



COUNCIL

21 APRIL 2009

Report by: THE MONITORING OFFICER

Subject:	Section 5 report by the Monitoring Officer under the Local Government and Housing Act 1989 on the nature of the Council's decision making process in relation to a contract.
Recommendations	<p>Council is recommended to:-</p> <ol style="list-style-type: none">1. Consider the Report.2. Commission, under the direction of Leading Counsel:<ol style="list-style-type: none">(a) A review of the Council's Constitution;(b) A review of all processes leading up to formal decisions being taken and the outcomes of those decisions; and(c) A review of the corporate governance culture and practice of the Council.3. Set up an investigation to be led by the Head of Internal Audit into the decision making process referred to in this report, reporting to the Head of Paid Service (Chief Executive).4. Agree that the results of 2 and 3 (above) be reported to the Council within six months.

1. Purpose of Report

1.1 To advise Council on the nature of the decision making process in relation to a contract for property and facilities management services.

2. Introduction

2.1 Under Section 5 of the Local Government & Housing Act 1989, the Monitoring Officer is under a duty to bring a report to Council where there has been a breach of the Council's Constitution and / or any enactment or rule of law.

2.2 As required in law, the Monitoring Officer has consulted with the Head of Paid Service and the Chief Finance Officer, as the Council's statutory officers, with regard to the content of this report.

3. Background

3.1 Overview

3.1.1 On the 22nd January 2007, Northamptonshire County Council (the “Council”) entered into a contract with Carillion Services Limited (the “Contractor”) for the provision of property and facilities management services. The term of the contract was for an initial period of 4 years, with a break clause at the end of the first year and an option to extend by a further 3 years, making a maximum contract length period of 7 years. The value of the contract if in operation for the full contract period was estimated at £8 million per year.

3.1.2 The initial four years of the contract were to be delivered in two distinct phases. Phase I saw the Contractor acting as managing agents on behalf of the Council, with Phase II seeing the Contractor operate as an outsourced managing contracting service.

3.1.3 The following paragraphs outline the key events leading to the letting of the contract, during the period of October 2005 to April 2008 so far as they appear from the investigations undertaken to date. However, despite the thoroughness of the investigation conducted in the current circumstances, the outline that follows may not be definitive for a number of reasons. The Council’s documentary records appear not to be complete. Relevant documents have not yet all been able to be located. Some of the key officers are no longer in the Council’s employment. None of the officers, Councillors or external advisors involved to any significant extent have been interviewed or asked to comment on this summary of facts. It should also be noted that since October 2005 there have been significant changes to the senior management structure within the Council. In order to provide greater context of this, the key officers of the Council during this period are as outlined below:

- Peter Gould – Chief Executive;
- Rory Borealis – Executive Director (Governance) / Monitoring Officer;
- Michael Reid – Executive Director (Operations);
- John Nielson – Executive Director (Finance) / Chief Finance Officer;
- Mark Bassett – Head of Property;
- Ian McPherson – Head of Procurement.

3.2 Contract Procedure Rules

3.2.1 The Contract Procedure Rules are contained within the Council’s Constitution in Part 4 – Rules of Procedure. These rules set out the regulations which must be followed by the Council when it procures goods, services and works. At the time of the original procurement of the Property and Facilities Management Services Contract the then applicable version of the Procedure Rules had 4 primary objectives:

- (a) To ensure that the Council obtains value for money and fulfils the duty of achieving best value as defined in Section 3 of the Local Government Act 2003;
- (b) To ensure that the Council complies with English and European law in force in England that governs the procurement of goods, services and works;

(c) To establish tendering procedures which when followed should protect members and officers of the Council from any allegation of acting unfairly or unlawfully which may be made in connection with any procurement by the Council of goods, services and works; and

(d) To ensure that any risks associated with entering into the contract are assessed as part of the procurement process.

3.2.2 On the 10th October 2005, Cabinet were presented with a report from Ian McPherson (the then Head of Procurement). The planned outcome was to *“facilitate more effective procurement across the Council and provide visibility and transparency in how the Council awards contracts.”* The report pointed out that the rules were last updated in 2004 and did not reflect the creation of the Corporate Procurement Team (CPT). The report said that procurement operated in a rapidly changing environment and the opportunity had been taken to update and simplify the rules so that they provided a clear set of procedures that must be followed to ensure the Council achieved the four aims referred to in paragraph 3.2.1(above). Cabinet approved the recommended revisions.

