



Officer Decision Record

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

The recruitment of up to 20 posts to act as Covid stewards, supporting at risk businesses and the local community to adhere to national guidance, to support local efforts to manage and contain the virus and to support public health in delivering contract tracing efforts locally. The 20 posts will include 3 supervisory posts (which may be on the basis of secondment from the existing Council workforce). Activity will initially be focussed on the resort and Grimsby Town Centre. Recruitment to the posts will be undertaken via the Ethical Recruitment Agency (ERA) based at Centre4 which will enable people to be allocated to the posts quickly and efficiently.

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

The stewards will operate across the borough depending on the issues that arise as the impact of the pandemic progresses. On that basis this is a key decision (more than 2 wards affected).

3. Details of Decision

To agree to the use of the Ethical Recruitment Agency to recruit up to 20 posts initially on a temporary basis up to the end of December 2020. Any decision to extend beyond that date will be taken by the Director for Communities in conjunction with the Portfolio Holder for Safer and Stronger Communities and the Director for Health and Wellbeing who will make available any budget subject to the evidenced need for the posts based on the local impact of Covid 19.

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.

Yes – the stewards are needed as part of the Council's outbreak management plan and need to be in post to meet the expected increase in activity around high risk businesses such as bars, restaurants and some leisure businesses. These businesses will be able to operate as of the 4th July and we require people in place to work with the businesses, in support of existing teams such as beach safety and licencing to ensure that businesses and customers are adhering to current national guidance. They also form a resource to support track and trace arrangements in the event of an outbreak.

5. Anticipated outcome(s)

The posts will contribute to wellbeing outcomes, ensure that public health messages are fully understood and that businesses are operating in line with social distancing and other national guidance.

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

Normal Council recruitment processes could have been followed but this would take longer and would likely mean people would not be in post until mid to late August which would mean that much of the peak resort period, and the early stages of the re-opening of bars and restaurants would not be able to be covered by the work of the stewards.

7. Background documents considered

The proposed work of the stewards is outlined in the Council's Local Outbreak Management Plan.

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 challenges faced as a result of the COVID pandemic continue to impact the Council and community. Financial assistance has been received from Central Government to support and underpin the Council's published outbreak plan. The case for the employment of stewards is made out in the above record. Deployment of such resource is a matter for directors having regard to the prevailing policies of the Council. The Council is still in a declared state of emergency although transitioning to a period of stability and recovery beyond. It is right that such decisions be taken with the support of the portfolio holder.

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

Estimated costs are up to £120,000, to be funded by Covid 19 specific Public Health grant.

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

Appointees will be employees of ERA but working temporarily for and under the direction and supervision of the council and alongside environment and regulatory services teams.

13. Public Health Comments (Director of Public Health or nominee)

During this time of a national public health emergency, any decision will be considered with regard to the following conditions:

- Our local health and care system can cope and has capacity needed to deal with Covid19
- Death rates are continuing to drop or have bottomed out
- Rates of infection continue to reduce and remain at a manageable level, reducing the risk of reintroducing the lockdown in the event of a second peak

- There is local confidence that testing capacity and appropriation protective measures are in place
- There is local confidence that the public feel safe, feel able to follow current guidance and that further easing of lockdown measures will not result in an increase in the occurrence of Covid cases

The proposed decision supports the maintenance of these conditions.

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

There is a risk that the posts cannot be filled, and this may mean that we cannot support all businesses, visitors and residents to ensure that they operate within national guidelines. There is a real opportunity through the work of the stewards to develop relationships with visitors and local businesses that could result in greater adherence to the guidelines and thereby minimise the number of coronavirus infections across North East Lincolnshire.

15. Decision Maker(s):

Name: Helen Isaacs

Title: Director for Communities

Signed: By email

Dated: 8th July 2020

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

Name: Cllr R Shepherd

Title: Portfolio Holder for Safer and Stronger Communities

Signed: By email

Dated: 8th July 2020

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

Name: Cllr P Silvester

Title: Chair of the Communities Scrutiny Panel

Signed: By email

Dated: 8th July 2020

Appendix 1 – confirmation of email approval

From: Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>
Sent: 08 July 2020 08:13
To: Paul Windley (NELC) <Paul.Windley@nelincs.gov.uk>; Cllr Ronald Shepherd (NELC) <Ron.Shepherd@nelincs.gov.uk>
Subject: Re: Officer Decision Record - Recruitment of Covid Stewards

Good morning Paul

As chair of the Communities Scrutiny Panel I can confirm that I am satisfied with the decision that has been taken

Kind regards

Cllr Paul Silvester

From: Paul Windley (NELC) <Paul.Windley@nelincs.gov.uk>
Sent: 07 July 2020 12:48
To: Cllr Ronald Shepherd (NELC) <Ron.Shepherd@nelincs.gov.uk>; Cllr Paul Silvester (NELC) <Paul.Silvester@nelincs.gov.uk>
Subject: Officer Decision Record - Recruitment of Covid Stewards

Dear Councillor

Please find attached an Officer Decision Record relating to the recruitment of Covid Stewards.

This is a key decision but due to its urgency has been taken forward as an urgent officer decision and therefore requires formal consultation with the appropriate portfolio holder and scrutiny chair.

Please could you respond by return email to confirm that you are satisfied with the decision being taken on that basis?

Many thanks

Paul

Paul Windley, Democratic and Scrutiny Team Manager, North East Lincolnshire Council
Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire, DN31 1HU |
☎: Telephone number 01472 324121 | ✉: paul.windley@nelincs.gov.uk
|www.nelincs.gov.uk

Officer Decision Record

Appendices contain confidential information and are exempt from publication by virtue of paragraph 3 Schedule 12A Local Government Act 1972

1. Subject and details of the matter
<p><u>Cleethorpes Leisure Centre</u></p> <p>To seek approval to award the contract for internal refurbishment works as outlined in the 'CLC Final Pricing Schedule as submitted'.</p>
2. Is it a Key Decision as defined in the Constitution?
No.
3. Details of Decision
<p>The procurement was conducted under the competitive procedure with negotiation, subject to the Public Contracts Regulations, Regulation 26(4)(a)</p> <p>A tender was procured through 'YORTender'. Of the seven contractors invited to tender, seven responses were received. This tender is the most advantageous to the Council meeting quality and cost as set out in the procurement documentation.</p> <p>The project forms part of the corporate capital backlog maintenance programme for North East Lincolnshire Council and leisure delivery partner Lincs Inspire Ltd.</p> <p>The total value of works and fees is expected to cost £121,583.47.</p>
4. Is it an Urgent Decision? If yes, specify the reasons for urgency
Yes, the works must commence within the 19/20 financial year.
5. Anticipated outcome(s)
<p>The successful tenderer is a building contractor that has successfully delivered multiple projects for NELC in the past and continue to do so. The successful Tender return value £157,272.14. However, we would like to omit non-essential items and award a contract sum of £107,595.99. Together with fees, the total value is expected to cost £121,583.47.</p> <p>The contract mobilisation will start upon award of contract and also receipt of a signed contract. Duration of the works will be approx. 8 weeks.</p>
6. Details of any alternative options considered and rejected by the officer when making the decision
N/A
7. Background documents considered:

N/A

**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
(Strategic Director – Governance & Transformation or nominee)**

The procurement has been conducted in compliance 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.

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

As outlined within the ODR the cost of the works is estimated at approximately £122k, including fees and after omission of non-essential items.

This cost will be met from within the Council's Backlog Maintenance Capital budget.

