

To:
All members of the
Council

Please reply to:
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Service: Committee Services
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Date: 20 October 2022

Supplementary Agenda

Council - Thursday, 20 October 2022

Dear Councillor

I enclose the following items which were marked 'to follow' on the agenda for the Council meeting to be held on Thursday, 20 October 2022 and in addition an additional urgent report:

- a) Procurement Tender Report for Waste & Street Cleansing Vehicles **3 - 6**
- To consider a report from the Group Head Neighbourhood Services that seeks approval for the Group Head Corporate Governance to complete all legal formalities to enter into a:
- 1.1 contract for the supply of four diesel powered food waste collection vehicles with Supplier A,
 - 1.2 seven year contract for the lease purchase and maintenance of seventeen waste and street cleansing vehicles with Supplier B; and
 - 1.3 seven year lease with Supplier B for the use of the depot workshop facilities for the purpose of maintenance of the Council's fleet of vehicles.

REASON FOR URGENCY – this has been deemed an urgent item as the decision cannot wait until the next scheduled meeting of Council because any delay would prevent the Council from completing the procurement exercise undertaken for the purchase and lease of waste and cleansing vehicles and potentially increase the cost to the Council.

14. Report from the Leader of the Council **7 - 10**

To receive the report from the Leader of the Council on the work of the **Spelthorne Borough Council, Council Offices, Knowle Green**

Staines-upon-Thames TW18 1XB

Corporate Policy and Resources Committee at its meetings on 27 September 2022 (attached) and 10 October 2022 (to follow).

- 20. Report from the Chair of the Licensing Committee** **11 - 12**
To receive the report from the Chair of the Licensing Committee on the work of the Committee at its meeting on 18 October 2022 (to follow).
- 22. Report from the Chair of the Planning Committee** **13 - 14**
To receive the report from the Chair of the Planning Committee on the work of the Committee at its meetings on 21 September 2022 and 19 October 2022 (to follow).

Yours sincerely

Karen Wyeth
Committee Services

To the members of the Council

Councillors:

S.M. Doran (Mayor)
D. Saliagopoulos
M.M. Attewell
C.F. Barnard
C.L. Barratt
R.O. Barratt
C. Bateson
I.J. Beardsmore
M. Beecher
J.R. Boughtflower
A. Brar
S. Buttar
J. Button

R. Chandler
J.T.F. Doran
R.D. Dunn
S.A. Dunn
T. Fidler
N.J. Gething
M. Gibson
K.M. Grant
A.C. Harman
H. Harvey
I.T.E. Harvey
N. Islam
T. Lagden

V.J. Leighton
A.J. Mitchell
S.C. Mooney
L. E. Nichols
R.J. Noble
O. Rybinski
J.R. Sexton
R.W. Sider BEM
V. Siva
B.B. Spoor
J. Vinson
S.J Whitmore

Full Council

20 October 2022



Title	Procurement tender report for Waste & Street Cleansing Vehicles
Purpose of the report	To make a Key Decision
Report Author	Jackie Taylor Group Head Neighbourhood Services
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	Not applicable
Corporate Priority	Community Environment Service delivery
Recommendations	<p>Council is asked to:</p> <p>1. Authorise the Group Head Corporate Governance to complete all legal formalities to enter into a: -</p> <p>1.1 contract for the supply of four diesel powered food waste collection vehicles with Supplier A</p> <p>1.2 seven-year contract for the lease purchase and maintenance of seventeen waste and street cleansing vehicles with Supplier B</p> <p>1.3 seven-year lease with Supplier B for the use of the depot workshop facilities for the purpose of maintenance of the Councils fleet of vehicles</p>
Reason for Recommendation	A decision was made by Corporate Policy and Resources Committee (CPRC) on 10 October 2022 to recommend the purchase of 4 diesel powered food waste vehicles and the lease of seventeen diesel powered waste & street cleansing vehicles and provide the relevant capital and revenue budgets to enable the completion of the procurement exercise. This report is seeking delegated authority from Council to authorise the Group Head Corporate Governance to enter into contracts for the purchase and lease of the said vehicles and workshop.

1. Summary of the report

This report seeks authority to enter into contracts with:

- **Supplier A** for the purchase of four diesel powered vehicles procured under Framework 960 with the Yorkshire Purchasing Organisation at a one-off cost of £396,905.00.

Procurement of waste & street cleansing vehicles 20.10.22

- **Supplier B** for the lease with full maintenance of seventeen waste and street cleansing vehicles procured under Framework 960 with the Yorkshire Purchasing Organisation at a cost of £754,368.00 per year over seven years.
- Enter into a seven-year lease with **Supplier B** for the use of the depot workshop facilities, for the purpose of maintenance of the Councils fleet of vehicles which is excluded from the security provisions of the Landlord and Tenant Act 1954.

