



## Officer Decision Record

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

The Kasbah Partnership Scheme in Conservation Areas (PSiCA) scheme provides grants to properties within the Kasbah Conservation Area for building repair and reinstatement of architectural features; roof works; shopfront repair and improvements; and to bring long-term vacant properties back into use.

Approval is sought to finalise the project appraisal, approval and claims process to enable the award of grant funding and delegate authority to the Acting Assistant Director for Regeneration to approve payments of grant monies up to the value of £150k per property to such recipients, in accordance with grant conditions and to ensure that all actions necessary and ancillary thereto be completed. Any payments above this threshold will be approved through an additional Officer Decision Record.

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

No - however Cabinet, at its meeting of 10th April 2019 (FPFP 04/19/06), delegated authority to the Director of Economy and Growth in consultation with the Portfolio Holder for Regeneration, Skills, Assets and Housing (and Chief Legal and Monitoring Officer where appropriate) to:

- b) Finalise the project appraisal, approval, and claims processes for the award of PSiCA grants to third party property owners.
- c) Finalise appropriate legal agreements between the Council and third party property owners awarded grants through the PSiCA programme, subject to assurance on State Aid compliance, and including the arrangements and contractual

terms for the payment of grant monies to such recipients in accordance with the grant conditions and the monitoring of grants thereafter.

### **3. Details of Decision**

The Heritage Action Zone Project Manager has worked closely with Legal Officers and Historic England to develop a comprehensive project appraisal, approval, and claims process for the award of grants to third party property leaseholders, and to ABP as landowner.

The project appraisal and award process is attached in Appendix 1 along with details of the Heritage Grants Panel.

Approval is sought to finalise the project appraisal, approval and claims processes to enable the award of grant funding and delegate authority to the Acting Assistant Director for Regeneration to approve payment of grant monies up to the value of £150k per property to such recipients, in accordance with grant conditions and ensure that all actions necessary and ancillary thereto be completed.

### **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, however the first grant application will be received very soon, therefore approval of the claims process and legal agreements is required to enable this grant to be approved by NELC and grant funding released.

### **5. Anticipated outcome(s)**

To approve the project appraisal, approval, and claims processes for the award of grants to third party property owners which will enable grant applications to be approved and grant funding released.

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

N/A

### **7. Background documents considered**

Cabinet Decision Notice, 12th April 2019

Cabinet Report (FP 04/19/06)

PSiCA Funding Agreement

**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)**

Legal Services are involved with the PSiCA project and have offered support and guidance in respect of the project governance and the required legal agreements. Legal will continue to support the project to ensure all contractual and property considerations are fully understood and risks mitigated, in around state aid compliance in respect of individual grant funding applications.

In respect of the management of the grant award process, care should be taken to ensure compliance with the Council's grant conditions in respect of the overall PSiCA scheme and that the process is managed in a clear and transparent manner.

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

The grants programme is funded through a capital scheme within the Council's current approved Capital Investment Programme.

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

There are no Human Resource implications with this report.

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

Failure to approve the project appraisal, approval and claims process will impact on the ability to award grants to prospective applicants and NELC's ability to achieve full

grant allocation within the prescribed timeframes (by September 2024). Failure to progress the scheme will have a negative impact on the overall regeneration of the Kasbah and Grimsby Town Centre.

A full risk assessment for the Kasbah PSiCA is attached to this report.

**14. Decision Maker(s):**

Name: Clive Tritton

Title: Interim Director of Economy and Growth

Signed: REDACTED

Dated: 11<sup>th</sup> 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: 7<sup>th</sup> 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:

## Appendix 1

### Kasbah Partnership Scheme in Conservation Areas (PSiCA) Grant Scheme

**Item 1 - Project appraisal, approval, and award process** (items in bold are documents which have been prepared to enable the grant scheme to be administered and are available on request)

1. **PSiCA Grant Advice Note** issued to prospective applicants, together with the Expression of Interest Form.
2. **Expression of Interest Form** completed by all applicants.
3. Where the applicant is a current or future leaseholder, the HAZ PM will liaise with landowner ABP to confirm that a lease has been discussed with them
4. Discussion and possible site visit with HAZ PM and NELC Heritage Officer to confirm that the project is eligible and agree outline scope of work.
5. **Heritage Grants Panel Appraisal Report** is prepared
6. Heritage Grants Panel meet to assess the Expression of Interest, and a recommendation of Offer in Principle, Further Information Required, or Reject Application is prepared and recorded on the Appraisal Report.
7. **Offer in Principle letter** and **Full Application Form** sent to the applicant if they are successful, feedback provided if not.
8. Applicant asks ABP to approve the lease
9. Planning Application/Listed Building Consent submitted by applicant.
10. Tender schedule is confirmed and sent out to prospective Contractors by the applicant
11. HAZ PM works with applicant to ensure all application information is being prepared as requested, and that the project is still eligible as part of the scheme, requesting amendments to designs/costs if necessary.
12. **Full Application Form** is completed by property owners. The application includes a tender report; statement of significance, full designs, plans and drawings, and costed schedule of works. Planning/LBC applications need to have been made and ideally approved at this stage.
13. **Due Diligence Check** completed by HAZ Project Manager.
14. **Heritage Grants Panel Appraisal Report** is prepared.
15. Heritage Grants Panel meet to assess the application in terms of compliance with Grant Guidelines and support for the scope of work, and a recommendation is prepared and recorded on the Appraisal Report.
16. HAZ Project Manager prepares **Historic England Project Appraisal Report**
17. Historic England assess the project and provide approval for the grant to be awarded
18. Heritage Grants Panel Appraisal Report & Grant allocation is approved by Acting Assistant Director for Regeneration (ODR if above £350k)
19. **Award Letter** and two copies of **Grant Agreement Contract** sent to applicant for signing.