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

There are no direct HR implications

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

There is a significant risk to the Council if the contract is not awarded on time as the programme of works may have to be delivered in the next financial year.

14. Decision makers

Name: Sharon Wroot

Title: Director of Resources and Governance

Signed: _____

Dated: _____

[Redacted Signature]

11/2/20

Name: Cllr John Fenty

Title: Deputy Leader and Portfolio Holder for
Regeneration, Skills and Housing

Signed: _____

Dated: _____

[Redacted Signature]

17 2 2000



Officer Decision Record

OPEN

Closed Appendix being Exempt information within paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended)

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

Replacement of the flat roof over the school hall, to include new suspended ceilings and lighting at Coomb Briggs Schools. The work has been tendered through the framework and we are looking to award this work to Gelder's Ltd in the value of £110,975.

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

No.

3. Details of Decision

Approval to carry out the award process in accordance with the Authority's Contracts Procedure Rules. The scheme exceeds £100k but is under the £350k trigger point of requiring a cabinet decision.

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)

Condition improvements to a prioritised school site, within the schools' capital programme. To be given approval to proceed with the award of the tender and issue subsequent award/decline letters and contract to the successful tenderer.

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

The works are due to commence at the start of the School's summer holidays.

7. Background documents considered

Please see attached tender report

DN.64 26th October 2017 Cabinet Decision

Calling off from the Technical Design Services Framework for capital works.

Due to economies of scale, the funding envelope has exceeded £100k, as the opportunity to wrap two projects in to the one scheme arose. It should be noted that the school are paying for their scheme but maximising the opportunity.

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 (Monitoring Officer or Deputy Monitoring Officer)

The procurement has been carried out by way of call down from a recognised framework. This has the benefits of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions. 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 (Deputy S151 Officer or nominee)

The works totalling £110,975 will be funded through the Schools Capital Programme budget. The tendering process followed provides assurance that the Council is achieving value for money.

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

There are no direct HR implications

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

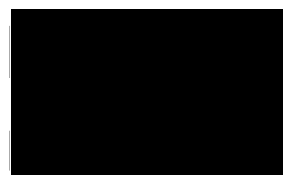
Risk assessment is identified as a part of the council's risk process under the capital programme. Further risk assessments will be picked up by ENGIE and the contractor for the works.

14. Decision Maker(s):

Name: Sharon Wroot

Title: Director of Resources and
Governance

Signed:



Dated: 16th July 2020

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

Name: Cllr John Fenty

Title: Deputy Leader and Portfolio
Holder for Regeneration, Skills and
Housing

Signed:



Dated: 16th July 2020

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

Name:

Title:

Signed:

Dated:



Officer Decision Record

Appendix:

Exempt information within paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended)

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

To seek approval to award the contract for Supply and Distribution of Plastic Wheeled Bins following conclusion of the evaluation process.

The Council is looking to purchase three different coloured bins, which follow the same colour codes set by WRAP (Waste and Resources Action Programme) for different recycling materials. These are:

- Blue bins which will be used for paper and small card;
- Grey bins which will be used for plastic, cans and glass;
- Green domestic waste bins which are smaller than the current ones used by residents of North East Lincolnshire.

The provider will be required to supply blue, grey and green bins, and associated spares during the life of the contract.

The provider will also distribute one blue and one grey bin to every household in North East Lincolnshire and produce and distribute instructional/information leaflets to every household.

The initially duration of the contract is for a period of two (2) years. There is a further possibility of one (1) further twelve (12) month extension periods, depending on performance and business requirements.

The estimated whole life value is £2,682,000.

A further competition was run under the YPO Plastic Wheeled Bins Framework Agreement (551) Lot 1 – Wheeled Bins (FC 551-17)

Following the completion of the evaluation, MGB Plastics Ltd have been identified as the most economically advantageous tenderer.

2. Is it a Key Decision as defined in the Constitution?
Yes. Approval was received from Cabinet on the 11th March 2020 to delegate all authority to the Director of Economy and Growth in consultation with the Portfolio Holder for Environment and Transport to make all necessary arrangements to undertake the procurement and approve the award.
3. Details of Decision
Award the contract for Supply and Distribution of Plastic wheeled Bins to MGB Plastics Ltd.
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)
The contract for the Supply and Distribution of Plastic Wheeled Bins will be awarded to MGB Plastics Ltd.
6. Details of any alternative options considered and rejected by the officer when making the decision
Not award the contract. This would leave the Council unable to achieve the decision made by Cabinet on the 11 th April 2020. MGB Plastics Ltd have been identified as the most economically advantageous tenderer, so there is no reason to not award.
7. Background documents considered:
None.
8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons
Yes. Exempt information within paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended) Appendix is exempt as it contains commercially sensitive 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)
No conflicts of interest have been identified.
10. Monitoring Officer Comments (Monitoring Officer or Deputy Monitoring Officer)
The above anticipated decision is consistent with the previous decision and delegations of Cabinet (11 th March 2020) and the process followed is compliant with the Contract Procedure Rules and Public Contracts Regulations.

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

The cost of the purchases is covered through an approved budget within the Council's Capital Investment Programme. The tender value is well within the estimated cost included within the approved budget.

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

There are no direct HR implications.

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

The risk associated with non-award of the contract is that the Council will not be able to fulfil the decision agreed by Cabinet on the 11th April 2020.

Awarding the contract allows the following opportunities to be taken advantage of:

- An easier system for recycling will help residents of the borough to recycle more; improving the Council's performance against national targets, meeting the objectives of the Council's Waste Strategy 2020-2035 and helping the Council meet its environmental responsibilities.
- Larger waste receptacles with lids will prevent fewer materials from blowing around in windy weather and littering the streets. This will improve the appearance of the street scene and reduce clean-up costs.
- The introduction of two larger recycling bins will help residents to reduce the amount of residual waste they need to put in their domestic waste bin.
- The introduction of wheelie bins for recycling will reduce manual handling for waste collection staff and is expected to improve efficiency on recycling collection rounds.

14. Decision maker(s)

Name: Clive Tritton

Title: Director of Economy & Growth

Signed: Approved via email

Dated: 17th July 2020**15. Consultation carried out with Portfolio Holder(s):**

Name: Cllr. S Swinburn

Title: Portfolio Holder for Environment and Transport

Approved via email on 14th July 2020

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

Appendix 1 – Confirmation of email approval

From: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>

Sent: 14 July 2020 20:46

To: Kerry Caldwell (NELC) <Kerry.Caldwell@Nelincs.Gov.Uk>; Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>

Cc: Laura Cowie (NELC) <Laura.Cowie@nelincs.gov.uk>; Chris Dunn (NELC) <Chris.Dunn@Nelincs.gov.uk>

Subject: RE: ODR for new recycling changes

Thanks Kerry,

I'm happy with this.

Regards

Cllr Swinburn

From: Kerry Caldwell (NELC) <Kerry.Caldwell@Nelincs.Gov.Uk>

Sent: 14 July 2020 16:44

To: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>; Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>

Cc: Laura Cowie (NELC) <Laura.Cowie@nelincs.gov.uk>; Chris Dunn (NELC) <Chris.Dunn@Nelincs.gov.uk>

Subject: ODR for new recycling changes

Good afternoon,

Please find attached the final version of the Officer Decision Record for 'Exempt Supply and Distribution of Plastic Wheeled Bins' with all monitoring comments included. The previous version you had signed did not have all of these comments included. Could you please email myself and Laura to confirm that you are happy with this final version.

