIES:-

None

Minute No.	Description/Decision	Action By/Deadline
PROCEDURAL ITEMS		
128	DECLARATIONS OF INTEREST No declarations of interest were made.	
129	MINUTES OF THE MEETING HELD ON MONDAY, 21st MARCH, 2016 Agreed – that the minutes of the meeting held on Monday, 21 st March, 2016, be taken as read and correctly recorded and be signed by the Chair.	
130	PUBLIC QUESTIONS No public questions were received.	

NON-EXEMPT ITEMS

Key Decisions

131	<p>PROCUREMENT FOR LIFT REPLACEMENT TO HOUSING HIGH RISE FLATS</p> <p>The City Neighbourhoods and Housing Manager submitted a report which sought approval for the procurement methodology for the tendering of replacement/refurbishment of 16 lifts to 10 blocks of high rise flats across two wards of the City over a five year period to a total value of £2.5m.</p> <p>The comments of the Finance and Value for Money Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute 139.</p> <p>Members discussed the comments from Finance and Value for Money Overview and Scrutiny Commission, they did not agree with the recommendation that the Portfolio Holder comments should be included in the report prior to them being submitted to Scrutiny. Members felt it should be the other way round so that the comments from Scrutiny were taken account of and informed the Portfolio Holder comments.</p> <p>Members also discussed how leaseholders would be required to contribute to the cost of the lift replacement and were concerned on the impact of this and whether some would be able to pay. The office explained that there were a number of payment methods offered and the leaseholders were able to challenge the cost and quality of the works.</p> <p>Moved by Councillor Mancey and seconded by Councillor Brady –</p> <ul style="list-style-type: none">(a) That Cabinet agree the scheme to refurbish or replace 16 lifts to 10 blocks of high rise flats across two wards of the City over a five year period, to a total value of £2.5m, subject to the annual Cabinet approval of the Housing Revenue Account Business Plan;(b) That Cabinet agree to commission the replacement lifts through a framework contract established by the Council for that purpose which includes a range of suitable suppliers able to undertake the work procured;(c) That Cabinet agree to use the replacement of the lifts at Cambridge Street flats as a basis to evaluate suppliers for inclusion on the framework, limiting contractors to those who have demonstrated that they are able to meet the quality requirements within the specification for those flats and to	(a-f) City Neighbourhoods and Housing Manager
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	<p>agree that any further work will be awarded through a mini-competition process limited to those suppliers appointed to the framework;</p> <p>(d) That Cabinet agreed to procure the framework using an open tender process with tenders to be evaluated on a Best Value basis using a Price : Quality ratio split of 70% price and 30% quality (including 5% social value), with the suppliers submitting the most economically advantageous bids being included on the framework, and the contract for Cambridge Street flats being awarded to the single most economically advantageous tender and subsequent tenders on the framework being tendered on the same basis, save where following consultation with the Town Clerk, the Portfolio Holder and the Tenants reference group, it is deemed economically advantageous to depart from this approach;</p> <p>(e) That delegated authority is granted to the City Neighbourhoods and Housing Manager, in consultation with the City Plan Enabler for Infrastructure (including Housing and Waste Management) and the Town Clerk (Monitoring Officer) to agree the tender model, questions, engagement criteria, and type of contract, mini competition award criteria, specification, social value criteria and Key Performance Indicators;</p> <p>(f) That delegated authority is given to the City Neighbourhoods and Housing Manager, in consultation with the City Plan Enabler for Infrastructure (including Housing and Waste Management) and the Town Clerk (Monitoring Officer) to agree appointments to the framework and subsequent contract awards following the mini competition process via decision record, and</p> <p>(g) That the Cabinet response to the Finance and Value for Money Overview and Scrutiny Commission be that they would not include the recommendation that the Portfolio Holder comments should be included in the report prior to them being submitted to Scrutiny because the comments from Scrutiny were taken account of and informed the Portfolio Holder comments.</p> <p>Motion carried.</p> <p><u>Reasons for recommendations</u></p> <ul style="list-style-type: none"> • The recommendation for a five year scheme will allow a continuous replacement programme to ensure these high blocks are maintained to high standard. Annual authority is required to progress the programme to ensure the continued 	<p>(d-f) Town Clerk</p> <p>(g) Scrutiny Officer - FH</p>
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	<p>sustainability of the Housing Revenue Account. A dedicated five year scheme will allow for the Council to work in partnership with NPS to reduce their fee of circa £209k over five years for management of this specialist work.</p> <ul style="list-style-type: none"> • Establishing a framework will provide the authority with a list of specialist suppliers that will allow a much more efficient value for money process for awarding future works through competition to a known set of suppliers who have already met a quality/price threshold. • Using mini-competitions offers the Council the flexibility to choose the best bidder for the particular specification, thus offering continued best value, whilst the wider framework will provide local benefits to support the City Plan. It should also allow for improved opportunities to develop working partnerships and facilitate continuity of service to residents by reducing procurement timescales project by project. The cost and quality ratio recommended (70% Price : 30% Quality) will provide a suitable balance for tender evaluation that will enable the incorporation of quality questions to establish what local opportunities or benefits can be facilitated during delivery of the works. Price is key to the Housing Revenue Account as rental incomes fall over the coming years as detailed in the Housing Revenue Account Business Plan approved at Cabinet in February 2016. Annual assessment of all programmes is awarded subject to Cabinet agreement to ensure continued sustainability of the Housing Revenue Account. The higher percentage apportioned to cost will assist in achieving value for money that can be built upon to maintain or reduce cost over the five years of the scheme. An open tender process will allow both national and local suppliers to engage with the work. There are no known bespoke local or regional frameworks available for this type of specialist work. • Delegated authority for specification, engagement criteria, type of contract and annual award is required to allow the procurement team with NPS and Housing to progress the scheme as soon as possible to begin to replace these lifts and to expedite annual programmes accordingly. Annual award via decision record will allow visibility of the award and detail of award criteria. 	
132	<p>LAND AND PROPERTY DISPOSAL AND ACQUISITION PROGRAMME 2016/17</p> <p>The City Property and Assets Manager submitted a report which set out the annual report on the Land and Property Disposal Programme</p>	

	<p>for the forthcoming year 2016/17</p> <p>The comments of the Finance and Value for Money Overview and Scrutiny Commission, East Area Committee, Park Area Committee, Wyke Area Committee and West Area Committee when this matter was considered, were submitted for consideration, and were detailed at minute 139.</p> <p>Members discussed the amended wording in relation to the former Park Avenue Education Centre and requested the item be deferred to later in the meeting to enable to officer to attend and respond to the queries.</p> <p>Moved by Councillor Brady and seconded by Councillor Hale –</p> <p>That consideration of the item be deferred to the last item on the agenda.</p> <p>Motion carried.</p>	
133	<p>PROPOSED CATERING CONTRACT FOR THE EXTRA CARE PFI FACILITIES</p> <p>The City Adult Social Care Manager submitted a report which set out, the Council's requirement for catering services at the three Extra Care PFI facilities in Hull.</p> <p>Agreed –</p> <ul style="list-style-type: none"> (a) That Cabinet agree to proceed with a procurement of a catering contract for the three Extra Care facilities using the competitive procedure with negotiation based upon the assumptions articulated at Option 3; (b) That Cabinet agree to procure the contract for the three schemes as one lot; (c) That Cabinet agree to award the contract on the basis of 60% quality (including 20% social value) /40% price, and (d) That Cabinet agree to delegate authority to appoint the successful contractor and to approve any subsequent contract extensions to the City Adults Social Care Manger, in consultation with the Town Clerk and the Portfolio Holder for Public Health, Prevention and Safeguarding Adults, providing that the contract is within budget. 	<p>(a-d) City Adult Social Care Manager</p> <p>(d) Town Clerk</p>