20. On receipt by NELC of signed grant agreement, **Sealing Request and Grant Agreement** sent to NELC Legal for signing.
21. **Permission to Start Letter** sent to Applicant
22. **Payment schedule** (Terms for paying grant funding to property owner) agreed. HAZ PM will have requested evidence that the owners have the financial means to cashflow the project and cover their third-party contribution
23. New Supplier Request Form (for eProcurement)

## **Item 2 - Heritage Grants Panel**

An independent Heritage Grants Panel has been formed to assess and approve the projects which have applied for a grant. This panel has been formed to appraise both the TH Project in Cleethorpes and the PSiCA in Grimsby. The panel includes expertise from planning, heritage, finance, and legal representation. The panel has its own Terms of Reference and the members are as follows: -

- Jonathan Hyldon – Senior Solicitor, Wilkin Chapman LLP (Chair)
- James Livermore – Corporate Account Manager, Handelsbanken
- Ian Trowsdale - former Planner at NELC
- Hilary Byers – Historic Buildings and areas specialist
- Emilie Wales – Historic Environment Officer, ELDC
- Tony Gravel – Divisional Director, PPH Commercial

The secretariat for the panel is provided by:

- Carol Heidschuster – Townscape Heritage Project Manager, Engie
- Stella Jackson – HAZ Project Manager, Engie

## APPENDIX 2 – Email approval

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

Sent: 07 August 2020 21:54

To: Rebecca Hodgson (NELC) <Rebecca.Hodgson@nelincs.gov.uk>

Cc: Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>; Bethany Salkeld (NELC) <Bethany.Salkeld@Nelincs.gov.uk>; Sandra Hullett (NELC) <Sandra.Hullett@nelincs.gov.uk>

Subject: Re: PSiCA ODR Approval Email 1 of 3

Good with those and happy to sign by way of this mail thanks Becky

Regards Cllr John Fenty

07712398656

On 7 Aug 2020, at 15:19, Rebecca Hodgson (NELC) <Rebecca.Hodgson@nelincs.gov.uk> wrote:

Good afternoon,

Please find attached PSiCA ODR for your approval and signature as approved by Damien. If a signature is not possible, please confirm your approval via return email.

There are 2 further emails to follow, with other ODRs for approval.

Kind regards,

Becky



## Officer Decision Record

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

Approval is sought to acquire the mitigation sites owned by Novartis and Solenis. The two sites are adjacent to each other and will provide an additional 20ha of mitigation land. Novartis have decided to grant their land and the Solenis land is sold at agricultural value for £148,250.00.

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

No.

### 3. Details of Decision

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 SHIP programme.

The delivery of the Strategic Mitigation sites is a key part of SHIP by making the planning process quicker, easier, less costly, and more certain. This has already proven beneficial in the planning process for UKEPI and Velocys with the result that only 35% of the initial 40ha of mitigation land created at Cress Marsh is now available.

These purchases will provide another 20ha of mitigation land and will also provide the first coastal site which is a crucial requirement for the overall scheme.



**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. To ensure project continuity and meet the grant funding timescale.

**5. Anticipated outcome(s)**

To approve the purchase of the Novartis and Solenis mitigation sites for the sum of £148k. The cost of purchasing the land is included in the SHIIP financial model.

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

N/A

**7. Background documents considered**

Cabinet on 14 December 2017 approved the following:

**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 SHIIP.**

**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 provision of mitigation land is a key enabler to the SHIIP project and wider Humber Bank development. Acquisition as outlined above supports the stated outcomes for the SHIIP project and is consistent with its aims.

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

Funding for the acquisition of the mitigation sites is already incorporated within the Council's approved capital programme. Acquisition costs are incorporated within the current financial model for the SHIP 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)**

Failure to authorise the purchase of the two sites will risk losing £166k of ERDF funding and the opportunity to add much needed mitigation land. In addition, both organisations may change their minds about selling and the opportunity would be lost.

**14. Decision Maker(s):**

Name: Clive Tritton

Title: Interim Director of Economy and Growth

Signed: REDACTED

Dated: 11<sup>th</sup> 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: 7<sup>th</sup> 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:

**Appendix 1 – email approval**

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

Sent: 07 August 2020 21:48

To: Rebecca Hodgson (NELC) <Rebecca.Hodgson@nelincs.gov.uk>

Cc: Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>; Bethany Salkeld (NELC) <Bethany.Salkeld@Nelincs.gov.uk>; Sandra Hullett (NELC) <Sandra.Hullett@nelincs.gov.uk>

Subject: Re: Novartis and Solenis ODR Approval Email 2 of 3

Good with that and happy to sign by way of this mail thanks Becky

Regards Cllr John Fenty

07712398656

On 7 Aug 2020, at 15:20, Rebecca Hodgson (NELC) <Rebecca.Hodgson@nelincs.gov.uk> wrote:

Good afternoon,

Please find attached Novartis and Solenis ODR for your approval and signature as approved by Damien. If a signature is not possible, please confirm your approval via return email.

There is a further email to follow, with other ODRs for approval.

Kind regards,

Becky



## Officer Decision Record

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

Approval is sought to exercise the Option on the Moorcroft land located on the Stallingborough Exchange Investment Site. (see plan in appendix 1). The reason to exercise the option now is to coincide with the letters going out to the other two landowners regarding the CPO process.

When exercising the option, a deposit of £75k is paid to the owner's solicitors that reverts to the owner on completion.

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

No.

### 3. Details of Decision

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 SHIP programme.

The delivery of the Stallingborough Interchange Investment Site project is a key part of SHIP and will play an important role in creating a "Stronger Economy".

In order to meet delivery targets and ensure that the Business Rate income stream is achieved it is important to secure control of the relevant land. Myenergi, a growing local company, have recently signed up for a building on adjacent land and is now under construction.

**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. To ensure project continuity, and delivery of key outputs including jobs and business rates.

**5. Anticipated outcome(s)**

To exercise the Moorcroft option and acquire the land.

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

N/A

**7. Background documents considered**

Cabinet on 14 December 2017 approved the following:

**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.**

**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 actual option to acquire the land described was completed some time ago and is for a finite period. The triggering of the option enabling the Council to acquire legal title to the land (subject to price) is at the Council's discretion.

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

The 2016 SHIIP Cabinet report gave delegated authority to the Director of Economy and Growth to undertake all actions necessary to secure the implementation of the South Humber Industrial Investment Programme, including acquisition of land interests. The budget for the acquisition of the land is incorporated into the SHIIP capital programme allocation. The SHIIP is consistent with the Council's approved financial strategy which focuses on the growth the local tax base.

**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)**

Failure to exercise the option will delay the land assembly process, which will in turn delay the development of a major employment site. This will not only affect our ability to attract potential investors to North East Lincolnshire but will delay the creation of jobs and business rates.

**14. Decision Maker(s):**

Name: Clive Tritton

Title: Interim Director of Economy and Growth.

Signed: REDACTED

Dated: 11<sup>th</sup> 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: 7<sup>th</sup> 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:



## Appendix 1 – email approval

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

Sent: 07 August 2020 21:45

To: Rebecca Hodgson (NELC) <Rebecca.Hodgson@nelincs.gov.uk>

Cc: Clive Tritton (NELC) <Clive.Tritton@nelincs.gov.uk>; Bethany Salkeld (NELC) <Bethany.Salkeld@Nelincs.gov.uk>; Sandra Hullett (NELC) <Sandra.Hullett@nelincs.gov.uk>

Subject: Re: Stallingborough ODR Approvals Email 3 of 3

Good with those and happy to sign by way of this mail thanks Becky

Regards Cllr John Fenty

07712398656

On 7 Aug 2020, at 15:22, Rebecca Hodgson (NELC) <Rebecca.Hodgson@nelincs.gov.uk> wrote:

Good afternoon,

Please find attached x3 Stallingborough ODRs for your approval and signature as approved by Damien. If a signature is not possible, please confirm your approval via return email.

Kind regards,

Becky



## Officer Decision Record

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

Approval is sought to extend the existing NEC4 Contract with IUS, to allow IUS to complete the final electrical substation works under existing contract for £355,563. The cost for the works is significantly less than the original budget allocation of £680k for the main 7MVA substation and Phase1a substation set within the SHIIP Financial model. Engie Procurement Team have approved the ability to vary the existing contract up to 50% of the original value of £1.2m.

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

No.

### 3. Details of Decision

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.

The delivery of the Stallingborough Interchange Employment Site project is a key part of SHIIP and will play a key role in creating a "Stronger Economy".

In order to meet delivery targets and ensure electricity supply is available for the myenergi development, the extension for the IUS contract will ensure quality and implementation standards are maintained and avoid any delay to the programme.

**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. To ensure project continuity and meet timescale for myenergi development on site.

**5. Anticipated outcome(s)**

To issue an extension to the existing IUS contract at Stallingborough, allowing uninterrupted completion of the electricity supply works.

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

N/A

**7. Background documents considered**

Cabinet on 14 December 2017 approved the following:

**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.**

**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)**

Approval is in line with the Cabinet decision of 14th December 2017, subsequent delegations, and the Council's key priorities. Time is of the essence. Legal Services will support as required.

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

The budget for the works is incorporated into the approved South Humber Industrial Investment Programme capital scheme. It is noted that the costs for the works is less than the original budget allocation.

#### **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)**

Failure to extend the contract with IUS will significantly delay the completion of the electricity supply connection and will impede the development of a major employment site as well as impacting on the ability to attract additional potential investors to North East Lincolnshire.

#### **14. Decision Maker(s):**

Name: Clive Tritton

Title: Interim Director of Economy and Growth

Signed: REDACTED

Dated: 11<sup>th</sup> August 2020

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

Name: Councillor John Fenty

Title: Portfolio Holder for Regeneration, Skills and Housing

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Good afternoon,

Please find attached x3 Stallingborough ODRs for your approval and signature as approved by Damien. If a signature is not possible, please confirm your approval via return email.

Kind regards,

Becky



## Officer Decision Record

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

Approval is sought to approve the cost for the rising main and pumping station works to be undertaken by Anglian Water as statutory supplier at Stallingborough Interchange Employment site. The cost for the works has been confirmed as £1,036,619 and is significantly less than the original budget allocation of £2,400,000 set within the SHIP Financial model.

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

Yes.

### 3. Details of Decision

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 SHIP programme.

The delivery of the Stallingborough Interchange Employment Site project is a key part of SHIP and will play a key role in creating a “Stronger Economy”.

In order to meet delivery targets and ensure foul services to the site are available for investors, including myenergi.

**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. To ensure project continuity and meet timescale for myenergi development on site.

**5. Anticipated outcome(s)**

To approve works to be completed by Anglian Water for the sum of £1,036,619 to complete the rising main and pumping station works for the Stallingborough site.

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

N/A

**7. Background documents considered**

Cabinet on 14 December 2017 approved the following:

**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.**

**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 Director for Economy and Growth enjoys wide delegations to ensure the implementation of the SHIP program. It is right that a decision of this nature be captured by a formal officer decision record. The expenditure is clearly required to ensure delivery generally.



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

The 2016 SHIP Cabinet report gave delegated authority to the Director of Economy and Growth to undertake all actions necessary to secure the implementation of the South Humber Industrial Investment Programme, including delivery of infrastructure. The budget for the water infrastructure works is incorporated into the SHIP capital programme allocation. The cost for the works has been confirmed as £1,036,619 and is significantly less than the original budget allocation of £2,400,000 set within the SHIP Financial model. The overall programme is consistent with the Council's approved financial strategy which focuses on the growth the local tax base.

**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)**

Failure to authorise the Anglian Water work will significantly delay the completion of the rising main and pump station facility and will impede the development of a major employment site, impacting upon the ability to attract potential investors to North East Lincolnshire.

**14. Decision Maker(s):**

Name: Clive Tritton

Title: Interim Director of Economy and Growth.

Signed: REDACTED

Dated: 11<sup>th</sup> August 2020

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

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Kind regards,

Becky



## Officer Decision Record

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

In February 2019 Cabinet approved 7 ASB Public Space Protection Orders (PSPO's) for the Borough including, Cleethorpes Sea Front. The PSPO's were brought in after extensive consultation with the Police, the public, businesses, ward councillors, the Police and Crime Commissioner and other interested parties. The applications were supported by appropriate data including incident logs and complaints from the public and business and contributes to the Council outcome of "Feel Safe Are Safe".

Anti-social behaviour across North East Lincolnshire featured very strongly, in particular the issues caused by vehicular nuisance in the area of the sea front through inconsiderate use of loud music, gatherings in car parks, speeding and doing vehicular stunts.

Conditions were placed in the Cleethorpes Sea Front PSPO (which had been identified by the business, the Police and public)

- Driving in such a manner as to cause or likely to cause nuisance, alarm, harassment or distress to any other person or as to cause or likely to cause any other person to be intimidated.
- Sounding horns (as to cause a nuisance).
- Revving engines (as to cause a nuisance).
- Playing music in a motor vehicle (as to cause a nuisance).
- Participating in the above activities as a driver of the vehicle, as the registered keeper of the vehicle, as a passenger within the vehicle or by congregating to spectate the above activities.

Humberside Police agreed to support the local authority and report breaches to the local authority for fines to be issued against offending drivers.

The Police and businesses have now highlighted that other anti-social behaviour is being committed particularly around the Meridian point retail outlet and other public open space and it is having a detrimental effect on the area. The anti-social logs recorded over the last 6 months show a combination of:

- anti-social fires being lit close to the light railway,
- setting off fire alarms in retail premises,
- groups causing ASB inside the outlet and refusing to leave when requested, requiring the Police to attend and assist the management to eject the group thereby increasing the demands on the service.
- causing damage and minor vandalism both inside and outside of the food outlet.
- youth congregating outside food outlets and shops, shouting, swearing and throwing items at the shop windows particularly after being requested to leave the premises which has a detrimental effect of the customers visiting or having a meal
- threats and on occasions assaults made on shop staff when individual have been asked to leave the establishment due to their behaviour

Interventions to curb these activities include:

- Police Surgeries at McDonalds,
- regular high visibility patrols within the retail outlets and surrounding areas,
- school input to inform young people of the consequences they could face, and the effect poor behaviour has on the community, business and tourism,
- warning and banning letters to individuals,
- home visits to parents of young perpetrators

The restrictions brought about due to the Covid 19 saw ASB reduce in this area. The relaxing of the regulations has seen ASB again start to rise. A consultation with the Police, businesses and visitors show overwhelming support to extend the conditions of the PSPO to cover personal ASB which will allow the Police to compel groups or individuals causing a nuisance to leave the area for 24 hours and in conjunction with the ASB Team put other interventions in place to encourage behaviour change.

A variation to the Cleethorpes Sea Front PSPO is requested to include. The name of the PSPO to read "*Cleethorpes Seafront to North Sea lane, incorporating Cleethorpes Boating Lake and Meridian Point*". This is to include the area from Kingsway Kiosk (Leisure Centre) for the entire distance of Kings Road to North Sea Lane taking in all retail establishments, extending and including all sea front land along Kings Road including the beach to the water's edge as shown on the map and marked in purple.

The number of ASB incidents is subject to seasonal change peaking during the summer months. With the relaxation of the Covid 19 regulations ASB incidents are increasing in this area and linked to the seasonal increase justifies the need to bring in the variation at the earliest opportunity to support tourism and businesses in the area and to ensure it is a safe and friendly place to visit. The PSPO will be only one of the tools used and will be supported by the ASB Team with any appropriate interventions available to them

The revised conditions of the PSPO to read:

- Any activity or behaviour causing or likely to cause nuisance, alarm, harassment or distress to any other person or causing or likely to cause any other person to be intimidated.
- Any activity or behaviour that threatens the safety of that person or any other person.
- Using foul or abusive language directed at or towards any other person.
- Playing music or creating noise from any device (as to cause a nuisance).
- Lighting any open fire in a public space
- Driving in such a manner causing or likely to cause nuisance, alarm, harassment or distress to any other person or causing or likely to cause any other person to be intimidated.
- Sounding a car horn (as to cause a nuisance).
- Revving engines (as to cause a nuisance).
- Participating in the above activities as a driver of the vehicle, as the registered keeper of the vehicle, as a passenger within the vehicle or by congregating to spectate the above activities.

This PSPO will be reviewed along with the other 6 ASB PSPO's in 2021 as per statutory requirements where the effectiveness can be evaluated and determine if any further variation or extension is justified.

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

No.

