



Title	Review of Cultural Services Contracts Register
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Wards of the District directly affected	N/A
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No
Date and meeting when issue was last considered and relevant minute number	N/A
Background Papers	None

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality Impact Assessment Undertaken	No

Officer/Councillor Approval		
Officer Approval	Date	Name
Chief Executive/Deputy Chief Executive	17/10/2016	Andy Jones
Head of Service	17/10/2016	Rose Winship
CMT		
Section 151 Officer	17/10/2016	Mike Snow
Monitoring Officer	17/10/2016	Andy Jones
Finance	17/10/2016	Mike Snow
Portfolio Holder(s)		Cllr Michael Coker
Consultation & Community Engagement		
N/A		
Final Decision?		Yes
N/A		

1. **Summary**

- 1.1 This report sets out the Cultural Services Contract Register for review by Finance & Audit Scrutiny Committee, and highlights any issues which need to be addressed in the next 12 months.

2. **Recommendation**

- 2.1 That Finance & Audit Scrutiny Committee should review the Cultural Services Contract Register attached at Appendix 1 and make observations on it as appropriate.

3. **Reasons for the Recommendation**

- 3.1 The review of Cultural Services Contract Register allows members of the Finance and Audit Scrutiny Committee the opportunity to consider the robustness of the register, make appropriate suggestions on how the register could be improved, and consider the document within the context of promoting sound procurement practice across the Council.

4. **Policy Framework**

- 4.1 **Policy Framework** – Under the Council’s Code of Procurement Practice, details of all contracts for the supply of goods, services and supplies should be held on the Council’s central Contract Register. The Code also states the tender process to be used by officers when procuring goods and services.

- 4.2 **Fit for the Future** – By following the Council’s Code of Procurement Practice in procuring goods, services and supplies, officers will be contributing to the Council’s vision, and key policy priorities included within the Sustainable Community Strategy. The following specific benefits should arise:-

- The Council will be sure it is obtaining value for money from its expenditure, in the provision of all its services for local council tax payers.
- Opportunities will be given to local employers to tender for Council contracts, thus contributing to the Prosperity Agenda.
- It will be demonstrable that the Council, and officers, are operating fairly, in an open and transparent manner.

5. **Budgetary Framework**

- 5.1 There are no direct budgetary implications arising from this report. All of the Council’s expenditure should be made in accordance with the requirements of the Council’s Code of Procurement Practice. This should help the Council to ensure that it achieves value for money from its expenditure through the correct tendering of contracts, and the subsequent management of those contracts.

6. **Risks**

- 6.1 It is important that all procurement across the Council complies with the relevant procurement regulations and directives and also the Council’s Code of Procurement Practice. By following this approach the Council will reduce the risk of challenge.
- 6.2 Contract Management is an important element of procurement. Contracts need to be properly managed to ensure compliance with the contract, whilst

considering all relevant aspects that may affect the performance of the contract. Also, it is important that contract managers pro-actively plan ahead to ensure the procurement of future contracts is properly managed.

7. Alternative Option(s) considered

7.1 This report does not recommend a particular option therefore there are no alternative options.

8. Background

8.1 The Terms of Reference for the Finance and Audit Scrutiny include "Promote value for money and good procurement practice". This is a role that the Committee has actively pursued. In carrying out this role the Committee appointed three of its members to act as Procurement Champions to assist and advise the Procurement Manager. Partly as a result of these actions, the status and knowledge of procurement has increased substantially across the organisation in recent years.

8.2 In March 2014 the Finance and Audit Scrutiny Committee requested that it review each departmental Contract Register in turn. These reviews were intended to follow the approach used to review the Risk Register, whereby the relevant Portfolio Holder and Head of Service are available to answer the Committee's questions.

9. Cultural Services Contract Register

9.1 The latest version of the Cultural Services elements of the Corporate Contract Register is set out as Appendix 1.

9.2 Key procurement activity 2016/17

9.2.1 Much of the procurement activity within Cultural Services in the current financial year has been related to the Leisure Development Programme. Major contracts of strategic importance have been let for the provision of professional services to support officers through the complex and lengthy procurement process to appoint contractors to manage the Council's leisure centres, and contractors to undertake the construction of the new and improved leisure provision at Newbold Comyn and St Nicholas Park leisure centres, subject to approval by Council on 16th November 2016.

9.2.2 The process for both has been supported by WDC Procurement officers and legal officers from Warwickshire County Council who have provided significant experience and advice at all stages of the process. WCC legal team have been key in ensuring that WDC officers comply with procurement regulations and PQQ and ITT stages in such a way to minimise the risk of challenge at any stage in the process. The process has been managed through the In-Tend portal with Cultural Services officers becoming proficient in operating the portal system and handling the interaction with the bidders directly.

9.2.3 The above procurement activity has required Cultural Services officers to work closely with colleagues across the Council to ensure that decisions relating to these contracts which have an impact on other service areas, have been discussed and a corporate position established prior to any decisions being made. An example of this has been in respect of utilities. The management contract has required decisions on future responsibilities for purchase of gas

and electricity, which will have an impact on the corporate energy contracts. There has also been close working between Culture and Property Services on utility diversions relating to the building works, ensuring that the impact of any work is thoroughly considered and agreed with colleagues before orders are place.

- 9.2.4 In planning ahead for the letting of the management contract, consideration has been given to existing services contracts at the leisure centres (vending, resale goods, maintenance etc) ensuring that current suppliers have been given appropriate notice of termination of contracts to coincide with the start of the new management contract.
- 9.2.5 Elsewhere in Cultural Services, significant contracts have been let in the last year for the provision of pantomime production at the Royal Spa Centre (from Nov 2016 to 2021) and the installation of new dimmers and motors at the Royal Spa Centre in August 2016 (as reported to the Executive in June 2016). Work has also been progressed to establish contracts for the supply of bar and catering goods to the Spa Centre.
- 9.2.6 Contract management is a key element of a number of officers roles in Cultural Services. At present the catering contract is monitored by the Business Support Manager, supported by the Head of Cultural Services, while the golf contract is managed by the Sports and Leisure Manager. Both have established contract management arrangements and regular monitoring meetings in place. Responsibilities for management of these contracts will be amended in the new year subject to the Sports and Leisure and Arts reviews that will be reported to the Employment Committee in December 2016. Responsibilities for management and monitoring of the new leisure contract will also be a central role within the new Sports and Leisure team reported to the above meeting. Management of the proposed construction contract for the leisure centres will be undertaken by key roles within the project team, including the Project Manager from Mace and the Programme Manager in Cultural Services.
- 9.3 Future procurement activity
 - 9.3.1 Looking ahead there are a number of future procurement exercises that are being factored into the procurement plan for 2017/18
 - 9.3.2 Catering contract (Kudos) – expires Jan 2018. Early discussions taking place amongst officers on appropriate options
 - 9.3.3 Phase II Leisure Development Programme (Kenilworth) – to follow Phase I. Reports to Councillors in due course
 - 9.3.4 Resurfacing of Abbey Fields Tennis courts
 - 9.3.5 Maintenance/refurbishment of Edmondscote Athletics Track – subject to decision on whether the track remains or is relocated