	<p><u>Reasons for recommendations</u></p> <ul style="list-style-type: none"> • The Department of Health (DoH) Private Finance Initiative (PFI) Extra Care approval requires a catering offer as a part of the whole scheme. • The existing Cabinet PFI Extra Care approvals did not include the authority to procure these services. • A 60% quality (including 20% social value)/40% price ratio will facilitate the delivery of the most economic advantageous tender as it will ensure the quality of the supplier making it more likely that Extra Care customers will make use of the service, and support the realisation of value opportunities beyond the contract itself, through use of sustainable goods and the development of apprentices into employment, creating greater overall value to the City through the subsidy paid by the Council to facilitate the delivery of the service and supporting the wider parameters of best value and providing a high quality, catering service offering quality and nutritious meals and customer choice. • The procurement approach using a competitive procedure with negotiation allows the authority to negotiate with providers prior to final bids being submitted. • The use of PFI credits to subsidise meals taken under the catering agreement, provides the Council with an opportunity to control the budget (by setting the level of subsidy on an annual basis) whilst encouraging take up of the catering provision. • Letting the contract in a single lot mitigates the risks to the Council and the contractor in providing a sustainable solution 	
134	<p>REPORT TO OBTAIN AUTHORITY TO SEEK COMPETITIVE TENDERS FOR PROJECTS WITHIN THE DRAFT PROPOSED TWO YEAR SCHOOL CAPITAL PROGRAMME 2016/18 AND FOR WORKS TO BE UNDERTAKEN UNDER THE PRIORITY SCHOOLS BUILDING PROGRAMME AT AINTHORPE YOUTH CLUB AND WOLD ACADEMY</p> <p>The City Major Projects and Infrastructure Manager submitted a report which set out, the draft proposed Two Year Schools capital Programme 2016/18, supported by capital funding allocations for schools' maintenance received from the Education Funding Agency (EFA) for financial years 2016/17 and 2017/18.</p> <p>The comments of the Finance and Value for Money Overview and</p>	

Scrutiny Commission and Early Support and Lifelong Learning when this matter was considered, were submitted for consideration, and were detailed at minute 139.

Members commented that this was a really good news story, the issues around Ainthorpe Youth Club had been raised by representatives from Hull's Youth Parliament at their regular meeting with Cabinet Members. It was very good news and demonstrated that the issues they raised could get actioned by the Council.

Members thanked officers for their hard work on this and commented that the proposals had enthused young people in the area.

Members raised the recommendation from the Finance and Value for Money Overview and Scrutiny Commission in relation to maintenance funding and asked the officer for an explanation. The Section 151 Officer explained that the funding was capital and targeted to schools maintenance but it was not ringfenced. There was a distinction between day to day maintenance and structural maintenance, this was structural maintenance which could be capitalised.

Members further discussed this was good news and the influence of young people through the Youth Parliament representative meeting with the Cabinet Members. This was a real boost for a group of people who sometimes were left behind.

Agreed –

- (a) That approval is given to tender the £5.134m Schools Capital Programme projects in 2016/18 in accordance with the procurement policy and Social and Environment Value Policy Statement agreed by Cabinet on 22 September 2014, on a price quality ratio of 70/30 up to a value of £100k (save where otherwise agreed by the Portfolio Holder for Children and Family Services in consultation with the Town Clerk), and to enter into any contracts. The ratio of 70/30 was agreed in order to enhance the opportunity for small to medium enterprises to compete for the work. Any scheme with an estimated value of £100k or above will revert to the 60/40 ratio;
- (b) That approval is given to tender the estimated £230,000 refurbishment of the Ainthorpe Annex building to re-provide the Youth Service facilities on a 60/40 price quality split and be paid from the PSBP contingency of the Schools Capital Programme;
- (c) That approval be given to procure highway works undertaken

