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## SCRUTINY BOARD (STRATEGY AND RESOURCES)

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Meeting to be held in Civic Hall, Leeds, LS1 1UR on  
Monday, 20th March, 2017 at 10.00 am

*(A pre-meeting will take place for ALL Members of the Board at 9.30 a.m.)*

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### MEMBERSHIP

#### Councillors

S Bentley - Weetwood;  
K Groves (Chair) - Middleton Park;  
P Harrand - Alwoodley;  
H Hayden - Temple Newsam;  
J McKenna - Armley;  
S McKenna - Garforth and Swillington;  
D Nagle - Rothwell;  
A Sobel - Moortown;  
E Tunnicliffe - Roundhay;  
T Wilford - Farnley and Wortley;  
R Wood - Calverley and Farsley;

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*Please note: Certain or all items on this agenda may be recorded*

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**Principal Scrutiny Adviser:**  
**Steven Courtney**  
**Tel: 24 74707**

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# A G E N D A

Item No	Ward/Equal Opportunities	Item Not Open		Page No
1			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25* of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded).</p> <p>(* In accordance with Procedure Rule 25, notice of an appeal must be received in writing by the Head of Governance Services at least 24 hours before the meeting).</p>	
2			<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p><b>RESOLVED –</b> That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:</p> <p><b>No exempt items have been identified.</b></p>	

Item No	Ward/Equal Opportunities	Item Not Open		Page No
3			<p><b>LATE ITEMS</b></p> <p>To identify items which have been admitted to the agenda by the Chair for consideration.</p> <p>(The special circumstances shall be specified in the minutes.)</p>	
4			<p><b>DECLARATION OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p>	
5			<p><b>APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTES</b></p> <p>To receive any apologies for absence and notification of substitutes.</p>	
6			<p><b>MINUTES - 20 FEBRUARY 2017</b></p> <p>To confirm as a correct record, the minutes of the meeting held on 20 February 2017.</p>	1 - 6
7			<p><b>CHAIR'S UPDATE</b></p> <p>To receive and consider a report from the Head of Governance and Scrutiny Support providing an opportunity for the Chair of the Scrutiny Board to give an update on any general Scrutiny Board business not specifically included elsewhere on the agenda.</p>	7 - 8
8			<p><b>EFFECTIVE PROCUREMENT</b></p> <p>To receive and consider a report from the Chief Officer, Projects, Programmes and Procurement Unit (PPPU) that provide an update on the ongoing work within the unit.</p>	9 - 30

Item No	Ward/Equal Opportunities	Item Not Open		Page No
9			<p><b>IMPLEMENTATION OF THE COUNCIL'S FEES AND CHARGES POLICY</b></p> <p>To receive and consider a report from the Chief Officer, Financial Services that considers how far the policy has been implemented to date and what further action is required in order to ensure the Council continues to optimise income generation, whilst ensuring service subsidies are both justified and targeted at the Council's priorities.</p>	31 - 42
10			<p><b>WORK SCHEDULE (MARCH 2017)</b></p> <p>To consider the Scrutiny Board's work schedule for the remainder of the 2016/17 municipal year.</p>	43 - 46
11			<p><b>DATE AND TIME OF NEXT MEETING</b></p> <p>Monday, 24 April 2017 at 10:00am (pre-meeting for all Board Members at 9:30am).</p>	

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			<p><b>THIRD PARTY RECORDING</b></p> <p>Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts on the front of this agenda.</p> <p>Use of Recordings by Third Parties – code of practice</p> <ul style="list-style-type: none"> <li>a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.</li> <li>b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.</li> </ul>	

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## SCRUTINY BOARD (STRATEGY AND RESOURCES)

**MONDAY, 16TH JANUARY, 2017**

**PRESENT:** Councillor K Groves in the Chair

Councillors S Bentley, D Cohen,  
J McKenna, S McKenna, D Nagle, A Sobel,  
C Towler, E Tunnicliffe, T Wilford and  
R Wood

**56 Late Items**

There were no late items or supplementary information presented at the meeting.

**57 Declaration of Disclosable Pecuniary Interests**

There were no declarations of disclosable pecuniary interests.

**58 Apologies for Absence and Notification of Substitutes**

Apologies for absence had been received from Councillor H Hayden.

Notification had been received that Councillor C Towler was attending as a substitute for Councillor H Hayden.

**59 Minutes - 19 December 2016**

**RESOLVED** – That the minutes from the meeting held on 19 December 2016 be agreed as an accurate record.

**60 Initial Budget Proposals - 2017/18**

The Scrutiny Board received a report from the Head of Governance and Scrutiny Support introducing the additional information identified by the Scrutiny Board as part of its consideration of the initial 2017/18 budget proposals agreed by the Executive Board at its meeting on 14 December 2016.

The following were in attendance for the discussion and to address questions from the Scrutiny Board.

- Councillor James Lewis – Executive Board Member for Strategy and Resources
- Alan Gay – Deputy Chief Executive
- Douglas Meeson – Chief Officer (Financial Services), Strategy and Resources

The Scrutiny Board raised the following matters:

- Pension Costs – with the West Yorkshire Pension Fund (WYPF) actuary now indicating an employer’s rate of 15.9% required. The Board noted that the Council met recently with the WYPF actuary and is awaiting a response about potential options to mitigate this additional pressure.
- Budgeted commissioning savings and the responsibility placed upon each directorate to effectively measure and monitor the impacts of these.
- Concern remained that the Council was still awaiting approval for the Children’s Services application for Department for Education ‘Innovation Fund’ and, if unsuccessful, the shortfall would be funded through Council Reserves during 2017/18. Should the use of reserves become necessary, it was important to produce a detailed plan to show (a) how the reserves would be ‘paid back’; and (b) how the shortfall would be addressed in the longer-term.
- Children’s Services Dedicated Schools Grant Overspend and the potential impact on the general fund if the School Forum does not agree for the deficit to be carried forward into 2017/18 and in subsequent years until the deficit is eliminated. The Board stressed the need for a decision to be made before the Executive Board’s February meeting.
- Key areas of Children’s Services budget overspend in 2016/17 and the consequential impacts on the 2017/18 budget. Particular reference was made to the impact of the number of Children Looked After (CLA) and Transport Costs: The Board questioned why these budget pressures had not been anticipated earlier.
- The Scrutiny Board also reflected on its ongoing consideration of ‘the Leeds £’ and how this impacted on the Council’s budget

The Board agreed to make a number of recommendations to the Executive Board, including the need for any directorate anticipating a significant budget overspend to work closely and proactively with the relevant Scrutiny Board(s) in ensuring that there is robust financial risk management and transition planning put in place.

**RESOLVED –**

- (a) That the information presented be noted.
- (b) That for all proposed budget savings, the Executive Board ensures there is a clear narrative that explains how the savings will be achieved, including (but not limited to) service redesign and service commissioning/ decommissioning.
- (c) That, during 2017/18, the Executive Board supports a further review of Fees and Charges, including revisiting the previous report and recommendations from Scrutiny Board (Strategy and Resources) to help ensure the Council maximises its income streams.
- (d) That, as part of the development of the ‘Leeds £’ approach, Executive Board supports the need for a review of joint funding arrangements in



order to help ensure a consistent and strategic approach that is fair and equitable to all partners involved.

- (e) That, where any directorate is anticipating a significant budget overspend, the Executive Board supports the need for the Section 151 Officer and the relevant director to work closely and proactively with the relevant Scrutiny Board to provide suitable assurance that there is robust financial risk management and transition planning in place.

## **61 Refreshing the Best Council Plan for 2017/18**

The Scrutiny Board received a report from the Deputy Chief Executive providing an opportunity for the Scrutiny Board to contribute to the development of the Best Council Plan for 2017/18, prior to further consideration by Executive Board and Council in February 2017 and in accordance with the Budget and Policy Framework Procedure Rules.

The following were in attendance for the discussion and to address questions from the Scrutiny Board.

- Councillor James Lewis – Executive Member for Strategy and Resources
- Alan Gay – Deputy Chief Executive
- Mariana Pexton – Chief Officer (Strategy & Improvement)

The following representatives from other Scrutiny Boards were also present for the discussion:

- Councillor B Anderson – Citizens & Communities (Chair)
- Councillor P Gruen – Adult Social Services, Public Health and NHS (Chair)
- Councillor Ann Blackburn – Environment and Housing

It was noted that much of the detailed narrative and the Key Performance Indicators (KPIs) were still to be determined and added into the draft Plan. As such, the Scrutiny Board's comments primarily focused around the newly proposed 7 priority areas.

In summary the main areas of discussion were:

- The Best Council Plan was well received by the Board in terms of its layout.
- As part of the narrative, the Board identified the need to clearly explain the context and relationship of the BCP in relation to the Council's financial strategy as well as other Council and partnership plans.
- The Board emphasised the need to ensure there is particular cross-referencing to the existing Breakthrough Project Objectives within the Best Council Plan.

- Particular reference was made to housing related matters. The Board discussed whether housing warranted its own dedicated priority area but agreed that it needed to be prominent within the document. Whilst acknowledging that housing was to feature within 6 of the 7 proposed priority areas, the Board identified the need for this to feature in all priority areas, including the Child Friendly City priority area.
- The Board made reference to the importance of 'play' as a key developmental activity and suggested that this is also featured within the Child Friendly City Priority area.
- Reference was made to the previous 'Objective 5: Dealing effectively with the City's Waste' as this was now considered too narrow and needed to reflect wider sustainability priorities.
- The Board stressed the importance of including KPIs that are meaningful and easily measurable, particularly when determining local impacts.
- The Board recognised the need for the BCP narrative and KPIs to remain flexible in order to allow for minor in-year revisions based on any budgetary or policy changes.
- The Board also recognised the need to maximise continuity between past objectives and objectives going forward in order to analyse key trends.

**RESOLVED –**

- (a) That the information presented be noted.
- (b) That the Scrutiny Board's comments are reflected in the further report and iteration of the Best Council Plan presented to the Executive Board at its February meeting.

**62 The Strategic Commissioning of "People" Services**

The Scrutiny Board received a report from the Director of Adult Social Services (on behalf of the Corporate Strategic People Commissioning Group) that provides further information specifically requested by the Scrutiny Board as part of its inquiry, and also provides an update on progress towards developing a joint approach to commissioning across people services directorates, including performance monitoring.

The following were in attendance for the discussion and to address questions from the Scrutiny Board.

- Councillor James Lewis – Executive Member for Strategy and Resources
- Cath Roff – Director of Adult Social Services
- Sue Rumbold – Chief Officer (Partnership Development and Business Support), Children's Services
- Sue Wynn – Chief Officer (Employment and Skills), Children's Services

- Bridget Emery – Chief Officer (Strategy and Commissioning) , Public Health
- Mick Ward – Chief Officer (Commissioning), Adult Social Services
- Chris Dickinson – Head of Commissioning, Children’s Services

The Director of Adult Social Services introduced the report, outlining the following main points:

- Performance Monitoring and the standard framework in place across Council Services
- The initiatives in place to develop joint approaches to performance monitoring across directorates
- The work being undertaken to align staffing structures to support the commissioning work programme
- Budget action plans around decommissioned and re-commissioned services

The Scrutiny Board discussed a number of matters, including:

- Clarification on the minimum standards regarding quality assurance and performance monitoring, including any additional requirements to respond to varied national policies and legal requirements.
- The importance of developing intelligent commissioning and decommissioning proposals, including detailed impact assessments in relation to any proposed savings to commissioned services, particularly across contracts for Children’s Services and Adult Social Services.
- The need to ensure that elected members are actively engaged and notified of any proposed changes to commissioned services in their areas.
- The need for greater transparency surrounding the various Strategic Partnership Boards across the city.
- Confirmation of the current funding situation for Neighbourhood Networks.
- Clarification surrounding the procedures for contract extensions and waivers and the need for greater transparency surrounding the use of these options. In particular, the Board emphasised the need to provide elected members with more detailed explanations when such decisions are to be made.
- Particular concerns were raised regarding the lack of progress in providing Extra Care Facilities and it was acknowledged that the welfare reform changes, particularly in relation to Housing Benefit, has had a particular impact on the stability of this market.
- Reference was made to contract decisions being taken prior to and also during the Christmas and New Year period and the potential impact and disruption that this can cause. As such, the Board emphasised the need to avoid this practice in future.

At conclusion of the discussion, and on behalf of the Scrutiny Board, the Chair thanked the officers for their attendance and efforts to present a range of information through the report to the Board.

The Chair confirmed the Board would now consider its findings before finalising its inquiry report.

**RESOLVED** – That the report be noted and the information presented be reflected as part of the Board’s finalised inquiry report.

**63 Work Schedule (January 2017)**

The Chair briefly outlined the items the planned to be received and considered by the Scrutiny Board next meeting.

It was also acknowledged that a report will now be drafted to reflect the findings and recommendations arising from the Board’s inquiry into the strategic commissioning of people services. The Board therefore briefly discussed the key areas that it would like reflecting in this report.

**RESOLVED –**

- (a) That the outline work schedule be agreed, subject to any scheduling decisions necessary by the Chair.
- (b) That a draft report of the findings and recommendations arising from the Board’s inquiry into the strategic commissioning of people services is brought back to a future meeting of the Board for approval.

**64 Date and Time of Next Meeting**

Monday, 20<sup>th</sup> February 2017 at 10.00am (pre-meeting for all members of the Scrutiny Board at 9.30 am).

The meeting closed at 12.15 pm.



Report author: Steven Courtney  
Tel: 247 4707

**Report of Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Strategy and Resources)**

**Date: 20 March 2017**

**Subject: Chairs Update – March 2017**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**1 Purpose of this report**

1.1 The purpose of this report is to provide an opportunity to formally outline some of the general areas of work and activity of the Chair of the Scrutiny Board since the last meeting, and not included elsewhere on the agenda.

