



Haringey Council

Agenda item:

Cabinet

On 17 June 2008

Report Title: Appointment of the Procurement Committee and the Voluntary Sector Committee

Forward Plan reference number (if applicable): n/a

Report of: **Chief Executive**

Wards(s) affected: n/a

Report for: **Key**

1. Purpose

1.1 To appoint Cabinet Members to serve on the Procurement Committee and the Voluntary Sector Committee for the 2008/09 Municipal Year and to confirm the terms of reference of the two committees.

2. Introduction by Cabinet Member

2.1 This report sets out proposals for the establishment of two Cabinet decision-making committees:

- Cabinet Procurement Committee
- Cabinet Voluntary Sector Committee

Their terms of reference, membership and quorum are outlined in this report.

2.2 The Cabinet Procurement Committee will play an important part in enabling the Cabinet to undertake our responsibilities in relation to contract and procurement decisions. Good procurement decisions are central to sound financial management and our continued commitment to achieving value for money and the delivery of excellent services to Haringey's communities.

2.3 The Cabinet Voluntary Sector Committee will enable this Council to build on the constructive and positive relationships with our partners within the Voluntary Sector. The remit of this body is broader than in previous years and goes beyond the scope of solely allocating grant aid to that of issues relating to the Voluntary Sector in general.

2.4 These Cabinet decision-making Committees will continue to operate in the spirit of openness, transparency and accountability.

3. Recommendations

3.1 That the Cabinet appoint Members to serve on the Procurement Committee and on the Voluntary Sector Committee for the 2008/09 municipal year.

3.2 That the terms of reference of the Cabinet Procurement Committee and of the Cabinet Voluntary Sector Committee as outlined in paragraphs 8.2 and 8.3 below respectively be confirmed.

Report Authorised by: Dr. Ita O'Donovan,
Chief Executive

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4. Chief Financial Officer Comments

4.1 The Chief Financial Officer has been consulted on this report and has no comments to add.

5. Head of Legal Services Comments

5.1 The Council's Constitution sets out the relevant Cabinet arrangements at Part Three, Section D and confirms that the Cabinet may establish decision making committees, which may only include Cabinet Members. The Cabinet may establish advisory Committees, the membership of which need not be limited to Cabinet Members. The Cabinet may change them, abolish them, or create further ones, at its own discretion. Unless changed or abolished, the two decision-making Committees continue in operation without the need for formal renewal each year.

6. Local Government (Access to Information) Act 1985

6.1 Report to the meeting of the Cabinet on 19 June 2007 entitled 'Appointment of the Cabinet Procurement Committee' and the 'Appointment of Cabinet Voluntary Sector Committee'

6.2 Agenda for the Annual Meeting of the Council held on 19 May 2008.

7. Strategic Implications

- 7.1 Section 2 (Committees of the Cabinet) of Part Three Section D of the Council's Constitution provides that -

The Cabinet may delegate any of its functions to a Committee of the Cabinet. Committees of the Cabinet shall report to the Cabinet. The Cabinet may establish decision-making Committees, which may only include Cabinet Members. The Cabinet may establish advisory Committees, the membership of which need not be limited to Cabinet Members. The Cabinet may change them, abolish them, or create further ones, at its own discretion.

Committees established by the Cabinet shall be empowered to perform their functions with immediate effect unless the Cabinet imposes any express restriction when they are established. Unless stated otherwise, all Decision-Making Committees will continue in operation until expressly abolished by the Cabinet and all Advisory or Consultative Committees will continue in operation only until the first meeting of the Cabinet in the next municipal year following their establishment when they must be expressly renewed or they cease to exist.

The establishment, abolition or cessation of Committees and the amendment of their terms of reference will be reported to full Council in due course for noting in the Council's Constitution.

- 7.2 Because of the need to arrange meetings of the Cabinet Procurement Committee and of the Cabinet Voluntary Sector Committee it is necessary to ensure the early appointment of Members to serve on these on these two sub-ordinate bodies of the Cabinet in the 2008/09 municipal year.

8. Financial Implications

- 8.1 It is not anticipated that the establishment of these 2 Committees will, of itself, have any financial implications.

9. Legal Implications

- 9.1 See Section 5.1 above.

10. Equalities Implications

- 10.1 It is not anticipated that the establishment of these 2 Committees will, of itself, have any equalities implications.

11. Consultation

- 11.1 None

12. Background

12.1 In the municipal year 2007/08 the membership of the Procurement Committee was 4 with a quorum of 2 and consisted of -

Cabinet Member Resources (Chair)
Leader of the Council
Cabinet Member Children and Young People
Cabinet Member Housing

In addition the Members appointed were entitled to name any other Member of the Cabinet as a substitute in the event of absence from a meeting with the proviso that substitutes, when attending in that capacity, be recorded in the minutes as so doing and be entitled to carry full voting and other rights and responsibilities.

12.2 The Terms of Reference of the Committee agreed by the Council were as follows -

- a) To exercise the functions of the Cabinet in respect of all contracts for procurement for works, goods or services in accordance with the Contract Procedure Rules set out in Part Four Section J of the Constitution except for those matters expressly delegated to any other body or person;
- b) To undertake particular powers included within (a) as follows:
 - (i) waiver of Contract Procedure Rules where appropriate;
 - (ii) acceptance of tenders/award of contracts where appropriate;
 - (iii) approving variations, extensions and novations of contracts where appropriate;
 - (iv) annual review of Contract Procedure Rules;
 - (v) receive quarterly reports of the Director of Adults, Culture and Community Services and the Director of the Children and Young People's Services in relation to 'spot contracts';
 - (vi) agreeing of approved lists of contractors;
- c) To oversee the process and receive reports at key milestones in respect of procurement of strategic service areas;
- d) To advise the Cabinet on all matters concerned with procurement generally.

8.3 In the municipal year 2007/08 the membership of the Voluntary Sector Committee was 5 with a quorum of 2 and consisted of-

Cabinet Member for Community Cohesion and Involvement (Chair)
Cabinet Member for Enforcement and Safer Communities

Cabinet Member Resources

Plus 2 other Members of the Cabinet (All Members of the Cabinet to act as a panel of substitutes with three to be selected according to whose portfolio responsibilities were relevant to the particular areas of activity under review).

The Terms of Reference of the Committee agreed by the Council were as follows –

- a) To consider officer recommendations for future funding and agree the awarding of grant aid to the voluntary and community sector;
- b) To review funding to organisations where there is a potential breach of conditions of grant aid and/or service level agreement
- c) To advise the Cabinet on variations to the overall grant policy;
- d) To advise the Cabinet on all aspects of the Council's relationship with the Voluntary Sector including the management and use of the community buildings portfolio.

13. Conclusion

13.1 This report sets out the provisions contained in the Constitution in relation to the establishment of Committees of the Cabinet and the appointments to the two decision making committees which were made in the 2007/08 Municipal Year. The Cabinet is asked to appoint Members to serve on the committees for 2008/09 and to confirm the terms of reference of the committees

14. Use of Appendices / Tables / Photographs

14.1 None