

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3976

Author:

Rachel Jones

Department:

Development and Growth

Contact:

Rachel Jones

(Job Title: Principal Officer, Email: rachel.jones@nottinghamcity.gov.uk, Phone: 01158765287)

Subject:

Valley Road Park Blue Green Infrastructure Project

Total Value:

£300,000 (Type: Capital)

Decision Being Taken:

(1) To approve the use of additional funding from the flood funding to cover the projected shortfall in approved funding to complete this project.

(2) Delegate authority for the use and final amount to the Corporate Director of Development and Growth.

Reasons for the Decision(s) Delegated Decision 3476 (27/03/2019) approved the original funding for this project. However, for the reason explained below, the final costs have increased and will exceed this approval, resulting in the need for a further decision/approval.

Works have been delayed and additional expenditure has been incurred as a result of exceptional weather conditions experienced during quick successive storms Dennis and Ciara. These have adversely affected an area of the infrastructure works. This now requires some works to be re-instated and changes to be made and we are working with, and in discussion with, our contractor and professional engineering consultants to look at how we can best do that to reduce, minimise and recover expenditure.

Time is of the essence to ensure we have sufficient time to complete the works while making the most of the window of opportunity during the summer period and avoid further inclement weather during the autumn and winter months. All works needs to be completed on site and all remaining invoices paid by the end of December 2020 in order to avoid falling foul of funding requirements, and to reduce the risk of funding clawback. All works also needs to be completed in accordance with the Environment Agency (EA) Licence and on which funding was granted.

Completion of the project/works on site will help to ensure we meet the objectives set out in the business case, which are: retaining external funding/grant, better protecting 160 homes in Nottingham that are susceptible to flooding, environmental enhancements, including increasing the connectivity of green open spaces along the river corridor and supporting the aim of the City Council Local Flood Risk Management Strategy.

Other Options Considered: Do Nothing - Rejected because there is an inherent risk to the City Council of further damage/erosion, and the Environment Agency and other funding organisations will not sign-off the scheme as complete, risking loss of funding through funding clawback

Background Papers: None

Published Works: - Delegated Decision 3476, dated 27/03/2019- Nottingham City Council Local Flood Risk Management Strategy

Affected Wards: Basford, Bulwell, Leen Valley, Sherwood

Colleague / Councillor Interests: None.

Consultations: Those not consulted are not directly affected by the decision.

Crime and Disorder Implications: There are no crime and disorder implications arising from this proposal.

Equality: EIA not required. Reasons: This request is driven exclusively from an update to existing approvals and will not relate to a new or changing policy or service.

Decision Type: Portfolio Holder

Subject to Call In: Yes

Call In Expiry date: 09/09/2020

Advice Sought: Legal, Finance, Procurement, Other: Eddie Curry(eddie.curry@nottinghamcity.gov.uk)

Legal Advice: The additional funding being requested is to re-instate and carry out works following the adverse weather conditions experienced earlier this year. There are no legal issues arising from the request for further funding. Officers are working closely with its contractors and specialist advisors on the project to determine how and why the works have been affected and Legal Services are providing support in this respect with regard to the contracting position of all parties involved.

Advice provided by Naomi Vass (Senior Solicitor) on 04/08/2020.

Finance Advice: See attached comments.

Advice provided by Roma Patel (Commercial Business Partner) on 06/08/2020.
Advice documents: Financial comments Ceri and Roma.docx

Other Advice: The additional funding requested for this project is essential in order to complete the unfinished works and ensure that the landscape transformation remains fit for purpose and is both well established and secure before the project / land is handed back to the council to maintain.

Advice provided by Eddie Curry (Head of Public Realm) on 29/07/2020.

Procurement Advice: In as far as the decision is only seeking additional funding for a project already underway, there are no direct procurement implications. Where contractors have already been engaged in accordance with Contract Procedure Rules, the appropriate mechanisms for any contract variations should be applied. In the event that any new procurement becomes necessary as a result of any changes to the project, the Procurement Team should be consulted to advise how best to go about this.

Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 28/07/2020.

Signatures Sally Longford (PH for Energy, Environment and Democratic Services)
SIGNED and Dated: 02/09/2020

Chris Henning (Corporate Director for Development and Growth)

SIGNED and Dated: 28/08/2020