**2 Main issues**

2.1 Invariably, scrutiny activity can often occur outside of the formal monthly Scrutiny Board meetings. Such activity may involve a variety of activities and can include specific activity and actions of the Chair of the Scrutiny Board.

2.2 The purpose of this report is, therefore, to provide an opportunity to formally update the Scrutiny Board on the Chair’s activity and actions, including any specific outcomes, since the previous meeting in February 2017. It also provides an opportunity for members of the Scrutiny Board to identify and agree any further actions or activity that may be necessary.

2.3 The Chair and Principal Scrutiny Adviser will provide a further verbal update at the meeting, as required.

**3. Recommendations**

3.1 Members are asked to:

- a) Note the content of this report and the verbal update provided at the meeting.
- b) Identify any specific matters that may require further scrutiny input/ activity.

#### **4. Background papers<sup>1</sup>**

4.1 None used

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.



Report author: David Outram  
 Tel: 0113 39 52463

**Report of the Chief Officer PPPU**

**Report to Scrutiny Board (Strategy and Resources)**

**Date: 20 March 2017**

**Subject: Effective Procurement**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

**Summary of main issues**

This report seeks to provide an update to Scrutiny on the ongoing work within the Projects, Programmes and Procurement Unit (PPPU). The report covers:

1. An update on PPPU's access to council feeder systems following the intervention of the Scrutiny Board
2. Improvements to the council's financial management system (FMS) to reduce off contract spend
3. Ongoing work to reduce non-contract spend
4. An analysis of the use of Waivers of the Contracts Procedure Rules (CPRs) April 2016 to February 2017.
5. Participation in the Core Business Systems Review (CBSR)

**Recommendations**

Members of Scrutiny Board (Strategy and Resources) are asked to note the contents of this report and to comment on any areas where they would like further information.

## **1 Purpose of this report**

- 1.1 To provide a further report to the Board as requested.

## **2 Background information**

- 2.1 The council's CPRs confirm that each directorate is accountable for the procurements that they need in order to deliver the services and secure the outcomes that they are responsible for. Scrutiny Board were provided with a copy of CPRs for the September 2016 board meeting. The central procurement function is accountable for providing a central source of expertise, advice and support, providing check and challenge as appropriate.
- 2.2 The Portfolio Management Office (PMO) within PPPU asked for Scrutiny Board's assistance in August 2015 to access the council's feeder systems. Access was sought in order to assist in the identification of <sup>1</sup>off and <sup>2</sup>non-contract spend across the council and to ensure council colleagues comply with CPRs. An email was sent by Scrutiny Board asking system owners to consider how contract information could be obtained from feeder systems. This report provides an update on progress made since Scrutiny's intervention.
- 2.3 At Scrutiny Board on 21 December 2015, there was a request that the PMO provide an analysis of waivers of CPRs. This report provides the latest update on the use of Waivers of CPRs in financial year 2016/17.
- 2.4 At the September 2016 Board meeting it was reported that the PMO had made improvements to FMS e.g. an improved search facility for finding contracts and internal service providers (ISPs) on 26<sup>th</sup> January 2016 to assist order raisers in being able to select the correct contract and therefore reduce off-contract spend.
- 2.5 The PMO and Category Managers within PPPU have collaborated with colleagues in the wider council including the Business Support Centre, Corporate Finance, and the Directorates in order to identify and influence a reduction in off or non-contract spend, reduce the risk of challenge and increase value for money.

## **3 Main issues**

### **3.1 Feeder systems**

- 3.1.1 Where invoices/payments are processed via the council's financial management system (FMS Leeds), contract and other procurement information is captured at the point when the order is raised and non-contract/off-contract spend can be monitored via FMS Leeds reporting.
- 3.1.2 Where orders for goods and services originate from other departmental ordering systems, these are processed through FMS Leeds for payment. Scrutiny Board were previously advised that the feeder files uploaded to FMS do not contain contract and other procurement information. As such,

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<sup>1</sup> Off contract is where a contract for the goods or service being ordered exists but has not been used.

<sup>2</sup> Non-contract spend is where there is not a contract in place for the goods or services. If the spend is over £10k, CPRs state there should be a contract



it was not possible to report contract/off-contract spend from these feeder systems from FMS Leeds without manual intervention. Scrutiny Board therefore supported the PMO in gaining access to the feeder systems in order to seek system changes to reduce the need for manual intervention. The changes sought were to improve transparency for the PMO to be able to match contracts to expenditure.

## **4 Progress Made**

### **4.1 Update on Access to Feeder systems**

4.1.1 PMO officers are part of the CBSR team. With the assistance of Scrutiny intervention and the CBSR team the following feeder system improvements have been achieved:

- The Adult Social Care Change Advisory Board (CAB) recently met and pending final approval a contract reference field will be made available within the CIS system. This will allow PMO to match spend against contracts.
- The Total R (Repairs system) used by Leeds Building Services (LBS) has also been amended to include a contract reference in the description field. When orders are raised in Total R, the user must select a contract or a reason why they are not using a contract, e.g. 3 quotes, emergency or a waiver. PMO will be responsible for validating the data and reporting errors back to LBS.
- In the Orchard system (used for repairs to housing stock) a method of identifying the type of expenditure within the invoice number has been established. This allows spend to be automatically linked to the specific contract.
- The PMO has been given access to a contract information reporting function within the PS-Team system (Certificate Payments for building contractors). PMO has now linked the report to the YORtender contract reference. The result of this work is that £50m of spend is now easily identifiable in terms of contracts.
- The PMO have worked with the Translate system team and provided training on FMS order raising. The FMS orders raised which feed into the Translate system are now compliant with CPRs and visible for contract identification purposes.
- The PMO and CBSR team representatives met with passenger transport colleagues with a view to getting contract information into Trapeze (the transport ordering feeder system). Contract information is now added into the Trapeze system. Training is due to be provided to the PMO for the information to be extracted so that expenditure against contracts is visible and there is not a need for manual checking for non and off contract spend.

## 4.2 Improvements to FMS

- 4.2.1 Following the improvements to FMS which went live on 26<sup>th</sup> January 2016, e.g. enhanced search function, reasons for non-contract orders, promotion of internal suppliers etc. further improvements have been made. The list of non-contract reasons has been refined to give more accurate classification which will make non influenceable expenditure more visible and provide a greater audit trail.
- 4.2.2 The CBSR team is currently working towards a solution in FMS to capture the improved contract information from the various feeder systems outlined above. The aim is for the contract information to flow direct into FMS without the need for separate reporting and analysis outside of FMS.
- 4.2.3 The CBSR and PMO are also seeking to implement the use of catalogues against contracts where possible. This should only allow order raisers to select contracted items from suppliers and consequently reduce the opportunity for off and non-contract spend.

## 4.3 Non and off-contract Spend

- 4.3.1 As reported above, the PMO together with the CBSR have instigated changes in order to access contract information from the feeder systems until FMS can handle the data direct. In the interim, these changes will allow greater visibility of non and off-contract spend.
- 4.3.2 Previously it was not possible to allocate expenditure to contracts where Housing sub-contractors were paid by purchasing cards. The PMO worked with the Housing team to identify a process to allocate jobs to contracts and flow the contract reference into the purchasing card data that the PMO reports from. This development has meant that there are 12,000 lines of data that are now automatically matched to contracts and visible against the correct contract.
- 4.3.3 A contract expenditure analysis is distributed to the Corporate Procurement Group (CPG) so that expenditure by directorates with suppliers who do not hold a contract is visible. This gives an overview to the directorates.
- 4.3.4 Copies of the Contract Register and the list of ISPs are due to go on Insite. These will raise awareness of active contracts and internal services available without having to have FMS access.
- 4.3.5 Scrutiny Board requested that the Chief Officer, HR develop an e-learning procurement training module for council staff through the Performance and Learning (PAL) system. This is near completion. The module will give guidance and training for staff council-wide to comply with policy, governance and CPRs when ordering goods and services. It is envisaged

that the Chief Officer HR, will be able to provide an update on the monitoring of completion rates following roll-out.

- 4.3.6 The PMO will be offering further guidance and training to YORtender users within the Directorates who raise contracts for £100k or less through YORtender (the council's electronic tendering system). Where expenditure is identified that is over £10k and should be on a contract in YORtender, the Directorate will be offered training and guidance as required.
- 4.3.7 In January 2016 (before the changes to FMS were implemented) the on contract orders in FMS accounted for **88.73%** of orders placed. The latest figure for 2016/17 year to date (January 2017) is **95.7%** of orders are on contract against a target of 95% of on contract orders.

#### 4.4 **Waivers**

- 4.4.1 CPRs allow certain rules to be waived in circumstances where the relevant Chief Officer considers that course of action to be justified. For example, provided that a decision to waive CPRs is always at least a Significant Operational Decision for the purposes of the Constitution (therefore requiring publication). The CPRs also requires that the Chief Procurement Officer should be informed when waivers are approved by Chief Officers.
- 4.4.2 PPPU issued updated CPRs in August 2016. PPPU maintain a log of waivers of CPRs. Appendix 1 shows the high level analysis of the use of waivers. Appendix 2a is an analysis by directorate for the 86 waivers of **CPRs 8.1 and 8.2 and 9.1 and 9.2** in the period April 2016 to February 2017. Appendix 2b shows the detail behind each waiver. Appendix 3 details 20 waivers which were not published to the Decision Register, but which were identified via the data transparency check and challenge process.
- 4.4.3 The PMO will continue to monitor the use of waivers and will provide Scrutiny Board with a further analysis of 2016/2017 at the end of Quarter 1, 2017.

#### 4.5 **Participation in the Core Business Systems Review**

- 4.5.1 The PMO have been working with the CBSR on the Procure to Pay Review. The PMO have identified a sample of suppliers who may wish to take part in an Early Payment Scheme (EPS) whereby the council would receive a discount in exchange for paying an invoice earlier than standard terms. The PMO will operate a pilot scheme to pay selected suppliers earlier as part of a trial to support the Business Support Centre with this initiative.
- 4.5.2 The CBSR is looking at better management information as part of the Procure to Pay Review. The changes made to the feeder systems allow

better transparency of expenditure on individual contracts.

## **5 Corporate Considerations**

### **5.1 Consultation and Engagement**

Previous reports to this Scrutiny Board have detailed the extensive consultation and engagement undertaken under the Effective Procurement Programme.

### **5.2 Equality and Diversity/Cohesion and Integration**

The Effective Procurement Programme includes equality issues as one of its workstreams and has undertaken a formal screening, which was published alongside the 24 April 2013 Executive Board report. The screening highlighted the importance of screening categories and procurements for their equality impacts and responding accordingly in line with the council's equality and diversity policies. There have been no major changes at a policy level. Contracts Procedure Rules require consideration of equality matters when undertaking procurements and the key template documents that Contracts Procedure Rules refer to provide specific prompts in this respect.

### **5.3 Council policies and City Priorities**

Contracts Procedure Rules and the Effective Procurement documentation support the council value of 'spending money wisely', and seek to ensure that the council's other values are embedded in all of the council's procurement activities.

### **5.4 Resources and value for money**

This report outlines ongoing work within PPPU to ensure the council is spending money wisely. Due to the changes made to the feeder systems that now allow contract references to be incorporated, spend can now be matched to contracts without manual intervention. This will release PMO staff time to focus on the detail of off and non-contract spend to ensure money is spent wisely and to protect the council from any legal challenges. The PMO will have capacity to review non-compliant orders under £5k as an area of additional focus and share this information with Directorates. Estimated value of contracts can also be monitored against actual spend due to the improved business information as a result of the CBSR improvements. Information regarding spend against contracts can be produced and shared with Directorates to highlight any potential risks.

### **5.5 Legal Implications, Access to Information and Call In**

None.

### **5.6 Risk Management**

Monthly on/off contract spend is shared with category teams, Directorates and Internal Audit. Tools are in place to support the activities covered in this report.

## **6 Conclusions**

- 6.1 Directorates are accountable for their own procurement activity with support provided by PPPU.
- 6.2 PMO collaboration with the CBSR team in relation to feeder systems has increased visibility of spend and this will improve contract management information and reduce the risk of legal challenge.
- 6.3 The analysis of the use of waivers for CPRS 8.1 and 8.2 and 9.1 and 9.2 shows that for the financial year 2015/2016 there were 102 waivers identified. From April 2016 to February 2017 there were 86 waivers published, with a further 20 identified which were not published. Details of the unpublished waivers have been forwarded to Corporate Governance who maintain the Delegated Decisions Register. The full year waiver analysis for 2016/2017 will be supplied to Scrutiny to provide trend information which will be used to measure compliance with CPRs and identify any issues.
- 6.4 Members of Scrutiny Board (Strategy and Resources) are asked to note the contents of this report, and to comment on any areas where they would wish the PMO to focus on.

## **7 Background documents<sup>3</sup>**

None used.

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<sup>3</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

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**Analysis of the 86 Waivers of CPRs in the period April 2016 to February 2017**

There were 86 waivers of CPRs by directorates in 2016/2017. Of these, the largest use of waivers was by Children's Services accounting for 20 of the 86 (23%).

Of the total of 86 waivers of CPRs during the last financial year, 50 of these (58%) were to remain with an existing contractor.

Five waivers (6%) did not have a value stated. It is important to have a value stated to ensure that if the contract exceeds the current EU threshold of £172,514 that Public Contracts Regulations are adhered to. One waiver (1%) did not have a contractor stated.

**CPRs 8.1 and 8.2**

There were 54 waivers of CPRs 8.1 and 8.2 by directorates and of these, 14 (25.9%) were for City Development.

