





Officer Decision Record

1. Subject and details of the matter
<p>North East Lincolnshire Council (NELC) have a contract with Telefonica O2 that expires in June 2018. North Lincolnshire Council (NLC) currently have a contract with EE that expires in June 2019.</p> <p>This contract provides our mobile phone and data services connections for a variety of devices. Total whole life value of the previous contract was £480,000.00, looking at the indicative savings analysis provided using our baseline connection figures NELC are expected to save £43,000 a year by accessing this framework.</p> <p>On January 18th 2018 an exception to the Contract Procedure Rules was approved for the Council to access a recognised Crown Commercial Services Framework (NFC81) under the Network Services (RM1045) framework. The contract allowed NELC to join 2018 and NLC to join in 2019.</p>
2. Is it a Key Decision as defined in the Constitution?
No
3. Details of Decision
<p>Process: The procurement process was compliant with the requirements of the Contract Procedure Rules and Public Contracts Regulations, and a further competition is being run under the Network Services (RM1045) framework.</p> <p>Length of contract: 3 year call off initial period, with the option for two 1 x 12 month extension periods.</p> <p>Award The contract was awarded to Vodafone who provided the best value for money.</p>
4. Is it an Urgent Decision ? If yes, specify the reasons for urgency
No
5. Anticipated outcome(s)

To proceed with the award for North East Lincolnshire's new mobile contract with Crown Commercial Services and that when we enter the new mobile contract at NELC a saving will be achieved through accessing this framework.
6. Details of any alternative options considered and rejected by the officer when making the decision
N/A
7. Background documents considered:
Costs of current contract compared to Vodafone's proposed prices indicated a saving for both North East Lincolnshire Council and North Lincolnshire Council.
8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons
N/A
9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)
No conflicts of interest.
10. Monitoring Officer Comments <i>(Monitoring Officer or Deputy Monitoring Officer)</i>
A framework contract has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part. There are further advantages of assurance in that any such framework by necessity must be compliant with Public Contracts Regulations 2015. A framework approach is considered good practice and comes with its own efficiencies.
11. Section 151 Officer Comments <i>(Deputy S151 Officer or nominee)</i>
As outlined above, access to the framework is estimated to achieve savings of £43,000 per annum.
12. Human Resource Comments <i>(Strategic Workforce Lead or nominee)</i>
There are no HR implications arising from the contents of this report.
13. Risk Assessment (in accordance with the Report Writing Guide)
The current contract with Telefonica O2 expires in June 2018, failure to join the Crown Commercial Services "Network Services (RM1045) framework" could result in a loss of mobile network services which would have a significant impact on services across the Council. The Council could go out to tender however this would not result in value for money as we would be purchasing as one authority rather than having

the buying power tendering with other authorities and public sector organisations that this tender has resulted in. This would be inefficient and potentially result in additional costs, also it could result in two different suppliers for North and North East Lincolnshire Council which goes against our best efforts to streamline contracts.

14. Decision maker(s)	Name: SHARON WROOT Title: DIRECTOR OF FINANCE, RESOURCES & OPERATIONS Signed:  Dated: 8/5/18
15. Consultation carried out with Portfolio Holder(s):	Name: MATTHEW PATRICK Title:  _____ Signed and Dated
16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor	Name: _____ Title: _____ _____ Signed and Dated



Officer Decision Record

1. Subject and details of the matter
<p>Engie on behalf of the Council is seeking to extend the current Electricity Utilities Framework.</p> <p>The indicative value of the extension is £1,836,560</p> <p>The original contract duration awarded was for 36 months plus a further 1 x 12 months extension. The original contract dates are 01 April 2016 to 31 March 2019.</p>
2. Is it a Key Decision as defined in the Constitution?
Yes
3. Details of Decision
Approval to extend the contract as per advice until 31 March 2020
4. Is it an Urgent Decision ? If yes, specify the reasons for urgency
No. NELC need to provide notice of extension by September 2018.
5. Anticipated outcome(s)
See rationale provided by Ecova. To enable future opportunities for electricity purchasing at low cost to be maximised.
6. Details of any alternative options considered and rejected by the officer when making the decision
To not extend contract which may result in price increases for NELC basket.
7. Background documents considered:
<p>Cabinet on 15 April 2015 approved the following proposals:</p> <p>To adopt a new "risk based" approach to energy procurement which would open up opportunities to share income generated through commission for any new organisation joining the Council's energy "basket"; Ceasing of arrangements with YPO from 1st April 2017.</p>

Cabinet on 09 December 2015 approved the following;

That the Chief Legal Officer – Monitoring Officer in conjunction with the Portfolio holder be granted delegated authority to award the new energy supply contract on behalf of the Council.

The contract award notice was published on the Official Journal of European Journal under the reference 2016/S 046-074996

**8. Does the taking of the decision include consideration of Exempt information?
If yes, specify the relevant paragraph of Schedule 12A and the reasons**

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No.

10. Monitoring Officer Comments

An extension to an extant contract is a permitted activity by exception under the terms of the Council's internal Contract Procedure Rules as detailed in the Constitution. For further assurance an exception is also permitted where the use of a regional or national framework arrangement (as in this case) will provide the most cost effective solution.

A framework contract has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part.

There are further advantages of assurance in that any such framework by necessity must be compliant with Public Contracts Regulations 2015. A framework approach is considered good practice and comes with its own efficiencies.

The Constitution also provides:

"In all instances a written request for exception, clearly documenting the reasons, must be notified in advance to the approving officer before the exception can be actioned. A standard exception form should be completed"

11. Section 151 Officer Comments
(Head of Finance & Assets or nominee)

An extension to the contract would allow the Council to take advantage of cheaper forward electricity prices. This would help negate price pressures that are likely to result from additional Government green levies and other non-commodity price increases.

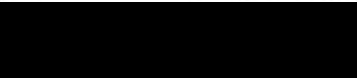
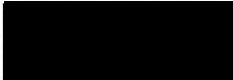
12. Human Resource Comments
(Head of Governance & Business Support or nominee)

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

Failure to extend contract will mean that the Council will potentially pay more for

electricity services and Council will be exposed to significantly increased costs. Given the market volatility and conditions (as per attached) it is important that the Council “locks down” base load at an early opportunity whilst it considers future options. Council also need to confirm commissioning approach to utilities and ENGIE to undertake analysis and options appraisal to inform future decision making.

14. Decision maker(s)	Name: A. Blake Title: Director of Economy and Growth Signed:  Dated: 9/5/18
15. Consultation carried out with Portfolio Holder(s):	Name: Councillor David Watson Title: Portfolio Holder Energy and Environment Signed:  Dated: 9/5/18
16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor	Name: N/A Title: _____ Signed and Dated



Officer Decision Record

1. Subject and details of the matter

North East Lincolnshire Council has the opportunity through the Smart Energy Business Greater Lincolnshire project (SEBGL) to undertake energy conservation measures in our public buildings in NEL. This is a key strand of activity to realise the Council's ambitious approved Energy Low carbon Vision. The project is partly funded from European Regional Development funding (ERDF) and Salix funding both of which have clear criteria and requirements which must be met.