3.2.3 The revised Procedure Rules required certain actions to be taken including:

“2.6 Requirements over EU Threshold

2.6.2 Where the anticipated value of the contract exceeds the current EU Threshold (£153,000 for Supplies and Services) then the formal advice of the CPT should be sought prior to any tendering activity commencing.

2.6.6 All planned contracts with a value of over £153,000 will be reported by the CPT to the Cabinet Member Finance – Revenue who may refer to full Cabinet.

3.11.3 Prior to the award of a contract with a total value of over £500,000 the Officer must consult with the appropriate Cabinet Member(s), using the Contract Recommendation Template found on the Procurement Intranet site.”

3.3 The review of the Property Services function

3.3.1 The Council engaged Hedra, a consultancy organisation in about 2004. The scope of Hedra’s retainer is not yet clear save that Hedra was engaged to identify, implement and realise procurement costs savings. Hedra also appears to have undertaken a review of the Council’s Property Service. At some stage, not yet identified but not before January 2005 and possibly not until sometime afterwards, Hedra seem to have identified and recommended the need for a step change in performance within the Council’s Property Services function. Hedra seem to have considered that this could not be driven from inside the Council within reasonable timescales and outsourcing was the best option. Hedra may also have specifically recommended using a mini-competition under the relevant Office of Government Commerce (OGC) Frameworks and awarding a single contract for the provision of property and facilities management services.

3.3.2 At some stage the Council formed a Steering Group. Its members included Ian McPherson (Head of Procurement) and Mark Bassett (Head of Property). In December 2005 this Steering Group proposed the creation of a sub-project board to look at the employment of an external contractor to cover property repair and maintenance spend. The sub-project board was formally established at a date not yet identified but by May

2006. The membership of this sub-project board varied. The membership included Mark Bassett (Head of Property), Cliff Gregory (Hedra Consultant) and Dan Murray (Property Services). The extent to which CPT was involved is not yet clear.

3.4 Property Strategy

3.4.1 The Property Strategy 2005 – 2010 was in Forward Plan 48. The decision needed was described as “to endorse and adopt, including implementation of the actions of the strategy.” The reason it was a key decision was stated to be “likely to incur financial consequence in excess of £100,000”. Finally under the title of Spending/Saving it was stated that “It will significantly impact on the current and future use of resources: The property portfolio of value in excess of £900 million. The management and maintenance of assets estimated to be over £40 million per annum.” It identified consultees as including “External Property Framework Partner”.

3.4.2 At its meeting of the 13th March 2006, Cabinet were presented with a proposed property strategy, the author of the report was Mark Bassett (Head of Property). The report was presented to Cabinet by the then relevant Portfolio Holder (Councillor Robin Brown). The planned outcome of the report was the adoption of a property strategy by the Council, which stated the objectives, actions and targets related to the management of property to demonstrate that all resources are focussed on the achievement of the Council’s goals and priorities. The strategy document attached to the report was entitled; Property Strategy 2005 – 2010 v7.6 (Consultation Draft 5).

3.4.3 Cabinet resolved to “approve the property strategy”, but did however require that a further report giving target dates for completion of work should be made available. It was said that another report setting out target dates would be produced in the future. No subsequent reports on the strategy and no report setting out target dates were reported to Cabinet.

3.4.4 The Property Strategy provides a high level overview of key actions and tasks and did in particular include a specific action to ensure that property management and investment maximised value for money. More specifically it said:

Ref	Action	Task	Perf Measure / Target	Target Date
PSO 2.1	Establish improved supply chains for property related services including from sources external to the Council, demonstrating value for money and supporting where possible the local economy.	Agree with external providers range, scope, duration and value of services to be provided to the Council.	Contracts in place with external providers.	31 st March 2006

3.4.5 The Cabinet report supporting the property strategy document did not specifically include any recommendations for delegated powers giving officers authority to negotiate, determine or enter into contracts with external parties.

3.5 Property & Facilities Management – Invitation to Tender

3.5.1 Briefing meetings were held between Mark Bassett (Head of Property) with the then relevant Cabinet Member Councillor Robin Brown. The agendas show that reports were made of the outsourcing process. Minutes are not available to show the extent of these discussions. The Property Service Plan 2006/2007 set out the proposal to outsource property and facilities management using the OGC framework.

