

STRATEGY & PARTNERSHIPS SCRUTINY COMMITTEE

MINUTES of the meeting held on Tuesday, 8 November 2011 commencing at 10.00 am and finishing at 12.00 pm

Present:

Voting Members: Councillor Nick Carter – in the Chair

Councillor A.M. Lovatt (Deputy Chairman)
Councillor Jean Fooks
Councillor Norman Bolster
Councillor Tim Hallchurch MBE
Councillor Dr Peter Skolar
Councillor David Wilmshurst
Councillor Larry Sanders (In place of Councillor Liz Brighouse OBE)
Councillor Charles Mathew (In place of Councillor Hilary Hibbert-Biles)
Councillor John Sanders (In place of Councillor Chip Sherwood)

Other Members in Attendance: Councillor (for Agenda Item)

By Invitation:

Officers:

Whole of meeting

Part of meeting

Agenda Item Officer Attending

The Scrutiny Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting [, together with a schedule of addenda tabled at the meeting/the following additional documents:] and agreed as set out below. Copies of the agenda and reports [agenda, reports and schedule/additional documents] are attached to the signed Minutes.

52/11 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS

(Agenda No. 1)

Apologies were received from Councillor Brighouse (Councillor L Sanders substituting), Councillor Hibbert-Biles (Councillor Mathew substituting), Councillor Sherwood (Councillor J Sanders substituting).

53/11 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE ON THE BACK PAGE

(Agenda No. 2)

None.

54/11 SPEAKING TO OR PETITIONING THE COMMITTEE

(Agenda No. 3)

Carole Freeman, Support Worker Food with Thought

55/11 CALL IN OF CABINET DECISION - PROPERTY & FACILITIES PROCUREMENT - SCOPE OF CONTRACT - FOOD WITH THOUGHT/QUEST CLEANING SERVICE STRATEGY PAPER

(Agenda No. 4)

The Scrutiny Committee had before it the report of the Director for Environment and Economy to Cabinet on 18 October 2011 together with the draft minutes of that meeting.

Carole Freeman addressed the Committee, setting out in detail (as an employee of Food with Thought and as a mother) the achievements and benefits of the Council's Food with Thought service. She noted that the service was profitable (£900k surplus) and popular.

Councillor Patrick spoke in support of the call-in. She, on behalf of Councillor Armitage (who was unable to attend the meeting) summarised the concerns as:

- 1) There was insufficient evidence in the Cabinet report that having a bigger contract would save the Council money: in particular she was concerned that the Cabinet's decision had been based on past needs and failed to take into account the future potential for the service;
- 2) There was over emphasis on the need for profit at the potential risk to quality and standards of service;
- 3) There would not be the same degree of control over the sourcing of food or its quality;
- 4) There would be a reduction in the level of customer support if the service was included in the contract.
- 5) The benefit in terms of reductions on the environment had not been demonstrated.

She noted that the current arrangement with Food with Thought is popular with schools and families, that there has been a substantial improvement in the service in recent years. Councillor Patrick noted that transferring operational risk needs to be looked at closely, particularly if the best interests of the children were to be maintained.

The Chairman thanked both Mrs Freeman and Councillor Patrick for their presentations. He suggested that as their comments addressed all three parts of the call-in the Committee continue the debate on that basis.

SYP3

The Chairman invited Martin Tugwell, Deputy Director for Growth and Infrastructure to brief the Committee on the issues placed before the Cabinet as part of their deliberations.

Councillor Skolar asked Councillor Patrick if similar points (that she and Mrs Freeman raised) were provided to the Cabinet: Councillor Patrick confirmed that Councillor Armitage had indeed presented the same information as she had done. She also confirmed that Ruth Lister had presented information to that of Mrs Freeman to the Cabinet as part of their debate on the issue before taking their decision.

The Director of Environment and Economy set out the context within which the Cabinet had taken its decision: in particular he outlined the scope of the work that had been undertaken. He reminded the Committee that the Cabinet had not been asked to make a final decision on whether or not to include Food with Thought within the contract; rather that it had merely agreed to include the Food with Thought service as part of the *scope* of the contract. In this context he suggested that the issues raised in the call-in notice may in fact be premature.

The Chairman sought questions and comments from the Committee members and reminded the Committee that the meeting needed to focus on the matters as described by the call-in.

Councillor Fooks enquired as to what information had been provided to the Cabinet prior to their decision (such as business plans, performance and price). Questions were also raised by Councillor L Sanders regarding financial and reputational risks. Councillor J Sanders requested a copy of the procurement timetable.

In response, the Leader confirmed that he was satisfied that the Cabinet had had all the relevant information required in order to enable it to take a sound decision. He confirmed that the information had been provided both at the Cabinet meeting itself and at various stages prior to it during the process at informal meetings.

Martin Tugwell referred Councillors to the draft Cabinet minute where it was recorded that:

“...that this was not the final decision. Food with Thought had made remarkable progress: the service should be in the contract but if it did not meet ... expectations he would expect the council to renegotiate with it excluded.”

In response to this point, and to satisfy the concerns raised by this meeting, Cllr Mathew suggested that the Committee suggest to the Cabinet that the contract procurement process be taken forward allowing for two options to be priced – one with Food with Thought in scope and one without.

Cllr Carter noted that there were three parts of the call-in and that all aspects had now been discussed by the Committee. He proposed that the Committee agree they have no material concerns over the Cabinet decision. He also suggested that the Councillor Mathew's suggestion be considered as a comment to be feedback to the Cabinet for its consideration.

SYP3

Before seeking the Committees decision, Cllr Carter offered Councillor Patrick, as a representative of the call-in group, the opportunity to make a few final closing comments.

With respect to part 1 of the call-in ('not proved in the report that having a bigger contract will reduce risk or save money'), it was resolved:

7 votes to 3 not to refer the decision back to Cabinet as they had no material concerns about the decision and that it is was satisfied that the decision was properly made.

Members also agreed 9 votes to 1 (as an overall general comment back to Cabinet) that the procurement process proceed on the basis of two options for pricing – one with and one without Food with Thought in scope.

For part 2 of the Call in ('not demonstrated that including the school meal service will improve meal take-up or maintain quality'), it was resolved:

7 votes to 3 to take no further action because the Committee is satisfied that the decision was properly made.

For part 3, of the Call-In ('not demonstrated that environmental performance will reduce use of chemicals, waste water and achieve recycling targets'), it was resolved

7 votes to 3 to take no further action because the Committee is satisfied that the decision was properly made.

Councillor Carter confirmed the Committee will return to this subject and welcomed offers from the Deputy Director to provide updates and briefings at regular intervals to this Committee.

End 12 noon

..... in the Chair

Date of signing