



Leicester
City Council

WARDS AFFECTED
All Wards

CABINET

12th November, 2007

SCHEME OF DELEGATION

REPORT OF THE DIRECTOR OF RESOURCES

1. PURPOSE OF REPORT

The purpose of this report is to provide Cabinet with a summary of decisions made at Corporate Director level in consultation with Cabinet Leads.

2. REPORT

A summary of the decisions made by the Chief Executive / Corporate Directors in consultation with the relevant Cabinet Lead members during the period 1st March to 31st August, 2007 is shown attached as **Appendix A**. This includes a summary of waivers of Contract Procedure Rules approved by the Town Clerk.

3. RECOMMENDATIONS

Cabinet is recommended to note the summary of decisions made at Corporate Director level in consultation with Cabinet Leads as summarised in **Appendix A**;

4. HEADLINE FINANCIAL AND LEGAL IMPLICATIONS

There are no direct financial implications arising from this report.

Legal implications: it is within Cabinet's remit to keep under review and change its Scheme of Delegation as necessary.

Contract Procedure Rules may be waived by the Town Clerk after consultation with the relevant Cabinet Member(s) but these decisions must be reported to Cabinet for information (Contract Procedure Rule 4.2(b)).

OTHER IMPLICATIONS	YES/NO	Paragraph references within supporting information
Equal Opportunities	No	
Policy	No	

Sustainable and Environmental	No	
Crime and Disorder	No	
Human Rights Act	No	
Elderly/People on Low Income	No	

3. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

The Council’s Constitution, including Cabinet’s Scheme of Delegation; and records received by the Town Clerk from Corporate Directors which have been used to compile this report.

4. CONSULTATIONS

Chief Executive and all Corporate Directors
Charles Poole, Service Director – Democratic Services
Geoff Organ, Head of Corporate Procurement, Support and Income

5. REPORT AUTHOR

Peter Nicholls, Service Director – Legal Services, x6302

DECISION STATUS

Key Decision	No
Reason	N/A
Appeared in Forward Plan	N/A
Executive or Council Decision	Executive (Cabinet)

