

**Members are reminded that they must declare all relevant pecuniary and non-pecuniary interests relating to any items of business to be discussed at this meeting. If a pecuniary interest is declared a Member must not speak or take part in that agenda item. Any declarations will be recorded in the minutes of the meeting.**

## **BIRMINGHAM CITY COUNCIL**

### **CABINET**

**Tuesday, 15 August 2017 at 1000  
hours in Committee Rooms 3 and 4,  
Council House, Birmingham**

### **PUBLIC AGENDA**

**1. NOTICE OF RECORDING**

The Chairman to advise/meeting to note that this meeting will be webcast for live or subsequent broadcast via the Council's Internet site ([www.birminghamnewsroom.com](http://www.birminghamnewsroom.com)) and that members of the press/public may record and take photographs except where there are confidential or exempt items.

**2. APOLOGIES**

**Attached**

**3. TEMPORARY ACCOMMODATION – REFURBISHMENT OF COUNCIL OWNED PROPERTIES FOR USE AS TEMPORARY ACCOMMODATION – FULL BUSINESS CASE AND CONTRACT AWARD**

Report of the Corporate Director - Place.

**Attached**

**4. TENDER STRATEGY FOR THE REPAIR, MAINTENANCE AND MAJOR REFURBISHMENTS OF LIFTS (IN HOUSING, COUNCIL BUILDINGS AND SCHOOLS) – P0391**

Report of the Corporate Director - Place.

**Attached**

**5. PLANNED PROCUREMENT ACTIVITIES**

Report of the Director of Commissioning and Procurement.

**Attached**

**6. APPOINTMENTS TO OUTSIDE BODIES**

Report of the City Solicitor.

**7. OTHER URGENT BUSINESS**

To consider any items of business by reason of special circumstances (to be specified) that, in the opinion of the Chairman, are matters of urgency.

**8. EXCLUSION OF THE PUBLIC**

That in view of the nature of the business to be transacted, which includes exempt information of the category indicated, the public be now excluded from the meeting:-

(Exempt Paragraph 3)

**PRIVATE AGENDA**

**Attached**    **9. TEMPORARY ACCOMMODATION – REFURBISHMENT OF COUNCIL OWNED PROPERTIES FOR USE AS TEMPORARY ACCOMMODATION – FULL BUSINESS CASE AND CONTRACT AWARD**

Report of the Corporate Director - Place.

(Exempt Paragraph 3)

**Attached**    **10. TENDER STRATEGY FOR THE REPAIR, MAINTENANCE AND MAJOR REFURBISHMENTS OF LIFTS (IN HOUSING, COUNCIL BUILDINGS AND SCHOOLS) – P0391**

Report of the Corporate Director - Place.

(Exempt Paragraph 3)

**Attached**    **11. PLANNED PROCUREMENT ACTIVITIES**

Report of the Director of Commissioning and Procurement.

(Exempt Paragraph 3)

**12. OTHER URGENT BUSINESS (EXEMPT INFORMATION)**

To consider any items of business by reason of special circumstances (to be specified) that, in the opinion of the Chairman, are matters of urgency.

## PUBLIC REPORT

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>Corporate Director - Place</b>
<b>Date of Decision:</b>	<b>15 August 2017</b>
<b>SUBJECT:</b>	<b>TEMPORARY ACCOMMODATION – REFURBISHMENT OF COUNCIL OWNED PROPERTIES FOR USE AS TEMPORARY ACCOMMODATION _ FULL BUSINESS CASE AND CONTRACT AWARD</b>
<b>Key Decision: Yes</b>	<b>Relevant Forward Plan Ref: 003534 /2017</b>
<b>If not in the Forward Plan: (please "X" box)</b>	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
<b>Relevant Cabinet Member(s)</b>	Cllr Peter Griffiths - Housing and Homes Cllr Majid Mahmood – Value for Money and Efficiency
<b>Relevant O&amp;S Chairman:</b>	Cllr Victoria Quinn – Housing and Homes Cllr Mohammed Aikhlaq - Corporate Resources and Governance
<b>Wards affected:</b>	<b>Aston &amp; Nechells Wards</b>

**1. Purpose of report:**

- 1.1 This public report sets out proposals for the creation of two additional homeless centres for use as temporary accommodation as a part of the Council's statutory duty to provide temporary accommodation.
- 1.2 This public report also sets out the approach and procurement strategy for the refurbishment of two Council owned properties for use as Temporary Accommodation.
- 1.3 The Private Report contains confidential financial information and seeks approval to a Full Business Case (Public Appendices 1 and 1A-E) for the proposed works and the placing of orders to undertake the identified works.

**2. Decision(s) recommended:**

That Cabinet:-

- 2.1 Notes the approach for the securing of two additional homeless centres for the provision of Temporary Accommodation (TA) and the procurement strategy for the necessary works refurbishment as set out in section 5 of this report.

<b>Lead Contact Officer(s):</b>	Rob James, Service Director – Housing
<b>Telephone No:</b>	0121 464 7699
<b>E-mail address</b>	<a href="mailto:robert.james@birmingham.gov.uk">robert.james@birmingham.gov.uk</a>
<b>Telephone No:</b>	Andrew Perry, Senior Service manager, Housing Options Service Temporary Accommodation and Homeless Centres 0121 303 7529
<b>E-mail address:</b>	<a href="mailto:Andrew.perry@birmingham.gov.uk">Andrew.perry@birmingham.gov.uk</a>

### 3. Consultation

#### 3.1 Internal

The local Elected Members for Nechells and Aston Wards have all been consulted on these proposals and support it going forward for an executive decision. The outcome of these consultations is included at Appendix 1E.

The Property and Assets Board considered the proposed change of use of Magnolia House on 3 May 2017 and are supportive of these proposals.

Officers from Legal and Governance, City Finance and Procurement have been involved in the preparation of this report.

#### 3.2 External

West Midlands Police will be consulted as part of the planning process.

### 4. Compliance Issues:

#### 4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

The proposal contributes to the strategic priorities and outcomes set out in the Homeless Strategy 2012 and the Vision and Forward Plan: Children – Birmingham's a great city to grow up in and Housing – Birmingham's a great city to live in. The decisions support the objectives of the council by protecting the most vulnerable and offering support where it is most required. It also assists households to enjoy a high quality of life by allowing them to access support when it is most required and ensuring the dignity and safeguarding of vulnerable citizens. By providing an additional two homeless centres the decisions will provide accommodation for up to 215 vulnerable homeless households and children in a supportive environment following a period of distress and disruption in their lives. Appropriate educational support and facilities will be provided at each centre along with communal play facilities.

The contractors proposed to carry out the refurbishment work are existing signatories to the Birmingham Business Charter for Social Responsibility and will provide additional social value commitments that are proportionate and relevant to the contracts. Their implementation will be monitored during the contract period.

#### 4.2 Financial Implications

(Will decisions be carried out within existing finance and Resources?)

The initial Capital costs to deliver these proposals amount to £11.655million. This will be funded through a combination of Service funded prudential borrowing and contributions from the HRA for Barry Jackson Tower to be retained within the HRA. The prudential borrowing relating to each property will be repaid over the shorter of the estimated useful life of the property and 30 years.

The net revenue costs of these proposals are estimated to amount to £21.745million over 30 years before taking account of costs avoided relating to the reduced use of B&B accommodation. These costs comprise £0.480million in 2017/18 (part year effect only), increasing to £1.4million per annum from 2018/19. These costs will be funded from the existing approved budget for 2017/18 and future years for temporary accommodation (Bed & Breakfast element). Once costs that will be avoided as a result of the reduced use of B&B accommodation are taken into account, these proposals are anticipated to generate a net financial benefit to the Service amounting to £12.2million over a 30 year period, as a combination of savings and potential future pressures avoided.

The overall position is summarised in the following table, with full details included in the FBC at Appendix 1.

	2017/18 £'000	2018/19 £'000	2019/20 £'000	Later Years £'000	Total £'000
<b>Capital Expenditure</b>	<b>11,655</b>	<b>0</b>	<b>0</b>	<b>2,320</b>	<b>13,976</b>
<b>Funded by:</b>					
Prudential Borrowing	(13,364)	0	0	0	(13,364)
Revenue Cont'ns	(292)	0	0	(2,320)	(2,716)
<b>Total Funding</b>	<b>(11,655)</b>	<b>0</b>	<b>0</b>	<b>(2,320)</b>	<b>(13,976)</b>
<b>Revenue Consequences</b>					
Net Income	(579)	(2,385)	(2,456)	(40,777)	(46,197)
Running Costs	1,058	3,821	3,883	56,858	65,620
Revenue Cont'ns	0	0	0	2,320	2,320
<b>Net Revenue Impact (funded from existing approved B&amp;B budget)</b>	<b>480</b>	<b>1,437</b>	<b>1,427</b>	<b>18,401</b>	<b>21,745</b>
Note: B&B Costs avoided	(477)	(1,946)	(1,985)	(29,872)	(33,920)

#### 4.3 Legal Implications

- 4.3.1 Part VII of the Housing Act 1996 provides that if a local housing authority has reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, it shall ensure that accommodation is available for his/ her occupation pending a decision as to the duty ( if any ) owed to him/ her. A Local Authority is able to provide temporary accommodation by utilising a range of different providers and accommodation types, including using its own housing stock.
- 4.3.2 Section 120 of the Local Government act 1972 gives the City Council general powers to acquire, hold and manage land. Building works to Magnolia House will be procured through Acivico Limited through exclusivity arrangements, to develop and procure the scheme either through the CWM framework or existing Mechanical & Electrical Contracts, which ensures best value in view of the client's financial, time and quality priorities. Barry Jackson Tower works will be undertaken by Wates Living Space under the existing contract for Housing Repairs, Gas Servicing and Capital Investment for the West / Central area of the City.

#### 4.4 Public Sector Equality Duty

It is considered that no equalities analysis is required as this report relates to property functions only. Allocation of temporary accommodation will remain consistent with existing processes and according to household need and family size.

## **5. Relevant background/chronology of key events:**

- 5.1 There is a legal requirement for the City Council to provide interim accommodation to homeless households pending a decision on their homeless application and the subsequent discharge of any duty owed.

Temporary accommodation in Birmingham is currently provided through four main accommodation types:

- Dispersed properties – Council owned stock that is managed and furnished by the Council
- Four homeless centres
- Bed and breakfast accommodation (B&B)
- Properties procured through the private rented sector.

- 5.2 The use of bed and breakfast for homeless families is considered inappropriate for a number of reasons:

- Guidance is that families with children should not be accommodated in B&B type accommodation unless in an emergency and then for no longer than 6 weeks.
- The use of bed and breakfast accommodation over a medium to long term can have a detrimental impact on the health and wellbeing of families and does not support their long-term housing need. In addition, the use of bed and breakfast can result in a greater likelihood of children requiring intervention from education welfare or social workers
- Bed and breakfast accommodation is often a substantial distance away from the schools that the children may attend and away from the support network of the household.
- There is no on-site support provided by council staff

Although it is recognised as the most inappropriate form of temporary accommodation it is also the most expensive.

- 5.3 Due to the reasons above the Council's approach is to seek to eliminate the use of B&B for families and to provide appropriate temporary accommodation that meets the needs of households presenting as homeless. Birmingham City Council deals with approximately 6,000 homeless applications each year with between 3,000 -3,500 households being owed the main housing duty which includes temporary accommodation, if required followed by permanent housing.

- 5.4 During the last 18 months the Council's Housing Options Service (the Service) has undertaken a number of actions to increase the Council's stock of temporary accommodation to meet the demand, including:

- The number of council homes used as temporary accommodation has been increased from approximately 370 to 700
- Currently undertaking a refurbishment programme of 54 properties in Newtown which were previously earmarked for demolition.

- Undertaken a refurbishment of the Council's four current homeless centres which are located in Acocks Green, Cotteridge, Northfield and Small Heath.
- Have continuous discussions with our Private Sector Leasing (PSL) providers to increase numbers of available properties which has seen an increase of approximately 50 properties.

The Service is seeking to secure additional accommodation from the private rented sector through a re-procurement of the Council's existing Private Sector Leasing (PSL) contracts.

- 5.5 The Housing Options Service has historically accommodated between 1,000 and 1,150 homeless households in temporary accommodation. However, since April 2016 there has been a significant increase in the number of households living in temporary accommodation, both nationally and locally by around 50%. By 17<sup>th</sup> July 2017 1,907 households were accommodated in temporary accommodation with 411 of these accommodated in bed and breakfast establishments. The Housing Options Service is seeking to acquire and refurbish Council owned properties that can be developed as homeless centres as an alternative to the use of bed and breakfast accommodation.
- 5.6 The use of Council owned and operated homeless centres provides a more suitable alternative to the use of bed and breakfast accommodation. Homeless centre staff provide support to households in homeless crisis seven days a week, 365 days a year, ensuring vulnerable citizens are safeguarded and able to move from a position of crisis to an ability to live independently upon securing permanent accommodation. This wrap around support for families increases the life chances of children and vulnerable families at the point of crisis. Homeless centres are funded from a combination of Supporting People funding, housing benefit and rental income.
- 5.7 The Service has identified two properties that have become available and are surplus to Directorate requirements. These are:
- **Barry Jackson Tower** – will accommodate up to 160 households. The block was previously identified for demolition and redevelopment
  - **Magnolia House** – This is an Adult Social Care and Health Directorate property. It was identified as appropriate for conversion to a homeless centre following consideration at the Property and Assets Board (3 May). This centre will accommodate up to 55 households.
- 5.8 These properties were selected due to both their availability and suitability for use as temporary accommodation and are the next stage of the approach to increase the Council's temporary housing stock as an alternative to the use of B&B accommodation.