**CPRs 9.1 and 9.2**

There were 27 waivers of CPRs 9.1 and 9.2, and of these 9 (33%) were for Children's Services.

**YORtender Contract entries**

A waiver of CPRs 8.1 and 8.2 and 9.1 and 9.2 should be accompanied by a contract entry on YORtender, the council's electronic tendering system which creates the public facing contract register. This is a requirement of data transparency legislation. Of the 86 waivers of CPRs, only 20 (23%) could be identified on YORtender. All council contracts should be logged on YORtender.

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## Log of the use of Waivers 2016

Year: 2016

Table 1 - Waiver of CPRs (8.1 and 8.2, 9.1 and 9.2)

CPR rule being waived	Directorate								Total	Percentage of total no. of waivers:
	Adult Social Care	Children's Services	Citizens and Communities	City Development	Civic Enterprise Leads	Environment and Housing	Strategy and Resources	Public Health		
CPR 8.1 and 8.2	6	11	1	14	2	6	10	4	54	63%
CPR 9.1 and 9.2	6	9	0	1	1	3	3	4	27	31%
CPR 9.1/9.2 and 8.1/8.2	1	0	0	1	0	0	0	3	5	6%
<b>Total</b>	<b>13</b>	<b>20</b>	<b>1</b>	<b>16</b>	<b>3</b>	<b>9</b>	<b>13</b>	<b>11</b>	<b>86</b>	<b>100%</b>

Table 2 - Waivers of CPRs (8.1 and 8.2, 9.1 and 9.2) with a contract added on to YORtender

CPR rule being waived	Directorate								Total
	Adult Social Care	Children's Services	Citizens and Communities	City Development	Civic Enterprise Leads	Environment and Housing	Strategy and Resources	Public Health	
CPR 8.1 and 8.2	1	5	0	1	1	1	3	2	14
CPR 9.1 and 9.2	1	1	0	0	0	0	1	1	4
CPR 9.1/9.2 and 8.1/8.2	0	0	0	0	0	0	0	2	2
<b>Total</b>	<b>2</b>	<b>6</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>4</b>	<b>5</b>	<b>20</b>
<b>% of waivers with a contract</b>	<b>10%</b>	<b>30%</b>	<b>0%</b>	<b>5%</b>	<b>5%</b>	<b>5%</b>	<b>20%</b>	<b>25%</b>	<b>100%</b>

Table 3 - Waivers of CPRs (8.1 and 8.2, 9.1 and 9.2) without a value stated

CPR rule being waived	Directorate								Total
	Adult Social Care	Children's Services	Citizens and Communities	City Development	Civic Enterprise Leads	Environment and Housing	Strategy and Resources	Public Health	
CPR 8.1 and 8.2	0	0	0	0	0	0	1	1	2
CPR 9.1 and 9.2	0	2	0	0	0	0	0	0	2
CPR 9.1/9.2 and 8.1/8.2	0	0	0	1	0	0	0	0	1
<b>Total</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>5</b>
<b>% of waivers without a value stated</b>	<b>0%</b>	<b>40%</b>	<b>0%</b>	<b>20%</b>	<b>0%</b>	<b>0%</b>	<b>20%</b>	<b>20%</b>	<b>100%</b>

Table 4 - Waivers of CPRs (8.1 and 8.2, 9.1 and 9.2) without a contractor stated

CPR rule being waived	Directorate								Total
	Adult Social Care	Children's Services	Citizens and Communities	City Development	Civic Enterprise Leads	Environment and Housing	Strategy and Resources	Public Health	
CPR 8.1 and 8.2	0	0	0	0	0	0	0	0	0
CPR 9.1 and 9.2	0	1	0	0	0	0	0	0	1
CPR 9.1/9.2 and 8.1/8.2	0	0	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>
<b>% of waivers without a contractor stated</b>	<b>0%</b>	<b>100%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>100%</b>

Table 5 - Waivers of CPRs (8.1 and 8.2, 9.1 and 9.2) without contract dates

CPR rule being waived	Directorate								Total
	Adult Social Care	Children's Services	Citizens and Communities	City Development	Civic Enterprise Leads	Environment and Housing	Strategy and Resources	Public Health	
CPR 8.1 and 8.2	0	0	0	9	1	0	4	0	14
CPR 9.1 and 9.2	0	0	0	0	0	0	0	1	1
CPR 9.1/9.2 and 8.1/8.2	0	0	0	1	0	0	0	0	1
<b>Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>4</b>	<b>1</b>	<b>16</b>
<b>% of waivers without contract dates</b>	<b>0%</b>	<b>0%</b>	<b>0%</b>	<b>63%</b>	<b>6%</b>	<b>0%</b>	<b>25%</b>	<b>6%</b>	<b>100%</b>

Table 6 - Waivers of CPRs (8.1 and 8.2, 9.1 and 9.2) to remain with existing contractor

CPR rule being waived	Directorate								Total
	Adult Social Care	Children's Services	Citizens and Communities	City Development	Civic Enterprise Leads	Environment and Housing	Strategy and Resources	Public Health	
CPR 8.1 and 8.2	2	9	1	6	1	2	6	1	28
CPR 9.1 and 9.2	4	5	0	1	0	2	3	2	17
CPR 9.1/9.2 and 8.1/8.2	1	0	0	1	0	0	0	3	5
<b>Total</b>	<b>7</b>	<b>14</b>	<b>1</b>	<b>8</b>	<b>1</b>	<b>4</b>	<b>9</b>	<b>6</b>	<b>50</b>
<b>% of waivers stating existing contractor</b>	<b>14%</b>	<b>28%</b>	<b>2%</b>	<b>16%</b>	<b>2%</b>	<b>8%</b>	<b>18%</b>	<b>12%</b>	<b>100%</b>

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## Waiver Summary

Appendix 2b

Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Waiver of Contract Procedure Rules to award a contract to Leeds Community Health (LCH) for the delivery of Specialist Health Training to Universal, Targeted and Specialist providers of Services to Children and Young People with additional Health Need	CPR 8.1 and 8.2	Director of Children's Services	LCH	£140,000	1/4/16-31/3/17	Existing provider	Yes	22/04/16	2016		Yes	Yes	Yes	No
Request to waive contract Procedure Rules (CPR's) 8.1 and 8.2 using the authority set out in CPR 1.3 to extend the Contract with RR Consultancy for providing Independent Persons and Independent Investigating Officers	CPR 8.1 and 8.2	Director of Adult Social Services	RR Consultancy	£15,000	1/4/16-31/5/16	Interim extension of existing contract.	Yes	13/04/16	2016		Yes	Yes	Yes	No
To waive the requirement of the Contract Procedure Rule(s) in order to enter into a new contract with Home-Start	CPR 9.1 and 9.2	Director of Children's Services	Home-Start	£178,500	1/4/16-31/3/17	Existing provider	Yes	13/04/16	2016		Yes	Yes	Yes	Yes
Permission to waive CPRs 9.1 and 9.2 to award a 9 month contract for Independent Travel Training	CPR 9.1 and 9.2	Director of Children's Services	Travel Buddies	£589,148	1/4/16-31/12/2016	Interim extension of existing contract.	Yes	08/04/16	2016	Increase the hourly rate from £10.53 per hour to £11.53 per hour to allow the provider to deliver the service. A tender exercised was carried out but none of the bids were compliant.	Yes	Yes	Yes	No
Report to seek a waiver of CPR 8.1 and 8.2 to enter into a contract with Roadworks Information Limited for the annual subscription of the Elgin Roadworks.org portal with the Traffic Management module (TM App) without seeking competition.	CPR 8.1 and 8.2	Director of City Development	Roadworks Information Limited	£16,890	1/4/16-31/3/18	Existing supplier. Purchase of additional software components.	Yes	04/04/16	2016		Yes	Yes	Yes	No
The Waiver of Contracts Procedure Rule 9.1 and 9.2 - To Support the Delivery of the 2016 Bulge Cohort Accommodation	CPR 9.1 and 9.2	Director of Children's Services	LLEP		From September 2016	Using an existing agreement with the supplier.	Yes	16/05/16	2016		Yes	Yes	Yes	No
Report to seek approval to waive Contract Procedure Rules 8.1 and 8.2 in order to renew the licences for Netloan, the PC booking system.	CPR 8.1 and 8.2	Director of City Development	Netloan	£10,300	Not Specified	Extension of existing arrangements	Yes	18/05/16	2016		Yes	Yes	No	No
Waiver of Contract Procedure and award a contract to Oracle Corporation UK Ltd for provision of technical support services.	CPR 9.1 and 9.2	Deputy Chief Executive	Oracle	£112,000	12 months	Existing supplier. Continuation of service.	Yes	20/05/16	2016		Yes	Yes	Yes	Yes
Waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2: above £10,000 and below £100k medium value procurement to supply support and maintenance of the Tranman system	CPR 8.1 and 8.2	Deputy Chief Executive	Civica Ltd	£15,000	12 months	Extension of existing arrangements to allow time for reprocurement.	Yes	25/05/16	2016		Yes	Yes	Yes	Yes
Waiver of Contracts Procedure Rule (CPR) 8.1 and 8.2 to award a contract to Phonak Ltd for the supply of assistive listening devices	CPR 8.1 and 8.2	Director of Children's Services	Phonak Ltd	£40,000	12 months	New contract with existing provider. Continuity of provision.	Yes	08/06/16	2016		Yes	Yes	Yes	Yes
Award of contract to Answer Digital Health for Code Custodianship Services	CPR 8.1 and 8.2	Deputy Chief Executive	Answer Digital Health	Not Specified	Not Specified			08/06/16	2016	Unable to view report - access denied	Yes	No	No	No
Award of contract to Data Press Ltd for hosting of the Leeds Open Data Platform (The Leeds Data Mill)	CPR 8.1 and 8.2	Deputy Chief Executive	Data Press Ltd	£30,000	1/5/2016-30/4/18	Continuation of service	Yes	04/05/16	2016		Yes	Yes	Yes	No
Renewal of Autodesk subscription with Graitec	CPR 8.1 and 8.2	Deputy Chief Executive	Graitec	£50,000	12 months	Continuation of service	Yes	16/06/16	2016		Yes	Yes	Yes	No
Report to seek a waiver of CPR 8.1 and 8.2 to enter into a new contract with IHS Global Software Ltd without seeking competition	CPR 8.1 and 8.2	Director of City Development	IHS Global Software Ltd	£67,374	Until 1st April 2017 with option of 12 month extension	Continuation of service	Yes	20/06/16	2016		Yes	Yes	Yes	No
Waiver of CPR 8.1 and 8.2 and award a contract directly to Hopkinsons Fairdeals Ltd to purchase a used refuse collection vehicle.	CPR 8.1 and 8.2	Director of Environment and Housing	Hopkinsons Fairdeals Ltd	£12,500	one-off	New contract.	No	10/06/16	2016	New contract. Purchase of a vehicle that is currently being hired	Yes	Yes	Yes	No
To approve the proposals in connection with the future of day opportunities for younger people with dementia	CPR 9.1 and 9.2	Director of Adult Social Services	Alzheimer's Society	£292,500	1/10/16 to 30/3/17	Expansion of scope of current contract	Yes	03/06/16	2016		Yes	Yes	Yes	Yes
Waiver of Contract Procedure Rules 8.1 and 8.2 in order to enter into a contract with Sportsafeuk Ltd for the inspection, repairs and maintenance of sports equipment in schools, gyms and leisure centres in Leeds.	CPR 8.1 and 8.2	Director of Children's Services	Sportsafeuk Ltd	£30,000	16/9/16-31/3/17	Existing provider	Yes	14/07/16	2016	Tender process was delayed. This waiver is to allow extension of existing contract during period of reprocurement.	Yes	Yes	Yes	Yes
Request to waive Contracts Procedure Rules 8.1 and 8.2 in order to enter into separate contracts with Home Start Leeds and Women's Health Matters until 31/03/2017. To invoke Contracts' Procedure Rules 27.1 to vary the existing contract with Health of	CPR 8.1 and 8.2	Director of Children's Services	Homestart Leeds / Women's Health Matters	£70,756	25/9/16-31/3/17 15/9/16-31/3/17	Existing providers	Yes	06/07/16	2016	Continuity of service for vulnerable families	Yes	Yes	Yes	No
Waiver of Contract Procedure Rules to award a contract to BASIS for CSE (children at risk of sexual exploitation) training.	CPR 8.1 and 8.2	Director of Children's Services	BASIS	£4,125	1/9/16-31/3/17	Existing provider	Yes	21/07/16	2016	Insufficient time for procurement exercise	Yes	Yes	Yes	Yes
Waiver of Contracts Procedure Rules No 8.1 and 8.2 (Intermediate Value Procurements) to Award HPI Online Provider for Taxi & Private Hire Licensing	CPR 8.1 and 8.2	Assistant Chief Executive (Citizens and Communities)	HPI Online	£7,000	1/8/16-31/7/20	Continuity of service	Yes	22/07/16	2016		Yes	Yes	Yes	No

