

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3691

Author:

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Department:

Development and Growth

Contact:

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Subject:

Midlands Engine Funding and Regional Leaders Summit

Total Value:

Nil value (Type: Nil)

Decision Being Taken:

- 1) To dispense with Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to procure a venue and accommodation for the Regional Leaders Summit without undertaking a formal tender process, as set out within the Exempt Appendix.
- 2) To dispense with Contract Procedure Rule 5.1.2, in accordance with Financial Regulation 3.29, to award a contract to Nottinghamshire County Council for the costs associated with the programme management.
- 3) To dispense with Contract Procedure Rule 5.1.2. in accordance with Financial Regulation 3.29. to award a contract to Nottinghamshire County Council for event and exhibition organisation without undertaking a formal quotation process.

Reasons for the Decision(s)

Nottingham City Council has acted as the Accountable Body for the Midlands Engine since 2016. In summer this year, the Midlands Engine Executive Board submitted a business case to the Government for additional revenue funding. As a result, £590,000 was agreed and has been released to Nottingham City Council, as the Accountable Body for the Midlands Engine. This funding has a requirement to be matched against at least the equivalent amount of local contributions. Local contributions include £20,000 per financial year from each of the upper-tier Local Authorities in the East and West Midlands, including from Nottingham City Council. All other monies and costs associated with this decision are received and spent on behalf of the Midlands Engine.

In addition, the Government has granted the Midlands Engine a further £75,000 towards the organisation costs of the Regional Leaders Summit, which is to be held in February 2020 and will be organised by the Midlands Engine team. The event will involve a four-day programme of events, while hosting over 200 Chinese delegates, comprising of government leaders, senior academics and business executives from sister cities and provinces. This decision asks for dispensation from the formal tender process for venue and hotel costs.

As one of the partners within the Midlands Engine partnership, Nottinghamshire County Council are providing executive team support, acting on behalf of the Midlands Engine Executive Team due to reduced capacity. As a result, they will be incurring a number of costs in relation to the programme management, for which they need reimbursement to the value of £180,000, and for event/exhibition management to the value of £200,000. These costs have been agreed with the Midlands Engine Executive Team. This decision asks for dispensation from the formal tender process to allow the reimbursement of these costs.

Nottingham City Council is the Accountable Body for the Midlands Engine Partnership and acts on behalf of decisions taken by the Midlands Engine Operating Board. The allocation of their budget is agreed by the Operating Board in partnership with the Ministry for Housing, Communities and Local Government.

Other Options Considered:

1) To go out to formal tender for venue hire and hotel. This is option is rejected for the reasons set out within the Exempt Appendix.

Background Papers:

None

Published Works:

None

Affected Wards:

Citywide

Colleague / Councillor Interests:

None

Any Information Exempt from publication:

Yes

Dispensation from Financial Regulations: Yes

Exempt Information:

Description of what is exempt: The details of the venue and hotel hire.

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 decision contains commercially sensitive financial information that, if published, could prejudice the Council's negotiating position.

7 - Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because the decision contains information on security arrangements that, if published, could prejudice the safety of the event delegation.

Documents exempt from publication:

Midland Engine Summitt Exempt DDM.docx

Consultations:

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

None

Equality:

EIA not required. Reasons: The decision does not constitute a change to a policy, service or function.

Social Value Considerations:

Not applicable

Decision Type:

Portfolio Holder

Subject to Call In:

No

The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

Person Consulted: Chair of the Overview and Scrutiny Committee

Consultation Date: 01/11/2019

To be able to secure the booking on the venue as rapidly as possible, as equivalent alternatives are not available in the required summit location, and the proposed venue's availability may be lost.

Advice Sought:

Legal, Finance, Procurement

Legal Advice:

As accountable body for the Midlands Engine and recipient of the grant, the City Council must ensure it complies with the terms and conditions of the grant from the Government (including, if required, signing a grant agreement). The City Council must comply with its Financial Regulations and Contract Procedure Rules when using the grant.

The report seeks dispensations from the Contract Procedure Rules in accordance with the Financial Regulations in relation to one Contract awarded by the Accountable Body directly for the supply of venue and accommodation and the reimbursement of costs from the Midlands Engine to Nottinghamshire County Council for other costs incurred associated with delivering the summit. The reasons for such are detailed within the report and, given the values falling below the relevant procurement thresholds and seeking to ensure an efficient and timely commitment to the delivery of the summit, are supported.

The sole financial contribution from the Council associated with this decision is £20,000, which does not itself require a formal published approval.

Advice provided by Dionne Claire Sreaton (Solicitor) on 29/10/2019.

Finance Advice:

The match funding for the Government funding of £590,000 is provided from the 31 partners in both a £20,000 a year contribution from each and by in-kind contributions. The Midlands Engine ensures that appropriate information to evidence this is recorded.

The dispensation from Financial Regulations is recommended as the direct allocation of the money is deemed appropriate as per the Exempt Appendix.

Advice provided by Roma Desai (Commercial Business Partner) on 29/10/2019.

Procurement Advice:

A dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 to allow for a direct award for venue and accommodation for the Regional Leaders Summit, and to Nottinghamshire County Council for reimbursement of costs associated with the project management, without undertaking a formal quotation process is required for operational reasons and is supported.

Advice provided by Paul Ritchie (Lead Procurement Officer) on 29/10/2019.

Signatures

David Mellen (Leader/ PH Regeneration, Safety and Communications)

SIGNED and Dated: 01/11/2019

Chris Henning (Corporate Director for Development and Growth)

SIGNED and Dated: 30/10/2019

Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations

SIGNED and Dated: 31/10/2019

Chief Finance Officer's Comments: