

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4081
<b>Author:</b>	Malcolm Townroe
<b>Department:</b>	Chief Executive's
<b>Contact:</b>	Malcolm Townroe (Job Title: Director of Legal and Governance, Email: malcolm.townroe@nottinghamcity.gov.uk, Phone: 01158764332)
<b>Subject:</b>	Temporary additional legal support
<b>Total Value:</b>	Up to 50k (Type: Revenue)
<b>Decision Being Taken:</b>	<ol style="list-style-type: none"><li>1. To appoint a locum Solicitor or Chartered Legal Executive to support the Asset Rationalisation Programme with the cost of the engagement charged to the programme disposals.</li><li>2. To Approve a dispensation with Contract Procedure Rule 4.1.1 in accordance with Financial Regulation for the provision of the temporary legal support.</li></ol>
<b>Reasons for the Decision(s)</b>	The Council is currently engaged in a programme to rationalise some of its property holdings and additional legal capacity is required on a temporary basis to support this.
<b>Other Options Considered:</b>	The only other options are to instruct external lawyers at much higher cost or to undertake direct recruitment on a temporary contract. The first has been discounted due to cost and the second discounted due to the length of time it would take to recruit.
<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<b>Affected Wards:</b>	Citywide

<b>Colleague / Councillor Interests:</b>	None
<b>Dispensation from Financial Regulations:</b>	Yes
<b>Use of Consultants</b>	<b>Number of Days:125</b> <b>Rate per Day:400</b> <b>Total value:50000</b> <b>Start date:04/01/2021</b> <b>End date:25/06/2021</b>
<b>Reason for using a consultant:</b>	The Asset Rationalisation Programme needs to be resourced in a timely manner and this is the most effective way of providing that support.
<b>Other options considered:</b>	Use of external lawyers - discounted due to cost. Temporary recruitment - discounted due to time delay.
<b>Name of consultant:</b>	George Georgiou
<b>Reason for selection?</b>	The Director of Legal and Governance and Team Leader for Conveyancing reviewed a number of CV's and interviewed 2 candidates. This candidate best suits the Council's needs.
<b>Has the consultant previously completed work for the City Council?</b>	No
<b>Specific activities to be undertaken by the consultant are:</b>	Legal work in connection with property transactions.
<b>Period of engagement:</b>	To be determined
<b>By what process was the consultant selected?</b>	By Teams interview.
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	None
<b>Equality:</b>	EIA not required. Reasons: An EIA is not required because it does not involve a change to policy or service delivery.
<b>Social Value Considerations:</b>	None
<b>Relates to staffing:</b>	Yes

<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	06/01/2021
<b>Advice Sought:</b>	Legal, Finance, Procurement, Human Resources
<b>Legal Advice:</b>	<p>The proposals in this report raise no significant legal issues and are supported.</p> <p>It is understood that a number of potential candidates were considered as part of this process in accordance with Constitutional requirements to identify the chosen locum. This external support is deemed necessary to support the Asset Rationalisation Programme in a timely manner. Advice provided by Dionne Claire Screatton (Solicitor) on 17/12/2020.</p>
<b>Finance Advice:</b>	<p>The costs of a locum solicitor or Chartered Legal Executive will be covered by cost of sales which is up to 4% of capital receipts. Advice provided by Mandy Bryce (Finance Analyst) on 17/12/2020.</p>
<b>HR Advice:</b>	<p>Given the ongoing difficulties experienced with the recruitment of appropriately experienced solicitors the recommended option is supported. A form of assessment has been undertaken to ensure that the successful individual meets the requirements of the post and is able to fulfil this temporary requirement, which is likely to be in the region of 6 months (depending how the Asset Rationalisation Programme progresses) although this is expected to be the maximum duration. The use of redeployees is not appropriate due to the specialist nature of the skills required. The Locum will by nature of the engagement terms, not be considered an employee and therefore poses no risk with regard to additional on-costs or employment rights. Advice provided by Marie Read, HR Consultant 18/12/20 Advice provided by Marie Read (HR Consultant (Departmental)) on 18/12/2020.</p>
<b>Procurement Advice:</b>	<p>A decision to approve a dispensation with Contract Procedure Rule 4.1.1 in accordance with Financial Regulation for the provision of the temporary legal support is required for this decision. The Author has sought a number of potential candidates for this service and the decision to be taken is supported by the procurement team. Advice provided by Paul Ritchie (Lead Procurement Officer) on 17/12/2020.</p>
<b>Signatures:</b>	<p>David Mellen (Leader/ PH Regeneration, Schools, Communications)</p> <p><b>SIGNED and Dated: 23/12/2020</b></p> <p>Sally Longford (PH for Energy, Environment and Democratic Services)</p> <p><b>SIGNED and Dated: 23/12/2020</b></p> <p>Mel Barrett (Chief Executive)</p> <p><b>SIGNED and Dated: 23/12/2020</b></p> <p>Clive Heaphy (Chief Finance Officer) - Dispensation from Financial Regulations</p> <p><b>SIGNED and Dated: 23/12/2020</b></p> <p>Chief Finance Officer's Comments:</p>