

Report of the Chief Executive - Use of Urgency Powers

Urgency Powers to Award Works to Talbot Landscapes for the Construction of a Cricket Pitch near Stapleford and Trowell

1. Purpose of Report

The Chief Executive, in consultation with the Leader and Deputy Leader of the Council, has given permission to Officers to appoint Talbot Landscapes to build the replacement cricket pitch on land adjacent to Field Farm, using funding from the Stapleford Town Deal. The Leader of the Opposition was also given an opportunity to comment. This is in accordance with the Council's priorities of Business Growth (invest in our towns and our people), Environment (protect the Environment for the future) and Health (support people to live well).

2. Recommendation

Cabinet is asked to **NOTE** that:

After satisfying due diligence checks and consulting partners on the Stapleford Town Deal Board, Talbot Landscapes have been awarded a JCT contract to the value of £268,425.80. The Urgency Powers in the Council constitution allow for such an award to be made on two grounds:

- (i) **The contract which Talbot Landscapes have been awarded provides a net gain to the flood prevention in the area. The site of new cricket pitch currently has a flow rate into the Boundary Brook of 51.8 litres and so the designs incorporate measures to slow this down to flow into a retention basin which will restrict the flow rate into the brook to 4.6 litres a second. An early start on these works would be advantageous.**
- (ii) **The original procurement strategy failed to deliver an appropriate contractor and a retendering exercise could put several months onto a process that is already behind schedule. A cricket pitch takes a considerable period to settle and there is a danger that if the works do not commence early in 2025 the project will run beyond the Town Deal funding deadline of 31 March 2026.**

3. Further Detail

The Council, as the accountable body for Stapleford Town Deal Board, was tasked with providing a replacement cricket pitch to replace the access that Stapleford Cricket Club have enjoyed during the summer months at Hickings Lane Park. After several options were discounted the Council acquired land adjacent to Field Farm to build a new cricket ground for the club and possibly other groups interested in cricket. GMA were competitively awarded the contract to manage the design process and recommended using a landscape framework

(a direct purchasing scheme) for tendering for the cricket pitch. However, the extension drainage design meant that it could not fit into the criteria perfectly, so local partners asked for recommendations from GMA, Nottinghamshire County Cricket Club and England and Wales Cricket Board to suggest contractors that could competently perform these works.

In total six contractors were suggested, all with experience working within the local area and all have relevant experience constructing Cricket pitches and have extension experience working on drainage systems. All six contractors were given two weeks to provide a quote for the works and they were provided the designs and specifications for the works but not budget or costings.

Only four of the contractors provided quotes for the works. The costings were evaluated against estimations by GMA and out of the four bids two were under the GMA evaluation. Special care was taken to look at the breakdown of the cost to ensure that contractors understood the specification and the attention to detail required for drainage and quality. Furthermore, evaluation was based on previous experience with works of similar scale and specifications. In addition, contractors with expanded capabilities to conduct surveys of their own were scored highly so that they could gain planning permission for development. Talbot Landscapes, based in Etwall, Derbyshire were by far the outstanding company because:

- They were the lowest priced quotation and came in £55,800 under budget;
- They have been recommended by GMA who designed the pitch;
- Have experience in Ecology and Biodiversity, and tree surveys which will be needed for the planning application;
- Were examined by internal audit and given a credit rating of very good;
- Are in a position to start works quickly.

4. Key Decision

This report is not a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

5. Updates from Scrutiny

Not applicable.

6. Financial Implications

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

The total cost of the scheme will be fully funded by an allocation from the overall Stapleford Towns Fund grant. These schemes are recognised in the Capital Programme 2024/25.

7. Legal Implications

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

Chapter 2 Part 1 of the Council Procedure Rules in the Council's Constitution states: In consultation with the Leader of the Council and where possible the Leader of the opposition, the Chief Executive has the power to authorise the taking or carrying out of action, notwithstanding anything in the Council's Procedure Rules, Financial Regulations all other delegations, where they consider that circumstances exist that make it expedient or necessary for action to be taken prior to the time when such action could be approved through the normal Council procedures. A report on such action, and the circumstances justifying the exercise of the delegated powers, shall be made to the next meeting of the Council as appropriate

The circumstances detailed in paragraph 2 are such circumstances having been necessary for the action to be taken prior to the usual approval procedure.

8. Human Resources Implications

Not applicable.

9. Union Comments

Not applicable.

10. Climate Change Implications

The climate change implications are contained within the report in respect of improving flood resilience.

11. Data Protection Compliance Implications

This report does not contain any OFFICIAL(SENSITIVE) information and there are no Data Protection issues in relation to this report.

12. Equality Impact Assessment

Not applicable.

13. Background Papers

Nil.