Apologies for any confusion or duplication of work.

Kind regards,

Kerry.

Kerry Caldwell – Advanced Practitioner

Commissioning and Strategic Support Unit

North East Lincolnshire Council

Municipal Offices, Town Hall Square, Grimsby, DN31 1HU | 01472 323791
kerry.caldwell@nelincs.gov.uk | www.nelincs.gov.uk

From: Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>

Sent: 17 July 2020 09:47

To: Kerry Caldwell (NELC) <Kerry.Caldwell@Nelincs.Gov.Uk>

Cc: Laura Cowie (NELC) <Laura.Cowie@nelincs.gov.uk>; Chris Dunn (NELC)
<Chris.Dunn@Nelincs.gov.uk>; Carolina Borgstrom (NELC)
<Carolina.Borgstrom@nelincs.gov.uk>

Subject: RE: ODR for new recycling changes

This is fine Kerry.

Clive Tritton; Interim Director; Economy, Growth and Environment; North East Lincolnshire Council

Municipal Offices, Town Hall Square, Grimsby, DN31 1HU

01472 323 901 | clive.tritton@nelincs.gov.uk | www.nelincs.gov.uk



Officer Decision Record

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

To seek approval to award of the contract for implementation of Estate Road 2 – Phase 2 carriageway and footway reconstruction, following the conclusion of the evaluation process.

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

No.

3. Details of Decision

The project forms part of the LTP 2020/21 delivery plan. The project is to reconstruct Estate Road 2 carriageway and footway between Estate Road 6 and Pyewipe Roundabout, Grimsby. This is Phase 2 of the overall scheme, Phase 1 between Estate Road 8 and Estate Road 6 was completed July 2019.

A tender was let through NELC's surfacing frameworks. The award criteria used to evaluate the submissions was cost only, with the award going to the lowest tender value. However, the successful contractor is known to NELC/Engie and they have a sound reputation.

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.

Yes. The programmed construction start date is 01 September 2020. The ODR needs to be signed before the winning contractor can be notified, leaving only a small amount of time for the winning contractor to be in a position to mobilise ready for construction to start on site. With the current COVID-19 situation materials and plant may take longer than normal to source. Also access arrangements need to be made between the winning contractor and businesses along Estate Road 2 for a successful delivery of the project.

5. Anticipated outcome(s)

The successful tenderer is EC Surfacing Ltd, tender return value £750,840.88.

The contract mobilisation will start upon award of contract and also receipt of a signed contract. Duration of the works will be approx. 24 weeks (6 months).

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

Not applicable.

7. Background documents considered

Cabinet Decision of 28th May 2020 .

North East Lincolnshire Local Transport Plan Delivery Plan 2019 - 2022

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)

On 28th May 2020 Cabinet made the following decisions:

1. That the proposal to complete the carriageway and footway reconstruction works to Estate Road 2 be approved, utilising £1.9 million of capital funding and £180k from the approved Local Transport Plan.
2. That the Interim Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to commence an appropriate procurement exercise and to make an appropriate contract award for the works.

3. That the Director of Economy and Growth be authorised, in consultation with the Portfolio Holder for Environment and Transport, to ensure that all actions necessary and ancillary to the above resolutions be completed.

4. That the Chief Legal and Monitoring Officer be authorised to execute all documentation arising.

The decision sought is consistent with the previous decision and delegations made by Cabinet.

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

The costs of the scheme will be covered through an approved budget within the Council's approved capital investment programme. The scheme is to be funded from a £180k contribution from LTP grant, with the remainder coming from Council borrowing.

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

No direct HR implications

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

There is a significant risk to the Authority that if the contract is not awarded on time the programme of works start date will be delayed and the project will be delivered over the winter period with a shut down between Christmas and New Year.

14. Decision Maker(s):

Name: Mark Nearney

Title: Assistant Director of Housing and
Interim Assistant Director of Highways,
Transport and Planning

Signed: Approved via email

Dated: 22nd July 2020

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

Name: Cllr Stewart Swinburn

Title: Portfolio Holder for Environment
and Transport

Signed: Approved via email

Dated: 23rd July 2020

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

Name:

Title:

Signed:

Dated:

Appendix 1 – copy of email approval

From: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>

Sent: 23 July 2020 10:38

To: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>

Subject: RE: URGENT - ODR Sign-Off - Estate Road 2

Thanks for this,

I approve the ODR.

Regards

Cllr Swinburn

From: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>

Sent: 22 July 2020 15:20

To: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>; Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>

Subject: FW: URGENT - ODR Sign-Off - Estate Road 2

Importance: High

Luke,

I approve.

Cllr,

I am supportive, please can I ask you review/approve and forward you response asap.

Luke, confirmation emails will need sending to Dem Services as evidence.

Ta

Mark Nearney, Assistant Director of Housing

and Interim Assistant Director of Highways, Transport and Planning

North East Lincolnshire Council

Municipal Offices , Town Hall Square, Grimsby, DN31 1HU

Tel: 01472 324122 Mobile: 07826 344556

Email: Mark.Nearney@nelincs.gov.uk /www.nelincs.gov.uk

Stay alert. Control the virus. Save lives.



Officer Decision Record

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

Following submission of an expression of interest to the Ministry of Housing, Communities and Local Government (MHCLG) in March 2019 for Future High Streets Funding (FHSF) the Council was shortlisted in August 2019 to progress a full Business Case with a deadline for submission of 31 July 2020.

A business case was then prepared for a town centre redevelopment scheme comprising of a leisure hub, new market hall, open market square and a new cinema complex with food and beverage units. The scheme, requesting £25m of FHSF funds was presented to Cabinet on 15th July 2020 for their consideration. Cabinet gave approval for the Council to progress with the funding bid for the scheme which is estimated to cost £35m in total. The bid is a joint venture between NELC and the owners of Freshney Place shopping centre.

The reason for this ODR is to seek final sign off for the funding bid so that it can be submitted to MHCLG w/c 27th July 2020 for their appraisal and grant decision.

At the meeting on 15th July 2020 it was resolved that Cabinet;

1. Authorises the Director of Economy and Growth in consultation with the Leader of the Council to submit a funding application up to £25m to the Future High Streets Funds (FHSF) by the closing date of 31 July 2020
2. Authorises the Director of Economy and Growth and Director of Resources and Governance, in consultation with the Leader of the Council to accept the resultant grant funding on behalf of the Council, if the application is successful
3. Delegates to the Director of Economy and Growth in consultation with the Leader of the Council authority to develop the FHSF scheme and enter into in principle negotiations with third party landowners and delivery partners, including the development of a joint venture delivery vehicle with the owners of Freshney Place.
4. Supports approval in principle for the Council to exercise its powers to

compulsory purchase various parcels of land designated as the development site for the FHSF scheme

5. Authorises the Director for Economy and Growth in consultation with the Leader of the Council to take all preliminary actions regarding the implementation of compulsory purchase orders in the event that the Council is unable to agree terms through the ordinary course of negotiations accepting that the final decision of completion of any such order rests with Cabinet and be subject to a further report.
6. Delegates to the Director of Economy and Growth in consultation with the Leader of the Council authority to deal with all matters arising from and ancillary to the above.

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

Yes, with appropriate delegations made by Cabinet

3. Details of Decision

To submit the grant submission and acceptance of the funding if awarded. Also, to enable negotiations on land assembly to proceed to ensure the scheme can be delivered within the funding timeframe if awarded.

