

Decision under Delegated Powers

Officer Requesting Decision (if necessary)

Sylvia Wright, Head of Leisure and Culture

Officer Making the Decision

Justin Henry, Strategic Director – Commercial Development, Assets and Leisure

Recommendation

That Lambert Smith Hampton (LSH) be engaged via Crown Commercial Service (CCS) framework RM6168 for the provision of Estate Management services to provide support to CBC by preparing a Green Book Business Case to secure Town Deal funding for two Council-led Town Deal Projects.

Reason

To provide the necessary expertise and resource to complete the task that the Council does not currently have, without which the Council would fail to secure the funding and deliver the projects.

Authority for Decision

The Strategic Director - Commercial Development, Assets and Leisure has the following delegated power under the Constitution (Delegation to Officers part 2a, Section 8.2 Delegation of Council Functions, Delegation to the Chief Executive, Strategic Directors and Heads of Service, paragraph 5) : To sign contracts up to a value of £50,000 entered on behalf of the Council in the course of the discharge of a Council function.

Further, in an email exchange between the Chief Executive, the Section 151 Officer and the Monitoring Officer on 25 September 2020, The Chief Executive conferred authority to the Strategic Director, Commercial Development, Assets and Leisure to sign contracts on behalf of the Council with a value in excess of £50,000.

Decision and Date

Approved on 14 April 2020



Justin Henry
Strategic Director – Commercial Development, Assets and Leisure

Background

The Council has been successfully awarded £16.9m from the Town Deal funding from Central Government. Two of the projects in that bid submission are led by the Council – Lanes and Links and Living Loughborough.

In order for the funds to be released to the Council to complete the projects, a Treasury Green Book Business Case must be completed and evaluated. The Council has neither the resource nor the expertise to prepare the Green Book business case.

Officers engaged LSH to determine if they could assist. LSH are also providing the same support to several other councils in England under a CCS framework RM6168. Following scoping sessions, it was determined that LSH could complete the work.

Costs were discussed with the CX and S151 officer in an email exchange on 22 February 2022, where it was agreed that any costs not met by grant would be funded by the Reinvestment Reserve, where the CX has discretion to spend.

The Decision taker is also the Contract Compliance Officer, and he deems that Contract Procedure Rules are waived, as set out below:

Contracts Procedure Rule(s): - Subject to Contracts Procedure Rule 11 (2) below and provided that a proposed contract complies with any other Procedure rules, related Code(s) of Practice and Financial Procedure Rules, Contracts Procedure Rules 4, 5, 6, 7, 8 and 10 will not apply to:-

(f) procurements made through or on behalf of PfH or any other consortium, association, government body or agency, or similar body provided that tenders or quotations are invited and contracts placed in accordance with procedures, which are broadly equivalent to these Procedure rules and also comply with any national or EU legislation.

Comments from HR

No HR Implications

Financial Implications

The contracted service is projected to cost £62,471.25. This will be supported by £20,000 of grants made by the Delivery Sub Group of the Town Deal Board. The remaining £42,471.25 will be met from the Reinvestment Reserve initially, and after the successful delivery of the business case and the funding has been released, this cost will be capitalised.

Risk Management

Risk Identified	Likelihood	Impact	Overall Risk	Risk Management Actions Planned
That the supplied business case is not sufficient to secure the Town Deal funding	Unlikely (2)	Serious (3)	Moderate (6)	When nearing the completion of the business case, the Council will review the business case with the appointed evaluator to ensure sufficiency.

Key Decision:

No

Background Papers:

None