



**POLICY AND RESOURCES SCRUTINY COMMITTEE –
21ST APRIL 2009**

**SUBJECT: DIRECTORATE OF THE ENVIRONMENT PROCUREMENT – UPDATE &
FORWARD PLAN**

REPORT BY: DIRECTOR OF CORPORATE SERVICES

1. PURPOSE OF REPORT

- 1.11 The purpose of this report is to advise P & R Scrutiny on the position in relation to contractual undertakings in the Directorate of the Environment at 1st December 2008.
- 1.2 To update P & R Scrutiny of the changes in the Procurement Services staff structure and the progress made by that team since taking up posts earlier in 2008.
- 1.3 To inform P & R Scrutiny of any financial implications in relation to the current situation and future procurement plans.

2. SUMMARY

- 2.1 This report is the fourth of four initial reports to be submitted from procurement advising of the current position and forward work plan with regards to the four Directorate areas across the authority. Reports have already been submitted for Social Services, Corporate Services and Education and Leisure.
- 2.2 A team of five Procurement Professionals have been employed working with the Directorate of the Environment, having taken up posts in April and August 2008. The team consists of one Principal Procurement Officer and four Procurement Officers, of which two are dedicated to the procurement needs of the Building Maintenance DLO.
- 2.3 The objective is to integrate the procurement expertise and support into the significant purchasing activity that takes place across each of the five service areas managed by the Directorate of the Environment.
- 2.4 The contract requirements for the directorate are diverse and challenging, providing goods, works and services internally to other directorates as well as directly to the public. The directorate utilises many established purchasing arrangements and collaborations.
- 2.5 Although many of the contracts have been subject to competition, historically, within some service areas, there has been little consultation with the procurement team. The focus moving forward will therefore be to establish strong working relationships with key officers within the directorate to ensure that the best possible procurement options are being considered and that the authority maximizes use of collaboration and development of the supply chain.
- 2.6 The team will, where possible, evaluate options for collaborating with other contracting bodies such as the Office of Government Commerce (OGC), Value Wales Procurement and the Welsh Purchasing Consortium (WPC) with a view to achieving efficiency savings, both cash releasing and process improvement.

3. LINKS TO STRATEGY

- 3.1 The report links into the core aims and objectives of the Authority by recommending a planned and consistent approach to contracting for the whole of the Directorate of the Environment for the future. This will allow the development of secure, cost effective, sustainable supply chains and embed the required procurement practices within the directorate.
- 3.2 To reduce risk to the authority in terms of financial risk management and contract compliance.

4. THE REPORT

- 4.1 The Procurement team is structured across the authority on a Strategic Lead Action Network basis, which facilitates procurement professionals in each directorate having the lead strategic procurement role, whilst retaining management control from the centre. As a result officers from the corporate procurement team have lead procurement responsibilities for the Directorate of the Environment, reporting directly to the Contracts Manager, Procurement Services, whilst liaising closely with key personnel within the Directorate of the Environment.
- 4.2 Having taken up posts in April and August 2008, the directorate procurement team consists of one Principal Procurement Officer and four Procurement Officers, of which two are dedicated to the procurement needs of the Building Maintenance DLO.
- 4.3 The directorate is large and diverse, providing a wide range of services both directly to the public and via other service areas. The complexity of the directorate requires a sophisticated operational and accounting structure. The challenge for the procurement team is to gather appropriate data and to analyse and interpret it accurately so as to be able to respond with appropriate recommendations. The directorate has undergone many changes recently as a result of restructuring. This has added to the complexity of the data gathering.
- 4.4 A data gathering exercise is ongoing and is providing a clearer picture of existing contractual undertakings and service areas within the directorate are assisting with this process. A complete picture of external spend across the directorate cannot therefore be provided at this time. However, from the data gathered to date, priority areas are being identified and procedures initiated where warranted, putting arrangements in place that will ensure best value and compliance with regulatory requirements.
- 4.5 A summary of each division of the directorate follows, which gives a high level overview of contractual compliance identified to date. Further details of specific undertakings are given at Appendix A, along with an individual evaluation of the spend identified. A high proportion of the external spend in the directorate is capital, and details of capital specific undertakings identified to date are given in Appendix B.
- 4.6 The directorate manages an estimated external spend of £48m Capital and £55m Revenue (2008/9). Within this report, an indicative contracts spend value of £33.6M has been identified (both Procurement managed and undertaken by directorate officers). £11m is identified as having no contractual arrangements, however this does include utilities costs and will require more detailed analysis.
- 4.7 In order to address any areas of possible concern or non-compliance with contract standing orders, EU procurement legislation and Financial Regulations, procurement officers will work closely with officers within the directorate to evaluate current requirements, undertake the necessary options appraisal and develop future strategies to ensure compliance and best value. Officers will explore every opportunity for collaboration and identification of potential efficiency savings.

