

**Report of the Portfolio Holder for Economic Development and Asset Management****ENDORSEMENT OF STAPLEFORD TOWN DEAL DELIVERY BOARD PROCUREMENT DECISION****1. Purpose of Report**

The purpose of this report is to give formal endorsement to a procurement and budget decision made by both the Stapleford Town Deal Executive Board and the Town Deal Delivery Board. Broxtowe Borough Council needs to ratify this decision as overall Accountable Body for the programme.

**2. Recommendation**

**The Cabinet is asked to RESOLVE to endorse the Stapleford Town Deal's Executive and Delivery Boards' decisions to appoint VIA EM to design the whole town highway improvement scheme, provide detailed designs and construct the replacement car park on Derby Road.**

**3. Detail**

The Stapleford Town Deal (STD) Executive Board is a private / public partnership board which until recently provided monthly strategic direction and governance of the £21.1 million Programme. With five of the six projects having their finances approved, the governance has been refined. The Executive Board agreed a revised Local Assurance Framework, (LAF), effectively a Town Deal constitution and regulatory protocol. This was scrutinised by the Department of Homes Levelling Up and Communities (DHLUC) who concurred there was no need for further more detailed scrutiny.

The LAF contains procurement / direct award rules including TECKALs. A meeting of the Executive on 23 Sept 2022 used this process to award work to VIA EM (see Appendix 'A'). The LAF also created a Delivery Board to oversee timescales, manage risk and support project delivery. This Board comprises senior officers of the Borough Council plus the private sector chair. This meets every 6 weeks or more urgently if necessary. In September the STD Executive Board used the LAF and appointed Nottinghamshire County Highways Teckal VIA EM to design the Highways improvement works in the town centre (at a cost of circa £150,000) and provide an outline design and feasibility for the replacement car park to be built on the former Tiles UK site. Since the highway's improvement design's includes on road parking and regulations concerning vehicular access, traffic flows and turning requirements the design of the new car park by VIA EM was seen as a logical and sensible action.

Subject to satisfactory performance and the design meeting objectives, the Executive were favourable to an option to make a further award for the detailed design, planning and construction providing it had the approval of the STD Delivery Board. Work has progressed well and the 6 and final business case Highways Improvement, is about to be finalised. The work on the Car Park has

also moved on -a preferred design is attached as Appendix 'B'. The design was supported by the Delivery Board. The Board agreed that swiftly expediting the delivery of the new car park was highly desirable as it will facilitate the next stage of the Victoria Street Enterprise Hub.

VIA EM's construction proposal for this car park's design however, came back at a total of £350,000, (£100,000 over the previous estimate). The main reasons for this being the 10%+ inflation rate, a more generous contingency sum and additional drainage and planting. The revised price has been tested against F&G and PAGABO rates who have judged it reasonable. There is a programme contingency and the costs can be met entirely from the STD without risk to the Borough Council. VIA EM have given assurances that they will use local /Nottinghamshire contractors to support the Town Deal. The Delivery Board are favourable to proceed at pace with the car park development using a direct award to VIA EM but in the best standards of public accountability and given the new cost projection, believe this decision should be ratified by the Borough's Cabinet.

The STD Local Assurance Framework procurement regulations are included at appendix 1 and the outline design for the replacement car park on Derby Road is included at appendix 2.

4. Financial Implications.

The comments from the Head of Finance Services were as follows:

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

6. Human Resources Implications

The comments from the Human Resources Manager were as follow:

7. Union Comments

The Union comments were as follows.

8. Data Protection Compliance Implications

Consider any potential Data Protection issues for example individuals, address or other data/ change in process/change in usage of hardware / software. (Consider [OFFICIAL (SENSITIVE)] document).

9. Equality Impact Assessment

As this is a change to policy / a new policy an equality impact assessment is included in the appendix to this report.

10. Background Papers

None.