

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.

Selston Country Park Café – Alterations

Background

The Council wish to allow the occupation for business purposes of its café in Selston Park as part of a longer term plan to improve the park for residents. The building has been vacant for some time. It became apparent late in the process that there were potential faults that needed examination and rectifying before occupation could take place – providing a safe working environment for the occupier.

The estimated value of works, subject to completion of design and specification is anticipated to be between £5k and £10k.

In order to facilitate the works in order to meet the required date for completion, there will be insufficient time to develop the specification, seek quotations (minimum two weeks expected), consideration of quotations, award and lead-in time, including ordering of materials and securing labour resources, it will be necessary to engage a contractor directly, enabling early engagement, development of specification and delivery.

As the value of works is estimated to be greater than £5k, an exception to Contract Procedure Rules is being sought to enable the Council to deliver the works in the required timescales. The exception is being sought on the grounds of urgency (clause 17.6.1).

The Contract is for the execution of works or the supply of goods or services certified by the Chief Officer to be required so urgently as to preclude the invitation of tenders.

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

AHSD172

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.

- 1) Approve an exception to the Contract Procedure Rules on the grounds of urgency (clause 17.6.1) thus enabling the Council to facilitate the works in the required timescales.
- 2) To engage with a local Contractor (tbc) to carry out the works as a direct engagement.
- 3) Engage with Legal Services to formalise any relevant agreements (if applicable).

4. Reasons for the Decision:

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

- 1) To enable works to be carried out to enable the café to be let to provide a facility for the local community and business premises for a small business.
- 2) To meet the required timescales to facilitate the above.

5. Alternative Options Considered / Rejected:

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

To not carry out the works will not provide a facility for let, available to the local community able to meet the appropriate standards of Health and Safety and hygiene.

The value of works is low, and to seek quotations would take time, which in turn would jeopardise securing labour and materials in time to deliver the works, especially given current shortages as a consequence of Brexit and Covid.

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.

Legal (LE 09.11.21)

The Council has the power to enter into contract in order to discharge its functions (Local Government Act, s111 and the Local Government (Contracts) 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 UK 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.

The Shared Legal Service will provide advice and assistance to formalise the contract by way of correct legal documentation.

Finance (MB 09.11.21)

The cost of the works will be met from the agreed Asset Management Reactive Repairs budget.

HR (CB 09.11.21)

There are no perceived HR implications.

Environmental:

There is no perceived environmental implications (no detriment to the environment associated with the proposed works).

Equalities:

There are no perceived equalities implications associated with carrying out the works.

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

Paul Parkinson - Director of Housing and Assets

Date: 09.11.2021

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

N/A

(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)

N/A

(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.