

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	<b>3850</b>
<b>Author:</b>	<b>Richard Hamblin</b>
<b>Department:</b>	<b>Commercial and Operations</b>
<b>Contact:</b>	<b>Richard Hamblin</b> <b>(Job Title: Castle Project Director, Email: richard.hamblin@nottinghamcity.gov.uk, Phone: 64785)</b>
<b>Subject:</b>	<b>Nottingham Castle - Land Train</b>
<b>Total Value:</b>	<b>Nil (Type: Capital)</b>
<b>Decision Being Taken:</b>	<b>Delegate authority to Director of Sport and Culture to award a contract to SL Transportation Limited for the supply of a Land Train for operation at Nottingham Castle.</b> <b>Authorise dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 to award the contract to SL Transportation Limited for the reasons set out in the report.</b>
<b>Reasons for the Decision(s)</b>	<b>The land train for use at Nottingham Castle, linking with Brewhouse Yard, is an important part of the transformation scheme improving accessibility and connectivity.</b> <b>There are a number of constraints imposed upon the project which the land train has to operate within, principally:</b> <ol style="list-style-type: none"><li><b>1. The vehicle has to fulfill the requirements of VSO (vehicle special order) and meet the conditions to operate on the public highway. The police and local highways authority are required to approve the vehicle prior to a VSO being applied for.</b></li><li><b>2. The vehicle needs to be powered by an electric engine. The land train is operating within the City area and the stated policy is to reduce harmful emissions which prohibits the use of alternative powered options.</b></li><li><b>3. The land train will operate on Castle Road and within the Castle grounds. This is a hill with gradients in excess of 10% in places. The train needs to have sufficient torque to cope with the gradient noting that fully loaded it will be almost 10 tonnes.</b></li><li><b>4. The land train needs to be able to turn round in the space available in front of the Ducal Palace colonnade.</b></li><li><b>5. It should be one vehicle capable of carrying at least 35 visitors.</b></li></ol> <b>There is only one vehicle currently available that is able to satisfy all of the constraints noted above.</b>

**Other Options Considered:**

Do not purchase the vehicle - this has been rejected because Nottingham City Council is the lead on the Castle transformation project and responsible for fundraising and delivery. The land train is an integral part of the project and has been included in successful grant applications to National Lottery Heritage Fund and to the Local Growth Fund. If the land traioi was not purchased grants secured would be withdrawn.

Lease the vehicle - rejected as the appropriate vehicle is not available to lease.

**Background Papers:**

**Published Works:**

Nottingham Castle Transformation - May 2018 Executive Board

**Affected Wards:**

Castle

**Colleague / Councillor Interests:**

**Any Information Exempt from publication:**

Yes

**Dispensation from Financial Regulations:**

Yes

**Exempt Information:**

**Description of what is exempt:**

Legal and finance advice.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

**3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).**

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because to disclose the information now could prejudice the City Council's current negotiations and future rights.

**5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.**

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because to disclose the information now could prejudice the City Council's current negotiations and future rights.

**Documents exempt from publication:**

Purchase of Land Train.docx, Exempt Finance Comments Land land.pdf

**Consultations:**

Date: 25/02/2020

Other City Council Bodies: Nottingham Castle Project Board

Approval granted for the purchase of the land train.

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

Not applicable

**Equality:**

Please login to the system to view the EIA document: EIA 20200312 Nottingham Castle Land train.pdf

**Social Value Considerations:**

Not applicable

**Decision Type:**

Portfolio Holder

**Subject to Call In:**

Yes

**Call In Expiry date:**

20/04/2020

**Advice Sought:**

Legal, Finance, Procurement, Equality and Diversity

**Legal Advice:** This advice is exempt from publication and is contained within an exempt appendix Advice provided by Andrew James (Team Leader Contracts and Commercial) on 26/03/2020.

**Finance Advice:** The proposed purchase is within the approved budget sum as outlined in the Executive Board approval in May 2018. Please also see exempt finance comments. Advice provided by Sarah Baker 09/04/2020

**Equality and Diversity Advice:** The EIA has been approved. Advice provided by Saema Mohammad (Service Redesign Consultant) on 12/03/2020.  
Advice documents: 20200312 Nottingham Castle Land train GREEN.doc

**Procurement Advice:** On the understanding that there is only one supplier that can deliver an electric train to operate on the gradients of the castle grounds and based upon the legal risks identified above the client may wish to place a direct award in accordance with Regulation 32 of the Public Contracts Regulations 2015. Advice provided by Sue Oliver (Category Manager - Procurement) on 16/03/2020.

**Signatures**

David Trimble (Portfolio Holder for Leisure, Culture and IT)
<b>SIGNED and Dated: 09/04/2020</b>
Andy Vaughan (Corporate Director Commercial and Operations)
<b>SIGNED and Dated: 09/04/2020</b>
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
<b>SIGNED and Dated: 09/04/2020</b>
Chief Finance Officer's Comments: