



Portfolio Holder Decisions

Contract for supply of stationery, Personal Protective Equipment, etc; Refurbishment of playground, installation of exercise equipment; Reimbursement of commuted payment

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Report of the Service Director Performance and Innovation.
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Report of the Service Director Performance and Innovation.
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Report of the Service Director Health and Wellbeing.

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Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Service Director Performance and Innovation	Councillor Alan Vincent, Resources Portfolio Holder	14 February 2019

Contract for the Supply of Stationery

1. Purpose of report

- 1.1 To seek Portfolio Holder agreement for an exemption to the Council's contract procedures in order to place a new contract with Lyreco for the supply of stationery to Wyre Council.

2. Outcomes

- 2.1 To set up a new contract with the current provider, Lyreco, for the continued supply of stationery to Wyre Council.

3. Recommendations

- 3.1 Lyreco will be granted a new contract for two years with an option to extend for one year to supply stationery to Wyre Council.
- 3.2 That approval is given to proceed under the exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules on the grounds that exceptions may apply where "a framework agreement is available that necessitates the Council not having to go out to tender and the goods, works or services will still provide the Council with best value for money."

4. Background

- 4.1 The Council's current stationery suppliers are Lyreco. This agreement was obtained in a call off from the YPO Framework after a mini-competition. The original contract ran until July 2018 and a one year extension was put in place until July 2019.

4.2 Research has been carried out exploring the market for price comparisons with new suppliers. In this particular sector there is a great deal of reluctance to make any long term commitments, particularly for the supply of paper, with many suppliers only making prices available for three months.

4.3 Meetings with Lyreco confirmed that they could offer a six month price hold on the current prices for paper and printer consumables, with a 12 month price hold on all general office products which is considered to offer the Council best value for money.

5. Key issues and proposals

5.1 To place a new contract with Lyreco for the supply of stationery to Wyre Council would secure fixed prices on key products for between six and 12 months depending on their nature. The council's average spend is forecast to be £19,485 per annum and this would help to ensure spend remains within existing budgets.

6. Delegated functions

6.1 The matters referred to in this report are considered under the following executive function delegated to the Resources Portfolio Holder (as set out in Part 3 Financial Procedures Rules of the council's constitution): To consider departures from Rules relating to financial and contractual matters if appropriate.

Financial and legal implications	
Finance	Current stationery and printing consumables cost the council an estimated £19,485 each year. The new contract would allow for greater certainty over costs in the short-term and help to maintain spend within existing budgets.
Legal	The award of the contract complies with the exemptions contained in the Council's contract procedures contained within the Financial Regulations and Financial Procedure Rules (Appendix F).

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

None

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Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Marianne Hesketh, Service Director Performance and Innovation	Councillor Alan Vincent, Resources Portfolio Holder	14 February 2019

Contract for the Supply of Personal Protective Equipment (PPE), Cleaning Materials and other Consumables

1. Purpose of report

- 1.1 To seek Portfolio Holder agreement for an exemption to the Council's contract procedures in order to place an extension of the contract with Key Engineering for the supply of goods to Wyre Council.

2. Outcomes

- 2.1 To set up an extension of the contract with the current provider Key Engineering for the continued supply of PPE, cleaning materials and other consumables to Wyre Council.

3. Recommendations

- 3.1 Key Engineering will be granted an extension of the contract for three years with an option to extend for one year to supply PPE, cleaning materials and consumables to Wyre Council.
- 3.2 That approval is given to proceed under the exemption to Contract Procedures contained within the Financial Regulations and Financial Procedure Rules on the grounds that exceptions may apply where "the goods, works or services constitute an extension or variation of an existing contract."

4. Background

- 4.1 The council's current clothing, cleaning materials and consumables suppliers are Key Engineering with a contract in place to March 2019. Research has been carried out exploring the market for price comparisons with new suppliers. In this particular sector there is a great

deal of reluctance to make any long-term commitments on price. Key Engineering prices were found to be cheaper or the same price as those offered on the YPO Framework for PPE, cleaning materials and other goods.

- 4.2** Meetings with Key Engineering confirmed that they could freeze their prices until 31 March 2020, which is considered to offer the council best value for money.

5. Key issues and proposals

- 5.1** To place an extension of the contract with Key Engineering for the supply of PPE, cleaning materials and other consumables to Wyre Council would secure fixed prices on products until 31 March 2020. The council’s average spend is forecast to be £35,325 per annum and this would help to ensure spend remains within existing budgets.