If we continue to see temporary accommodation increase then it will be necessary to secure additional units across the city, above and beyond those set out in this report. It is anticipated that the Barry Jackson Tower would be used as temporary accommodation whilst the demand for TA exists and its future use reviewed if demand decreases.

The Service is seeking a phased hand-over of accommodation with the first properties to be handed over by December 2017 to allow the properties to be partially occupied, and therefore support the reduction in the number of households in bed and breakfast accommodation at the earliest opportunity, while work continues to the remainder of the property.

- 5.9 The four existing homeless centres operate in excess of 98% capacity and the expectation is that the new centres will operate at this capacity once they have been refurbished.
- 5.10 Recent surveys, undertaken by Acivico (for Magnolia House) and Wates Living Space (for Barry Jackson Tower), have identified the scope of works required to each property to both refurbish them to the required standard, create homeless centre units within the blocks and bring them up to an acceptable living standard. The condition surveys identify significant mechanical and electrical works required at each property. This includes:
- the installation of new kitchen and bathrooms at each property
  - new central heating systems including boilers
  - replacement of floor tiles and carpets
  - re-wiring
  - health and safety works to meet the statutory requirements
  - essential works to the fabric of the buildings to ensure they are weatherproofed
  - asbestos removal/ encapsulation where identified
- Further works will also be undertaken to incorporate appropriate fire suppressant measures, including the installation of sprinklers.
- 5.11 The proposed works to each centre will require planning permission for change of use and this will be sought following Cabinet approval.
- 5.12 Buildings Works will be procured as follows:
- Barry Jackson Tower – using the existing Housing Repairs, Gas Servicing and Capital Investment Contractor for the West / Central area of the City (Wates Living Space).
  - Magnolia House through existing Mechanical & Electrical Contracts and the CWM framework managed for the Council under exclusivity arrangements by Acivico.
- 5.13 The Service is aware of the need to minimise any impact on the local community and will ensure that:
- Each homeless centre is staffed 24/7 with a mix of homeless centre staff and security officers
  - Households will be placed into homeless centres which, wherever possible, support their children's continued education in their existing schools and for the household to continue to receive the support of relatives and the local community where appropriate.
  - The Service will liaise and work with local policing teams and other agencies to ensure all concerns are taken into consideration prior to occupancy of each centre.
- All of the existing 4 homeless centres are located in residential areas.
- 5.14 Other requirements (including IT infrastructure and furnishings) will be procured through existing contractual arrangements appropriate to the goods and services required.



**6. Evaluation of alternative option(s):**

- 6.1 To do nothing and continue with the spot purchase of bed and breakfast accommodation. This is not an appropriate option – bed and breakfast accommodation is expensive, inappropriate and those providers willing to work with the City are limited in number. If this option is pursued there is a substantial risk of a significant overspend on the existing approved temporary accommodation budgets based on current levels of demand.
- 6.2 Acquire increasing numbers of City owned accommodation from the general housing stock for use as temporary accommodation. Although this is an option, this reduces the available stock for permanent lettings of council homes (including to households currently in temporary accommodation).
- 6.3 Increase the number of private rented sector properties used as temporary accommodation. The Service has recently gone out to tender for a new PSL contract to provide up to 800 private rented sector properties for use as temporary accommodation. The initial tender was unsuccessful and a retender is under way.

**7. Reasons for Decision(s):**

- 7.1 To progress the proposal to carry out works at two Council owned buildings to provide homeless centres for temporary accommodation.

**Signatures****Date**

Cabinet Member

.....  
 Cllr Peter Griffiths  
 Cabinet Member for Housing and Homes

.....

Cabinet Member

.....  
 Cllr Majid Mahmood  
 Cabinet Member for Value for Money and Efficiency

.....

Chief Officer

.....  
 Jacqui Kennedy, Corporate Director - Place

.....

<b>List of Background Documents used to compile this Report:</b>
--

--

<b>List of Appendices accompanying this Report (if any):</b>
--

1. Full Business Case and appendices
--------------------------------------

<b>Report Version</b>
-----------------------

	<b>Dated</b>
--	--------------

Full Business Case (FBC)			
1. General Information			
Directorate	Place	Portfolio/Committee	Housing & Homes
Project Title	<i>Temporary Accommodation – Property Acquisition and Refurbishment Project</i>	Project Code	
Project Description	<p>The Council's Housing Options Service, as with the majority of other local authorities across the UK, has seen an increase in the number of households presenting as homeless in the City and requiring temporary accommodation in the last 18 months. As a result, the number of households placed in and accommodated for longer periods of time in bed and breakfast accommodation is increasing. The use of bed and breakfast accommodation can be disruptive to families and to a child's education, where the families are sometimes accommodated many miles from their school such is the increased pressure on accommodation providers over the last 18 months.</p> <p>The use of bed and breakfast accommodation over a medium to long term can have a detrimental impact on the health of families and does not support their long-term housing need. In addition, the use of bed and breakfast can be accompanied by children being more likely to require intervention from education welfare or social workers. As a result of the increasing use of bed and breakfast, the Housing Options Service is under considerable financial pressure and overspent its budget in 2016/17.</p> <p>The Homelessness Strategy, due for introduction in December 2017, is currently under review and is being developed with colleagues from Change Academy and the wider council. The strategy will encompass strategies and measures to manage the number of households seeking and entering temporary accommodation and look to ensure an increasing number of households are leaving temporary accommodation. The provision of temporary accommodation is being managed at this time through a mixture of private sector accommodation, BCC general stock and four homeless centres. The availability of such accommodation is reducing on a monthly basis as a result of the consistent number of households requiring temporary accommodation and a reduction in the number of households leaving temporary accommodation.</p> <p>The Service has identified the most appropriate types of accommodation required and in order these are: BCC owned and managed homeless centres and shared facility HMO type accommodation, private sector leased accommodation, BCC general stock – the use of these properties as temporary accommodation denies the allocation of these to households on the general waiting list, and finally bed and breakfast accommodation which is historically expensive and not appropriate for</p>		

	<p>the majority of households.</p> <p>The Service understands the number and type of properties it requires and is seeking, through a number of different channels – private sector leasing contract, conversion of BCC owned stock, to develop these properties as a matter of urgency. In addition, the Service is, through the acquisition and conversion of the appropriate accommodation, looking to deliver support to those households in need of support while in temporary accommodation, the properties contained within this Report are key to the success of this strategy.</p> <p>The Service is seeking to gain support for its strategy to reduce the use of bed and breakfast accommodation in Birmingham to an absolute minimum, which will see Birmingham move against the national trend of increased bed and breakfast but help to ensure not only a balanced budget but also place households into accommodation which provides 24/7 management by Council officers in a supportive and caring environment.</p> <p>The Housing Options Service is seeking to minimise the number of households that will be accommodated in bed and breakfast accommodation by acquiring alternative properties. This will reduce the financial, legal and reputational risks to the Council that is linked to the use of bed and breakfast accommodation. It is widely accepted and nationally recognised that bed and breakfast accommodation is not appropriate accommodation for homeless households other than as an immediate short term solution, reasons for this include:</p> <ul style="list-style-type: none"> <li>• Legislation states that families with children should not be accommodated in B&amp;B type accommodation unless in an emergency and then for no longer than 6 weeks.</li> <li>• Bed and breakfast accommodation is likely to be a distance away from the schools that the children may attend and away from the support network of the household.</li> <li>• Bed and breakfast accommodation is inherently expensive and was the major cause of the Service overspend in 2016/17</li> </ul> <p>The Service has identified a number of options available to it to reduce the use of bed and breakfast accommodation, these are:</p> <ol style="list-style-type: none"> <li>1. <b>Increase the use of City owned self-contained properties used as temporary accommodation.</b> The Service currently uses in excess of 700 City Council properties as temporary accommodation. These properties were, by and large, considered hard to let properties. The number of hard to let properties has reduced considerably and at the last count there were only eight city wide. The Service has considered requesting a further increase in the number of properties however this has been discounted for a number of reasons which include the fact that taking increasing numbers of properties from the general stock will reduce the number of properties available for those households on the</li> </ol>
--	---

	<p>housing waiting list. This may in turn increase the number of households declaring themselves homeless and will reduce further the number of properties available to let– making allocation of accommodation to those on the housing register, and in housing need, more difficult at a time of increasing homelessness.</p> <p>2. <b>Increasing the supply of Private Rented Sector Accommodation.</b> The Service currently has approximately 750 private rented properties on contract which it uses as temporary accommodation. The private rented sector in the City is buoyant and we are advised market rents are increasing. The Service is currently evaluating tenders for a replacement contract that also incorporates requirements from the No Recourse to Public Funds team (requiring around 200 properties), in total the Service is seeking to obtain around 800 private sector properties. Given the buoyant private rented sector market, there is a risk that it may not prove possible to secure the required volume of properties through this route.</p> <p>3. <b>Acquisition of BCC owned accommodation surplus to requirements.</b> The Service considers that the most appropriate option is to acquire City owned accommodation which is surplus to requirements and therefore ready for disposal which may in turn be refurbished and converted to homeless centre accommodation. Although the Service recognises the cost of refurbishment and transformation of any such accommodation is high the Service considers the fact that the rental income coupled with the high cost savings on bed and breakfast accommodation makes this the most appropriate option at this time.</p> <p>As at 17<sup>th</sup> July 2017 the Housing Options Service (“the Service”) is accommodating 1,907 households in temporary accommodation. This is an increase of more than 400 households over the last 12 months and is substantially above the long-term average of 1,100 households housed in temporary accommodation pending discharge of the City’s homeless duty. The Service has been met with, and is required to accommodate, an increase in households requiring accommodation and those households placed in temporary accommodation are there for longer periods of time. There is an urgent need to move to Full Business Case to allow the Service to secure the accommodation required to accommodate these additional households rather than use expensive and inappropriate bed and breakfast accommodation.</p> <p>The Service currently utilises a mix of accommodation which includes:</p> <ul style="list-style-type: none"> <li>• 4 homeless centres which are staffed and managed 24/7</li> <li>• approximately 750 private rented sector properties</li> <li>• In excess of 700 BCC owned self-contained properties</li> <li>• Bed and Breakfast/hotels</li> </ul> <p>The existing four homeless centres are not centrally located and therefore there is an uneven split of homeless centre locations within the</p>
--	---

	<p>city. The Service has a desire to acquire more centrally located properties to support the ease of referral and travel from Newtown HOC, accommodation of homeless households closer to community facilities and to maintain educational placements where appropriate.</p> <p>As a result of the increase in households requiring temporary accommodation the Service is accommodating 411 households in bed and breakfast accommodation as at 17<sup>th</sup> July 2017.</p> <p>As noted above, B&amp;B accommodation is inappropriate accommodation for homeless households in that the accommodation neither meets the diverse needs of the households that BCC has a duty to accommodate or is the accommodation cost effective – the Service incurred a net overspend of £2.6 million for 2016/17, substantially as a result of increased use of B&amp;B accommodation.</p> <p>The aim is to make use of directly provided shared accommodation units that are currently available to the Service and it is planned to address the current shortfall of available units through the appropriation and refurbishment of one property currently surplus to the requirements of the Adult Social Care and Health Directorate and the refurbishment of one HRA tower block that was scheduled for demolition. The acquisition and refurbishment of these properties will help the Service to meet the current demand for accommodation and, reduce the use of bed and breakfast accommodation this financial year. However, it must be noted that:</p> <ul style="list-style-type: none"> <li>• The Service will still require accommodation that is fully accessible and therefore continues to work with partners to identify and secure such accommodation</li> <li>• There is a risk for a further increase in the number of households to be accommodated in temporary accommodation through to March 2018 and the Service continues to work with partners to identify homeless prevention measures and additional permanent and temporary units.</li> </ul> <p>The Service is seeking to acquire and refurbish the following properties:</p> <p><b>Magnolia House</b> Currently an Adult Social Care and Health Directorate property. This is surplus to current requirements and is therefore available for disposal / appropriation. The Housing Options Service, with colleagues from Acivico has identified that this can be refurbished and developed in to a 55 unit hostel to accommodate households with 2 – 10 family members.</p> <p><b>Barry Jackson Tower</b> This is a Place Directorate property within the Housing Revenue Account that is currently vacant and scheduled for demolition. It currently comprises 119 flats but can be refurbished and converted in to a hostel</p>
--	---

	<p>for up to 160 households.</p> <p>The additional properties identified will provide 215 units and substantially reduce the use of bed and breakfast <b>NB</b> this is based on current figures however, should there be a further increase the Service may again need to increase the use of B&amp;B accommodation.</p> <p>All of the properties are proposed to be refurbished and converted to shared facility homeless centres. The centres will be operational 24 hours a day, 365 days a year and will be staffed at all times by Council officers and/ or security officers.</p> <p>The Service's existing homeless centres provide a safe, temporary living environment for homeless households. Residents receive daily support and are assisted to move on into other forms of accommodation when they are able to do so. Homeless centres also provide an environment suitable for educational support and activities for children. This approach will be replicated in the proposed sites within the TA identified above.</p> <p>This proposal will also allow for the continued support and accommodation of homeless households in city managed homeless centres at the time of crisis, in a supportive environment which is modern and decent. There is a shortage of facilities for emergency accommodation for homeless households with dependent children. This project will support the Service's activities that improve the quality of life, health and well-being of households in crisis and will reduce the feelings of isolation and helplessness at this time.</p> <p>Both properties require significant investment. The proposed works under this project would provide for an upgrade of those building elements which do not currently fully meet with all health and safety and legislative requirements. The refurbishment works will also include enhanced fire prevention measures such as the installation of sprinklers and will also convert each property to allow for shared facility living. These works are fully funded from within existing budgets.</p> <p>Detailed condition surveys of each centre have been completed by Acivico in relation to Magnolia House, and Wates Living Space in relation to Barry Jackson Tower. These reports identify the works required to each centre and are the basis for the costs within this full business case.</p> <p>The project will be managed internally by the Service with relevant professional and technical input from colleagues where appropriate. A programme board will be set up to develop and deliver the project to ensure that it is delivered on time and within the allocated budget. The cost of refurbishment is being sought from a mix of revenue contributions and Service funded prudential borrowing. The detailed funding arrangements are set out in section 2 below.</p>
--	---

