

# Nottingham City Council Delegated Decision



Reference Number:	3530
Author:	Vicky Ross
Department:	Commercial and Operations
Contact:	Vicky Ross (Job Title: Programme Manager Investment and Operations, Email: vicky.ross@nottinghamcity.gov.uk, Phone: 01158762173)
Subject:	Replacement of Community Facility St Anns Well Road
Total Value:	£190,000 (Type: Capital and Revenue)
Decision Being Taken:	<ol style="list-style-type: none"><li>1. To approve the demolition and the rebuild of the community facility on St. Ann's Well Road.</li><li>2. To include the associated costs into the Area Capital Programme.</li><li>3. To pull together the previously agreed budgets into one centralised budget.</li><li>4. The establishment of a Project Team led by Nottingham City Homes.</li><li>5. To authorise dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 to make a direct contract award to Nottingham City Homes to undertake the work described above.</li></ol>
Reasons for the Decision(s)	The existing building has less than 2 years life span left. The new build will replace the current structure on the existing concrete platform with a modern, energy efficient fit for purpose community facility. Funding for the scheme is set out within the financial observations. Revenue allocations to be consistent with the Community Centres funding programme (Funding Area Based Grants). The completed building will be maintained within the current Community Centre Portfolio. Nottingham City Homes have led the design process and will build the facility to compliment the adjacent housing scheme. The Project Team will need to be able to raise orders and make payments through their finance systems. Finance details contained within the briefing note.
Briefing notes documents:	3rd December The Wells road major-projects-business-case -amend VR.doc, The Wells Briefing Note2.docx

**Other Options Considered:**

- 1. To do nothing. This is not an option as the building expected life span is less than two years. Continual deterioration will make the facility financially unsustainable.
- 2. To demolish and transfer all community activity to other local facilities across the City. This would result in a loss of community engagement and social democracy.
- 3. To refurbish the current structure. The structure is old and inefficient with a space that is not flexible or welcoming to the local community and costs would become unsustainable.
- 4. To use the opportunity to build the new facility complimenting the adjacent housing development. The provision will be cost effective and a sustainable building for the future enabling the use of local facilities for Community Engagement, Social Interaction, local democracy and electoral purposes, in a modern low cost facility.

**Background Papers:**

**Published Works:**

Area Committee East reports and minutes 2015 - 2018

**Affected Wards:**

Mapperley

**Colleague / Councillor Interests:**

None.

**Dispensation from Financial Regulations:**

Yes

**Consultations:**

Date: 03/03/2017

Ward Councillors: Rosemary Healy, Leslie Ayoola

Local Ward Councillors have attended all project meetings and discussed designs, builds, budgets and consultations held with local groups, partner organisations from Easter 2017 to date.

Date: 13/02/2018

Area Committees: Area 6: St Anns, Dales and Mapperley (from May 2012)

Agreement for funding commitments to the project

Date: 29/06/2018

Other City Council Bodies: Nottingham City Homes Nottingham City Design and Property

**NCH following the Teckal process to design and build a new facility to be considered and then be accepted through NCC Property Services to be bought into the Community Centres Portfolio replacing the current structure.**

**Date: 14/06/2017**

**Other:Local Tenants and Residents**

**Consultation started with an open day in June 2017 and has been ongoing since then. In October November 2018 through ward walks, door knocking and flyers throughout November 2018 to gain local interest and commitment to the building, running and management of the facility through the current charity vehicle.**

**Those not consulted are not directly affected by the decision.**

**Crime and Disorder Implications:**

**This decision does not have a detrimental effect. The availability of a community facility enables community engagement across the wider community and will act as a hub to deliver focused activities addressing local needs and concerns. The activities will include local councillor surgeries, local policing surgeries and general community, youth and play.**

**Equality:**

**EIA not required. Reasons: Business as usual**

**Social Value Considerations:**

**Community consultation has been undertaken throughout. The scheme is being project led by NCH through the Teckal compliant exemption**

**Relates to Council Property Assets:**

**Yes**

**Decision Type:**

**Portfolio Holder**

**Subject to Call In:**

**Yes**

**Call In Expiry date:**

**30/05/2019**

**Advice Sought:**

**Legal, Finance, Procurement, Equality and Diversity, Property**

**Legal Advice:**

Following discussions with the author of the report and from the information provided, there do not appear to be any substantial property legal issues of concern. The work will need to progress in accordance with normal property legal due diligence processes and with all relevant consents and statutory requirements being adhered to. Liaison will be needed with the occupiers of the property in the carrying out of the proposed works.

It is permissible for the City Council to make a direct award of the contract to Nottingham City Homes to undertake the work as the value of the works is significantly below the applicable procurement financial threshold for works set out in the Public Contracts Regulations 2015. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 11/12/2018. Advice confirmed as still relevant on 20/05/2019

**Finance Advice:**

Pending approval of this decision the capital programme will be amended accordingly. The funding envelope for this project is a combination of Area Committee, Area Capital and Environmental Budget, further details are enclosed within the attached briefing note.

A assumption is that the revenue costs of the new Community Centre can be contained within the current revenue budget.

Dispensation from financial regulations is required to make a direct award to Nottingham City Homes (NCH) to undertake the works. This dispensation request as per financial regulation 3.29 is requested for operational reasons due to NCH having led the design process and the build will compliment the adjacent NCH housing scheme.

Advice provided by Tom Straw (Senior Accountant - Capital Programmes) on 11/01/2019. Advice confirmed 10/05/2019.

**Property Advice:**

A key strand of the Council's Corporate Asset Management Plan is that assets should support service delivery and be sustainable. Therefore, it would be expected that the retention of this site be included in the Service Asset Management Plan. Business Cases should demonstrate the rationale for investment that includes the strategic need and full life costings. The Business Case should include a comprehensive option appraisal incorporating alternative arrangements to facilitate rationalisation and optimisation of the Council's existing estate. In addition, a risk assessment should also be undertaken particularly in respect to construction, revenue implications, lifecycle and service demand. To provide cost certainty it is expected that there will be a detailed specification developed as part of this project and that appropriate project management arrangements are put in place, to include clear roles and responsibility to prevent cost escalation and scope creep. This should ensure continued alignment with the Service Asset Management approach of the Council. Advice provided by Christine Read (Property Business Partner) on 16/01/2019. Confirmed 10/05/2019.

**Procurement Advice:**

There are no direct procurement implications to this decision; awarding contracts to Nottingham City Homes (NCH) is allowed as Legal Services have advised that Nottingham City Council exercises sufficient control for them to qualify as a controlled legal person for purposes of Regulation 12(1), PCR2015. Any subsequent procurement activity carried out by NCH on the Council's behalf must comply with their own Contract Procedure Rules. Advice provided by Jonathan Whitmarsh (Lead Procurement Officer) on 07/12/2018. Advice confirmed 10/05/2019.

**Equality and Diversity Advice:**

Any activity will need to ensure strong continuous consultation, specifically around design and access in then broadest sense to the community. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 07/12/2018. Confirmed 10/05/2019

**Signatures**

<b>Toby Neal (Portfolio Holder for Community Protection)</b>
<b>SIGNED and Dated: 09/05/2019</b>
<b>Andy Vaughan (Corporate Director Commercial and Operations)</b>
<b>SIGNED and Dated: 03/05/2019</b>
<b>Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations</b>
<b>SIGNED and Dated: 17/04/2019</b>
<b>Chief Finance Officer's Comments:</b>