- 4.8 Work to identify the most appropriate means of maximising the benefits through the optimal contractual arrangement is still ongoing in many areas.
- 4.9 Annual external expenditure figures are indicative. Where possible, these are based on actual 2008/09 OLAS expenditure to Q3, projected over 12 months. However, in some instances it has been necessary to use indicative figures (mainly capital) provided by the Finance Support Unit.
- 4.10 Where non contractual spend is identified, it should be noted that this will contain utilities costs and in some cases non-discretionary spend. For example Western Power Distribution is the statutory undertaker for electricity infrastructure in the borough and this will impact spend in many service areas, in particular Engineering.

5. ENGINEERING SERVICES

- 5.1 With an estimated external spend of £27m Capital and £21.6m Revenue (2008/9), Engineering Services provide a range of services spread over a wide diversity of works, service and supply arrangements. Many contracts are of a very specialist nature including the £18m Bargoed Bypass, spanning a number of years to completion.
- 5.2 Contract arrangements are complex, and are managed by a number of officers responsible for the individual schemes and projects. Corporate and collaborative arrangements are utilised where possible; however a closer working relationship with the relevant officers within the Engineering Services area and the procurement team is needed to ensure that procurement fully understand the requirements of the service area and can therefore help to identify opportunities to establish contractual arrangements in areas of non-compliant spend.
- 5.3 Encompassing NCS (Highways DSO) Engineering Services manage many complex, high value undertakings on behalf of the authority in the following divisions: -

5.4 Transportation Engineering

- 5.4.1 The majority of spend is on the provision of Public Bus Transport and a compliant contract process is managed in conjunction with procurement for this area.
- 5.4.2 Contracts that Procurement has had involvement in influence approximately £3.3m of an estimated external spend of £4m. Further investigation is required into spend in this area in order to determine if there is further scope to implement other formal procurement processes in conjunction with the technical specialists. It is important that the key relationships that have been established continue to be strengthened

5.5 Highways Infrastructure and Engineering Consultancy

- 5.5.1 Highways Infrastructure and Engineering Consultancy manage an estimated external spend of £11.2m. Procurement has had involvement with contracts that impact on circa £5m of spend, with a further £40k having been identified as requiring formal procurement processes. There is still further investigation required into spend in this and other areas that potentially could benefit from procurement processes including drainage and culvert works.
- 5.5.2 An estimated £6m of contracts is undertaken, deemed to be compliant, which procurement has not influenced. A further £500k of undefined spend has been identified that requires further analysis although some of this spend will be on ad hoc or non-discretionary spend.
- 5.5.3 Engineering Consultancy carry out many processes on behalf of the service area and other areas such as Planning, Parks and Grounds Maintenance, and further investigation is required to establish what processes have been implemented and whether there are areas that can benefit from collaboration or framework agreements to cover works of a similar

nature.

- 5.5.4 Key relationships are starting to be established and will need to continue in order to progress and implement any formal procurement processes that may be required in conjunction with the relevant technical specialists and departments.