The original bid included ENGIE's original assessment and indicative investment grade proposals for a number of our buildings in NEL. The Ministry for Housing Communities and Local Government (MHCLG previously DCLG) have reviewed the approach and have approved the project which will formally start on 01/04/18. Cabinet approved the project on 20/12/17 and delegated authority to enable project mobilisation activities to be carried out.

As part of the mobilisation activities, the internal SEBGL project team have been working to understand which buildings should be taken forward for detailed design as part of a phase 1 list and those priorities in our phase 2 list which ENGIE can begin to assess further and get them ready quickly for hopefully achieving further investment in the future.

The internal SEBGL project team have engaged with key stakeholders and undertaken a phased prioritisation exercise to identify the buildings for taking forward for energy conservation measure investment:

- a) Assets team undertook a review of the council's corporate estate and from this long list a number of buildings were identified as suitable for inclusion and further assessment.
- b) The internal SEBGL project team reviewed and refined the list, assessing the inclusion and priority based on the following criteria;
 - Greatest energy consumption and demand – to achieve greatest impact CO2 and KWH reduction and potential savings
 - Strategic priority and future known plans
 - Deliverability – ECM's must be evidenced in place within the 3 years of the project.

To note, where plans are uncertain and no decisions made, for example a building highlighted that could be part of a community or commercial transfer, the project

team took the view that investment was still appropriate as savings could be taken out of budgets prior to transfer and appropriate legal arrangements put in place to meet Secretary of State contractual requirements. This investment will still benefit the community or provider the building would transfer to should decisions be made in the future and overall would still benefit NEL in contributing to achieving the energy and carbon vision and carbon reduction overall. It will also achieve delivery of outputs required from the project to enable claiming of the funding, matched by Salix funding (a low cost loan) or other funding available.

Consideration was also given to a couple of buildings that by investment in them this would support and enable realisation of potential other opportunities or uses, and support further business case development.

c) The proposed refined list was circulated to all members of the Corporate and Commercial Capital board and Regeneration board for comments. Four responses were received and this feedback which has been considered by the SEBGL project group to further assess the lists and consider suitable phasing.

d) The list was further refined following feedback and reprioritisation to provide a list of top 10 sites for initial assessment

e) Consideration of phase 1 and indicative funding of these was also given by Capital programme Group members as part of the approval of the Capital Service Statement, and received approval from leadership team for adding the project commitment to the Capital Programme on 27/02/18.

The Council have assessed the Funding Deed of Agreement and subject to signing the contract the newly recruited dedicated SEBGL project team will commence from 01/04/18.

2. Is it a Key Decision as defined in the Constitution?

Yes

3. Details of Decision

The purpose of the ODR is to seek formal agreement to the list of sites below which will allow ENGIE to swiftly undertake the necessary work and enable NELC to be in a strong position to deliver the challenging outputs required of the SEBGL.

That the Director of Finance Operations and Resources, in consultation with the Portfolio Holder for Finance and Resources and Portfolio Holder for Energy and Environment, consider future strategic need and where necessary sites will be reprioritised and included in the programme for further assessment.

Phase 1 Sites	Phase Comment
William Molson Centre	1
Grimsby Municipal Offices	1
Grimsby Auditorium	1
Cleethorpes Leisure Centre	1
National Fishing Heritage Centre	1
Cleethorpes Town Hall and Civic Offices	1
Grimsby Market Hall	1
Grimsby Swimming Pool (New) - Billed with Grimsby Leisure Centre	2-Sub
Immingham Swimming Pool	2-Sub
Cromwell House	2-Sub
Grimsby Town Hall	2-Sub
Grimsby Archives Office	2-Sub
Bradley Sports Ground	2-Sub
Abbey Walk Multi-storey Car park	2-Sub
4. Is it an Urgent Decision ? If yes, specify the reasons for urgency	
<p>Yes. Subject to signing the MHCLG Funding Agreement the SEBGL project is due to commence from 01/04/18. There are challenging timescales and outputs to achieve to enable the funding to be drawn down. Delays in this decision will impact on ability to deliver with a risk funding may be lost and the positive impact on our buildings, energy reduction and potential savings not realised.</p>	
5. Anticipated outcome(s)	
<p>To enable ENGIE to undertake the necessary detailed work required to further assess the suitability of the sites for further decision making against ERDF/Salix eligibility criteria for investment.</p> <p>More energy efficient buildings, achieving a positive impact on the Councils outcomes and priorities by enabling a reduction in CO2/KWH and financial savings.</p>	
6. Details of any alternative options considered and rejected by the officer when making the decision	
<p>The following buildings were considered but at this time not included in the programme to prevent incurring potentially abortive costs. The Council could chose to survey all of those on the list which were deemed lower priority in readiness for next phase.</p>	
Sites Considered New Oxford House William Barcroft Academy Springfield Academy Grimsby Central Library The Discovery Centre	Reason Initially identified but does not meet eligibility criteria. Academies initially identified however now would need to apply in own right, savings not of immediate benefit to Council , and other potential funding sources could be available . Other strategic decisions required. In scope of another project.

Grimsby Crematorium	Other strategic decisions required.
Grimsby Leisure Centre	Other strategic decisions required.
Waltham Library Europarc and Innovation centre	Assessed as low priority from phase 2 list in next priority order
Poplar Road Business Unit	
Cleethorpes Business Centre	
Cleethorpes Library	
Alexandra Dock Business Centre	
3 Town Hall Square	
The Knoll	
Humber Seafood Institute	
7. Background documents considered:	
Cabinet 15 April 2015	
Cabinet 20 th December 2017	
8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons	
No.	
9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)	
No.	
10. Monitoring Officer Comments	
<p>Cabinet approved the project on 20.12.17 and delegated authority to enable project mobilisation activities to be carried out. The project team has identified the list of sites prioritised and incorporated within the project, as part of a phased prioritisation exercise and engaging with key stakeholders.</p> <p>The decision will enable ENGIE to undertake the necessary detailed work required to further assess the suitability of the sites for further decision making and to achieve the timescales to realise the funding to be drawn down.</p>	
11. Section 151 Officer Comments (Head of Finance & Assets or nominee)	
The funding for the proposed works is already incorporated into the Council's capital programme. The priority list has been established based on criteria that offers best value for money to the Council.	

12. Human Resource Comments*(Head of Governance & Business Support or nominee)*

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

- Failure to deliver energy and carbon CO2/KWH savings and long term reduction to contribute to overall CO2 priorities and targets.
- Project fails to meet its challenging timescales and outputs- reputational risk and risk of project overspending.
- Financial risk in not being able to obtain funding to be able to achieve a positive sustainable impact on our buildings and energy reduction.
- Failure to achieve potential savings via reduction of KWH.

