



# Minutes

Name of meeting	<b>SCRUTINY COMMITTEE</b>
Date and time	<b>29 APRIL 2008 COMMENCING AT 6.00 PM</b>
Venue	<b>COMMITTEE ROOM ONE, COUNTY HALL, NEWPORT, ISLE OF WIGHT</b>
Present	Cllrs Muriel Miller (Chair), Ivan Bulwer, William Burt, Vanessa Churchman, Deborah Gardiner, Heather Humby, Gill Kennett, Brian Mosdell, Margaret Webster
Co-opted Members (voting)	Mrs Sue Poston, Mr Charles Rogers.
Co-opted Member (non voting)	Mr Bob Blezzard.
Other Members Present	Cllr David Pugh, Cllr Barry Abraham.
Officers Present	Dave Burbage, Davina Fiore, Jill Laurence-Tilley, Chris Mathews, Peter Oakeshott, Paul Thistlewood.
Apologies	Cllrs Erica Oulton, Lady Pigot, Garry Price, Mrs Sara Sheath.
1.	<b>Minutes</b>  <u>RESOLVED:</u>  THAT the Minutes of the meeting held on <a href="#">10 April 2008</a> be confirmed.
2.	<b>Declarations of Interest</b>  Mr Bob Blezzard declared a personal interest in Minute Numbers 4-5 as he was a member of Sandown Town Council and Clerk to Yarmouth Town Council.
3.	<b>Public Question Time</b>  Mr Tim Addison, representing the Board of the Chamber of Commerce, sought clarification as to the credentials of the proposed contractor for the provision of communications services, and the criteria that had been used, for the tourism marketing. The Board was concerned that it had not been consulted on this issue.

Mr Burbage indicated that the contract specification had been agreed at Cabinet level in conjunction with advice from Directors. The Council would still retain the overall leadership for tourism. The day to day service would be carried out by the Acting Head of Communications with appropriate support by the proposed contractor.

Mr David Shirley raised the poor start to the Island's tourist season as figures were down on previous years. He asked that given the importance of tourism to the Island's economy whether the Scrutiny Committee would monitor the performance of the contract or look at tourism generally.

The Chairman advised that the Procurement Board ensured that contract monitoring guidelines were in place for all contracts over £50,000 and would monitor contractual and financial performance. The Committee could consider adding an item on tourism to its work plan.

4. **Election of a Vice Chairman**

Mrs Poston was nominated and seconded for the position of Vice Chairman of the Committee and there being no other nominations it was:-

RESOLVED:

THAT Mrs Sue Poston be elected Vice Chairman for the ensuing year.

5. **Call In of Delegated Decision 16/08 – Award of Contract for the Provision of Communication Services**

(During the course of the debate on this item Councillor Gardiner declared a personal interest due to her employment by Unison)

The Chairman informed those present of the procedure for dealing with this item.

As lead member for the call in Councillor Miller outlined the reasons why this action had been taken. Principally it was believed, by those signing the call in notification, that there had been a lack of transparency and adherence with the revised procedures that had been adopted by full Council on 21 November 2007.

The Monitoring Officer and Chief Financial Officer then advised the Committee that the proposed decision was lawful and within the Council's policy framework and budget.

The Monitoring Officer indicated that although the proposed contract had been discussed at a meeting of the Procurement Board unfortunately this had not been minuted due to an administrative error. The new processes introduced were still bedding in and there would be a continual improvement in the handling of procurement matters.

Additionally the Chairman of the Scrutiny Committee had not been formally notified of the proposed decision until after its publication. An apology for this had been made.

The Chief Financial Officer confirmed that the costs of the contract could be met from the revenue budget for 2008/09 and 2009/10.

The Committee then questioned the Cabinet Member for Residents, the Leader of the Council, Director of Finance and Head of Procurement on a range of issues connected with the delegated decision.

The Committee was advised that due to the specification including a number of additional items above those included in the previous arrangements the award of the contract had been delayed whilst the funding of these had been resolved to the satisfaction of the Director of Finance. The Committee sought clarification on several points about the overall communications budget which were detailed in the delegated decision report and in a response to comments raised during the process.

Members debated the period of the proposed contract, the role of the Council's own Communications Team and external support for specific elements in delivering the Communications Strategy. The Leader undertook to circulate the current Strategy to the Committee due to lack of awareness of this.

The monitoring of the existing and proposed contract was discussed. The respective roles of the Chief Executive, Acting Head of Communications, Head of Procurement and the Procurement Board were outlined. It was noted that the Audit Committee also received a regular contract monitoring report.

The Chairman allowed those members of the public attending the meeting to ask questions related to the debate. Mr Addison queried the number of guides that had been issued for 2008 compared with figures for previous years and the impact of the marketing strategy for 2008 and 2009 on the tourist industry. The Leader indicated that the contractor drew on its expertise from marketing in its own area. This would compliment the skills already based on the Island.

In considering the information arising from the debate the Committee considered what appropriate action should be recommended. A proposal to reject the decision as the case to outsource the work had not been proven was lost. The possibility of the Committee looking at how the Council handled requests made under the Freedom of Information Act would be included on the agenda of the next informal meeting.

RESOLVED :

- i. That the Committee is concerned that the Procurement Board does not appear to have considered this contract in accordance with its terms of reference as agreed by the full Council on 21 November 2007 and requests that the Director of Finance, as its Chairman, together with the Head of Procurement ensure that this is not repeated.
- ii. That officers responsible for contract specifications are made fully aware that there must be an appropriate budget provision available, particularly for those due for renewal where specifications have been amended.
- iii. That in any future reports on contracts clear financial/budget implications be shown for each financial year, the budget allocation available and separate costs of each component part of the contract where appropriate.
- iv. That all Cabinet Members be given procurement training as a matter of priority and until such time as they have attended such a session they should not be permitted to make any delegated decision in relation to the award of contracts.
- v. That it be a requirement that any person drafting a specification for inclusion in a contract, or sitting on a tender assessment panel, should have received appropriate training on the procurement code.
- vi. That the Committee receive for information the Contract Monitoring Report that is submitted to the Audit Committee but a specific monitoring report on the performance under the Communications Contract be considered by this Committee on a 6 monthly basis.

CHAIRMAN