	<p>Planning permission will be required for change of use for all properties and this will be applied for once the relevant approvals have been given.</p> <p>Local residents will be informed of the work programme for each centre where there may be disruption to neighbours or traffic flow. The Service will work closely with West Midlands Police to ensure safety and security of each site and will ensure that, through 24/7 staffing, there is no detrimental impact on any community as a result of these proposals.</p> <p>The Housing Options Service currently manages four homeless centres which the proposed new scheme will mirror. These centres are managed 24/7 and are popular with homeless households as a result of the safe and welcoming environment which they provide. In addition, the centres do not in any way detrimentally impact on the communities in which they are located with no history of anti-social behaviour recorded against any centre.</p>	
<b>Links to Corporate and Service Outcomes</b>	<p>Which Corporate and Service outcomes does the project address:</p> <ul style="list-style-type: none"> <li>• Children</li> <li>• Housing</li> </ul> <p>The proposals will ensure that children are accommodated in the most suitable accommodation in their formative years and in a supportive environment, safe and secure 24/7.</p> <p>The proposal will also ensure that emergency accommodation provided by BCC to homeless households is safe and secure and meets all current health and safety requirements.</p>	
<b>Benefits Quantification- Impact on Outcomes</b>	<b>Measure</b>	<b>Impact</b>
	<b>Council Plan</b> – the elimination of the use of B&B accommodation to ensure that children are living in safe, secure and fit accommodation while homeless	Transition away from housing households in B&B towards homeless centres, representing a more suitable environment for affected families and delivering financial savings for the Council.
	<b>Strategy</b> – This will support the Homelessness Strategy 2012 and reduce reliance on B&B providers and the inappropriate use of such accommodation for homeless households	As above
<b>Project Deliverables</b>	<p>The proposal will deliver two newly refurbished supported accommodation centres, delivering shared facility living in a secure Council managed building. The buildings will be staffed and managed 24 hours a day and ensure no detrimental impact on the local communities. The project will deliver modernised, fit for purpose homeless centres proportionate to the estimated future levels of support and accommodation needed within Birmingham. It will provide for internal and external improvements to the two buildings ensuring all works are completed to meet current regulatory requirements as well as</p>	



	<i>modernising the centres.</i>
<b>Scope</b>	<p><i>The works identified by will include:</i></p> <ul style="list-style-type: none"> <li>• <i>Renewal of or installation of new toilets and bathrooms to each property</i></li> <li>• <i>Renewal or installation of new kitchens to each building</i></li> <li>• <i>Replacement of carpet and vinyl floor coverings throughout each building</i></li> <li>• <i>Refresh of all communal areas to make for a bright and welcoming environment in which to live</i></li> <li>• <i>Refurbishment and upgrade of sub-main cabling and distribution boards where appropriate</i></li> <li>• <i>Renewal of emergency, interior and exterior lighting where appropriate</i></li> <li>• <i>Renewal of heating plants and heating distribution systems where appropriate</i></li> <li>• <i>Renewal of security alarm systems</i></li> <li>• <i>Renewal of fire alarm systems</i></li> <li>• <i>Upgrade of fire prevention measures including sprinklers</i></li> <li>• <i>All DDA compliance works where appropriate</i></li> <li>• <i>Renewal or installation of CCTV cameras</i></li> <li>• <i>Provision of furniture throughout the properties</i></li> <li>• <i>Provision of internal communal play facilities to Barry Jackson Tower and Osborne Tower</i></li> </ul>
<b>Scope exclusions</b>	<p><i>Assessment of eligibility</i></p> <p><i>Allocations of permanent accommodation</i></p>
<b>Dependencies on other projects or activities</b>	<ul style="list-style-type: none"> <li>• <i>Availability of appropriate officers to support the Service with the relevant contract management skills in relation to this project</i></li> <li>• <i>Securing of planning permission for the proposed works</i></li> <li>• <i>Awarding contracts and placing orders</i></li> </ul>
<b>Achievability</b>	<p><i>Key skills are required from several different areas of the Council to award the contract and implement the proposal and deliver the project. Namely contracts manager, surveyors, design, project and construction management.</i></p> <p><i>It is proposed that where appropriate colleagues with existing experience of the above will work alongside Service managers to deliver this project.</i></p> <p><i>Although the project is not of a specialist nature the extent of the project and the complexity of the work involved will require support from officers from other services within the Place Directorate with experience of managing a project of this size, value and scope.</i></p> <p><i>Meeting the key dates of the projects programme will be dependent on the weather conditions during the contract period and the ability of the Service to identify alternative accommodation for the residents while the work is ongoing, if required.</i></p>

	<i>Planning permission is required for change of use of each building and this will be applied for during the mobilisation period.</i>		
<b>Project Manager</b>	<i>Andrew Perry – Senior Service Manager, Housing Options Service. 0121 303 7529 <a href="mailto:Andrew.Perry@birmingham.gov.uk">Andrew.Perry@birmingham.gov.uk</a></i>		
<b>Budget Holder</b>	<i>Jim Crawshaw – Integrated Service Head, Housing Options Service <a href="mailto:Jim.crawshaw@birmingham.gov.uk">Jim.crawshaw@birmingham.gov.uk</a>  <u>0121 675 2154 or 078877851985</u></i>		
<b>Sponsor</b>	<i>Robert James – Service Director, Place Directorate 0121 464 9819 <a href="mailto:Robert.James@birmingham.gov.uk">Robert.James@birmingham.gov.uk</a></i>		
<b>Project Accountant</b>	<i>Guy Olivant – Head of City Finance, Housing <a href="mailto:Guy.Olivant@birmingham.gov.uk">Guy.Olivant@birmingham.gov.uk</a> 0121 303 4752</i>		
<b>Project Board Members</b>	<i>Andrew Perry, Jim Crawshaw, Guy Olivant, Andrew Clarke, Sarah Yorke, Richard Welch, Martin Donovan</i>		
<b>Head of City Finance (HoCF)</b>	<i>Guy Olivant</i>	<b>Date of HoCF Approval:</b>	<i>28 July 2017</i>

<b>2. Budget Summary (Detailed workings should also be supplied)</b>					
	<i>Financial Year 1</i>	<i>Financial Year 2</i>	<i>Financial Year3</i>	<i>Later Years(4 to 30)</i>	<i>Totals</i>
<b>Capital Costs &amp; Funding</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>	<b>£'000</b>
<b>Expenditure:</b>					
Refurbishment Costs	11,054	0	0	0	11,054
IT Infrastructure Costs	70	0	0	0	70
Initial Furnishing Costs	531	0	0	0	531
Cyclical Investment	0		0	2,320	2,320
<b>Totals</b>	<b>11,655</b>	<b>0</b>	<b>0</b>	<b>2,320</b>	<b>13,976</b>
<b>Funding</b>					
Prudential Borrowing	(11,364)	0	0	0	(11,364)
Contributions from HRA	(292)	0	0	0	(292)
Revenue Contributions	0	0	0	(2,320)	(2,320)
<b>Totals</b>	<b>(11,655)</b>	<b>0</b>	<b>0</b>	<b>(2,320)</b>	<b>(13,976)</b>
<b>Revenue Consequences</b>					
Net Rental Income	(579)	(2,385)	(2,456)	(40,777)	(46,197)
Management & Maintenance Costs	558	2,279	2,326	38,121	43,284
Furnishing Costs	0	132	134	1,995	2,261
Rent Payable to HRA	101	414	427	3,369	4,311
Appropriation Charges	42	42	42	1,140	1,266
Debt Financing	357	954	954	12,233	14,499
Revenue Contributions	0	0	0	2,320	2,320
<b>Subtotal Direct Revenue Consequences</b>	<b>480</b>	<b>1,437</b>	<b>1,427</b>	<b>18,401</b>	<b>21,745</b>
Remaining B&B Budget Available	2,875	1,918	1,928	72,184	78,905
<b>Total Approved B&amp;B Budget</b>	<b>3,355</b>	<b>3,355</b>	<b>3,355</b>	<b>90,585</b>	<b>100,650</b>
<b>Note: B&amp;B Costs avoided</b>	<b>(477)</b>	<b>(1,946)</b>	<b>(1,985)</b>	<b>(29,512)</b>	<b>(33,920)</b>
<b>Planned Start date for delivery of the project</b>	<i>September 2017</i>		<b>Planned Date of Technical completion</b>	<i>September 2018</i>	

<b>3. Checklist of Documents Supporting the FBC</b>		
<b>Item</b>	<b>Mandatory attachment</b>	<b>Number attached</b>
<b>Financial Case and Plan</b>		
<ul style="list-style-type: none"> <li>Milestone Dates/ Project Critical Path (set up in Voyager or attached in a spreadsheet)</li> </ul>	Mandatory	Appendices 1A and B
<b>Project Development products</b>		
<ul style="list-style-type: none"> <li>Populated Issues and Risks register</li> </ul>	Mandatory	Appendix 1D
<ul style="list-style-type: none"> <li>Stakeholder Analysis</li> <li>Ward Councillor Consultation</li> </ul>	Mandatory	Appendix 1C Appendix 1E

**Appendix 1A Project Milestones – Barry Jackson Tower**

<b>Milestone</b>	<b>Date/s Forecast</b>
Cabinet Approval	15 August 2017
Project/ Centre Manager Recruitment Commences	August 2017
Consultation/ Information Briefings with West Midlands Police, Fire Service, residents, and all stakeholders	September 2017
Weekly site meetings with contractors commence	September 2017
Planning Permission Applied	September 2017
Contractors Move to Site – Clearance Works	September 2017
Commence recruitment of new officers	September 2017
Contractors move to site – construction and refurbishment works	October 2017
Appoint and train new officers	November 2017
Planning Approval Received	December 2017
Phase 1 Works Complete – Staff Areas	December 2017
Phase 2 Works Complete – First Residents move in to first floor	January 2018
Anticipated end of construction and refurbishment works – whole block refurbished for full occupancy	Summer 2018

**Appendix 1B Project Milestones – Magnolia House**

Milestone	Date/s Forecast
Cabinet Approval	15 August 2017
Project/ Centre Manager Recruitment Commences	August 2017
Consultation/ Information Briefings with West Midlands Police, Fire Service, residents, and all stakeholders	September 2017
Meeting with Acivico to determine most appropriate procurement to secure on cost and timely refurbishment	September 2017
Planning Permission Applied	September 2017
Decision made in relation to appointment of contractors/ tender process	September 2017
Commence recruitment of new officers	September 2017
Contractors move to site – construction and refurbishment works	October 2017
Planning Approval Received	December 2017
Appoint and train new officers	February 2018
Phase 1 Works Complete – Staff Areas	February 2018
Phase 2 Works Complete – First Residents move in to first floor	April 2018
Anticipated end of construction and refurbishment works – whole block refurbished for full occupancy	October 2018

## Appendix 1C - Stakeholder Analysis

Stakeholder	Stake in project	Potential impact on project	What does the project expect from the stakeholder	Perceived attitudes and/or risks	Stakeholder management strategy	Responsible
Community	Neighbours of each scheme	Unanimous opposition may delay scheme	Support and agreement for the managed project	Initial concerns that the centres will be used to accommodate groups that are considered anti-social through ignorance or media coverage/ perception IE drug users, criminal background etc	Mail drop to residents Letters to residents Community meeting via invite Dedicated email address for enquiries 121 meetings with residents where appropriate Attendance at HLB if appropriate Attendance at Ward Cttee meetings	Project Officer/ Lead officer – Name TBC
West Midlands Police	Managing community and fears of and instances of anti-social behaviour	Rejection of project after Cabinet approval	Support from WMP further to discussions and visits to the four homeless centres currently managed by the Service without issue or incident	Perceived view that the properties will be sued to accommodate those with known ASB history, a history of criminality, drug use and disruption.	Initial meetings with WMP Site visits to BCC homeless centres Site visits to the two properties	Project Officer/ Lead officer – Name TBC
West Midlands Fire Service	Responding to emergency call outs relating to fire alarms	Concern re fire safety further to Grenfell Tower	Support for the project as sprinklers will be fitted throughout and the properties will be managed to current standards	Initial concern following Grenfell Twr fire.	Initial meetings with WMFS, followed by site visits and meeting with contractors to discuss fire safety in each property	Project Officer/ Lead officer – Name TBC