14. Decision maker(s)

Name: A. Blake

Title: Director of Economy and Growth

Signed: _____

Dated: 11-4-18

15. Consultation carried out with Portfolio Holder(s):

Name: Councillor David Watson

Title: Portfolio Holder Energy and Environment

Signed and Dated 11-4-18

16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name: Councillor Phillip Jackson

Title:

Signed and Dated



Officer Decision Record

1. Subject and details of the matter

The Council has approved in principle the budget for the replacement of numerous vehicles in 2018/19 and in particular six Education Transport buses and four Highways tipper vehicles. The Capital Service Statement (CSS) reference number is NELC0011. The CSS was approved by the Capital Programme Group on 18/12/2017 and was then approved by Leadership Team in January 2018.

Further approval is now sought to release capital so as to enable a procurement process.

To achieve a procurement deadline approval is being sought to commence a procurement for the purchase of the above ten vehicles and for the award to be delegated to the Director of Finance, Operations and Resources in consultation with the Portfolio Holder for Energy and Environment. The vehicles will be procured through a mini competition by accessing one of the recognised and established procurement frameworks. All suppliers on these frameworks are reputable and market leaders. Accessing these frameworks will reduce the time to market and competition through these frameworks will achieve value for money. Access to call off vehicles which all suppliers on the framework have signed up to, will further reduce unnecessary time and costs. Procurement will be led by Fleet Management through a joint team including Fleet Management, The Procurement People and service managers.

The ten vehicles named have an estimated replacement cost of approximately £560,000, and are part of an overall approved fleet replacement budget of £2,175,000, for 2018/19. A full report to Cabinet is envisaged within the coming months.

Approval will also realise savings within these departments due to reduced costs on repairs and maintenance and fuel savings due to more efficient engines. The new vehicles will also improve air quality.

There are other vehicles for replacement in this financial year but these will be included in the forward plan submitted within a Cabinet report in the coming months.

2. Is it a Key Decision as defined in the Constitution?

Yes. The value of the proposed procurement is above the £350,000 threshold for a key decision.

3. Details of Decision

1. To commence a procurement exercise via a recognised framework for the replacement of the vehicles mentioned in this report;
2. To delegate authority to the Director of Finance, Operations and Resources in consultation with the Portfolio Holder for Energy and Environment to award the contract and to ultimately dispose of the ten vehicles replaced by the above procurement exercise by appropriate means;
3. To delegate authority to the Chief Legal and Monitoring Officer to sign and complete all required documentation;

4. Is it an Urgent Decision ? If yes, specify the reasons for urgency

Yes. If the decision to approve is not given in a timely fashion then there is a significantly high risk that the vehicles will not be replaced in this financial year, due to lead build times, and this will have an adverse impact on service delivery.

The current fleet is 9 and 10 years old, originally due for replacement at year 7. Commensurate with older vehicles maintenance costs have risen each year in order to maintain the transport service, although each vehicle can still experience significant periods of mechanical issues rendering them non-operational. When this happens high cost alternatives are employed with specialist contractors and private hire operators. In addition, any disruption to transport can have a dramatic effect on the pupils, i.e. change of routine, travelling without their friends, causing undue stress/anxiety.

The age and condition of the current fleet means the pupils journey experience is not as quiet or as comfortable as when they were new vehicles. The replacement fleet will offer significant improvements to their experience. All new vehicles will have cleaner more efficient engines, which will be more economical and improve air quality.

The more prevalent factor is that of safety. Age, vehicle condition, unseen wear and tear all impact on the safety of the vehicles and this is a major concern for the service.

5. Anticipated outcome(s)

Commencement of a procurement exercise by way of a framework call off and disposal of replaced vehicles.

6. Details of any alternative options considered and rejected by the officer when making the decision

No viable alternatives are available.

NELC Education Transport fleet, comprising 6 x 16 seat mini buses (with wheelchair facilities) provide a bespoke transport solution to 50 pupils travelling to Cambridge Park and Humberston Park Specialist Provisions. The fleet has been managed in-house to provide the most cost effective and flexible service for the pupils, for 10 years. There are alternative models, i.e. contracting transport, which already forms part of the wider transport offer to accommodate approx. 350 pupils.

However contractors are not the best value alternatives in this case as the costs are approximately £32.5k per annum, per vehicle which includes the driver but not the passenger assistant. The full life cost of each replacement vehicle will be considerably lower than a contractual arrangement with a specialist contractor. Furthermore the transport provider market dictates availability and costs, both of which cannot be guaranteed beyond each 12 month contract period.

The service has explored fleet leasing as opposed to capital purchasing and that equated to c.£156k per annum for 6 vehicles – without driver or passenger assistant.

7. Background documents considered:

CSS with reference number NELC0011. The CSS was approved by the Capital Programme Group on 18/12/2017 and was then approved by Leadership Team in January 2018.

**8. Does the taking of the decision include consideration of Exempt information?
If yes, specify the relevant paragraph of Schedule 12A and the reasons**

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

None

10. Monitoring Officer Comments

(Monitoring Officer or Deputy Monitoring Officer)

The approach recommended is a framework contract which has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part. There are further advantages of assurance in that any such framework by necessity must be compliant with Public Contracts Regulations 2015. A framework approach is considered good practice and comes with its own efficiencies.

The procurement exercise will be conducted so as to comply with the Council's policy and legal obligations, specifically in compliance with the Council's Contract Procedure Rules and the Public Contracts Regulations 2015, and supported by relevant officers. Legal Services will support the completion of the contractual documentation on award.

11. Section 151 Officer Comments
(Deputy S151 Officer or nominee)

The proposed spend can be incorporated within the approved Fleet Replacement Programme budget that is part of the Council's Capital Investment Programme.

12. Human Resource Comments
(Strategic Workforce Lead or nominee)

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

Failure to approve immediate start of the procurement of these vehicles will delay the delivery of these vehicles beyond this financial year and will impact on service delivery.

14. Decision maker(s)

Name: Sharon Wroot

Title: Director of Finance, Operations and Resources

Signed: _____

Dated: _____

23/5/18

15. Consultation carried out with Portfolio Holder(s):

Name: CLLR MATT PATRICK

Title: Portfolio Holder for Energy and Environment

Signed: _____

Dated: _____

25/5/18

16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chairs/

Name:

Title: Chair Children and Lifelong Learning Scrutiny Panel

Signed

Dated 29.5.18.

Name: CHIEF R SHEPHERD.

Title: Chair Communities Scrutiny Panel

Signed

Dated 30/05/18.



Officer Decision Record

1. Subject and details of the matter
Approval is sought to award the North East Lincolnshire Council Highways Capital Works Framework 2 following the conclusion of an ENGIE led evaluation process in accordance with the Cabinet decision DN.64 on 26 October 2017.
2. Is it a Key Decision as defined in the Constitution?
Yes
3. Details of Decision
Pursuant to the Cabinet meeting of 25 October 2017 where authority was granted to undertake an EU compliant procurement process for the Capital Works Frameworks and authority delegated for the award of contracts, a procurement exercise for the Highways Capital Framework 2 has now been completed and approval to carry out the award process in accordance to Public Contract Regulations 2015, Regulation 76 and Regulation 86 is sought.
4. Is it an Urgent Decision? If yes, specify the reasons for urgency
No
5. Anticipated outcome(s)
To proceed with the award for North East Lincolnshire Highways Capital Works Framework 2 To issue pre award letters with accompanying decision notice and post Alcatel letters to all successful and unsuccessful tenderers. To issue the framework award notices in accordance to Regulation 50 and Regulation 108.
6. Details of any alternative options considered and rejected by the officer when making the decision
N/A
7. Background documents considered:

Cabinet on 25 October 2017 approved the following:

DN.64

(1) That authority is delegated to the Director of Economy and Growth to release an EU-compliant procurement process for the Capital Works Frameworks (through ENGIE).

(2) That upon completion of the process, the award of the contracts to the successful provider(s) be delegated to the Director of Finance, Resources and Operations in consultation with the Director of Economy and Growth and the Portfolio Holder for Regeneration, Assets, Skills and Housing and the Portfolio Holder for Finance, Community Assets, Governance and Tourism.

(3) That authority be given to the Monitoring Officer to complete all requisite legal documentation in relation to the matters outlined above.

(4) That a report be brought back to Cabinet in 12 months' time providing a review on the awarded contract and its effectiveness vis a vis the local supply chain

8. Does the taking of the decision include consideration of Exempt information?
If yes, specify the relevant paragraph of Schedule 12A and the reasons

No.

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A

10. Monitoring Officer Comments
(Strategic Director – Governance & Transformation or nominee)

The procurement process and subsequent award of the contract is consistent with the Cabinet decision of 25th October 2017. Legal officers will support the provision of all requisite legal documentation. As per the Cabinet decision, a progress report must be provided by October 2018.

11. Section 151 Officer Comments
(Head of Finance & Assets or nominee)

The procurement exercise has identified the preferred bidders for Lot 1 based on quality only. Price will be considered when individual mini competition exercises are undertaken for specific pieces of work and to ensure value for money is achieved.

Lot 2 has been assessed on both cost (60%) and quality (40%) and the highest scoring contractor from the evaluation process has been selected as the preferred bidder.

12. Human Resource Comments
(Head of Governance & Business Support or nominee)

There are no HR implications for this tender

13. Risk Assessment (in accordance with the Report Writing Guide)

The current frameworks expire on 31 May 2018. Failure to award the framework on time would mean that any project after this date would need to be tendered on a case by case basis. This would be inefficient and potentially result in additional costs for projects through increased administration.

14. Decision maker(s)

Name: **Angela Blake**

Title: **Director of Economy and Growth**

Signed: _____



Dated: 18/6/18

Name: **Sharon Wroot**

Title: **Director of Finance, Resources and Operations**

Signed: _____

Dated: 8/6/18

<p>15. Consultation carried out with Portfolio Holder(s):</p>	<p>Name: Cllr Peter Wheatley</p> <p>Title: Portfolio Holder for Regeneration, Housing, Skills and Assets</p> <p>Signed: </p> <p>Dated: <u>8.6.18</u></p>
	<p>Name: Cllr David Watson</p> <p>Title: Portfolio Holder for Finance, Governance and Resources</p> <p>Signed: </p> <p>Dated: <u>8.6.18</u></p>
<p>16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor</p>	<p>Name: _____</p> <p>Title: _____</p> <p>Signed and Dated _____</p>

Officer Decision Record – Property Transaction

1. Subject and details of the matter

Freehold sale of The Elms, 22 Abbey Road, Grimsby

The above site (as outlined red on the attached plan) was vacated at the end of January 2016 by the Council. The site consists of a large detached Victorian building and a separate detached bungalow which is located adjacent. The main building's most previous use was as office accommodation,

The disposal was approved by Cabinet on 15th April 2015 with the agreement that until the ultimate disposal is achieved, the Council will be committed to maintaining the property. The decision was placed on hold temporarily whilst the site and potential adjacent land was considered for assembly in respect of disposal by way of DevelopNEL. Instruction was given to Estates on 6th November 2015 to market the property and Scotts were instructed to market the property on 9th November 2015 for offers in the region of £450,000.

An initial offer of £250,000 was received from a prospective purchaser; which was declined as it did not meet the asking price. A revised offer of £355,000 was then submitted which subsequently was declined as it again did not meet the asking price.

Another offer was received for £700,000 for both The Elms and Fryston House sites; this was declined as the Council were not seeking to sell both properties as one lot.

A further offer was submitted by the original prospective purchaser totalling £405,000 and was unconditional. Scotts were requested to establish if any enquiries had been made to the planning department to avoid a situation where a sale could be agreed on a scheme that would not come to fruition. The purchaser subsequently advised Scott's that the purchase would be subject to planning and not unconditional as previously stated which led to the offer not being progressed.

In addition to this, another offer was received of £420,000 from second prospective purchaser which was unconditional. There was no instigation of discussions with planning and details of the proposed change to residential use were not forthcoming and the purchaser was subsequently not contactable.

The latest offer was submitted by 'Global Doors (UK) Ltd' on the 4th June 2018 in the sum of £405,000. The offer is unconditional and fully funded. The offeror has requested a 30-day "lock out" with an exchange at a 5% Deposit and Completion within 6 – 8 weeks. In addition, the offeror is currently working with the Planning Department on plans for converting the property from Commercial to Residential Flats in the hope that all of the work will be completed within 12-months of sale completion.

2. Details of Decision

That The Elms site be sold to 'Global Doors (UK) Ltd' generating a capital receipt of £405,000 (four hundred and five thousand pounds) (less costs of sale) – in accordance with the recommendations and valuation of ENGIE Services Limited ("ENGIE").

The sale is unconditional. The ultimate sale price of £405,000 would create a large capital receipt for the Council and would result in no further costs to maintain the premises.

Further enquiries have confirmed that the purchaser has in principle funding in place to fund the purchase of the subject property.

3. Is it a Key Decision as defined in the Constitution?

Yes. Approval to dispose was approved by Cabinet at its meeting of 15th April 2015.

