



Chester-le-Street
District Council

Report to: Executive

Date of Meeting: 4 February 2008

Report from: Director of Corporate Services

Title of Report: Approval for Director of Corporate Services to exercise urgent powers for roof repair contract.

Agenda Item Number:

1. PURPOSE AND SUMMARY

- 1.1 The purpose of the report is to seek endorsement by the Executive for the exercising of urgent business powers, granted to the Director of Corporate Services to enter into contract with the approved roofing contractor to allow works to commence on 4 February 2008.
- 1.2 Due to the ongoing risk to the health and safety of visitors and staff within the civic centre and with the probability of Government issuing a directive for Local Government review, it was considered necessary to seek approval to exercise urgent powers from The Leader of the Council and the Chairman of the Partnership and Efficiency Overview and Scrutiny Panel.
- 1.3 Members are recommended to endorse the action taken to use urgent business powers to secure delegated authority by the Director of Corporate Services to sign the contract to initiate required roof repairs.

2. CONSULTATION

- 2.1 The Chief Executive, Director of Corporate Services, Head of Corporate Finance, Head of Legal and Democratic Services, Capital Working Group, Procurement and Health and Safety teams have all been consulted throughout the tender process.

3. CORPORATE PLAN AND PRIORITIES

- 3.1 Customer Excellence is at the forefront of the Council's overall drive and ambition to achieve excellent status in the future. Access to services for customers is paramount in our efforts to achieve customer excellence and as such the Council must ensure that the civic centre is a safe environment from which services are delivered.

4. IMPLICATIONS

4.1 Financial Implications and Value for Money Statement

In 2005, the Council identified £200,000 for a modular extension to the civic centre to replace the obsolete portacabins currently used by employees. Initially this funding was redirected for a proposed customer service centre within the civic centre. However, due to local government review executive consider a report in November 2007, to put aside this project. As such the funds have been redirected to cover the costs of the roofing repairs following ongoing discussions at capital working group in 2007.

4.1.1 The tender process to appoint the approved contractor has met all requirements as stipulated within the Council's financial regulations.

4.1.2 Additional approval, to exercise urgent powers, was also provided by the Council's Section 151 Officer.

4.2 Legal Implications

4.2.1 The tendering process confirms to all requirements stipulated within the EC Public Contract regulations.

4.3 Personnel Implications

There are no direct personnel implications associated with this report.

4.4 Other Services

4.4.1 The purpose of the roof work is to ensure that the Council provides a safe environment for members, officers and visitors at the Civic Centre

4.5 Diversity

4.5.1 There are no direct diversity implications associated with this report.

4.6 Risk Implications

4.6.1 In the current environment, there are clear risks to the health and safety of those members, officers and visitors to areas of the civic centre affected by water ingress through the roof. It is imperative that the works are completed as soon as possible in order to alleviate such a risk.

4.7 Crime and Disorder Implications

There are no direct links to crime and disorder within this report.

4.8 Other Implications

None within this report

5. BACKGROUND, POSITION STATEMENT AND OPTION APPRAISAL

- 5.1 The carrying out of works to the Civic centre roof has been agreed through the capital Working Group. A tendering process in accord with all relevant procedures has been undertaken and a preferred contractor selected as a result. Work is due to start on 4th February. At a late stage concerns were expressed that if the contract for the repairs to was not signed then the issue could be unreasonably caught up by the LGR Direction. The roofing repairs are required for Health and Safety reasons and ought not to be delayed due to potential risks to health and life of people within the building.
- 5.2 Exercising urgent powers under section 4d subsection 4 of the Council's Constitution on this occasion was deemed appropriate for these reasons. Contract Standing Orders only allows Directors to sign contracts up to £100,000. The Roofing contract is in excess of £200,000.
- 5.3 The Constitution allows Urgent Business to be undertaken. In this case it is felt that the contract requires signing immediately and it is not possible to wait until the next Executive on 4th February. The use of Urgent powers is justified in these circumstances. Delegated responsibility for the Director of Corporate Services to sign the contract was required. To secure approval the Director of Corporate Services contacted the Chair of the relevant OSP, Cllr. David Holding by telephone on 17th January 2008. The position was fully explained as identified above. The Chair was advised that the consent of the Leader was also required and her views about the process were outlined. Cllr Holding fully supported the grant of Delegated powers to the Director of Corporate Services.
- 5.4 Following approval, the Director of Corporate Services immediately contacted the Leader by telephone and an explanation about the position was given. The Leader fully supported the request and agreed to grant delegated power to sign the contract. These delegated powers have been exercised and the contract was signed under common seal on 21st January 2008

6. RECOMMENDATIONS

- 1.4 Members are recommended to endorse the action taken to use urgent business powers to secure delegated authority by the Director of Corporate Services to sign the contract to initiate required roof repairs.

7. BACKGROUND PAPERS / DOCUMENTS REFERRED TO

- 7.1 Chester-le-Street Council's Constitution and Financial Regulations.
7.2 EC Public Contract Regulations
7.3 Capital Working Group minutes.

Ian Forster
Director of Corporate Services
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