

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

<b>Reference Number:</b>	4542
<b>Author:</b>	Malcolm Townroe
<b>Department:</b>	Finance and Resources
<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 for the Conveyancing Team
<b>Total Value:</b>	£78,055 (maximum) (Type: Revenue)
<b>Decision Being Taken:</b>	1) To appoint a further locum Solicitor or Chartered Legal Executive to enhance support for the Asset Rationalisation Programme with the cost of the engagement charged to the programme disposals;2) To approve the spend associated with the temporary appointment;3) To delegate authority to the Director of Legal and Governance to award and sign the Contract
<b>Reasons for the Decision(s)</b>	The Council is currently engaged in a programme to rationalise some of its property holdings and further additional legal capacity is required on a temporary basis to support this. 3 quotations were sought and a number of candidates considered for the role.
<b>Other Options Considered:</b>	The only other options are to instruct external lawyers at much higher cost or to undertake a direct recruitment on a temporary contract. The first option has been discounted due to cost. The second option is still being pursued in tandem with this engagement but adverts to date have produced no applicants and even if applications are received there will be a time delay involved in appointable candidates being able to take up the role.
<b>Background Papers:</b>	None
<b>Published Works:</b>	None
<b>Affected Wards:</b>	Citywide

<b>Colleague / Councillor Interests:</b>	None
<b>Use of Consultants</b>	<b>Number of Days:180</b> <b>Rate per Day:433.64</b> <b>Total value:78055.20</b> <b>Start date:28/02/2022</b> <b>End date:26/09/2022</b>
<b>Reason for using a consultant:</b>	The Asset Rationalisation Programme needs suitably qualified lawyers to support disposals and this is the most cost effective way of providing that support in a market short of candidates for a direct appointment.
<b>Other options considered:</b>	Use of external lawyers - discounted due to cost. Temporary recruitment - discounted due to no applications received. Permanent recruitment - still being explored but discounted at this stage due to time delays.
<b>Name of consultant:</b>	John Llewelyn
<b>Reason for selection?</b>	The Team Leader for Conveyancing and the Director of Legal and Governance have reviewed a number of potential applicants from various agencies but as quickly as candidates become available they are engaged by other organisations. This candidate is the one that best suits the Council's needs and is available immediately.
<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 arising from the decisions to be taken.
<b>Equality:</b>	EIA not required. Reasons: An EIA is not required because it does not involve a change in policy or service delivery.
<b>Relates to staffing:</b>	Yes
<b>Decision Type:</b>	Officer

**Executive Decision?** Yes

**Scheme of Delegation Reference Number or Other Source of Delegation:** 1

**Subject to Call In:** No  
The call-in procedure does not apply to the decision because the value of the decision is below the call in threshold.

**Advice Sought:** Legal, Finance, Procurement, Human Resources

**Legal Advice:** It is understood that as the required expertise and capacity is not currently available within the Council, 3 quotations from 3 recruitment agencies were sought in accordance with the Council's Contract Procedure Rules. Article 18.58 permits deviation from the use of the Council's e-tendering system in seeking quotations with the approval of the Head of Procurement or nominated representative.

The most suitable candidate has been chosen from that process to support the Council on a temporary basis.

Advice provided by Dionne Claire Scream (Solicitor) on 17/02/2022.

**Finance Advice:** This additional resource is to support the delivery of the requirements of the Together for Nottingham plan and the activity will be funded from Capital Receipts generated. As such this cost will need to be profiled into the financial plan of that project to ensure receipt values available are not over committed.

Any extension to this timeframe will require additional approval and it is assumed that procurement processes have been adhered to in ensuring value for money.

Advice provided by Ceri Walters as Finance Co-ordinator (Head of Commercial Finance) on 18/02/2022.

**Procurement Advice:** 3 quotations from 3 recruitment agencies were sought in accordance with the Council's Contract Procedure Rules. Article 18.58 which permits deviation from using the procurement portal subject to the approval of the Head of Contracting and Procurement or his representative and this has been sought and approved for this particular requirement.

Advice provided by Paul Ritchie (Procurement Manager) on 18/02/2022.

**HR Advice:** Please see HR Advice and observations attached.

Advice provided by Raj Athwal (HR Consultant) on 23/02/2022.

Advice documents: Online DDM-Additional Agency Legal Support for Conveyancy Team(RA)(Malcolm Townroe).docx

**Signatures:**

<b>David Mellen (Leader/ PH Strategic Regeneration Communications)</b>
<b>SIGNED and Dated: 02/03/2022</b>

<b>Clive Heaphy (Corporate Director for Finance and Resources)</b>
<b>SIGNED and Dated: 24/02/2022</b>