4. Has the principle of the disposal been approved by Cabinet			
Yes – as per section 3 above.			
5. Is it an Urgent Decision? If yes, specify the reasons for urgency			
N/A – it is not a Key Decision needed to be made urgently. However there is a risk the potential purchaser may withdraw if this decision is not made quickly.			
6. Anticipated outcome(s)			
<p>The offer is not subject to any onerous conditions; therefore, pending exchange of contracts the council will continue to manage the property as void until the sale completes.</p> <p>Completion of this disposal will realise a capital receipt of £405,000 (less costs of sale) which will contribute to the Council's disposal programme.</p>			
7. Have the Premises been marketed by advertising or by auction? (if not why not)			
Yes.			
8. Background documents considered:			
None.			
9. Does the taking of the decision include consideration of Exempt Information? If yes, specify the relevant paragraph of Schedule 12A and the reasons			
Open.			
10. Monitoring Officer Comments (Assistant Director Law or nominee)			
<p>Local Government Act 1972, s123, provides that the Council may dispose of land in any manner it sees fit subject to the constraint that (except in the case of leases for less than 7 years) disposal must be for the best consideration reasonably obtainable.</p> <p>Decision makers need to be cognisant of the period of marketing and the strength of previous offers before reaching a position that the current offer is the best that can be reasonably obtained.</p> <p>Factors such as an unconditional transaction, availability of funding and credibility of the proposed buyer should be borne in mind. Further the fact that the Council will ultimately be relieved of void costs (albeit on a revenue basis) can be factored in to the process.</p>			
11. Section 151 Officer Comments (Director of Finance or nominee)			
<p>The recommendation to accept the offer from Global Doors (UK) Ltd is supported. The Council has been through an open and transparent marketing process and can clearly demonstrate best value has been generated. The disposal will generate a capital receipt of £405,000 (less costs of sale) and this income will contribute towards future capital investments. In addition, the Council will realise efficiency savings through reduced costs of maintaining the asset.</p>			
12. Human Resource Comments (Assistant Director Strategic Business Support or nominee)			
None.			
13. Risk Assessment (in accordance with the Report Writing Guide)			
<p>Crime and Disorder – The properties are within an established residential location and whilst acts of crime and vandalism have so far been limited, disposal of this property will ultimately remove any on-going risk to the Council.</p> <p>Diversity – The potential sale provides the opportunities for the site to be redeveloped and will ensure the local community benefit from an improved offer.</p> <p>Value for Money – The recommendation to dispose of this property within this report will remove the costs associated with maintaining the void buildings and secure a capital receipt to support future capital projects.</p>			
14. Notification of Ward Councillors (Park)	Cllr A DeFreitas Dated: 03/07/2018 Comments: None Received.	Cllr I Barfield Dated: 26/06/2018 Comments: See Appendix Two.	Cllr P Silvester Dated: 03/07/2018 Comments: None Received.

**15. Consultation with
Portfolio Holder:**

Name: Cllr P Wheatley

Title: Portfolio Holder for Regeneration, Assets, Skills and Housing



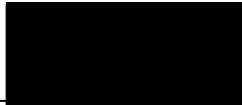
9-7-18

Signed and Dated

16. Decision maker:

Name: Sharon Wroot

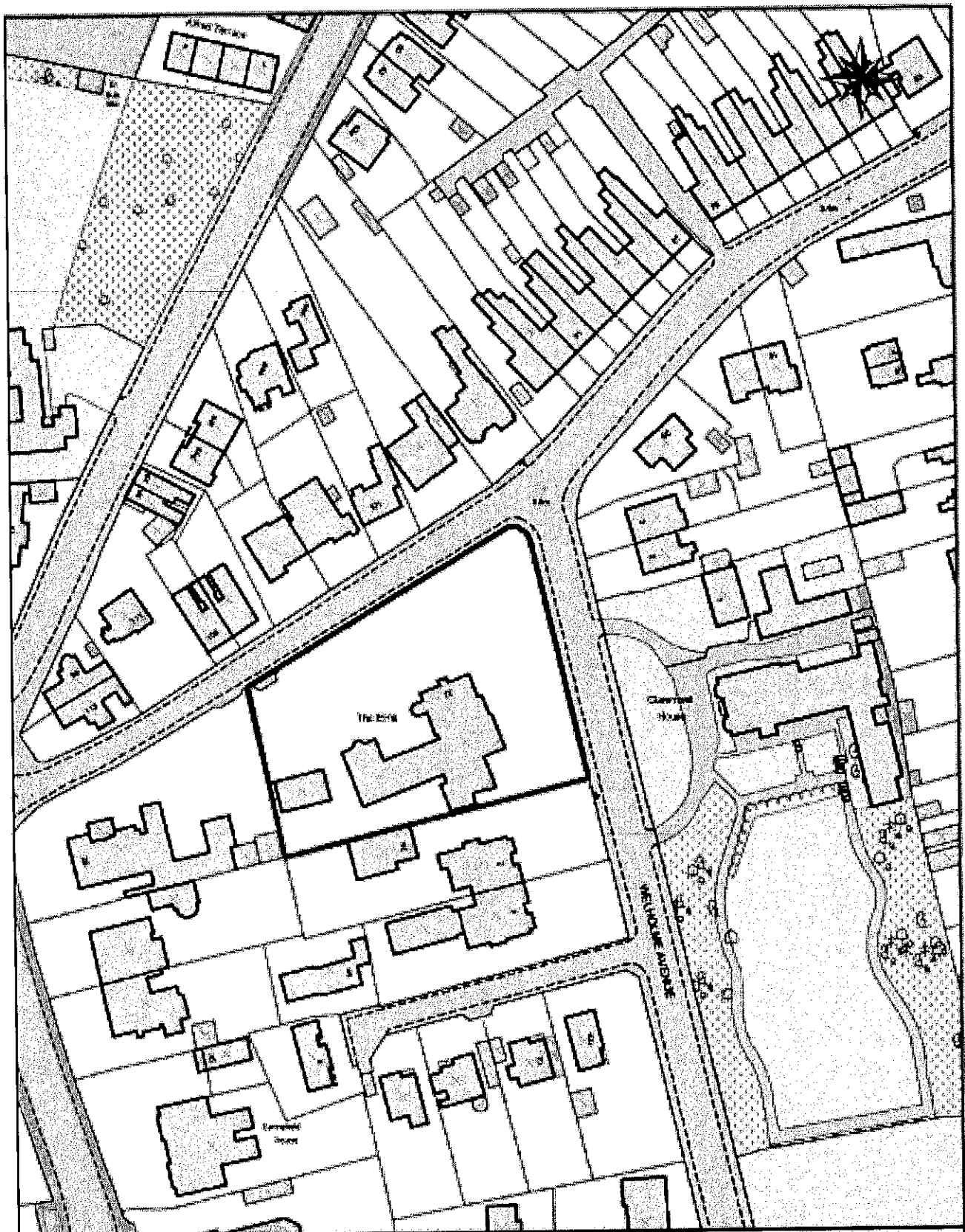
Title: Director of Finance, Resources and Operations




4/7/18.

Signed and Dated

Appendix One – Site Plan



 Working in Partnership	Details The Elms and Bungelaw		Rev No.		This product includes mapping data licensed from Ordnance Survey with the permission of the Controller of HMSO. © 2011 Ordnance Survey. All rights reserved. Licence number 1000100181	
	Drawn by	Scale 1:1250	Date 01/09/2017		North East Lincolnshire Council Civic Offices Knoll Street Cleethorpe, DN35 6LN	www.nelincs.gov.uk
	File Pathname / Project / Drawing No.					