Member of Parliament	Community representative	None	Full support	Concern regarding safety within the community, over-burdening local facilities, perceived risk to members of the community.	Individual meeting with MP followed by invitation to public meetings Dedicated email address for enquiries	Project Officer/ Lead officer – Name TBC
Local Schools	Educational facilities	None	Full support	Concern that the project will overwhelm already full schools	Individual meetings with head-teachers followed by invitation to public meetings.	Project Officer/ Lead officer – Name TBC
GP & Health Centres	Health Services	None	Full Support	Concern that the project will overwhelm health services within each area	Individual meetings, mail drop, dedicated email address	Project Officer/ Lead officer – Name TBC
Landlord Services	ASB and neighbourhood management	None	Full support	Concerns regarding impact on the neighbourhood and a potential increase in ASB, litter and refuse	Email followed by local meetings	Project Officer/ Lead officer – Name TBC

**Refurbishment of Barry Jackson Tower and Magnolia House**  
**Appendix 1D- Risk Analysis**

Description of risk	Impact	Probability	Existing Controls	Action Required	Lead Responsibility
Failure to secure planning permission for conversion to shared facility living	High	Low	Initial meetings with Planning suggest no immediate concerns, properties will be used to accommodate the same number of people that they were designed for with enhanced communal facilities	Upon Cabinet approval immediate meetings with Planning to progress applications Planning Committee Members will be invited to consultation meeting further to Cabinet approval	Service Manager for schemes
Refurbishment works exceed budget leading to non completion of projects or lower standard of finish	Low	Low	Cost of refurbishment for each property has been assessed to include all possible works however, some of these works are not at present required and these Strong budget management in place via Capital Investment Team Known costs through existing HR&M contract	Budget and costs will be monitored by Capital Investment Team to ensure budget is not over-spent.	Senior Service Manager, Capital Investment Team
Delays in refurbishment works start dates for Barry Jackson Tower	Medium	Low	Wates Living Space, the HR&M contractor, has identified the works required and have made progress in relation to programme of works for the property. Works will begin as soon as Scrutiny call in period has expired. IE 1 September 2017. Delays will occur if Cabinet approval is not given on 15 August 2017	Regular meetings with Wates LS to ensure ready to move on site immediately	Service Manager
Inability to secure agreements with stakeholders for refurbishment proposals within reasonable timescales leading to refurbishment delays	Medium	Low	Immediate consultation taken place with all stakeholders, on-going consultation and briefings with stakeholders to address concerns and manage these	Regular meetings with all stakeholders	Service Manager



Safety of visitors and staff compromised during refurbishment works leading to potential injuries/damage , insurance claims and loss of reputation	Low	Low	Professional team in place with Site Manager at each property. Regular monitoring of professional team/appointed contractors via Capital Investment Team/ Acivico with input from Service. Regular onsite inspections. Suitably experienced/professionally qualified contractors appointed.	Regular site meetings and management of sites by Site Manager and contractor	Service Manager/ Site Manager
Failure to safely let building or part of building during refurbishment works leading to loss of revenue and reputation issues	Medium	Low	Site managers to ensure letting of units as required and monitored by Acivico/ Capital Investment Team and Service Manager	Adjust budget to take account of delays in letting units, ensure communication channels remain open and relevant officers are informed	Service Manager
Reputational risk of a poor image of BCC whilst works are on-going leading to reputational damage to BCC/ the Service	Low	Low	Weekly site meetings to manage this	Ensure continued and ongoing engagement with public and stakeholders, officers, Members and contractors	Service Manager
Failure to recruit sufficient officers/ agency in time to let units as they become available	Medium	Low	Full Business Case will be completed for authority to recruit to post as soon as Cabinet approval has been secured		Service Manager

APPENDIX 1E –Temporary Accommodation Refurbishment FBC Report - Ward Members Consultation Responses

Date	Stakeholder	Ward	Building	Response to consultation
31/7/17 28/7/17 28/7/17	Cllr Muhammad Afzal Cllr Nagina Kauser Cllr Ziaul Islam	Aston	Barry Jackson Tower	<p>Councillor Kauser telephoned to confirm that she is happy with the proposals.</p> <p>Councillor Islam emailed on Friday 28.07.2017 that he supports the proposals.</p> <p>Following a telephone conversation regarding issues including: safeguarding; impact on local schools and concerns around ASB, Councillor Afzal confirmed his support for the proposal, in writing 31.07.2017.</p>
26/7/17	Cllr Chauhdry Rashid Cllr Tahir Ali Cllr Yvonne Mosquito	Nechells	Magnolia House	All Members were present at the meeting and supported the proposed refurbishment Magnolia House.

**BIRMINGHAM CITY COUNCIL****PUBLIC REPORT**

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>CORPORATE DIRECTOR - PLACE</b>
<b>Date of Decision:</b>	<b>15<sup>th</sup> August 2017</b>
<b>SUBJECT:</b>	<b>TENDER STRATEGY FOR THE REPAIR, MAINTENANCE AND MAJOR REFURBISHMENTS OF LIFTS IN HOUSING, COUNCIL BUILDINGS AND SCHOOLS (P391)</b>
<b>Key Decision: Yes</b>	<b>Relevant Forward Plan Ref: 003741/2017</b>
<b>If not in the Forward Plan: (please "X" box)</b>	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
<b>Relevant Cabinet Member(s):</b>	<b>Cllr Majid Mahmood, Cabinet Member, Value for Money and Efficiency</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Cllr Mohammed Aikhlaq, Corporate Resources and Governance</b>
<b>Wards affected:</b>	<b>ALL</b>

**1. Purpose of report:**

- 1.1 This report provides details of the procurement strategy for the tender of a framework agreement for the repair and maintenance of lifts, disability platform lifts and patient lifting hoists in Council buildings housing properties and schools including major refurbishments and new installations in existing buildings. The agreement will commence 1<sup>st</sup> April 2018 for a period of 4 years with an option to extend for up to 2 years, subject to satisfactory provider performance.
- 1.2 The Private agenda report contains any confidential market information which could impact on the tender process and the approval sought.

**2. Decision(s) recommended:**

That Cabinet:

- 2.1 Notes the contents of this report.

<b>Lead Contact Officer(s):</b>	Jas Claire
	Assistant Procurement Manager - Corporate Procurement Services, Strategic Services Directorate
<b>Telephone No:</b>	0121 303 0256
<b>E-mail address:</b>	<a href="mailto:Jas.claire@birmingham.gov.uk">Jas.claire@birmingham.gov.uk</a>

### 3. Consultation

#### 3.1 Internal

- 3.1.1 The Deputy Leader and the Cabinet Member for Housing and Homes have been consulted and agree with the content of the report.
- 3.1.2 The Corporate Director of Economy has been consulted and agrees with the contents of this report.
- 3.1.3 The Service Director, Housing Transformation, Place Directorate and the Interim Assistant Director of Property, Economy Directorate have been consulted and agree with the contents of this report.
- 3.1.4 Officers from Contract Management and Performance (CMAP) Team in Corporate Procurement have been consulted and agree with the contents of this report.
- 3.1.5 Officers from Finance, Legal and Governance and Procurement have been involved in the preparation of this report.

#### 3.2 External

- 3.2.1 Officers from the Lifts Team in Acivico Limited (Design Construction and Facilities Management) have been consulted and agree with the content of this report.
- 3.2.2 Prior to any contract award, Tenants and Leaseholders, who are subject to service charges, will be consulted on this procurement strategy.

### 4. Compliance Issues:

#### 4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

- 4.1.1 The proposals are consistent with the Council's Vision and Forward Plan 2017:

#### **Housing – a great city to live in. To meet the housing needs of citizens.**

The contract will enable the Council to meet both its equality obligations and its statutory duty with regard to scheduled maintenance of lifts. This will minimise downtime resulting from lift breakdowns thereby avoiding disruptions to users and ensure lift safety.

It will also enable users, visitors to and residents in Council buildings and Housing properties freedom of movement to, from and within them.

#### **Jobs and skills – a great city to succeed in. To shape the market and harness opportunity.**

The Stakeholder Group comprising officers from Asset Management (HRA) - Housing, Place Directorate, Birmingham Property Services, Economy Directorate and the Lifts Team in Acivico will engage with the Employment Access Team with regard to the inclusion of the Jobs and Skills policy and how best the tender process and the resultant contract can meet the jobs and skills agenda regarding apprenticeships, targeted recruitment and training and engaging the unemployed.

#### 4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)

Compliance to the BBC4SR will be a mandatory requirement for tenderers and will also form part of the conditions of contract. Tenderers will submit an action plan with their tender submissions that will be evaluated in accordance with 5.7. The action plan of the successful tenderer will be implemented and monitored during the period of the agreement.

#### 4.2 Financial Implications

4.2.1 The agreement will not commit the Council to any particular level of spend.

4.2.2 Spend will be funded from the following:

- Housing related revenue costs are funded through the Housing Revenue Account
- Housing capital works for major lift replacement/refurbishment will be funded through the annually agreed Public Sector Housing Capital Investment Programme.
- Non-Housing costs are funded through the appropriate service directorate budget
- Schools costs are funded through schools devolved budgets

4.2.3 Prices will be fixed for the first 2 years of the framework agreement. Thereafter any application for price adjustments will be submitted to the Council by the provider with supporting evidence and subject to agreement by the Contract Manager from Corporate Procurement Services in conjunction with the Contract Administrators from Acivico, Housing Asset Management and Maintenance, and Birmingham Property Services. When considering a request for a price adjustment, the increase will be capped to a maximum level of the Lift and Escalator Industry Association (LEIA) index..

4.2.4 The agreement will be made available for other public organisations to access (5.11). A rebate of 1% for Council spend and for 2% for other local authority or public sector body expenditure will be levied against this agreement. The 2% rebate will be shared equally between the Council and Acivico, should Acivico utilise this agreement as part of their service offering to organisations external to the Council. The rebate will be payable by the successful provider(s) to Corporate Procurement Services for the cost of the on-going contract management of the framework agreement. This fee will be payable retrospectively on a quarterly basis by the provider(s) to the Council.

#### 4.3 Legal Implications

4.3.1 Under the general power of competence set out in Section 1 of the Localism Act 2011, a Local Authority has a general power to do anything that individuals generally may do. The Council has the power to enter into the arrangements set out in this report and they are within the boundaries and limits of the general power of competence Section 2 and 4 of the Localism Act 2011.

4.3.2 The agreement will also ensure that the Council is compliant with legislation that governs the operation of lifts and associated equipment namely the Lifts Regulations 1987 (as amended) and the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER), and a raft of health and safety legislation including but not limited to the Health and Safety at Work etc Act 1974.

#### 4.3.3 TUPE

TUPE is likely to apply between the current provider and the new provider(s) in the event of the incumbent provider not being successful. The Council's role in any TUPE process is limited to the distribution of information between parties, with no responsibility on the part of the Council for the information provided. Successful tenderers will be informed that it is their responsibility to make arrangements should TUPE apply.

#### 4.3.4 Pre-Procurement Duty under the Public Service (Social Value) Act 2012

Consideration of whether to undertake a consultation exercise was discussed during the planning stage and it was agreed that this would not be required as tenderers will be asked how their bid addresses social value as part of the evaluation and no additional stakeholder consultation was required. This consideration also included how this procurement exercise might improve the social and economic well-being of the city and will be addressed by evaluating social value.

#### 4.3.5 Information Management

There are no significant information management issues associated with this agreement.

#### 4.4 Public Sector Equality Duty

- 4.4.1 An Initial Screening to decide whether the planned procurement for the repair, maintenance and major refurbishments of lifts in Housing, Council and Schools had any relevance to the equality duty contained in Section 149 of the Equality Act 2010 of eliminating unfair/unlawful discrimination and to promoting equality and human rights was conducted on 2<sup>nd</sup> August 2017. The Initial Screening identified there was no requirement to assess it further, and completion of an EA Full Assessment was not required.

### **5. Relevant background / chronology of key events:**

#### **5.1 Background**

- 5.1.1 There is a legal requirement for the Council and the schools' portfolio of lifts, disability platform lifts and patient lifting hoists to be repaired and maintained; a further requirement is for major refurbishments and installations of new lifts in existing buildings (see 5.5.3). The scheduled maintenance minimises downtime resulting from lift breakdowns thereby avoiding disruption to users and ensuring lift safety. The installation of lifts in newly constructed buildings and as part of major building renovations is not in scope of this framework agreement.
- 5.1.2 The approximate number of the Council's and education sites' lift portfolio is as follows. The number is subject to continual variation due to changes in the property portfolio and education sites that opt into services on an annual basis only.
- 379 assets in housing sites such as low and high rise buildings
  - 117 assets in corporate or commercial properties such as Centrally Administered Buildings (eg Lancaster Circus), libraries and car parks
  - 52 assets in education sites such as schools

- 5.1.3 The tender strategy report for the replacement lift maintenance framework agreement was approved by Cabinet on 16<sup>th</sup> November 2015. As part of this tender strategy report, the intention was to synchronise the end date of the agreement to the current Housing Repair, Maintenance and Capital Investment contract, consolidate all requirements, and also to review the requirements to encourage partnership working with the successful providers. Significant improvements were made to align the specification from the previous contracts and re-work the terms and conditions to enhance the service to users.
- 5.1.4 Following the restricted procurement process, five tenderers were shortlisted and invited to submit a tender response. Of these, only three tender submissions were received. Following an evaluation process, due to the overall unsatisfactory level of tender submissions received, the decision was taken to abort the procurement process as this may have put the Council at risk if the recommendations for award had continued.
- 5.1.5 As a consequence, there was a need to enter into a further contract via single contractor negotiations with Otis Ltd for a further period of 9 months from 1<sup>st</sup> July 2017 approved under Chief Officer delegation on 22<sup>nd</sup> June 2017.
- 5.1.6 The lessons learnt from the aborted procurement process have been incorporated into this revised strategy and to mitigate a similar situation, a supplier event will be held before the tender process is commenced to ensure potential bidders are familiar with the Council's proposed strategy and to input into draft documentation.
- 5.1.7 Whilst education sites are in scope of this framework agreement, the Council does not have a statutory duty to provide this service to schools nor academies. Education sites can use the framework agreement to discharge their duties under the LOLER regulations which place duties on people and companies who own, operate or have control over lifting equipment to ensure that the equipment is inspected and maintained by the use of a competent person.