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)

A successful bid for FHSF will generate positive reputational and communications impacts for the Council and the owners of Freshney Place in terms of the significant visible investment that will be made in Grimsby town centre and the associated benefits for local residents, investors, businesses and visitors.

There is a potential negative reputational risk for the Council if the FHSF bid is not successful.

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

Do nothing – this would be an option which would not achieve the Council's key strategic aims for the regeneration of the town centre, as described in the Local Plan and Grimsby and Cleethorpes Town Centre Investment Plan.

A 'Do Less Option' was also explored which was a scaled down version of the preferred scheme, also situated on the same site. The appraisal process however, found this option offered less value for money and would not achieve the transformational impact expected from the investment of FHSF.

Development of an alternative scheme - The proposed scheme has been developed following a site options appraisal carried out by a team of specialists commissioned to assist the Council and the owners of Freshney Place. Their study reviewed a list of seven potential sites in the centre of the town which resulted in a more detailed site options review. However, none of these alternative schemes would address the provision of retail space in the town or have the most likely economic impacts as required by FHSF.

7. Background documents considered

Cabinet report - <https://www.nelincs.gov.uk/wp-content/uploads/2020/07/Future-High-Street-Funding-Cabinet-Report.pdf>

Decision notice - <https://www.nelincs.gov.uk/wp-content/uploads/2020/07/4.-Decision-Notice-15th-July-2020.pdf>

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 (Monitoring Officer or Deputy Monitoring Officer)

The above decision is consistent with the will and expectation of Cabinet as evidenced by reference to its decision of 15th July 2020 and is consistent with the delegations given.

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

The development is anticipated to cost in the region of £35M which would be funded through a combination of external grant funding, public and private sector

investment. The exact details of the financial case are still to be finalised, however it is expected that the scheme would generate sufficient returns to meet the ongoing financing costs.

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

There are no direct implications contained within this report.

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

If the FHSF bid is unsuccessful the scheme will not be able to proceed as proposed. A response to this could be to look at a different funding model, including other Government funding streams, to explore whether the scheme could be financed in another way.

If Government decide to offer less funding than the amount requested in the bid the proposed scheme could not be delivered as described. The Council and its delivery partner would need to review the scheme to see if there was a viable, alternative delivery model, for example: a scaled down, phased approach to the development.

Support from stakeholders for the scheme will be paramount to ensure the new development is successful and can benefit all concerned. Early engagement has already taken place and a point of contact established for further consultation and engagement. If the funds are granted and the scheme does progress a focus group will be formed to enable full ongoing engagement throughout the detailed design. A delivery model which allows for continuous trading is the preferred option, this will need to be fully worked up as the scheme is progressed.

14. Decision Maker(s):

Name: Mr Clive Tritton

Title: Interim Director, Economy and Growth

Signed: REDACTED

Dated: 29th July 2020

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

Name: Cllr Philip Jackson

Title: Leader of the Council

Signed: REDACTED

Dated: 29th July 2020

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

Name:

Title:

Signed:

Dated:



Officer Decision Record

1. Subject and details of the matter
<p>The Bereavement Services Project was approved by Cabinet on 13 February 2019 (Forward Plan Ref No. FP 02/19/10). One of the project strands is the creation of a pet crematorium and additional chapel at Grimsby Crematorium. This Officer Decision Record is to cover the procurement of a contractor, to undertake the work on the establishment of the pet crematorium and the creation of an additional chapel.</p>
2. Is it a Key Decision as defined in the Constitution?
No.
3. Details of Decision
<p>Cabinet considered a report from the Portfolio Holder for Environment, Transport and Energy at its meeting on 13 February 2019. This report outlined all the proposed improvements to Bereavement Services, including the establishment of a pet crematorium and the creation of an additional chapel. The decision record confirmed that the following had been resolved:</p> <ol style="list-style-type: none"> 1. That the proposals for improvements to Bereavement Services be agreed. 2. That authority be delegated to the Chief Operating Officer in consultation with the Portfolio Holder for Environment, Transport and Energy to implement the proposals on a phased approach and deal with all necessary actions ancillary or incidental to implementation. 3. That authority be delegated to the Chief Legal and Monitoring Officer to settle, complete and execute all appropriate documentation to facilitate the above. <p>This procurement was conducted in line with procedure. The tender was published on 6 April 2020 for one month and this was extended by two weeks because of COVID-19. Two tender bids were received and the tenders were evaluated on cost through the framework, with quality already assessed. The successful tender was received from Topcon Building LTD for the sum of £232,065.92.</p>
4. Is it an Urgent Decision ? If yes, specify the reasons for urgency
<p>While not an urgent decision, the contractor is ready to begin work in the next couple of weeks, as Bereavement Services is keen that work is well underway before the Crematorium's busier Winter period begin.</p>

5. Anticipated outcome(s)
<ul style="list-style-type: none"> • Proceed with award of contract • Issue award letter • Work on establishment of pet crematorium and creation of additional chapel begins
6. Details of any alternative options considered and rejected by the officer when making the decision
N/A
7. Background documents considered:
Bereavement Services Cabinet Report 13 February 2019.
8. Does the taking of the decision include consideration of Exempt information? If yes, specify the relevant paragraph of Schedule 12A and the reasons
<p>No.</p> <p>Only the original cabinet report of 13 February 2019 was exempt, as the appendices contained commercially sensitive financial information relating to the running costs of the pet crematorium.</p>
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>(Strategic Director – Governance & Transformation or nominee)</i>
<p>The decision is in line with the Cabinet decision of 13th February 2019 and recommended delegations.</p> <p>The procurement exercise has been 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.</p>
11. Section 151 Officer Comments <i>(Head of Finance & Assets or nominee)</i>
The cost of the works will be covered from the Bereavement Services Project budget incorporated into the Council's approved capital investment programme.

12. Human Resource Comments	
<i>(Head of Governance & Business Support or nominee)</i>	
There are no direct HR implications arising from the contents of this report.	
13. Risk Assessment (in accordance with the Report Writing Guide)	
There is a risk of not awarding the contract on time, as Bereavement Services is relying on the work being completed within schedule, as they need to begin the process of generating sufficient income, to make the service financially viable.	
14. Decision maker(s)	Name: Joanne Hewson Title: Chief Operating Officer, North East Lincolnshire Council Signed: REDACTED Dated: 29 th July 2020
15. Consultation carried out with Portfolio Holder(s):	Name: Councillor Stewart Swinburn Title: Portfolio Holder for Environment and Transport Signed: REDACTED Dated: 30 July 2020
16. If the decision is urgent then consultation should be carried out with the relevant Scrutiny Chair/Mayor/Deputy Mayor	Name: Title: Signed: Dated:



Officer Decision Record

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

To seek approval to award of the contract for implementation of Clee Road Traffic Signal Improvement and Carriageway Resurfacing, following the conclusion of the evaluation process.

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

No.

3. Details of Decision

The project forms part of the LTP 2020/21 delivery plan. The project is to upgrade traffic signals and vehicle crossing, carriageway reconstruction/resurfacing, gullies replacement and road marking.

A tender was let through NELC's frameworks. The award criteria used to evaluate the submissions was cost only, with the award going to the lowest tender value. Is this standard practice, if so say so The successful contractor is known to NELC/Engie and they have a sound reputation.

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.

Yes. The programmed construction start date is 01 September 2020. The ODR needs to be signed before the winning contractor can be notified, leaving only a small amount of time for the winning contractor to be in a position to mobilise ready for construction to start on site. With the current COVID-19 situation materials and plant may take longer than normal to source.