(a-d) City Major Projects and Infrastructure Manager/
Town Clerk

	<p>by the Education Funding Agency's Priority Schools Building Programme at Wold Academy at an estimated cost of £70,000, and</p> <p>(d) That the approval of the award of contracts once tendered be delegated to the City Manager for Major Projects & Infrastructure in consultation with the Town Clerk and Portfolio Holder for Learning, Skills and Safeguarding Children, subject to such tenders being within the overall budget.</p> <p><u>Reasons for recommendations</u></p> <ul style="list-style-type: none"> • To ensure that projects listed in the Schools Capital Programme 2016/18 are given approval to tender along with the approval to allow the award of the contracts once tendered to be delegated to the City Manager for Major Projects & Infrastructure in consultation with the Town Clerk and Portfolio Holder for Learning, Skills and Safeguarding Children. • To ensure that the refurbishment of the Ainthorpe Annex building is given approval to go out to tender, and that the approval to award the contract is delegated to the City Manager for Major Projects and Infrastructure in consultation with the Town Clerk and Portfolio Holder for Learning, Skills and Safeguarding Children. • To ensure that highway works required to Wold Academy to widen the access into the site can be procured and that the approval to award the contract is delegated to the City Manager for Major Projects and Infrastructure in consultation with the Town Clerk and Portfolio Holder for Learning, Skills and Safeguarding Children. 	
135	<p>CARRIAGEWAY WIDENING OF ANLABY ROAD OUTSIDE OF HULL ROYAL INFIRMARY</p> <p>The City Streetscene Manager submitted a report which sought approval for the undertaking of a 'mini competition' by utilising the YOR Framework to tender for the carriageway widening of Anlabby Road outside of Hull Royal Infirmary.</p> <p>Members commented that this was a well-known pinch point in the City, once the work was completed instead of going from one lane to two at the traffic island it would continue as two lanes. Members discussed the replacement of trees, the officer did not have details but would circulate the information to the Cabinet Members.</p>	

	<p>Agreed –</p> <p>(a) To authorise the tender process of inviting submissions from those suppliers within the relevant LOT (LOT 1 Civils) of the YORcivils Framework and subsequent award of a contract for the carriageway widening of Anlaby Road outside of the HRI in order to significantly improve traffic flow and reduce congestion in the area;</p> <p>(b) That the price/quality criteria for the tender are set at 80% price / 20% quality, and</p> <p>(c) That the mini-competition be carried out at the earliest possible opportunity.</p> <p><u>Reasons for recommendations</u></p> <ul style="list-style-type: none"> • Widening Anlaby Road adjacent to the Hull Royal Infirmary will allow the creation of an additional westbound lane. This will significantly improve traffic flow and reduce congestion in the area. • Reducing congestion at the entrance to the Hull Royal Infirmary will increase the safety of ambulances exiting the Hull Royal Infirmary responding to emergencies. • Bus punctuality will be improved as a result of the reduced congestion. 	<p>(a-c) City Streetscene Manager</p>
<p>136</p>	<p>REPORT TO SEEK AUTHORITY TO UNDERTAKE A FURTHER COMPETITION TENDER EXERCISE FOR THE SUPPLY OF TWO AND FOUR WHEELED BINS</p> <p>The City Streetscene Manager submitted a report which sought approval to commence a tender process for the supply of new and refurbished two and four-wheeled waste and recycling bins.</p> <p>Agreed –</p> <p>(a) That approval is given to enter into a tendering process for a new contract for the supply of new and refurbished wheeled bins for 2 years, commencing 1st August 2016 until 31st July 2018 (with the option to extend by up to 24 months), and</p> <p>(b) That authority for the award of contract for the most economically advantageous tender be delegated to the City Streetscene Manager in conjunction with the Town Clerk.</p> <p><u>Reasons for recommendations</u></p>	<p>(a-b) City Streetscene Manager/ Town Clerk</p>