APPENDIX A

DECISIONS MADE BY CORPORATE DIRECTORS / CHIEF EXECUTIVE IN CONSULTATION WITH CABINET LEADS DURING THE PERIOD 1ST MARCH TO 31ST AUGUST, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation
7 th March, 2007	Proposal to enter into a Star Trak SLA with bus operators.	R&C J. Miller	Cllr. Mugglestone	Supported.	7 th March, 2007
12 th March, 2007	Statutory component of land charge fee set at about £30 to reflect full costs. Full search fee to contain this and not change.	Resources	Cllrs. Coley and Grant	Supported	7 th March, 2007
12 th March, 2007	Updated protocol for sharing information between agencies	Chief Executive	Cllrs. Coley and Grant	Supported.	7 th March, 2007
21 st March, 2007	Timescale for work on Upperton Road viaduct i.e. enabling works to commence on 30 th April 2007 and conclude in November, 2008.	R&C J. Miller	Cllr. Mugglestone	Supported	21 st March, 2007
21 st March, 2007	Work on pedestrian preference zone to commence on 16 th April and conclude on 17 th June.	R&C J. Miller	Cllr. Mugglestone	Endorsed	21 st March, 2007
28 th March, 2007	Provisional Urban Congestion Target Delivery Plan and changes and additions requested by the Department for Transport for the final version.	R&C J. Miller	Cllr. Mugglestone	Provisional plan endorsed. Changes and additions approved.	28 th March, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation
28 th March, 2007	Potential dates of 19 th and 26 th June, 2007 for Local Transport Day.	R&C J. Miller	Cllr. Mugglestone	Endorsed and agreed to Chair the event.	28 th March, 2007
28 th March, 2007	Details of proposed bridge works, the associated road closures and timetable for 2007/8.	R&C J. Miller	Cllr. Mugglestone	Supported the dates to start informing local residents etc with the exception of Uppingham Road which should be delayed until later in May.	28 th March, 2007
28 th March, 2007	Concerns about parking restrictions in Archdeacon Lane.	R&C J. Miller	Cllr. Mugglestone	Agreed that a site visit would be a constructive way forward.	28 th March, 2007
23 rd April, 2007	New ICT structure following organisational review.	Resources	Cllrs Cole and Grant	Supported new structure, subject to confirmation of the financial implications.	7 th March, 2007
7 th June, 2007	Trenant Road 20 mph Zone	R&C J. Miller	Cllr. Kitterick	Agreed	8 th June, 2007
8 th June, 2007	Upgrade to the City Street A-Z web mapping software system at initial cost of £33,250 with option to develop other functions at an additional cost of up to £19,000.	R&C A. Keeling	Cllr. Kitterick	Confirmed. Waiver to Contract Procedure Rules agreed by Cllr. Scuplak on 20 th April, 2007.	8 th June, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation
15 th June, 2007	Capital programme 2007/8 – spending in advance of the approved programme: - school kitchen - environment / energy - efficiency improvements	Sheila Lock	Cllr. Dempster	Approved	18 th June, 2007
20 th June, 2007	Decided to accept the highest bid for the sale of Blackbird Road playing fields.	Resources	Cllr. Willmott	Supported the decision.	20 th June, 2007
29 th June, 2007	Capital programme 2007/8 – kitchen projects – Dovelands Primary School	Sheila Lock	Cllr. Dempster	Approved	28 th June 2007
4 th July, 2007	Beaumont Leys was highlighted as the main area requiring investigation into contaminated land; the proposed way forward was discussed.	R&C A. Russell	Cllr. Wann	Agreed that a bid for funding would be submitted to DEFFR under the Contaminated Land Capital Projects Programme, followed by a Cabinet report.	5 th July, 2007
5 th July, 2007	Conservation Advisory panel / Scheme of Delegation on planning applications.	R&C A. Keeling	Cllr. Kitterick	Agreed to trial, with a view after 6 months, taking all straight objections from CAP where the recommendation is approved, to	5 th July, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation
				committee whether or not the conservation officer shares the panel's views. Where CAP object and amendments are sought continue with delegated decision in consultation with conservation officer.	
5 th July, 2007	Regional Assembly service level agreement.	R&C A. Keeling	Cllr. Kitterick	Agreed	5 th July, 2007
10 th July, 2007	Capital programme 2007/8 – kitchen projects: - Stokes Wood Primary School	Sheila Lock	Cllr. Dempster	Approved	12 th July, 2007
11 th July, 2007	Conservation area character appraisals.	R&C A. Keeling	Cllr. Kitterick	Agreed these can be signed off in consultation with him, without reference to Cabinet, after consideration by Planning and Development Control Committee.	11 th July, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation
13 th July, 2007	Capital programme Emergency work sat Fulhurst CC	Sheila Lock	Cllr. Dempster	Approved	18 th July, 2007
18 th July, 2007	Grant applications: * Pakistan Independence Day (60 th anniversary £3000). * Leicester Kerala Community £1000. * Community Cloning Project £2274. * Chromatix £705	R&C A. Russell	Cllr. Wann	Endorsed	25 th July, 2007
19 th July, 2007	Capital programme – emergency temp staff room	Sheila Lock	Cllr. Dempster	Approved	19 th July, 2007
1 st August, 2007	Decisions on grant applications to be taken by the Service Director in consultation with the Cabinet Lead Member	R&C R. Watson	Cllr. Connelly	Agreed	1 st August, 2007
1 st August, 2007	Proposals to renew traffic signals on St. Georges Way / Queen Street and St. Georges Way / Southampton Street	R&C J. Miller	Cllr. Kitterick	Supported	1 st August, 2007
15 th August, 2007	Increase the tariffs for on street and City Council owned car parks by the present rate of inflation	R&C J. Miller	Cllr. Kitterick	Supported	15 th August, 2007

Date of decision	Nature of decision	Corporate Director	Member(s) consulted	Nature of Members' comments	Date of Member consultation
15 th August, 2007	No free parking for first hour on Allandale Road and Francis Street	R&C J. Miller	Cllr. Kitterick	Confirmed	15 th August, 2007

