

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	5086
Author:	Serena Bacuzzi
Department:	Communities, Environment and Resident Services
Contact:	Serena Bacuzzi (Job Title: Regional Senior Energy Projects Officer, Email: serena.bacuzzi@nottinghamcity.gov.uk, Phone: 07521266199)
Subject:	SCATTER updates
Total Value:	£356,825 (total contract value) (Type: Revenue)
Decision Being Taken:	<p>1) To accept funding of £100,000 from DESNZ (Department for Energy Security and Net Zero) for the further updates to the emissions inventory of the Setting City Area Targets and Trajectories for Emissions Reduction (SCATTER) tool;2) Delegate authority to the Head of Midlands Net Zero Hub to sign the contract with Anthesis Group.3) To note that the associated spend has been approved by the Section 151 Officer through the Spend Control</p> <p>Board (Reference: ID 1786)</p>
Reasons for the Decision(s)	<p>DESNZ is providing funding to NCC to continue working with Anthesis Group to enable further updates of SCATTER. The development and updates of the tool have been funded by DESNZ since 2019, when Greater Manchester Combined Authority (GMCA) commissioned Anthesis Group. From 2019 DESNZ had been granting funding to NCC to evaluate the tool and maximise its usability and impact. This project is in line with government carbon reduction objectives as it provides local authorities and city regions across the UK with standardised methods to set carbon reduction targets, and measure and reports greenhouse emissions in line with international frameworks. NCC's involvement in the development of the tool offers the opportunity to generate a management fee to the Environment & Sustainability Division and shape the tool to support the delivery of the Council's 2028 carbon neutrality ambitions. The further development of the tool will be also key to continue to support the work of the Midlands Net Zero Hub in the region. Exemption</p> <p>under Contract Procedure Rule 18.65 has been approved to award a contract to Anthesis Group (consultant). Associated spend for this decision has been approved by the Section 151 Officer through the Spend Control</p> <p>Board (Reference: ID 129)</p>

Other Options Considered:

Alternative options would be to 1) not continue to update the tool and not accept the funding. This has been rejected as the tool will not be updated with the additional functionalities requested by the Local Authorities based upon the survey feedback run in 2021. This could have an impact on the usability of the tool and in the long term reduce the effectiveness of the tool in supporting the delivery of the government's carbon reduction ambitions. Without the updates to the tool, this would jeopardize UK LAs' ability (including Nottingham City Council's) to report compliantly with international frameworks in 2024. From the NCC perspective, not continuing with the development of the fund will also jeopardize the work done over the previous 4 years and deny NCC's ability to benefit from the full potential of the tool and opportunity to shape it to the Council's needs. 2) go out to tender. This has been rejected as Anthesis Group have IP rights over the development and usage of SCATTER, therefore other consultants will not be permitted to take over the further development of the tool and the funding has been provided by DESNZ for the contract with Anthesis, the provider previously identified.

Background Papers:

Published Works:

DDM Reference Number 3477 DDM Reference Number 4381

Affected Wards:

Citywide

Colleague / Councillor Interests:

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

Not applicable

Equality:

EIA not required. Reasons: This work is a continuation of existing arrangements.

Social Value Considerations:

Direct award is sought for this service to enable continuation of existing work.

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

21/02/2024

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

This report seeks approval to accept funding of £100,000 from DESNZ for further updates to the emissions inventory of the SCATTER tool and to delegate authority to the Head of Midlands Net Zero Hub to sign the contract with Anthesis Group. Under Article 18.94 of the Constitution, the direct award of the contract to Anthesis for the development of the SCATTER tool has been agreed as an exemption by the s.151 officer. The Council must ensure compliance with the terms and conditions of the Grant Agreement and the Council's Constitution. I note that further awards of this nature are to be exposed to competition and it is important that they are, as we do not want to be seen as artificially restricting the market by contracting with the same provider.

These comments do not take into account the potential Equality Act 2010 considerations, it is noted that an Equality Impact Assessment (EIA) has not been carried out because this is a continuation of existing works, but I note that a EIA has never been carried out and therefore it is recommended that this assessment is carried out as soon as possible.

**Advice provided by Amana Parveen Solicitor 18.01.2024.
Advice provided by Amana Parveen (Solicitor) on 18/01/2024.**

Finance Advice:

This decision seeks the approval to accept £0.100m in grant funding from the Department for Energy Security and Net Zero (DESNZ) for the further updates to the emissions inventory of the Setting City Area Targets and Trajectories for Emissions Reduction (SCATTER) tool.

The development and updates of the tool have been funded by DESNZ since 2019. The approval of this grant ensures the continued updates of SCATTER. NCC's involvement in the development of the tool offers the opportunity to generate a management fee to the Environment & Sustainability Division and shape the tool to support the delivery of the Council's 2028 carbon neutrality ambitions.

Advice provided by Sejal Mistry (Senior Commercial Business Partner) on 02/11/2023.

Procurement Advice:

An 'Exemption from Procurement Procedures' form has been completed and endorsed by the Section 151 Officer on the 11th December 2023 in compliance with Article 18.94 of the Constitution to permit a direct award of contract to Anthesis for development of the SCATTER Tool. It has been noted that further awards of this nature must be exposed to competition. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 13/12/2023.

Signatures

David Mellen (Leader/ PH Strategic Regeneration & Communications)

SIGNED and Dated: 13/02/2024

Colin Parr (Corporate Director, CERS)

SIGNED and Dated: 14/02/2024