## **3. Details of Decision**

Variation of the current order to include the following requirements in addition to the current conditions: -

- anti-social fires being lit close to the light railway,
- setting off fire alarms in retail premises,
- groups causing ASB inside the outlet and refusing to leave when requested, requiring the Police to attend and assist the management to eject the group thereby increasing the demands on the service.
- causing damage and minor vandalism both inside and outside of the food outlet.
- youth congregating outside food outlets and shops, shouting, swearing and throwing items at the shop windows particularly after being requested to leave the premises which has a detrimental effect of the customers visiting or having a meal
- threats and on occasions assaults made on shop staff when individual have been asked to leave the establishment due to their behaviour

Order to be renamed

“Cleethorpes Seafront to North Sea lane, incorporating Cleethorpes Boating Lake and Meridian Point”

**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.**

The decision to vary is requested as a matter of importance to support the Police to tackle the increase in ASB in partnership. Support the local businesses, local economy, encourage tourism and improve the area.

**5. Anticipated outcome(s)**

The Police have indicated that this will be used appropriately within a stepped approach with partnership support from the ASB Team to reduce ASB and their willingness to use the power for the benefit of the community which contributes to the Council Outcome of “Feel Safe, Are Safe”

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

Do nothing and leave it as it is – This is not an option as ASB is having a detrimental effect on the area. Businesses are already struggling as a result of Covid 19 and the residents and tourists who use the area are likely to be discouraged from visiting having a further detrimental effect on the local economy. The variation is necessary to add additional ways to tackle this behaviour in a positive manner but not losing sight of the interventions that are currently in place. Any negative media coverage affecting tourism and the community has a potential reputational risk for the Council and lack of confidence in the Council's ability to help make the area a safer place.

**7. Background documents considered**

Cleethorpes Sea Front PSPO

**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 PSPO variation is justified, reasonable and proportionate. The revised prohibitions are based on evidence and supported by the Police and local businesses. The variation has been consulted upon and is required to be publicised and have appropriate signage erected. A review will be undertaken in 2021 where further variations and/or extensions can be considered.

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

The PSPO variation will have no significant financial impacts to the Council although fines may be issued against offending drivers. It is anticipated that the variation will continue to support the local economy to prosper by enabling interventions to be made where appropriate.

**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)**

Type here to enter text.

**14. Decision Maker(s):**

Name: Sharon Wroot

Title: Director of Resources and Governance

Signed: Approved via email

Dated: 20<sup>th</sup> July 2020

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

Name: Councillor Ron Shepherd

Title: Portfolio Holder for Safer and Stronger Communities

Signed: Approved via email



Dated:

**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 – email approval**

From: Cllr Ronald Shepherd (NELC) <Ron.Shepherd@nelincs.gov.uk>

Sent: 28 July 2020 18:51

To: Colin Lomas (NELC) <Colin.Lomas@nelincs.gov.uk>

Subject: RE: Variation to PSPO

Yes Colin good to approve

From: Colin Lomas (NELC) <Colin.Lomas@nelincs.gov.uk>

Sent: 28 July 2020 12:14

To: Cllr Ronald Shepherd (NELC) <Ron.Shepherd@nelincs.gov.uk>

Subject: FW: Variation to PSPO

Hi Ron are you happy to approve the variation to the PSPO. AS you can see Sharron has approved it from her side. I would like to get things in place as soon as I can

Many thanks

Colin

Colin Lomas

Community Services Manager, North East Lincolnshire Council, William Molson Centre, Kent Street, Grimsby. DN32 7DJ

Tel : 01472 324981, Mob : 07824608882

Email [colin.lomas@nelincs.gov.uk](mailto:colin.lomas@nelincs.gov.uk)

Stay home. Protect the NHS. Save lives

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

Sent: 20 July 2020 09:28

To: Colin Lomas (NELC) <[Colin.Lomas@nelincs.gov.uk](mailto:Colin.Lomas@nelincs.gov.uk)>; Cllr Ronald Shepherd (NELC) <[Ron.Shepherd@nelincs.gov.uk](mailto:Ron.Shepherd@nelincs.gov.uk)>; Bethany Salkeld (NELC) <[Bethany.Salkeld@Nelincs.gov.uk](mailto:Bethany.Salkeld@Nelincs.gov.uk)>

Cc: Paul Condon (NELC) <[Paul.Condon@nelincs.gov.uk](mailto:Paul.Condon@nelincs.gov.uk)>

Subject: RE: Variation to PSPO

Morning

Happy to approve, let me know if you need an electronic signature as well.

Sharon

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](mailto:sharon.wroot@nelincs.gov.uk) | [www.nelincs.gov.uk](http://www.nelincs.gov.uk)

From: Colin Lomas (NELC) <[Colin.Lomas@nelincs.gov.uk](mailto:Colin.Lomas@nelincs.gov.uk)>

Sent: 17 July 2020 15:01

To: Sharon Wroot (NELC) <Sharon.Wroot@nelincs.gov.uk>; Cllr Ronald Shepherd (NELC) <Ron.Shepherd@nelincs.gov.uk>

Cc: Paul Condon (NELC) <Paul.Condon@nelincs.gov.uk>

Subject: Variation to PSPO

Good afternoon Sharon, Cllr Shepherd and trust this finds you both safe and well,

Please find the attached Officer Decision Notice for a variation to an existing PSPO where newly identified ASB is having a detrimental effect on the local economy and the public using the area. The variance has been asked for by the Police to assist and with the main holiday period coming up with your consent we would like to get it in place as soon as possible.

I have been requested to start a new email trail to confirm the approval. The constitution does allow you both to approve the variance and this is also supported by the Ward Councillors, Business and the general public in the area.