6. Delegated functions

- 6.1** The matters referred to in this report are considered under the following executive function delegated to the Resources Portfolio Holder (as set out in Part 3 Financial Procedures Rules of the council’s constitution): “To consider departures from Rules relating to financial and contractual matters if appropriate.”

Financial and legal implications	
Finance	Current PPE, cleaning materials and other consumables cost the council an estimated £35,325 each year. The extended contract would allow for greater certainty over costs in the short-term and help to maintain spend within existing budgets.
Legal	The award of the contract complies with the exemptions contained in the Council’s contract procedures contained within the Financial Regulations and Financial Procedure Rules (Appendix F).

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	✓

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

None

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Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Billington, Service Director People and Places	Councillor Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	14 February 2019

Refurbishment of an existing children’s playground at Mariners Close, Fleetwood and the installation of new exercise equipment on King George V Playing Field, Fleetwood

1. Purpose of report

- 1.1 To seek approval for the refurbishment of a playground at Mariners Close, Fleetwood using a donation and external funding secured by The Friends of Mariners Close group in Fleetwood.
- 1.2 To seek approval to install exercise equipment on King George V Playing Field, Fleetwood using funding from the Healthier Fleetwood Project.

2. Outcomes

- 2.1 We will improve the health and wellbeing of our communities.
- 2.2 We will promote a cleaner and greener Wyre.

3. Recommendations

- 3.1 That the council implement the refurbishment of an existing playground at Mariners Close, Fleetwood utilising external funding.
- 3.2 That the council install exercise equipment on King George V Playing Field as one of the Healthier Fleetwood Projects.
- 3.3 That the council’s 2018/19 Capital Programme be amended to include improvements to the playground on Mariners Close using a donation of £2,800 from the various fundraising activities undertaken by The Friends of Mariners Close group and a grant of £10,000 secured by the group from The National Lottery Awards for All.

- 3.4 To act as accountable body on behalf of the group for the grant from The National Lottery Awards for All.
- 3.5 That the council's 2018/19 Capital Programme also be amended to include the installation of exercise equipment on King George V Playing Field using the sum of £5,000 allocated from the Healthier Fleetwood Project.

4. Background

- 4.1 At the Cabinet meeting held on 10 December 2007 Cabinet approved and adopted the Wyre Play Strategy which recommended the Council should provide fewer but larger play areas with the potential to attract users from a wider catchment area.
- 4.2 In October 2015 a decision was made to remove the playground on Mariners Close at a cost of £7,000 in the Capital Programme. It was also agreed to investigate external funding for alternative play at King George V Playing Field.
- 4.3 To progress the aspirations of local residents it is now proposed to deliver two schemes using external funding: firstly replacing play equipment at Mariners Close and secondly installing exercise equipment at King George V Playing Field. On-going maintenance will be funded from within existing resources.
- 4.4 Local residents formed The Friends of Mariners Close Park in July 2017. They have hosted various fund raising activities and applied for grant funding for new equipment, demonstrating local support for a replacement facility on the footprint of the existing play area.
- 4.5 Consultation was undertaken with users and the public regarding the installation of exercise equipment and the results have demonstrated strong support for the new concept.

5. Key issues and proposals

- 5.1 To accept the donation from The Friends Of Mariners Close group and the funding from Healthier Fleetwood Project.
- 5.2 To replace play equipment on Mariners Close, install exercise equipment on King George V Playing Field and to include the maintenance and management of the two sites within our existing resources.
- 5.3 That approval is given to authorise the Service Director, People and Places to appoint contractor(s) and supplier(s) and to deliver the refurbishment and installation work in accordance with Financial Procedure Rules.

6. Delegated functions

6.1 The matters referred to in this report are considered under the following executive function delegated to the Open Spaces Portfolio Holder (as set out in Part 3 of the council's constitution): To consider matters relating to parks, open spaces, playing fields, playgrounds and allotments.

Financial and legal implications	
Finance	The refurbishment of Mariners Close playground would have a total expenditure of £12,800. This would be funded from £10,000 from the National Lottery Awards for All and a £2,800 donation from the Friends of Mariners Close group. £6,863 is allocated towards the removal of the existing equipment, safer surfacing and fencing from the 2018/19 Capital Budget and this will still be required. The installation of exercise equipment on King George V Playing Field to be met from the £5,000 allocated from the Healthier Fleetwood Project.
Legal	The contract(s) for goods and works to deliver the improvements will comply with the Council's Financial and Contract Procedure rules.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	✓
climate change	x
ICT	x
data protection	x

Processing Personal Data

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List of background papers:		
name of document	date	where available for inspection
none		

List of appendices

None

dem/ph/st/cr/19/0002jf1



Portfolio Holder Report

The portfolio holder will make a decision on this item after seven days have elapsed (including the date of publication).

