

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

5013

Author:

Jack Hayhoe

Department:

Communities, Environment and Resident Services

Contact:

Jack Hayhoe

(Job Title: Regional Principal Energy Project Officer, Email: jack.hayhoe@nottinghamcity.gov.uk, Phone: 07864973065)

Subject:

Local Energy Capacity Support Section 31 Grant Determination (2023-24): No. 31/6810 - Project Funding - Second Variation

Key Decision (decision valued at more than £1million):

Yes

Total Value:

£1,496,710.53 (Type: Revenue)

Decision Being Taken:

<p class="MsoNormal" style="mso-margin-top-alt:auto;mso-margin-bottom-alt:auto; line-height:normal">1)

To accept £1,496,710.53 of core & additional grant funding from the Department for Energy Security and Net Zero (ESNZ) for the delivery of the objectives of the Local Energy Capacity Support Second Variation to the Memorandum of Understanding ("Variation No 2");

<p class="MsoNormal" style="mso-margin-top-alt:auto;mso-margin-bottom-alt:auto; line-height:normal">2)

To delegate authority to the Corporate Director of Communities, Environment and Resident Services and/or the Director for Environment and Sustainability (ES) to enter Grant Determination (2023/24) No.31/6810; and

<p class="MsoNormal" style="mso-margin-top-alt:auto;mso-margin-bottom-alt:auto; line-height:normal">3)

To delegate authority to the Head of Midlands Net Zero Hub, in consultation with the Director for ES, to utilise the grant funding to deliver the objectives in line with the Scope [para 12] in the Original MoU as varied by the Second Variation to the Local Net Zero Hub Programme Memorandum of Understanding ('The Second Variation') as referred to in DESNZ Local Net Zero Hub Programme Determination (2023/24) No. 31, subject to the Authority providing the documentation and information to DESNZ, on the proposed tasks as follows: £1,496,710.53 for Local capacity support including: £100,000 on SCATTER Tool (development, maintenance and inventory update), £100,000 Communications and conferences (including APSE) and £150,000 for project development fund.

Reasons for the Decision(s)

The Department for Energy Security and Net Zero is committed to delivering support to enable the Government's Net Zero 2050 initiatives to be both an economic stimulus and contributor to the UK's carbon net-zero ambitions. This funding will be managed by the Midlands Net Zero Hub ("the Hub"), within the Council's Environment and Sustainability (ES) Division, enabling Net Zero projects across the Midlands in support of the low carbon economy.

The total value is £1,496,710.53. This is an extension of funding to the existing Midlands Net Zero Hub Grant Funding - Local Net Zero Programme authorised under Delegated Decision 4791 and variation 1 authorised under Delegated Decision 4891.

The Hub is well-placed to secure this funding and support project delivery. This funding will assist the Hub to meet its KPIs under the current agreement. DESNZ has requested the Hub's and the ES Division's support on these projects, due to their successful track record in project development and support, with an ability to meet challenging deadlines. Urgent Portfolio Holder authorisation is sought for this acceptance of grant funding due to the tight time frames of the project imposed by ESNZ; the MoU was received 07/08/2023 and needs to be returned by 25/08/2023 to DESNZ, and its value. With these time restrictions in place, we are unable to wait until the next meeting of the Executive Board, thus requiring the Leader Key Decision.

Other Options Considered:

Not accepting the funding. This option was rejected because it would result in the loss of significant opportunities the grant offers and the 100% funding it provides. Alongside the loss of jobs, skills and experience within the division. Further to this, it would result in a missed opportunity to support delivery of Net Zero projects in the region, in-line with the current agreement, which would impact KPIs.

Background Papers:

The Regional Team within the Midlands Net Zero Hub currently employs 14 full time posts within Nottingham City Council, across all funding schemes we fund 3 members of staff within the corporate services. This funding will continue to support these posts.

Published Works:

Delegated Decision 4971 - Midlands Net Zero Hub Grant Funding - Local Net Zero Programme (signed 06/12/2022) Delegated Decision 4891 - LOCAL ENERGY CAPACITY SUPPORT SECTION 31 GRANT DETERMINATION (2022/23): No. 31/6547 - Project Funding - First Variation (signed 16/03/2023)

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

N/A

Equality:

EIA not required. Reasons: This decision does not represent proposals for a new or changing policy, service or function.

Social Value Considerations:

Procurement will be requested at point of need with Social Value considerations built into the process, as guided by the procurement team

Decision Type:

Leader's Key Decision

Subject to Call In:

Yes

Call In Expiry date:

01/09/2023

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

Advice provided as attached by Vendie Charles, Solicitor, Contract and Commercial and uploaded on her behalf by R Bines.

Please also note that a limb of the decision relates to additional funding for the development, maintenance and inventory update of the SCATTER Tool. It is understood the SCATTER Tool was the subject of previous approvals and award of contract by exemption under Regulation 32 of PCR 2015. Specific advice should be sought from Procurement and Legal Services before any actions are taken on this limb of the funding to ensure compliance with the Public Contract Regulations 2015. Advice provided by Richard Bines (Solicitor) on 21/08/2023.

Advice documents: VC Legal Comment 21.8.23.docx

Finance Advice:

This decision is to confirm grant funding of £1,496,711 from the Department for Energy Security and Net Zero (ESNZ). This is an extension of funding and a second variation to the existing Local Net Zero Capacity Support Programme on predetermined projects.

It will generate £110,000 in management fees for Nottingham City Council. Advice provided by Sejal Mistry (Senior Commercial Business Partner) on 12/08/2023.

Procurement Advice:

Of the decisions to be taken, only item (3) has direct procurement implications, (1) & (2) relating to grant funding and management of the project. Where the funds that are the subject of this decision represent pass-through of grant rather than payments for goods or services, there are no Procurement implications. Where contracts for goods or services are to be awarded advice should be sought from Procurement to ensure that appropriate measures are taken to remain in compliance with Contract Procedure Rules and the Public Contracts Regulations 2015. As this is grant funded work, savings from any procurement exercises may not be allocated in respect of the Council's corporate savings target for procurement, but will be returned to the funder or reallocated within this programme.

With particular regard to the development, maintenance and inventory update of the SCATTER Tool, we note that this has been the subject of previous approvals and award of contract by exemption under Regulation 32 of PCR. Specific advice should be sought from Procurement and Legal Services before any actions are taken on this item.

Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 18/08/2023.

Signatures:

David Mellen (Leader/ PH Strategic Regeneration & Communications)
SIGNED and Dated: 24/08/2023
Colin Parr (Corporate Director, CERS)
SIGNED and Dated: 22/08/2023