Waiver Summary

Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Waiver of Contract Procedure Rules to award a contract for the provision of Secondary Learning Improvement Advisors by B11 Education Ltd.	CPR 8.1 and 8.2	Director of Children's Services	B11 Education Ltd	£35,000	1/9/16-31/8/17	Continuity of service	Yes	22/07/16	2016		Yes	Yes	Yes	No
Waiver of Contract Procedure Rules to award a contract for Therapeutic Storywriting Groups Train-the-Trainer Course to Centre for Therapeutic Storywriting Ltd.	CPR 8.1 and 8.2	Director of Children's Services	Therapeutic Storywriting Ltd	£12,000	July 16 to July 17	New contract	No	26/07/16	2016	Only provider offering this specific service	Yes	Yes	Yes	No
Waiver of Contract Procedure Rules (CPR's) 8.1 and 8.2 using the authority set out in CPR 1.3 to award contracts to Paul Gillespie, the established trainer for the provision of training commissioned by Adult Social Care from 1st August 2016.	CPR 8.1 and 8.2	Director of Adult Social Services	Paul Gillespie	£11,000	1/8/16 to 31/5/18	New contract	Yes	28/07/16	2016		Yes	Yes	Yes	No
Request to waive contracts procedure rules in respect of the procurement of security services at the Leeds Reggae and Carnival events.	CPR 8.1 and 8.2	Director of Environment and Housing	Darkside Security	£37,550	August Bank Holiday 2016	New contract	Yes	29/07/16	2016		Yes	Yes	Yes	No
Waiver of Contract Procedure Rule 9 to award a contract to Mondale IT Solutions Ltd (Mondale Events) for delivery of effective conference and event management services on behalf of Children's Services Traded Services	CPR 9.1 and 9.2	Director of Children's Services	Mondale IT Solutions	£90,000	1/9/16 to 31/8/18	New contract	No	04/08/16	2016		Yes	Yes	Yes	No
Waiver of Contracts Procedure Rules 8.1 and 8.2 to vary the existing contract with SLA On-line (Frontline Data Ltd) to allow the provision for the supply of a Governor Support module	CPR 8.1 and 8.2	Director of Children's Services	Frontline Data Ltd	£16,000	4 years	Continuity of service	Yes	11/08/16	2016	Only provider able to meet specification. This appears to be an extension of an existing contract.	Yes	Yes	Yes	Yes
Waiver of contract procedure rules to award a contract for Job Coaches as part of internship model	CPR 8.1 and 8.2	Director of Children's Services	The Pluss Organisation	£25,000	1/9/16 to 31/8/17	Continuity of service	Yes	15/08/16	2016		Yes	Yes	Yes	No
Assisted Living Leeds – Phase 2 Consultancy Waiver Report	CPR 8.1 and 8.2	Director of Adult Social Services	Creative Space Management	£20,000	42979	New contract	No	25/08/16	2016		Yes	Yes	Yes	No
Proposed Waiver of Contract Procedure Rules 8.1, 8.2, 9.1 and 9.2, Proposed Roof Maintenance Works at Leeds Grand Theatre	CPR 9.1/9.2 and 8.1/8.2	Director of City Development	Various companies	Not Specified	Not Specified	Existing provider	Yes	26/08/16	2016	Work to be carried out at Grand Theatre by existing contractors of Theatre but Council responsible for the work.	Yes	No	No	No
Waiver of Contract Procedure Rules (CPRs) 9.1 & 9.2, using the authority set out in CPR 1.3, in respect of Community Based Respite Services	CPR 9.1 and 9.2	Director of Adult Social Services	Various companies	£564,720	6 months	Continuity of service	Yes	09/09/16	2016		Yes	Yes	Yes	No
Request to waive the requirements of Contracts Procedure Rule 8.1/8.2 in order to enter into a contract for consultancy without subjecting the matter to competition.	CPR 8.1 and 8.2	Director of Children's Services	HL	£23,333	1/12/2016 - 31/3/17	Continuity of service	Yes	01/09/16	2016	Effective extension	Yes	Yes	Yes	Yes
Request to Waive Contract Procedure Rules 8.1 and 8.2 to upgrade the Leeds City Council Airviro Air Quality Data Management and Modelling system without seeking competition.	CPR 8.1 and 8.2	Director of City Development	Airviro	£24,000	Not Specified	Continuity of service	Yes	02/09/16	2016		Yes	Yes	No	No
Request to Waive Contract Procedure Rules 8.1 and 8.2 to for the purchase of a kerb lifter	CPR 8.1 and 8.2	Director of City Development	Ash Plant Hire	£10,900	Not Specified	New contract	No	02/09/16	2016		Yes	Yes	No	No
Waiver of Contract Procedure Rules 9.1 and 9.2 to award UTMC Project 2016-2018 without competition	CPR 9.1 and 9.2	Director of City Development	Mott MacDonald	£60,000	18 months with 18 month extension	Continuity of service	Yes	02/09/16	2016		Yes	Yes	Yes	No
Hollybush Primary School Expansion - Revised Procurement Strategy and Waiver of Contracts Procedure Rule 9.1 and 9.2 Capital Scheme Number: 32274/HOL/000	CPR 9.1 and 9.2	Director of Children's Services	Leeds LEP/Interserve	£3,000,000	August 2016 to December 2017	New contract	No	12/09/16	2016	Contractor appointed by original 2 stage tender process but at design stage it was evident that the project would not be completed to budget using the original design. A revised design was agreed with the contractor.	Yes	Yes	Yes	No
Waiver of CPR 9 to enable FM to use Leeds Teaching Hospital Trust for Security at the Compton Road Building	CPR 9.1 and 9.2	Chief Officer of Civic Enterprise Leeds	Leeds Teaching Hospital Trust	£169,000	2 years	New contract	No	16/09/16	2016		Yes	Yes	Yes	No
Waiver report for procurement of specialist government advisor on cost-led procurement for Shakespeare Primary Expansion	CPR 8.1 and 8.2	Director of Children's Services	VLB Lean Ltd	£25,000	From September 2016	New contract	No	28/09/16	2016	No internal experience in cost led procurement so appointing government advisor.	Yes	Yes	Yes	No
Approval to waiver of Contract Procedure Rules 8.1, 8.2, 9.1 and 9.2 to directly commission third sector providers to deliver Public Health healthy child pathway services	CPR 9.1/9.2 and 8.1/8.2	Director of Public Health	Health for All, Henry and Women's Health Matters	£127,080	From 1st April 2017 to 31st March 2019	Continuity of service	Yes	10/10/16	2016	Extension of the existing contracts is required to enable Public Health to work with Children's Services and the Projects, Programmes and Procurement Unit (PPPU) to undertake a review and re-commissioning project of the entire Healthy Child Pathway commissioned services	Yes	Yes	Yes	Yes
Award of contract to TotalMobile Ltd for the provision of Optimise advanced job scheduling software.	CPR 9.1 and 9.2	Director of Environment and Housing	TotalMobile Limited	£104,000	Contract will run to 9th May 2018	New contract	Yes	14/10/16	2016	The initial contract period will run until 9 May 2018, thereby being co-terminus with existing contract YORE- 936GZN (LCCITS120025) for TotalMobile and TotalRepairs, and will include the option for 5 x 1 yr extensions. The overall total value of this contract, including annual support and maintenance cover for 6yrs, will be approx £104k.	Yes	Yes	Yes	No

Waiver Summary

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Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
To seek approval from the Director of Adult Social Services to waive Contract Procedure Rules (CPRs) 8.1, 8.2, 9.1 and 9.2 using the authority set out in CPR 1.3 to enter into four interim Sensory Impairment contracts with Sign Health, The Association....	CPR 9.1/9.2 and 8.1/8.2	Director of Adult Social Services	Leeds Vision Consortium (LVC), BID Services, Sign Health and The Association of Blind Asians (ABA)	£561,033	4th November 2016 to 31st March 2017	New contract	Yes	27/10/16	2016	Leeds Vision Consortium (LVC) for the provision of a service for adults with a visual impairment or dual sensory loss until 31st March 2017 for the sum of £233,675; and - BID Services for the provision of a service for adults who are deaf or hard of hearing for a period until 31st March 2017 for the sum of £275,000. .	Yes	Yes	Yes	No
Award of contract to Weston Communications Ltd to provide maintenance and support services for the Aastra MX-One TSW (Ericsson PABX) system.	CPR 8.1 and 8.2	Deputy Chief Executive	Weston Communications Ltd	£18,998	1st November 2016 to 31 October 2017	Continuity of service	Yes	20/10/16	2016	The Chief Digital Officer approved the request to waive CPR's 8.1 and 8.2 in accordance with CPR 1.3 and 27, to allow a contract to be placed with Weston Communications Ltd, based on standard LCC terms and conditions for maintenance and support services for the Aastra MX-One TSW (Ericsson PABX) system. The contract will run from 1 November 2016 to 31 October 2017. The value of this contract will be £18,998.00.	Yes	Yes	Yes	Yes
Waiver of Contracts Procedure Rules (CPR's) 3.1.1.1, 8.1 and 8.2 using the authority set out in CPR 1.3 to enter into a new contract with Pi Limited for the licensing, support and maintenance of CareTrak solution, commencing on 1st November 2016 for...	CPR 8.1 and 8.2	Director of Adult Social Services	Pi Limited	£13,750	1st November 2016 to 31st January 2017	New contract	No	28/10/16	2016	The Director of Adult Social Services approved the recommendation to waive Contracts Procedure Rules (CPR's) 3.1.1.1, 8.1 and 8.2 using the authority set out in CPR 1.3 to approve a new contract with Pi Limited for the use of their CareTrak product for a 3 month duration and at a cost of £13,750 from November 1st 2016 until 31st January 2017. In tandem to this interim contract being awarded work will continue on the formal procurement of a new Data Visualisation and Benchmarking Tool to replace the current CareTrak product. The decision will be implemented with immediate effect as the contract will start on November 1st 2016. The decision will be implemented by the Principal Strategic Sourcing Officer.	Yes	Yes	Yes	Yes
Request to waive contracts procedure rules 9.1 and 9.2 to enable the council to offer British Lung Foundation the contract to deliver an integrated respiratory peer support programme in priority areas across Leeds over a 24 month period.	CPR 9.1 and 9.2	Director of Public Health	British Lung Foundation	£120,000	Not Specified	New contract	No	21/10/16	2016	It is recommended that the Director of Public Health - (i) Waives Contracts Procedure Rules 9.1 and 9.2 to enter into a contract with British Lung Foundation for a period of 24 months to deliver a Respiratory peer support programme across priority areas in Leeds with a total contract value of £120,000.	Yes	Yes	No	No
Integrated Healthy Living Services Interim Contract Arrangements 2017-18	CPR 9.1/9.2 and 8.1/8.2	Director of Public Health	Leeds Community Healthcare NHS Trust, multiple GP and Pharmacy providers, DAZL, Health for All, Leeds United, The Works, Zest.	Not Specified (see appendix one attached to DDR for a breakdown of contract value)	Multiple dates that vary per contract	Continuity of service	Yes	08/11/16	2016	As part of the Leeds City Council   Health Breakthrough Project "Early intervention to Reduce Health inequalities", the commissioning intentions for an integrated health living service (IHLS) for Leeds was reported to Executive Board on 9th March 2016, who gave authority for the project to progress and for these services to be procured. The new IHLS service is expected to be operational on the 1't October 2017, however the existing contract arrangements to deliver healthy living services in Leeds are due to expire on 31't March 2017.	Yes	Yes	Yes	Yes
A request to waiver Contract Procedure Rules 9.1 and 9.2 to directly commission Leeds Mind to deliver the Mindful Employer Network	CPR 9.1 and 9.2	Director of Public Health	Leeds Mind	£37,500	1st April 2017 to 31st March 2018	New contract	Yes	07/11/16	2016	This service encompasses work in relation to wider stigma and discrimination of the mental illness agenda whilst engaging with employers. This work also includes strategic engagement and a commitment to the national Mindful Employer principles. This new contract will be for 1 year from 1't April 2017 (with the option to extend for a period of up to 36 months) at the sum of e37,500 per annum	Yes	Yes	Yes	No
Request to enter into a short-term Framework Contract for the provision of foster care from Independent Fostering Agencies for a period of 3.5 months by waiving Contract Procedure Rule (CPR) 9.	CPR 9.1 and 9.2	Director of Children's Services	Not Specified	Not Specified	13th December 2016 to 31st March 2017.	New contract	N/A	07/11/16	2016	Note that although the providers and value of this arrangement are not provided by the report, the report does refer to "appendix 1" which has been deemed confidential or exempt under Access to Information Procedure Rule number: 10.4(3)	No	No	Yes	No
Request to Waiver of Contract Procedure Rules 8.1 and 8.2 to Directly Appoint Specialist Consultancy Resource for Communication and Engagement Purposes without seeking competition.	CPR 8.1 and 8.2	Director of City Development	Crisp Air	£20,000	Not Specified	New contract	No	03/11/16	2016	Approved the waiver of Contract Procedure Rule 8.1 and 8.2 (Intermediate value procurement £10,000-£100,000) and award a direct contract to Crisp Air to provide specialist consultancy resources in order to support the wider work of the council to engage with key stakeholders on the impacts of Air Quality on Public Health and the potential Clean Air Zone;	Yes	Yes	No	No
Request to waive Contract Procedure Rules (CPRs) 9.1 and 9.2 using the authority set out in CPR 1.3 to enter into a contract with St Anne's Community Services for a period of six months from 1st April 2017 with the option to extend for up to a further	CPR 9.1 and 9.2	Director of Adult Social Services	St Anne's Community Services	£298,600	From 1st April 2017	New contract	Yes		2016	**Note this is a forthcoming decision and DDN/DDR not yet available. To update**	Yes	Yes	Yes	
Waiver of Contract Procedure Rules 8 to commission support for a review of traded services to schools and academies	CPR 8.1 and 8.2	Deputy Chief Executive	KPMG	£50,000	Not Specified	New contract	No	14/11/16	2016	The Deputy Chief Executive has approved the waiver of Contract procedure Rule 8.2 to enter into an agreement with KPMG to input into a strategic review of traded and discretionary services to schools: and also to conduct a survey and interviews with schools at a cost of £50k.	Yes	Yes	No	No
Award of contract to On the Page Ltd Limited for Bid Writing, Funding Exploration and Associated Support Services	CPR 8.1 and 8.2	Deputy Chief Executive	Onto the Page Ltd	£25,000	Not Specified	New contract	No	15/11/16	2016	Waiver of Contract Procedure Rules (CPRs) 8.1 and 8.2 in accordance with CPR 27 to award a contract direct to On the Page Ltd Limited for bid writing, fund exploration and associated support services on a call off basis	Yes	Yes	No	No