## 5.2 **Outcomes Expected**

The outcomes expected from this procurement process are:

- Consistently reliable lifts
- Improved availability of lifts
- Accessibility to, from and freedom of movement within Council buildings
- Opportunity to align contracts with other contractual arrangements
- Value for money

## 5.3 **Market Analysis**

- 5.3.1 There are a number of providers in the market who could provide repair and maintenance, major refurbishment and new installation of lifts into existing buildings from large multinational organisations to local SMEs. Many of the providers will have experience of dealing with similar requirements, with the large organisations having experience of working with similar size portfolios.
- 5.3.2 The Council will hold a Supplier Event to go through the tender process with attendees and what is required from organisations who may wish to tender. This will allow the opportunity to engage with the market, to ensure the expectations of the Council are presented, and ensure any potential tenderers are aware of the standards required to reduce the risk of unsatisfactory responses.

## 5.4 **Procurement Options**

5.4.1 The following options have been considered:

- **Tender a Birmingham only Framework Agreement**

This option was rejected as other local authorities, public sector bodies and housing associations would not be in a position to utilise the framework agreement or utilise any rebate agreement.

- **Tender as a Birmingham Framework Agreement available for use by other public sector bodies**

This is the preferred option for the Council as this would allow other local authorities and public sector bodies (including housing associations) access to the framework agreement. Acivico may provide Facility Management services to these organisations as part of their service offering, which may include a provision for managing the repairs and maintenance of lifts.

- **Use of the Constructing West Midlands Framework Agreement**

This option was rejected as the Constructing West Midlands contractors are not specialist lift maintainers and if this option was selected they would sub-contract to a lift company thereby adding an additional layer of cost.

- **Use of Collaborative Framework Agreements**

The following collaborative framework agreements have been assessed for their suitability:

**Crown Commercial Service – Facilities Management Services**

This framework agreement was awarded on 29<sup>th</sup> July 2015 for 4 years and split by lots dependent on the type (hard or soft of facilities management) required. This framework was discounted as use of this agreement would mean the successful companies subcontracting to a lift company thereby adding a layer of cost to the Council.

**Northern Housing Consortium (NHC) – Passenger Lifts**

The NHC has a framework agreement in place for the installation and refurbishment, maintenance, service and repair of passenger lifts, stair-lifts and escalators in buildings. The framework service pricing is based upon all inclusive servicing, semi-inclusive or basic service only. This is available for use as the Council is a member of the NHC. However, this option was discounted as the servicing requirements of the Council do not align to the framework agreement's specification.

**Efficiency East Midlands (EEM) Passenger Lift Framework Agreement and Stair lifts, Hoists and Disabled Access Equipment**

The EEM has three framework agreements in place with different providers for the:

- a) maintenance, servicing, and repair of passenger lifts
- b) the refurbishment and installation of passenger lifts



- c) the service, repair and installation of stair lifts, hoists and disabled access equipment [platform lifts].

This was discounted as it did not align with the Council's approach to consolidating the requirements into one framework agreement for all types of lift.

## 5.5 **Procurement Approach**

### 5.5.1 **Contract Duration and Advertising Route**

The framework agreement duration will be for a period of up to 4 years with an option to extend for a further two years, subject to satisfactory performance and budget availability. Market consultation has indicated that a longer contract duration is required in order for the successful contractor(s) to achieve a return on their investment for the service requirements (set out in 5.5.3.5). In addition, the duration and extension option will allow for the requirement to be incorporated into any future Housing Repair and Maintenance contract if that is the most suitable option identified at the time. The tender opportunity will be advertised via [www.finditinbirmingham.com](http://www.finditinbirmingham.com), Contracts Finder and the Official Journal of the European Union (OJEU).

### 5.5.2 **Procurement Route**

The requirement will be tendered using the open route on the basis that:

- The service can be clearly defined
- There are sufficient providers in the market place that can provide all the required services

### 5.5.3 **Scope and Specification**

The number of assets currently in scope for this agreement (subject to variation) are as follows:

	Passenger Lifts	DDA Lifts	TOTAL
Housing	357	22	379
Corporate/ Commercial	84	33	117
Education	15	37	52
Total	476	92	568

#### 5.5.3.1 **Repair and Maintenance**

The service is required to ensure that the Council's lift portfolio is kept in optimum working order is as follows:

- Regular passenger lift servicing using the Council's inspection programme. The current inspection programme has been developed using a risk based approach and considering such factors as age, reliability, number of lifts in building and risk of interference. The inspection programme is reviewed periodically by Acivico in conjunction with CMAP and the Directorate officers to ensure optimum reliability of the portfolio.
- Detailed examination of the lift every 6 months for disabled access equipment and 12 months for goods lifts
- Annual testing of passenger and goods lifts

- Preventative maintenance with the replacement of worn parts
- The provision of emergency response service for trappings or emergencies

The framework agreement will allow the successful provider(s) to recommend new or innovative methods of working that may benefit the Council.

#### 5.5.3.2 Major Refurbishment

For the Housing portfolio, there is an on-ongoing programme of refurbishment works in existence subject to the approval of capital budgets. During 2016/17, 17 full lift replacements were undertaken. During 2017/18 approximately 13 lifts will have their controllers replaced.

Major refurbishment may involve the replacement of the following components (amongst others): gearbox, hydraulic units, door operators, call acceptance buzzers, guide rails, infra-red door safety edges and refurbishment of lift cars

Major refurbishment to the non-housing portfolio is only carried out dependent on the availability of the appropriate funding and relevant justification.

#### 5.5.3.3 New Installation in an Existing Building

A new installation is where an existing lift needs to be completely replaced. Lift installations to new buildings would not be covered under this framework agreement.

#### 5.5.3.4 Notification to residents (Housing properties)

The successful provider(s) will be required to inform residents of planned repairs at least 7 days before they are undertaken. Additionally, provider(s) will need to demonstrate how they will lessen or mitigate any inconvenience to residents where lifts are unavailable for use, especially where there is a single lift in operation.

#### 5.5.3.5 Service Requirements

To ensure greater partnership working for this agreement, the successful provider(s) will need to :

- Provide the Council with unrestricted access to data collected including any asset analysis and provision of management information.
- Encourage joint working by sharing of data to suggest any improvements or efficiencies to the management of the portfolio.
- Provide greater transparency in terms of cost for items that are not listed on a schedule of rates.
- Improve the billing and invoicing processes by use of feeder files and developing an electronic portal to allow the Council to inspect individual costs, job sheets, and supporting information for each lift.
- Use open industry standards in regards to parts or repairs.

#### 5.5.4 Lot Structure - Options Appraisal

5.5.4.1 To determine the appropriate lot structure and portfolio split, an options appraisal was carried out using Corporate Procurement Services Commissioning methodology. A stakeholder group comprising of officers from Asset Management (HRA) - Housing, Place Directorate, Birmingham Property Services, Economy Directorate, Finance, and

the Lifts Team in Acivico supported by Corporate Procurement Services undertook the appraisal. The options considered were

- a) Whether Housing and non-Housing lift portfolios should be separated or combined into a single lot
- b) Whether the Housing lift portfolio should be further split into separate lots (either by size, type, or quadrant/area)
- c) If a multiple lot structure is preferred, the benefits to award to one or more providers

Due to the smaller size of the non-Housing lifts portfolio, it was not considered appropriate to consider splitting this element into smaller lots.

5.5.4.2 The following factors were considered as part of the options appraisal:

1. To achieve economies of scale
2. To achieve contract management efficiencies
3. The potential negative impact upon IT systems (orders and billing)
4. Transparency of information between portfolio
5. The ability of Small and Medium Enterprises (SME) to bid for services
6. Risk (the potential of poor contract performance / provider failure)

5.5.4.3 To determine the weighting, each factor was evaluated for its relative importance to the Council and the impact on service delivery. The scoring methodology was:

Weighting	Judgement	Explanation
5	Essential	This is critical to effective service delivery
4	Almost essential	Of major importance to successful service delivery
3	Important	Noticeable reduction in service if not provided
2	Quite important	Should be part of a service
1	Not important	A minor aspect of service delivery

5.5.4.4 The score guide determined how each option would meet the standards required for the factors rated from 0 to 10.

Score Bands	Score	Score Guide. The proposed option:
Unacceptable 0-1	0	does not deliver this element of the service or is not acceptable;
	1	contains significant shortcomings which will provide a significantly reduced standard of service (in terms of efficient & effective commissioning).
Low 2 - 4	2 / 3	contains shortcomings which will provide a reduced standard of service (efficiency & effectiveness);
	4	falls short of achieving the expected standard of service (efficiency & effectiveness) in a number of identifiable respects.
Medium 5 - 6	5	meets an acceptable standard but has a significant negative impact on efficiency & effectiveness;
	6	meets an acceptable standard but has a minor negative impact on efficiency & effectiveness
High 7 - 8	7	meets the required standard in all material respects;
	8	meets the required standard in all material respects and provides an enhanced standard of efficiency & effectiveness
Outstanding 9 - 10	9	meets the required standard in all material respects and exceeds most of the major requirements in terms of efficiency & effectiveness;
	10	meets the required standard in all material respects and exceeds all of the major requirements in terms of efficiency & effectiveness.

## 5.5.4.5 A summary of the scoring matrix is as follows:

Factor	Economies of scale	Contract Management	IT systems	Transparency	SME Agenda	Risk	Max score (230)	Max % 100%
<b>Weighting</b>	4	3	4	4	3	5		
<b>Options</b>	<b>SCORE</b>						<b>Total score</b>	
Housing / Non-housing portfolio combined	9	5	5	7	5	7	149	65%
<b>Separate Lots for Housing / non-housing portfolio</b>	<b>6</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>169</b>	<b><u>73%</u></b>
Single Provider (Housing)	8	8	7	8	7	8	177	77%
<b>Multiple provider (Housing)</b>	<b>7</b>	<b>8</b>	<b>7</b>	<b>8</b>	<b>8</b>	<b>9</b>	<b>181</b>	<b><u>79%</u></b>

## 5.5.4.6 The outcome of the appraisal indicated the most suitable option was for:

- 1) The Housing and non-Housing portfolio to be separated as different lots. Due to the Council's requirements and the different systems used, this option was the most appropriate taking into account the factors in 5.5.4.2 including allowing SMEs to tender for this opportunity.
- 2) The Housing portfolio in the city to be split into 2 areas and – dependent on the outcome of the evaluation of the tender - the potential for a different provider for each area. The option to appoint multiple providers was marginally favourable compared to a single provider. The award criteria will allow the most economical advantageous tender to be recommended for award which may include the potential for 1 provider to be awarded both Housing Lots.
- 3) No benefit to the Council was identified as arising from any possible restrictions limiting the number of lots to be allocated to an individual bidder.

5.6 **Lot Structure**

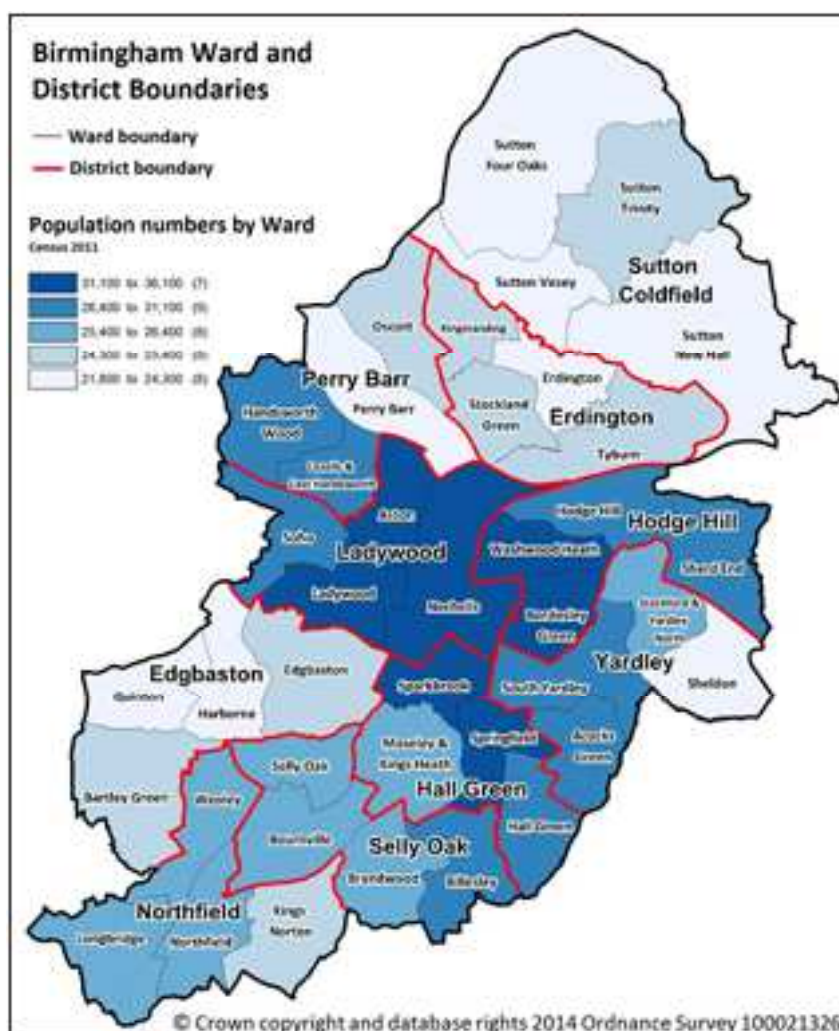
## 5.6.1 The framework agreement will be tendered as follows:

Lot 1 – Housing Properties; North and West  
 Lot 2 – Housing Properties; South and East  
 Lot 3 – Commercial and Corporate estate

## 5.6.2 The portfolio split for Lot 1 and 2 has been aligned to the current Housing and Repair Maintenance contract areas.

