

ASHFIELD DISTRICT COUNCIL: EXECUTIVE FUNCTIONS DECISION RECORD

Please use this form to record any Executive Decision taken by an Executive Lead Member or Chief Officer.

TO BE COMPLETED BY THE DECISION TAKER:

1. Title / Subject Matter:

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

Carbon Saving Works – Social Housing Decarbonisation Fund (SHDF) Wave 1 - Formalisation

Approval was granted under EDR (Carbon Saving Works to Council Assets – Social Housing Decarbonisation Fund) to: -

- 1) Bid and accept the offer of funding (if the bid was successful) through the completion of relevant documentation and adherence to funding stipulations and requirements; to utilise HRA funding from the existing Capital Programme to make up the Council's contribution, including carrying out complementary works to the Council owned properties where considered beneficial; to accept the associated risks in order to maximise the benefits of receiving such funding to reduce carbon emissions and reduce fuel poverty; to return any unspent funding allocation.
- 2) To engage with Legal Services to assist with the development/ approval of relevant documentation and formal agreements with relevant parties e.g. BEIS (funder), J Tomlinson (current delivery partner for the Housing Refurbishment Partnership Contract – under the Contract), EEM and its framework installation contractor, direct engagement with a supplier if necessary to secure supply chain resources (as an Exception to Contract Procedure Rules), and tenants/owner occupiers (e.g. relating to data collection and processing etc.).
- 3) To engage with Legal Services to formalise any relevant agreements.

This EDR is in respect of the formalisation of the agreement between the Council and the delivery partner to deliver the works in relation to the Social Housing Decarbonisation Fund, under the existing Housing Refurbishment Partnership Contract, As contained within the EDR, the Council's contribution will be from the HRA within the Capital Programme.

The cost of the works will be built up in accordance with the Contract.

Recommendation

- 1) To deliver the works through the existing Housing Refurbishment Partnership Contract.
- 2) To enter into a new Commencement Agreement (the methodology for carrying out works under a Section under the existing HRP2020-2025 Contract with J Tomlinson Limited).
- 3) To instruct Legal to review the Commencement Agreement and arrange for formalisation of the Commencement Agreement associated with these works.
- 4) To engage with Legal Services to assist with the development/ approval of any other relevant Agreements including third parties in relation to the delivery of the Project e.g. BEIS, and tenants/owner occupiers (e.g. relating to relevant access licenses, data collection and processing etc.).

2. Is this a Key Decision:

A Key Decision is one that is likely to:

- (a) Result in the Council spending or making savings of over **£50,000 revenue** or **£1m capital**, or;
- (b) Have a significant impact on **two** or more Wards, or electoral divisions in the Council's area.

The works will be carried out in multiple wards, and bid is intended to exceed £1m.

3. Decision Taken:

Briefly summarise what you have decided to do. For instance, to purchase a specific piece of equipment for a specific cost. Don't include any information in your summary that you would not want to be published.

- 1) To deliver the works through the existing Housing Refurbishment Partnership Contract.
- 2) To enter into a new Commencement Agreement (the methodology for carrying out works under a Section under the existing HRP2020-2025 Contract with J Tomlinson Limited).
- 3) To instruct Legal to review the Commencement Agreement and arrange for formalisation of the Commencement Agreement for these works.
- 4) To engage with Legal Services to assist with the development/ approval of any other relevant Agreements including third parties in relation to the

delivery of the Project e.g. BEIS, and tenants/owner occupiers (e.g. relating to relevant access licenses, data collection and processing etc.).

4. Reasons for the Decision:

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

To facilitate the delivery of the funding to meet the funder's timetables and give the Council the best opportunity of securing resources to deliver the project against a backdrop of limited supply in the market given the surge in such works following a number of Government funding rounds for such works. The works will enable the Council to reduce the carbon footprint of its domestic properties in the District and reduce fuel poverty. It will also reinforce that the Council is committed to reducing carbon emissions and mitigating Climate Change.

5. Copy of the Report or Briefing Note setting out the information which was used as the basis for the Decision:

Please attach the relevant Report or Briefing Note. Unless classified as exempt, this information will be included with the Decision Record and published on the Council's website.

Please see attached.

6. Was the Decision classed as exempt? If so, what were the reasons for this:

Please refer to the Constitution which explains the legal grounds for exempting from publication information used to make a decision.

By virtue of paragraph 3 of Part 1 of Schedule 12A, Local Government Act 1972 and, in respect of which, the Proper Officer considers that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

7. 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 would pass up the opportunity to benefit from significant funding to reduce carbon emissions and reduce fuel poverty.

8. Declarations of Interest and Dispensations – if applicable:

Any Declarations of Interest relating to this decision and subsequent dispensations should be listed.

N/A

9. Name / Title of the relevant Executive Lead Member(s) consulted (if appropriate): N/A
10. Name / Title of the decision taker: Paul Parkinson Director of Housing and Assets
Date: 4/8/22
TO BE COMPLETED BY DEMOCRATIC SERVICES
1. Date that the decision was notified to Members: N/A – Overview and Scrutiny Procedure Rule 13 in place
2. Date and time when the Call-In period for this decision ends:
3. Date when the decision can be implemented (five clear working days following publication):
4. Decision Reference Number (if applicable):

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.