

SOUTH HOLLAND DISTRICT COUNCIL

Report of: Cabinet

To: South Holland District Council Wednesday, 23 January 2019

(Author: Christine Morgan Democratic Services Officer)

Subject Report from Cabinet meeting held on 15 January 2019

Purpose: To consider recommendations of the Cabinet in respect of:

- a) Log of Delegation to Officers – Contracts delegations and Contract Procedure Rules (Cabinet minute 58/18) (Cabinet Agenda Item 9)**
- b) A report concerning a proposed HRA development at Small Drove, Weston (Cabinet minute 61/18) (Cabinet Agenda Item 10 and 13)**

Recommendations to Council:

a) Log of Delegation to Officers – Contracts delegations and Contract Procedure Rules

- 1. That the Constitution be amended in accordance with Appendix C.

b) A report concerning a proposed HRA development at Small Drove, Weston

- 2. That approval be given for the authority to enter into a grant agreement with Homes England in relation to grant funding through the Shared Ownership Affordable Homes Programme 2016-2021 to support the delivery of 34 homes at Small Drove, Weston.

1.0 BACKGROUND

1.1 Article 4 of the Council's Constitution provides that only the full Council may exercise the functions of approving, adopting or amending the policy framework and budget, and adopting or changing the Constitution. Staffing matters are also a Council function. The Cabinet however has a responsibility for advising the Council on such matters. At its meeting on 15 January 2019, the Cabinet made recommendations to Council in respect of the above items which may affect the budget and policy framework, Constitution or comprise staffing issues.

1.2 The remainder of this report details the recommendations of the Cabinet which must be read in conjunction with the individual reports to Cabinet, copies of which are attached as appendices. Please note that appendices 1, 2, 3 and 4 relating to

the Welland Homes Business Plan Update item are enclosed at agenda item 16 due to their confidential content. Please note that an additional exempt appendix (appendix 5), requested by the Cabinet is also enclosed at agenda item 16.

**2.0 LOG OF DELEGATION TO OFFICERS – CONTRACTS DELEGATIONS AND CONTRACT PROCEDURE RULES
(Report submitted to Cabinet – Item 9 attached)**

2.1 Consideration was given to the report of the Portfolio Holder, Governance and Customer which asked the Cabinet to consider revised Delegations to Officers in relation to contracts and to consider proposed amendments to the Contracts Procedure Rules.

DECISION:

- a. That the proposed delegations to officers relating to contracts, detailed in Appendix B, be approved and the Log of Delegations be amended accordingly; and
- b. That the proposed amendments to the Contracts Procedure Rules detailed in Appendix C be approved.

(Other options considered:

- *To decline to approve the delegations detailed in Appendix B and the proposed amendments to the Contract Procedure Rules set out in Appendix C.*

Reasons for decision:

- *The existing delegations detailed in Appendix A correlate with the former Contract Procedure Rules. The proposed delegations in Appendix B will correlate with the amended Contract Procedure Rules. The proposed amendments in Appendix C will comply with audit requirements and ensure that officers are notified of the level of delegation that applies to each part of the Contacts process.)*

3.0 A REPORT CONCERNING A PROPOSED HRA DEVELOPMENT AT SMALL DROVE, WESTON

Report submitted to Cabinet – Item 10 attached. Exempt appendices 1, 2, 3 and 4 (by virtue of Paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) – Item 13 of the Cabinet agenda, are attached at item 16 of the Council agenda. An additional exempt appendix (appendix 5), requested by the Cabinet is also enclosed at agenda item 16.

Consideration was given to the report of the Portfolio Holder for Corporate Delivery and Strategic Oversight, which sought to secure agreement for the delivery of 34 affordable homes by the Authority at Small Drove, Weston, sought member approval for the award of the build contract for the construction of the dwellings,

and sought member approval for the acceptance of grant funding from Homes England, based on the proposed grant funding agreement appended to the report.

Members agreed that the third recommendation (seeking approval of the build contract) be amended to allow Full Council to be consulted on the main terms of the proposed build contract, prior to a final decision being made. It was requested that an additional appendix be submitted with the report to Full Council to cover these issues raised by the Cabinet.

DECISION:

- a. That approval is given for the construction of 34 new-build affordable homes by the authority at Small Drove, Weston, enabling the scheme to move towards delivery phase, subject to 3 and 4 below;
- b. To approve the budget spend for the scheme, based on the financial business case contained within the report;
- c. That the Cabinet consults Full Council on recommendation 3 (as set out in the original report) in respect of the main terms of the proposed build contract and, subject to the outcome of that consultation, the final decision in respect of the build contract be delegated to the Portfolio Holder, Corporate Delivery and Strategic Oversight.

(Other options considered:

- *To do nothing.*

Reasons for decision:

- *To enable the scheme to move into the delivery phase of the project. To formally enter into contract with Homes England and to secure the grant funding for the scheme. To formally enter into a build contract for the construction of the 34 homes.)*

Background papers:- None

Lead Contact Officer

Name and Post: Christine Morgan Democratic Services Officer
Telephone Number 01775 764454
Email: cmorgan@sholland.gov.uk

Key Decision: No

Exempt Decision: No

Appendices attached to this report:

Appendix A Cabinet Agenda Item 9 (report and appendices)
Appendix B Cabinet Agenda Item 10 (report only)

Exempt appendices to Cabinet Agenda Item 10 are attached as Item 16