## 5.6.3 The breakdown of equipment by district for each lot is as follows:

Type	Lot #	District	Area	Passenger Lifts	DDA lifts
Housing	Lot 1	Erdington, Sutton Coldfield	North	156	21
		Ladywood, Perry Barr	West		
	Lot 2	Edgbaston, Northfield, Selly Oak	South	201	1
		Hall Green, Hodge Hill, Yardley	East		
Corporate / Commercial/ Education	Lot 3	All	Citywide	99	70



**5.7 Tender Structure (including Evaluation and Selection Criteria)**

The evaluation of tenders will be conducted in two stages:

**5.7.1 Stage 1 (All Lots) – all sites**

This stage will consist of mandatory pass/fail considerations which tenderers must pass before progressing to Stage 2. These are:

Part 1	Potential Supplier Information	Info Only
Part 2	Exclusion Grounds - Grounds for Mandatory Exclusion	Pass / Fail
Part 3 (section 2 & 3)	Exclusion Grounds - Grounds For Discretionary Exclusion	Pass / Fail
Part 3 (section 4)	Economic and Financial Standing	Pass / Fail
Part 3 (section 6)	Technical and Professional Ability	Pass / Fail
Part 3 (section 7)	Modern Slavery Act	Pass / Fail
Part 3 (section 8)	Compliance requirements: Insurance, Past Performance, Health and Safety, Equalities, BBC4SR	Pass / Fail
Part 3 (section 8)	Additional compliance requirements: Health and Safety Accreditation; Quality Management Accreditation; Environmental Management Accreditation	Pass / Fail

**5.7.2 Stage 2 (Lot 1 and 2) – Housing portfolio**

Tenders received will be evaluated using separate quality / social value / price balances in accordance with a pre-determined evaluation model. The quality / social value / price balance has been established having due regard to the Corporate document 'Evaluating Tenders' which considers the complexity of the services to be provided and the degree of detail contained within the contract specification.

**5.7.2.1 Assessment A - Quality (30% Weighting)**

The quality scoring of each tender submission will be assessed in relation to specific requirements as set out in the tender documents. These are:

<b>Quality</b>	<b>Sub- weighting</b>
Organisation and Resources	25%
Technical & Compliance	25%
Contract Management and Customer Care	35%
Operational factors	15%
Total	100%

Tenderers who score more than the total quality score threshold of 60% i.e. a score of more than 300 out of a maximum quality score of 500 will proceed to assessment B – Social Value.

**5.7.2.2 Assessment B - Social Value (10% Weighting)**

Social Value Proposals	Sub-Weighting
Local Employment	25%
Partners in Communities	25%
Good Employer	15%
Green and Sustainable	25%
Ethical Procurement	10%
Total	100%

Tenderers who score more than the total social value score threshold of 50% i.e. a score of more than 250 out of a maximum social value score of 500 will proceed to assessment C – Price.

Clarification meetings may be held with tenderer(s) to clarify any aspects of their tender submission.

**5.7.2.3 Assessment C - Price (60% Weighting)**

Tender prices will be assessed as follows for each Lot:

Price	Sub-Weighting
Repair, Maintenance and Servicing	35%
Major Refurbishment and New Installation	60%
Performance Profit at Risk	5%
Total	100%

The sub-weightings have been determined by taking into account the types of items used and the age of the portfolio. Although many items used for repairing, maintaining, servicing and major refurbishments are easily available, due to the age of the lift portfolio a proportion of items are non-standard. The sub-criteria of this assessment are explained in more detail below.

**Repair and Maintenance**

Tenderers must state their prices against a schedule of rates for a list of items. The completed tender prices will then be assessed using a comprehensive pricing model developed that represents a sample of historical work that has taken place during 2016/17 (considered to be a representation of potential future works to be undertaken).

**Major Refurbishments and New Installations**

Due to the complexity of the lifts with the Council's portfolio, there are a number of factors that affect the cost of parts that make it inappropriate for all elements to be included within a schedule of rates. These include:

- lift manufacturer and/or the manufacturer of the part
- protocols or standards applicable at the time
- any licensing or patent issues
- the age of lifts
- obsolete or unavailable parts
- bespoke or made to order parts
- any combination of the above

Therefore, the pricing model determined for items required for major refurbishments and new installations that are not part of the schedule of rates is for tenderers to apply a percentage uplift to the cost of the item. Tenderers will be required to share any supporting information such as their invoices to allow for an audit of these items; this will allow the Council to validate charges, develop cost transparency and move to an open book approach.

### Performance Profit at risk

Tenderers will be required to provide a profit level included within their tendered prices. Once third of this will be “at risk” in the event of poor performance for the purposes of the Performance Payment mechanism; the remaining two thirds will be base profit and unaffected by performance. The tenderer with a higher figure will be ranked 1<sup>st</sup> and all other tenders will be a proportion of this. The reasoning for the scoring is that a tenderer with a higher figure will ensure greater service performance to maximise their profitability. In addition, a further 1% payment, calculated as a percentage of total costs, will be made available for payment subject to performance as set out in paragraph 5.10.3.

## **5.7.3 Stage 2 (Lot 3) – Commercial and Corporate portfolio**

Tenders received will be evaluated using separate quality / social value / price balances in accordance with a pre-determined evaluation model. The quality / social value / price balance has been established having due regard to the Corporate document ‘Evaluating Tenders’ which considers the complexity of the services to be provided and the degree of detail contained within the contract specification.

### **5.7.3.1 Assessment A - Quality (30% Weighting)**

The quality scoring of each tender submission will be assessed in relation to specific requirements as set out in the tender documents. These are:

<b>Criteria</b>	<b>Sub- weighting</b>
Organisation and Resources	25%
Technical & Compliance	25%
Contract Management and Customer Care	35%
Operational factors	15%
<b>Total</b>	<b>100%</b>

Tenderers who score more than the total quality score threshold of 60% i.e. a score of more than 300 out of a maximum quality score of 500 will proceed to assessment B – Social Value.

### **5.7.3.2 Assessment B - Social Value (10% Weighting)**

<b>Social Value Proposals</b>	<b>Sub-Weighting</b>
Local Employment	30%
Good Employer	30%
Green and Sustainable	40%
<b>Total</b>	<b>100%</b>



The number of social value proposals for the Corporate and Commercial portfolio is considered proportionate to the value of the contract. Tenderers who score more than the total social value score threshold of 50% i.e. a score of more than 250 out of a maximum social value score of 500 will proceed to assessment C – Price.

Clarification meetings may be held with tenderer(s) to clarify any aspects of their tender submission.

#### 5.7.3.3 Assessment C - Price (60% Weighting)

Tender prices will be assessed as follows for the Lot:

Price	Sub-Weighting
Repair, Maintenance and Servicing	25%
Major Refurbishment and New Installation	75%
Total	100%

Within the commercial and corporate portfolio, the number of major refurbishments or new installation into existing buildings taking place is minimal. However due to the age of the portfolio, many parts will be bespoke or non-standard. Therefore the weighting reflects this. Performance pricing was considered but discounted (5.10.4).

#### Repair and Maintenance

Tenderers must state their prices as stated in 5.7.2.3.

#### Major Refurbishments and New Installations

Tenderers must state their uplift applied as stated in 5.7.2.3.

#### 5.7.4 Overall Evaluation

Tenderers will be asked to provide prices both for individual lots and in the event that they are awarded multiple lots (to reflect the opportunity for tenderers to offer a discount for the award of multiple lots). For each Lot or permutation of Lots, the evaluation process will result in comparative quality and price scores for each tenderer. For each element (quality, social value, price), the tender(s) obtaining the highest marks will be awarded the maximum score for that element, with other tenders being allocated scores on a pro-rata basis. The overall contract award will be undertaken based on the most economically advantageous tender permutation across all three Lots.

#### 5.7.5 Evaluation Team

The evaluation of tenders will be supported by Corporate Procurement Services and undertaken by officers from:

- Asset Management (HRA), Housing – Place Directorate (Lot 1 and 2)
- Birmingham Property Services – Economy Directorate (Lot 3)
- Lifts Team in Acivico (all Lots)
- Finance (all lots)

## 5.8 **Risk**

The CPS approach is to follow the Council's Risk Management Methodology where the Procurement Team is responsible for risk management. The risk register for this project has been produced and is owned by CPS. Asset Management (HRA) Housing, BPS and Acivico with arrangements being put in place to ensure that operational risks are mitigated.

## 5.9 **Indicative Implementation Plan**

Cabinet Approval (Strategy)	15 <sup>th</sup> August 2017
Supplier (Industry) Day	8 <sup>th</sup> September 2017
OJEU Notice Issued	15 <sup>th</sup> September 2017
Issue Tender	18 <sup>th</sup> September 2017
Clarification Period	19 <sup>th</sup> September – 9 <sup>th</sup> October 2017
ITT Return Date	20 <sup>th</sup> October 2017
ITT Evaluations	23 <sup>rd</sup> October – 17 <sup>th</sup> November 2017
Delegated Contract Award	14 <sup>th</sup> December 2017
Leaseholder consultation	14 December 2017 – 19 January 2018
Mobilisation period (if applicable)	19 January 2018 – 31 March 2018
Contract Start	1 April 2018

## 5.10 **Service Delivery Management**

### 5.10.1 **Contract Management**

The framework agreement will be managed by Acivico with support by the Planning and Performance Team in Place Directorate and from the Contract Management and Performance Team (CMAP) in Corporate Procurement Services as and when needed.

### 5.10.2 **Key Performance Indicators**

Performance of the agreement will be measured through a set of key performance indicators (KPI's) using the Red, Amber and Green (RAG) rating system. Each colour will be given a rating which will be used to determine the provider(s) performance. A summary of KPIs (to be confirmed before the ITT is released) include:

KPI	Requirement
Health and Safety Compliance	To comply with ALL relevant and current Health and Safety Legislation in force during the life of the contract
Overall Lift availability Housing	Operational 95% of the time
Overall Lift availability – Commercial & Corporate Portfolio	Operational 95% of the time
Call-outs – Trappings	Attendance on site within 30 minutes of trapping being reported
Call-outs - Lift Breakdown – Single Lift including out of hours call outs	Attendance on site within <b>1 hour</b> of being reported.
Call-outs - Lift Breakdown – Multiple Lift including out of hours call outs	Attendance on site within <b>2 hours</b> of being reported

Statutory Testing / PPM	100% adherence to lift inspection programme.
Project Completion	Project started and completed to deadlines
Customer Satisfaction	Achievement of 97% satisfaction
Complaints	Recorded and responded to within 5 working days.
Making and Keeping Appointment	Appointments made and kept whenever appointments required.
Invoices	Invoices paid to the required timescales.

The performance measure required for each KPI will be determined and allocated a RAG rating on at least a quarterly basis. Thresholds will be reviewed annually. As part of the annual review (5.10.6) these will be reviewed to ensure they remain relevant and the provider(s) performance is continually improved. For example, the performance rating for the attendance on site within 30 minutes following a trapping may be:

KPI	Red (equal to / less than)	Amber (between)	Green (equal to)
Callouts - trappings	99.9%	n/a	100%

#### 5.10.3 Performance - Payment Mechanism (Housing)

A performance related payment mechanism is intended to be used to drive excellent performance through the agreements. There are two elements of the PRP mechanism – one seeking to disincentivise poor performance and the other to incentivise excellence. The approach will be:

KPI RAG ratings	Outcome
Two or more KPIs are indicated red	The provider is penalised through a payment of reduced profit margin.  Payment to the contractor is calculated with profit at base profit only
One KPI indicated red	payment to the contractor is calculated with profit at base profit plus half of the difference between base profit and tendered profit The provider is penalised through a proportionate reduction in profit margin.
Amber (all amber)	The provider is paid the contract price (i.e. profit calculated at the tendered level)
All KPIs Amber or Green (i.e.no Red KPIs)	Payment to the contractor is calculated with profit at the tendered level plus 1% multiplied by the proportion of KPIs that are Green
All Green	The provider is paid 1% above the contract price

#### 5.10.4 Performance - Payment Mechanism (Non-Housing)

Following consideration of applying the performance payment mechanism to the non-housing lift portfolio, it was determined that the relatively small value and the resource required to monitor this, would be counterproductive.

### 5.10.5 Monitoring

In terms of performance management on the current contract, the incumbent contractor's performance is monitored on a daily basis through the Central Monitoring System (CMS). The CMS system is linked to the Electronic Monitoring Units (EMU) outstations located in each Housing Lift and some Non Housing lifts.

Acivico will use the CMS system to run monthly reports in respect of the successful provider's performance which will be linked to the KPIs and payment mechanism.

