

Item No	Classification: Open	Date: 29/11/2011
To	Cabinet Member for Finance, Resources and Community Safety	
Report title	Gateway 2 – Contract Award Approval, Addendum Southwark and Lambeth Barristers Framework	
Ward(s) or groups affected	All	
From	Strategic Director, Communities, Law and Governance	

RECOMMENDATION(S)

1. That the Cabinet Member for Finance, Resources and Community Safety approves the award of the Southwark Lambeth Barristers Framework contract, at an estimated cost of £6m, to the providers listed in the Gateway 2 report
2. That the Cabinet Member for Finance, Resources and Community Safety considers this addendum in making his decision. This addendum is issued following the notification the Council received on the 23rd November 2011 from Clarendon Chambers informing the Council of the Chambers decision to dissolve itself and cease operations after the 24th December 2011.

BACKGROUND INFORMATION

3. On the 25th November 2011, Southwark Council was informed by Clarendon Chambers of the Chambers' management team's decision to dissolve the Chambers with effect from the 24th December 2011. The Chambers' senior clerk informed the Councils that the decision for dissolution was due to a high number of Barristers leaving the chambers in the last 6 months. Appropriate financial checks according to the Councils pre-qualification competition set procedures were performed on Clarendon during the pre-qualification phase. Clarendon passed the financial assessment. These checks included an assessment of turnover, income over expenditure, forecast budget, financial background and insurances.
4. Clarendon Chambers were one of the 32 successful Chambers for the joint Lambeth and Southwark Barristers framework. The Chambers was successful in 3 panels having received the highest score for Childcare and Housing Litigation panels and the second highest score for General Litigation (Civil). As the Council was notified of the dissolution following the publication of the decision notification for the Barristers Framework contract award, this report seeks to explain the implications of their dissolution.
5. **Panel 1: Childcare:** The Councils intend to award contracts to up to a maximum of 10 chambers for this panel. 10 Chambers passed the minimum quality threshold set for the evaluation and were ranked according to their combined price and quality score. Clarendon scored 77.58 out of 100 and were ranked as number 1 in this panel. Due to their dissolution before the framework's first operational day (1st April 2012) Southwark and Lambeth Councils are unable to award Clarendon the contract for this and other

panels they have been successful in tendering for. Renaissance Chambers who were second with a combined price and quality score of 74.93 out of 100 will rank no 1 in the panel out of 9 remaining successful chambers.

6. **Panel 2: Housing:** The Councils intend to award contracts to up to a maximum of 10 chambers for this panel. 9 Chambers passed the minimum quality threshold set for the evaluation and were ranked according to their combined price and quality score. Clarendon scored 76.26 out of 100 and were ranked as number 1 in this panel. With their dissolution and therefore removal from the framework, Staple Inn Chambers who were second with a combined price and quality score of 74.83 will rank no 1 in this panel.

7. **Panel 6, General Litigation (Civil):** The Councils intend to award contracts to up to a maximum of 8 Chambers for the General Litigation panel, 4 contracts for Crime and 4 for Civil Litigation. Clarendon scored 73.34 for Civil Litigation and were ranked as no 2 out of 4. As a result of our inability to award a contract to Clarendon, the third and fourth ranking Chambers (Field Court and Arden Chambers) will move up one position to take the second the third framework positions respectively. Field Court scored 71.01 and Arden 64.44 out of 100. 2-3 Grays Inn square who were originally fifth with a score of 59.40 and therefore outside the framework agreement proposal will now move to the fourth position in Civil Litigation and will therefore be awarded a contract for this panel.

8. While Clarendon's dissolution removes the option of awarding them contracts for the panels they have been successful, the quality and price submissions from the 31 remaining successful Chambers on the Councils' framework provide a "best value" mix of cost and quality and it is therefore recommended that the Councils proceed with the award of contracts as originally planned in November 2011.

9. Appendix 1 to this addendum presents the revised list of successful chambers in each of the panel areas identified in the tender specification.

BACKGROUND DOCUMENTS

Background documents	Held At	Contact
Gateway 1 – Procurement Strategy Approval, Southwark and Lambeth Barristers Framework	Southwark Lambeth Barristers Framework project office, 160 Tooley Street	Christos Pishias on 020 7525 7312
Gateway 2 – Contract award approval	Southwark Lambeth Barristers Framework project office, 160 Tooley Street	Christos Pishias on 020 7525 7312

AUDIT TRAIL

Lead Officer	<i>Doreen Forrester-Brown, Head of Legal Services</i>		
Report Author	<i>Doreen Forrester-Brown</i>		
Version	<i>Final</i>		
Dated	<i>29th November 2011</i>		
Key Decision?	Yes	If yes, date appeared on forward plan	February 2011
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments included	
Democratic Services	Yes	Yes	
Legal services - contracts	Yes	Yes	