Appendix Two – Ward Councillor comments

From: Cllr Ian Barfield (NELC)
Sent: 26 June 2018 13:51
To: Jack Fox (NELC)
Subject: RE: Disposal of The Elms, 22 Abbey Road, Grimsby, DN32 0HW

Dear Jack,

My only concerns would be regarding planning and other developments within the site. These are matters for another day and do not relate to the disposal. Recent developments have show what can be achieved and I hope this progresses quickly. You have my full support.

Ian

From: Jack Fox (NELC)
Sent: 27 June 2018 12:39
To: Cllr Paul Silvester (NELC)
Subject: Disposal of The Elms, 22 Abbey Road, Grimsby, DN32 0HW
Importance: High

From: Jack Fox (NELC)
Sent: 26 June 2018 12:34
To: Cllr Andrew DeFreitas (NELC) <Andrew.DeFreitas@nelincs.gov.uk>; Cllr Ian Barfield (NELC) <Ian.Barfield@Nelincs.gov.uk>; Cllr Christina McGilligan-Fell (NELC) <Christina.McGilliganFell@nelincs.gov.uk>
Cc: Cllr Peter Wheatley (NELC) <Peter.Wheatley@nelincs.gov.uk>; Sharon Wroot (NELC) <Sharon.Wroot@nelincs.gov.uk>; Wendy Fisher (NELC) <Wendy.Fisher@Nelincs.gov.uk>
Subject: Disposal of The Elms, 22 Abbey Road, Grimsby, DN32 0HW
Importance: High

Good Afternoon Councillors

The freehold disposal of the above property (as per the plan attached – property boundary outlined red) was approved by Cabinet in April 2015. Further to an initial hold on marketing whilst the site and potential adjacent land was considered for land assembly, instruction was given to market the property to Scott's Property LLP in November 2015.

Since the instruction was provided, a total number of six offers have been received. However, the previous five have not progressed as a result of either being considered too low in value or the prospective purchasers not engaging sufficiently with the Planning department or changing the parameters of their offer.

The latest and sixth offer was received earlier this month. The offer is considered to represent market value, is unconditional (not subject to successful Planning permission) and fully funded. The offeror has requested a 30-day "lock out" with an exchange at a 5% deposit and completion within 6 – 8 weeks. In addition, the offeror is currently working with the Planning Authority and a local Architect on plans for converting the property from commercial use to residential apartments, with the intention that all work will be completed within 12-months of sale completion.

The purpose of my email is to advise you that the proposal, by way of a formal Officer Decision Record (ODR), is being circulated to Monitoring Officers, before being presented to the Director of Finance and Portfolio Holder for approval. This is your opportunity to provide any comments you may wish to make in relation to the disposal which will be included in the ODR. Approval will form the instruction to Legal Services to complete the sale.

Could I please ask that you provide any comments, by return, no later than Tuesday, 3 July 2018.

Regards

Jack Fox, Assets Advanced Practitioner (Corporate), North East Lincolnshire Council



Officer Decision Record

1. Subject and details of the matter (to include reasons for the decision)
The procurement of capital activities required to deliver the LGF improvements to Town Hall Square in accordance with Council's Corporate Procurement Regulations in accordance with the Cabinet decision DN.72 dated 27 November 2017 pursuant to the Cabinet meeting of 22 November 2017.
2. Is it a Key Decision as defined in the Constitution?
Yes although noting that Cabinet at its meeting of 22 November 2017 delegated authority to progress the procurement and other salient activities.
3. Details of Decision
<p>'Unlocking the Potential' is a capital programme that will accelerate the development of four key sites in Grimsby Town Centre. This programme will make a significant contribution to the Council's strategic objective of a 'Stronger Economy' by delivering key infrastructure and public realm works that will unlock and accelerate private sector investment in the town centre. The programme, part funded through Humber Local Growth Funding and the Council's Capital Programme, will create an environment which will help secure business investment in a new cinema and restaurant complex, redevelopment of St James House, further investment in the Cartergate site and at Town Hall Square. Specifically, this document relates to the 'Town Hall Square' element of the programme as detailed on the attached plan.</p> <p>Pursuant to the Cabinet meeting of 22nd November 2017, a decision is now required to undertake the procurement of capital activities for Town Hall Square.</p>
4. Is it an Urgent Decision? If yes, specify the reasons for urgency
No.
5. Anticipated outcome(s)
To allow for the procurement and completion of works at Town Hall Square..
6. Details of any alternative options considered and rejected by the officer when making the decision
N/A
7. Background documents considered:
Cabinet on 22 November 2017 DN.72 – LOCAL GROWTH FUND 3 – IMPROVEMENT WORKS TO TOWN HALL SQUARE, RIVERHEAD SQUARE, ST JAMES SQUARE AND FREDERICK WARD WAY capturing the following delegations:

1. Cabinet approves the proposal for the Council to act as Accountable Body for the Local Growth Fund grant and agrees to receipt of these funds.
2. The Director of Economy and Growth in conjunction with the Portfolio Holder for Regeneration, Assets, Skills and Housing, and in consultation with the Monitoring Officer is authorised by Cabinet to:
 - negotiate and finalise appropriate legal agreements between the Council and Humber LEP
 - undertake public consultation on the proposals for St James House/St James Square
 - undertake the procurement of capital activities required to deliver the programme activity in accordance with Council's Corporate Procurement Regulations
 - put in place appropriate monitoring arrangements for the grant

to minimise any financial, compliance or other risks to the Council in discharging the Accountable Body function for the funds.

Cabinet authorises the Director of Economy and Growth in conjunction with the Portfolio Holder for Regeneration, Assets, Skills and Housing, and in consultation with the Monitoring Officer to ensure that all actions necessary and ancillary thereto be completed.

8. Does the taking of the decision include consideration of Exempt information?
If yes, specify the relevant paragraph of Schedule 12A and the reasons

No

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

N/A

10. Monitoring Officer Comments
(Monitoring Officer or Deputy Monitoring Officer)

The report follows the Cabinet meeting of 22 November 2017 and is consistent with the decisions made therein and set out above.

11. Section 151 Officer Comments
(Deputy S151 Officer or nominee)

A capital budget of £0.450m has provided the match to leverage a total £3.682m additional funds. The project needs to be managed within the allocation for Town Hall Square and all projects need to be delivered within the total allocation referred to above.

12. Human Resource Comments*(Strategic Workforce Lead or nominee)*

There are no Human Resource implications associated with this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

The Humber LEP funding allocation for this scheme is within financial year 2018/19, therefore the tenders need to be released quickly to allow the project to be delivered within the timescales set out in the LEP Funding Agreement. Failure to release the tender will impede progress and prevent the scheme being delivered.

Other risks identified include: -

- Project viability – depending on the tender price, there are opportunities to reduce/value engineer the scheme to mitigate this risk.
- Project obstructions – surveys have been undertaken to mitigate this risk
- Disruption caused by on-site works – stakeholder engagement has been undertaken (and will continue) and a communications plan developed to mitigate this risk.