Waiver Summary

Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Waiver of Contracts Procedure Rule No. 8 – Intermediate Value Procurements so as to appoint the Audience Agency to undertake City-wide audience data research	CPR 8.1 and 8.2	Director of City Development	Audience Agency	£19,995	Not Specified	New contract	No	21/11/16	2016	The Chief Officer Culture and Sport has agreed to: i) approve the waiver of Contracts Procedure Rule No. 8 – Intermediate Value Procurements with reference to the procurement of the Audience Agency; ii) approve the proposal to appoint the Audience Agency to deliver the research project.	Yes	Yes	No	No
To waive Contract Procedure Rule (CPR's) 8.1 and 8.2 in accordance with CPR 1.3 to host the support team for West Yorkshire Association of Directors of Adult Social Services	CPR 8.1 and 8.2	Director of Adult Social Services	Clare Coates and Emma Ayre	£46,800	1 st October 2016 to the 31st March 2017	New contract	No	18/11/16	2016	The Director of Adult Social Services approved the recommendation to waive CPR's 8.1 and 8.2 in accordance with CPR 1.3 and enter in to a contractual arrangement with: • Clare Coates for the period from the 1st October 2016 to the 31st March 2017 for the sum of £23,400; and • Emma Ayre for the period from the 1st October 2016 to the 31st March 2017 for the sum of £23,400; to support the delivery of the work of ADASS Adult Social Care in the region.	Yes	Yes	Yes	No
Award a new contract to commission Leeds Occupational Health Advisory Service (LOHAS) to deliver occupational health support services for employees of small and medium sized businesses.	CPR 9.1 and 9.2	Director of Public Health	Leeds Occupational Health Advisory Service (LOHAS)	£48,010	1st April 2017 to 31st March 2018 (option to extend for a further 36 months)	New contract	No	21/11/16	2016	Request the waiver of Contract Procedure Rules (CPRs) 9.1 and 9.2 (high value procurements) and directly award a new 1 year contract (with the option to extend for up to 36 months) to Leeds Occupational Health Advisory Service (LOHAS) for an occupational health support service for employees of small and medium sized businesses at a cost £48,010 per annum	Yes	Yes	Yes	No
Approval to waive Contract Procedure Rules 9.1 and 9.2 in order to enter into a contract for the provision of a Housing Related Support Gateway IT Solution	CPR 9.1 and 9.2	Director of Environment and Housing	Capita Business Services Limited	£164,000	Contract award 31st March 2022	New contract	No	28/11/16	2016	The Director of Environment and Housing has approved the waiver of Contract Procedure Rules 9.1 and 9.2 in order to enter into a contract with Capita Business Services Limited for the provision of the Housing Related Support Gateway Solution. The contract term will be from contract award until 31st March 2022 and the contract value will be up to a maximum of £164,000.	Yes	Yes	Yes	No
Approval to waive Contract Procedure Rules 8.1 and 8.2 and enter into a contract with Esendex Limited for the provision of a bulk SMS messaging service.	CPR 8.1 and 8.2	Deputy Chief Executive	Esendex Limited	£16,320	Not Specified	New contract	No	30/11/16	2016	The Chief Digital Officer approves the waiver of Contract Procedure Rules 8.1 and 8.2 to enter into a contract with Esendex Limited for the provision of a bulk SMS messaging service.	Yes	Yes	No	Yes
Display cases for Leeds Industrial Museum at Armley Mills and Kirkstall Abbey visitor centre	CPR 8.1 and 8.2	Director of City Development	Click Netherfield	£46,798	Not Specified	New contract	No	22/11/16	2016	The Chief Officer Culture and Sport agreed to waiver of Contracts Procedure Rule No12 – Intermediate Value Procurements (Quotations)* to allow for the purchase of new display cabinets at Armley Mills and Kirkstall Abbey. Incorrect CPRs have been waived - should be 8.1 and 8.2	Yes	Yes	No	No
Request to waive Contract Procedure Rules (CPRs) 9.1 and 9.2 using the authority set out in CPR 1.3 to enter into a contract with Leeds Centre for Integrated Living (LCIL) from February 1st 2017 - October 31st 2017	CPR 9.1 and 9.2	Director of Adult Social Services	Leeds Centre for Integrated Living (LCIL)	£584,880	1 February 2017 to 31st October 2017	New contract	No	12/12/16	2016	The Director of Adult Social Services approved the recommendation to waive CPRs 9.1 and 9.2 using the authority set out in CPR 1.3 to enter into a direct contract with LCIL for a nine month period from 1 February 2017 in the sum of £584,880 from 1 February 2017 until 31st October 2017.	Yes	Yes	Yes	No
Report to waive Contract Procedure Rules (CPR's) 8.1 and 8.2 using the authority set out in CPR 1.3 and enter into a new contract with Advanced Health and Care StaffPlan licences for Reablement and Extra Care Housing Services	CPR 8.1 and 8.2	Director of Adult Social Services	Advanced Health and Care	£14,677	15th December 2016 to 14th December 2017	New contract	No	02/12/16	2016	The Director of Adult Social Services approved the recommendation to waive Contract Procedure rules (CPRs) 8.1 and 8.2 using the authority set out in CPR 1.3 to enter into a new contract with the existing provider, Advanced Health and Care, for one year, from 15th December 2016 to 14th December 2017, to ensure that there is not a break between contracts.	Yes	Yes	Yes	No
Waiver to support bespoke aquatic construction project work at Tropical World and Lotherton Hall.	CPR 8.1 and 8.2	Director of Environment and Housing	Sustainable Solutions	£95,000	5th December 2016 to 1st April 2018	New contract	No	05/12/16	2016	The Chief Officer Parks and Countryside has approved the waiver of the following contracts procedure rule(s):i) Contracts procedure rule no 3.1.15 – requirement to use the council's standard tender documents ii) Contracts procedure rules no 8.1 and 8.2 – intermediate value procurements* iii) Award a contract to Sustainable Solutions in the sum of £95,000. The contract shall commence on the 5th December 2016 and expire on the 1st April 2018 with the option to extend for a period of 12 months such option not to be taken up more than once. Incorrect supplier details completed on page 2 of DDN	Yes	Yes	Yes	No
Waiver to support bespoke themeing work at Tropical World and Lotherton Hall	CPR 8.1 and 8.2	Director of Environment and Housing	DCR Theming Ltd	£95,000	5th December 2016 to 1st April 2018	New contract	No	05/12/16	2016	The Chief Officer Parks and Countryside has approved the waiver of the following contracts procedure rule(s):i) Contracts procedure rule no 3.1.15 – requirement to use the council's standard tender documents ii) Contracts procedure rules no 8.1 and 8.2 – intermediate value procurements* iii) Award a contract to DCR Theming Ltd in the sum of £95,000. The contract shall commence on the 5th December 2016 and expire on the 1st April 2018 with the option to extend for a period of 12 months such option not to be taken up more than once.	Yes	Yes	Yes	No
Approval to waive Contract Procedure Rules 8.1 and 8.2 and enter into a contract with Gartner UK Ltd for the provision of Executive Program (EXP) services	CPR 8.1 and 8.2	Deputy Chief Executive	Gartner UK Ltd	£47,700	Not Specified	New contract	No	08/12/16	2016	The Chief Digital Office approve the waiver of Contract Procedure Rules 8.1 and 8.2 and enter initially into a 12 month contract with Gartner UK Ltd for the provision of 'Executive Program' services with the option to re-sign for another 12 months on similar terms in January 2018 if required	Yes	Yes	No	No

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Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Request to Waiver of Contract Procedure Rules 8.1 and 8.2 for the Supply of Termarust HRCSA Paint System by Vector Corrosion for the Leeds Bridge Strengthening Scheme	CPR 8.1 and 8.2	Director of City Development	Termarust Ltd	£95,000	Not Specified	New contract	No	08/12/16	2016	The Chief Officer Highways and Transportation approved the waiver of Contract Procedure Rules 8.1 and 8.2 – (Intermediate Value Procurements) so that the Council can specify the use of the High Ratio Co-Polymerised Calcium Sulfonate Alkyd paint system manufactured by Termarust Ltd in its specification for the Leeds Bridge Strengthening Scheme, at an estimated cost of £95,000.	Yes	Yes	No	No
To enter into a contract with St Anne's Community Services for the provision of a 17 bedded residential rehabilitation service for alcohol users, for a period of six months from the 1st April 2017 in the sum of £149,300, with the option to extend for	CPR 9.1 and 9.2	Director of Adult Social Services	St Anne's Community Services	£149,300	1st April 2017 for 6 months	Continuity of service	Yes	16/12/16	2016	The Director of Adult Social Services approved the recommendation to waive Contract Procedure Rules (CPRs) 9.1 and 9.2 using the authority set out in CPR 1.3, in relation to high value procurements and award a six month contract (with an option to extend for a further six months) without seeking competition to St Anne's Community Services for the Residential Rehabilitation Service in the sum of £149,300. The Director of Adult Social Services noted that: • The Council's Programmes, Projects and Procurement Unit (PPPU) will be requested to issue the new contract • The Adult Commissioning Manager is the officer responsible for implementation and will liaise with PPPU to oversee the implementation of the new contract before the existing arrangement expires on 31st March 2017.	Yes	Yes	Yes	No
The award of interim contracts to existing third sector, GP and pharmacy providers of public health services	CPR 9.1/9.2 and 8.1/8.2	Director of Public Health	Age UK, Basis (formerly Genesis), Touchstone (ELHFA), Women's Health Matters, Leeds GATE	£1,973,905	1st April 2017	Continuity of service	Yes	16/12/16	2016	When Public Health transferred to the Council, the existing PCT contracts held with the third sector, GPs and pharmacies were reviewed and new 3 year contracts were awarded, which expire on 31st March 2017. Since the transfer, Public Health has been undertaking a structured approach to re-commissioning public health services to ensure a high quality and value for money solutions are achieved. This decision is for the direct award of new interim contracts to existing third sector, pharmacy and GP providers from 1st April 2017 to maintain service continuity and provide additional time for Public Health to participate in their strategic reviews. The contracts with third sector organisations deliver a range of services including women's, older people, street workers, travellers and for public mental health. The GP and pharmacy contracts provide locally enhanced services (LESSs) to directly support people with their substance misuse and sexual health. This request to directly enter into interim contracts with existing third sector, GP and pharmacy providers of these Public Health services will be for the length required to complete the review and completed in accordance with Contracts Procedure Rules 8.1, 8.2, 9.1 and 9.2. (see appendix one attached to DDR for a breakdown of contract value) Various GP's and Pharmacies are also on the contracts	Yes	Yes	Yes	No
Addition to Framework Agreement for Out of Area Residential Detoxification.	CPR 8.1 and 8.2	Director of Public Health	Treatment Direct Ltd	Not specified	Framework expires 31st March 2017	New contract	No	16/12/16	2016	The Director of Public Health is recommended to: (i) waive CPRs 8.1 and 8.2 to allow Treatment Direct Ltd to be added to the existing Framework Agreement to provide Out of Area Residential Detoxification placements (YORE-9D9QUG).	Yes	No	Yes	Yes
Waiver to renew the license for the Leeds Evolutive Customer Relationship Management (CRM) software package (under CPR27)	CPR 8.1 and 8.2	Director of City Development	Alcium Software Ltd	£11,970	1st December 2016 to 30th November 2017	New contract	No	23/11/16	2016	The Chief Officer Economy and Regeneration has approved: 1. That the Council renews the existing contract with Alcium Software Ltd for a 12 month period from 1 December 2016 at a cost of £11,970+VAT, for the continued supply of the Evolutive system. 2. To invoke the following Contract Procedure Rules: 'Between £10k and £100k - Intermediate Value Procurement	Yes	Yes	Yes	No
The waiver of CPR 8.1 to award a contract to Leeds University as part of the wider 'Living Labs' agreement.	CPR 8.1 and 8.2	Director of Environment and Housing	University of Leeds	£20,000	1 November 2016 to April 2017	New contract	No	20/12/16	2016	The Chief Officer Waste Management approved the waiver of CPR 8.1 to enter into a new contract with University of Leeds without seeking competition.	Yes	Yes	Yes	No
Award of Residential Alcohol Detoxification Service contract to St Anne's Community Services	CPR 9.1 and 9.2	Director of Public Health	St Anne's Community Services	£134,360	1 April 2017 to 31 October 2017	Continuity of service	Yes	21/12/16	2016	The Director of Public Health has agreed to the waiver of Contract Procedure Rules (CPRs) 9.1 (requirement of competition) and 9.2 (invitation of a minimum of four written tenders) using the authority set out in CPR 1.3, in relation to high value procurements to award a six month contract (with an option to extend for up to a further six months) to St Anne's Community Services for the Residential Detoxification Service in the sum of £134,360 commencing on 1 April 2017.	Yes	Yes	Yes	Yes
Report to seek approval to waive Contract Procedure Rules 8.1 and 8.2 and enter into contract with Hydra Management Limited for the provision of support and maintenance in 2016/17 for Hydra Manager/Personal planning tool.	CPR 8.1 and 8.2	Deputy Chief Executive	Hydra Management Limited	£17, 438	1 April 2017 for six months with opportunity to extend for a further six months	Continuity of service	Yes	19/12/16	2016	Award Contract to Hydra Management Limited for a period of 6 months with the option of a further 6 month should it be required at a cost of £8,719 for each 6 month period.	Yes	Yes	Yes	Yes
Preparation of an outline business plan to scope potential for a dedicated fund to support the reuse of historic mills	CPR 8.1 and 8.2	Director of City Development	Cushman & Wakefield.	£10,000	October 2016 to December 2016	New contract	No	16/12/16	2016	The Chief Officer Economy and Regeneration has approved the waiver of the following contracts procedure rule(s):  Contracts procedure rules no 8.1 and 8.2 – intermediate value procurements and agreed to appoint Cushman & Wakefield.	Yes	Yes	Yes	No

Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Commercial Heating and Mechanical Engineering Services – Waiver Report	CPR 8.1 and 8.2	Director of Environment and Housing	Ace Environmental Engineering Limited, Aircon Refrigeration Ltd, G B Air Control Ltd, GEA Denco Ltd, J S Miller Contracts Ltd, Keep Keen Controls, Machenair Ltd and Sayes Service Ltd	£180,000	22 January 2017 for four months (22 June 2017)	Continuity of service	Yes	09/01/17	2016	The Director of Environment and Housing agreed to enter into a new contract for Commercial Heating and Mechanical Engineering Services with the current providers without competition for a period of 4 months, with the option to extend for a further 6 months. The value is in the region of £180,000	Yes	Yes	Yes	Yes
Annual Procurement of Pupil Level Data Sets	CPR 9.1 and 9.2	Director of Children's Services	Alkemygold Limited (ALPS), FFT Education Ltd, and NCER	FFT £50,275, ALPS £14,474.86, NCER £22,008.96	Contacts are reviewed annually and are in place for a financial year at a time. Alkemygold Limited runs from 1 August to 31 March	Contract renewal	Yes	12/1/107	2016	The Chief Officer, Partnership Development & Business Support approved the waiver of the following Contracts Procedure Rule No 9.1 and 9.2 and award a contract to Alkemygold Limited in the sum of £14,474.86 (estimate), FFT for the full sum of £50,275 and NCER for the sum of £22,008.96. Contracts are reviewed annually and are in place for a financial year at a time. Alkemygold Limited runs from 1 August to 31 March, or to the completion of services.	Yes	Yes	Yes	No
Request to enter into a short-term Framework Contract for Special Educational Needs (SEN) School and Collage Placements for a period of 3 months by waiving Contract Procedure Rule (CPR) 9	CPR 9.1 and 9.2	Director of Children's Services	Listed on private appendix	Not specified	1st January 2017 – 31st March 2017	Short-term framework	Yes	16/01/17	2016	The Deputy Director, Safeguarding, Specialist & Targeted Services approved the short-term framework agreement contract for the provision of Special Educational Needs (SEN) School and Collage Placements for children to the providers identified at appendix 1 to the attached report for a period of 3 months.	Yes	No	Yes	No
To commission The Performance Coach to co-facilitate training sessions specialist training sessions on health coaching	CPR 8.1 and 8.2	Director of Public Health	The Performance Coach	£20,870	January - March 2017	New contract	No	16/1//17	2016	A report to request the waiver of Contract Procedure Rules 8.1 and 8.2 to directly commission the services of The Performance Coach to co-facilitate specialist training sessions on health coaching. This will enable the accreditation of the Leeds Health Coaching Innovation Lead, training for health and care staff and supervisors The key health and social care providers in Leeds (Public Health Leeds City Council, Leeds Community Health Care Trust (LCHT) and Leeds and York Partnership Foundation Trust (LYPFT)) have been working together with Health Education England (HEE) to develop health coaching as an approach to improve self-care and management within the health and care system in Leeds. To help embed health coaching within the Leeds health and care system, NHS England (NHSE) have provided additional funding for The Performance Coach to co-deliver 3 training sessions (6 days in total) and enable the Leeds Health Coaching Innovation Lead to become competent and accredited to deliver health coaching training. The request to waive CPRs is required as TPC are the only provider of the European Mentoring and Coaching Council (EMCC) accredited Train the Trainer Health Coaching course. An accredited course is essential as it provides an internationally recognised benchmark of competency for this whole system approach to health coaching. The total cost of this training is [20,870 and it involves 3 training sessions (6 days in total) and quality assurance. The training will take place between Januarys to March 2017.	Yes	Yes	Yes	No
Extension of existing Leeds Skyline HIV/AIDS Social Care and Prevention Service Contract from 1 April 2017 for up to 12 months.	CPR 9.1 and 9.2	Director of Adult Social Services	Black Health Agency	£293,455	1 April 2017 for one year	New contract	No	18/01/17	2016	The Director of Adult Social Services approved the recommendation to waive Contract Procedure Rules (CPRs) 9.1 and 9.2 using the authority set out in CPR 1.3 to enter into a contract for up to one year from 1 April 2017 with Black Health Agency for the provision of Leeds Skyline a HIV/AIDS social care support service. The contract value for 2017/18 will be up to £293,455 (this is made up of £261,455 from Public Health and £32,000 from ASC for rental costs). The new contract commencing 1 April 2017 will ensure that there is continuity of service while a competitive tendering exercise is carried out	Yes	Yes	Yes	No
Research report & strategy development into fintech potential of Leeds City Region	CPR 8.1 and 8.2	Director of City Development	Finextra and Finexus	£40,000	Not Specified	New contract	No	19/08/16	2016	The Chief Officer, Economy & Regeneration has approved the waiver CPR 8.1 and 8.2 to enable a direct award of a contract to Finextra in the sum of approximately £25,000 and to Finexus for the sum of £15,000. A total of £40,000 without seeking permission.	Yes	Yes	No	No
The supply and ongoing support of the e-book and e-audio provision.	CPR 8.1 and 8.2	Director of City Development	Overdrive	£24,000	27th October 2016 until 31st March 2017	Continuity of service	Yes	25/07/16	2016	That the Chief Officer Culture and Sport approve the Waiver of Contracts procedure rule 8.1 and 8.2 to enable the current provider Overdrive to continue with the supply and ongoing support of the e-book and e-audio provision to be extended from 27th October 2016 until 31st March 2017, at an approximate cost of £24k. A new Tender exercise will be undertaken.	Yes	Yes	Yes	Yes



Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Request to award new 1 Year contracts commencing on 1st April 2017- 31st March 2018 to existing pharmacy providers of the Public Health Enhanced Sexual Health Pharmacy Scheme.	CPR 8.1 and 8.2	Director of Public Health	38 Pharmacies - not listed	£60,000	1st April 2017 until 1st April 2018	Continuity of service	Yes	31/01/17	2016	The existing Enhanced Sexual Health Pharmacy Scheme contract expires on March 31st 2017. A subcontracting arrangement had been developed for the transfer of commissioning responsibility to the provider of the Integrated Sexual Health Services provided by Leeds Community Healthcare NHS Trust (LCH). This was due to happen on 1st April 2017. However, during negotiations between Leeds City Council and Leeds Community Healthcare NHS Trust it became clear that LCH need longer to be able to accept the transfer. Jointly LCC and LCH have agreed a revised timeline would be in the interest of the service with the aim of transferring the service in April 2018. The award of new 1 year interim contracts is the only option to prevent service disruption as there are no further contract extensions available on the existing contracts and the Council's negotiations for novating the contracts over to Leeds Community Healthcare Trust have been disrupted. The Enhanced Sexual Health Pharmacy Scheme comprises 38 pharmacies based on areas of need (Pharmacy needs assessment), Annual budget for payments is £60K, An additional £3000 is spent on resources (Chlamydia/ Gonorrhoea postal kits, pregnancy tests, condoms). This request to directly enter into interim contracts with existing pharmacy providers of this service for 1 year from 1st April 2017 is in accordance with Contracts Procedure Rules 8.1 and 8.2.	Yes	Yes	Yes	No
Commercial Gas Servicing, Maintenance & Installations – Waiver of CPR9.1 & 9.2	CPR 9.1 and 9.2	Director of Environment and Housing	Sayes Service Limited	£100,000	21st January 2017 for 6 months with 1 x 6 month extension	Continuity of service	Yes	25/01/17	2016	Report to seek a waiver of CPR9.1 & 9.2 in accordance with CPR1.3 & 27 to enter into a contract with Sayes Service Limited to deliver Commercial Gas Servicing, Maintenance, Repair and installation in the East area of the city.	Yes	Yes	Yes	No
Waiver Report for Purchase of additional copies of EMME and Cube Voyager software plus maintenance contracts, to be used with the updated Leeds Transport Model Revenue Budget Number : 27804 / 214 / 00	CPR 8.1 and 8.2	Director of City Development	INRO, Citilabs	£18282.36, £12,768.75	January 2017 to February 2017	Continuity of service	Yes	06/02/17	2016	The Chief Office Highways and Transportation: i) approved the waiver of Contract Procurement Rule No 8.1 and 8.2 – Intermediate value procurements to allow Leeds City Council to order EMME software directly from suppliers INRO at a cost of £18,282.36; ii) approved the waiver of Contract Procurement Rule No 8.1 and 8.2 – Intermediate value procurements to allow Leeds City Council to order Cube voyager software from suppliers Citilabs at a cost of £12,768.75; and iii) the expenditure on the software and maintenance listed in recommendations i) and ii).	Yes	Yes	Yes	No
Passenger Transport - Request to approve award of a public contract to Trapeze Group UK Ltd in accordance with the negotiated procedure without publication of a notice under Regulation 32, of the Public Contracts Regulations 2015, for support and mai	CPR 9.1 and 9.2	Deputy Chief Executive Strategy and Resources	Trapeze Group UK Ltd	£157,000	1st July 2017 to 31st March 2019	Continuity of service	Yes	03/02/17	2016	The Chief Officer, Civic Enterprise Leeds approved the award of a contract to Trapeze Group UK Ltd, in accordance with the negotiated procedure without publication of a notice under Regulation 32 of the Public Contracts Regulations 2015, for the support and maintenance of Trapeze for a period of 21 months from 1st July 2017 to 31st March 2019. Based on existing costs, the cost of this contract is estimated to be £157k. Report mentions waiving CPRs when originally awarded but doesn't mention for the extension	Yes	Yes	Yes	No
Request to approve award of a public contract to Civica Tranman in accordance with the negotiated procedure without publication of a notice under Regulation 32 of the Public Contracts Regulations 2015, for support and maintenance (on an annual basis)	CPR 8.1 and 8.2	Deputy Chief Executive Strategy and Resources	Civica Tranman	£15000 per annum - between £45000 and £75000	1st October 2017 - 3 years with 2 x 12 month extension	Continuity of service	Yes	02/02/17	2016	The Chief Officer of Civic Enterprise Leeds approved the award of a contract to Civica Tranman in accordance with the negotiated procedure without publication of a notice under Regulation 32 of the Public Contracts Regulations 2015, for support and maintenance (on an annual basis) for a period of up to 5 years at a cost of approximately £15,000.00 per annum. Report mentions waiving CPRs when originally awarded but doesn't mention for the extension	Yes	Yes	Yes	No
Provision of Mental Health Services	CPR 9.1 and 9.2	Director of Adult Social Services	Leeds Mind Touchstone Community Links	£703,908 £1,148,420 £1,643,380	1st April 2017 for 18 months plus 6 months	New contract	Yes	20/02/17	2016	The Director of Adult Social Services approves the recommendation to waive Contract Procedure Rules (CPRs) 9.1 and 9.2 using the authority set out in CPR 1.3 to enter into an interim contract with Women's Counselling and Therapy Service (WCTS) for two years. The Director of Adult Social Services approves the recommendation for the use of the negotiated procedure without prior publication of a notice in relation to the award of the following three contracts: 1 Leeds Mind for the provision of the well-being service and the Drop-In and Outreach Budget. The value for 18 months is £527,931 and for 6 months it is £175,977. Total contract value - £703,908. 11 Touchstone for the provision of the Community Support Team, Dosti and the Support Centre. The value for 18 months is £861,315 and for 6 months it is £287,105. Total contract value - £1,148,420.III. Community Links for the provision of the Mental Health Support Service (MHSS) and Oakwood Hall. The value for Oakwood Hall for 18 months is £1,232,535 and for 6 months it is £410,845. Total contract value - £1,643,380.	Yes	Yes	Yes	No
Waiver of Contract Procedure Rule 9 to award a contract to Salford University for delivery of the Step Up to Social Work Programme (which is a 14 month fast track Post Graduate Social Work Degree)	CPR 9.1 and 9.2	Director of Children's Services	Salford University	£390,000	Jan 2018 - 2 years	New contract	No	20/02/17	2016	The Director of Children's Services agreed to Waive the requirements of Contract Procedure Rule 9 to award a contract to Salford University for delivery of the Step Up to Social Work Programme (which is a 14 month fast track Post Graduate Social Work Degree), to enable us to deliver the programme in partnership with the Sheffield Consortia. The contract will be for a period of two years - annual contract value is £195,000 per cohort. It is not possible to novate the existing contract with Salford University held by Sheffield Council, therefore it is necessary to establish a new contract.	Yes	Yes	Yes	No

Title of waiver report	CPR rule waived	Decision Maker	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	New contract or entering into a further contract with Existing provider	Existing Supplier?	Date of the decision	Year	Comments	Contractor Specified?	Value Specified?	Dates Specified?	Contract Specified?
Request to Waiver of Contract Procedure Rules 8.1 and 8.2 to purchase additions and upgrades to current V-TAS system from I-Comply Ltd without seeking competition.	CPR 8.1 and 8.2	Director of City Development	I-Comply	£29,100	Not Specified	New contract	Yes	15/02/17	2016	The Chief Officer Highways and Transportation approved the waiver of Contract Procedure Rule: 8.1 and 8.2 Intermediate Value Procurement and approve the purchase of V-TAS hardware and software from I-Comply at a cost of £29,100 without seeking competition.	Yes	Yes	No	No
Approval to waive CPR's 8.1 and 8.2 and enter into a 12 month contract with Casmaco Ltd for the provision of a MiCase hosted Case Management system for use by Integrated Offender Management commissioned services and West Yorkshire Police.	CPR 8.1 and 8.2	Director of Environment and Housing	Casmaco Ltd	£10,800	1st April 2017 to 31st March 2018	New contract	No	21/02/17	2016	The Chief Officer, Strategy and Commissioning Office of the Director of Public Health approved the waiver of CPR's 8.1 and 8.2 and allowed a 12 month contract to be awarded to Casmaco Ltd for provision of the MiCase hosted Case Management system for the period 1st April 2017 to 31st March 2018. The contract value is £10,800.	Yes	Yes	Yes	Yes