5.6 Network Contracting Services (NCS DSO)

- 5.6.1 Good progress has been made with regard to contracts awarded within the NCS service area. The majority of contracts are compliant and procurement is making an impact in the area, particularly through arrangements administered via the WPC.
- 5.6.2 Procurement is impacting on circa £2m of an estimated external spend of £3m. A further £260K has initially been identified as requiring formal procurement processes. Further investigation will be required to analyse and understand the total spend value.
- 5.6.3 Key relationships are being established and will need to be maintained. Areas identified as requiring formal procurement processes include the tipping and buy back of aggregates (£155k), line marking (£50K) and review of small tools and plant equipment being spent outside of the WPC arrangements.
- 5.6.4 There are also a number of contractors that undertake works such as painting and other construction activities and further investigation is required to analyse the spend and establish what procurement processes can be implemented to help bring improved efficiencies in these areas.
- 5.6.5 A collaborative arrangement with other South East Wales authorities to establish a highways contractor framework is currently going through a formal EU procurement process and will involve highways structures, construction and resurfacing works. This process will allow for improved efficiencies and compliance.

6. HOUSING SERVICES

- 6.1 Housing Services procure a wide range of goods and services in the delivery of their service objectives. The main expenditure is on the maintenance and improvement of public and private dwellings. External spend for the division is estimated to be circa. £16m revenue and £7m capital.
- 6.1.2 Housing Services are a large and diverse division and the degree of involvement from the procurement team has varied from one area to another. An overview of the position in each area is given below.

6.2 Private Housing.

- 6.2.1 External spend in this area is predominantly on Capital schemes and projects, improving the standard of private housing within the county borough and providing disabled adaptations to residents.
- 6.2.2 Projected Capital outlay for 2008/09 is £6.2m (including £1m agency works undertaken on behalf of Social Services) on 8 categories of mainly works related expenditure. Much of the spend is grant related in the form of home improvement grants and block repairs in designated renewal areas. Key relationships have been established and good progress is being made building on the good practice already evident in the service area.
- 6.2.3 Procurement has recently worked with this service to let a contract for Major Works of Adaptations, and is currently undertaking a tender process for Block Repair works. Each contract has an estimated annual value of £1m.

6.3 Public Housing.

- 6.3.1 Responsible for the many public housing services undertaken by the authority, this area manages an estimated capital spend of £8m and external revenue spend of £7.5m.
- 6.3.2 Procurement has made a small impact in this area influencing circa £1.2m of spend of an estimated identified external spend of £5.8m. Further investigation and information must be obtained from individual areas within the Housing team to better understand any procurement processes that have been implemented within this service area.
- 6.3.3 Key relationships are starting to be established and will need to expand and continue in order to progress and implement any formal procurement processes that may be required. The corporate procurement team have already begun a process to implement a formal procurement process for fencing (£25K spend in this service area) and Bed and Breakfast provision (£255K) has also been initially identified as an area where a procurement process could be implemented.

7. BUILDING MAINTENANCE (DLO).

- 7.1 Building Maintenance draw off a number of local and collaborative arrangements, and significant progress has been made in respect of contracts awarded within the Building Maintenance service area already.
- 7.2 With the introduction of dedicated procurement officers into the team, the procurement processes already implemented can be continually monitored and improved.
- 7.3 Procurement is impacting on circa. £3.2m annual spend, with a further £1m having been identified as requiring formal procurement processes.
- 7.4 Key relationships have been established and many priority areas have been identified including contracts for the supply and erection of fencing (£150k); asbestos surveying, removal and disposal (£150k); demolition (£180k) and a roofing arrangement (£475k).
- 7.5 A number of sub contractors are required to undertake works such as plastering, flooring and electrical installations and further investigation is required to establish what procurement processes can be implemented to put formal contractual arrangements in place.
- 7.6 It is anticipated that further spend analysis may identify other areas where formal contractual arrangements will bring benefits, as analysis to date suggests an estimated £1.2m of external spend may still need to be investigated, however this spend includes ad hoc and non discretionary spend as well as utilities costs.

