

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet
AUTHOR/S: Colin Tucker / Head of Legal Services

12 October 2006

APPOINTMENT OF CONTRACTOR – PINE VIEW, SMITHY FEN, COTTENHAM

Purpose

1. To seek the Cabinet's approval to accept a single tender for the execution of work in accordance with Contract Standing Order 4.5.

Background

2. Members will be aware that the Planning Sub-Committee is considering taking direct action pursuant to Section 178 of the Town and Country Planning Act 1990, to enforce the provisions of an Enforcement Notice and High Court Injunction to remove sheds, caravans and hard standing from Pine View, Smithy Fen, Cottenham. If the Planning Sub-Committee decide to take direct action at its meeting on 11 October, contractors need to be appointed to carry out the works.

Considerations

3. In order to carry the action as mentioned above, the Council needs to instruct external bailiffs. Your Officers believe that the agents previously instructed to carry out the works at Victoria View in 2005 will provide the most effective service. In order to instruct these agents without carrying out a formal tendering process Cabinet approval is required pursuant to Contract Standing Order 4.5 which allows the acceptance of single tenders where the Council considers it desirable in its best interests. The value of the contract is between levels 3 and 4 as defined in the Constitution, thus requiring this procedure to be followed.

Options

4. There are two options available to Members:
 - (a) To accept the recommendation and allow direct action to proceed in accordance with the current plan.
 - (b) Not to accept the recommendation. A tendering process would therefore be required, delaying the direct action.

Implications

5. In line with general and specific statutory duties under the Race Relations Act 1976 and Race Relations (Amendment) Act 2000, the Council operates a Race Equality Scheme (RES). This was last revised and agreed by the Council in July 2006, with an update of the 2005 - 2008 action plan.
 - (a) The Council is committed to treating everyone fairly and justly, whatever their race or background.

- (b) The Scheme gives priority to actions relating to Travellers as the biggest ethnic minority in the district (around 1.0% of the district's population).
- (c) Planning is identified as being amongst the services most relevant to promoting race equality.
- (d) The lead Cabinet Member for Race Equality, Councillor Edwards, is establishing an RES Member Working Group. This will highlight to the Cabinet and GTDPD Member Reference Group findings and recommendations from ODPM Circular 1/2006 and the Commission for Race Equality's "Common Ground" report, which may be appropriate to the Council's strategic approach to Traveller issues and the Gypsy and Traveller Development Plan Document. The first meeting of the Working Group is being arranged to take place in October.

6. Financial	The work can be undertaken from within the budget approved by the Planning Sub-Committee on 8 September 2006.
Legal	The report is required in accordance with the Council's Contract Standing Orders
Staffing	The service will be provided externally
Risk Management	The Planning Sub-Committee has considered risk management surrounding this issue in detail. There is also a separate Risk Assessment for the proposed action.
Equal Opportunities	Please see paragraph 5 above.

Effect on Annual Priorities and Corporate Objectives

7. Affordable Homes	The need to address Gypsy and Traveller issues has implications for all three Council priorities and all four corporate objectives. This is also reflected in the Council's policy on Traveller issues, agreed in July 2004 which includes a commitment to: "apply planning policy fairly and firmly in relation to Traveller sites" and "uphold the rights of all local residents and Travellers to live peacefully and safely, with mutual respect for the rights of others".
Customer Service	
Northstowe and other growth areas	
Quality, Accessible Services	
Village Life	
Sustainability	
Partnership	

Recommendation

- 8. That the agents used in previous direct action preparations be appointed as preferred contractors for the taking of enforcement action at Pine View, Smithy Fen, Cottenham, in accordance with Contract Standing Order 4.5

Background Papers: the following background papers were used in the preparation of this report:

Draft Minutes of the Planning Sub-Committee 8 September 2006

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