

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:
Towns Fund – Appointment of Consultants to Develop the Business Case Documents
The approval to appoint both Focus Consulting and Gleeds PLC to complete a series of Business Cases for the associated projects included within the Towns Fund programme via the ESPO Framework.
2. Decision Reference No:
DL
3. Decision Taken:
In continuing the development of the Towns Fund delivery model the appointment of Focus Consulting and Gleeds PLC to develop the Business Case models for the inclusive projects identified via the ESPO Framework.

Reasons for the Decision:

4. Ashfield District Council has been successful in being awarded the largest value Towns Fund programme in the entire country. Immediate returns to HM Government have now been completed and the Council has moved forwards with looking to procure the appointment of consultants to complete the Business Case development works for the identified projects.

Utilising the ESPO Framework the Council has approached both Focus and Gleeds for this support. Splitting the Business Case development across two consultancies will reduce potential risks regarding workload as well as ensure the proposals can be developed in line with the necessary programmes.

The value of the Business Case development work will be capitalised and funds received from HM Government used to cover these costs.

Payment terms will be in line with ESPO Framework and the Council and its Project Manager advisors will oversee the performance of both consultants.

5. Alternative Options Considered / Rejected:

- 1) Not to appoint Consultants to complete Business Case development works (Not Recommended) – failure to appoint consultants to complete the Business Case development works will see the Council (as accountable body) fail to deliver the Towns Fund programme as projects cannot commence until Business Cases have received local or national approval.
- 2) To not appoint Focus and/or Gleeds (Not Recommended) – in not appointing one or both of the consultants will see the programme severely delayed and hamper progress to date. To retender the works the Council would need to approach the market, identify suitable providers, ensure the procurement process is compliant and then measure the time delay impact upon the programme. Given the known deadlines, re-procurement will see Business Case submissions which are due in January 2022 missed and those in April 2022 put under severe pressure. There is also no guarantee that the Council will receive lower financial tenders than those received.

6. Implications

Human Resources:

No implications

Finance BB 15/10/2021:

The costs of appointing the consultants will be capitalised and charged against the current Towns Fund Capital Scheme on the approved Capital Programme. This capital scheme is funded by DLUHC - Towns Fund Grant. The release of this grant funding is subject to sign-off by DLUHC, however it is fully expected to be received in this financial year.

If following the production of the business cases any of the schemes do not proceed to capital projects, the costs would not be able to be capitalised and be a revenue cost. This would have to be met from any capacity funding still available or reserves.

Legal: [RD 14/10/2021]

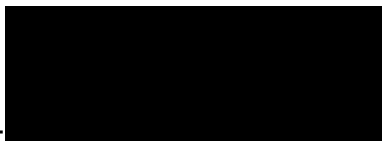
The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (Contract) Act 1997, s1). The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU 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 utilise Framework Agreements.

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, Interim Director of Place and Communities

Signed:



Date: 23.11.2021

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.**