

OVERVIEW & SCRUTINY VIEWS AND RECOMMENDATIONS

TO CABINET 18 OCTOBER 2017

Report Title	RECOMMENDATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE – INTERIM REPORT OF THE OVERVIEW AND SCRUTINY RE-PROVISION OF THE ENVIRONMENTAL SERVICES CONTRACT WORKING GROUP
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Agenda Status: PUBLIC

1. Purpose

- 1.2 The purpose of this report is to notify Cabinet on the interim outcome of the Scrutiny activity undertaken by the Overview and Scrutiny Working Group in response to the decision by Cabinet to re-provision the Environmental Services Contract.

2. Recommendations

- 2.1 The Overview and Scrutiny Committee recommends to Cabinet that:
- 2.1.1 Cabinet considers the interim findings of the Overview and Scrutiny Working as detailed in section 3.9 of this interim report.
- 2.1.2 Notes that, from the information provided to the Working Group to date, the Overview and Scrutiny Committee is satisfied that the right processes have taken place to date. From the information provided so far the processes to date have been robust and carried out with due diligence.
- 2.1.3 Notes that, from the information received, the Overview and Scrutiny Committee is satisfied that the procurement process has been robust.

3. Background and Issues

- 3.1 The purpose of the O&S Working Group was to:
- Help non-Executives understand the re provision process and the legal framework around the re-provision of the contract.

- Enable non-Executives to meaningfully challenge the rigour and robustness of the process.
- 3.2 Two non-Executive Councillors called in the decision of Cabinet of 16 November 2016, (item 11 – Re-Provision of the Environmental Services Contract). A Call-In Hearing was held on 29 November 2016. During the deliberation session, the Overview and Committee concluded that there was a need for wider consultation, the recommendations were ill-informed, based on assumptions regarding costs, before quality; the areas of methodology used were flawed; and the contracting out option had been based on a failing contract. The Committee further concluded that there was a need for Overview and Scrutiny involvement at the relevant stages of the process.
- 3.3 The Chair advised of the information received and asked the Committee to consider whether the Call-In would be upheld or not.
- 3.4 Upon a majority vote it was resolved that:
- (1) That after all the evidence had been heard that the Call-In be accepted on the grounds that:
 - (i) there is the need for wider consultation;
 - (ii) the recommendations were ill-informed, based on assumptions regarding costs, before quality;
 - (iii) the areas of methodology used were flawed;
 - (iv) the contracting out option had been based on a failing contract.
 - (2) That there is Overview and Scrutiny involvement in the relevant stages of the process.
- 3.5 The Overview and Scrutiny Committee then convened a Working Group comprising Councillor Dennis Meredith (Chair), Councillor Rufia Ashraf (Deputy Chair); Councillors Aziz, Janice Duffy, Terrie Eales, Jamie Lane, Brian Sargeant, Zoe Smith and Graham Walker to carry out this Scrutiny activity.
- 3.6 This Scrutiny activity links to the Council's corporate priorities, particularly corporate priority - Working Hard and Spending your Money Wisely (Delivering quality modern services) and Protecting Our Environment (A clean and attractive town for residents and visitors).
- 3.7 A series of meetings were held that provided key information to the Overview and Scrutiny Working Group. Further meetings will be held during the process. A final report of the Working Group will be presented to Cabinet early in 2018.
- 3.8 The purpose of the meetings held so far was to:
- Help non-Executives understand the complex procurement process that was being followed.
 - Enable non-Executives to meaningfully challenge the rigour and robustness of the proposed process.

3.9 In considering the evidence the following interim findings from the Scrutiny activity were made: -

The Overview and Scrutiny Committee welcomed the comprehensive presentation given to the O&S Working Group its inaugural meeting and from the information provided to it supported the feedback and progress to date.

The O&S Working Group is satisfied that, from the information provided to it, the right processes have taken place to date. From the information provided so far, the Working Group agreed that the processes to date have been robust and carried out with due diligence.

From the information received, the O&S Working Group gives its support for the robustness of the procurement process followed.

4. Options

4.1 Cabinet will need to consider the possible options as part of its response to the recommendations.

5. Implications (including financial implications)

5.1 Policy

5.1.1 The work of Overview and Scrutiny plays a major part in the development of the Council's policy framework through its work programme.

5.1.2 The report and its recommendations have policy implications in relation to the re-provision of the environmental services contract. Cabinet's response will need to consider the recommendations of the Overview and Scrutiny Committee in detail.

5.2 Resources and Risk

5.2.1 There are no resourcing issues for the recommendations made due to the fact that this is an interim report notifying Cabinet of the findings of the Scrutiny activity so far.

5.3 Legal

5.3.1 There are no legal issues to be considered as part Cabinet's response to the recommendations made due to the fact that this is an interim report notifying Cabinet of the findings of the Scrutiny activity so far.

5.4 Equality

5.4.1 Equality issues will need to be considered as part of Cabinet's response to the recommendations.

5.5 Consultees (Internal and External)

5.5.1 The O&S Working Group received evidence and information at a series of meetings as detailed in paragraph 3.7 of this report.

6. Background Papers

- Overview and Scrutiny Committee report (25 September 2017) – Interim Report of the O&S Re-Provision of the Environmental Services Contract Working Group
- Minutes of the meeting of the Overview and Scrutiny Committee – 25 September 2017

Report Author and Title: Tracy Tiff, Scrutiny Officer, on behalf of Councillor Jamie Lane, Chair, Overview and Scrutiny Committee

Telephone and Email: 0300 330 7000, email: tiff@northampton.gov.uk