



East Northamptonshire Council

Policy and Resources Committee - 22 February 2010

Urgency Procedure

Summary

To advise the Committee of an approval given under the Council's Urgency Procedure.

Attachment(s)

Copy of the report prepared under the Urgency Procedure.

1. In accordance with the Constitution, the Committee is advised that approval has been given to appoint The Prince's Foundation for the Built Environment to carry out an in depth look at the options for regeneration in Rushden Town Centre. To facilitate the appointment it was necessary to suspend the Procurement Rules and accept a single tender.
2. In addition, £10,000 has been transferred, under the Virement Scheme, from the Economic Development budget to Planning Policy to help fund the works. Details of the cost of the works and the funding are included in paragraph 4 of the attached report.

Implications:		
Corporate Outcomes or Other Policy/Priority/Strategy		
Good Quality of Life	<input type="checkbox"/>	Good Reputation <input type="checkbox"/>
Good Value for Money	<input type="checkbox"/>	High Quality Service Delivery <input type="checkbox"/>
Effective Partnership Working	<input type="checkbox"/>	Strong Community Leadership <input type="checkbox"/>
Effective Management	<input checked="" type="checkbox"/>	Knowledge of our Customers and Communities <input type="checkbox"/>
Employees and Members with the Right Knowledge, Skills and Behaviours		<input type="checkbox"/>
Other:		<input type="checkbox"/>
Decision(s) would be outside the budget or policy framework and require full Council approval		<input type="checkbox"/>
Financial	There are no financial implications at this stage	<input type="checkbox"/>
	There will be financial implications – see paragraph 4 of attached report	<input checked="" type="checkbox"/>
	There is provision within existing budget	<input checked="" type="checkbox"/>
	Decisions may give rise to additional expenditure at a later date	<input type="checkbox"/>
	Decisions may have potential for income generation	<input type="checkbox"/>
Risk Management	An assessment has been carried out and there are no material risks	<input checked="" type="checkbox"/>
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -	<input type="checkbox"/>
Staff	There are no additional staffing implications	<input checked="" type="checkbox"/>
	Additional staff will be required – see paragraph	<input type="checkbox"/>
Equalities and Human Rights	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications	<input checked="" type="checkbox"/>
	There will be an impact on equality (see categories above) or human rights implications – see paragraph	<input type="checkbox"/>
Legal	Power: Part 4 (Budget and Policy Framework of the Constitution)	
	Other considerations:	
Background Papers: Office files		
Person Originating Report: Mark Lovell, Chief Finance Officer. Tel: 01832 742074		

Date: 27 January 2010

CFO		MO		CX	
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(Committee Report Normal Rev. 19)



East Northamptonshire Council

Policy and Resources Committee - 22 February 2010

Urgency Procedure

Summary

The purpose of this report is to:

- Seek agreement to the suspension of the Procurement Rules to allow the Council to accept a single tender from the Princes Foundation (under the provisions of Para 10d of Part 4.6 (Procurement) of the Constitution)
- Seek approval for the virement of £10,000 budget from Economic Development to Planning Policy (under Paragraph 3.6 of Part 4.3 (Budget and Policy Framework) of the Constitution)
- Seek agreement to the use of the urgency procedure to enable these two actions to be done within the timetable required (under the urgency provisions of the Para 6 of Part 4.3 (Budget and Policy Framework Procedure) of the Constitution)

In order to enable the appointment of The Prince's Foundation for the Built Environment to carry out an in depth look at the options for the regeneration of the Town Centre using its nationally recognised Enquiry By Design public consultation process and utilise funding offered by Fit for Market (F4M) programme that is available for the work if it is completed by 31st March 2010

Attachment(s)

none

1. Introduction

- 1.1 Members will be familiar with the Rushden regeneration project, the first phase of which (the proposed leisure centre on Manor Park) was last discussed at the Policy and Resources Committee meeting on 26 October 2009. The planning application for the proposed leisure centre, which effectively enable the start of town centre regeneration, has now been submitted and the planning consultation is currently taking place.
- 1.2 One of the areas of concern expressed so far by the public has been the lack of vision for the town centre regeneration. Members will be aware that in 2005 a masterplanning exercise was undertaken for Rushden. However, since that Masterplan was produced, the majority of the sites identified as part of that process can now be discounted as either having been developed or not being of a scale that would suit the Council's regeneration plans. In addition, the future transport interchange facilities for the town centre, the future parking requirements, and the retail and economic strategy for the town were not defined as part of the 2005 Masterplan and the Plan did not generate widespread community support. However new opportunities have arisen such as the land available following the closure of the Peter Crisp store at a key town centre location and the emerging awareness that a number of public sector organisations have aspirations for new, shared or improved buildings in the town.

1.3 Members will also be aware that some work will need to be taken forward very soon to determine future development opportunities within the context of the planning policy work i.e. the forthcoming Four Towns Plan. This will set out the local development strategy for the area of Rushden, Higham Ferrers, Irthlingborough and Raunds together with the surrounding villages. The regeneration of Rushden Town Centre has been identified as essential in taking this development plan forward..

2 The need for urgency

2.1 The Council has therefore been exploring opportunities to undertake this work and secured funding of £60,000 through NEL's Fit for Market (F4M). The funding however needs to be spent by 31 March 2010. To take advantage of the external funding opportunity and achieve progress, it is necessary to start work immediately.

2.2 The Chief Finance Officer had been consulted and has agreed that procurement of this work could be taken under the special urgency procedure as waiting until the next Policy and Resources Committee meeting would mean that the funding opportunity would be lost because of insufficient time to undertake the work and the Masterplan will not be delivered.