5. Anticipated outcome(s)

The successful tenderer is Specialist Surfacing Ltd, tender return value £473,422.85.

The contract mobilisation will start upon award of contract and also receipt of a signed contract. Duration of the works will be approx. 12 weeks.

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

Not applicable.

7. Background documents considered

Cabinet Decision Notice 11 March 2020 (LTP Programme approval).

North East Lincolnshire Local Transport Plan Delivery Plan 2019 - 2022

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)

A framework approach brings with it additional assurance of approved suppliers already meeting certain benchmarks and flagging agreement in advance to appropriate terms and conditions.

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 (Deputy S151 Officer or nominee)

The costs will be covered through the Local Transport Plan scheme budget that is within the Council's approved Capital Investment Programme.

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

There are no direct implications contained within this report.

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

There is a significant risk to the Authority that if the contract is not awarded on time the programme of works start date will be delayed and the project will be delivered over the winter period with a shut down between Christmas and New Year.

14. Decision Maker(s):

Name: Mark Nearney

Title: , Assistant Director of Housing
and Interim Assistant Director of
Highways, Transport and Planning

Signed: Approved via email

Dated: 28th July 2020

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

Name: Councillor Stewart Swinburn

Title: Portfolio Holder for Environment
and Transport

Signed: Approved via email

Dated: 30th July 2020

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

Name:

Title:

Signed:

Dated:

APPENDIX 1: Evidence of email approval

From: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>

Sent: 30 July 2020 12:24

To: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>

Subject: RE: URGENT Clee Road - ODR Tender Award DONE

Thanks Luke,

You have my approval.

Regards

Cllr Swinburn

From: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>

Sent: 30 July 2020 08:43

To: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>

Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>

Subject: FW: URGENT Clee Road - ODR Tender Award DONE

Importance: High

Morning Councillor,

Are you ok to review & approved the attached ODR this morning if your haven't done so already.

Any questions please give me a call.

Regards

Luke

Luke Greaves | Head of Highways & Transportation | ENGIE

☐ +44 (0)1472 32 5406 | +44 (0) 7739 511190 |

□ ENGIE, New Oxford House, George Street, Grimsby, North East Lincolnshire, DN31 1HB.

□ www.engie.com/en | □ luke.greaves@nelincs.gov.uk

From: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>

Sent: 28 July 2020 21:56

To: Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>

Cc: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>; Holly Hall (Engie) <Holly.Hall@Nelincs.gov.uk>; Martin Lear (Engie) <Martin.Lear@nelincs.gov.uk>; Alvin Pong (Engie) <Alvin.Pong1@Nelincs.gov.uk>

Subject: FW: URGENT Clew Road - ODR Tender Award DONE

Importance: High

Cllr,

Please can you review/approve attached ODR.

I am supportive.

Engie colleagues, please ensure copies of approval emails are sent to Dem Services as evidence log.

Thanks

Mark

Mark Nearney, Assistant Director of Housing
and Interim Assistant Director of Highways, Transport and Planning
North East Lincolnshire Council
Municipal Offices , Town Hall Square, Grimsby, DN31 1HU
Tel: 01472 324122 Mobile: 07826 344556
Email: Mark.Nearney@nelincs.gov.uk /www.nelincs.gov.uk



Officer Decision Record

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

To seek approval to award the contract for Vehicle Telematics and Safety Systems following conclusion of the evaluation process.

The contract is for the provision and installation of a vehicle telematics system and vehicle telematics devices to the Council's fleet of vehicles. These will enable the Council to monitor vehicle speed and location using data retrieved from the vehicle telematics devices and installed in our vehicles and plant, both in real time and via historical data. The data will be used for analysis and historical reporting information.

The contract also includes the requirement for various safety systems which will be fitted to its vehicles to ensure the safe operation of all the Council's fleet and plant, benefitting both the driver and the public.

The estimated whole life value is £170,000.

The contract duration shall be thirty six (36) months from the commencement date with the option to extend for up to three (3) further twelve (12) month periods, subject to performance.

An open procurement process was run, and following evaluation of the submissions, the Most Economically Advantageous Tenderer was identified as Ctrack Ltd.

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

Yes.

Delegation of award approval granted by Cabinet on the 11th March 2019 as part of the Fleet Replacement Cabinet Report.

3. Details of Decision

Approval of the award of the Vehicle Telematics and Safety Systems contract to Ctrack Ltd.

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)

The contract for Vehicle Telematics and Safety Systems is awarded to Ctrack Ltd.

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

Not award the contract.

Combine the Telematics system with a reprocurement of the waste management system. There is no guarantee that the waste management system will be procured within the next year, as it is currently in its early stage, and if it was reprocured, there is no guarantee that the two systems can be combined.

As Ctrack Ltd have been identified as the Most Economically Advantageous Tender, then there is no reason to not award.

7. Background documents considered

None.

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

Yes.

Appendix is exempt as it contains commercially sensitive 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)

No conflicts of interest have been identified.

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

The decision sought is consistent with the previous Cabinet decision and delegations of 11th March 2019.

The procurement exercise has been 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 cost of the new systems are to be funded from within the existing Fleet and Equipment Replacement budget that is within the current approved Capital Investment Programme.

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

There are no direct HR implications

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

Without a telematics system the Council is not in full control of their fleet, including locations, and issues such as speeding etc. Currently the Council has new RCV's which are waiting for the award and implementation of this contract before they can be used. Not awarding this contract means the new RCV's cannot be used, and that the Council is not in full control of its fleet, which presents a health and safety and reputational risk to the Council.

14. Decision Maker(s):

Name: Clive Tritton

Title: Interim Director for Economy,
Growth & Environment

Signed: REDACTED

Dated: 5th August 2020

Name: Councillor Stewart Swinburn

Title: Portfolio Holder Environment &
Transport

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

Signed: REDACTED

Dated: 5th August 2020

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

Name:

Title:

Signed:

Dated:



Officer Decision Record

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

Nomination of Property known as 'Wold Newton Village Hall', Main Road, Wold Newton, LN8 6BP, as an Asset of Community Value

The subject site has been nominated as an Asset of Community Value on the 22 May 2020 by the Chair of Wold Newton Village Hall Trust. The nomination is appended to this ODR at Appendix 2. The nomination is in line with 'The Assets of Community Value (England) Regulations 2012' (the "Regulations"), and the Localism Act (the "Act") which came into effect in September 2012.

The Council has a duty to respond to nominations within an eight-week window which was due on the 17 June 2020.

The Act defines only certain groups can nominate. This includes charities with a local connection with land in the local authority's area. The nomination has been made by the Trustees of Wold Newton Village Hall Trust a Charity (registered number 1000493) whose area of benefit is the parish of Wold Newton. Therefore, the group making the nomination, are deemed eligible under the Act.

In the spirit of the Localism Act, the Regulations are not considered in isolation. What determines the nomination is whether, in the opinion of the Local Authority, an asset would meet the definition of an asset of community value as set out in section 88 of the Act.

In summary, the definition of 'community' value within the meaning of the Act requires that land or buildings in a local authority's area:

- has in the recent past or is currently used of having; or
- continues to have; or
- to have a realistic prospect within the next 5 years of having

a non-ancillary* use that furthers social wellbeing or social interests.

(*for example, an ancillary use is something that is "secondary" (or "incidental") to another use.)

In line with section 88 of the Act, it is for the Local Authority to test these criteria in relation to the value that nominations have and to Communities of North East Lincolnshire.

