

COUNCIL – 14 SEPTEMBER 2023

REPORT OF THE LEADER OF THE COUNCIL

COUNCIL CONSTITUTION – RULE 46 (WAIVING CALL-IN) PROVISIONS

I wish to report that the Chair of the Overview and Scrutiny Committee (Regulatory, Compliance and Corporate Services) gave her consent, under Rule 46 (Waiving Call-In) of the Access to Information Procedure Rules set out in the Council's Constitution. The report was in relation to the Pre-procurement report: Supply of Fruit & Vegetables and it was not subject to call-in on the basis that the decision could not be reasonably deferred because a new Fresh Fruit & Vegetables supplier needed to be in place for the start of the new school term in September as our current supplier had ceased trading.

CABINET – 27 JULY 2023

43. Pre-Procurement Report : Supply of Fruit & Vegetables

The Cabinet considered the report of the Assistant Director People (Operational In-House Services) seeking approval to commence a mini competition procurement exercise for the Supply of Fruit and Vegetables via the University Catering Organisation (TUCO) framework agreement, of which the Council was a member.

Decision(s) Made:

That

- (1) a mini competition procurement exercise for the Supply of Fruit & Vegetables for the Catering Service via the TUCO framework agreement, of which the Council is a member, be approved; and

Rule 46

- (2) it be noted that the Leader of the Council and the Chair of the Overview and Scrutiny Committee (Regeneration and Skills) had given their consent under Rule 46 of the Overview and Scrutiny Procedure Rules for this decision to be treated as urgent and not subject to "call in" on the basis that it cannot be reasonably deferred because a new Fresh Fruit and Vegetable supplier needs to be in place for the new school term in September. The current supplier of Fresh Fruit & Vegetables has stated that the company will cease to trade in the near future and will not be able to supply the service from September onwards.

Reasons for the Decision(s):

To comply with The Council's Contract Procedure Rules 2023, Cabinet approval was required prior to the commencement of the procurement exercise with a value exceeding the Public Contracts Regulations Spend Threshold (i.e. £533,691.00 for goods/services).

The Framework was compliant with the Public Contract Regulations and Officers from the Council's procurement section were satisfied that it could be used for this purpose.

The Assistant Director People (Operational In-House Services) had delegated authority to award, negotiate and enter into the contract that arose from the procurement exercise.

Alternative Options Considered and Rejected:

None.