

ITEM 5

Time began 2.00pm
Time ended 2.05pm

URGENT LEADER OF THE COUNCIL CABINET MEMBER MEETING 18 DECEMBER 2012

Present: Councillor Bayliss

15/12 Apologies

There were none.

16/12 Late Items Introduced by the Chair

There were no late items.

17/12 Declarations of Interest

There were no declarations.

18/12 Derby Live Catering Services

The Leader received a report from the Strategic Director of Neighbourhoods on Derby Live Catering Services. The report was presented Director of Derby Live.

It was reported that catering services at the Assembly Rooms and Guildhall Theatre had been outsourced to commercial caterer Kudos Catering (UK) Ltd. The Director explained that, in anticipation of the contract ending on 9 January 2013, a 16 month extension was offered to and accepted by Kudos. On the 4 December 2012, however, Kudos informed Derby LIVE that it would no longer accept the extension. The Director further explained that as a result, from 10 January 2013, Derby LIVE would be unable to offer the necessary catering services to support the programme of performances, events, festivals and conferences at the Assembly Rooms and Guildhall Theatre. The Strategic Director of Neighbourhoods reported that the counter offer (submitted by Kudos) contradicted the council's procurement rules and thus, was incapable of acceptance.

The Director of Derby LIVE proposed to maintain the provision of catering through the establishment of an in-house service. If agreed, the proposal would waive contract procurement rules to allow Derby LIVE to immediately source the range of food, beverages and catering supplies required, where existing frameworks and suppliers were not in place. The Director clarified that this temporary measure was proposed in line with contract procedure rule 6.1 and would precede a full procurement exercise being undertaken.

In response to questions submitted by the Chair of the Planning, Housing and Leisure Board in advance of the meeting, the Director of Derby LIVE confirmed the budgeted net contribution to the council of £52,445 per annum would be maintained through the in-house operation. The Director did not envisage the proposals to cause a negative impact upon the council's budget.

The Strategic Director confirmed that members of staff, to whom the Transfer of Undertakings (Protection of Employment) Regulations applied, would be transferred to the council's employment.

Following a request from the Leader, the Strategic Director agreed to review the possible implementation of electronic point of sale facilities at the Assembly Rooms, together with the associated cost implications.

The Leader gave consideration to the other options available, as outlined in sections 5.1 to 5.3 of the report inclusive.

Resolved to:

- 1. bring Derby LIVE's catering services at the Assembly Rooms and Guildhall Theatre in-house;**
- 2. waive contract procurement rules so as to allow Derby LIVE to immediately source the range of food, beverages and catering supplies required, where existing frameworks and suppliers are not in place and prior to a full procurement exercise being undertaken; and**
- 3. provide vacancy control approval for Derby LIVE to recruit any casual and agency catering staff required to operate the catering services in-house.**

MINUTES END