	<ul style="list-style-type: none"> • Provision of wheeled bins is an essential service to meet our statutory duty as a Waste Collection Authority. With 3 bins per property there are circa 500k bins in circulation at any given time. The industry standard guarantee for a bin is 5 years. In practice the service procures circa 17,500 bins per year at an annual cost of £350k per year. This represents a replacement rate of 3.5% per year or a bin life expectancy of 29 years. 	
NON-KEY DECISIONS		
137	<p>STREET CLEANSING AND FLY-TIPPING FUTURE OPTIONS</p> <p>The City Streetscene Manager submitted a report which set out, summarised the current position in terms of street cleansing standards and fly-tipping and provided information relating to current enforcement activity and community involvement in the City.</p> <p>The comments of the Finance and Value for Money Overview and Scrutiny Commission when this matter was considered, were submitted for consideration, and were detailed at minute 139.</p> <p>Members discussed the issues of fly tipping, in particular that it was not peculiar to Hull but was a national problem. 400-500 reports of fly tipping were received each month which cost a significant amount of money to the Council. Examples were given of a crew clearing fly tipping from Wellstead Street and within a few hours CCTV had picked up people fly tipping in the same place. The crews were swift in cleaning up the problem but the problem itself needed to be tackled. The Council was one of only a few in the country which offered a free bulky item collection service for up to five items. There was a need to ensure residents were aware the service was available and for the Council to be even more proactive in tackling the offenders than the service was currently being. The team tackling this had already prepared 130 prosecution files this year.</p> <p>Members also discussed the options available and were keen to raise awareness of the services offered by the Council, this may need to be done in several languages. Members commented that most wards had 'Bring out your Rubbish' days.</p> <p>Members discussed the different types of fly tipping in the City the first where people dumped piles of rubbish and the second where people piled rubbish next to the bin. It was important that people understood this was fly tipping and were aware of the services provided by the Council to dispose of waste at three Household Waste and Recycling Sites across the City. One of the main issues was fly tipping in private ten foots. The ten foots were primarily owned by the surrounding householders and were often gated, the only people with access were those living around it. The Council</p>	

needed the support of local residents in dealing with the issue as often it as those living around the tenfoot who dumped the waste.

Members also commented on the tremendous effort from the public in recycling, most people were responsible and took their waste to the tip even when it needed multiple trips. There needed to be a three pronged attack of enforcement, publicity and extra resources on the front line. The Council had a number of services to deal with such waste including 'Bring out your Rubbish' days and recycling sites, which, despite all of the financial cuts, the Council had faced they had kept open. This issue was down to a few people behaving antisocially.

Members highlighted there were now only 14 licensed waste operators in the City. A number of people advertised on social media that they would take rubbish away, however, these could be the people who took it away and dumped it illegally. Members of the public needed to understand that in order to dispose of waste, carriers needed to be licensed and if the carriers disposed of the waste illegally the originators of the waste, the resident, could be liable.

Members were keen to see prosecutions made public in order to help raise awareness and there was a role for the Press in picking these stories up.

Members also commented that the increase in fly tipping could not be attributed to any changes the Council had made to service provision as no changes had been made in this area. The removing and cleaning up of fly tipping cost Hull's tax payers approximately £500k per year, which could be better spent elsewhere.

Agreed –

- (a) That Cabinet agree to the recommendation at option 1 to review whether there is a requirement for additional resources to address cleansing/fly-tipping in six months informed by the outcome of the implementation of the current zonal working programme;
- (b) That Cabinet agree the implementation of option 3, namely the development and implementation of a preventative waste education campaign to support a long term strategy of waste prevention supported by:
 - £30k one off funding allocated corporately to develop a short term awareness raising campaign and that this campaign commences in mid May;
- (c) That £30k one off funding be allocated corporately to meet

(a-e) City
Streetscene
Manager

	<p>the cost of additional fly-tipping resource;</p> <p>(d) That Cabinet notes the existing decision to support the Spend to Save project to address recycling bin contamination and agree to support the extension of this scheme on a Spend to Save basis to employ two additional Grade 5 staff to promote the awareness raising strategy at Option 3 at a cost of £50k/annum within existing funds with no impact on the revenue budget, and</p> <p>(e) That Cabinet agrees to receive a further report providing options for additional cleansing resource for Cabinet consideration, subject to a 6 month review of the new zonal cleansing operation.</p> <p><u>Reasons for recommendations</u></p> <ul style="list-style-type: none"> Option 3 requires no annual revenue requirement and is focussed on preventing waste related issues. The recommendations for allocation of funding to cover operational resource and awareness raising reflect the immediate need and priority of the issue. All other options in section 7 of this report are reactive but would support the overall strategy to tackle fly-tipping and improve cleanliness across the City. 	
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Key Decision

