



Officer Decision Record – Key Decision

Exempt information within paragraph 3 of Schedule 12A to the Local Government Act 1972 (as amended)

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

The decision is in accordance with the resolutions and delegations (see below) established in relation to Cleethorpes Levelling Up Fund (LUF) Projects of 14th June 2023 (Cabinet Decision Notice DN.11).

Cabinet resolved:

1. That the plans for progressing the Levelling Up Fund projects as set out in the report be noted.
2. That the Director of Economy, Environment, and Infrastructure, in consultation with the Leader of the Council be delegated authority to procure and appoint professional design, technical, regeneration, including associated specialist skills, and contractors, required to progress and deliver the Cleethorpes Levelling Up Fund projects.
3. That the Director of Economy, Environment, and Infrastructure, in consultation with the Leader of the Council, be authorised to:
 - a. Defray the LUF grants within the terms of any conditionality.
 - b. Undertake all ancillary activity reasonably arising in support and implementation of the above recommendations.

4. That the Assistant Director Law and Governance (Monitoring Officer) be authorised to execute and complete all requisite legal documentation in relation to the matters outlined above.

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

Approval to award the contract to secure a principal contractor for Sea Road development.

The new Sea Road building is a part of the £18.4million Levelling Up Funding the Council has received from the Department for Levelling Up, Housing and Communities (DLUHC) for three new projects in Cleethorpes. They support the Council's strategic priorities of 'Stronger Economies' and 'Stronger Communities' and directly relate to indicators outlined in the Council's 'Outcomes Framework', in particular 'Investing in our future' and 'economic recovery and growth'.

On 1st August 2023 the Leader of the Council, Councillor Phillip Jackson and Portfolio Holder for Culture Heritage and the Visitor Economy, Councillor Hayden Dawkins, supported by officers, approved the detailed elements of the external building designs for Sea Road development. These building designs were also presented to the Tourism and Visitor Economy Scrutiny Panel on the 5th October 2023.

The Council's delivery partner, Equans held a market engagement event on 14th September 2023 for the Sea Road development, which was attended by main contractors, subcontractors, and local supply chain suppliers.

A procurement exercise was undertaken using the open procedure to procure and appoint a principal contractor for Cleethorpes LUF Sea Road project in line with the Council's Contract Procedure Rules (CPRs). Approval is requested to complete the contract award for this procurement.

There are no budget implications arising from the appointment of this principal contractor as the tender cost is within budget availability. The project has been allocated an appropriate contingency and where required value engineering will be undertaken during the life of the contract to ensure the project remains within the funding available.

3. Decision being taken

That the Director of Economy, Environment, and Infrastructure, in consultation with the Leader of the Council approve the contract award for the appointment of Jem Build Limited as the principal contractor for the Sea Road project, in accordance with NELC's CPRs.

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

Progression to the construction of the Sea Road building will support the objectives and opportunities which are identified in the Council Plan, Economic Strategy, Local Plan and Cleethorpes' Masterplan.

A new three-storey building constructed on the brownfield site on Sea Road, comprising of public amenities and a changing places facility, as well as commercially lettable space across all floors of the building, which may include different providers in hospitality.

The construction of the Sea Road development will be completed within DLUHC grant funding deadlines and budget availability.

This development will continue the regeneration of Cleethorpes, strengthening the local economy and improving infrastructure which will have positive impacts on health, wellbeing, and safety within the town.

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

Do Nothing - The Council could choose to not progress any of the works. However, this would mean the loss of the LUF grant awarded to the Council by the Department for Levelling Up, Housing and Communities to improve the site.

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

[Cleethorpes Levelling Up Fund \(LUF\) Projects](#) of 14th June 2023 ([Cabinet Decision Notice DN.11](#)).

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)

Non.

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The procurement of a contractor to deliver the above project is consistent with the will and expectation of Cabinet.

Decision makers, and those that support them, should be cognisant of the content of the closed appendices.

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

The proposed contract price arising from the tender process is within the approved budget approved and to be funded from Levelling Up Grant. Financial risks associated with projects of this type will be mitigated through allocated contingency and active project management throughout the construction phase.

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)

A robust approach to governance is in place via the Cleethorpes Board, who meet monthly, chaired by the Assistant Director Regeneration. A risk-based approach to project management is in place to ensure that this project is delivered.

Financial risks have already been mitigated by receiving the LUF funding in 2023. Any further cost overruns during delivery of the project will be mitigated for through early risk reporting, value engineering and allocated contingency sums.

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

15. Decision Maker(s):

Name: Carolina Borgstrom

Title: Director of Economy,
Environment & Infrastructure

Signed: REDACTED

Dated: 12.04.24

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

Name: Cllr. Philip Jackson

Title: Leader of North East Lincolnshire
Council

Signed: REDACTED

Dated: 12th April 2024

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

Name:

Title:

Signed:

Dated: