



Officer Decision Record – Key Decision

Key decisions taken by an officer are subject to the 5 day call in period from circulation to Members, and therefore the decision will be released for implementation following the call-in period and no call in being received

1. Cabinet date and copy resolution this key decision relates to

Re: Green Homes Grant Report

Pursuant to a Cabinet decision made 7th April 2021 (DN.120) whereby the following delegations were made:

1. That authority be delegated to the Executive Director for Environment, Economy and Resources in consultation with the Leader of the Council to accept the grant funding on behalf of the Council.
2. That authority be delegated to the Executive Director for Environment, Economy and Resources in consultation with the Leader of the Council, to deal with all matters arising from and ancillary to the above including negotiation with the funder, implementation and award of resultant contracts and works.
3. That authority be delegated to the Assistant Director Law, Governance and Assets to execute all documentation arising.

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

Funding has now been received from Midlands Energy Hub (MEH) and the proposal is to access the dynamic purchasing system put in place by Nottingham City Council who are administering the Green Homes Grant LAD2 on behalf of MEH.

Nottingham City Council has established the Dynamic Purchasing System (DPS) and has entered into the D P S agreement with the providers for the provision of green home improvement measures.

The proposal is to utilise the DPS for delivery of the Green Homes Grants in North East Lincolnshire, at no cost to the Council. To do this a Dynamic Purchasing Agreement has to be entered into with Nottingham City Council.

Nottingham City Council has carried out the procurement of the DPA with reasonable care and diligence and in accordance with the Public Contracts Regulations 2015.

NELC is then responsible for determining that the scope of the Services is appropriate for its needs and for entering into a form of Call Off Terms and Conditions adequate for their needs.

3. Decision being taken

In accordance with the above delegations the Executive Director for Environment, Economy and Resources in consultation with the Leader of the Council shall enter into an Access Agreement for the Dynamic Purchasing System for the appointment of Eligible Providers to deliver the Eligible Measures under the Midlands Energy Hub Green Homes Grant: Local Authority Delivery Phase 2.

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)/benefits

To enable access to Agreement for the Dynamic Purchasing System for the appointment of Eligible Providers to deliver the Eligible Measures under the Midlands Energy Hub Green Homes Grant: Local Authority Delivery Phase 2

6. Details of any alternative options considered and rejected by the officer when making the decision (this should be similar to original cabinet decision)

Yes – The Council could procure using an open tender via YorTender. However, the resources and times required could not meet the funding conditions. The preferred option delivers value for money for the Council and provides what officer need to deliver the scheme.

7. Background documents considered (web links to be included and copies of documents provided for publishing)

Green homes Grant (LAD2) Guidance.

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 nominee)

A DPS is a common mechanism and procurement tool similar to a framework but where new suppliers can join at any time. However, it has its own specific set of requirements, and these are set out at regulation 34 Public Contracts Regulations 2015.

The DPS is a two-stage process. Initially all suppliers who meet the selection criteria will be admitted to the DPS. Secondly individual contracts will be awarded with the Council inviting suppliers on the DPS (for the relevant category within the DPS) to bid for a specific contract.

The exercise will be conducted 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 be supported by relevant officers.

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

Approval to enter into an Access Agreement for the Dynamic Purchasing System supports the principles of value for money and will ensure the Council achieves best value through the procurement process.

12. Human Resource Comments (Head of People and Culture or nominee)

There are no direct HR implications.

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

If unable to deliver funding would be issued back the provider.

14. Has the Cabinet Tracker been updated with details of this decision?

Responsibility of the Assistant Director.

15. Decision Maker(s):

Name: Mark Nearney

Title: Assistant Director for Housing,
Highways and Planning, NELC.

Signed: REDACTED

Dated:19/07/21

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

Name: Councillor Philip Jackson

Title: Leader of the Council

Signed: REDACTED

Dated:16 July 2021

**17. 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

Key Decisions are defined in the Constitution as:

A decision (whether taken collectively or individually by members) which is likely:

- (i) to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards.

A decision will be considered financially significant if:

- (i) in the case of revenue expenditure, it results in the incurring of expenditure or making savings of £350,000 or greater;
- (ii) in the case of capital expenditure, the capital expenditure/savings are in excess of £350,000 or 20% of the total project cost, whichever is the greater

In determining whether a decision is significant in terms of its effect on an area comprising two or more wards, consideration shall be given to:

- (i) the number of residents/service users that will be affected in the wards concerned;
- (ii) the likely views of those affected (i.e. is the decision likely to result in substantial public interest)
- (iii) whether the decision may incur a significant social, economic or environmental risk.