14. Decision maker(s)

Name: Angela Blake


Title: Director of Economy and Growth

Signed: 

Dated: 13/7/18

15. Consultation carried out with Portfolio Holder(s):

Name: Cllr Peter Wheatley

Title: Portfolio Holder for Regeneration, Assets, Skills and Ho


13-7-18
Signed and Dated

16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name:

Title:

Signed and Dated

GRIMSBY TOWN HALL SQUARE REGENERATION

Single coloured grey block to match Osborne Street

York Stone Paving as Riby Square

Granite Setts

Flagged Footway

Red Surfaced Cycle Lane

PROPOSED BENCH
PROPOSED LITTER BIN
PROPOSED TREE GRILL



BETHLEHEM STREET FOOTWAYS

RIBY SQUARE FOOTWAY

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TOWN HALL SQUARE
REGENERATION

PROPOSED LAYOUT

NORTH EAST LINCOLNSHIRE COUNCIL

	Letter
Applicant	

1000 *Stem Cells (Adults)*, *Stem Cells from the Blood*

R



Red surfaced cycle lane



Officer Decision Record

1. Subject and details of the matter
The Councils Local Healthwatch and Independent Complaints Advocacy services are due to end on 31 st March 2018. On 2 nd August 2017, Cabinet approved the commencement of a procurement exercise, and provided the Director of Adult Services in consultation with the Portfolio Holder for Health, Wellbeing and Adult Social Care to award the contract
2. Is it a Key Decision as defined in the Constitution?
Yes. As mentioned above a Cabinet decision was made in support on 2 nd August 2017.
3. Details of Decision
<p>The process for determining the decisions to award were as follows:</p> <p>Process: The procurement process was compliant with the requirements of the Contract Procedure Rules and Public Contracts Regulations, and an open tender process was followed.</p> <p>Length of Contract: 3 years with options to extend by two x 12 months.</p> <p>Assessment method/basis of award : Most Economically Advantageous Tender as described in the published tender documentation.</p> <p>Evaluation: The evaluation was carried out on 7th November 2017. This involved an assessment of compliance of the returned tenders with the tender documentation together with costing and quality information received.</p> <p>Award: Following the completion of the evaluation it is recommended the contract is awarded to Hull Community & Voluntary Services (CVS) Ltd and for the contract to commence on 1st April 2018.</p>
4. Is it an Urgent Decision ? If yes, specify the reasons for urgency
No
5. Anticipated outcome(s)
The contract is awarded as specified above.

6. Details of any alternative options considered and rejected by the officer when making the decision

Four other options were considered as part of the Cabinet Report, these were rejected as inappropriate and not in the interests of the Council.

7. Background documents considered:

The detailed evaluation documentation was considered when making this decision.

8. Does the taking of the decision include consideration of Exempt information?

If yes, specify the relevant paragraph of Schedule 12A and the reasons

Not applicable

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

No conflicts of interest

10. Monitoring Officer Comments

(Monitoring Officer or Deputy Monitoring Officer)

The legal implications are as set out in the Cabinet report.

11. Section 151 Officer Comments

(Deputy S151 Officer or nominee)

The two winning bids will result in an annual contract payment of £161k pa. Sufficient budget provision exists to meet this cost.

12. Human Resource Comments

(Strategic Workforce Lead or nominee)

There are no direct HR implications arising from this contract being awarded although if there are TUPE implications, staff will need to be informed of the contract award prior to any public announcements. Staff will need to be kept engaged throughout the respective processes with consultation as appropriate in accordance with the procedural and legal requirements.

13. Risk Assessment (in accordance with the Report Writing Guide)

Local Healthwatch is a statutory requirement on North East Lincolnshire Council (NELC) under the Health and Social Care Act 2012. Healthwatch exists in two distinct forms, local Healthwatch at a local level and Healthwatch England at a national level. NELC have the responsibility for commissioning an effective local Healthwatch able to carry out its statutory functions.

Independent complaints advocacy is a statutory requirement on NELC under the Health and Social Care Act also.

14. Decision maker(s)

Name: Beverley Compton

Title: Director of Adult Services


Signature

Dated: 1/5/18

**15. Consultation carried out with
Portfolio Holder(s):**

Name: Cllr. Jane Hyldon King

Title: Portfolio Holder for Health, Wellbeing and Adult
Social Care

Signed: 

Dated: 

7-8-18



Officer Decision Record

1. Subject and details of the matter (to include reasons for the decision)

Following cabinet decision of 14th February 2018:-

- (1) That the commissioning of a third party provider to undertake litter and dog fouling enforcement across North East Lincolnshire to supplement existing provision on a trial basis for an 18 month period, be approved.
- (2) That authority be delegated to the Director of Finances, Resources and Operations to award the decision on selecting a third party provider following procurement process.

Approval is sought to:-

1. Extend the length of the trial period
2. Include enforcement of the existing Public Space Protection Orders as part of the contract arrangements
3. Increase the fixed penalty tariffs on Dog Fouling & Littering

2. Is it a Key Decision as defined in the Constitution?

Yes, the decision relates to and impacts on more than one ward.

3. Details of Decision

An Officer decision is required to:-

1. Extend the trial period of the initial contract from 18 months to 2 years, to be extended by a maximum 2 x 12 months periods, subject to satisfactory review, therefore requiring a 2+1+1 year contract.
2. Increase the fixed penalty tariff for dog fouling and littering from £50 to £100
3. Authorise the Third Party Provider to undertake enforcement of the 7 ward based Public Space Protection Orders in relation to Alcohol related anti-social behaviour.

4. Is it an Urgent Decision? If yes, specify the reasons for urgency
Urgent decisions will require sign off by the relevant scrutiny chair(s) as not subject to call in.

No

5. Anticipated outcome(s)

In seeking a third party provider, the Council has chosen Doncaster Metropolitan Borough Council to partner with due to their track record of delivering and managing this type of provision.

As part of the contractual arrangement a 2 year + 1 year + 1 year contract is required in addition to a review of the Fixed Penalty Notice in order for it to be cost effective for Doncaster Metropolitan Council to partner with us.

Based on the experience of Doncaster Metropolitan Council this decision will enable the Council to have an operational dog fouling and enforcement provision mobilised by October 2018 with coverage across the borough, including the ability for direct tasking into areas of concern.

6. Details of any alternative options considered and rejected by the officer when making the decision

No other options considered

7. Background documents considered:

"Approach to Dog Fouling and Littering" Cabinet report 14th February 2018

8. Does the taking of the decision include consideration of Exempt information?
If yes, specify the relevant paragraph of Schedule 12A and the reasons

Not applicable – no exempt information

9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)

None

10. Monitoring Officer Comments
(Monitoring Officer or Deputy Monitoring Officer)

The Legal Comments endorsed on the original Cabinet Report of 14th February 2018 are deemed to be repeated.

The above decision seeks to vary a Cabinet recommendation by:

1. Extending the contract period;
2. Including enforcement of Public Space Protection Orders in relation to alcohol use; and
3. Increasing the level of penalty.