If approved within the next week can I ask that it is returned to Paul Condon for forwarding to legal (as I am on leave) so that they can have the order varied and sealed.

Many thanks

Colin

Colin Lomas

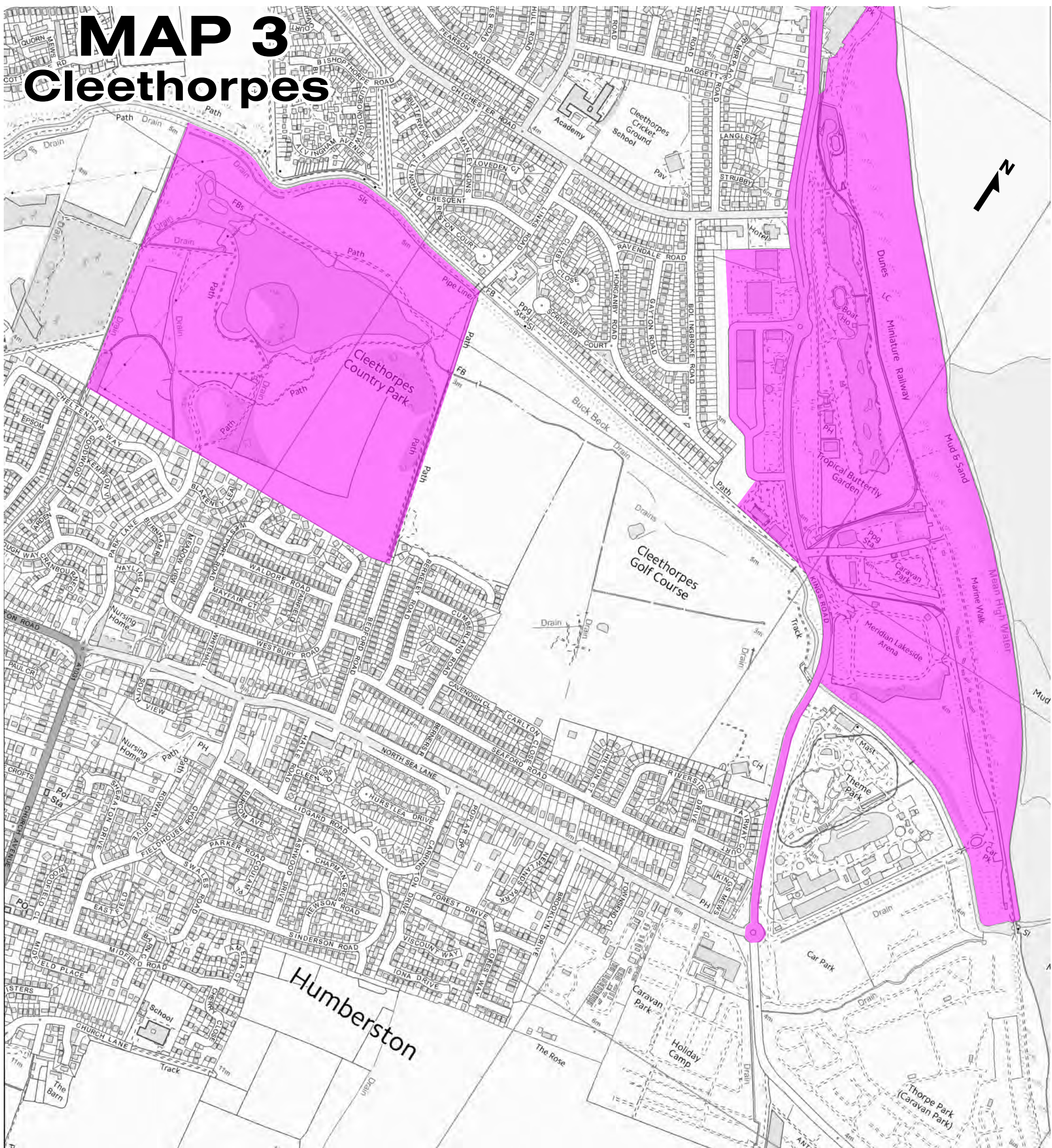
Community Services Manager, North East Lincolnshire Council, William Molson Centre, Kent Street, Grimsby. DN32 7DJ

Tel : 01472 324981, Mob : 07824608882

Email colin.lomas@nelincs.gov.uk

# MAP 3

## Cleethorpes





## 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 carriageway patching – Pothole Fund on various locations, 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 2019/20 delivery plan. The project is to implement carriageway patching repair on various locations in the borough. This is a DfT funded project.

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.

No

### 5. Anticipated outcome(s)

The successful tenderer is EC Surfacing Ltd, tender return value £386,603.03

Breakdown as below:

Phase 1 - £100,752.69

Phase 2 - £285,850.34

Phase 1 works are in a position where we can commission and start these works straight away. The contract mobilisation will start upon award of contract and receipt of a signed contract. Duration of the works will be approx. 3 weeks.

Phase 2 are valued at £285,850.34, when further DfT funding is released later in 2020

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

n/a

**7. Background documents considered**

Cabinet Decision Notice 11 March 2019 (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)**

No

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

Approval is in line with the Cabinet decision dated 11th March 2019 and forms part of the LTP delivery plan. The project is DfT funded and part of the Council's approved capital investment programme. The tender has followed an approved framework.

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 works are funded through the Local Transport Plan capital budget, which is part of the Council's approved capital investment programme. This scheme is funded through Department for Transport grant.

**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)**

There is a significant risk to the Authority that if the contract is not awarded on time the programme of works may not be delivered before the end of March 2020.