The site appears to meet the definition of an asset of community value as set out in section 88 of the Act, in that the primary current use of the land furthers the social wellbeing or social interests of the local community and it is realistic to think that this use can continue., Therefore it shall be listed for a period of 5 years on the Register as well as the local land charges register.

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

No – the decision:

- will not result in a capital receipt.
- relates to and impacts solely on one Ward (Wolds).
- is not significant in terms of the number of residents / service users that will be affected in the ward.
- is not likely to result in substantial public interest; and
- will not incur a significant social, economic, or environmental risk.

3. Details of Decision

It is considered, in accordance with s88(1) of the Localism Act 2011, that the non-ancillary use of the Property, currently contributes to the social wellbeing or social interests of the local community and it is realistic to think that there can be a continued use of the building which furthers social wellbeing and social interests of the local

community. Therefore, it would be the opinion of the Local Authority to support the nomination.

Agreement to the nomination will result in the Property being entered on to the Register held by the Council as an 'Asset of Community Value' for a period of five years and onto the local land charges register.

Once an asset has been listed, nothing further will happen unless and until, the owner (in this case Lincoln Diocesan Board of Education, 103 Newport, Lincoln, LN1 3EE) decides to dispose of the asset, either through the disposal of the freehold estate with vacant possession, or the grant or assignment of a qualifying lease (i.e. originally granted for at least twenty-five years).

It is noted however, should the owner consider disposal, a community interest group has 6 weeks of the Council informing the nominator of the disposal to the Community to register their interest. The remaining full moratorium period of 6 months applies whereby Community Groups are given the opportunity to prepare a business plan and finance for the owner to consider. The owner will then determine a sale to whoever it chooses once the full moratorium period has concluded.

If the owner of the property incurs loss or expense that it would likely not have occurred had the land not been listed as an Asset of Community Value, the owner is able to claim compensation from the Local Authority. If a compensation claim is found to be reasonable the Local Authority will be required to pay the compensation sums to the owner.

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.

N/A – it is not a Key Decision needed to be made urgently.

5. Anticipated outcome(s)

That the land known as Wold Newton Village Hall, as detailed in section 1, is defined as an Asset of Community Value and will be entered onto Part 1 of the Register – 'Assets Held on the Register' for a period of 5 years, in line with the Localism Act.

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

N/A

7. Background documents considered

None.

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)

Under the Localism Act 2011 the Council is duty bound to receive and consider all community nominations for land to be listed as assets of community value and either accept the nomination and include it on the Council's list of assets of community value or reject the nomination and include it in the list of land unsuccessfully nominated for inclusion as assets of community value. The legal criteria, process, and implications in relation to this nomination are set out in the main body of the report. Legal Services will continue to be engaged to advise throughout the nomination process.

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

As outlined in section 3, if the owner of the property incurs loss or expense that it would likely not have occurred had the land not been listed as an Asset of Community Value, the owner is able to claim compensation from the Local Authority. If a compensation claim is found to be reasonable the Local Authority will be required to pay the compensation sums to the owner.

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

There are no direct HR implications.

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

Crime and Disorder – the site is currently operational and is in private ownership and as such does not fall within the responsibility of the Council. The site is situated adjacent to other operational premises adjacent to other dwellings and is less likely to receive regular or high levels of vandalism and acts of anti-social behaviour due to its location.

Diversity – The review of the nomination has tested the benefit to the local community in respect to an asset of value. The Council believe that there is value to the Community.

Value for Money – The decision comes as per the Localism Act whereby groups of a certain standing can nominate eligible assets of community value which can pause any subsequent disposal of an asset. It is of the opinion of the Local Authority whether to accept any nomination, and it is for the asset owner to determine whether to accept any bid in relation to any subsequent sale, neither of which it has any obligation to do.

14. Decision Maker(s):

Name: Sharon Wroot

Title: Director of Resources and
Governance

Signed: Approved via email.

Dated: 10th August 2020

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

Name: Councillor John Fenty

Title: Portfolio Holder for
Regeneration, Skills and Housing

Signed: Approved via email.

Dated: 7th August 2020

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

Name: N/A

Title: N/A

Signed: N/A

Dated: N/A

Appendix One – Site Plan



Appendix Three – email approval

From: Sharon Wroot (NELC) <Sharon.Wroot@nelincs.gov.uk>

Sent: 10 August 2020 10:36

To: Jack Fox (NELC) <Jack.Fox@nelincs.gov.uk>; Cllr John Fenty (NELC) <John.Fenty@nelincs.gov.uk>

Cc: Democracy <Democracy@nelincs.gov.uk>; Wendy Fisher (NELC) <Wendy.Fisher@Nelincs.gov.uk>

Subject: RE: ODR - Asset of Community Value - Wold Newton Village Hall

Happy to support Jack

Sharon Wroot, Director of Resources & Governance, North East Lincolnshire Council

Municipal Offices, Town Hall Square, Grimsby, DN31 1HU

Telephone 01472 324423 Mobile 07768553669

sharon.wroot@nelincs.gov.uk | www.nelincs.gov.uk

Stay alert. Control the virus. Save lives.

From: Cllr John Fenty (NELC) <John.Fenty@nelincs.gov.uk>

Sent: 07 August 2020 17:13

To: Jack Fox (NELC) <Jack.Fox@nelincs.gov.uk>

Subject: Re: ODR - Asset of Community Value - Wold Newton Village Hall

I continue to support this decision thank you Jack

Regards Cllr John Fenty

07712398656

On 7 Aug 2020, at 16:03, Jack Fox (NELC) <Jack.Fox@nelincs.gov.uk> wrote:

Good Afternoon both

Monitoring comments are now complete and the proposal has been written up using the new accessible template for ODRs.

If you continue to support, could you please confirm by return of this email which will act as signature to the final completed version of the ODR.

Many thanks and have a good weekend.

Regards

Jack Fox, Assets Advanced Practitioner (Corporate) and Municipal Offices
Responsible Person

Assets, North East Lincolnshire Council

Municipal Offices, Town Hall Square, Grimsby, North East Lincolnshire, DN31 1HU

01472 323388 | 07730 014287 | jack.fox@nelincs.gov.uk | www.nelincs.gov.uk

North East Lincolnshire Council and ENGIE, working in partnership to deliver a stronger economy and stronger communities

The purpose of Community Right to Bid legislation is to give communities a right to identify a property that is believed to be of value to their social interests or social wellbeing and gives them a fair chance to make a bid to buy the property in the open market if the property owner decides to sell. If your community group or organisation wants to nominate a building you should complete the following form.

Once completed please return the application form to:

Jack Fox - Assets Advanced Practitioner (Corporate)

North East Lincolnshire Council

Civic Offices

Knoll Street

Cleethorpes

North East Lincolnshire

DN35 8LN

Telephone Number: (01472) 323388

E-mail: jack.fox@nelincs.gov.uk

Section 1: About the property to be nominated

Name of Property ***Wold Newton Village Hall***

Address of Property ***Wold Newton***

Postcode ***LN8 6BP***

Property Owners Name ***Lincoln Diocesan Board of Education***

Address ***103 Newport, Lincoln***

Postcode ***LN1 3EE***

Current Occupiers Name **Wold Newton Village Hall Trust**

Section 2: About your Community Organisation

Name of Organisation **Wold Newton Village Hall Trust**

First Name: **David**

Surname: **Buckle**

Position in Organisation **Chair**

Email Address **buckledj@gmail.com**

Address **Post Office Cottages, Wold Newton, Market Rasen**

Postcode **LN8 6BP**

Telephone: **01472 398187**

Mobile: **07836 656 793**

Section 3: What is your Organisation Type

Constituted Community/Voluntary Group

Parish/Town Council

Neighbourhood Forum

Un-constituted Community Group

Industrial & Provident Society

Community Interest Company

Company Limited by Guarantee

Charity

Registered charity number 1000493

How many members do you have ([this is particularly important for un-constituted community groups](#))?

