



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

Pursuant to the Cabinet meeting 10 May 2017, in accordance with the Cabinet Decision D.156 May 2017.

Coastal Community Fund – Acceptance of Accountable Body Status

1. The Council accepts the role of Accountable Body for the CCF Programme and agrees to take receipt of up to £3.8 million funds.
2. That authority is delegated to the Director of Economy and Growth to complete the requisite documentation, in consultation with the Monitoring Officer, Director of Finance, Operations and Resources and relevant Portfolio Holder.
3. That authority is delegated to the Director of Economy and Growth, in consultation with the Monitoring Officer, Director of Finance, Operations and Resources and the relevant Portfolio Holder, to approve: (1) the governance arrangements for Accountable Body status including; (2) the appropriate procurement of capital and revenue activities in line with Corporate Procurement procedures; (3) the contracting arrangements with successful recipients, including the arrangements and contractual terms for the payment of grant monies to such recipients and the monitoring of grants thereafter; and (4) the overall monitoring of the delivery of the CCF Programme, including the claims' process.

Also pursuant to the ODR dated 21 December 2020, to award a contract for the Design, Fabrication, and Installation of the White Palm.

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

The Council is Accountable Body, on behalf of CoastNEL, for the £3.8m Cleethorpes Coastal Community Fund (CCF), which was awarded in early 2017. CCF included an allocation of funding specifically ring-fenced for public art which was to be carried out on the North Promenade, including four projects, one of these being a 22m White Palm installation created by artist Wolfgang Weileder. The contract to design, fabricate and install the White Palm was awarded in January 2021, but during the detailed design phase, outside the control of the contractor, the fabrication costs increased. With the overall budget for the White Palm increasing by £169,000 the project has become financially unviable for the Council and the decision has been taken not to proceed with the delivery of the White Palm.

The Council's decision also takes into consideration a forthcoming master-planning exercise for Cleethorpes which will look at the whole tourism offer and regeneration opportunities, including the North Prom, as part of a wider strategic plan for the future of the resort.

3. Decision being taken

With the rising costs of the project, existing opportunities are being appraised against the need to explore wider regeneration opportunities across the resort whilst having regard to the Cleethorpes master-planning exercise:

1. that the Executive Director for Environment, Economy and Resources halts implementation of the White Palm project to maximise wider opportunities and deals with all matters arising.

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

Not continuing any contractual arrangements with the artist (Variation of Contract Letter with the artist, dated 23 October 2020).

Not continuing any contractual arrangements with the contractor for the design, fabrication and installation of the White Palm.

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

An option was considered to fabricate and install a scaled down version of the White Palm, but this was rejected because the costs were still over budget, and it would not deliver the originally marketed and published 22m installation.

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

Cabinet Report 10 May 2017. Copies are available from Democratic Services
[Upcoming Events | Democracy \(nelincs.gov.uk\)](#)

ODR 20 December 2020 – To process the award for the CCF scheme on the North promenade known as the ‘White Palm’.

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 nominee)

The Council has statutory duties around best value (s3 Local Government Act 1999). Where matters beyond the Council's control impact on delivery then it is right that revised options be brought forward including halting implementation. The Council will ensure that its statutory and contractual obligations (both with the funder and commissioned artist/contractor) are adhered to in implementing the above.

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

The decision to not proceed with the White Palm will reduce an additional cost liability that would fall on the Council to fund.

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)

There is a reputational risk to the Council because of the high-profile nature of the project, also because the Council is acting as accountable body for CoastNEL.

However, three other elements of the North Prom Public Art Project are still going ahead, and these represent a strong offer, delivering CCF objectives such as increasing footfall and extending the traditional tourism season.

Also, communications with all external parties will be managed effectively to minimise any negative comms. The funding body, the Ministry for Housing, Communities and Local Government will also be notified, and we do not anticipate any funding clawback.

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

Yes.

15. Decision Maker(s):

Name: Sharon Wroot

Title: Executive Director, Environment,
Economy & Resources

Signed: REDACTED

Dated: 4 June 2021

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

Name: Cllr Philip Jackson

Title: Leader of the Council

Signed: REDACTED

Dated: 4 June 2021

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

Name: Not applicable

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.