

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:	3477
Author:	Ellen Cooper-Tydeman
Department:	Commercial and Operations
Contact:	Ellen Cooper-Tydeman (Job Title: Energy Policy Officer, Email: ellen.cooper-tydeman@nottinghamcity.gov.uk, Phone: 01158763437)
Subject:	Setting City and Area Targets and Trajectories for Emission Reduction to 2050 (SCATTER)
Total Value:	£120,000 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none">1) To accept £120,000 of funding from BEIS (Business, Energy and Industrial Strategy) for Setting City and Area Targets and Trajectories for Emissions Reduction (SCATTER) tool development, via a section 31 agreement2) To delegate authority to the Head of Energy Services to allocate the funds and manage the grant expenditure3) To dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow for a direct award of a contract to Anthesis Group (consultants) for the fulfillment of phase two of works on the Setting City and Area Targets and Trajectories for Emission Reduction to 2050 (SCATTER) tool, due to their prior involvement in phase one of this project and their retention of IP rights over the tool in question.
Reasons for the Decision(s)	<p>Public Interest - This will see NCC working for the benefit of other cities, local authorities and Government objectives for Clean Growth and the Climate Change Act. This SCATTER development will assist with the objective of the Public Sector leading the way in carbon reduction. This will also assist with a crucial stage in setting out plans to deliver the new ambitious carbon neutral aspirations of many authorities, like Nottingham's own 2028 ambition.</p> <p>Revenue Funding - This work is 100% grant funded and will make a contribution to the Energy and Waste Big Ticket. The grant funding will cover NCC staff time for administration, project management and reporting.</p> <p>Support NCC Strategic Objectives - Will support NCC and Energy Services work toward achieving our 2028 carbon neutrality aim. Will help monitor the council's ongoing progress and access the possible policy routes to achieve this. It will also support regional and sub-regional low carbon work with the Local Enterprise Partnership (D2N2) and Midlands Energy Hub, supporting the soon to be published regional energy strategies.</p>

Other Options Considered: Not to accept funding. This would prevent the development of the tool and ability to utilise the full potential of the tool in other local authorities and Nottingham City . It would also affect reputation and the Energy and Waste Big Ticket for 2019/20 .

Background Papers:

Published Works:

Affected Wards: Citywide

Colleague / Councillor Interests:

Dispensation from Financial Regulations: Yes

Use of Consultants

Number of Days: 86
Rate per Day: 1357
Total value: 116700
Start date: 01/04/2019
End date: 27/03/2020

Reason for using a consultant: The purpose of this project is to continue the development of a national tool for local authorities on behalf of the department for Business, Energy and Industrial Strategy (BEIS). It continues existing work that NCC were assisting with evaluating. It requires the further development of specialist tools that the consultant appointed has developed to-date, and this capacity is not available through any other means.

Other options considered: Not accept grant funding

Name of consultant: ANTHESIS GROUP

Reason for selection? The consultant has already developed the first phase of the tools, and has retained rights over the development and usage of the tool that would restrict any other consultant from being used to further its development.

Has the consultant previously completed work for the City Council? No

Specific activities to be undertaken by the consultant are:

Develop improvements to the SCATTER tool following NCC's evaluation with BEIS. The work will address:- SCATTER Greenhouse Gas Inventory Tool: 1. Enhance transparency of the existing GPC inventory methodology. 2. Package up a version of the tool that does `reporting' only 3. Prepare a discreet user guide on reporting 4. Create an online version of the tool SCATTER Pathways Tool: 1. Package up a version of the tool that does Pathways only. 2. Enhance transparency of the existing interactions of interventions. 3. Prepare a discreet user guide on using the Pathways tool

Period of engagement:

Maximum of 12 months from 1st April 2019

By what process was the consultant selected?

The consultant has already developed the first phase of the tools, and has retained rights over the development and usage of the tool that would restrict any other consultant from being used to further its development.

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

This decision will not have any direct implications on crime and disorder.

Equality:

EIA not required. Reasons: Not relevant to this decision. No changes to NCC policy or procedures and not a new service.

Social Value Considerations:

None- direct award.

Relates to staffing:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

03/04/2019

Advice Sought:

Legal, Finance, Procurement, Human Resources

Legal Advice:

The City Council must ensure it complies with the terms of the s.31 agreement. It is understood that the City Council has been remitted to take over the development of software tool. As the consultant is the owner of the intellectual property the City Council may make a direct award to the consultant to complete the development work. The city Council must ensure the intellectual property is made available (by licence or transfer of ownership) to it and other local authorities. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 18/03/2019.

Finance Advice:

As outlined in the Delegated Decision, Nottingham City Council seeks to receive funding from BEIS to further develop the SCATTER Emissions Reduction tool.

This funding will be received up-front. To ensure that the City Council is not at financial risk, this will need to be managed & monitored through Energy Services.

It is the responsibility of Energy Services to ensure that the conditions attached to all funding are fully met otherwise this would expose NCC to the risk of grant clawback.

Dispensation from Financial Regulation 3.29 is supported due to reasons stated by the author relating to Phase1 development of the SCATTER tool. Advice provided by Tania Clayton Perez (Commercial Business Partner) on 19/03/2019.

HR Advice:

As outlined in the delegated decision Nottingham City Council seeks to receive funding from BEIS to further develop the SCATTER Emissions Reduction tool . Work was undertaken with the consultancy by another authority for the first phase of the tool's development the first phase. The consultancy have retained the rights over the development and usage of the tool which would restrict any other consultant from being used to further its development.

NCC were commissioned to evaluate the first phase of the tool's development, and have now been commissioned to deliver the 2nd phase of the project which relies on continued working with the consultancy to develop the existing toolkit to an agreed specification identified by the evaluation. The decision, if approved will allow continued work to develop the 2nd phase of the project on behalf of BEIS and for the benefit of local authorities, LEPS and other public sector bodies looking to address carbon mitigation

There are no staffing implications associated with this and is therefore supported. Two current staff members are aligned to the project which is consistent with their roles. Advice provided by Cathy Hartley (HR Consultant) on 19/03/19.

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Procurement Advice:

The consulatant is the owner of the intelectual property therefore the decision to direct award is supported. Advice provided by Paul Ritchie (Lead Procurement Officer) on 18/03/2019.

Signatures:

Jon Collins (Leader of the Council)
SIGNED and Dated: 27/03/2019
Sally Longford (PH for Energy and Environment)
SIGNED and Dated: 21/03/2019
Andy Vaughan (Corporate Director Commercial and Operations)
SIGNED and Dated: 21/03/2019
Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations
SIGNED and Dated: 21/03/2019
Chief Finance Officer's Comments: