

## CABINET

<b>DATE</b>	9 <sup>th</sup> December 2020
<b>REPORT OF</b>	Councillor Ronald Shepherd, Portfolio Holder of Safer and Stronger Communities
<b>RESPONSIBLE OFFICER</b>	Clive Tritton – Interim Director of Economy and Growth
<b>SUBJECT</b>	Regulatory Services Management System
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	CB 12/20/04

### CONTRIBUTION TO OUR AIMS

The procurement of a new Regulatory Services Management System strongly supports the Council's values of a ***Stronger Economy and Stronger Communities***, by ensuring an efficient and well managed service to the borough. The new system will improve the utilisation of systems, reducing system management resource and improving integration across services.

The new system will contribute towards the following two outcomes:

- ***All people in NEL live in sustainable communities***, particularly the key focus areas of:
  - *We have a good quality built and natural environment that is well maintained*
  - *We are proud of where we live and work*
- ***All people in NEL enjoy and benefit from a strong economy***, particularly the key focus area of:
  - *Our quality of place improves*

### EXECUTIVE SUMMARY

The Council currently has a contract with CIVICA for provision of its Regulatory Services Management System. However, this contract is due to end in April 2021. In order for the Council to remain compliant with the Public Contract Regulations 2015 and ensure continuity of service, a replacement contract needs to be procured.

The replacement arrangements will comply with the Public Contract Regulations 2015, the Council's Contract Procedure Rules, and ensure that the Council achieves its duty of Best Value.

The Council's estimated whole life spend of the replacement arrangement is £400,000.

## **RECOMMENDATIONS**

It is recommended that the Cabinet:

1. Approves the commencement of a procurement exercise for the Regulatory Services Management System.
2. Delegates responsibility to the Director of Economy and Growth in consultation with the Portfolio Holder of Safer and Stronger Communities to deal with all matters leading to and including the award of the contract for the Regulatory Services Management System.
3. Authorises the Chief Legal and Monitoring Officer to complete and execute all legal documentation in connection with the award.

## **REASONS FOR DECISION**

The decision allows the Council to commence a procurement exercise for the Regulatory Services Management System and allow the Council to award the contract.

### **1. BACKGROUND AND ISSUES**

- 1.1. The Council currently have a contract with CIVICA for its Regulatory Services Management System. However, this contract is due to end in April 2021. In order for the Council to remain compliant with the Public Contract Regulations 2015 and ensure continuity of service, a replacement needs to be procured and implemented before April 2021. The system is used by the following service areas across the Council and Engie:
  - Home Improvement Service (Engie)- The Home Improvement Service undertakes housing enforcement duties under Housing Legislation which include investigating housing related complaints and serving the necessary statutory notices. They are also responsible for tackling empty properties and bringing them back into use through enforcement and offering guidance and assistance.
  - Disabled Facilities Grants (Engie)- The Disabled Facilities Grant Service works alongside the NHS to meet the Authority's statutory obligation to assist disabled residents to live independently in their homes.
  - Licensing Section - The Licensing Service are responsible for issuing licences under the Licensing Act 2003 (Premises and Personal Licences & Temporary Events Notices), Gambling Act 2005, Scrap Metal Dealers Act 2013, The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, and the Taxi and Private Hire Drivers, Vehicles and Operators Licences under the Town Police Clauses Act 1847 and Local Government (Miscellaneous Provisions) Act 1976. To a lesser extent, the Licencing Service are also responsible for Street Trading applications, and Street/Houses to House charitable collections

