

Pecyn Dogfennau



Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

DYDD IAU, 15 MEDI 2016

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R CYFARFOD PENDERFYNIADAU AELOD O'R BWRDD GWEITHREDOL DROS ADNODDAU A GYNHELIR YN YSTAFELL BWYLLGOR GWASANAETHAU DEMOCRATAIDD, NEUADD Y SIR, CAERFYRDDIN AM 11.00 AM, DYDD IAU, 22AIN MEDI, 2016 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Mark James

PRIF WEITHREDWR



AILGYLCHWCH OS GWELWCH YN DDA

Swyddog Democraidd:	Martin S. Davies
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AGENDA

1. DATGAN BUDDIANNAU PERSONOL.
2. CYMERADWYO A LLOFNODI YN COFNOD CYWIR COFNOD PENDERFYNIADAU'R CYFARFOD A GYNHALIWDYD AR YR 5ED AWST, 2016 3 - 4
3. EITHRIO O GONTRACTAU BWYD Y GWASANAETH CAFFAEL CENEDLAETHOL. 5 - 10
4. ADRODDIADAU NAD YDYNT I'W CYHOEDDI.

WEDI YSTYRIED HOLL AMGYLCHIADAU'R ACHOS AC WEDI CYNNAL PRAWF BUDD Y CYHOEDD GALL YR AELOD O'R BWRDD GWEITHREDOL FARNU NAD YW'R EITEMAU GANLYNOL I'W CHYHOEDDI AM EU BOD YN CYNWYS GWYBODAETH EITHRIEDIG FEL Y'I DIFFINNIR YM MHARAGRAFF 14 O RAN 4 O ATODLEN 12A I DDEDDF LLYWODRAETH LEOL 1972, FEL Y'I NEWIDIWYD GAN ORCHYMYN LLYWODRAETH LEOL (MYNEDIAD AT WYBODAETH) (AMRYWIO) (CYMRU) 2007.
5. DILEU DYLEDION CYN-DENANTIAID. 11 - 20
6. CYFRIFON NA ELLIR EU HADFER. 21 - 26
7. TRETHI ANNOMESTIG - CYMORTH DDEWISIOL. 27 - 36
8. TRETH Y CYNGOR - GOSTYNGIADAU YN ÔL DISGRESIWN. 37 - 66

Eitem Rhif 2

**EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR
RESOURCES**

Friday, 5 August 2016

PRESENT: Councillor D. Jenkins (Executive Board Member for Resources)

The following Officers were in attendance:

K. Thomas, Democratic Services Officer

Meeting Room 1, Town Hall, Ammanford - 9.00 - 9.05 am

1. DECLARATIONS OF PERSONAL INTEREST.

There were no declarations of personal interest.

2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 22ND JULY, 2016.

RESOLVED that the decision record of the meeting held on the 22nd July, 2016 be signed as a correct record.

3. WELLNESS AND LIFE SCIENCES ENTERPRISE ZONE ON DEVELOPMENT LAND AT DELTA LAKES, LLANELLI - EXEMPTION AND WAIVER.

The Executive Board member considered a report seeking an exemption to Condition 5.3 of the Council's Contract Procedure Rules in relation to the appointment of Arup, Cardiff Office to produce a revised master plan for South Llanelli, building upon the previous work undertaken by that company for the Llanelli Joint Venture.

The Executive Board Member noted that the report referred to the Memorandum of Understanding between the Council, Hywel Dda University Health Board, Abertawe Bro Morgannwg University Health Board and Swansea University to deliver a "transformational, innovative wellness and life sciences enterprise zone on land at Delta Lakes, Llanelli". The Welsh Government had previously directly funded an initial scoping study on the above proposal and had appointed Arup to undertake the study, on account of its historic master planning of south Llanelli. With works having concluded on that scoping study, a more detailed master plan was now required to provide further detail, to be completed within a 12 month period from May 2016. It was recommended that appointing Arup to undertake the revised master plan would be the most cost-effective option given the limited time scale, its past experiences in the south Llanelli area and that any other consultant would not be able to commence works from the same advanced position thus having to re-evaluate works previously commissioned, generating unnecessary fees and the duplication of works.

The Council's monitoring Officer and Section 151 Officer had both consented to the exemption.

RESOLVED that Condition 5.3 of the Council's Contract Procedure Rules/Quotation Procedure Rules be waived and that Arup, Cardiff Office, be

appointed to produce a revised master plan for the South Llanelli area.

CHAIR

DATE

Yr Aelod o'r Bwrdd Gweithredol:	Y Portffolio:
Y Cyngorydd David Jenkins	Adnoddau

EITHRIO O GONTRACTAU BWYD Y GWASANAETH CAFFAEL CENEDLAETHOL

Y Pwrpas: Rhoi gwybod i'r Aelod o'r Bwrdd Gweithredol am y sefyllfa ddiweddaraf mewn perthynas â Chontractau Bwyd presennol y Gwasanaeth Caffael Cenedlaethol a gofyn am gymeradwyo eithrio ohonynt a chynnal ein proses gaffael ein hunain.

Yr Argymhellion / Penderfyniadau Allweddol sydd eu hangen:

Eithrio o Gontractau Bwyd presennol y Gwasanaeth Caffael Cenedlaethol a chynnal proses dendro'n uniongyrchol â'r farchnad.