Report of:	Portfolio Holder	Date of publication
Mark Broadhurst, Service Director Health and Wellbeing	Councillor Alan Vincent, Resources Portfolio Holder	14 February 2019

Reimbursement of a (s106) commuted payment to McDermott Homes

1. Purpose of report

- 1.1 To authorise the partial reimbursement of a commuted payment made by McDermott Homes in lieu of onsite affordable housing on a site known as the former Auction Mart site, Lancaster Road, Pilling (planning ref: 03/00953/OUT).

2. Outcomes

- 2.1 To facilitate appropriate residential development within the Borough.

3. Recommendations

- 3.1 That approval is given for the reimbursement to McDermott Homes Ltd of £69,387.39 commuted funds paid as required by the section 106 agreement pertaining to planning application ref: 03/00935/OUT dated 28 November 2016. This approval is subject to the revision of the s106 agreement to the satisfaction of the Head of Planning Services.

4. Background

- 4.1 An outline planning permission (03/00953/OUT) on a site known as the former Auction Mart site, Lancaster Road, Pilling was granted in 2003. The current developer, McDermott Homes Ltd., bought the site in 2007.
- 4.2 The original permission had an onsite affordable housing requirement for 10 units. This was reduced to 3 units following a viability assessment and this was subsequently revised to an off-site payment which was secured through a section 106 agreement dated 28 November 2016. This amounted to £67,100. The developer has paid £71,507.95, which

includes an element for index linking as well as interest in the sum of £1,620.56 due to late payment.

- 4.3** The developer started the development in autumn 2017 and has been onsite for twelve months. Places for People are under contract to purchase fourteen of the smaller units, which the developer asserts are for more than 25% below the anticipated sales value. On the rest of the site only two units have been sold over twelve months.

5. Key issues and proposals

- 5.1** The developer has approached the council stating that the site has not achieved the sales rates or values anticipated with resultant increases in sales, preliminaries and financing costs. Owing to the lack of purchaser demand the developer has agreed to the sale of fourteen of the units at an under-value to Places for People, who will provide the dwellings as affordable rental properties.
- 5.2** The developer has requested the return of the commuted sum paid in lieu of onsite affordable housing, as Places for Places are now providing 14 affordable units onsite, which is significantly above the onsite requirement under the council's emerging Policy HP3. However, in planning policy terms the two matters are not related. Places for People have acquired the units on an open market basis, albeit at a discount on the anticipated sales values. Further to that, the Places for People units are not bound by any planning obligations.
- 5.3** Nonetheless it is recognised that the development of the site has not realised the values assumed within the original appraisal. The resultant increased costs have meant that the commuted payment would not be affordable had the site been appraised on this basis. Further still the development should now provide fourteen affordable units albeit not via planning obligations, and this number of units is significantly higher than the amount that the payment of £69,387.39 would facilitate in itself.
- 5.4** It is recognised that the developer has taken a risk in bringing a stalled site forward which has assisted in the delivery of the Council's overall housing trajectory. The developer would have been better advised to further revisit viability risk prior to start on site, but neglected to do this and unfortunately sales demand has been a lot lower than hoped. As such it is recommended that the council reimburses the developer, McDermott Homes, as analysis now demonstrates a significant net loss. This would thereby improve the viability for the developer and is likely to also assist in the delivery of housing at the site.
- 5.5** The site will thus support the Business Plan 2015 – 2019 Enterprising Wyre objectives in the higher than required provision of affordable housing. Reimbursement will encourage appropriate market housing to come forward. It is considered that this is a site specific situation.

5.6 The funding has not been allocated and the Service Director for Health and Wellbeing and the Head of Planning Services support the recommendation. The interest on late payment is intended to be retained for the s106 purposes together with £500 towards the cost of revision of the s106 agreement.

6. Delegated functions

6.1 The matters referred to in this report are considered under the following executive function delegated to the Planning and Economic Development Portfolio Holder (as set out in Part 3 of the council’s constitution): “to consider arrangements for the provision of housing and facilitate the provision of social housing by external organisations.”

Financial and legal implications	
Finance	The reimbursement is discretionary and means that there will be a reduction in capital receipts available to spend on a future scheme of £69,387.39.
Legal	Under the terms of the relevant s106 agreement, the use of the funding is at the discretion of the Council.

Other risks/implications: checklist

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risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

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List of background papers:		
name of document	date	where available for inspection
None		

Appendices

None

dem/ph/cr/19/0002dt1