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5 March 2018

Dear Sir/Madam

CABINET

A meeting of the Cabinet has been arranged to take place on **TUESDAY 13TH MARCH, 2018 at 6.00 PM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

Access to the The Committee Room is via the Members' Entrance.

Yours Faithfully

A handwritten signature in black ink, appearing to read 'Neil Turner'.

Neil Turner BSc (Hons) MSc
Director of Transformation & Resources

To: Members of Cabinet

Councillors Wilcox (Chairman), Pritchard (Vice-Chair), Eadie, Pullen, Smith and Spruce



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AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Renewal of Conservation Advice to South Staffordshire Council 1 - 4
4. Extension of Framework Agreement for Planning Consultants 5 - 8
5. **EXCLUSION OF THE PUBLIC AND PRESS**

RESOLVED: "That as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted, the public and press be excluded from the meeting for the following items of business, which would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972"

6. Award of Insurance Contract - Preferred Bidder 9 - 22



Renewal of Conservation Advice to South Staffordshire Council

CLlr Ian Pritchard

Date: 13th March 2018

Agenda Item: 3

Contact Officer: Sean Coghlan / Claire Hines

Tel Number: 308199 / 308188

Email: Sean.coghlan@lichfielddc.gov.uk / Claire.hines@lichfielddc.gov.uk

Key Decision? YES

Local Ward None affected

Members



CABINET

1. Executive Summary

- 1.1 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).
- 1.2 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.
- 1.3 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.
- 1.4 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.
- 1.5 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.

2. Recommendations

- 2.1 That Cabinet delegates authority to the Cabinet Member for Economic Growth, Development and Environment 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.

3. Background

- 3.1 Since 2013 Lichfield District Council has provided part-time conservation advice to South Staffordshire Council. This advice has been formally delivered by the Conservation and Urban Design Team under a Service Level Agreement (SLA) since April 2015. The current SLA expires on 31 March 2018 and committed Lichfield District Council to provide advice one day per week on a range of planning related case-work. This advice included:
 - Comments and advice on listed building consent applications.
 - Comments and advice on planning applications that affect the character and setting of a conservation area.

- Comments and advice on planning applications affecting heritage assets, i.e. properties within or adjacent to a conservation area/locally listed buildings/buildings covered by article 4 directions.
- Pre-application advice involving all the above applications.
- Advice on cases undergoing enforcement action.
- Discharge of planning conditions.
- Provision of expert advice at appeal.
- Conservation surgeries to Council Officers to cover all the above.
- Advising on locally listed buildings and buildings at risk.
- General advice to members of the public on all matters relating to heritage assets.

- 3.2 The proposal is to renew the SLA for a further 3 years up to 31 March 2021, as both authorities acknowledge that the service is performing well and provides benefits to both Councils. Lichfield District Council generated approximately £17,300 per annum for providing the service - reducing the net cost of service delivery over the last three years. South Staffordshire Council has not employed a conservation officer since 2015, and therefore, gains access to professional conservation advice.
- 3.3 The Service is provided for one day (7.5hrs) a week, usually on a Tuesday by the Conservation and Design Officer. The officer usually works from the South Staffordshire Council Offices in Codsall, but can equally work remotely with full access to the IT systems. Cover is provided by the Principal Conservation Officer as circumstances arise. The agreement can be terminated by either Council with one year's written notice.
- 3.4 The costs of providing the service are recovered on a full cost – recovery basis. The estimated income of renewed service has increased slightly to £18,500 per annum – £55,500 over the three year term of the agreement. This cost includes professional indemnity cover; access to qualified conservation officers; management supervision and all associated on-costs. These costs will be reviewed annually through the SLA to ensure ongoing full-cost recovery. It should, however, be noted that this additional income is already built into the budgets, and therefore, should the service not be renewed, this would result in a significant financial pressure.
- 3.5 Whilst providing the service one day per week does reduce the resource available to Lichfield District Council to fulfil its duties, this has not resulted in any adverse impacts on the team's performance or delivery of the work programme. The added resilience of having two qualified conservation and design officers – ensure the Districts built heritage is carefully monitored and managed to the benefit of those who live, work and visit the District.
- 3.6 Therefore, Cabinet approval is sought to enter into a further SLA with South Staffordshire Council to continue the provision of part-time conservation advice to 31 March 2108.

