

CABINET

13 MARCH 2018

KEY DECISION: Yes

RENEWAL OF CONSERVATION ADVICE TO SOUTH STAFFORDSHIRE COUNCIL

1. Decision:

- 1.1 The Cabinet delegated authority to the Cabinet Member for Economic Growth, Environment and Development Services and the Head of Development Services to enter into a Service Level Agreement with South Staffordshire Council to provide a conservation service up to 31 March 2021.

2. Statement of Reasons:

- 2.1 Lichfield District Council has provided a Conservation Service to South Staffordshire Council since April 2015 under a Service Level Agreement (SLA). The current SLA ends on 31 March 2018 and the proposal is to renew for a further 3 years (31 March 2021).
- 2.2 Both Lichfield District Council and South Staffordshire Council consider that the existing SLA and has worked well and provided benefits to both Councils. Lichfield has received income to help reduce the net cost of the service (cashable savings), and South Staffordshire Council has been provided with a professional conservation service to advise its planning team.
- 2.3 The Service is provided for one day (7.5hrs) a week, usually a Tuesday with the officer based at South Staffordshire's Codsall office. The service is provided on a full cost-recovery basis with this year's income estimated at £18,500 per annum (£55,500 over the 3 year agreement). Therefore, as income is estimated to exceed £50,000 Cabinet approval is required.
- 2.4 Over the last 3 years, the provision of this part-time service has not adversely impacted on the planned work programme or performance of the Conservation and Urban Design Team.
- 2.5 Cabinet approval is therefore sought to enter into a further SLA with South Staffordshire Council to provide a part-time conservation service to 31 March 2021.

3. Any Alternative Options:

- 3.1 Not to renew the contract and use the resources to discharge Lichfield District Council duties. This was discounted as the team's performance has not been adversely affected by the SLA. Furthermore, failure to renew the SLA would result in a loss of income - representing a significant financial pressure.
- 3.2 To expand the service with South Staffordshire. This was discounted as South Staffordshire Council are satisfied with the current level of service provision. Furthermore, any expansion on behalf of Lichfield District Council may impact on the team's capacity to deliver the current work programme.

EXTENSION OF FRAMEWORK AGREEMENT FOR PLANNING CONSULTANTS

1. Decision:

- 1.1 The Cabinet delegated authority to the Cabinet Member for Economic Growth, Environment and Development Services and the Director of Place and Community to facilitate access to the NHS Construction Consultancy Services Framework for Urban Vision Partnership Ltd up to 30 September 2018, provided that the costs can be contained within existing revenue and capital budgets.

2. Statement of Reasons:

- 2.1 Development Services and Economic Growth have been using Urban Vision via a Framework agreement (NHS Construction Consultancy Services Framework) to provide consultancy support on a range of specialist planning and environmental matters since October 2015. This has included work for major planning appeals (including in respect of 5 year housing land supply); landscape visual impact assessment; capacity support in the processing of major and minor planning applications during staff vacancies and peaks in workload; and, cover for vacant posts in planning policy (assisting with the CIL charging schedule and preparation of the Planning Obligations SPD).
- 2.2 Urban Vision is a multi-disciplinary consultancy providing development and regeneration services for the public sector. The partnership is a joint venture between Capita, Galliford Try and Salford City Council. Capita is the majority shareholder (50.1%).
- 2.3 Urban Vision only work with public sector clients and therefore has a wealth of experience and expertise in local authority planning, and most importantly – do not have any conflicts of interest. This is particularly important in major planning appeals where almost all major planning consultancies have competing land interests and a collective interest in challenging the Council's 5 year housing supply. This is a major consideration in the success of housing appeals. The Council has previously sought competitive quotes from the private sector for expert planning witnesses (5 year housing supply) – none were received; all quoting 'conflict of interest' as the reason for not tendering.
- 2.4 The NHS Construction Consultancy Services Framework was procured via an OJEU process and runs from 1 April 2014 to 31 March 2018. On 10 January 2017, Cabinet agreed a level of expenditure up to £150,000 and granted delegated authority to the Cabinet Member to allow access to the Framework to 31 March 2018. On 10 October 2017, due to a significant rise in workloads, Cabinet endorsed an increase in expenditure of up to £220,000 for Urban Vision up to 31 March 2018.
- 2.5 Development Services and Economic Growth still require the services of Urban Vision (for the reasons cited above) and the most cost effective and efficient procurement route is via the existing NHS Framework agreement. This need is more acute with the Spatial Policy and Delivery team, where recent attempts to recruit a Senior Policy Officer have been unsuccessful within a very competitive market. Work on finalising the new NHS Framework Agreement (up to 2022) is still ongoing, and therefore, Cabinet approval is sought for a six month extension to 30 September 2018 to allow continued access to the services of Urban Vision. The terms of the framework agreement does allow for a maximum 6 month extension beyond the end agreement date.

- 2.6 The funding of this consultancy support will be met from existing consultancy budgets or the recent 20% increase in planning fee income. Any expenditure planned over the next 6 months will be within existing capital and revenue budgets.
- 2.7 Cabinet may have noted that Capita has recently issued a profits warning and announced that it will be restructuring its core business in the forthcoming year. Urban Vision remains a key part of its core business - part of a joint venture with Salford City Council and Galliford Try. The Council will monitor the situation and review prior to further extensions of the framework agreement in the autumn. The risk to the Council is considered minimal given the relatively short length of the extended agreement; value of the works undertaken; and easy access to alternative agency staff cover to ensure continued service delivery.
- 2.8 Cabinet approval is therefore sought for a six month extension to 30 September 2018 to allow continued access to the NHS Construction Consultancy Services Framework for Urban Vision Partnership Ltd.

3. Any Alternative Options:

- 3.1 To tender for alternative consultancy support. This would add delay to the process (impacting on service delivery); incur additional costs (additional resources to undertake the tendering exercise); and give no guarantee that appropriate consultants would be procured (without conflicts of interest).
- 3.2 Procurement via another framework agreement would add further costs and delay and would not necessarily represent greater value for money.