Section 4: Supporting Information for Nomination

[Any information entered in this section may be copied and passed onto the owner of the property you are nominating.](#)

Why do you feel the property is an asset of community value? Please give as much information as possible.

The property was originally the village school, built in about 1845. The school closed in 1946. Since then the school room has been used as a village hall. The Wold Newton Women's Institute has met there monthly since the 1950s. It has been used for church meetings, parties, whist drives etc. In recent years there have been weekly yoga classes, a weekly art group, charity fund raising activities and a twice monthly tea room.

Section 5: Future Use

If you were successful in securing this property, what would your organisation use this building for? Please give as much information as possible.

It would continue to be used as now.

Section 6: Boundary of Property

What do you consider to be the boundary of the property? Please give as much detail as possible (if possible, please include a plan).

Please see the accompanying plan.

Section 7: Attachment Checklist

Copy of group constitution (if you are a constituted group)

Name & home addresses of 21 members registered to vote in nomination area (if group is not constituted)

Site boundary plan (if possible)

Section 8: Declaration

I confirm that I have the authority to submit this nomination on behalf of the relevant body and that to the best of my knowledge the information contained in the application is complete and accurate.

Signed

Position in the organisation ***Chair***

Dated ***22.5.2020***

SCHEDULE

1. The property hereby demised (hereinafter called 'the trust property') shall be held upon trust for the purposes of a village hall for the use of the inhabitants of the Parish of Wold Newton in the County of Lincoln (hereinafter called 'the area of benefit') without distinction of political religious or other opinions including use for meetings lectures and classes and for other forms of recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants.

2. The charity shall be administered in conformity with the provisions of this deed by the committee of management hereinafter constituted (and hereinafter called 'the committee' who shall be the charity trustees of the charity within the meaning of Section 46 of the Charities Act 1960.

PROVIDED that until the end of the first annual general meeting to be held after the date of this deed the charity shall be administered in accordance with the provisions of this deed by the following persons:

Father Trevor Walker, Rector of Wold Newton, Binbrook Rectory, Binbrook, Lincoln. (Chairman)

Mr Martin Ollard, The Manor, Wold Newton, Binbrook, Lincoln (Church Warden)

Mrs Claire Ollard, The Manor, Wold Newton, Binbrook, Lincoln.

Mrs Rachel Ollard, Scallows Hall, Binbrook, Lincoln.

Mrs Cynthia M. Dale, The Langmore, Wold Newton, Binbrook, Lincoln. (Vice-Chairman)

Mr T. Hewson, Main Road, Wold Newton, Binbrook, Lincoln.

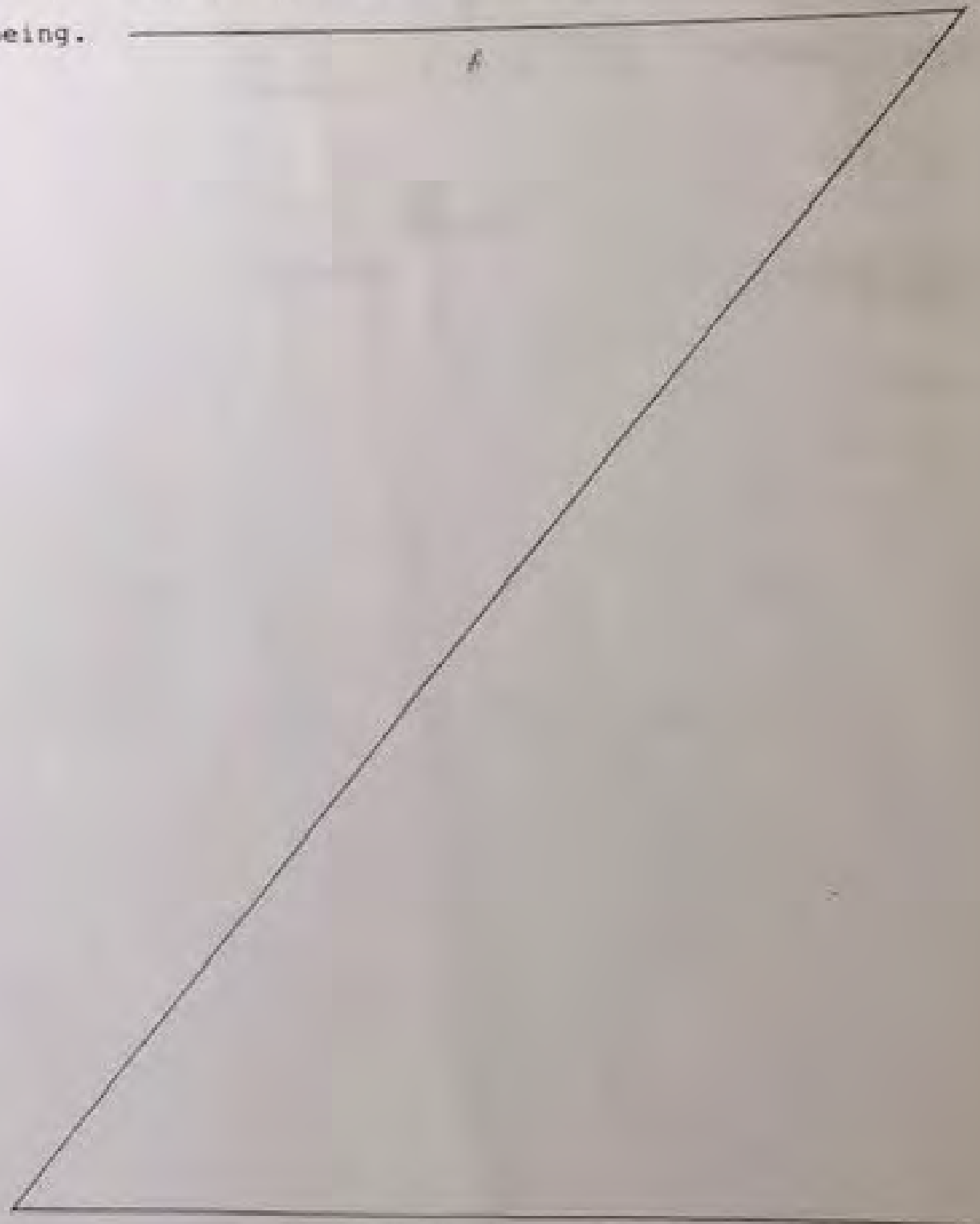
Mr Terry James, Main Road, Wold Newton, Binbrook, Lincoln.

Mr Bill Waters, Main Road, Wold Newton, Binbrook, Lincoln.

Mrs Monica Waters, Main Road, Wold Newton, Binbrook, Lincoln.

(d) The engagement and dismissal of such officers servants and agents as the committee may consider necessary and the payment of such persons (not being members of the committee).