For the corporate and commercial portfolio, these are not connected to the same system and thus performance will need to be monitored manually by officers from Acivico. The operation of the service is part of the provider's service to the Council. For example, if there is a trapping the lift user is instructed to press the alarm button. The successful provider(s) must provide a 24/7 service that monitors and responds to these.

### 5.10.6 Annual Review

An annual contract review will take place between officers from Acivico, Housing, and BPS, supported by CMAP.

### 5.11 Framework Agreement Protocol

5.11.1 The framework agreement will be made available to the other local authorities, public bodies and Housing Associations based within the UK. A call off contract may be awarded that extends beyond the expiry of the framework. The framework protocol will allow other public organisations to award any contracts in the following ways:

- **Direct Award** – If the framework is awarded to one provider, any organisation wishing to utilise the framework may do so through direct award providing they can meet their requirements.
- **Further Competition** – If the framework is awarded to 2 or more providers, any organisation wishing to utilise the framework will be required to carry out a mini competition utilising Acivico professional / technical services to run the mini-competition in support of the client organisation with the aim of appointing the service provider that better suits their needs.

## 6. Evaluation of alternative option(s):

- 6.1 To do nothing – this is not an option as reliable lifts are required to ensure accessibility to, from and within Council buildings.
- 6.2 To undertake the service in house – This option was rejected due to the resources (financial, technologically and professional) required. In addition, the Council would unlikely to be able to keep pace with any technological improvements within the industry.
- 6.3 Alternative procurement options are detailed in 5.4.

**7. Reasons for Decisions (s):**

- 7.1 To enable the commencement of tendering activity for the repair and maintenance of lifts to Council buildings to include major refurbishments and new installations of lifts into existing buildings.

**Signatures**

**Date**

Cabinet Member

.....

.....

Councillor Majid Mahmood

Cabinet Member: Value for Money and Efficiency

Chief Officer

.....

.....

Jacqui Kennedy Corporate Director - Place

**List of Background Documents used to compile this Report:**

1. Public Report - Tender Strategy for the Repair and Maintenance of Lifts to Council Buildings to include Major Refurbishments and Installations to existing buildings, P0280 16<sup>th</sup> November 2015.

**List of Appendices accompanying this Report (if any):**

1. Equality Act 2010
2. Equalities Analysis Initial Screening

--	--	--	--

## **Appendix 1**

### **Equality Act 2010**

The Executive must have due regard to the public sector equality duty when considering Council reports for decision.

The public sector equality duty is as follows:

1	<p>The Council must, in the exercise of its functions, have due regard to the need to:</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by the Equality Act;</li> <li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul>
2	<p>Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> <li>(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;</li> <li>(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;</li> <li>(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.</li> </ul>
3	<p>The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.</p>
4	<p>Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to:</p> <ul style="list-style-type: none"> <li>(a) tackle prejudice, and</li> <li>(b) promote understanding.</li> </ul>
5	<p>The relevant protected characteristics are:</p> <ul style="list-style-type: none"> <li>(a) age</li> <li>(b) disability</li> <li>(c) gender reassignment</li> <li>(d) pregnancy and maternity</li> <li>(e) race</li> <li>(f) religion or belief</li> <li>(g) sex</li> <li>(h) sexual orientation</li> </ul>

# Equality Analysis

## Birmingham City Council Analysis Report

<b>EA Name</b>	TENDER STRATEGY FOR THE REPAIR, MAINTENANCE AND MAJOR REFURBISHMENTS OF LIFTS IN HOUSING, COUNCIL BUILDINGS AND SCHOOLS (P391)
<b>Directorate</b>	Place
<b>Service Area</b>	Place - Asset Management
<b>Type</b>	Amended Policy
<b>EA Summary</b>	<p>Procurement to tender and award contracts for the repair, maintenance and major refurbishments of lifts on behalf of the Council</p> <p>There is a requirement for the Council and the schools' portfolio of lifts, disability platform lifts and patient lifting hoists to be repaired and maintained; a further requirement is for major refurbishments and installations of new lifts in existing buildings. The scheduled maintenance minimises downtime resulting from lift breakdowns thereby avoiding disruption to users and ensuring lift safety.</p>
<b>Reference Number</b>	EA002219
<b>Task Group Manager</b>	michelle.bache@birmingham.gov.uk
<b>Task Group Member</b>	
<b>Date Approved</b>	2017-08-02 00:00:00 +0100
<b>Senior Officer</b>	john.jamieson@birmingham.gov.uk
<b>Quality Control Officer</b>	placeequalitycontrol@birmingham.gov.uk

### Introduction

The report records the information that has been submitted for this equality analysis in the following format.

#### **Initial Assessment**

This section identifies the purpose of the Policy and which types of individual it affects. It also identifies which equality strands are affected by either a positive or negative differential impact.

#### **Relevant Protected Characteristics**

For each of the identified relevant protected characteristics there are three sections which will have been completed.

- Impact
- Consultation
- Additional Work

If the assessment has raised any issues to be addressed there will also be an action planning section.

The following pages record the answers to the assessment questions with optional comments included by the assessor to clarify or explain any of the answers given or relevant issues.

## 1 Activity Type

The activity has been identified as a Amended Policy.

## 2 Initial Assessment

### 2.1 Purpose and Link to Strategic Themes

#### **What is the purpose of this Policy and expected outcomes?**

Procurement to tender and award contracts for the repair, maintenance and major refurbishments of lifts on behalf of the Council

There is a requirement for the Council and the schools' portfolio of lifts, disability platform lifts and patient lifting hoists to be repaired and maintained; a further requirement is for major refurbishments and installations of new lifts in existing buildings. The scheduled maintenance minimises downtime resulting from lift breakdowns thereby avoiding disruption to users and ensuring lift safety.

The outcomes expected from this procurement process are:

- . Consistently reliable lifts
- . Improved availability of lifts
- . Accessibility to, from and freedom of movement within Council buildings
- . Opportunity to align contracts with other contractual arrangements
- . Value for money outcomes

**For each strategy, please decide whether it is going to be significantly aided by the Function.**

Children: A Safe And Secure City In Which To Learn And Grow	Yes
Health: Helping People Become More Physically Active And Well	Yes
Housing : To Meet The Needs Of All Current And Future Citizens	Yes
Jobs And Skills: For An Enterprising, Innovative And Green City	Yes

### 2.2 Individuals affected by the policy

Will the policy have an impact on service users/stakeholders?	No
Will the policy have an impact on employees?	No
Will the policy have an impact on wider community?	No

#### **Comment:**

In general people will be affected by this process in a positive manner as there will be a regular rolling programme of major refurbishment/replacement of lifts and scheduled maintenance and servicing of the lift portfolio to ensure lifts are available for use.

Further, within the scope of this document all steps have been taken to ensure we promote equality across services users, employees and the wider community covering the areas of age, disability, gender, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity or human rights.

### 2.3 Relevance Test

---



Protected Characteristics	Relevant	Full Assessment Required
Age	Not Relevant	No
Disability	Not Relevant	No
Gender	Not Relevant	No
Gender Reassignment	Not Relevant	No
Marriage Civil Partnership	Not Relevant	No
Pregnancy And Maternity	Not Relevant	No
Race	Not Relevant	No
Religion or Belief	Not Relevant	No
Sexual Orientation	Not Relevant	No

## 2.4 Analysis on Initial Assessment

The contract will enable the Council to meet both its equality obligations and its statutory duty with regard to scheduled maintenance of lifts. This will minimise downtime resulting from lift breakdowns thereby avoiding disruption to users and ensuring lift safety. It will also enable users, visitors to and residents in Council buildings and Housing properties access and freedom of movement to, from and within Council buildings.

Key priorities and measures required within this contract focus on the need to respond and adhere to the following performance measures:

- . Attendance on site within 30 minutes of trapping being reported Regular schedules maintenance visits for passenger and goods lifts and 6 monthly for disabled platform lifts and hoists
- . Maintaining lift availability at 95% (the 5% downtime also includes downtime for scheduled maintenance and repairs of lifts)
- . Response time to breakdown 1 hour if single lift in building and 2 hour if more than 1 lift in the building\*.
- . Scheduled services completed on time

\*In some high rise blocks there are 2 lifts that transport to alternate floors. Lifts in these buildings are classed as 1 lift.

The portfolio is made up of passenger lifts and disability platform lifts; there are also a small number of goods lifts, stair lifts, and hoists in scope. The number of assets (subject to variation) is split as follows:

Housing	
Passenger Lifts	377
DDA Lifts	22
TOTAL	399

BCC	
Passenger Lifts	84
DDA Lifts	33
TOTAL	117

Education	
Passenger Lifts	15
DDA Lifts	37
TOTAL	52

Total	
Passenger Lifts	476
DDA Lifts	92
GRAND TOTAL	568

All housing lifts and the majority of non-housing lifts meet the current equality requirements with regard to lighting levels, contrasting surfaces, tactile controls and voice announcements. If the lifts would be temporarily taken out of service all communication with users should be in suitable formats for the visually impaired. Local knowledge and

Northgate database will identify risk markers that are used to alert staff/operatives of customer needs e.g. language requirements or specific health needs that would need to be taken account of during maintenance or refurbishment.

The requirements of Standing Order 9 in respect of Equal Opportunities and the Common Standard for Council Contractors in respect of the 'Protected Characteristic' (e.g. Age, Gender, Ethnicity, Disability Gender Orientation, Religion/Belief etc.) will be incorporated into contract documentation.

It is not anticipated that any aspects of this proposal will directly or indirectly contribute to inequality on the grounds of age, disability, gender, gender reassignment, race, religion or belief, sexual orientation, marriage and civil partnership, pregnancy and maternity or human rights.

. Language line - is available as a translation service to inform customers of maintenance programmes where lifts will be temporarily taken out of service for any amount of time

. Equality adaptations will be carried out as part of the refurbishment works to any lifts which do not already have them. The range of work includes large keypads, lighting levels, contrasting surfaces, tactile controls and voice announcements.

### **3 Full Assessment**

The assessment questions below are completed for all characteristics identified for full assessment in the initial assessment phase.

#### **3.1 Concluding Statement on Full Assessment**

We will endeavour to meet our diverse Customers' lifestyle and commitments by taking into account such things as:

- . Disability e.g. mental health issues, mobility, ability to use end products such as lift controls.
- . Age related issues.
- . Illnesses including long term chronic conditions during maintenance arrangements.
- . Barriers to communications such as languages spoken, hearing impairments, reading or visually impaired.
- . In order to minimise and where possible, eliminate adverse impact on our Customers, customer profile and property information is obtained and available on Northgate/Risk register and through local knowledge.
- . We use the feedback from our Customer satisfaction forms, complaints handling, and general analysis to carry out reality checks to identify short falls in our service delivery to improve the level of services provided to our Customers.
- . Negative Satisfaction forms are analysed by BCC and Partners. The Partners contact the dis-satisfied Customers to see why there was dissatisfaction with the work to remedy the issue and learn from the feedback.
- . Complaints are logged on BCC's complaints database, Your Views.

### **4 Review Date**

19/01/18

### **5 Action Plan**

There are no relevant issues, so no action plans are currently required.

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>DIRECTOR OF COMMISSIONING &amp; PROCUREMENT</b>
<b>Date of Decision:</b>	<b>15<sup>th</sup> AUGUST 2017</b>
<b>SUBJECT:</b>	<b>PLANNED PROCUREMENT ACTIVITIES (SEPTEMBER 2017 – NOVEMBER 2017)</b>
<b>Key Decision: No</b>	<b>Relevant Forward Plan Ref: n/a</b>
<b>If not in the Forward Plan: (please "tick" box)</b>	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
<b>Relevant Cabinet Member(s):</b>	<b>Cllr Majid Mahmood – Value for Money and Efficiency</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Cllr Mohammed Aikhlaq, Corporate Resources and Governance</b>
<b>Wards affected:</b>	<b>All</b>

<b>1. Purpose of report:</b>
1.1 This report provides details of the planned procurement activity for the period September 2017 – November 2017. Planned procurement activities reported previously are not repeated in this report.

<b>2. Decision(s) recommended:</b>
That Cabinet
2.1 Notes the planned procurement activities under officer delegations set out in the Constitution for the period September 2017 – November 2017 as detailed in Appendix 1.

<b>Lead Contact Officer (s):</b>	
<b>Telephone No:</b> <b>E-mail address:</b>	Nigel Kletz Corporate Procurement Services Strategic Services Directorate 0121 303 6610 <a href="mailto:nigel.kletz@birmingham.gov.uk">nigel.kletz@birmingham.gov.uk</a>

### **3. Consultation**

#### **3.1 Internal**

This report to Cabinet is copied to Cabinet Support Officers and to Corporate Resources and Governance Overview & Scrutiny Committee and is the process for consulting with relevant cabinet and scrutiny members. At the point of submitting this report Cabinet Members/ Corporate Resources and Governance Overview & Scrutiny Committee Chair have not indicated that any of the planned procurement activity needs to be brought back to Cabinet for executive decision.

#### **3.2 External**

None

### **4. Compliance Issues:**

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies**

4.1.1 Details of how the contracts listed in Appendix 1 support relevant Council policies, plans or strategies, will be set out in the individual reports.

