



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

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)

Following on from the Cabinet decision 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 (LUF) projects.

A procurement exercise was undertaken using the Pagabo Procurement Framework procedure to procure and appoint a design team for Cleethorpes LUF Pier Gardens project in line with the Councils Contract Procedure Rules (CPRs). The appointed design team will deliver RIBA (Royal Institute of British Architects) Stage 1-7 design for Pier Gardens, meeting the Council's vision for the LUF project in line with cost requirements and timing constraints. The design architect will undertake stakeholder engagement with the community, businesses and residents on commencement of this appointment.

By the closing date of 1200 on Monday 11 December 2023, three compliant tenders were received. Following completion of the tender evaluation, the most economically advantageous tender was identified as WSP UK Limited. Approval is requested to complete the contract award for this procurement.

3. Decision being taken

That the Director of Economy, Environment, and Infrastructure, in consultation with the Leader of the Council approve the contract award to WSP UK Limited for the appointment of the design team procured via the Pagabo Framework, 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 design and re-development of Pier Gardens will support the objectives and opportunities which are identified in the Council Plan, Economic Strategy, Local Plan and Cleethorpes' Masterplan.

This development will continue the regeneration of Cleethorpes, strengthening the local economy, and improving infrastructure and transportation services 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 projects. However, this would mean the loss of £18.4m of LUF grant from the area and mean that the potential regeneration of Cleethorpes would not be achieved, including the aspirations contained within the Cleethorpes masterplans. If we were to use the Council's Regeneration partner for all the requirements there would be a limitation on the level of specialist design knowledge and skill required in developing designs for Pier Gardens.

Do Less – we could choose to limit the scale of the various projects. However, this would reduce their impact and upon the ambition of the Cleethorpes' Masterplan.

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)

N/A

10. Monitoring Officer Comments (Monitoring Officer or nominee)

The decision is consistent with the will and expectation of Cabinet.

A framework agreement provides assurances as it must be compliant with the Public Contracts Regulations 2015. Such an approach also provides advantages, benefits and efficiencies.

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

All costs arising from the procurement and appointment of professional teams to support the delivery of Cleethorpes Levelling Up Fund projects will be funded through external grant.

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: 15/03/2024

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

Name: Cllr Hayden Dawkins

Title: Portfolio Holder Culture, Heritage and the Visitor Economy

Signed: REDACTED

Dated: 15th March 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:

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.