

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	2237
Author:	Dave Stretton
Department:	Communities
Contact:	Dave Stretton (Job Title: Cemeteries & Crematorium Manager, Email: dave.stretton@nottinghamcity.gov.uk, Phone: 07961481125)
Subject:	Reline of two 300/2 Double ended Cremators
Total Value:	£66,782 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none"><li>1. To approve works required to reline Cremator No 2 &amp; 4 at Wilford Hill Crematorium.</li><li>2. To grant dispensation from contract procedure rule 5.1.2 to seek tenders, in accordance with financial regulations 3.29 (operational issues) to award a contract to Facultative Technologies (FT) to undertake the reline works.</li></ol>
Reasons for the Decision(s)	<p>Facultative Technologies (FT) supply the current systems operated at the Crematorium and also service the equipment. On the 9th December 2010 an agreement was signed with FT for the supply and maintenance of related equipment for a ten year period. This reline work however is not part of that contract, as such works are only required occasionally and on average every 6 years. If another company is used to undertake the required reline works, this will compromise the current system and invalidate the ongoing 10 year service schedule with FT. The reline works directly link into the rest of the systems the Council operate and will need to be compatible with FT equipment. The reline work must take place as a matter of urgency in order for Nottingham City Council to continue to deliver an efficient service as currently there is a risk of overloading the remaining oven.</p> <p>Agreement for these works will ensure that Nottingham City Council continues to operate the Crematorium in line with legislation and within the permits to operate issued by Rushcliffe Borough Council. The cost of these works can be funded from the existing Crematorium Maintenance and Replacement Reserve.</p>

**Other Options Considered:**

To do nothing - One Cremator is currently out of service and the other one is close to being shut down, as such this is adding pressure to the remaining Cremators. Until the new relines take place this will result in ongoing pressure to the service and will impact on service targets. To enter into a process of obtaining quotes will incur further delay to this process and as stated previously because the work needs to link in directly to the remaining system will lead to incompatibility of parts and invalidate the current 10 year maintenance agreement.

Taking account of the current situation including impact on the service, income, compliance with legislation including permit regulations,

the preferred option is to enter into a contract with FT to undertake the required reline works. This will ensure appropriate links with the current contract and ensure an efficient and straight forward reline operation linking into the current systems.

**Background Papers:**

**Published Works:**

**Affected Wards:**

Citywide

**Colleague / Councillor Interests:**

N/A

**Consultations:**

Those not consulted are not directly affected by the decision.

**Crime and Disorder Implications:**

N/A

**Equality:**

EIA not required. Reasons: EIA not required. Reasons: This is not a new or changing policy, service or function.

**Decision Type:**

Portfolio Holder

**Subject to Call In:**

Yes

**Call In Expiry date:**

19/11/2015

**Advice Sought:**

**Legal, Finance, Procurement**

**Legal Advice:**

The proposals in this report raise no significant legal issues.

The Council has a legal obligation to operate and maintain cremators under its licence obligations. There are 3 cremators at the Wilford Hill Crematorium. It is noted that two of them are currently either out of service or to be closed and so there is more pressure on the working cremator without the works being carried out on these cremators. FT provide the existing maintenance work on the cremators and will be able to undertake the required relining works seamlessly with as little impact on the service as possible.

For these reasons and given the urgency, dispensation from Contract Procedure Rule 5.1.2 from Financial Regulation 3.29 is supported.

It is however noted, that if it is envisaged that this type of work will continue to be provided during the remaining term of the contract, consideration should be made with respect to the full extent of the service required. This would include the potential of undertaking additional market testing and exploring the remit of incorporating this service into the contract provisions under the future tender process. Legal services will assist as and when required in the appraisal of these options for the remainder of the contract period.

Advice provided by Dionne Claire Screamon (Solicitor) on 27/10/2015.

**Finance Advice:**

1. The cost of this decision is £66,782 this will be funded from the Maintenance and Replacement Reserve that has been set up to finance these type of expenditure.
  2. The relining of two Cremators is essential to operation of the Crematorium and the service's ability to achieve the income budgets contained within the MTFP.
  3. Dispensation from tendering requirements is sought under financial regulations 3.29 as these works need to be undertaken by Facultative Technologies to comply with the terms and conditions of the current maintenance agreements.
- Advice provided by Steve Ross (Finance Analyst) on 12/10/2015.

**Procurement Advice:**

The use of an alternative would invalidate the warranty for the equipments therefore approval to dispense with Contract Procedure Rule 5.1.1 in accordance with Financial Regulation (3.29) is acceptable. A quotation has been obtained for the work.

Advice provided by John Watson (Category Manager) on 08/10/2015.

**Signatures**

<b>David Trimble (Portfolio Holder for Leisure and Culture)</b>
<b>SIGNED and Dated: 11/11/2015</b>
<b>Andrew Vaughan (Corporate Director Commercial and Operations)</b>
<b>SIGNED and Dated: 11/11/2015</b>