

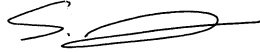
**Report for:** Delegated Decision

**Item number:** Not applicable.

**Title:** Variation of the Nuisance Vehicle Contract

**Report**

**authorised by:** Stephen McDonnell, Interim Director for Commercial and Operations



**Lead Officer:** Zoe Robertson, Head of Commissioning and Client,  
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**Ward(s) affected:** All

**Report for Key/**

**Non Key Decision:** Non Key Decision

**1. Describe the issue under consideration**

- 1.1 The Nuisance Vehicle Contract was awarded by Cabinet to NSL Limited on 25<sup>th</sup> September 2014 with a commencement date of 1<sup>st</sup> December 2014 and an Expiry Date of 30<sup>th</sup> November 2017 with an option to extend for a further two years.
- 1.2 This report seeks approval to vary the Expiry date of the Nuisance Vehicle Contract from 30 November 2017 to 22<sup>nd</sup> December 2017.

**2. Cabinet Member Introduction**

- 2.1 Not applicable.

**3. Recommendations**

- 3.1 For the Interim Director for Commercial and Operations to approve the variation of the Expiry Date of the Nuisance Vehicle Contract between the Council and NSL Limited from 30<sup>th</sup> November 2017 to 22<sup>nd</sup> December 2017 as permitted under Clause 45.1 of the said Contract in accordance with the Council's Contract Standing Order (CSO) 10.02.1(a)

**4. Reasons for decision**

- 4.1 The Council is required to make provision for the removal of nuisance vehicles and the current contract is due to expire on 30<sup>th</sup> November 2017

- 4.2 The current contract contains an option for the contract to be extended for a further 2 years and the Council is desirous to take up that option to extend the contract.
- 4.3 Discussions about extending the contract for two years in time for the original expiry date did not reach a conclusion in time for a decision before the 30th November. A three-week extension was agreed in order to ensure continuation of service and allow time for discussions and the decision making process.
- 4.4 Further to 4.3 above, In order to give room for the decision making process and to allow for discussion with the Supplier, a variation extending the contract Expiry Date is therefore necessary.

## 5. Alternative options considered

- 5.1 Do nothing – this will allow the current contract to expire on the current expiry date as provided under the contract and the Council may not be able to take up the option to extend the contract.

## 6. Background information

- 6.1 The previous five-year nuisance vehicle contract ended in 2014.
- 6.2 The council put the nuisance vehicle contract out to tender in May 2014. Three responses were received, and the evaluated to ascertain the most economically advantageous tender. NSL was the highest ranking supplier, and were awarded top marks in both the quality and price sections.
- 6.4 A decision report was present to Cabinet on 16 September 2014, and it was resolved:
- i. That approval be given to the award of the nuisance vehicle contract, which included a fully managed service for the removal and disposal of nuisance vehicles, pound provision and management to NSL Ltd for a period of three years from 1 December 2014;
  - ii. That it be noted that the cost of the contract over an initial three-year period was £1,672,666.14; and
  - iii. That approval be given to award the contract at a total cost of £2,787,776.09, including the provision to extend for a further two years, subject to satisfactory performance.
- 6.5 The current costs of the contract and income received are detailed in the table below:

	2016/17	2017/18 YTD (six months Apr-Sep)
<b>PCNs</b>	£132,510	£63,980
<b>Removal Fees</b>	£402,800	£190,155

<b>Storage</b>	£42,265	£28,485
<b>Abandoned</b>	£6,080	£2,885
<b>Auction</b>	£8,899	£28,124
<b>Disposal</b>	£59,869.6	£40,800
<b>Total received via NSL</b>	<b>£652,424</b>	<b>£354,429</b>
<b>Contract cost to Haringey</b>	<b>£557,555</b>	<b>£278,777</b>
<b>Surplus</b>	<b>£94,869</b>	<b>£75,652</b>

## 7. Contribution to strategic outcomes

- 7.1 The removal of nuisance and abandoned streets contributes directly to Priority 3 in the Corporate Plan for a clean, well maintained and safe borough where people are proud to live and work.

## **8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

### **8.1 Legal**

- 8.1.1 The Assistant Director of Corporate Governance notes the contents of the report.
- 8.1.2 Clause 45.1 of the Contract between the Council and NSL Limited provided that the Parties may agree in writing to vary the terms and conditions of the contract. CSO 10.02.1(a) gives a Director the power to authorise the variation of a contract where the value of the variation is less than £500,000.
- 8.1.3 The Assistant Director of Corporate Governance sees no legal reasons preventing the Interim Director for Commercial and Operations from approving the recommendations in the report.

### **8.2 Equality**

- 8.2.1 There are no particular equalities issues arising from the extension of this contract. Parking and traffic enforcement contributes to road safety. It ensures access for all road users, in particular disabled drivers who rely on the use of specially provided disabled parking bays.

## **9. Use of Appendices**

Must be in electronic form only; where necessary documents should be scanned by the report author and incorporated into the report. The report should indicate where the papers can be viewed (either on the web or in the Members' Room). There is a requirement to publish information on the internet and intranet sites.

## **10. Local Government (Access to Information) Act 1985**

- 10.1 A record of the original contract award approval can be found at: <http://www.minutes.haringey.gov.uk/documents/g6972/Printed%20minutes%2016th-Sep-2014%2018.30%20Cabinet.pdf?T=1> (pages 14-15)

### **Important Additional Guidance on Accessibility**

- Documents must be available for Councillor Hearn at the **same time** as for all other Councillors
- The council's primary typeface, Helvetica, should be used for all reports and accompanying documents, size 12 preferred (Arial font is also acceptable)
- Text should be as plain as possible with no boxes around it, Microsoft Word is preferred, not PDF, and no abbreviations (such as Cllr.) and try to keep symbols to minimal use
- Roman numerals are not suitable for a person using a screen reader so please use normal paragraph numbering/ lettering and bullet points where necessary
- Reports should be written without images, however, where images are used, report authors must provide a text alternative in all cases (a short paragraph explaining what the graphs, table, pictures etc are showing). Detailed examples can be provided by contacting [Natalie.layton@haringey.gov.uk](mailto:Natalie.layton@haringey.gov.uk)
- Appendices
  - All of the above applies for appendices and report authors should avoid including lengthy PDF documents as part of the report
  - In some cases an executive summary could be more appropriate if Councillor Hearn is on the committee
- Presentations – if Powerpoints are to be used then a Word version must be submitted in advance of the meeting (and at the same time it is made available to all other members)
- The Democratic Services Team will not accept reports which are not in an accessible format.
- In the rare event that a document is not in a fully accessible format the report author must submit, by the same report deadline, an accessible version for Councillor Hearn (if she is on the relevant committee)
- Plain text documents should be saved with document names including "DATE TITLE COUNCILLOR HEARN PLAIN TEXT"

## Categories of Exemption

Exempt information means information falling within the following categories:

### Part 1

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed upon a person; or (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

### Part 2

Qualifications to the above exempt information:

(a) Information falling within paragraph 3 above is not exempt information under that paragraph if it is required under – (a) the Companies Act 1985 (b) the Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Acts 1965 – 1978 (e) the Building Societies Act 1986 (f) The Charities Act 1993.

(b) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

(c) Information which – (i) falls within any of paragraphs 1-7 above; and (ii) is not prevented from being exempt under (a) or (b) above is exempt information if and so long as, in the opinion of the Monitoring Officer, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.