



Officer Decision Record

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

Approval is sought to award a contract for the Humberston Fitties Erosion Mitigation Study. A consultancy contract has been tendered through YorTender, and there have been several bids returned. The quality and pricing assessment has been completed and we are now ready to award the contract to the winning tenderer.

The study will identify the causes of the erosion at the Humberston Fitties and identify an appropriate scheme to prevent both erosion and flooding. The scheme will also aim to re-establish a healthy beach at the Fitties. This information will be used to produce a business case to the Environment Agency to secure funding through Flood Defence Grant in Aid, leading to the construction of the new defence/mitigation measures. A Council business case will also be produced, supporting any proposals for investment.

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

No

3. Details of Decision

1. To authorise the Director of Economy and Growth, in consultation with the Portfolio Holder for Environment and Transport to commence a procurement exercise and ultimately award for consultancy support in connection with the Humberston Fitties Erosion Mitigation Study.

2. Thereafter (subject to internal governance procedures (Business development etc)) to produce a business case to the Environment Agency to secure funding

through Flood Defence Grant in Aid, leading to the construction of new defence/ mitigation measures.

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)

To proceed with the award for award of Humberston Fitties Erosion Mitigation Study.

To issue the award letter and contract to the successful tenderer and letters for the unsuccessful tenderers.

The contract award process will be managed through YorTender, with assistance from the (Engie) Procurement team. YorTender is the procurement portal for local authorities in the Yorkshire and Humber region.

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

Other options considered with regards to the Humberston Fitties;

Do Nothing- The current erosion trends would see continued significant sand loss and collapse of the defences within an estimated 3 - 5 years, weather conditions permitting.

Do Minimum – Use of maintenance budgets to try and delay the worst of the erosion, likely to only prolong the life of the defences by 5 years at the most and this is not sustainable.

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)

N/A

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

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.

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

The study will be financed from existing budgets and will support a bid for external funding through Flood Defence Grant in Aid for mitigation measures.

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

There are no direct implications

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

There is a risk of not awarding the contract in time so that the consultant is unable to assess the site in the January to March period which traditionally is associated with the most turbulent tidal conditions.

14. Decision Maker(s):

Name: Mark Nearney

Title: Assistant Director of Housing,
Highways and Transport

Signed: approved via email

Dated: 6th January 2021

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

Name: Councillor Stuart Swinburn

Title: Portfolio Holder for Environment
and Transport

Signed: Approved via email

Dated: 6th January 2021

**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 1 – email approval

From: Luke Greaves (Engie) <luke.greaves@nelincs.gov.uk>
Sent: 06 January 2021 00:07
To: Paul Windley (NELC) <Paul.Windley@nelincs.gov.uk>; Democracy <Democracy@nelincs.gov.uk>
Cc: Mark Nearney (NELC) <Mark.Nearney@nelincs.gov.uk>; Andy Smith (Engie) <Andy.Smith@Nelincs.gov.uk>; Cllr Stewart Swinburn (NELC) <Stewart.Swinburn@nelincs.gov.uk>; Christina Tabor (Engie) <Christina.Tabor@nelincs.gov.uk>
Subject: ODR - Drainage Tender Award

Morning,

Further to yesterdays conversation, I can confirm that Cllr Swinburn gave me verbal instruction to award the tender for drainage study for Humberston Fitties Sea defence works, tender valued at £50k.

Be advised that Cllr Swinburns approval follows that previously given by Mark Nearney.

I ask that this email as saved as officer & PfH approval for tender award, details contained within the attached ODR

Regards

Luke Greaves | Head of Highways & Transportation | ENGIE
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