**WAIVERS OF CONTRACT PROCEDURE RULES APPROVED BY THE TOWN CLERK DURING THE PERIOD
1ST MARCH TO 31ST AUGUST, 2007**

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
1	05/03/2007	GOEM Support Fund (Neighbourhood Support Fund)	Section 3, Rule 11	To allow the continuation of the projects following GOEM's decision to no longer administer the Fund.	
2	15/03/07	Strategic options review of Riverside Business and Enterprise College – related to admission numbers and projections and 14-19 offer in the City		The work is directly related to the Admissions and School Place Planning and 14-19 work that Tribal is carrying out. They are, therefore, placed with the necessary context and detailed knowledge to carry out this work within the defined timescales.	
3	15/03/07	Strategic review of 14-19 strategy – review of provision and resources for delivery of 13-19 curriculum model		This work is directly related to the Admissions and School Place Planning work carried out by Tribal. Tribal has the necessary knowledge and understanding of the system and contextual understanding to carry out this work effectively within the necessary timescales.	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
4	27/03/2007	Allotment/grounds maintenance management software	Section 2 Rules 11.3 and 11.4	Only two systems available in the marketplace, performed to specification, and therefore, the recommendation to purchase the system that afford greatest VFM was approved.	
5	30/03/2007	Floating Housing Related Support Service – Low Level Learning	Section 3 Rule 11	Following the withdrawal of a previous contractor from this service area a tendering exercise was undertaken. This element was not included at that time. This Waiver allows this service to be provided by the successful tenderer who were able to demonstrate VFM and continuity of service.	
6	05/04/2007	Engagement of Contractors – Glenfield Tunnel Strengthening works	Section 4 Rules 15.4 and 15.6 Section 7 Rule 1.13	The presence of bats in the tunnel required the works to be carried out between April – October. To facilitate this, a select list was provided by our consultant. All of the suppliers were invited to tender.	
7	25/04/2007	User satisfaction survey/market research for St Margaret's Bus Station and City Council	Section 3, Rule 7	The contractor was selected following a tendering process in 2002. It was demonstrated that a continuation of that contract would provide savings of 15%.	

N ^o	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
8	30/04/2007	Pathfinder Project – “Strengthening Families, Strengthening Communities” group work programme	Section 3, Rule 20	This is a ring-fenced funded project and the time constraints placed on us by the funder required us to identify a partner to take on this work. Without this the funding would have been lost.	
9	30/04/2007	Engagement of bailiffs for debt collection	Section 2 Rules 11, 12 and 19	No consideration will be paid to the contractors by the Council (therefore, the EU Public Procurement Directives do not apply). Best value is facilitated by having two competing contractors.	
10	30/04/2007	Purchase of software and associated user support for verification of postal voting at elections	Section 2 Rule 4.1(e)	To allow a non-standard LCC contract to be used to conclude this contract.	
11	15/05/2007	Upgrade to mapping software – Land and Property Gazetteer project	15/05/2007	To purchase a software upgrade from the current system supplier.	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
12	25/05/2007	Purchase of Electoral Management System software – Express	Section 2 Rule 11	To replace the Electoral Management system, following difficulties encountered during the last local elections. The system is tried and tested and its installation will save some considerable associated costs.	
13	25/05/07	<p>The Targeted Youth Support Pathfinder is one of 14 nationally. It aims to:</p> <ul style="list-style-type: none"> * analyse the needs of a specific neighbourhood – New Parks and Children’s Centre Network Area. * Developing redesigned integrated services to deliver improved outcomes for Children, Yountgpeople and Families 	Section 3 rule 7 (and by reference) rule 19	<p>Locally the pathfinder is called the Leicester Integrated Services Trial (LIST) and commenced in December, 2005. I will enable the Leicester Children and Young people’s Strategic Partnership (LCYPSP) to do two things:</p> <ul style="list-style-type: none"> * to develop a neighbourhood model for integrated services to improved outcomes. * To develop a process for service development which is bult upon the views of local stakeholders (citizens and staff across all relevant agencies) and leads to a set of local service delivery solutions for local problems. 	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
14	25/05/07	This work is a 2 nd phase of work recently undertaken by Prospective. It involves mapping out service delivery and funding costs for children and young people in Leicester within the voluntary and community sector across Every Child Matters themes.	Section 3 rule 7 (and by reference) rule 19	This waiver request is being sought as it is vital that the same organisation is used to complete the 2 nd stage of work in order that the same systems, paperwork and method of analysis can be applied to the voluntary sector as was applied to the statutory. This is crucial to the work as it will allow comparisons on areas such as cost and volume between the sectors that would not be possible if different approaches were used. This would therefore not represent good value for money. The work has been commissioned in two stages as limited funding allocations meant that the Department was only in a position to fund stage 1 initially with the intention of following this up with a 2 nd stage should further funding become available. The 1 st stage has now been completed and the Children and Young People's Strategic Partnership has been satisfied with the outcome.	
15	30/05/2007	Polygon data purchase from HM Land Registry	Section 6, Rule 3	Sole supplier's own terms and conditions are used in this transaction.	
16	01/06/2007	National Evaluation of Leicester Integrated Services Trial (LIST)	Section 3, Rules 7 and 19	To allow LCC to contract with the DfES commissioned consultant to carry out the evaluation.	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
17	01/06/2006	Engagement of Consultant – mapping out service delivery to CYPs	Section 3 Rules 7 and 19	This was the second phase of mapping service. The award is to the original contractor, avoiding duplication of effort and this demonstrates VFM.	
18	07/06/2007	Replacement of heating/conditioning system at Phoenix House	Section 2 Rules 7.3.1	This Waiver was approved to allow critical works to be carried out to the heating and ventilation system before the summer.	
19	12/06/2007	Purchase of additional software “Achieve Forms”	Section 2, Rules 11 and 19	The supplier was awarded a contract, following a tendering exercise, to supply “Achieve Forms” software. This was so successful, a further purchase of Achieve Bookings was made. The two systems need to be totally compatible.	
20	29/06/2007	Provision of Domiciliary Care Services to Service Users with Neurological Conditions	Section 3, Rule 7.3.1	This was considered to be a sole provider contract. They are used by the Health Authority and a partnership approach has been taken to provide a seamless service.	
21	12/07/2007	Rewiring of Domestic Dwellings Citywide	Section 3 Rules 15, 16 and 19	To allow works to continue whilst an EU compliant contract is let.	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
22	16/07/07	The funding is to cover a range of activities that Connexions commission around Positive Activities for Young People. This includes initiatives such as music schools, outdoor pursuits and residential activities. This funding has historically gone directly to Connexions but now comes through the LAA route.		This will be the 1st year that the PAYP Grant goes through the LAA route and agreement exists (from Leicester Partnership) to passport this funding using the same conditions as were historically held with GOEM for the 1 st year. Over future years, funding will be examined further to ensure best value is achieved and to consider whether other parties could better perform the commissioning role with the PATP grant.	
23	13/07/2007	District Heating Electrical Maintenance	Section 3 Rules 15, 16 and 19	To allow works to continue whilst an EU compliant contract is let.	
24	13/07/2007	District Heating Maintenance	Section 3 Rules 15, 16 and 19	To allow works to continue whilst an EU compliant contract is let.	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
25	13/07/2007	Replacement of Central Heating Boilers	Section 3 Rules 15, 16 and 19	To allow works to continue whilst an EU compliant contract is let.	
26	19/07/2007	Football Foundation – New Facilities Investment strategy	Section 3, Rule 11	To enable consultants, recommended by the Football Association and the Leicestershire and County FA to be used to develop the Strategy. The Football Foundation are funding this project.	
27	26/07/2007	Maintenance of Cold Water Installations Citywide	Section 3 Rules 15, 16 and 19	To allow works to continue whilst an EU compliant contract is let.	
28	02/08/2007	Specialist Asbestos Consultants	Section 2 Rules, 11, 12, 19, 21.2 and 21.4	To allow works to continue whilst an EU compliant contract is let.	
29	14/08/2007	Housing Repairs Service – Mobile enabled Technology – Optitime	Section 3 Rule 7.3.1	To enable a pilot scheme to test the mobile working solution. If the pilot is successful, a full tendering exercise will follow.	
30	15/08/2007	Positive Activities for Young People – Connexions	Section 3, Rules 11 and 19	This is to allow the continuation of the service, which until this year, has seen these funds passported directly to Connexions by Central Government.	

Nº	Date	Scheme	Contract Procedure Rule Affected	Reason for Waiver	Member who was consulted and gave support
31	20/08/2007	Abbey Park "Gifted" Play area – Walkers	Section 6 Rule 3	This is to allow non-standard terms and conditions to be used to allow the gifting of the funds to provide a new play area.	