- Commercial Regulatory Team - The Commercial Regulatory Service undertake a large number of targeted inspections of local businesses to ensure they comply with applicable Environmental Health and Trading Standards legislation. In particular, food/feed safety & standards, health & safety, fair trading, counterfeit goods and infectious disease control.
  - Environmental Enforcement - The Environmental Protection Service forms an integral part of the Regulatory and Enforcement Service, performing both a strategic and enforcement function. The duties of the Environmental Protection Service are largely statutory and cover environmental subjects such as Contaminated Land, Local Air Quality Management, Environmental Permitting, Private Water Supplies Monitoring and Statutory Nuisance which can result in prosecutions.
  - Environmental Protection Team - The Environmental Enforcement Service is responsible for the investigation and prosecution of environmental crimes and bringing about positive behaviour changes through a mix of education and enforcement. It is a high demand service, tackling waste crimes such as littering and fly tipping and waste in gardens. The service removes abandoned vehicles, collects stray dogs and investigate statutory nuisance for smoke and drainage issues. The service also enforces breaches of Public Space Protection Orders, for dog fouling, cycling in controlled areas like the Town Centre and dogs on restricted areas of the beach in Summer. The service is also responsible for domestic properties that are filthy and verminous and commercial buildings that are open to access.
- 1.2 The procurement of a new management system aims to address the following key issues in order to improve the efficiency and effectiveness of the services areas:
- A lack of database access across the service areas.
  - Duplication of information across the service areas; and,
  - A lack of reporting capability.
- 1.3 The aim is that the replacement system will allow the service areas to align outcomes with key priorities and work closer together. A formal Invitation to Tender and award criteria will be developed, and the procurement will be undertaken in line with the requirements of the Public Contract Regulations 2015, and the Council's Contract Procedure Rules, and ensure that the replacement contract represents value for money for the Council.
- 1.4 A project team has been established in readiness to undertake the procurement which consists of officers from the service areas, the Commissioning and Strategic Support Unit and The Procurement People. Advice will be sought from Legal Services in relation to development of the terms and conditions and formation of the contract.

## **2. RISKS AND OPPORTUNITIES**

2.1 The replacement arrangement(s) will look to address the following risks:

- Database access issues

- Lack of public access facility for self-serve; and,
- A lack of fluency between different service areas leaving room for error.

2.2 The replacement arrangement(s) will look to take advantage of the following opportunities:

- To be able to be flexible and capable of adapting to changes within the service area.
- Subject to all appropriate legislation, the ability to share evidence, casework and information between partners should be enabled wherever possible and practical.
- A single cloud hosted system.
- Improve workflow management.
- Create alliance across regulatory services.

### **3. OTHER OPTIONS CONSIDERED**

3.1 Do Nothing.

This option would leave the Council with no contract in place, and non-compliant with the requirements of the Public Contract Regulations 2015

### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

4.1 There are potential positive/negative reputational implications for the Council resulting from the decision. An action plan will be agreed with the Council's communications service if needed.

### **5. FINANCIAL CONSIDERATIONS**

5.1 The purchase and implementation of the Regulatory Services Management System will be funded through capital, which has been approved by the Business Development Group and Assistant Directors' Group.

5.2 The on-going yearly licencing, hosting and support costs will be funded through existing revenue budgets within the service areas.

### **6. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

6.1 The recommended option will provide Regulatory Services, a Management System to better coordinate and support what we do in all our activities and decisions, with the aim to recognise and realise the economic and social benefits of a high quality environment.

This will lead to a more effective and efficient response, which shall work towards a low carbon North East Lincolnshire that is prepared for, and resilient to, the impacts of climate change.

## **7. CONSULTATION WITH SCRUTINY**

7.1 At this stage of the project, no specific consultation has been undertaken with the Communities Scrutiny Panel or the Enforcement Working Group.

## **8. FINANCIAL IMPLICATIONS**

8.1 The estimated capital investment is £130k and will require a budget to be added to the Capital Investment Programme, that will be funded through borrowing.

Any additional ongoing costs compared to the existing system will be required to be funded from within service budgets.

## **9. LEGAL IMPLICATIONS**

9.1 As outlined above, the procurement of a new Regulatory Services Management System is consistent with the stated aims and objectives of the Council, underpinning its strategic objectives of Stronger Economy, Stronger Communities.

9.2 The procurement exercise will be conducted so as to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015, and supported by relevant officers.

9.3 The delegations sought are consistent with an exercise of this nature.

## **10. HUMAN RESOURCES IMPLICATIONS**

10.1 There are no direct HR implications.

## **11. WARD IMPLICATIONS**

11.1 The system will cover all areas of the borough, however as this is a back-office function, no wards will be directly affected.

## **12. BACKGROUND PAPERS**

12.1 *Cabinet Report of 8<sup>th</sup> July 2019 entitled "Enforcement Working Group Findings Report"*

<https://nelincgovuk.sharepoint.com/sites/CIVICAProcurement/Shared%20Documents/General/2020%2007%20Cabinet%20Report%20Enforcement-Working-Group.pdf>

## **13. CONTACT OFFICER(S)**

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