2. Key issues

- 2.1 A report was submitted to CPRC on 11 July 2022 asking permission to commence a procurement process for the purchase & lease of the Council's fleet of waste & cleansing vehicles. The current contract is due to expire in June 2023. The tender exercise which was undertaken through the Yorkshire Purchasing Organisation (YPO) within the following frameworks is nearing completion: -
- Fleet Managed Framework (921) Lot 3 Fleet & Managed Workshops
 - Fleet Managed Framework (960) Lot 1 Specialist Vehicles
- 2.2 The results of the tender exercise were reported back to CPRC on 10 October 2022 along with four options. All members were invited to vote which resulted in a majority vote to recommend approval of **Option 1** to Council on 20th October 2022.
- 2.3 A complete analysis of the different technologies and other factors available was provided within the report presented to CPRC along with a sample breakdown of costs taken from the current procurement exercise.

3. Financial implications

- 3.1 The financial implications associated with the proposed option are as follows:
- **Capital purchase of 4 diesel powered food, textiles, and waste electrical items collection vehicles a budget of £396,905.00**
 - **Lease purchase of seventeen waste & cleansing vehicles which will be a mixture of Capital & Revenue based on the regulations associated with the International Financial Reporting Standard 16 will require additional annual budget of £152,000.**
- 3.2 This £152,000 equates to the additional budget implications over and above the existing budget allocation. This is an ongoing budget requirement over the seven-year term of the lease which will commence in June 23, this date is subject to vehicle availability.
4. The Council adopted International Finance Reporting Statement 16 on 1 April 2022, and the capital costs of acquiring the vehicles will be treated as capital, whereas the maintenance costs will be treated as revenue.
- ## 5. Risk considerations
- 5.1 The current fleet of waste and cleansing vehicles are due for replacement in mid-2023 when the current contract expires. If this procurement exercise is not completed as set out in the timetable, key dates will not be met, and

tendered prices will no longer be valid as manufacturers prices are only held for a specific period, usually 60 days when the markets are so volatile.

- 5.2 Should there be a need to start the procurement exercise again it is anticipated that bidders prices will be much higher than those we are currently working with.

6. Procurement considerations

This procurement process was based on a further competition exercise of the Yorkshire Purchasing Organisations:

- a. Fleet Managed Framework (921) Lot 3 Fleet and managed workshops. The framework had six service providers who were appointed to the Framework following a competitive tender process, compliant with PCR 2015. The Framework commenced in January 2019 for a period of four years.
- b. Fleet Managed Framework (960) Lot 1 Specialist Vehicles. This framework has several service providers who were appointed following a competitive tender process, compliant with PCR 2015. The Framework commenced on 5 October 2019 for a period of four years.

- 6.1 The tender returns were fully evaluated by the Neighbourhood Services, Safety and Procurement Teams.

7. Legal considerations

- 7.1 The Heads of Terms for the grant of a lease have been updated by the Legal team and draft contracts for the supply of vehicles have been prepared.
- 7.2 The Council's procurement standing orders and PCR2015 have been complied with.

8. Other considerations

- 8.1 Supplier B has provided evidence of **ISO9001** and **ISO45001** accreditation.

ISO 9001 is defined as the international standard that specifies requirements for a quality management system (QMS), the standard to demonstrate the ability to consistently provide products and services that meet customer and regulatory requirements.

ISO45001 is the world's international standard for occupational health and safety, issued to protect employees and visitors from work-related accidents and diseases and was developed to mitigate any factors that can cause employees and businesses irreparable harm.

- 8.2 Operational and key performance data will be collected by the providers within their fleet management system. The data will be used to monitor supplier and fleet performance throughout the life of the contract which will provide useful indicators of the performance of each of the vehicles in the fleet.

9. Equality and Diversity

- 9.1 Our waste collection services are designed to ensure that all residents can participate in all services offered. This formed the key part of a major service change in 2007 when we moved to an alternate weekly wheelie bin collection service. This procurement exercise will not adversely impact any of our residents or reduce the levels of service we offer.

10. Sustainability/Climate Change Implications

- 10.1 There is a suggestion within the tender returns that **Supplier B** would be able to consider exchanging a diesel-powered vehicle in the contract with an equivalent vehicle powered by an alternative fuel for every year of the seven-year contract.
- 10.2 Neighbourhood Services will also look to make a separate application to the Green Initiatives Fund to exchange its smaller vans used for other service functions from diesel to electric as these are due for replacement.
- 10.3 Supplier B has provided evidence of **ISO14001** accreditation which is an internationally agreed standard that sets out the requirements for an environmental management system. It helps organisations improve their environmental performance through more efficient use of resources and reduction of waste.
- 10.4 Solutions provided by the proposed suppliers to information required as part of the tender evaluation have confirmed that the assets will only be sourced from suppliers with whom the bidders have long-standing and proven effective trading arrangements. Most of these are specialist equipment suppliers whose products are tailored to Local Authority operations and directly familiar with Public Sector expectations in respect of Sustainability and Social Value and who have progressively enhanced their own operations to meet expectations.
- 10.5 Most vehicle parts are built in the UK and where this is not possible, they are constructed within the EU and procured from UK agents. This reduces the environmental impact of delivery options and enhances the sustainability of “UK-plc” which is an informal term given to the collective performance of the UK’s economy.

11. Timetable for implementation

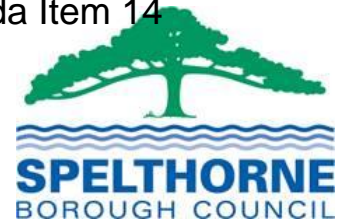
- 11.1 Council 20 October 2022
- 11.2 Decision letters published w/c 24 October 2022
- 11.3 Contract award w/c 31 October 2022
- 11.4 Standstill period 10 days
- 11.5 Mobilisation and delivery of vehicles from June 2023 through to March 2024, subject to vehicle availability.

12. Contact

- 12.1 Jackie Taylor Group Head of Neighbourhood Services 01784446418

Background papers: There are none.

Appendices: There are none



Corporate Policy and Resources Committee

Decisions taken at the meeting held on Monday, 10 October 2022.

Meeting Time:

7.00 pm

Meeting Venue:

Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames TW18 1XB

PRESENT: Councillor John Boughtflower (Chairman), Councillor Maureen Attewell, Councillor Ian Beardsmore, Councillor Malcolm Beecher, Councillor John Doran, Councillor Tom Fidler, Councillor Sinead Mooney, Councillor Lawrence Nichols, Councillor Bob Noble and Councillor Olivia Rybinski

1. APOLOGIES AND SUBSTITUTES

Apologies for absence were received from Councillor Richard Barratt (substituted by Councillor Nick Gething), Councillor Sandra Dunn (substituted by Councillor Chris Bateson), Councillor Tony Mitchell (substituted by Councillor Sati Buttar) and Councillor Veena Siva.

2. DISCLOSURES OF INTEREST

There were none.

3. QUESTIONS FROM MEMBERS OF THE PUBLIC

There were none.

4. WARD ISSUES

There were none.

5. PROCUREMENT OF WASTE AND STREET CLEANSING VEHICLES

It was **resolved** that the following recommendations be put to Council on 20 October 2022:

1. That option 1 (an all diesel fleet), as detailed in appendix 2 of the officer's report, be agreed.
2. That the funding for the Committee's preferred option be allocated to enable the purchase of the vehicles.

6. SPELTHORNE PLACE ARRANGEMENTS TO FACILITATE HEALTH OUTCOMES

It was **resolved** that the following recommendations be put to Council on 20 October 2022:

1. That the Council's approach to expanding the Health and Wellbeing Board to take account of the new requirements under the Health and Care Act and the associated White Paper, Health and social care integration: joining up care for people, places and populations (Option 2) be endorsed.

2. That the Health and Wellbeing Board be renamed the Spelthorne Healthy Communities Board, with an expanded terms of reference, a wider membership of community participants and increased ability to award financial and other assistance using 'pooled budgets' from Health, Adult Social Care and the Council.
3. That devolved authority be provided to the Spelthorne Healthy Communities Board, within strict spending limits, to utilise 'pooled budgets' to expedite community-based health initiatives. Initially using £50,000 of £132,000 awarded for prevention made by North West Surrey Alliance.
4. That there be periodic reporting back to the Corporate Policy and Resources Committee on the Healthy Communities Board's funding decisions.

7. SHARED PROSPERITY FUND AND BUSINESS RATES RETENTION POT*

It was resolved that option 1 contained within the officer's report – to use the Business Rates Retention pot to 'forward fund' all of the projects in the Shared Prosperity Fund (SPF) Investment Plan in advance of the government funds (which were not due to be received until 2024/25) – be agreed.

8. PROCUREMENT UPDATE

The committee noted the progress of the actions in the Procurement Action Plan.

9. SPELTHORNE/SURREY PARTNERSHIP

The update was noted.

10. CORPORATE PEER REVIEW CHALLENGE UPDATE

The update was noted.

11. FORWARD PLAN

The forward plan was agreed, subject to the following inclusions:

1. That the annual property review be added to the agenda for the 28 November 2022 committee.
2. That the review of the Reserves Policy be added to the agenda for the 16 January 2023 committee.

12. URGENT ACTIONS

The urgent action was noted.

