

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	2807
Author:	Luke Jackson
Department:	Communities
Contact:	Luke Jackson (Job Title: Energy Projects Manager, Email: luke.jackson@nottinghamcity.gov.uk, Phone: 07713 301042)
Subject:	Island Site Heat Distribution Network Feasibility Study
Total Value:	£0.1m (equal match funding between NCC and BEIS) (Type: Revenue)
Decision Being Taken:	<p>1) To authorise the procurement of an external consultant to deliver a feasibility study for the Island Site Heat Distribution Network and to enter into legal documentation to award the consultancy contract.</p> <p>2) To delegate authority to the Corporate Director Commercial and Operations to authorize expenditure of grant money, £50,000 accepted from the Department for Business, Energy and Industrial Strategy (BEIS), to be matched with £50,000 funding from the Council for delivery of the heat network development project.</p>
Reasons for the Decision(s)	<p>Previously published Delegated Decision 2565 (August 2016) enabled the Council to accept £50,000 grant money from BEIS in order to investigate the feasibility of extending the Council's district heat network onto the 'Boots Island Site'. A requirement for the funding is that it is jointly match funded by the Council (£50,000).</p> <p>In order to facilitate the requirements of the grant, we will procure an external consultant and manage this process internally.</p>
Other Options Considered:	The only other option was to not apply for the grant funding.
Background Papers:	N/A
Published Works:	Delegated Decision 2565 (August 2016)

<b>Affected Wards:</b>	Bridge
<b>Colleague / Councillor Interests:</b>	N/A
<b>Use of Consultants</b>	<b>Number of Days:200</b> <b>Rate per Day:500</b> <b>Total value:100000</b> <b>Start date:28/02/2017</b> <b>End date:31/07/2017</b>
<b>Reason for using a consultant:</b>	The BEIS grant funding requires an external consultant to be appointed. The specialist work cannot be currently resourced from within the Council. The outcome required from the project will be a comprehensive consultant's report on island site heat distribution network feasibility. A full tender process will be undertaken to identify an appropriate consultant.
<b>Other options considered:</b>	None.
<b>Name of consultant:</b>	Unknown - tender process pending
<b>Reason for selection?</b>	Unknown - tender process pending
<b>Has the consultant previously completed work for the City Council?</b>	Unknown - tender process pending
<b>Specific activities to be undertaken by the consultant are:</b>	Unknown - tender process pending
<b>Period of engagement:</b>	6 months
<b>By what process was the consultant selected?</b>	Full Council procurement procedures will be adhered to and BEIS (government department) have also specified additional procurement criteria.
<b>Consultations:</b>	Those not consulted are not directly affected by the decision.
<b>Crime and Disorder Implications:</b>	None.
<b>Equality:</b>	EIA not required. Reasons: This project will have neither a positive or negative impact on equality.
<b>Social Value Considerations:</b>	N/A
<b>Relates to staffing:</b>	Yes

<b>Decision Type:</b>	Portfolio Holder
<b>Subject to Call In:</b>	Yes
<b>Call In Expiry date:</b>	18/04/2017
<b>Advice Sought:</b>	Legal, Finance, Procurement, Human Resources
<b>Legal Advice:</b>	Provided that the terms of grant funding are fully complied with and the consultant is procured through an open and transparent competitive procurement process in compliance with the Public Contracts Regulations then this decision has no significant legal implications. Advice provided by Joanne Haslam (senior solicitor) on 14/03/2017.
<b>Finance Advice:</b>	<p>The use of the grant and match funding aligns with the Nottingham Plan to 2020 headline target to 'reduce the city's carbon emissions by 26% of 2005 levels by 2020' [1] plus aspects of the Green Nottingham strategy [2].</p> <p>Total funding is in place for this decision. Grant monies of £0.050m were received from the Department of BEIS in November 2016. The additional match funding of £0.050m from NCC is earmarked within the Energy Development Fund which is managed by Energy Services - Projects.</p> <p>Under the terms of the grant, specific procurement procedures and use of funds have been stipulated by the Department of BEIS. There is a risk of grant claw-back if these stipulations are not evidenced.</p> <p>[1] Page 36/37 <a href="http://www.onenottingham.org.uk/wpcontent/uploads/2016/08/Nottingham_Plan_to_2020.pdf">http://www.onenottingham.org.uk/wpcontent/uploads/2016/08/Nottingham_Plan_to_2020.pdf</a>  [2] Pages 68/69-70/71 <a href="http://www.onenottingham.org.uk/wpcontent/uploads/2016/08/Nottingham_Plan_to_2020.pdf">http://www.onenottingham.org.uk/wpcontent/uploads/2016/08/Nottingham_Plan_to_2020.pdf</a>  <a href="http://www.onenottingham.org.uk/wpcontent/uploads/2016/08/Nottingham_Plan_to_2020.pdf">http://www.onenottingham.org.uk/wpcontent/uploads/2016/08/Nottingham_Plan_to_2020.pdf</a></p> <p>Advice provided by Tania Clayton Perez (Commercial Business Partner) on 21/02/2017.</p>
<b>Procurement Advice:</b>	The procurement team are supporting the officer to procure an external consultant in-line with Public Contract Regulations and therefore there are no significant procurement concerns. Advice provided by Sue Oliver (Category Manager - Procurement) on 23/02/2017.
<b>HR Advice:</b>	<p>The decision references the need for an external consultant due to the need for specialised advice that is not available within the Local Authority.</p> <p>Dependent on the Consultancy model utilised, it is recommended that the service considers whether there are any implications in relation to the changes in the IR35 legislation in relation to the usage of Contractors within the Public Sector. Further information in relation to this should be sought from the Tax Service.</p> <p>Advice provided by Faye Truong (Service Redesign Consultant) on 08/03/2017.</p>
<b>Signatures:</b>	<p>Jon Collins (Leader of the Council)</p> <p>SIGNED and Dated: 06/04/2017</p>

<b>Alan Clark (Councillor) (Portfolio Holder For Energy and Sustainability)</b>
<b>SIGNED and Dated: 21/03/2017</b>
<b>Andrew Vaughan (Corporate Director Commercial and Operations)</b>
<b>SIGNED and Dated: 27/03/2017</b>