2.3 Under the Urgency procedure the Chief Officer must certify that the contract concerned is for the execution or the supply of goods or materials being required so urgently as not to permit the invitation of tenders. This certificate will then be reported to the next meeting of the Policy and Resources Committee via a copy of this report.

2.4 Completion of work to this tight deadline will allow some progress to be made, before sites in the town centre become available to implement projects. Early work will also assist in identifying problems and barriers and possible solutions to deliver projects that will benefit the town centre. It will also provide evidence for external partners (such as GOEM) when they consider future funding for growth and regeneration

3.0 Why waive Procurement Rules

3.1 The timescales to complete this work required by the funder do not permit going through the usual process of preparing the tender, tendering and evaluating the tenders received as this would take some 4-6 weeks of the available 3 months. Discussions have therefore been taking place with The Prince's Foundation which is noted for its community-led approach but is selective about which projects it undertakes. The Prince's Foundation for the Built Environment is an educational charity. Their primary purpose is to improve the quality of people's lives by promoting community based approaches to the planning, design and building of the local environment in an ecological and sustainable way

3.2 The Prince's Foundation Enquiry by Design (EbD) process is nationally recognised as an effective means of getting input from local communities. It has been tried and tested in a number of towns and communities, including Walthamstow Town Centre, Lincoln City Centre and Coalville in Leicestershire (where Elizabeth Wilson, Interim Planning Policy Manager, was involved).

3.3 The Foundation will also bring a diverse range of highly respected practitioners to the EbD process to advise and help develop the outcomes of the process and ensure an outcome which provides a practical way forward.

3.4 The other advantage of the The Prince's Foundation's EbD process is its speed as it allows for the work to be effectively delivered during the current financial year. They are keen to work with the Council and have resources available now to make an early start and complete on time. In addition to this, they have integrity and have recommendations from other local authorities.

4. Virement of Budget

4.1 The value of the contract with the Prince's Foundation will be £80k, from which £60k will come from the external funding (F4M) and £20k will be allocated from existing budgets (£10k from the Economic Development budget and £10k from the Planning Policy budget). The budget provision of £20k to be used is from underspent budgets available in this financial year. If the work could not be procured this financial year this budget provision is unlikely to be available in the next financial year.

4.2 Under paragraph 3.6 of Part 4.3 (Budget and Policy Framework of the Constitution the Chief Finance Officer must consider and approve all reports prepared by chief officers, to the Policy and Resources Committee, requesting virements of in excess of £10,000.

4.3 This work is within the overall framework of the Police framework as the Rushden regeneration programme is crucial to the achievement of a number of the Council's key corporate outcomes, as set out in the Corporate Plan.

5. Recommendations

5.1 That Members enable the appointment of The Prince's Foundation for the Built Environment to carry out an in depth look at the options for the regeneration of the Rushden Town Centre within the timescales of the available funding by:

a) agreeing the suspension of the Procurement Rules to allow the Council to accept a single tender from the Princes Foundation (under the provisions of Para 10d of Part 4.6 (Procurement) of the Constitution)

b) approving the virement of £10,000 budget from Economic Development to Planning Policy (under Paragraph 3.6 of Part 4.3 (Budget and Policy Framework) of the Constitution)

c) agreeing the use of the urgency procedure to enable these two actions to be done within the timetable required (under the urgency provisions of the Para 6 of Part 4.3 (Budget and Policy Framework Procedure) of the Constitution)

Recommendations Agreed

Cllr A Mercer – Leader

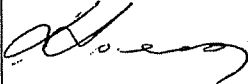

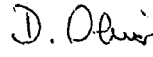
Signature A. Mercer Date 25/JAN/2010

Cllr R Underwood, Chairman of Policy and Resources Committee

Signature R Underwood Date 25/01/2010

[Signature]
CIO

25/1/2010

Implications:				
Corporate Outcomes or Other Policy/Priority/Strategy				
Good Quality of Life	<input checked="" type="checkbox"/>	Good Reputation	<input checked="" type="checkbox"/>	
Good Value for Money	<input checked="" type="checkbox"/>	High Quality Service Delivery	<input type="checkbox"/>	
Effective Partnership Working	<input checked="" type="checkbox"/>	Strong Community Leadership	<input checked="" type="checkbox"/>	
Effective Management	<input type="checkbox"/>	Knowledge of our Customers and Communities	<input type="checkbox"/>	
Employees and Members with the Right Knowledge, Skills and Behaviours			<input type="checkbox"/>	
Other:				
Decision(s) would be outside the budget or policy framework and require full Council approval				<input type="checkbox"/>
Financial	There are no financial implications at this stage			<input type="checkbox"/>
	There will be financial implications – see paragraph			<input type="checkbox"/>
	There is provision within existing budget 4,0			<input checked="" type="checkbox"/>
	Decisions may give rise to additional expenditure at a later date			<input type="checkbox"/>
	Decisions may have potential for income generation			<input checked="" type="checkbox"/>
Risk Management	An assessment has been carried out and there are no material risks			<input checked="" type="checkbox"/>
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -			<input type="checkbox"/>
Staff	There are no additional staffing implications			<input checked="" type="checkbox"/>
	Additional staff will be required – see paragraph			<input type="checkbox"/>
Equalities and Human Rights	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications			<input checked="" type="checkbox"/>
	There will be an impact on equality (see categories above) or human rights implications – see paragraph			<input type="checkbox"/>
Legal	Power: Local Government Act 2000			
	Other considerations:			
Background Papers: none				
Person Originating Report: Tom Griozdoski				
Date: 21 January 2010				
CFO 25/1/10		MO 25/1/10		CX 25/1/10
				

(Committee Report Normal Rev. 19)