13. EXCLUSION OF THE PUBLIC AND PRESS

It was resolved that the public and press be excluded from the remainder of the meeting, in accordance with Schedule 12A of the Local Government Act 1972, due to the likely disclosure of exempt information for the reasons set out in the reports.

14. UPDATE ON COUNCIL DEVELOPMENTS

The update on Council developments was noted.

15. SERVICE PLANS

The service plans for the Finance and Internal Audit teams were noted.

NOTES:-

- (1) *Members are reminded that the "call-in" procedure as set out in Part 4b of the Constitution, shall not apply to the following matters:*

- (a) *Urgent decisions as defined in Paragraph 9. of the Call-in Scrutiny Procedure Rules;*
 - (b) *Decisions to award a contract following a lawful procurement process;*
 - (c) *Those decisions:*
 - i. *reserved to full Council*
 - ii. *on regulatory matters*
 - iii. *on member conduct issues.*
- (2) *Those matters to which Note (1) applies, if any, are identified with an asterisk [*] in the above Minutes.*
 - (3) *Within three working days of the date on which this decision is published, not less than three members from two or more political groups by submission of the standard call-in pro-forma, may ask for that decision to be referred to a meeting of the Administrative Committee for review (call-in). The completed pro-forma must be received by the Proper Officer by 5pm three working days after publication of the decision.*
 - (4) *The members exercising the right of call-in must not be members of the Committee which considered the matter.*
 - (5) *When calling in a decision for review the members doing so must demonstrate the following exceptional circumstances:*
 - a. *Evidence which suggests that the decision maker, did not take the decision in accordance with the principles set out in Article 11 (Decision Making); or*
 - b. *Evidence that the decision fails to support one or more of the Council's Corporate Plan priorities to the detriment of the majority of the Borough's residents; or*
 - c. *Evidence that explicit Council Policy or legal requirements were disregarded.*
 - (6) *Once the request for 'call-in' has been deemed valid by the Monitoring Officer the matter will be suspended until the call-in procedure has been exhausted.*
 - (7) *The Chief Executive, in consultation with the relevant officer, will determine if the interests of the Council or Borough would be prejudiced by a delay in implementing a decision such that the call-in cannot wait until the next ordinary meeting of the Administrative Committee.*
 - (8) *Where the call-in cannot wait until the next ordinary meeting, the Monitoring Officer will arrange an extraordinary meeting of the Administrative Committee to review the decision subject to call-in at the earliest possible opportunity.*
 - (9) *In exceptional cases, where there is clear evidence that a delay to the implementation of a decision would lead to a specific and significant financial or reputational harm to the Council, a call-in request may be refused by the Chief Executive following consultation with the Chair and Vice-Chair of Administrative Committee.*
 - (10) *In reviewing a matter referred to it under the call-in scrutiny procedure rules, the Administrative Committee shall follow the procedure for dealing with call-in scrutiny at its meetings as set out in Part 4b of the Constitution.*
 - (11) *The deadline of three working days for "call in" in relation to the above decisions by the Committee is the close of business on **25 October 2022.***

Report of the Chairman on the Work of the Licensing Committee

There has been one Licensing Committee since the last report, and I set out the main items of business considered at that meeting.

Licensing Committee – 18 October 2022

1. Review and Setting of Fees & Charges for the Licensing of Hackney Carriages, Private Hire and Private Hire Operators

The Committee considered a report requesting approval of the proposed fees and charges for consultation purposes and statutory advertising requirements.

The Committee resolved to agree to consult with the taxi trade on the proposed fees keeping the wheelchair accessible vehicle discount.

Councillor Robin Sider BEM
Chairman of the Licensing Committee

20 October 2022

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Report of the Chairman on the Work of the Planning Committee

This report gives an overview of the key items considered by the Committee at its meetings on 21 September 2022 and 19 October 2022.

1. Planning Committee Meeting – 21 September 2022

- 1.1 The Committee considered one application.
- 1.2 Application No. 22/00915/HOU, 18 Bush Road, Shepperton, TW17 0HX- This application was for the erection of a side extension with a habitable space within the loft including the installation of a rear facing dormer, rooflights to the front and rear. Erection of a single storey rear extension and front porch (following demolition of existing single storey side extension). The installation of a rear facing Juliet Balcony and alternations to the existing fenestrations.
- 1.3 The application was **approved**.

2. Planning Committee Meeting – 19 October 2022

- 2.1 The Committee considered one application that had been called in by Councillor Bateson.
Application No. 22/01017/FUL, 31 Worple Road, Staines-upon-Thames, TW18 1EF – This application was for the erection of a single storey rear infill extension and change of use of existing dwelling (C3) to 7 bedroom house of multi-occupancy (HMO) (Sui Generis) with shared kitchen and dining room, associated parking and amenity space.
- 2.2 The application was **refused**.

Councillor N Gething
Chairman of Planning Committee

20 October 2022

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