Y Rhesymau:

Yn dilyn pryderon difrifol a fynegwyd i Gyfarwyddwr y Gwasanaeth Caffael Cenedlaethol o ran y trefniadau arfaethedig i'r contractau bwyd ar y cyd, cynigir bod Cyngor Sir Caerfyrddin yn eithrio o'r ymarfer caffael bwyd sydd wedi'i gynllunio.

Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Phil Sexton Awdur yr Adroddiad: Phil Sexton	Swydd Pennaeth Archwilio, Rheoli Risg a Chaffael	Rhif Ffôn: 01267 246217 Cyfeiriad e-bost: Psexton@sirgar.gov.uk
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Declaration of Personal Interest (if any):

None

Dispensation Granted to Make Decision (if any):

Yes. When Executive Board accepted the invitation to join the NPS at its meeting on 10th December 2012, it was agreed that “*Any decision not to participate in an NPS arrangement to be subject to an Executive Board Member decision by the EBM for Resources*”.

DECISION MADE:

Signed:

DATE: _____

EXECUTIVE BOARD MEMBER

The following section will be completed by the Democratic Services Officer in attendance at the meeting

Recommendation of Officer adopted	YES / NO
Recommendation of the Officer was adopted subject to the amendment(s) and reason(s) specified:	
Reason(s) why the Officer’s recommendation was not adopted:	



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EXECUTIVE SUMMARY EBM RESOURCES 22ND SEPTEMBER 2016

Opt Out of National Procurement Service Food Contracts

The Authority accepted Welsh Government's invitation to join NPS in December 2012. In agreeing to join NPS, the Executive Board agreed that any future decision not to participate in an individual NPS Contract should be subject to an Executive Board Member for Resources decision.

NPS have signalled for some time their intention to run a collaborative food tender but there has been a series of delays which have resulted in the Authority extending existing arrangements (to 31st March 2017). It is critical that the new arrangements for procuring food are running from 1st April 2017.

The Authority has had significant concerns about NPS' delays in running contract exercises, the lack of savings resulting from NPS Contracts and the potential threat to the local economy.

Following discussion with the Executive Board Member for Resources, the Director of Corporate Services wrote to the Director of NPS on 11th August 2016 setting out the concerns of the Authority:

"I am writing to advise you that having given serious consideration to the existing proposals for the forthcoming NPS Contracts in relation to Food, Carmarthenshire County Council intend to "opt out" of the current NPS Food Contracts.

Our Elected Members have been concerned for some time at the limited benefits of participating in NPS Contracts and we have recently requested details of the financial benefits relating to Carmarthenshire CC's involvement in relation to 2015/16.

As you will appreciate Food is a key commodity for us as a County. We require Value for Money (with quality / food safety being a key issue) and a sensitivity to the local economy. Recent developments in relation to the Stationery Contract concerned us in that partners on the Delivery Group were keen to go for a single contract to cover Wales when there are clearly regional or local companies able to compete in their areas but unable to compete across Wales. This underlines the problem of NPS attempting to represent the whole Welsh Public Sector but not being sensitive to the local economy or local supply issues.

With Food, we have extended our existing contracts twice and have been concerned that NPS may again fail to meet their latest targets. More specifically, I would add the following comments in relation to the existing food commodities:

Bread, Rolls, Cakes and Associated Products

We note that the other contract relating to Bread, Rolls, Cakes and Associated Products is split into 15 geographical zones. Again, we fail to understand the rationale for how the lotting has been put together especially as we were to be part of a bigger geographical area for these products ie Carmarthenshire, Pembrokeshire and Ceredigion. How has it been decided to nearly triple the number of geographical zones across Wales compared to **Groceries, Provisions and Frozen Foods** (4 zones) yet for South West Wales you proposed to increase the size of our geographical zone by adding Ceredigion?

Our County is currently well served by 3 SME's who provide fresh bread to the various establishments across our County. We have historically found it difficult to find Bread Suppliers willing to service all our establishments.

We are at a loss to understand how you could possibly achieve your aim of awarding a Fresh Bread Contract to a single Supplier to cover Carmarthenshire, Pembrokeshire and Ceredigion. Our overall concern is that there is a lack of any understanding in relation to the needs of our Council and the local economy.

Fruit and Vegetables

It is too early for us to comment in detail on this area but it is our intention to critically examine NPS' proposals and reserve the right to "opt out" if we feel that the arrangements are not appropriate or fail to reflect the issues of sustaining and developing the local economy."

DETAILED REPORT ATTACHED?	NO
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **Phil Sexton**

Head of Audit, Risk & Procurement

Policy and Crime & Disorder	Legal	Finance	ICT	Risk Management Issues	Organisational Development	Physical Assets
NONE	YES	YES	NONE	YES	NONE	NONE

1. Legal

EBM Resources has delegated authority to decide to opt out of an NPS arrangement. This is the first time that CCC has opted out of an arrangement. If the Authority does not opt out, there are serious concerns that the Authority will not be able to comply with its legal responsibilities under EU Procurement Rules.

2. Finance

Opting out of the NPS Food Contracts allows the Authority more control over the procurement exercise.

3. Risk Management Issues

The risks associated with procuring food will need to be managed more fully within the Authority including ensuring adequate Food Audits. Support will be required from Environmental Health.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Phil Sexton

Head of Audit, Risk & Procurement

1. **Scrutiny Committee** Not applicable – EBM Decision
2. **Local Member(s)** Not applicable
3. **Community / Town Council** Not applicable
4. **Relevant Partners** Not applicable
5. **Staff Side Representatives and other Organisations** Not applicable

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THERE ARE NONE



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