(e) The summoning and conduct of meetings including the number of members who shall form a quorum thereat PROVIDED that at meetings of the committee the quorum shall not be less than one-third of the total number of the members for the time being.



shall be confirmed by three-quarters of such inhabitants present and voting at such meeting the lessees may at the request of the committee and with the consent of the Charity Commissioners surrender their leasehold interest in the trust property for such consideration and upon such terms as may be approved by the Charity Commissioners. All monies belonging to the charity (including the proceeds of sale of any fixtures and fittings) (after satisfaction of any liabilities properly payable thereout) shall with such consent as aforesaid be applied either in the purchase of other property approved by the committee and to be held upon the trusts for the purposes and subject to the provisions hereinbefore set forth (including this power) or as near thereto as circumstances shall permit or towards such other charitable purposes or objects for the benefit of the inhabitants of the parish of Wold Newton as may be approved by the Charity Commissioners and meanwhile such monies shall be invested and any income arising therefrom shall either be accumulated (for such time as may be allowed by law) by investing the same and the resulting income thereof in like manner as an addition to and to be applied as the capital of such investments or shall be used in furthering the purposes specified in this deed.

26. Within the limits prescribed by this deed the committee may from time to time make and alter rules for the management of the charity and in particular with reference to:

- (a) The terms and conditions upon which the trust property may be used by persons or bodies other than the committee for the purposes specified in this deed and the sum (if any) to be paid for such use.
- (b) The deposit of money at a proper bank and the safe custody of documents.
- (c) The appointment of an auditor.

needed as a balance for working purposes shall (unless otherwise directed by the Charity Commissioners) be invested.

The committee may receive any additional donations or endowments for the general purposes of the charity and it may also accept donations or endowments for any special objects connected with the charity not inconsistent with the provisions of this deed.

23. The committee shall provide and keep a minute book and books of account. All property statements of account in relation to the charity shall in each year be prepared as prescribed by Section 32 of the Charities Act 1960 and copies thereof shall be sent to the Chairman of the parish meeting.

24. At the request of the committee the lessees may with the consent of the Charity Commissioners (and any necessary consent of the lessor) from time to time by mortgage or otherwise obtain such advances on the security of the trust property or any part thereof as may be required for maintaining extending or improving the same or any part thereof or erecting any building thereon or for the work carried on therein and may continue or may repay in whole or in part and from time to time any existing mortgage or charge on the property.

25. If the committee decides at any time that on the grounds of expense or otherwise it is necessary or advisable to discontinue the use of the trust property in whole or in part for the purposes stated in paragraph 1 it shall call a meeting of the inhabitants of the age of eighteen years and upwards of the parish of Wold Newton of which meeting not less than fourteen days notice (stating the terms of the resolution that will be proposed thereat) shall be posted in a conspicuous place or places on the trust property and advertised in a newspaper circulating in the parish of Wold Newton and if such decision

such other means as the conveners think fit.

(d) The persons who are present at the first annual general meeting after the date of this deed shall before any other business is transacted appoint a chairman of the meeting. The chairman of subsequent annual general meetings shall be the chairman for the time being of the committee. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

(e) The committee shall present to each annual general meeting the report and accounts of the charity for the preceding year.

19. The committee shall at all times keep the demised premises and the fixtures and additions thereto in good and substantial repair and condition and shall save harmless and keep indemnified the lessees against the rent and against all rates taxes and outgoings whatsoever including the cost of repairs and insurance against fire which are or at any time may become payable in respect of the demised premises under the covenants contained in this deed and on the part of the lessee to be observed and performed and from and against all proceedings damages costs claims and expenses on account of any breach of any of the said covenants and shall cause the demised premises and other property of the charity in so far as the same shall not be otherwise insured at all times to be sufficiently insured against all insurable risks including fire theft and public liability and shall whenever necessary procure (and act upon) a professional valuation for insurance purposes of the said premises and property of the charity.

20. After satisfying its obligations under paragraph 19 hereof the committee shall as and when it thinks fit apply the net yearly income for the purposes of the charity.

21. Any sum of cash at any time belonging to the charity and

committee a wish to resign shall thereupon cease to be a member.

15. The committee shall hold at least one ordinary meeting in each year. A special meeting may be summoned at any time by the chairman or any two members upon seven clear days notice being given to all the other members of the matters to be discussed.

16. The committee at their first meeting in each year after the annual general meeting shall elect one each of their number to be a chairman and a vice-chairman. The chairman and the vice-chairman shall continue in office until their respective successors are elected.

If the chairman is absent from any meeting the vice-chairman (if any) shall preside otherwise the members present shall before any other business is transacted choose one of their number to preside at that meeting.

17. Every matter shall (except as in this deed provided) be determined by the majority of the members of the committee present and voting on the question. In case of equality of votes the chairman of the meeting shall have a second or casting vote.

18. (a) There shall be an annual general meeting in connection with the charity which shall be held between the 21st May and the 21st July in each year

(b) All inhabitants of the parish of Wold Newton of eighteen years of age and upwards shall be entitled to attend and vote at the annual general meeting.

(c) The first annual general meeting after the date of this deed shall be convened by persons named in clause 2 hereof and subsequent annual general meetings by the committee. Public notice of every annual general meeting shall be given in the parish of Wold Newton at least fourteen days before the date thereof by affixing a notice to some conspicuous part of the trust property or other conspicuous place in Wold Newton and by

date on which they came into office but they may be re-elected or re-appointed.

9. Upon the occurrence of a casual vacancy the committee shall cause a note thereof to be entered in their minute book at their next meeting and if in the office of representative member it shall be notified as soon as possible to the proper appointing organisation. A casual vacancy in the office of elected member may be filled by the committee and the period of office of an elected member elected to fill a casual vacancy shall commence at the end of the meeting of the committee at which he was so elected.

10. The constitution of the committee as hereinbefore provided may on the application of the committee be altered from time to time by order of the Charity Commissioners.

11. The proceedings of the committee shall not be invalidated by any failure to appoint or any defect in the appointment election or qualification of any member.

12. No person shall be entitled to act as a member of the committee whether on a first or on any subsequent entry into office until after signing in the minute book of the committee a declaration of acceptance and of willingness to act in the trusts of this deed.

13. Except in special circumstances with the approval in writing of the Charity Commissioners no member of the committee shall take or hold any interest in any property belonging to the charity otherwise than as a trustee for the purposes thereof or receive any remuneration or be interested in the supply of work or goods at the cost of the charity.

14. Any member who is adjudged bankrupt or who makes a composition or arrangement with his creditors or who is incapacitated from acting or who communicates in writing to the

Allan Norman, Main Road, Wold Newton, Binbrook, Lincoln.

Mrs Eileen Willerton, Main Road, Wold Newton, Binbrook, Lincoln

The trustees and all persons holding any property of the charity shall take such steps as may be necessary for the purpose of vesting in the Official Custodian for Charities all freehold and leasehold lands and other property at any time belonging to the charity .

4. Except as hereinafter in this paragraph provided the committee shall consist of nine elected members and two representative members being the Rector of the Parish of Wold Newton and a churchwarden nominated by Wold Newton Parochial Church Council both acting as ex-officio members and may include not more than two co-opted members.

5. The elected members (other than those appointed to fill casual vacancies) as hereinafter provided shall be elected at the annual general meeting to be held as is hereinafter provided.

6. Co-opted members shall be appointed at a duly constituted meeting of the committee.

7. Subject to the provisions hereinafter provided in paragraph 9 the period of office of members shall commence

(a) in the case of elected members at the end of the annual general meeting at which they were elected

(b) in the case of representative members appointed at the end of the annual general meeting or where appointed after such annual general meeting or to fill a casual vacancy on the day which notification of his appointment is received by the secretary and

(c) in the case of co-opted members from the date of their co-option

8. All members of the committee shall retire from office together at the end of the annual general meeting next after the