<p>138</p>	<p>LAND AND PROPERTY DISPOSAL AND ACQUISITION PROGRAMME 2016/17</p> <p>The City Property and Assets Manager submitted a report which set out the annual report on the Land and Property Disposal Programme for the forthcoming year 2016/17</p> <p>The comments of the Finance and Value for Money Overview and Scrutiny Commission, East Area Committee, Park Area Committee, Wyke Area Committee and West Area Committee when this matter was considered, were submitted for consideration, and were detailed at minute 139.</p> <p>Members asked the officer to respond to the comments raised by the area committees. The officer explained that in response to the comments from Wyke Area Committee the wording had been updated in relation to the Avenues Education Centre. East Area Committee raised concerns in relation to the Midmere Centre and White House, the officer explained these were both pending consideration by the service of its requirements and if they were declared surplus to requirements then they would be put forward for disposal.</p>	
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In response to West Area Committee's concerns around the sale or let of Bethune the officer explained that the preference for community use would be included in the marketing particulars. Members queried how far Bethune was from Costello and felt this may be covered in the area by the Costello facility.

Park Area Committee raised concerns relating to the Former Park Keepers Lodge in East Park, the officer explained that this would be reviewed. Members commented that reports had been done previously on the condition of the Lodge and due to the position it was in they did not want to include it in the housing provision which could be subject to Right to Buy. If the property was sold then a better value could be obtained but should also include a plan of what should be done with it.

Riverside Area Committee raised concerns relating to the inclusion of the Minerva Public House and requested that it be removed from the list, the officer explained that the delegation to officers only allowed a lease up to seven years and the option for a longer lease was sought. Members discussed the Minerva issue and wished to see it removed from the list and requested a further report on the subject.

Northern Area Committee had requested that nothing further happen in relation to the former George Ashton site for three months. Members commented that further information had been received and they were happy with the proposals.

Moved by Councillor Hale and seconded by Brady –

- (a) That, with the removal of the Minerva Public House from the list, Cabinet approve the inclusion of the additional properties (set out in Appendix 2) within the 2016/17 Acquisitions & Disposals Programme and authorise the City Manager Property & Assets acting in liaison with the Town Clerk on behalf of the Council to:
- Negotiate and agree terms for the appropriate freehold and/or leasehold disposal/acquisition of the properties contained in the programme set out in Appendix 2, and
 - Enter into contracts for the freehold/leasehold disposal/acquisition of these assets.
- (b) That the Minerva Public House be the subject of a further report to be submitted to Cabinet setting out the issues and the options available.

Motion carried.

City Property
and Assets
Manager

	<p><u>Reasons for recommendations</u></p> <ul style="list-style-type: none"> The programme is consistent with the Council's (draft) Corporate Land & Property Strategy and the disposals will generate receipts which will contribute to the achievement of the Council's capital receipts targets for 2016/17. Some of these are required to meet the funding criteria of existing schemes (such as the Building Optimisation Programme) whilst others will support the Council's future capital programme. 	
139	<p>COMMENTS OF COMMITTEES AND COMMISSIONS</p> <p>The Democratic Services Officer submitted comments in relation to minutes 131, 132, 134, 137 and 138 from the Council's committees and scrutiny commissions that had considered the reports following the circulation of the agenda for this meeting.</p> <p>Agreed – That the comments be noted.</p>	

Start: 9.30 a.m.
Finish: 10.15 a.m.

The above Executive Decisions will come into force and may be implemented on expiry of five working days after the publication of the decisions i.e 6th May, 2016, unless called in by the Overview and Scrutiny Management Committee.

Published 27th April, 2016