



## 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

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, Skills and Housing to take all actions necessary to secure the continued implementation of SHIP.

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

This unique and innovative project includes extensive collaboration between developers, industrial organisations, and environmental bodies such as Natural England and the RSPB. Under the leadership of North East Lincolnshire Council, the strategic mitigation project was developed. The project will reduce risk, in terms of time and cost, for investors who wish to develop land allocated within the NEL Local Plan 2013 to 2032 on the South Humber Bank. As detailed within the Local Plan, circa 120 ha of land has been identified as appropriate mitigation land to address the adverse impacts of development within the Mitigation Zone at a strategic level.

Cress Marsh, the first mitigation site, was completed in December 2018 and is already well established as a bird and wildlife sanctuary. This is an inland site and the environmental organisations involved in the mitigation project consider the coastal sites to have more value in terms of mitigation.

Together with Cress Marsh (40ha) the new site (21ha) will provide over half of the total designated mitigation in the local plan and will be sufficient to cater for industrial development in the area for some significant period of time.

The tender has been prepared by ENGIE's Highway Design Team. An open tender process was undertaken on YORtender and one bid was received which has been evaluated by ENGIE's Procurement, Highways & Transport and Project Management Teams for both quality and price.

The tender, together with cost comparisons, has been reviewed by the SHIIP Board who have endorsed the recommendation to proceed with the tender award.

In order to meet external funding deadlines, the work needs to be completed by the end of December 2021; and therefore, the decision is time sensitive.

### 3. Decision being taken

In accordance with the Cabinet decision DN.79 dated 14 December 2017, approval is sought to award the Contract for the construction of a coastal ecological mitigation site 'Novartis Ings' as a key part of the South Humber Industrial Investment Programme (SHIIP) This will contribute to the Council's strategic objective of a 'Stronger Economy'.

### 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 proceed with the award of the Construction Contract for Novartis Ings mitigation site and achieve external funding deadlines.

To issue an award letter to the successful tenderer.

To deliver a second ecological mitigation site as a key component of the SHIIP programme.

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

N/A

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

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, 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 nominee)**

The decision is consistent with the Cabinet decision and delegations for the SHIP programme. The award has followed a compliant procurement process, with the support of relevant officers. Legal colleagues will continue to provide support, as appropriate.

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

The cost of the works will be met from within the existing budget for the SHIP scheme, incorporated within the Council's approved Capital Investment Programme.

**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 are financial and reputational risks to the Council if the construction of the coastal mitigation site does not proceed as programmed. Failure to do so may result in the loss of external funding.

A project plan is in place to ensure key milestones are met. The project team have extensive knowledge of delivering capital projects supported by external funding.

Project delivery is monitored by the SHIP Programme Board, with quarterly updates circulated to ERDF and GLLEP.

**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: 16<sup>th</sup> September 2021

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

Name: Councillor Callum Procter

Title: Portfolio Holder for Economic  
Development, Housing and Tourism

Signed: REDACTED

Dated: 16<sup>th</sup> September 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.