



Lewes District Council

Cabinet

Minutes of a Special Meeting of the **Cabinet** held in the **Ditchling Room, Southover House, Southover Road, Lewes** on **Monday, 8 December 2014** at 1.39pm

Present:

Councillor R Blackman (Chair)

Councillors P L Franklin, P A Howson, A T Jones, R K Maskell, E C Merry and A X Smith.

In Attendance:

Councillor S Saunders (Deputy Leader of the Liberal Democrat Group).

Councillor I Eiloart (Chair of the Audit and Standards Committee).

Councillor P Gardiner (substitute for Councillor S J Osborne (Leader of the Liberal Democrat Group)).

.

Apologies received:

Councillor S J Osborne (Leader of the Liberal Democrat Group).

Ms D Twitchen (Tenants' Representative).

Minutes

51 Minutes

The Minutes of the meeting held on 20 November 2014 were approved as a correct record and signed by the Chair.

52 Exclusion of the Public and Press

Resolved:

Action

That, in accordance with Section 100(A)(4) of the Local Government Act 1972 (as amended), the Public and Press be excluded from the meeting during the discussion of Report Nos 178/14 (Provision of Grounds Maintenance Services) and 179/14 (Development Site Rear of Lewes House), as there are likely to be disclosures of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A of the Act (ie information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings). The public interest in maintaining the exemptions outweighs the public interest in disclosing the information.

53 Provision of Grounds Maintenance Services

The Cabinet considered Report No 178/14 which set out the results of the procurement process and Best Value Comparator exercise for the provision of grounds maintenance services and sought Cabinet approval with regard to the way forward.

At its meeting in May 2014, Cabinet had authorised the Officers to proceed with the tendering process for the procurement of such services for a 5 year contract which was extendable by up to 3 years at the discretion of the Council.

Furthermore, the Officers were authorised to undertake a thorough assessment of service costs against tender prices and commission the necessary expertise to ensure that best value was secured for the Council over the 5 to 8 years period.

Those actions had been successfully completed during which time full consultation had been and continued to take place with Town Councils to ensure that they would be happy with any future contractual arrangements which would ensure that the devolution process was not hindered.

Additionally, in April 2013, the Scrutiny Committee had considered the procurement of the grounds maintenance contract and the development of an in-house service as part of its programme of work.

The Report set out details relating to the best value comparator exercise; the tender process and results; and comparisons between a contractor and the Council's provision.

Resolved:

- | | | |
|-------------|--|-----|
| 53.1 | That the evaluation results set out in paragraph 2.19 of Report No 178/14 be adopted; | DSD |
| 53.2 | That, following the review of the results from the tender exercise and the best value comparator, grounds maintenance services be provided by a contractor as from 1 April 2015; and | DSD |

- 53.3** That the contract for the services referred to in 53.2 above be awarded to the contractor referred to in Recommendation 4 of the Report as from 1 April 2015.

DSD

Reasons for the Decisions:

A detailed procurement and best value exercise has been carried out to review the options for providing grounds maintenance services as from 1 April 2015. The results of these two exercises are shown in Report No 178/14. The current grounds maintenance contract finishes on 31 March 2015 and cannot be extended.

54 Development Site Rear of Lewes House

The Cabinet considered Report No 179/14 which set out details of an offer from the company referred to in Recommendation 1 therein for the purchase of the site freehold to land at the rear of Lewes House, Lewes.

The Report set out details of, among others, the main events that had led up to the completion of the Development Agreement in respect of the site on 6 June 2007; events which had followed the world financial crisis of 2008; and the viability of the site.

Resolved:

- 54.1** That, following consideration of the offer by the company referred to in Recommendation 1 of Report No 179/14, in the sum set out therein, the purchase of the freehold of the Lewes House site, Lewes, by that company for such sum, be agreed in return for the discharge of the Council's obligations under the Development Agreement dated 6 June 2007 as amended by a Deed of Variation with the Council dated 30 March 2010;
- 54.2** That the Assistant Director of Corporate Services be authorised to conclude a further Deed of Variation in order to achieve the actions referred to in 54.1 above; and
- 54.3** That the Director of Finance be thanked for the negotiations that he had undertaken with the company referred to in Recommendation 1 of the Report in an effort to secure the transaction referred to in 54.1 above.

DF

ADCS

DF (to note)

Reason for the Decisions:

Sale of the freehold will provide the company referred to in Recommendation 1 of Report No 179/14 the opportunity to commence works on a viable alternative scheme to that embodied in the Development Agreement and Deed of Variation.

The meeting ended at 3.02pm.

R Blackman
Chair

NOTE:

In accordance with Section 100C, sub-section (2) of the Local Government Act 1972, Minute Nos 53 and 54 above are a summary of the proceedings of that part of the meeting which included exempt information. Authorised persons may inspect the exempt information on application to the Proper Officer