

Nottingham City Council Delegated Decision



Reference Number:	2589
Author:	Jennifer Lewis
Department:	Communities
Contact:	Hugh White (Job Title: Director, Email: hugh.white@nottinghamcity.gov.uk, Phone: 01158764980)
Subject:	Commission of public sculpture trail for Nottingham to go live summer 2018
Total Value:	Exempt (Type: Revenue)
Decision Being Taken:	<p>1) To seek dispensation from financial regulations in order to enter contractual negotiations with 'Wild in Art' around the delivery of a unique public art project for Nottingham city in summer 2018.</p> <p>2) To seek approval for expenditure in line with cash-flow required for the delivery of the project - an outline attached in the exempt appendix.</p>
Reasons for the Decision(s)	<p>Wild In Art is the market leader of the 'mass participation sculpture trail' business model which we wish to commission. Wild in Art has a long and proven track record of successfully delivering high profile city centre sculpture trails, achieving a positive impact for places, people and business. These projects are unique in their delivery: Wild in Art is the only company in the marketplace which commissions and curates this style of public art project. Previous highly successful Wild in Art projects have included the Big Hoot in Birmingham, the Barons' Trail in Lincoln, and Gromit Unleashed in Bristol.</p> <p>The project is anticipated to break even but an initial financial outlay is required. This will be recouped through sponsorship and auction of sculptures. A projected cash flow for the project is attached as an exempt appendix.</p> <p>The proposed sculpture trail will comprise 40 sculptures across Nottingham City Centre and Nottingham neighbourhoods. This initiative will attract visitors to Nottingham, contribute to the local economy through increased footfall to retail and leisure businesses, and will create positive profile and reputation for the city.</p>
Other Options Considered:	<p>The option to tender for a 'mass participation sculpture trail' has been rejected because there are no other businesses in the market offering this service: Wild in Art is the market leader and offers a unique style of project delivery.</p> <p>The option to deliver the sculpture trail in-house has been rejected because Nottingham City Council does not have the capability or expertise to deliver this.</p>

Background Papers:

Published Works:

Affected Wards:

Citywide

Colleague / Councillor Interests:

Any Information Exempt from publication:

Yes

Dispensation from Financial Regulations:

Yes

Exempt Information:

Description of what is exempt:

The uploaded cash flow spreadsheet.

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the cash flow information is commercially confidential.

Documents exempt from publication:

Updated CashFlow.xlsx, Wild in Art Financial Information.docx

Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	Wild in Art sculptures are specially designed and tested to withstand the rigours of street-living for the duration of the event. Other cities which have had sculpture trails have reported very few incidents of vandalism. On the contrary, other cities report the beneficial effects of the sculptures for community engagement and cohesion.
Equality:	EIA not required. Reasons: It would be disproportionate to carry out an EIA Equality Impact Assessment (EIA)
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	12/09/2016
Advice Sought:	Legal, Finance, Procurement
Legal Advice:	Of itself the decision raises no significant legal issues. However, consideration should be given to the question of issue of insurance both in respect of damage occurring to the statues and public liability. Advice provided by Malcolm Townroe (Legal Services Manager) on 21/06/2016.
Finance Advice:	This advice is exempt from publication and is contained within an exempt appendix Advice provided by Claire Gavagan (Finance Business Partner (Communities)) on 16/06/2016.
Procurement Advice:	This work is of a specialist nature and there are no alternative suppliers currently in the market. Therefore approval to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) is justified on this occasion. Advice provided by John Watson (Category Manager) on 10/06/2016.
Signatures	David Trimble (Portfolio Holder for Leisure and Culture) SIGNED and Dated: 02/09/2016 Andrew Vaughan (Corporate Director Commercial and Operations) SIGNED and Dated: 02/09/2016 Theresa Channell (Head of Corporate and Strategic Finance) - Dispensation from Financial Regulations SIGNED and Dated: 05/07/2016 Chief Finance Officer's Comments: