

EXECUTIVE DECISION NOTICE

DELEGATED EXECUTIVE DECISIONS

A record of delegated decisions made by individual Portfolio holders or officers on Thursday, 26 August 2021.

The reports (unless exempt under Section 100(B)(2) of the Local Government Act 1972, on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12 A of the Act as amended by the Local Government (Access to Information) (Variation) Order 2006 by virtue of the Paragraphs indicated and, in all the circumstances of the case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing it) are available for inspection from the Solicitor to the Council, South Lakeland House, Kendal.

DEX/2

URGENT ITEM - PROCUREMENT EXEMPTION REQUESTS AND CONTRACT AWARD KENDAL COLLEGE AND GINGER DOG OD LTD

Note –

In accordance with paragraph 16 of the Access to Information Procedure Rules in Part 4 of the Constitution, the Chairman of the Overview and Scrutiny Committee had agreed that the taking of the decision was urgent and could not reasonably be deferred because of the timescales required to protect the public interest and due to the reasons provided.

In accordance with paragraph 16(j) of the Constitution, the Chairman of the Council had exercised powers that the call-in procedure should not apply this being an urgent decision and any delay likely to be caused by the call-in process would, for seriously prejudice the Council's and/ or the public's interests.

The reasons for urgency were the commencement of the term and the need to deliver the management training.

Summary

Consideration was given to requests for exemptions from Contract Procedure Rules.

The first was with regard to the award of a contract to Kendal College to provide apprenticeship standard training using existing funding from the Apprenticeship Levy, pending Kendal College's inclusion as a YPO training provider.

The second was for team leader development through Ginger Dog who already had a unique insight into the ambition of the Leadership Team, which would ensure a consistent leadership and management approach across the organisation.

Decision

The exemptions for Kendal College and Ginger Dog Ltd and contract awards be approved and the terms and signing of the contracts delegated to the Lead Specialist, Legal, Governance and Democracy.

Reasons for Decision

It is expedient to award contracts directly rather than awaiting the outcome of procurement exercises but where the value and nature of the awards are such that a transparent decision-making process is desirable.

Alternative Options Considered and Rejected

Apprenticeships: other options include sourcing a different training provider who can make a direct award to, but this would involve the apprentices not having a local tutor on hand and the requirement to travel longer distances to other colleges.

Leadership development: use of the apprenticeship levy was explored, where a relationship would be established between Ginger Dog and Kendal College, but this was rejected due to the costs involved. This was agreed by the two Directors.

DEX/3

EXTENSION OF BRING SITE CONTRACT

- *Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information)*

Summary

Consideration was given to the continuation of the current contract for Bring Sites at strategic locations across the District. The current contract had begun in 2018 for a period of three years, with an option to extend for a further two years. When the contract had been drafted, it had been anticipated that the outcomes of a national waste consultation would have been published during the first three years, which would have informed decision-making on the long-term delivery of services. However, the consultation process had been delayed by Covid-19 and the consultation and resulting guidance was now expected to be published in early 2022. It was, therefore, being proposed that a two-year extension of the contract be approved in order to facilitate the ongoing delivery of the service pending the outcome of the national guidance and decisions around LGR.

Decision

- (1) Approval be given for the extension of the current Bring Site contract with the existing provider for a period of 2 years.***
- (2) Authority be delegated to the Legal, Governance and Democracy Lead Specialist (Monitoring Officer) and the Operational Lead for Delivery and Commercial Services to agree the necessary contract terms.***

Reasons for Decision

The decision will assist the Council in addressing the climate emergency, promoting the waste reduction hierarchy and helping to work towards South Lakeland being Carbon Neutral by 2037.

Alternative Options Considered and Rejected

The alternative options could include ceasing the service provision; providing the service using internal resources or re-tendering the contract. These options are not recommended due to the need to maintain services during the on-going pandemic and the uncertainty regarding long-term service arrangements in the recycling service whilst awaiting the published national guidance and there being no internal resources available to undertake this service.