8. BUILDING CONSULTANCY

- 8.1 Building Consultancy provide multi-disciplinary professional support to other services and arrange and manage a wide range of premises related works and maintenance contracts on behalf of service providers. A significant external spend is initiated by the section, with settlement of the monies committed being arranged by the service provider or recovered by internal recharge.
- 8.2 Building Consultancy will manage an estimated external revenue spend of £1m in 2008/09. The service initiate procurement processes on a regular basis, however procurement services has had very limited opportunity to contribute to this spend and further information is required with regards to contracts that have been administered in order to analyse the spend data and identify any potential concerns.

9. PLANNING DIVISION

9.1 Planning manage an estimated external spend of £800k revenue and £7.3m capital (08/09), providing services that impact directly on the quality of the physical environment of residents.

9.2 A Planning Administration spend of 51K, in addition to the section headings below has been identified. This shows some use of corporate arrangements with an undefined spend of 46K that will require further investigation.

9.3 Development Control and Building Control

9.3.1 This area has an estimated external spend of £64K. To date no spend against corporate or collaborative arrangements has been identified. This may be due to the nature of the works undertaken, but further investigation of the data will be required to determine what opportunities exist for framework arrangements or cross directorate collaboration.

9.4 Countryside and Landscape services

9.4.1 This area use a number of compliant arrangements and through these contracts Procurement is impacting on circa. £97K of estimated external spend of £553k. Detailed analysis will be required to determine what element of the £456k undefined spend may benefit from other framework arrangements and cross directorate collaboration.

9.5 Forward Planning and Urban Renewal

9.5.1 Procurement is yet to explore any opportunities in this area, only influencing £22k of an estimated £60k of external spends through existing arrangements. There is evidence of compliant purchasing activity, however this area needs to be investigated to determine any opportunities to benefits from framework arrangements or cross directorate collaboration.

10. PUBLIC PROTECTION

Public Protection is responsible for services that seek to protect the environment and the public, their health, safety and well being. With an estimated external spend of £2.1m (08/09), there is a requirement for a diverse range of goods and services.

10.1 Environmental Health

10.1.1 There has been a small impact from procurement in this area influencing circa £188K of spends per annum of an estimated external spend of £670K. Much of the spend is for ad hoc supplies and services, and more detailed investigation is required to understand any procurement activities that may have been implemented in this area.

10.2 Community Safety

10.2.1 External spend in this area is mainly in relation to the provision and maintenance of CCTV systems in town centres and car parks throughout the borough. Other ad hoc spend is in relation to the provision of the Community Safety Warden Service and Community Safety Partnership activities.

10.2.2 Estimated external spend is £1m (08/09). A large portion of this is tied to BT and other system providers. Analysis suggests that corporate arrangements are used and spend is generally compliant.

10.2.3 Procurement is impacting on circa £110K however this area is heavily involved in partnerships

and grant funding and therefore a further understanding of these areas is required in order to understand and establish opportunities for procurement involvement. It is critical that any area of spend involving grant funding has robust procurement practices in place in order to ensure full compliance to grant terms and conditions.

10.3 Trading Standards & Licensing

- 10.3.1 This is an area of low spend with many ad hoc purchases that would not require formal procurement processes to be implemented. Procurement impacts circa £4K with a further £52K being identified as mandatory spend with the Trading Standards Institute.
- 10.3.2 There are some small areas of spend that can be looked into, as there may be cross directorate spend in other areas that could potentially be aggregated.

11. PUBLIC SERVICES

- 11.1 Public Services have a wide requirement for goods, services and works procurement. Delivering services that are highly visible to the public, external spend is estimated to be £15m (08/09) including £600k capital. The division is responsible for a range of services, as indicated below.

