

LOCAL GOVERNMENT ACT 2000

REGISTER OF URGENT  
DECISIONS TAKEN BY THE  
CHIEF EXECUTIVE

NORTH DEVON COUNCIL CONSTITUTION  
– Part 3 Annex 2: Officer Delegations –  
Chief Executive



Reference No:

- 
- 1) SUBJECT: Royal Mail contract
  - 2) REQUESTED DECISION: To approve a further three-month extension of the Royal Mail contract to allow for the complex procurement process to be completed.
  - 3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT: The procurement process is a complicated one as we are not able to direct award the contract as we'd hoped and need to go out to mini competition.

There is no Strategy and Resources meeting in June and the July meeting would be too late as the contract runs out on 10 June.

We were anticipating being able to carry out a direct award under the Crown Commercial Services framework agreement for the provision of these services but it transpires that this is unlikely to be value for money and going down a further competition route is likely to result in better pricing and allow the council to take into account factors other than price alone. This became clear in a meeting on 26 May and so this is the first opportunity to seek this decision.

- 4) FINANCIAL IMPLICATIONS: An analysis of the market shows there would be no financial disadvantage to the council of not going out to procurement for its collection and delivery service at the end of the current contract as there is currently little price difference between suppliers.

The cumulative cost of the variations to date given we have already extended by 6 months (at an added cost of £57,147.50 to the overall contract value of £457,180) over and above the original contract awarded. This would be another £28,573.75 so a cumulative variation of £85,721.25. Given that a procurement process will immediately be carried out this should be a low risk variation since it is so short term and competing suppliers will be able to take part in a procurement for a contract of up to 7 years.

- 5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

We carry on with no contract in place breaking contract procedure rules.

- 6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

N/A

7) A NOTE OF ANY DISPENSATION IF GRANTED:

N/A

8) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in paragraph 10.4 and 10.5 of the Access to Information Procedural Rules Part 4 of the Constitution):

#### STATEMENT OF CONFIDENTIALITY

This report contains no confidential information or exempt information under the provisions of Schedule 12A of 1972 Act.

#### BACKGROUND PAPERS

The following background papers were used in the preparation of this report:  
Crown Commercial Service R6017 lot 3 pricing schedule for collection and delivery of letters, large letters, and parcels. I:\Projects\Corporate Procurement\Corporate & Community\CC - 028 Postal Services  
The background papers are available for inspection and kept by the author of the report.

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Leader of Council ( <i>or Deputy Leader</i> )		
Chair of Committee (with the Authority to take the decision) ( <i>or Vice-Chair</i> )		
Lead Member		
Ward Member(s)		
Head of Service (name)		
Finance		
Legal		

11) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE: CLAIRE HOLM

12) APPROVED BY CHIEF EXECUTIVE: YES

13) DATE OF DECISION: 27<sup>th</sup> May 2021

14) CHIEF EXECUTIVE'S COMMENTS:

Approved as the item could not have been reported to the previous Committee but can not wait until the next.

15) DATE TO BE PRESENTED TO STRATEGY AND RESOURCES COMMITTEE:

05/07/2021

## GUIDANCE NOTES

### NOTE:

#### PROCEDURE FOR URGENT DECISIONS:

1. Completed form to be passed to the Chief Executive following consultation with the interested parties.
2. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).
3. The Chief Executive will make his decision.

#### PROCEDURE FOR URGENT DECISION MAKING AS PER THE CONSTITUTION

#### **Officer Delegations: the Chief Executive:**

#### **Urgent Decision Making**

3.48 To take a decision on any matter falling within the remit of any Committee in cases of urgency where it is not reasonably practicable to obtain prior approval of a Committee SUBJECT TO:

3.48.1 the prior consultation, where practicable, with the Leader or Deputy Leader and the Chair or Vice Chair of the relevant Committee, and

3.48.2 the proviso that this power will not extend to the determination of any application

submitted pursuant to the Planning Acts or under the Licensing Act 2003 or the Gambling Act 2005, and

3.48.3 the decision being reported to the next meeting of the relevant Committee and the next meeting of Strategy and Resources Committee.