

WAVERLEY BOROUGH COUNCIL

MINUTES OF THE CO-PORTFOLIO HOLDER FOR HOUSING DECISIONS - 30  
NOVEMBER 2022

(To be read in conjunction with the Agenda for the Meeting)

**Present**

Cllr Paul Rivers

**Also Present**

Councillor Paul Follows and Councillor Penny Rivers

5 MINUTES (Agenda item 1)

The Minutes of the Meeting held on 5 July 2022 were confirmed and signed as a correct record.

6 DECLARATIONS OF INTERESTS (Agenda item 2)

There were no declarations of interest raised under this heading.

7 APPROVAL TO AWARD INTERIM DOMESTIC GAS HEATING CONTRACT  
(Agenda item 3)

Councillor Paul Rivers, Co-Portfolio Holder for Housing (Operations) introduced the report which set out a proposal to award an interim contract for Domestic Gas Head, Servicing and Maintenance in Council owned properties.

Councillor Hyman spoke on this item, expressing concern over the short notice given for the taking of the urgent decision and the online reviews for the proposed contractor. He also sought clarification that the procurement process had been compliant with relevant legislation.

The Executive Head of Housing Services advised that the procurement rules had been rigorously complied with; and advised that complaints had been received about the previous contractor which resulted in the Council no longer having confidence that the contractor could provide the necessary health and safety assurances. Therefore in the interests of the health and safety of Council tenants, a decision was taken to end the current contract and procure a new provider. There had been a misunderstanding by the officers over the appropriate authority for awarding the contract, as a budget had already been allocated for responsive repairs, which was why the item had not been placed on the Forward Plan and an urgent meeting of the Co-Portfolio Holder for Housing Decisions had been called to enable the contract to be signed that day, under his delegated authority.

At the invitation of the Co-Portfolio Holder for Housing (Operations), the Leader echoed the concerns over the short notice, however advised that the intention had been to take a decision in public in the interests of transparency. He had asked

that, in addition to the noting report that was required to go to the Council meeting, a similar report come to the next meeting of the Executive and encouraged Councillor Hyman to take part in that meeting.

## **RESOLVED**

- 1. that the Co-Portfolio Holder for Housing approved that officers proceed to the award of the Domestic Gas Heating, Servicing and Maintenance contract; and**
- 2. that it be noted that the tender evaluation report is attached at Annexe 1 to the report.**

Reason:

On 12<sup>th</sup> October 2022 the Council formally issued a letter of termination to Central Heating Services Ltd and its parent company, Greenview Gas, under the “no blame” clause within the TPC contract.

The termination gave notice that the contract would formally end on 31 January 2023 - a period just over the contractually required 90 days’ notice.

In the intervening period officers have been intensively contract managing the incumbent contractor to ensure that statutory requirements and service to our tenants is not negatively affected.

Officers have also engaged in a procurement exercise through a framework organisation to award an interim contract to manage the domestic gas heating, servicing and maintenance works for our tenants.

A procurement exercise was conducted and due diligence carried out and an organisation - Smith & Byford – selected as the preferred bidder.

To ensure adequate mobilisation and handover time, facilitate TUPE transfer arrangements and enable the contract investment costs to be agreed the incoming contractor required a signed document in order to proceed.

To meet the mobilisation and contract ‘go live’ timescales, the contract must be sealed by 30 November 2022.

**The meeting commenced at 4.00 pm and concluded at 4.12 pm**

**Chairman**