These amendments are required so as to enable compliance and consistency with the Doncaster model as articulated above.

The Director for Finance, Operations and Resources has constitutional power to deal with all functions of the Council in respect of Community Safety and Anti-Social Behaviour together with the delegation to authorise officers, in writing, to issue fixed penalty notices and other relevant administrative penalties under the legislation within the scope of the Director of Finance, Operations and Resources areas of responsibility.

Given the inclusion of enforcement around Public Space Protection Orders it is right that any such decision be made in consultation with the appropriate Portfolio Holders as these affect seven wards.

11. Section 151 Officer Comments
(Deputy S151 Officer or nominee)

As outlined in the original report, the third party provider can provide the service at no cost to the Council.

The proposed extension to the contract term and increase in the fixed penalty tariff for dog fouling and littering from £50 to £100 will make the proposal more financially viable for the preferred provider.

12. Human Resource Comments
(Strategic Workforce Lead or nominee)

There are no HR implications with this proposal.

13. Risk Assessment (in accordance with the Report Writing Guide)

As outlined in the original report, the risk of reputational damage to NELC and the North East Lincolnshire area has been identified already with regard to commissioning a Third Party Provider.

Any enforcement can attract negative publicity and this subject is likely to attract significant media interest for a period of time.

An agreed communications strategy and project implementation plan has been produced in consultation with Communications Team and therefore the council will respond showing the positive effect this activity will have on the place of North East Lincolnshire in order to inspire behaviour change around littering and encourage responsible dog ownership.

14. Decision maker(s)

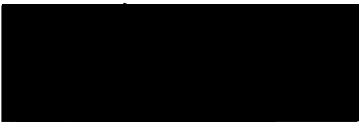
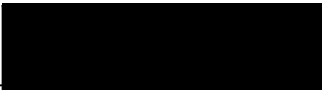
Name: Sharon Wroot

Title: Director for Finance, Resources and Operations

Signed: _____

Dated: _____

8/7/18

<p>15. Consultation carried out with Portfolio Holder(s):</p>	<p>Name: Cllr David Bolton</p> <p>Title: Portfolio holder for Safer Communities and Public Protection</p> <p> 6.8.18</p> <p>Signed and Dated</p> <p>Name: Cllr Matthew Patrick</p> <p>Title: Portfolio holder for Environment, Transport and Energy</p> <p> G/8/18</p> <p>Signed and Dated</p>
<p>16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor</p>	<p>Name:</p> <p>Title:</p> <p>Signed and Dated</p>



Officer Decision Record

1. Subject and details of the matter (to include reasons for the decision)
Approval is sought for the release of the Invitation to Tender for procurement of capital activities required to deliver the South Humber Bank Link Road (a key infrastructure project within the South Humber Industrial Investment Programme, SHIIP) in accordance with accordance with the Cabinet decision DN.79 dated 14 December 2017.
2. Is it a Key Decision as defined in the Constitution?
Yes.
3. Details of Decision
<p>Pursuant to the Cabinet meeting 14 December 2017 where delegated authority was given to the Director of Economy & Growth in conjunction with the Portfolio Holder for Regeneration, Assets, Skills and Housing to take all actions necessary to secure the continued implementation of the SHIIP programme.</p> <p>The South Humber Bank Link Road project is a key part of the SHIIP and will play a key role in creating a "Stronger Economy". The road will open and facilitate highway access to a number of employment sites between the Ports of Immingham & Grimsby which have been allocated in the Local Plan.</p> <p>To enable the progression of the project a decision is required to progress to releasing a tender to potential contractors to undertake the works required to implement the infrastructure scheme.</p> <p>The tender has been prepared by ENGIE's Civil Engineering Design Team and will utilise the YORCivils 2 Framework hosted by East Riding County Council. North East Lincolnshire Council is a partner of the framework. The tender has been reviewed by the YORCivils team, Bevan Brittan LLP and a New Civil Engineering Contract specialist to ensure the tender documents are of the highest quality.</p>
4. Is it an Urgent Decision? If yes, specify the reasons for urgency
No.
5. Anticipated outcome(s)
<p>To issue an EU Compliant tender in accordance to the Public Contract Regulations 2015 and the Council Procurement Regulations using the YORCivils Framework 2 Lot 3 £4m - £10m for the South Humber Bank Link Road.</p> <p>To return to Cabinet with an award recommendation following the completion of the</p>

evaluation process.
6. Details of any alternative options considered and rejected by the officer when making the decision
N/A
7. Background documents considered:
<p>Cabinet on 14 December 2017 approved the following:</p> <p>DN.79 – (2) That authority be delegated to the Director of Economy and Growth, in conjunction with the Portfolio Holder for Regeneration, Assets, Skills and Housing, to take all actions necessary to secure the continued implementation of SHIP.</p>
8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons
No.
9. Details of any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision (in respect of any declared conflict of interest, please provide a note of dispensation granted by the Council's Chief Executive)
N/A
10. Monitoring Officer Comments <i>(Monitoring Officer or Deputy Monitoring Officer)</i>
<p>The delegation to the Director of Economy and Growth (articulated at Section 7 above) is sufficiently wide to permit further implementation of the SHIP programme including the tendering and award of the contract envisaged by this decision.</p> <p>In the Monitoring Officer's view a return to Cabinet to approve the anticipated award is not required unless the Director and Portfolio Holder seek the assurance of a Full Cabinet mandate in respect of it.</p> <p>To proceed by way of a call-off from a framework has the benefit of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. Further, the Council may achieve better terms by combining its volume with the other public bodies also taking part.</p> <p>There are further advantages of assurance in that any such framework by necessity must be compliant with Public Contracts Regulations 2015. A framework approach is considered good practice and comes with its own efficiencies.</p>

11. Section 151 Officer Comments
(Deputy S151 Officer or nominee)

The Humber Link Road is a key component of the South Humber Infrastructure and Investment Programme which aims to create long term financial stability for the Council through a more commercial approach to generating and retaining external income and funding. In total the Council has approved borrowing of £23.6M towards delivery of the Programme. Construction works on the Humber Link Road are anticipated to cost in the region of £7.5M (including contingency of £0.5M).

12. Human Resource Comments
(Strategic Workforce Lead or nominee)

There are no direct HR implications arising from the contents of this report.

13. Risk Assessment (in accordance with the Report Writing Guide)

Failure to release the tender for the South Humber Bank Link Road will impede progress for the project and will inhibit the scheme being delivered. This will have subsequent effects to the rate of potential development on the South Humber Bank and will not encourage inward investment and "stronger economy" in North East Lincolnshire.

14. Decision maker(s)

Name: Angela Blake

Title: Director of Economy and Growth

Signed: _____

Dated: 15/8/18

15. Consultation carried out with Portfolio Holder(s):

Name: Cllr Peter Wheatley

Title: Portfolio Holder for Regeneration, Housing, Skills and Assets

Signed and Dated _____

16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor

Name: _____

Title: _____

Signed and Dated _____