

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

RECORD OF DECISION TAKEN BY THE JOINT ASSISTANT DIRECTOR, PLANNING AND ENVIRONMENTAL HEALTH

25/10/16

Re-appointment of Consultants to Update the Local Plan Evidence Base (Employment Land Review and Employment Sites Review - Market Analysis).

Authority for decision	Decision	Reasons	Alternative options considered and rejected	Conflicts of interest and any dispensation
<p>9.16 of the Delegation Scheme gives all Executive Directors and Assistant Directors general powers:- To Commission goods, services and works within approved budgets.</p> <p>4.1(c) of the Contracts Rules provides for an exemption from the necessity to obtain tenders where: "The work to be executed or the goods or services to be supplied constitute an extension to an existing</p>	<p>A) To re-appoint consultants (Nathaniel Lichfield & Partners) to update and supplement an earlier Employment Land Review. This will further contribute to evidence base work on the Local Plan, to the value of around £11,000 (excl. VAT).</p> <p>This is on the basis that it is an extension of the original contract let to Nathaniel Lichfield & Partners on 6th August 2013 (ref: NEDDC/SPU/42/13) by virtue of 4.1 (c) and is exempt from the requirement for further tendering.</p> <p>(Nathaniel Lichfield & Partners have confirmed that that rates are the same as the original work and that "It will not therefore be necessary for NLP to revisit much of the initial contextual analysis, which would allow NLP to pass on cost</p>	<p>Progress is continuing on the District Local Plan, including a range of evidence base studies.</p> <p>A) Nathaniel Lichfield & Partners undertook an Employment Land Review for the Council which concluded in Oct 2013). This is available on the Council web site.</p> <p>The original Study now needs to be updated; work which is expected to be valued in the region of £11,000.</p> <p>AND</p> <p>B)The consultants undertook an Employment Sites Review for the Council which concluded in Nov 2014. This is</p>	<p>To undertake this work internally - this would divert resources away from other key work streams that are crucial to meeting the Local Plan timetable and therefore impact on the Council's ability to meet the timetable.</p> <p>The works require expertise and knowledge which is not available within the Authority i.e.</p> <p>A) Involves employment forecasting techniques and access to data. AND B) involves</p>	<p>None</p>

<p>contract and it is the view of the Senior Officer that it would not be in the best interests of the service or the Council to tender the contract. The Senior Officer must ensure that a record of the decision is made on the project file”</p> <p>The Senior Officer is the Joint Executive Director – Operations who is of this opinion.</p>	<p>savings to the client.” Any additional cost results from an online business survey, to address shortcomings in the original evidence plus a £1,500 cost for a forecast update (an update of the original employment forecast is not available). The survey work is cost-effective as part of an extension of contract; the additional data from an external source is a separate on-cost.)</p> <p>AND</p> <p>B) To re-appoint consultants (Aspinall-Verdi) to undertake further work to update and expand an earlier Employment Sites Review (Market factors). This will further contribute to evidence base work on the Local Plan, to the value of around £10,000.</p> <p>This is on the basis that it is an extension of the original contract let to Aspinall-Verdi on 15th September 2013 (ref: NEDDC/LM/RC/2014/216) by virtue of 4.1 (c) and is exempt from the requirement for further tendering.</p> <p>(Aspinall-Verdi state: “In terms of our fees we have adopted our historic rates for this commission)</p>	<p>available on the Council web site. The original Study now needs to be supplemented with some additional work which is expected to be valued in the region of £10,000.</p> <p>In both cases the original consultants would be best placed to undertake this follow up work, due to their familiarity with the subject matter, local area, previous contacts with partners and methodology.</p> <p>This will have benefits to the Council in both cost and time savings and would reduce the risk of the Local Plan evidence being out of date, inconsistent &/or inadmissible. This benefit includes the timely preparation of evidence to support housing provision evidence (the Strategic Housing Market Assessment) and policies.</p>	<p>knowledge of employment and business markets.</p> <p>To not appoint - this option was rejected on the basis that it would significantly delay the Local Plan timetable and prevent the gathering of information for both employment and housing evidence for the preparation of the Local Plan. The Local Plan is a key corporate priority.</p> <p>To tender for the work – rejected because it was not considered to provide good value for money. The current proposal is more cost effective because it utilises the original consultants’ existing knowledge and expertise, familiarity with the local area,</p>	
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			subject matter, previous contacts with partners from having been previously engaged, whilst being charged at rates that are consistent with those previously secured through competitive tender. (1)	
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Please complete the following where relevant:

Key Decision?	Confidential/ Exempt (if yes, please state paragraph)?	Do General Exception or Special Urgency Rules apply to this decision?	Consultation has taken place with the Section 151 & Monitoring Officer?	The Leader, Deputy Leader or relevant Portfolio Member have been consulted?
No	No	No	Yes	Yes

Authorising Signature: 

Job title: JAD, Planning and Environmental Health

To be completed by PA to Director of Transformation:

Unique Reference Number: DD/136/16/HF

Date decision may be implemented following call in (if necessary): N/A

Circulation to:
Councillors
Chief Executive
Monitoring Officer
Section 151 Officer
Scrutiny Officer
Internal Audit

