



Ashfield

DISTRICT COUNCIL

ASHFIELD DISTRICT COUNCIL: OFFICER DECISION RECORD

Please use this form to record those executive decisions which are taken by officers and are **not** designated as 'Key Decisions' – or in other words those decisions which are **not** included in the Forward Plan. There is a separate form for recording Key Decisions.

You should also use this form to record decisions about those functions which are reserved to the Council or to its committees. The Constitution explains what these reserved functions are and who is responsible for them.

1. Title / Subject Matter:

Please give a brief summary of what the decision is about. A short title for future reference would also be helpful.

Decision to award the Business case assurance consultancy work for twelve of the Towns Fund projects through the ESPO Framework. The value of the work is £28,128.

2. Decision Reference No:

Each Directorate maintains its own decision records/reference system to number its decisions. Please make sure that you use this system

PW-2021_TF_AP01

3. Decision Taken:

Try to briefly summarise what you have actually decided to do. For instance, to purchase a specific piece of equipment for a specific cost, to be paid for from which budget heading etc. Don't include any exempt information in your summary that you would not want to be published.

To appoint Focus consultancy to undertake the business case assurance for the following Towns Fund projects:

- TF – 05 Enterprise Ashfield
- TF – 12 Portland Square
- TF – 03 ADMC
- TF – 13 Portland Sustainable Housing
- TF – 01 Ashfield Civil Engineering Centre
- TF – 10 Library Innovation Centres
- TF – 08 Kings Mill Reservoir Leisure Development
- TF – 02 Ashfield Construction Centre

TF – 14 Science Discovery Centre
TF – 04 Cycling and Walking
TF – 11 North Kirkby Gateway
TF – 17 West Kirkby Gateway

4. Reasons for the Decision:

Again, briefly explain why you thought this was the right decision

The appointment of business case assurance consultant for the towns fund projects is a requirement to ensure the Local Assurance Framework endorsed by MHCLG remains compliant to fulfil the governance procedure to ensure consistency and full compliance of the Towns Fund business cases.

This Local Assurance Framework (LAF) sets out how Ashfield District Council and Discover Ashfield will effectively undertake their respective roles in relation to good governance and delivery of the projects being funded through the Towns Fund. The LAF is a requirement of the Towns Fund and identifies the roles to be undertaken by Discover Ashfield as the Town Deal Board and its Towns Fund sub-group, by Ashfield District Council as the Accountable Body and by the promoters of projects. This includes the process of ensuring value for money, appraisal, business case development and risk management.

Discover Ashfield and Ashfield District Council are fully committed to ensuring the highest standards of governance, accountability and transparency across all aspects of activities in relation to the Towns Fund and will review the LAF annually and make any changes necessary to ensure consistency and full compliance.

The framework sets out the structure and roles that each organisation will undertake and the processes and policies that will apply to the decision making and oversight that are required in managing the Town Deal programme.

Adherence to the framework should ensure:

- Accountable decision making
- Responsible use of public money including achieving value for money
- Effective monitoring and evaluation

The framework is jointly owned by the Discover Ashfield Town Deal Board and Ashfield District Council. It was approved by both organisations in August 2021 and is subject to an annual review.

5. Alternative Options Considered / Rejected:

Briefly summarise what other options, if any, you considered and explain why you rejected them.

The appointment could have been procured through a tender/ quotation process (**Not recommended**), There is a narrow market for this type of consultancy service and market pressures due to significant government investment across the UK will put pressures on the available services creating an adverse impact on market value.

The framework cost has been tested across more than one framework to ensure good value is maintained.

6. Implications

Please ask the respective professional Officers for their assessment of the potential (a) Legal,(b) Financial and (c) Human Resources implications of the decision. You only need to consult other relevant officers if you think that the decision will have an impact on their areas of responsibility.

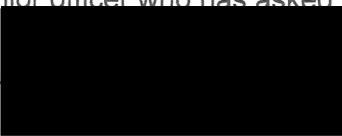
a) Legal - The Council has the power to enter into contracts in order to discharge its functions (Local Government Act 1972, s111 and the Local Government (Contract) Act 1997, s1). The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations. Contract Procedure Rules enable the Council to use Frameworks to select contractors. [RLD 30/09/2021]

b) Financial –The Towns fund project is approved as part of the Council's Capital Programme. The costs of the consultancy work will be covered by the secured funding from DLUHC for the Towns Fund programme. [PH 30/0/2021]

c) Human Resources – As the work will be undertaken by a consultant the Authority must ensure that we ensure compliance with IR35. [KB 30/09/2021]

Name / Title of the officer taking the Decision:

Use your own name and title. Do not 'pp' for a more senior officer who has asked you to take the decision.

DAVID LAWRENCE 

Date: 14.10.2021

Name / Title of the relevant Lead Cabinet Member consulted (if appropriate)

(This decision is not subject to call-in and is circulated for information only). If a **Cabinet Member has a conflict of interest relating to this decision, then this should be declared and a request for dispensation will be considered.**

Date:

Name / Title of the relevant Committee Chairman consulted (if appropriate)

(for non Executive/Council side function decisions)

Date:

The completed form should be emailed to the Democratic Services Team:

democratic.services@ashfield.gov.uk

They will arrange for it to be published on the Council's web site.

EXEMPT OR CONFIDENTIAL BACKGROUND INFORMATION IN SUPPORT OF THE DECISION

Use this section to share any confidential information that would not be published or placed on the Council's web site. The information will only be shared within the Authority, as appropriate.

For further support or guidance please contact Ruth Dennis, Director of Legal and Governance (and Monitoring Officer) r.dennis@ashfield.gov.uk or any member of the Democratic Services Team.