Title of DDR or DDN	CPR rule being waived	DDN Signed By	Contractor (Where applicable)	Value (where applicable)	Contract dates (where applicable)	Example Order Number	Directorate	Date of the decision	Decision type	Year	Comments
Lotherton Hall – To award the contract for the Phase II works comprising decorations, floor installation, fit out, joinery, plastering fire escape, roofing works, toilet refurbishment and mechanical & electrical works to SPIE Ltd.	Design and Cost Report, not stated	Martin Farrington	SPIE Ltd, stated on DDN	£602,600 - note this is for a range of works rather than this particular aspect	Not stated	Z877579	City Development	02/04/15	Administrative	2016	DDN is for this project, DDR is a design and cost report relating to the overall project
Design and Cost Report - Authority to Spend for Ryecroft Academy ICT Infrastructure Scheme	Not stated (not waiver - authority to incur capital expenditure of £45,000)	Viv Buckland	Ryecroft Academy	£45,000	Programme dates given between April 2015 and June 2015	Z818537	Children's Services	17/04/15	Administrative	2016	The waiver for this spend has not been published to the decision register (as far as we can ascertain) but a hard copy was provided by Iain Dunn for confirmation.
Leeds City Council's funding contribution to the West Yorkshire Joint Services (Trading Standards) for the Illicit Tobacco for Better Health Programme	Not stated	Ian Cameron	West Yorkshire Joint Services	£30,000	April 2016 to March 2017	Z755578	Public Health	25/01/16	Administrative	2016	Phil Slavin provided copy of DDN by email 09/02/16. DDR not provided and not published on Decision Register. CPR exempt as Joint Services arrangement
Supporting residents to compete for opportunities in the retail and hospitality sector	Not stated	Sue Wynne	John Lewis	£40,000	Not stated	Z868624	Children's Services	30/01/16	Administrative	2016	Tracey Greig advised the following (in relation to documents not being published): "The paperwork was delayed as we were awaiting the outcome from discussions with the Leader, Cllr Rafique and The CEO to confirm that JLP were committed to the partnership. The DDR therefore didn't get logged appropriately"
The Procurement of Memorials - Waiver of Contract Procedure Rule 8.1 and 8.2	8.1 and 8.2	Sean Flesher	The Columbaria Company	Not stated	Not stated	Z756634	ENVIRONMENT & HOUSING	08/02/16	"COUNCIL FUNCTION". Out of date form used	2016	Chris Simpson provided copy of waiver and DDN. Not on decision register. Note DDN is obsolete style of form.
Library Materials Procurement Invocation of CPR 7 and 8	"7 and 8". This incorrect - total value of waiver is £185,291, should therefore be a waiver of CPRs 9.1 and 9.2	Cluny Macpherson	The British Library, 3. The Public Record Office, 4. TSO – The Stationery Office, 5. CILIP, British Standards Institution, Keynote Publications, Intel, Oxford University Press, Britannica On-line, 19century newspapers, Ancestry, Cobra, Times Digital Archive, 12. Yorkshire Post Newspapers, Ulverscroft, Magna, W F Howes, Soundings, Oakhill. Also includes multiple organisations not named - see pages 2 and 3 of the report for further detail.	£185,291	2nd August 2016 to 1st August 2019	S002608	CITY DEVELOPMENT	10/02/16	Administrative	2016	Not published on Decision Register - Rachael Grimes provided copies of most recent documents
Funding towards Operational and Lease Costs for Fareshare Yorkshire	Not stated	Steven Carey	Fareshare Yorkshire Limited	£29,040	1st April 2016 to 31st March 2017	Z760055	Citizens and Communities	23/02/16	Administrative	2016	Waiver not published on the decision register. Copy provided by Simon Bentley on 26/04/16. Includes DDN and DDR. CPRs being waived are not stated but this appears to be a funding agreement, nowhere does it state this is grant funding, however.
Design & Cost Report for Authority to Spend and proposed Waiver of Contract t Procedure Rules 8.1 and 8.2 for the appointment of You & Me Media for the George Street / Butchers Row interim refurbishment project	8.1 and 8.2	Andrew Gledhill	You & Me Media Ltd (not stated on DDN)	Not stated	Not stated	Z861229	City Development	20/05/16	Administrative	2016	DDN only provided.
Cookridge Street Pop-Up Park	8.1 and 8.2 (not stated on DDN)	Mark Durham	Eternal Lawns (not stated on report)	£26,000	Not stated	Z841435	City Development	21/07/16	Administrative	2016	DDN only provided
The Procurement of the Wesley system – Waiver of Contracts Procedure Rule 8.1 and 8.2	8.1 and 8.2	Sean Flesher	Acoustic Arrangements Ltd.	Not stated	Not stated	Z880762	Environment & Housing	26/08/16	"COUNCIL FUNCTION". Out of date form used	2016	DDN and DDR provided. DDN is obsolete form
Waiver of Contract Procedure Rules 8.1 and 8.2 to for the Feasibility Report, Design and Planning Submission of the Leeds Section of the Castelford Greenway Scheme by Sustrans.	8.1 and 8.2	Andrew Hall	Sustrans Ltd	£10,638	Not stated	Z860220	City Development	11/10/16	Significant Operational	2016	DDN only provided.
Upgraded external signage for Kirkstall Leisure Centre, Kirkstall	8.1 and 8.2 (not stated on report)	Tom Bridges	Sign Express Leeds	£11,690.70	September 2016 - November 2016	Z871906	City Development	20/10/16	Administrative	2016	DDN and DDR provided

The Procurement of 65 Tower Lights – Waiver of Contracts Procedure Rule 8.1 and 8.2	8.1 and 8.2	Sean Flesher	HSS Hire Group PLC	£17,380	4th November 2016 (date tower lights hired for)	Z860381	Environment & Housing	24/10/16	Significant operational	2016	DDN and DDR provided
Innovation District – Procurement Waiver	3.1 (incorrect)	Tom Bridges	SQW LIMITED (not stated on DDN)	Not stated	Not stated	Z873998	City Development	26/10/16	Significant Operational	2016	DDN only provided
Waiver report requesting the award of a contract to PassivSystems Ltd, without competition, for provision of an online solar PV monitoring system	8.1 and 8.2	Mark Grandfield	PassivSystems Ltd	£90,000	"... on or around the 17th of August 2016 and will expire 4 years thereafter"	Z859367	Housing Leeds	DDN not dated, but report states 16th of July 2015	Administrative	2016	DDN and DDR provided
Request to extend the Illy Systems contract from 1 April 2016 to 31 March 2017.	Not stated	Not stated (DDR only)	Illy Systems Ltd	£23,000	April 2016 to March 2017	Z782651	Public Health	Not stated (DDR only)	Not stated (DDR only)	2016	Copy of waiver sent by Jonathan Sharp 12/07/16 - waiver is for Illy case management system - end date of arrangement 31/03/17. DDR only provided - although extension of a contract there was no formal contract (Yortender record etc) in place previously.
Hunslet Mills & Victoria Mills additional project costs	Not stated	Martin Farrington	Airebank Developments Ltd (not stated on DDN)	£23,158	Not stated	Z883386	City Development	09/01/17	Administrative	2016	DDN only provided.
Leeds Apprenticeship Recruitment Fair 2017 and Industry Seminar Programme	Not stated	Not stated (DDR only)	SMG (UK) LTD (Not stated on DDR)	£22,000	Not stated	Z885927	Children's Services???	Not stated (DDR only)	Not stated (DDR only)	2016	DDR only provided.
Grant to Leeds West Indian Carnival for additional 50 <sup>th</sup> Anniversary activity	Not stated	Cluny Macpherson	Leeds West Indian Carnival	£16,055	Not stated	Z892849	City Development	09/02/17	Administrative	2016	Chief Officer Culture and Sport approved the release £16,055 of funds to Leeds West Indian Carnival
Specialist Cleaning and Restoration of war memorial in Headingley	7.1	Sean Flesher	Building, Restoration and Cleaning Ltd	£6,500	Not stated	Z896817	Environment and Housing	22/02/17	Administrative	2016	DDN only provided.



Report author: John Bywater  
Tel: 07545 603949

**Report of: Chief Officer – Financial Services**

**Report to: Scrutiny Board (Strategy & Resources)**

**Date: Monday 20<sup>th</sup> March 2017**

**Subject: Implementation of the Council’s Fees & Charges Policy**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes <b>x No</b>
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes <b>x No</b>
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes <b>x No</b>
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes <b>x No</b>

## Summary of main issues

1. In February 2016, following this Scrutiny Board’s inquiry report into Fees and Charges, Executive Board agreed a new Fees and Charges Policy for the Council in conjunction with a number of other recommendations intended to optimise income generation and ensure the Council consistently and transparently identifies and agrees service subsidies.
2. This report considers how far the policy has been implemented to date and what further action is required in order to ensure the Council continues to optimise income generation whilst ensuring service subsidies are both justified and targeted at the Council’s priorities.

## Recommendations

The 2017/18 budget setting process provides a good foundation from which to further develop the Council’s policy and strategies for optimising income from fees and charges. Moving forward into the 2017/18 financial year and in preparation for the next budget setting cycle for 2018/19, it is suggested that the following areas are developed further:

- ensure that all potential income-generating , non-statutory services (see para. 3.9) are identified within the ‘subsidised services statement’

- ensure that the estimated costs associated with any statutory elements of traded and potentially traded services are calculated and excluded from the subsidised services statement
- develop and implement a standard business case template for those services that require a subsidy, whilst ensuring that the level of detail required is commensurate with the scale of activity/subsidy.

## 1 Purpose of this report

- 1.1 In February 2016, following this Scrutiny Board's inquiry report into Fees and Charges, Executive Board agreed a new Fees and Charges Policy for the Council in conjunction with a number of other recommendations intended to optimise income generation and ensure the Council consistently and transparently identifies and agrees service subsidies.
- 1.2 This report considers how far the policy has been implemented to date and what further action is required in order to ensure the Council continues to optimise income generation whilst ensuring service subsidies are both justified and targeted at the Council's priorities.

## 2 Background information

- 2.1 The new Fees and Charges Policy sets out a number of key recommendations across 4 policy areas as follows:

<b>Review</b>	All charges and scope for charging will be reviewed at least annually (at budget preparation time) and will include services which could be charged for but which are currently provided free of charge
<b>Charge Setting</b>	Decisions to vary or introduce charges should take into account the Council's priorities, financial objectives and a range of factors including (but not limited to) the potential impact on user demand, competition, benchmarking/comparator data and wider policy objectives A directory of all charges shall be maintained and published on the Leeds City Council website
<b>Subsidy</b>	Where legislation allows, fees and charges should generally aim to recover the full cost of services including relevant overheads as set out within Cipfa's Service Reporting Code of practice (SeRCOP) A business case should be created for all services that require a subsidy from the Council All subsidies should be explicitly identified during annual budget setting Approval for the level of subsidy should be obtained from the relevant director/chief officer in consultation with the S151 Officer and relevant Executive Member All Trading activities and services will be charged for unless prevented by statute or under exceptional circumstances agreed as exempt
<b>Concessions</b>	All concessions should be fully justified in terms of achieving the Council's priorities and should be approved by the relevant director in consultaion with the Executive member

- 2.2 This Scrutiny Board also set out a number of areas where it may be feasible to implement new fees and charges and these areas are set out in the table at Appendix 1. The Table indicates whether the relevant directorate is planning to introduce the new charge and the main rationale underpinning the decision.

- 2.3 The remainder of this report examines how far directorates have adhered to the policy as part of the 2017/18 budget setting process and what further action is needed to ensure the Council continues to optimise income generation. In both these respects, the conclusions and recommendations of the report have been informed through consultation with the Heads of Finance from local financial management teams.

### **3 Main issues**

#### **COMPLIANCE**

##### **Review of charges**

- 3.1 In line with the policy, all directorates have reviewed their charges and scope for charging as part of the 2017/18 budget planning process. A review of the Council's existing fees and charges and consideration of scope for introducing new charges was a key element of the Council's Service & Policy Options review which commenced in March 2016 and culminated in the Council's Initial budget proposals being considered by the Executive Board in December 2016.
- 3.2 Directorates plan to introduce a range of new charges which are expected to generate approximately £735K of additional income from fees and charges next year. The majority of this income (£580K) will come from those potential areas of charging suggested by this Scrutiny Board as part of their original inquiry (**see Appendix 1**).
- 3.3 A list of various other planned new charges/sources of trading income is attached at **Appendix 2**.
- 3.4 Several of the new charges relate to universal services that were previously available to all Leeds residents free of charge, including the collection of bulky waste from domestic properties, provision of replacement wheeled bins and the depositing of inert wastes (e.g. soil, rubble and plasterboard) at household waste sites.
- 3.5 A number of the potential new charges put forward by Scrutiny Board were discounted including the introduction of charging at the City Museum and Art Gallery, additional income from the kerb-side collection of garden waste (£1.0M), introduction of resident parking permits (£0.30M) and the implementation of new car parking charges at a range of visitor attractions (£0.25M). The rationale for discounting all of these potential these new charges is again given at Appendix 1.

##### **Charge Setting & Subsidy**

- 3.6 As directed by the Fees and Charges Policy, each directorate calculated the full cost of relevant services, including both departmental and corporate overheads and capital charges, as part of the annual budget setting process.
- 3.7 The policy also requires that directorates identify the extent to which any activities are subsidised by the General Fund. Directorates complied with this requirement and a list of subsidised services was included as an appendix to the 2017/18 budget report to Full Council (see **Appendix 3**).



- 3.8 Closer inspection of the list of subsidised services at Appendix 3 reveals a small inconsistency in terms of the treatment and costing of statutory services and, for example, the net cost of some services (e.g. Building Control) includes the cost of statutory functions which cannot be charged for. This means that the subsidised element of the service is potentially overstated and for this reason, the Children & Families directorate estimated the cost of the statutory elements of their services and then excluded them from the subsidised services statement.
- 3.9 The subsidised services statement rightly includes some services that are currently universally available to the public free of charge, for example the Museums and Art Galleries service which has an estimated net cost of approximately £5M. However, other similar 'universal' services do not appear within the list, for example, the Libraries Service. We therefore need to make sure that we are consistent and capture all potentially income-generating universal (non-statutory) services within future statements.
- 3.10 As stated in paragraph 3.1 above, directorate fees/charges and subsidised services were a key element of the Service & Policy Options reviews which commenced in March 2016 and continued throughout the budget setting process. In conjunction with the challenge/support provided through themed CLT sessions, the policy reviews helped to ensure that a rigorous approach was applied to numerous charged for/subsidised services in addition to several potential areas for new charging.
- 3.11 Again, as directed by the Fees and Charges Policy, a directory of all fees and charges was created in March 2016 and will be updated to reflect the latest position during March 2017.

## **Concessions**

- 3.12 With the exception of concessions attributable to Leeds Card and Breeze Card holders, no further concessions have been agreed for 2017/18.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 No significant impact on communities identified within the scope of this report.

### **4.2 Equality and Diversity / Cohesion and Integration**

The Fees and Charges Policy aims to deliver greater consistency in the Council's approach to towards service subsidies and concessions and encourages services to look at how fee structures and subsidies might be targeted at priority groups to help achieve specific council objectives.

### **4.3 Council policies and the Best Council Plan**

- 4.4 Effective implementation of a good fees and charges policy can help disadvantaged groups' access services that they might otherwise be unable to use and how subsidies might be targeted to help manage demand and change behaviours.

### **4.5 Resources and value for money**

4.5.1 Critical review of fees and charges helps to mitigate budget pressures, focus spend and subsidy on the Council' highest priorities and facilitates delivery of the Council's Best Council Plan.

#### **4.6 Risk Management**

4.6.1 No significant risks identified within the scope of this report.

### **5 Conclusions**

5.1 The 2017/18 budget setting process provides a good foundation from which to further develop the Council's policy and strategies for optimising income from fees and charges.

### **6 Recommendations**

Moving forward into the 2017/18 financial year and in preparation for the next budget setting cycle for 2018/19, it is suggested that the following areas are developed further:

- ensure that all potential income-generating, non-statutory services are identified within the 'subsidised services statement.'
- ensure that the estimated costs associated with any statutory elements of traded and potentially traded services are calculated and excluded from the subsidised services statement.
- develop and implement a standard business case template for those services that require a subsidy, whilst ensuring that the level of detail required is commensurate with the scale of activity/subsidy.

### **7 Background documents<sup>1</sup>**

None used

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

## SCRUTINY BOARD - POTENTIAL NEW CHARGES

Directorate	Service Area	Implement (Y/N)	Est. Income (£'000)	Rationale
City Development	Charging at the City Museum and Art Gallery	NO	£ -	This was considered but did not have political or officer support and was not progressed any further and no estimates of income made.
City Development	Resident Parking Permits	NO	£ 300	Potential income estimated at £300k, assuming a charge of £25 per permit. However, implementation discounted because consultation on the proposal revealed opposition of residents to charging.
Communities & Environment	Car Parking at visitor attractions in the city including Roundhay Park, Temple Newsam, Goldenacre, Kirkstall Abbey and Otley Chevin	NO	£ 250	Potential income estimated at £250k, assuming a flat rate of £2. However, implementation of charges discounted due to traffic displacement and potential adverse impact for on-street parking within the neighbourhood.
Communities & Environment	Car parking at District Shopping Centres	NO	£ 100	Potential income estimated at £100k, assuming generation of £200 per parking space. However, implementation of charges discounted due to potential adverse impact for on-street parking near the Centres. (Horsforth, Farsley, Mooretown, Garforth, Yeadon, Wetherby, Guiseley, Boston Spa) and the impact on local business with customer footfall transferring to 'out of town' shopping eg White Rose/ Crown Point.
Communities & Environment	Entrance Fees for bonfire and firework displays	NO	£ 100	Approximate cost of bonfire and firework displays put on by the Council is £100k. Proposals for charging to recover this cost. However, implementation of charges discounted because of the practical difficulties/cost of excluding non-payers from the events and the enforcement of charges for an Aerial display. Service aiming to generate additional sponsorship income to reduce the net cost of the events.
Communities & Environment	Charging for replacement wheeled bins	YES	£ 240	Potential income estimated at £240k, assuming a charge of £15.40 per standard 240 litre bin.
Communities & Environment	Charging for bulky waste collection	YES	£ 150	Potential income estimated at £150k, assuming a charge of £20 for the collection of up to 4 items.
Communities & Environment	Charging for kerb-side garden waste collections	NO	£ 1,000	Potential income estimated at £1m, assuming a charge of £35 (incl VAT) per brown bin and take-up of 50% of current users. However implementation discounted because of risk of disposing garden waste in black bins which would increase waste disposal costs.
Communities & Environment	Charging for depositing inert waste at household waste sites	YES	£ 140	Potential income estimated at £140k, assuming a charge of £2.60 per 25kg bag of inert waste, £4.80 per 25kg bag of plasterboard and £1.50 per tyre.
Communities & Environment	Additional charges for Pest control (e.g. rats at home)	YES	£ 50	Potential income estimated at £50k, full review of all pest treatments including the introduction of a charge for eradication of rats within domestic properties.
Communities & Environment	Charging landlords for referring tenants on to them	NO	£ -	Potential contribution to cost of services dealing with Homelessness. Practicalities of removing a fee from Agents limited as it would prove disincentive to house homeless or will increase rents to recover fee. No estimate of income made.
Communities & Environment	Private landlord registration scheme	NO	£ 85	Potential scheme to charge and register all private landlords onto a database and ensure that they are at an acceptance standard. Practicalities of administering such a scheme and generating income are very limited.
Resources and Housing	Introducing a fee for credit card payments	NO	£ 30	Further detailed work concluded that it was not economical to progress implementation
		<b>TOTAL</b>	<b>£ 2,445</b>	
		<b>YES</b>	<b>£ 580</b>	
		<b>NO</b>	<b>£ 1,865</b>	

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## OTHER PLANNED NEW CHARGES /SOURCES OF TRADING INCOME

Directorate	Service Area	Implement (Y/N)	Est. Income (£'000)	Rationale
Children & Families	Trading of the Fire Safety Management to schools.	Y	10	Expertise exists within the Built Environment service which Schools value and will pay for
Children & Families	Trading of Complaints to Schools and Academies	Y	20	Expertise exists within the Customer Relations service which Schools value and will pay for.
Children & Families	Trading of Workforce Development to Schools and Academies	Y	35	Expertise exists within Workforce Development service (eg training on restorative practise) which Schools value and will pay for.
City Development	New charges for the Street Naming and Numbering service	Y	30	Some other Local Authorities make a charge for this service.
Communities and Environment	Passport Checking	Y	10	New service offer from the Registrar's service
Communities and Environment	Charge for events at Community Hubs	Y	50	Previously there has been no charge. The proposed charges bring the Community Hubs more in line with the approach adopted in Community Centres
		<b>TOTAL</b>	<b>155</b>	



## List of subsidised services

## Appendix 3

Directorate	Service	Directly Managed Expenditure	Total Income	Net Managed Budget	Relevant Overheads	Net Cost	Comments
		£000	£000	£000	£000	£000	
Children & Families	0 - 19 Learning Improvement	2,374	(1,901)	473	356	829	Net cost of core service. Services include evaluation of school data, identification of emerging trends and challenges and partnership working with schools. The Early Year Improvement service has a telephone/e-mail hotline and provides support to child-minders
Children & Families	Attendance Strategy	798	(310)	488	120	608	Net cost of 'Core' service. Services includes supporting families that are new to the city (and often new to the country) to find school places and ensure the children are safe and well and are the Council's response to the government's Children Missing Education Guidelines.
Children & Families	Education Psychology	807	(390)	417	121	538	Net cost of 'Core' service. Latter includes professional input into child protection conferences, children looked after planning meetings, training of foster carers and other preventative services.
Children & Families	ARTEMIS - Museum Service	210	(230)	(20)	32	12	
Children & Families	Music Support	2,172	(2,242)	(70)	156	86	
Children & Families	Health & Wellbeing	612	(655)	(43)	92	49	
Children & Families	Arts Development	131	(106)	25	20	45	
Children & Families	Active Schools	299	(299)	0	45	45	
Children & Families	Children's Centres	11,915	(11,853)	62	2,150	2,212	Overheads include £360K depreciation on buildings.
City Development	Sports Facilities	15,081	(13,071)	2,010	6,628	8,637	Budget action plans in place to reduce the subsidy by £1.35m by 2019/20
City Development	Museums and Galleries	5,278	(1,077)	4,201	763	4,964	Budget action plans in place to reduce the subsidy by £120k by 2019/20
City Development	Arts and Venues	2,944	(2,942)	2	769	771	Budget action plans in place to reduce the subsidy by £80k by 2019/20
City Development	Urban Traffic Management Control	1,346	1,346	588	143	732	Includes statutory functions which cannot be charged for
City Development	Road Safety	858	858	460	184	644	No current plans to reduce the service level due to current casualty statistics or to reduce the subsidy
City Development	Events	1,061	(702)	359	204	563	Budget action plans in place to reduce the subsidy by £30k by 2019/20
City Development	Building Control	1,591	(1,657)	(66)	234	168	Includes statutory functions which cannot be charged for
Communities & Environment	Medi waste	153	(23)	130	23	153	
Communities & Environment	East Leeds/Kirkstall Road HWSS weighbridge	714	(699)	15	107	122	
Communities & Environment	Bulky Waste collection	220	(210)	10	33	43	
Communities & Environment	Pest Control - Domestic Properties	169	(167)	2	25	27	
Communities & Environment	Allotments	127	(110)	17	19	36	
Communities & Environment	Bowling Greens	217	(46)	171	33	203	
Communities & Environment	Golf	479	(302)	177	72	249	
Communities & Environment	Major attractions - admissions & café/retail	3,980	(4,134)	(153)	597	444	
Communities & Environment	Entertainment Licensing	737	(858)	(121)	156	35	
Resources and Housing	Catering - Schools	14,472	(16,268)	(1,796)	1,882	86	
Resources and Housing	Presto	136	(131)	5	20	25	

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**Report of the Head of Governance and Scrutiny Support**

**Report to Scrutiny Board (Strategy and Resources)**

**Date: 20 March 2017**

**Subject: Work Schedule (March 2017)**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

**1 Purpose of this report**

1.1 The purpose of this report is to consider the progress and development of the Scrutiny Board's work schedule for the current municipal year (2016/17).

**2 Summary of main issues**

2.1 The Board's outline work schedule is attached at Appendix 1.

2.2 It is important to remain sufficient flexibility in the Board's work programme in order to react to any specific matters that may arise during the course of the year, therefore the work schedule may be subject to change and should be considered to be indicative rather than definitive.

2.3 In order to deliver the work schedule, the Board may need to take a flexible approach and undertake some activities outside the formal schedule of meetings. Adopting a flexible approach may also require additional formal meetings of the Scrutiny Board.

2.4 In considering the work schedule, the Scrutiny Board should be mindful and take account of the resources available to support its work.

**3. Recommendations**

3.1 The Scrutiny Board (Strategy and Resources) is asked to:

- a) Note the content of this report and its attachments;

- b) Identify any specific matters to be incorporated into the work schedule for the remainder of the current municipal year; and,
- c) Where necessary, prioritise any competing demands and agree the work schedule for the remainder of the current municipal year.

#### **4. Background papers<sup>1</sup>**

4.1 None used.

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<sup>1</sup> The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.

**SCRUTINY BOARD**  
**(STRATEGY RESOURCES)**

**2016/17 WORK SCHEDULE**

<b>Title</b>	<b>Type of Item</b>	<b>Feb. 17</b>	<b>Mar-17</b>	<b>Apr-17</b>	<b>May-17</b>	<b>Notes</b>
<b>Commissioning</b>	Inquiry			Draft report / recommmendations		
<b>Smart Cities</b>	Inquiry					Scope to be determined
<b>Business Rates</b>						Work being undertaken through Corporate Governance and Audit
<b>Budget</b>	Performance reviews	Financial Health Monitoring 2016/17		Financial Health Monitoring 2016/17		

**SCRUTINY BOARD**  
**(STRATEGY RESOURCES)**

**2016/17 WORK SCHEDULE**

<b>Title</b>	<b>Type of Item</b>	<b>Feb. 17</b>	<b>Mar-17</b>	<b>Apr-17</b>	<b>May-17</b>	<b>Notes</b>
<b>Recommendation Tracking</b>	Performance monitoring	ICT Resources				
			Non contract spend			
			Fees and Charges			
				Use of Agency Staff		
<b>Performance Reports</b>	Performance monitoring					
<b>Briefings</b>				Support Services Review: Procure to Pay		
<b>Other matters identified</b>				Workforce Planning		