3.5.2 An officer led project team was established to manage the outsourcing process, consisting of the following:

- Mark Bassett – Head of Property and Project Executive Sponsor;
- Dan Murray – Property Services;
- Graham Rothwell – Corporate Procurement Team;
- Cliff Gregory – Hedra Consultant;
- Legal support was outsourced to TPP Law; and
- Responsible Director - Michael Reid – Executive Director (Operations).

3.5.3 An Invitation to Participate in a Mini Competition Tender for Property and Facilities Management Services was produced and issued to five companies who were existing holders of Property and Facilities Management Services Framework Agreements with the OGC. The selection criteria for the Invitation to Tender and the OGC Framework Agreement was the most economically advantageous tender.

3.5.4 The timetable adopted by the project team for the mini competition tender selection was broadly as outlined below:

- Invitation to submit proposal issued - 18th August 2006
- Deadline for return of tender submission - 8th September 2006
- Supplier presentations - 21st September 2006
- Preferred Supplier identified - 29th September 2006
- Contract Award / Start Implementation - 1st December 2006
- Anticipated Go-Live - 2nd January 2007

3.5.5 Of the five suppliers invited to tender, only three formal tender responses were received which were opened on the 11th September 2006.

3.6 Supplier Presentations / Evaluations

3.6.1 Tender submissions were evaluated following the completion of supplier presentations during mid September 2006. These presentations and the subsequent submission evaluation were completed by an officer panel consisting of:

- Mark Bassett – Head of Property;

- Dan Murray – Property Services;
- Cliff Gregory – Hedra Consultant;
- Stephen McCarthy – Head of Information Technology.

3.6.2 A standard assessment criterion was established and used consistently throughout the assessment / evaluation process. The basis of the criteria included 70% of the marks awarded for qualitative analysis and the remaining 30% of the marks being awarded on price. The Contractor was considered by the panel to score the best in each area and was subsequently awarded preferred bidder status from 29th September 2006.

3.6.3 Whilst there is satisfaction that supplier / tender evaluations have been completed, concern is expressed at the nature of the 70 / 30 split and also the general robustness of the evaluation process followed.

3.7 Signing of the Contract

3.7.1 The Cabinet decision relating to the adoption of the property strategy in March 2006 does not give any authority to negotiate, determine or enter into such contracts resulting from the strategy.

3.7.2 In view of the above, the current Head of Internal Audit (Steve Tinkler) has reviewed available documentary evidence, including email correspondence, to piece together the history as to how and who authorised the entering into the contract. The key documentation and steps are as follows:

- (i) Email from Mark Bassett (Head of Property) to John Neilson (Executive Director Finance) and Michael Reid (Executive Director Operations), dated 26th September 2006. This email provided the recipients with an overview of the supplier presentations, indicating that the Contractor was the preferred bidder to become the provider for Property and Facilities Management Services. The email also indicated that the relevant Portfolio Holder (Councillor Bill Parker) was to be briefed on the next steps.
- (ii) At the time the requirement for CPT to provide a report to the Cabinet Member – Finance (Councillor Bill Parker) of planned contracts over the EU threshold was done by means of a quarterly report (this was not a formal report to Cabinet). The Procurement Update Report prepared for Councillor Bill Parker dated October 2006 said “*Property - An OGC competition is now underway with a view to appointing a facilities management contractor.*”
- (iii) Email from Dan Murray (Property Services) to Councillor Bill Parker, dated 13th October 2006, copied to Paul White (the new Head of Procurement), Mark Bassett (Head of Property) and Geoff Stokes (Democratic Services).
- (iv) This email requests Councillor Bill Parker to consider the officer proposal for entering into a contract with a partner for Property and Facilities Management Services, with the Contractor being identified as the preferred bidder - although the Council has been unable to confirm the accuracy of this position. The email goes on further to state:

“Having discussed this with the various individuals copied into this message we do not feel it is necessary to bring this to Cabinet for a decision, because it has already been agreed by Cabinet as part of the Property Strategy

Prior to contract it will be necessary to complete a Contract Recommendation form. Mark Bassett would recommend approval and Paul White would confirm this. You would be asked to confirm that you have been properly consulted.

I would be grateful if you could let me know if this seems reasonable and confirm that you have no concerns about the process. If you would like to review any aspect of this or need any more information please let me know.”

- (v) Emails exchanged between Dan Murray (Property Services) and Paul White (Head of Procurement) on 30th and 31st October 2006. These emails relate to the question raised by Dan Murray (Property Services) as to who could sign the contract. Paul White’s (Head of Procurement) reply referred Dan Murray (Property Services) back to the original Cabinet paper in terms of the delegated authority.
- (vi) Email from Councillor Bill Parker to Dan Murray (Property Services), dated 1st November 2006. This email responds to the email from Dan Murray (Property Services) sent on 13th October 2006, as described in point (iii) above. Councillor Bill Parker confirms that:

“I have been kept fully informed of the Property Procurement review by Mark Bassett and Paul White and can confirm that I am happy for the process to continue.”

This is further supported by Cabinet Member Briefings held in November 2006 and Cabinet Member Update Report number 3 2006/07 (this was not a formal Cabinet report) sent to Councillor Bill Parker by the CPT in January 2007 which stated that a preferred supplier for a facilities management service has been identified and it was expected that contract implementation will start in mid January 2007.

3.7.3 The Head of Internal Audit’s (Steve Tinkler) review of the Committee Management Information System has confirmed that no further reports relating to the outsourcing of Property and Facilities Management Services were submitted to Cabinet between August 2006 and January 2007. This confirms, therefore that the decision to award the contract to the Contractor was based and reliant upon Cabinet approval of the Property Strategy in March 2006. His review has also confirmed that no budgetary provision was made as part of the budgetary process for the letting of the contract at any stage from November 2005 to the end of 2007. There was no reference to letting this agreement in any Forward Plan after 13 March 2006. In addition, the Council has also been unable to identify any record which would identify a proper line of delegated authority in relation to the award of the contract or any delegation which would entitle Councillor Bill Parker himself to take a decision to award the Agreement as a duly authorised Cabinet member.

3.8 Contract Award Recommendation

3.8.1 The revised Contract Procedure Rules approved by Cabinet in October 2005 included a requirement that all contracts over £500,000 will require prior consultation with the appropriate Cabinet Member and completion of the Contract Recommendation Template.

3.8.2 It has not been possible to locate the signed version of this document, however the trail of email evidence between 5th and 8th January 2007 has identified that a Contract Award Recommendation form was signed by the following:

- Mark Bassett (Head of Property) – In respect of approval for contract award by the authorised officer;
- Paul White (Head of Procurement) – In respect of Corporate Procurement Team confirmation that procurement process had been adhered to; and
- Councillor Bill Parker – In respect that prior consultation had been carried out with the relevant Cabinet Member.

3.8.3 The contract was signed and sealed by Vic Smith (Acting Head of Legal Services) on 19th January 2007.

4. Legal issues and advice from Leading Counsel

4.1 The contractual issues were dealt with as an exempt item at the meeting of the Council's Cabinet on the 10th March 2009. At that meeting, the decision was made to terminate the Council's contractual arrangement on the grounds of the financial viability of the contract to the Council.

4.2 In reviewing the financial effectiveness of the Contract, it was discovered that the Council had possibly entered into a contract with the Contractor on 22nd January 2007 without Cabinet approval and with no properly authorised delegation to the relevant officers to enter such a contract (contract was signed by the Contractor on 22nd January). Advice was sought, therefore, from Richard Clayton QC and Marion Smith (Counsel) as to whether the contract was unlawful and Richard Clayton QC confirmed that, in his opinion, it was *ultra vires*, i.e. unlawful. It must be accepted that only a court of law can ultimately declare a contract unlawful. However, Counsel have not been asked to advise on any questions which arise beyond those that directly concern the constitutional and contractual aspects of the contract.

4.3 Obviously, while the contractual issues have been the subject of a Cabinet decision on 10th March 2009 and the resulting issues are being negotiated, the Council is still left with matters relating to governance and apparent non-compliance with the Council's Constitution.

4.4 A full opinion has been obtained from Richard Clayton QC and Marion Smith (Counsel). The opinion itself is a privileged and confidential document, but is available to all elected members of the Council to read on an appointment basis. However, the Council has not waived the privilege in the opinion and this report has been made to members without prejudice to such privilege.

4.5 Counsel have directed their advice to the lawfulness of the contract entered into by the Council with and has advised on the following:

- (1) Whether there has been a failure to comply with the Council's Constitution;
- (2) Whether there has been a failure to comply with the Council's Procurement Rules;
- (3) Whether there has been a failure to comply with the procurement regime in accordance with the 2006 Public Contract Regulations; and

(4) The consequences of any failures.

4.6 Turning to each of the above under 4.5 (1) to (4):

(1) **Whether there has been a failure to comply with the Council's constitution**

4.6.1 Article 13.01 of the Constitution states:

“The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions relating to particular areas or functions. This record is set out in Part 3 of this Constitution.”

4.6.2 The Council has been unable to identify any record which would identify a proper line of delegated authority in relation to the award of the contract or any delegation which would justify any Cabinet Member or named officer in taking a decision to award the contract.

4.6.3 As a result, Counsel have advised that no individual Councillor had any delegated authority to authorise the contract and that in the absence of any delegated authority, the Constitution required that such an “*executive decision*” should have been made by the Cabinet under Article 13.03(b).

4.6.4 Furthermore, Counsel advised that the decision concerning the contract is a “*key*” decision as defined by the Council's constitution (as the Council itself decided at the time when adopting the property strategy on 13th March 2006).

4.6.5 Article 13.3(c) defines an executive decision which is a “*key*” decision as follows:

“(c) A “key decision” is an executive decision of the kind set out in (i) and (ii) below.

(i) A decision likely to result in the authority incurring expenditure or making savings in excess of £100,000. There are two instances when a decision falling within (i) above will not be a key decision

- All loans to banks and other financial institutions made in accordance with the Treasury Management Strategy and*
- The letting of contracts provided that the proposal to let a contract has received prior approval or for which budgetary provision has been made as part of the budgetary process.*

(ii) A decision likely to be significant in terms of its effect on community living or working in an area in Northamptonshire.

(d) In determining whether a decision is “significant” the decision taker should:

(i) consider whether the outcome will have an impact for better or worse, on the amenity of the community or quality of service provided by the Council to a significant number of people living or working in the locality affected.

(ii) have regard to the presumption towards openness (and hence it being a key decision).

- (iii) *whether it would be possible or practicable to reverse the decision.*
- (iv) *consult the member(s) whose electoral division(s) might be affected and, in case of doubt, may seek advice from the Monitoring Officer.*

(e) *All key decisions must be included in the forward plan*

(f) *The decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4 of this Constitution.*

4.6.6 Counsel have advised that, whilst the issue is ultimately one for the courts and will depend on the facts as found by the courts, their view is that the Council did not have the capacity in their opinion to enter into the contract and that the agreement is therefore *ultra vires*, i.e. unlawful.

(2) Whether there has been a failure to comply with the Council's Procurement Rules

4.6.7 The Northamptonshire County Council's Contract Procedure Rules (Final Draft issued in September 2005) as approved by Cabinet in October 2005 state that the Procurement Rules are expressed to form part of the Council's Constitution under Rule 1.1. Counsel have advised that the factual position is not yet fully clear and Counsel have been unable to express a definitive view as to whether or not there has been any breach of the procurement rules.

4.6.8 Subject to Counsel receiving additional information, they would advise that even if established, none of the potential breaches of the Procurement Rules which have been identified to date individually would appear to render the contract *ultra vires*.

4.6.9 Depending whether and if so the extent to which any such breaches may be established, it may be arguable that such breaches taken together demonstrate a wholesale disregard for the Council obtaining the level of protection contemplated by the introduction of Procurement Rules.

(3) Whether there has been a failure to comply with the procurement regime set out in the Public Contracts Regulations 2006, SI 2006/5

4.6.10 In July 2005, after pre-qualifying, the Contractor was invited by The OGC Buying Solutions to tender for an opportunity to become a Property and Facilities Management Services Framework holder. After a competitive tender process, the Contractor was awarded one of five places on the framework. The contract was awarded on the basis of OGC's Framework Agreement for Property and Facilities Services Framework Management Agreement. Under the terms of this agreement, the Contractor undertook to make the offered services available for order under the provisions of a contract, set out in Schedule 15 ("the Model Contract").

4.6.11 The Council conducted a "*mini competition*" under Regulation 19(7)(b) of the Regulations for the award of the contract by an invitation to participate in a Mini-Competition Tender dated 18 August 2006.

4.6.12 Counsel advised that in their opinion there has been a failure to comply with the procurement regime set out in the Public Contracts Regulations 2006.

(4) The consequences of any failures

- 4.6.13 Counsel advised that in their opinion the effect of breaching the Constitution is that the Council has acted *ultra vires* because it had no capacity to enter into the contract.
- 4.6.14 Counsel advised that individually the potential breaches of the Contract Procedure Rules are unlikely to amount to *ultra vires* acts but that it may be arguable that cumulatively they should be treated as *ultra vires* if the Council comprehensively ignored the protection conferred on it by the Contract Procedure Rules. Any advice on this matter is subject to clarification of the factual position and additional information.
- 4.6.15 Counsel advised that the breaches of the Procurement Regulations also amount to an *ultra vires* act.
- 4.7 Counsel have also expressed certain concerns about the Council's decision making process:
- 4.7.1 It appears that Council officers and Members made difficult and potentially very significant and costly decisions involving legal judgments without taking sufficient legal and professional advice (internal and external) at every stage where it would be appropriate to do so. The papers show that TPP Law and the Council's own legal services were involved to different degrees and at different stages. Advice appears also to have been taken from Hedra and the OGC. However, it is important to the Council to recognise when making arrangements with private sector providers who have access to legal advice of the highest quality; any failure to secure advice may enable commercial providers to promote their interests over that of the Council.
- 4.7.2 The formulation and recording of Council decisions has not been sufficiently rigorous.
- 4.7.3 It is also apparent that no records are kept of relevant delegations to officers and members and there is a lack of clarity about whether decision makers have the authority of the Council when making such decisions.
- 4.7.4 Counsel have advised that a better approach would be for the Council to:
- (a) keep accurate and up to date records of those to whom it delegates authority;
 - (b) ensure that all reports list out specifically the papers that the decision makers had before them;
 - (c) ensure that all reports must make very specific and clear recommendations to be enacted;
 - (d) ensure that all decisions must record precisely what specific recommendations are being adopted; and
 - (e) ensure that the proper and safe record-keeping of all relevant paper work occurs.

5. Counsel's Conclusion

- 5.1 As a result of examining the circumstances in which the decision to award the contract was made, there are important changes to Council procedures which must be considered, investigated and recommendations developed for consideration.
- 5.2 Counsel advised on the facts supplied that the Council has acted *ultra vires*, i.e. unlawfully.

6. Recommendations

Council is recommended to:-

- 6.1 Consider the Report.
- 6.2 Commission, under the direction of Leading Counsel:
- i. A review of the Council's Constitution;
 - ii. A review of all processes leading up to formal decisions being taken and the outcomes of those decisions; and
 - iii. A review of the corporate governance culture and practice of the Council.
- 6.3 Set up an investigation to be led by the Head of Internal Audit into the decision making process referred to in this report, reporting to the Head of Paid Service (Chief Executive).
- 6.4 Agree that the results of 6.2 and 6.3 be reported to the Council within six months.

7. Consultation and Scrutiny

- 7.1 As required in law, the Monitoring Officer has consulted with the Head of Paid Service and the Chief Finance Officer, as the Council's statutory officers, with regard to the content of this report.

8. Alternative Options

- 8.1 Under Section 5 of the Local Government & Housing Act 1989, the Monitoring Officer is under a duty to bring a report to Council where there has been a breach of the Council's Constitution and / or any enactment or rule of law.

9. Legal Implications

- 9.1 The legal implications are set out in the body of this report.

10. Financial Implications

- 10.1 The costs associated with implementing the recommendations will be met from existing resources.

Author:	Name: Alex Hopkins Team: Monitoring Officer
Contact details:	Democratic Services democraticservices@northamptonshire.gov.uk
Background Papers:	Various committee papers referred to in the report.
Does the report propose a key decision is taken?	NO
If yes, is the decision in the Forward Plan?	NO
Will further decisions be required? If so, please outline the timetable here	Yes, as outlined in the report.
Is this report proposing an amendment to the budget and/or policy framework?	NO, although further reports may.
Have the financial implications been cleared by the Strategic Finance Manager (SFM)? Have any capital spend implications been cleared by the Capital Asset Investment Group (CAIG)	YES Name of SFM: John Raisin Chief Finance Officer NO capital implications
Has the report been cleared by the relevant Corporate Director or ACE?	YES Name of Director: Head of Paid Service
Has the relevant Cabinet Member been consulted?	N/A
Has the relevant scrutiny committee been consulted?	N/A
Has the report been cleared by Legal Services?	YES Name of solicitor: Laurie Gould
Have any communications issues been cleared by Communications and Marketing?	YES Name of officer: Faye Scadden
Has an Equalities Impact Assessment been carried out in relation to this report?	NO, although an EqIA will be carried out on any proposed future changes.
Are there any community safety implications?	NO
Are there any environmental implications:	NO
Are there any Health & Safety Implications:	NO
Are there any human rights implications:	NO
Constituency Interest:	ALL