#### **4.1.2 Birmingham Business Charter for Social Responsibility (BBC4SR)**

Compliance with the BBC4SR is a mandatory requirement that will form part of the conditions of the contracts. Tenderers will submit an action plan with their tender that will be evaluated in accordance with the agreed evaluation criteria and the action plan of the successful tenderers will be implemented and monitored during the contract period. Payment of the Living Wage, as set by the Living Wage Foundation, is a mandatory requirement of the BBC4SR and will apply for all contracts in accordance with the Council's policy for suppliers to implement the rate

#### **4.2 Financial Implications**

Details of how decisions will be carried out within existing finances and resources will be set out in the individual reports.

#### **4.3 Legal Implications**

Details of all relevant implications will be included in individual reports.

#### **4.4 Public Sector Equality Duty**

Details of Risk Management, Community Cohesion and Equality Act requirements will be set out in the individual reports.

**5. Relevant background/chronology of key events:**

- 5.1 At the 1 March 2016 meeting of Council changes to procurement governance were agreed which gives Chief Officers the delegated authority to approve procurement contracts up to the value of £10m over the life of the contract. Where it is likely that the award of a contract will result in staff employed by the Council transferring to the successful contractor under TUPE, the contract award decision has to be made by Cabinet.
- 5.2 In line with the Procurement Governance Arrangements that form part of the Council's Constitution, this report acts as the process to consult with and take soundings from Cabinet Members and the Corporate Resources and Governance Overview & Scrutiny Committee.
- 5.3 This report sets out the planned procurement activity over the next few months where the contract value is between the EU threshold (£164,176) and £10m. This will give members visibility of all procurement activity within these thresholds and the opportunity to identify whether any procurement reports should be brought to Cabinet for approval even though they are below the delegation threshold.
- 5.4 Individual procurements may be referred to Cabinet for an executive decision at the request of Cabinet, a Cabinet Member or the Chair of Corporate Resources and Governance Overview & Scrutiny Committee where there are sensitivities or requirements that necessitate a decision being made by Cabinet.
- 5.5 Procurements below £10m contract value that are not listed on this or subsequent monthly reports can only be delegated to Chief Officers if specific approval is sought from Cabinet. Procurements above £10m contract value will still require an individual report to Cabinet in order for the award decision to be delegated to Chief Officers if appropriate.
- 5.6 A briefing note including financial information is appended to the Private report for each item on the schedule.

**6. Evaluation of alternative option(s):**

- 6.1 A report approved by Council Business Management Committee on 16 February 2016 set out the case for introducing this process. The alternative option is that individual procurements are referred to Cabinet for decision.

**7. Reasons for Decision(s):**

- 7.1 To enable Cabinet to identify whether any reports for procurement activities should be brought to this meeting for specific executive decision, otherwise they will be dealt with under Chief Officer delegations up to the value of £10m, unless TUPE applies to current Council staff.

**Signatures:****Date:**

.....  
Nigel Kletz – Director of Commissioning & Procurement

.....

.....  
Councillor Majid Mahmood - Value for Money and Efficiency

.....

**List of Background Documents used to compile this Report:****List of Appendices accompanying this Report (if any):**

Appendix 1 - Planned Procurement Activity September - November 2017

<b>Report Version</b>	1	<b>Dated</b>	01/08/2017
-----------------------	---	--------------	------------

## APPENDIX 1 – PLANNED PROCUREMENT ACTIVITIES (SEPTEMBER 2017 – NOVEMBER 2017)

Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Value for Money and Efficiency Plus	Finance Officer	Contact Name	Planned CO Decision Date
Approval to Tender (SCN)	Youth Hub	C0130	The Youth Hub provides a venue which accommodates a range of statutory and non-statutory services for young people who are homeless or at risk of homelessness. The service is designed to offer an integrated approach to prevent homelessness.	1 year, 7 months	Children and Young People	Children's Services and Homes and Housing	Denise Wilson	James Barrett / Robert Cummins	22/09/2017
Approval to Tender Strategy	Supply and Distribution of Catering Disposables and Light Catering Equipment	TBC	Supply of Catering Disposables and Light Catering Equipment to City Council and Acivico sites which will consist of 2 lots. Lot 1 – Catering Disposables covers: Disposable cups, cutlery, platter, plates, bowls, hot & cold food packaging, napkins, table coverings etc. Lot 2 - Light Catering Equipment covers: Bake and Cook ware (pots pans & Pyrex dishes etc, crockery, cutlery etc.	4 years	Strategic Services	Deputy Leader	Thomas Myers	Richard Tibbatts / Nikki Fox	22/09/2017
Approval to Tender Strategy	Maintenance, Servicing and Supply of Fire Extinguishers	TBC	The maintenance, servicing and supply of fire extinguishers at Council sites is required for directorates of the Council and schools on an annual basis in accordance with legislation and British Standard (BS) 5306 part 3:2009 and part 8:2012. As part of this contract, there is a requirement for the servicing and supply of fire blankets and fire equipment signage.	4 years	Strategic Services	Deputy Leader	Thomas Myers	Jas Claire	22/09/2017
Approval to Tender Strategy	Supply of Cleaning Products and Hygiene Paper Products	TBC	The supply of non-specialist cleaning supplies (general cleaning chemicals and reagents); paper hygiene products and cleaning consumables (e.g. cloths, mops, toilet rolls, paper towels etc) and specialist cleaning products (concentrated cleaning chemicals linked to dosing systems and will include the provision of associated dosing equipment).	4 years	Strategic Services	Deputy Leader	Thomas Myers	Jas Claire	22/09/2017
Approval to Tender Strategy	Provision of Washroom Services	TBC	The provision of the following services: Waste collection and disposal services – sanitary, nappy, sharps, clinical waste; Roller towels; Hand dryers; Washroom equipment – air cleaners, sanitising systems, water dosing systems, water saving tap converters, ozone odour neutralisers, air fresheners, water management systems for urinals, water saving devices for taps and urinals, toilet seat sanitisers, toilet flush reducers, vending machines and dust/logo mats.	4 years	Strategic Services	Deputy Leader	Thomas Myers	Jas Claire	22/09/2017
Various Routes	Occupational Health	C0252	To support and complement the current permanent staffing structure in Occupational Health the following services are required: Occupational Health Physicians, Occupational Health Advisors, Physiotherapists, Cognitive Behavioural Therapist, Employee Assistance Programme.	2 years plus 2 years option to extend	Strategic Services	Deputy Leader	Thomas Myers	Marie Kennedy	22/09/2017

continued > .....



Type of Report	Title of Procurement	Ref	Brief Description	Contract Duration	Directorate	Portfolio Value for Money and Efficiency Plus	Finance Officer	Contact Name	Planned CO Decision Date
Strategy / Award	Framework Agreement for Occupational Health Professional Services	C0252	The provision of professional services to support and complement the permanent staffing structure in Occupational Health let by the following lots: <ul style="list-style-type: none"> <li>• Occupational Health Physicians</li> <li>• Occupational Health Advisors</li> <li>• Physiotherapists</li> <li>• Cognitive Behavioural Therapists</li> </ul>	4 years	Strategic Services	Deputy Leader	Thomas Myers	Marie Kennedy	22/09/2017
Approval To Tender Strategy	Employee Assistance Programme	TBC	The provision of an employee assistance programme which can be accessed online or by telephone to support employees in health and wellbeing. The programme is a support mechanism to assist in the reduction of sickness absence.	4 years	Strategic Services	Deputy Leader	Thomas Myers	Marie Kennedy	22/09/2017
Approval To Tender Strategy	Advocacy Services	TBC	Advocacy is providing the support someone needs to be able to express their views, to communicate their choices and to receive services, or to participate in decision making. It can enable people to take more responsibility, have choice and control over the decisions which affect their lives.	3 years plus 2 year option to extend	Adult Social Care & Health	Health & Social Care	Shabir Ladak	Charles Ashton-Gray / Robert Cummins	22/09/2017

## BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>CABINET</b>
<b>Report of:</b>	<b>City Solicitor</b>
<b>Date of Decision:</b>	<b>15 August 2017</b>
<b>SUBJECT:</b>	<b>APPOINTMENTS TO OUTSIDE BODIES</b>
<b>Key Decision: No</b>	<b>Relevant Forward Plan Ref:</b>
<b>If not in the Forward Plan: (please "X" box)</b>	<b>Chief Executive approved</b> <input type="checkbox"/>
	<b>O&amp;S Chairman approved</b> <input type="checkbox"/>
<b>Relevant Cabinet Member(s):</b>	<b>Cllr John Clancy</b>
<b>Relevant O&amp;S Chairman:</b>	<b>Cllr Mohammed Aikhlaq, Chairman of Corporate Resources and Governance Overview and Scrutiny Committee</b>
<b>Wards affected:</b>	<b>City Wide</b>

**1. Purpose of report:**

The report seeks the approval of the Cabinet to the appointment of representatives to serve on outside bodies detailed in the appendix to this report.

**2. Decision(s) recommended:**

That Cabinet agrees to appoint representatives to serve on the Outside Bodies detailed in the appendix to this report.

<b>Lead Contact Officer(s):</b>	Celia Janney
<b>Telephone No:</b>	Committee Services
<b>E-mail address:</b>	Tel: 0121 303 7034
	e-mail: celia.janney@birmingham.gov.uk

### **3. Consultation**

#### **3.1 Internal**

Councillor John Clancy, Leader of the Council.

For appropriate items, the Secretaries to the Political Groups represented on the Council.

#### **3.2 External**

There has not been a requirement to consult with external parties in respect of matters set out in this report.

### **4. Compliance Issues:**

#### **4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?**

The appointments are consistent with the legal and constitutional requirements of the City Council.

#### **4.2 Financial Implications (Will decisions be carried out within existing finances and Resources?)**

There are no additional resource implications.

#### **4.3 Legal Implications**

As set out in paragraph 4.1 above.

#### **4.4 Public Sector Equality Duty**

The main risk of not making appointments might lead to the City Council not being represented at meetings of the bodies concerned. It is always important in making appointments to have regard to the City Council's equal opportunities policies.

**5. Relevant background/chronology of key events:**

At a meeting of all Councillors on 11 July 2017, the City Council approved changes to the Constitution that set out those appointments that are reserved to the full City Council to determine. All other appointments of Members and officers to outside bodies shall be within the remit of Cabinet to determine and the proportionality rules will not automatically apply.

**6. Evaluation of alternative option(s):**

These appointments are a matter for the Cabinet to determine, in accordance with the City Council's current Constitution.

**7. Reasons for Decision(s):**

To approve the appointment of representatives to serve on Outside Bodies.

**Signatures****Date**

Leader of the Council .....

City Solicitor .....

**List of Background Documents used to compile this Report:**

1. Report of the Council Business Management Committee to City Council on 11 July 2017 "Revised City Council Constitution"; along with relevant e-mails/ file(s)/correspondence on such appointments.

**List of Appendices accompanying this Report (if any):**

1. Appendix to Report to Cabinet 15 August 2017 – Appointments to Outside Bodies

**APPENDIX TO REPORT TO CABINET 15 August 2017**  
**APPOINTMENTS TO OUTSIDE BODIES****1. Summary of Decisions**

With reference to those bodies included in this report where the terms of office of City Council representatives expire, the Cabinet is asked to note that, where appropriate, the representatives have been contacted and, unless indicated otherwise, are not willing to be re-appointed. That practice has been followed for more than 20 years in accordance with Resolution No. 2769 of the former General Purposes Committee.

Cabinet is asked to confirm whether it wishes to continue that practice.

**RECOMMENDED:-**

That Cabinet confirms that the practice be continued of contacting each representative when their term of office is due to expire to ascertain whether they are willing to be re-appointed and that, unless indicated otherwise in the report to Cabinet, it will be understood that such representatives are not willing to be re-appointed.

**2. Bournville Village Trust**

One Nominative Trustee, who need not be a Member of the Council.

Hon. Ald. Wilkinson has stepped down after serving for a period of 36 years. The Trust has advised that, in line with good practice, future appointments should be for a maximum period of nine years.

Therefore, it is

**RECOMMENDED:-**

That Cabinet agrees to the appointment of Cllr Mary Locke (Lab) as Nominative Trustee, from 15 August 2017 until 14 August 2026.

**3. Birmingham Bodenham Trust**

Three Nominated Trustees in total. May be, but need not be, Members of the City Council. Appointed for a 4 year period of office.

Cllr Zafar Iqbal term ends 5 September and Hon. Ald. David Osborne term ends 6 September 2017. They are both willing to be re-appointed. The other Nominative Trustee is Cllr Diane Donaldson (Lab).

Therefore, it is

**RECOMMENDED:-**

That Cabinet agrees to the re-appointment of Cllr Zafar Iqbal (Lab) as Nominative Trustee, from 15 August 2017 until 14 August 2021 and to the re-appointment of Hon. Ald David Osborne (Lib Dem) as Nominative Trustee, from 15 August 2017 until 14 August 2021.

4. **The Handsworth Charity**

Nominative Trustees are appointed for a four year period of office. Mrs Doreen Hemmings period of office ends on 6 September 2017.

**RECOMMENDED:-**

That Cabinet agrees to the re-appointment of Mrs Doreen Hemmings (Con) as Nominative Trustee, from 15 August 2017 until 14 August 2021.

5. **Sutton Coldfield Charitable Trust**

There is a vacancy for a Nominative Trustee. Persons appointed may be, but need not be, Members of the City. Trustees shall be persons residing in or having special knowledge of Sutton Coldfield. Four-year period of office. Cllr Diane Donaldson (Lab) has expressed a willingness to serve.

**RECOMMENDED:-**

That Cabinet agrees to the appointment of Cllr Diane Donaldson (Lab) as Nominative Trustee, from 15 August 2017 until 14 August 2021.