

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:

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- 1) SUBJECT: Service Contracts in place for the management of the services required for the running of a strategic asset being purchased in North Devon.

 - 2) REQUESTED DECISION: To Set Aside the requirement to run tenders or seek quotes in the Contract Procurement Rules to allow the continued provision of the existing contracted services to ensure continued running of the strategic asset.

 - 3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT: North Devon Council have Full Council approval to acquire a strategic asset in North Devon. The acquisition process has been set to a restricted timescale and should be completed by the 9th August 2021. The current freeholders and their Managing Agents have contracts in place for security, cleaning, maintenance; refuse collections and other additional general property management requirements. To ensure continuity in the running of the asset, these contracts will need to remain in place and be transferred to North Devon Council once the property is in the Council's ownership, with immediate effect. It is not possible or viable to re-procure these contracts under the Contract Procurement Rules to ensure the asset continues to run in the timeframe required. The contracts will be reviewed and a procurement process carried out in due course, it is the intention to undertake this process in the 12 months post acquisition.

 - 4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state whether there are sufficient funds within the agreed budget. If there are insufficient funds please state how the decision will be financed).

The contracts will be funded financially under the service charge provisions currently in place for the asset.

 - 5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED: There are no alternative options.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED: There are no conflicts to Officers knowledge.

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):

Schedule of service contracts.

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>) Councillor D Warden	Yes	8 th July 2021
Chair of Committee (with the Authority to take the decision) (<i>or Vice-Chair</i>) Councillor J Hunt		
Lead Member Councillor M Prouse Councillor I Roome		
Ward Member(s) Councillor R Mack		
Head of Service (name) Jon Triggs	Yes Comments Included in text	7 th July 2021

Finance Tony Rumble		
Legal Simon Fuller	Yes Comments included in text	7 th July 2021

11) OFFICER REQUESTING URGENT DECISION TO BE TAKEN BY THE CHIEF EXECUTIVE: Helen Bond, Property Manager 7th July 2021

12) APPROVED BY CHIEF EXECUTIVE: YES or NO

13) DATE OF DECISION:

14) CHIEF EXECUTIVE'S COMMENTS:

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

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.