11.2 Refuse & Cleansing and Building Cleaning

- 11.2.1 Significant progress has been made with regards to contracts awarded within Refuse & Cleansing. The majority of contracts are compliant with processes ongoing, particularly within the waste management section.
- 11.2.2 Procurement has been involved in contract processes that influence spend in this area of circa. £5.7m, with a further estimated £923K having been identified as requiring formal procurement processes and work is ongoing with procurement and the service area to implement these. Analysis suggests a further estimated £563K of external spend may need further investigation; however it is important to recognise that this spend will also include utilities costs, non-discretionary spend and smaller ad hoc spend.
- 11.2.3 Key relationships have been established and priority areas identified to date include welding, green and food waste disposal/treatment and disposal of waste to landfill.
- 11.2.4 Work with contractors that deal with scrap metal and disposal of tyres has also been identified as requiring formal procurement processes. Continued investigation is needed to establish what other procurement arrangements may be required within this area, however this area will benefit from a new Fencing Contract that will be tendered in the next few months.

11.3 Parks & Open Spaces and Cemeteries

- 11.3.1 Grounds Maintenance, Parks and Cemeteries already utilise a number of compliant procurement processes that have been developed with procurement. It is important that procurement works with this area to develop an understanding of the areas needs and requirements so that appropriate processes and solutions can be implemented in conjunction with all relevant technical specialists.
- 11.3.2 Procurement has had involvement in contracts that have influenced on circa. £1.2m of an estimated £2m external spend in 2008/2009. It is important to understand that although these figures reflect actual spend in 08/09 they may reduce if less work is undertaken by the service area and therefore purchasing activity will vary.
- 11.3.3 From the estimated £2m spend circa. £184K has been identified as potentially requiring formal procurement processes and by working together with the service area to understand

needs and requirements, appropriate processes and solutions can be identified and implemented where appropriate. This area will also greatly benefit from a new Fencing Contract that will be tendered in the next few months involving a number of service areas across the authority.

- 11.3.4 Analysis suggests a further estimated £650K of external spend will require further understanding and investigation in collaboration with the service area. It is important to note that this figure also includes utilities costs, ad hoc spend and non-discretionary spend.
- 11.3.5 External expenditure for Cemeteries is mainly capital, relating to the extension of cemetery boundaries and improvement works (£505,000 08/09). The majority of the work is arranged through tender processes conducted by Engineering Consultancy. The Grounds Maintenance DLO often price for any landscaping works, which are usually of a relatively low value compared with costs associated with the development of the sites.
- 11.3.6 Key relationships are evolving and procurement is becoming more involved with the purchasing activity, particularly since the rollout of e-procurement within this area. There are opportunities to explore procurement options to enable efficiencies and best value within the service area whilst ensuring compliance to Standing Orders for Contracts, EU Procurement Regulations and Financial Regulations.
- 11.3.7 Close working relationships need to be established between procurement officers and key staffs within the service areas to ensure that a clear understanding of operational requirements is obtained. Opportunities can then be explored to determine what potential procurement arrangements can be employed to take advantage of any specialist/high volume requirements that may exist, particularly where purchases of materials in large quantities is required.

11.4 Fleet Management & Vehicle Maintenance

- 11.4.1 External spend in this area is comprised of revenue spend which is mainly recharged to service users for the provision, operation and maintenance of vehicle fleet requirements.
- 11.4.2 A number of contracts and collaborative arrangements are utilized including the Hire of Self Drive Vehicles contract £2.4m, the WPC Fuel contract £1.5m and the Value Wales Tyre contract £81k. An undefined spend of £130K has been identified. Vehicle maintenance utilizes a number of ad hoc arrangements for the provision of vehicle parts and repairs. A high percentage of this relates to specialist parts and services and further investigation is required to determine if an element of this spend would benefit from more formalised arrangements.

12. PROGRESS TO DATE & WORK IN PROGRESS

- 12.1 Officers in Procurement Services recognise the many diverse and specialist areas of service delivery that exist within the Directorate of the Environment. They recognise the good work, professionalism and expertise that are clearly demonstrated in many areas and welcome the spirit of cooperation extended by many. It is hoped that the progress to date will continue, through mutual respect and understanding of each other's roles, so that contract compliance and efficiency savings can be achieved wherever possible.
- 12.2 Progress has been made within the directorate, with contracts that previously had not been subject to a formal procurement process now undergoing a compliant procurement process.
- 12.3 In some areas of the business, the supply base appears underdeveloped, therefore prior to any appropriate procurement exercise, procurement officers along with the supplier relationship officer will endeavour to inform the supply base of the procurement opportunities and provide as much support as possible.

13. PRIORITIES

- 13.1 It is essential that the progress made to date continues and that contract compliance and efficiency savings are realised wherever possible.
- 13.2 Officers of the authority will continue to work together to identify the key priorities and will develop work plans that will ensure that undertakings in greatest need of review and improvement receive the prompt attention warranted.
- 13.3 All new contracts will be approached with a view to incorporating sustainable and environmental factors, which will include a proactive approach to the inclusion of Small Medium-size Enterprises and the voluntary sector, wherever opportunities exist.

14. FINANCIAL IMPLICATIONS

- 14.1 The present volatile nature of the world economy continues to impact prices for the majority of goods, works and services. An increasing level of vigilance must therefore be maintained when developing and managing arrangements.
- 14.2 It is also important that we identify that departments have approved budgets for contracts prior to any procurement process. In order to ensure this, the procurement team will work closely with the service area accountant to ensure that the budget is available, and any resulting efficiencies will be recorded accurately using the Value Wales measurement tool.

15. FUTURE STRATEGY

- 15.1 Compliance with standing orders for contracts, Financial Regulations and EU legislation for this directorate varies across service areas. In order to ensure that our external spend is being utilized to maximum advantage, officers will carry out a detailed spend analysis to identify areas of non-compliance and opportunities for collaboration and efficiency savings.
- 15.2 Areas of spend will be identified that could potentially be undertaken as collaborative arrangements with organizations such as Value Wales, Welsh Purchasing Consortium and the Office of Government Commerce (OGC). In the event that no collaboration is possible, officers will work in conjunction with the client department to investigate innovative or alternative ways of working in accordance with EU legislation, the Authority's Standing Orders for Contracts and Financial Regulations to bring about delivery of better public services which demonstrate improved value for money.
- 15.3 Addressing environmental and sustainability issues will be a key priority. Officers will ensure wherever possible environmentally friendly materials and products are utilised and suppliers will be encouraged through specifications, to investigate and introduce environmentally friendly goods and services. There will also be close working relationships formed with key environmental and energy officers to ensure internal departments are aware of collaborative energy frameworks and solutions for recommended energy savings.

16. PROCESS IMPROVEMENT

- 16.1 The authority has already implemented the use of the Welsh Purchasing Card and e-procurement. Officers will review the current use within the directorate and where required, will assist with the use of procurement cards and e-procurement to maximise process improvement to business operations. This will significantly reduce purchase order and invoice processing transactions and help reduce transaction-processing costs. The National Audit

Office has accepted that public sector bodies can typically save £28.00 per transaction by utilizing a procurement card.

- 16.2 Increasing back-office efficiencies through reducing manual administrative processes has long been a recognised objective. Consolidated invoicing is a mechanism for this, producing a single invoice for multiple orders. As part of the current XchangeWales implementation, officers will investigate the opportunities for consolidated invoices.

17. PERSONNEL IMPLICATIONS

- 17.1 There are no direct personnel implications associated with this report.

18. CONSULTATIONS

- 18.1 Consultation has taken place and comments received have been reflected in the report.

19. RECOMMENDATIONS

- 19.1 That members note the current situation regarding contract arrangements within the Directorate of the Environment.
- 19.2 That members note the progress to date and the financial implications associated with current committed contracts.

20. REASONS FOR THE RECOMMENDATIONS

- 20.1 To ensure Corporate Compliance of contractual undertakings within the Directorate of the Environment.

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