**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: 27<sup>th</sup> August 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: 27<sup>th</sup> 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:



## Appendix 1 – Approval Emails

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

Sent: 27 August 2020 10:44

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

Subject: RE: ODR Carriageway Patching (REQUIRES SIGNING OFF)

Thanks Mark,

You have my approval, do you need Sandie to add my electronic signature.

Regards

Stewart

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

Sent: 27 August 2020 09:00

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

Subject: FW: ODR Carriageway Patching (REQUIRES SIGNING OFF)

Dear Cllr,

It appears Engie did not forward you approval to Dem Services. They need both our authorisation in writing.

Please can you email me back advising your approval of the ODR, if you are supportive.

I approve the document.

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](mailto:Mark.Nearney@nelincs.gov.uk) /[www.nelincs.gov.uk](http://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)

This Officer Decision Record relates to the junction works on Little Coates Road and Cambridge Road. The recent decision to terminate the contract with the previous contractor was executed on 17<sup>th</sup> August 2020 following a series of unresolvable differences in the approach to the completion of works. Legal and procurement teams were engaged prior to executing this decision, along with a 3<sup>rd</sup> party specialist in construction contract law.

Following these events, a replacement contractor is required to complete the remaining civil engineering works. This is the basis for this Officer Decision Record.

The previous contractor was appointed as a result of a framework tender exercise as they submitted the Most Economically Advantageous Tender (MEAT) as part of this process. The procurement utilised the Council's established, EU-compliant Highways Framework. The tender for the works utilised a 70/30 cost/quality split. They submitted the second lowest price, and the highest overall quality.

The decision moving forward is to award the remaining works to the contractor who came second in the MEAT scoring matrix. This is PBS Construction Ltd, who submitted the lowest overall price and the 4<sup>th</sup> highest quality bid submission.

The works need to commence as soon as reasonably practicable in order to meet construction schedules for delivery, including a completion deadline for the external funding partner, Greater Lincolnshire LEP by December 2020.

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

Yes

## 3. Details of Decision

At its meeting on 18<sup>th</sup> January 2017, Cabinet resolved that

*“The Littlecoates Road / Cambridge Road roundabout be enlarged with appropriate integrated pedestrian and cycle safety measures”.*

*and also that*

*“the Director for Economy and Growth be authorised, in consultation with the Portfolio Holder for Energy and the Environment and the Portfolio Holder for Regeneration, Skills and Housing to instruct the Council’s Regeneration Partner, ENGIE, to:*

- \* Finalise the infrastructure design for each of Cabinet’s preferred options;*
- \* Commence a procurement exercise for the award of contracts for the construction of each of these preferred options;*
- \* Manage the risks relating to, and arising from these preferred options prior to the final tender prices being available for the works;*
- \* Oversee and monitor the construction of each scheme by the appointed contractor.”*

*Pursuant to the above decisions are:*

- 1. Process the awarding the construction contract for the project to PBS Construction Limited.*

## 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. This decision is required urgently to enable works to meet external funding deadlines.

**5. Anticipated outcome(s)**

The anticipated outcome is the successful delivery of the project, with delivery complete before Christmas 2020.

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

The Council could have chosen to do nothing in respect to the proposed junction programme, and leave the site in its current state. This is not considered to be feasible, as the site may be unsafe to leave, with a number of materials left on site and other ongoing operations to divert 3<sup>rd</sup> party utility infrastructure.

**7. Background documents considered**

[Cabinet Decision Notice 18<sup>th</sup> January 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)**

N/A

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

The issues with the first contractor aside, the above anticipated decision is consistent with the previous decision and delegations of Cabinet (18<sup>th</sup> January 2017) 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 termination of the original contract and replacement with the revised contract will result in additional costs, estimated at between 5% and 10% of the original contract

value of £1.2m. A detailed final account review is now underway in order to establish the overall impact against the current 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)**

Type here to enter text.

**14. Decision Maker(s):**

Name: Mark Nearney

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

Signed: Approved by email

Dated: 27<sup>th</sup> August 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: 27<sup>th</sup> 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:

**Appendix 1 – Email approval**

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

Sent: 27 August 2020 17:24

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

Cc: Mark Gibbons (Engie) <Mark.Gibbons.nelc@nelincs.gov.uk>

Subject: RE: Little Coates ODR Contact Award PBS Construction (New template)  
HR and Finance done

Thanks for this,

I approve the ODR.

Regards

Cllr Swinburn

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

Sent: 27 August 2020 17:09

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

Cc: Mark Gibbons (Engie) <Mark.Gibbons.nelc@nelincs.gov.uk>

Subject: Little Coates ODR Contact Award PBS Construction (New template) HR  
and Finance done

Cllr,

I am supportive of the proposed decision.

I would be grateful if you can review and approve.

Mark G – once Cllr has reviewed/approved you must send this email trail to Dem Services. They require a full audit trail of AD and Portfolio Holder approval.

Ta





## Officer Decision Record

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

Local Transport Authorities (LTAs) will receive a single COVID-19 Bus Services Support Grant (CBSSG) Restart payment, covering the period 9 June 2020 to 3 August 2020, in July 2020. Funding allocations have been based on LTAs' reported level of funding required to meet the funding gaps they face in maintaining their tendered service networks.

LTA CBSSG Restart funding is being allocated to support local bus services such as tendered bus services that may be experiencing revenue shortfalls. The aim is to ensure that local bus services continue to operate in the right places, and at the right times of day, during the COVID-19 outbreak.

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

No.

### 3. Details of Decision

#### North East Lincolnshire Council CBSSG Allocation

North East Lincolnshire Council has been awarded a grant of £9,110 (grant allocation is based upon the local authority response to the DfT COVID-19 Bus Services Support Grant survey) for the period 9 June 2020 to 3 August 2020.

#### Grant Terms and Conditions

The grant paid to each local transport authority under this determination may be used only for the purposes of supporting tendered local bus services from 9 June 2020 to 3 August 2020.

The Chief Executive and Chief Internal Auditor of each of the recipient local transport authorities are required to sign and return a declaration.

Any underspend will need to be returned to DfT.

### **Options (Decision 1)**

The following individual and/or combined options are available for consideration by North East Lincolnshire Council:

Option 1 – Revenue Replacement for tendered bus services - The 1, 2 and 20 bus service is operated on a 'minimum subsidy' basis, which means that the commercial bus operator, Stagecoach, takes the financial risk. Revenue has fallen (Stagecoach have confirmed revenue has fallen in the residential areas of the 1, 2 & 20 service such as Gilbey Road, Corporation Road etc) during the coronavirus outbreak. There is the risk that revenue continues to fall after the grant period ends.

Lost revenue on the 1, 2 & 20 tender is £6,880 from 9 June 2020 to 3 August 2020.

Option 2 – Additional bus on the Service 20 - The key workers' journey from Cleethorpes Pier at 05:10hrs requires the operation of an additional bus to ensure social distancing. CBSSG funding can be used to cover additional running costs provided that the operator does not make a profit. There is the risk that social distancing requirement continues after the grant period ends.

The cost of the extra Service 20 is estimated at £2,120 9 June 2020 to 3 August 2020.

Option 3 – To cover losses where a LTA, takes the revenue risk on a tendered service (Phone n Ride)

The Phone n Ride service is operated on a 'minimum cost' basis, which means that the local authority, North East Lincolnshire Council, takes the financial risk.

Lost revenue on the Phone n Ride service is £110.00 from 9 June 2020 to 3 August 2020.

### **(Decision 2)**

All future decision making and approvals in relation to the DfT COVID-19 Restart Grants are delegated to the Assistant Director of Housing and Interim Assistant Director of Highways, Transport and Planning.

**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, due to COVID-19 and the need to ensure the Department for Transport Grant is spent within the COVID-19 period and to ensure the grant terms and conditions are adhered to.

**5. Anticipated outcome(s)**

Options 1 to 3 are recommended and the costs can be broken down by:

<b>Option</b>	<b>9 June 2020 to 3 August 2020</b>
Option 1	£6,880
Option 2	£2,120
Option 3	£110
Total	£9,110
NELC Restart Grant	£9,110
Remaining Balance	£0

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

**Option 4** – Do nothing and return the Grant to the Department for Transport - This option will require the local authority return the grant to the DfT and does not take the opportunity to support local bus operators financially through the COVID-19 Restart period and it carries the potential risk of local bus service cancellations.

**7. Background documents considered**

COVID-19 Bus Service Support Grant Restart Scheme (24 July 2020)

**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)**

Not applicable.

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

Use of funding is dependent upon compliance with grant conditions. The proposals above appear compliant.

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

The acceptance of the grant can provide funding for the purposes outlined within the ODR.

## **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)**

### **Grant Terms and Conditions**

1. The purpose of the MOU is to formalise the working relationship and expectations relating to the payment of the Local Transport Authority COVID-19 Bus Service Support Grant Restart (LTA CBSSG Restart) scheme funding from the Department to the recipient LTAs.

2. This MOU is not intended to be legally binding and no legal obligations or legal rights shall arise between the Parties from the provisions of the MOU. The Parties enter into the MOU intending to honour all their obligations.

3. It is the Departments' expectation that the grant paid to each LTA under this determination will be used only for the purposes of supporting local bus services during the COVID-19 outbreak, for the period 9 June 2020 to 3 August 2020

4. The Chief Executive and Chief Internal Auditor of each of the recipient authorities are asked to sign and return to [cbssg@dft.gov.uk](mailto:cbssg@dft.gov.uk) a declaration, to be received as soon as possible after the end of the grant period (see paragraph 3)

### **Key risks associated with each option**

Option 1 – Revenue Replacement for tendered bus services - There is the risk that revenue continues to fall after the grant period ends.

Option 2 – Additional bus on the Service 20 - There is the risk that social distancing requirements continues after the grant period ends.

Option 3 - To cover losses where a LTA, takes the revenue risk on a tendered service (Phone n Ride) - There is the risk that revenue continues to fall after the grant period ends.

Option 4 – Do nothing and return the Grant to the Department for Transport - Should the local authority not take the opportunity to support local bus operators financially through COVID-19 and it carries the potential risk of local bus service cancellations.

**14. Decision Maker(s):**

Name: Mark Nearney

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

Signed: REDACTED

Dated: 2<sup>nd</sup> September 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: 10<sup>th</sup> September 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- Email Approval

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

Sent: 10 September 2020 21:06

To: Jonathan Ford (Engie) <Jonathan.Ford@nelincs.gov.uk>

Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Martin Lear (Engie) <Martin.Lear@nelincs.gov.uk>

Subject: RE: ODR - CBSSG Restart Grant

Thanks Jonathan,

You have my approval.

Cllr Swinburn

From: Jonathan Ford (Engie) <Jonathan.Ford@nelincs.gov.uk>

Sent: 09 September 2020 13:22

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

Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Martin Lear (Engie) <Martin.Lear@nelincs.gov.uk>

Subject: ODR - CBSSG Restart Grant

Dear Cllr Swinburn,

Please see the attached completed ODR (includes monitoring comments) which relates to the CBSSG Restart Grant.

The ODR has been approved by Mark Nearney.

Please can you review and approve the ODR?

Kind Regards,

Jonathan Ford CMILT

Senior Transport Officer

Highways and Transport

Places & Communities North – NEL