Alternative Options	<ol style="list-style-type: none"> 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. 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.
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Consultation	1. Discussions have taken place between the relevant Heads of Service for Lichfield District Council and South Staffordshire Council and relevant officers. Both Council's consider that the agreement is working well.
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Financial Implications

1. The income from the SLA contributes to the cost of the Conservation and Urban Design Service. Renewal of the SLA will ensure ongoing annual savings will continue to be delivered.

The budgetary impact is identified in the table below.

	2018/19	2019/20	2020/21	2021/22
Approved Budget	17,300	17,300	17,300	17,300
Proposed Budget	18,500	18,500	18,500	18,500
Savings	(1,200)	(1,200)	(1,200)	(1,200)

Contribution to the Delivery of the Strategic Plan	1. Securing additional income through providing services to neighbouring authorities reduces the net cost of the service and demonstrates good value for money – ensuring a Council that is fit for the future.
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Equality, Diversity and Human Rights Implications	1. None.
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Crime & Safety Issues	1. None.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to renew the agreement with South Staffordshire Council – loss of income.	Regular review meetings to ensure both parties are satisfied with the implementation of the SLA.	Yellow. The loss of income would be a significant financial pressure.
B	Insufficient resources to deliver the requirements of the SLA.	Ensure sufficient cover is in place to fulfil the requirements of the SLA.	Yellow. The Council would be at risk of service failure.

Background documents: Service Level Agreement with South Staffordshire Council – Provision of Conservation Services 1 April 2015 – 31 March 2018.

Relevant web links: None.

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Extension of Framework Agreement for Planning Consultants

Report of Councillor I Pritchard

Cabinet Member for Economic Growth, Development & Environment



Date: 13 March 2018
 Agenda Item: 4
 Contact Officer: Sean Coghlan/Craig Jordan
 Tel Number: 01543 308199
 Email: Sean.coghlan@lichfielddc.gov.uk
 Key Decision? YES

CABINET

1. Executive Summary

- 1.1 On 10 January 2017, Cabinet approved continued access to the NHS Construction Consultancy Services Framework to engage Urban Vision Partnership Ltd, and a level of expenditure of up to £150,000 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 on Urban Vision to 31 March 2018.
- 1.2 Development Services and the Economic Growth Service still require the services of Urban Vision and the most cost effective and efficient procurement route is via the existing NHS Framework Agreement. Work on finalising the new NHS Framework (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 Urban Vision's consultancy services.

2. Recommendations

- 2.1 That Cabinet delegates authority to the Cabinet Member 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.

3. Background

- 3.1 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).
- 3.2 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%).
- 3.3 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.

- 3.4 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.
- 3.5 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.
- 3.6 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.
- 3.7 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.
- 3.8 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.

Alternative Options	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). 2. Procurement via another framework agreement would add further costs and delay and would not necessarily represent greater value for money.																			
Consultation	None.																			
Financial Implications	<p>The current approved budgets are identified in the tables below and these can be revised through budget monitoring in Money Matters reports or the Medium Term Financial Strategy process to reflect current service demands.</p> <table><tr><td></td><td>2018/19</td><td>2019/20</td><td>2020/21</td></tr><tr><td>Expenditure Budget</td><td></td><td></td><td></td></tr><tr><td>Development Services (Consultants)</td><td>36,570</td><td>37,670</td><td>38,800</td></tr><tr><td>Total Expenditure</td><td>36,570</td><td>37,670</td><td>38,800</td></tr></table>					2018/19	2019/20	2020/21	Expenditure Budget				Development Services (Consultants)	36,570	37,670	38,800	Total Expenditure	36,570	37,670	38,800
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Contribution to the Delivery of the Strategic Plan	The processing of planning applications; plan making and defending appeals in an effective and efficient manner ensures the delivery of additional housing, businesses and essential infrastructure for the District – enabling planned economic growth and a vibrant and prosperous economy.
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Equality, Diversity and Human Rights Implications	None.
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Crime & Safety Issues	None.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Failure to procure timely capacity support would undermine the Council's ability to effectively and efficiently deliver the Development Management and Spatial Policy and Delivery Service – impacting upon the delivery of planned economic growth.	To procure framework planning consultants to provide timely capacity support.	Yellow. The Council would be at risk of failing to effectively deliver the Development Management or Spatial Policy and Delivery Service – impacting upon the delivery of planned economic growth.

Background documents:
<ul style="list-style-type: none"> Cabinet 17 January 2017 – Key Decision: Expenditure in excess of £50,000 on Framework Planning Consultants and Temporary Senior Planning Officer. Cabinet 10 October 2017 – Key Decision: Increased expenditure on Framework Planning Consultants

Relevant web links: None

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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