

Reports and Notices received by the Chair of Overview and Scrutiny Committee as required under the Constitution or Law.

1. Items referred to the Chair of Overview and Scrutiny Committee under Contract Standing orders and Standing orders for dealing with Land

Notifications received where it has not been possible to obtain 3 quotations for a contract estimated to be between £10,000 and £50,000.

- **To commission professional Cost Specialist & Project Management consultancy services for the redevelopment of Arnold Market Place during the Covid-19 crisis (preconstruction stage activities).**

The Council has been successful in securing funding from the N2 Town Centres programme to support the delivery of a comprehensive redevelopment scheme for Arnold Market Place. The terms of this funding is that the scheme is to be delivered within a set timeframe. Feasibility Appraisal work was completed by the Council's Town Centre Project Manager in December 2019. This was a design led exercise which gave the project a strategic direction and developed the initial brief for the project to proceed. MPP Group Ltd consultants were appointed as part of the initial project team during April 2020 to provide professional Cost & Project Management advice on development costs and to prepare/coordinate the outline cost plan. The initial cost plan has been instrumental in setting the financial scope (included in the detailed business case) of the project and will be used to control the development of the technical design through the framework process to engage a main contractor.

With the changing restrictions linked to Covid-19, Officers feel it is inappropriate to seek 3 quotes for the work, as we would normally seek a site visit and face to face meeting with any consultant before appointing them. Given the further lockdown restrictions and future uncertainty, this has made this requirement extremely difficult given social distancing and non-essential working mandates from the government. As MPP Group Ltd have already undertaken work on the feasibility stage of the project, by virtue they have an established understanding of the site, its location and project team, given the site analysis work previously carried out. Therefore this would negate the need for non-essential site visits at this time and would allow them to proceed with the advancing the project to the next stage. Furthermore, Officers have been impressed with the work done to date and have no concerns about the quality and value for money already received.

Officers therefore propose to appoint MPP Group Ltd to prepare and coordinate a technical building design, specification and supporting documents to RIBA work stages 3&4 for the Arnold Market Place.

- **Development of the Swim Scheme**

In October 2020 a specialist company called Bigwave Media Ltd ("Bigwave") was commissioned to carry out a detailed analysis of the swimming lesson scheme in GBC pools. The findings of the report highlighted significant levels of growth in the borough, which could be achieved over a 2 to 3yr period, with the right improvements and

alterations to the operation of the scheme.

The Bigwave report identifies many recommendations ranging from development of Key Performance Indicators, pool programming, back office processes as well as marketing and significant improvements to the website. Implementation of these recommendations will take time, but will undoubtedly help the business recover back to pre-Covid swim numbers, as well as realising the growth identified in the borough.

Bigwave offer the service of working with organisations to deliver the recommendations utilising their data and processes as well as their teams of specialists. They have carried out this work at over 445 pools across the country and are well known for their expertise and experience in the industry.

Bigwave is a leisure growth agency that carried out the initial assessment and therefore are the only suitable company to help support the delivery of their recommendations. As a result it is not possible to acquire 2 other quotes due to the specific nature of this work. For the reasons outlined above, it is proposed that the Council enters into a contract with BigWave for a term of 2 years with the option to extend by a further 1 year if required to deliver these services. A contract that will be drawn up between GBC and Bigwave will allow for early termination if the work is no longer required or the situation in Gedling changes.

- **Contract for online legal resources**

Legal Services needs a library of resources in order to provide an effective and efficient service to the Council. Historically this has consisted of a mixture of hard copy books and encyclopaedias, but in 2010 the department moved to a core on-line resource and hard copy encyclopaedias. More recently all but one of the encyclopaedias have moved to an on-line resource.

Legal Services have used the core online legal research product – Westlaw UK and Practical Law for a number of years and wishes to enter into a new contract for on-line resources for a further 3 years.

In view of the fact that this is a specialised product there are only 2 providers in the market, a third quotation cannot be obtained.

Thompson Reuters have offered preferential prices to public authorities which are members of EM Lawshare (a legal services consortium for public bodies in the East Midlands). The deal represents a 40% saving on core services of Westlaw UK and Practical Law compared to if each member were to purchase outside of EM Lawshare. The Council can therefore be satisfied that the proposal offers good value for money. The Westlaw UK and Practical Law has worked well to date. Thompson Reuters offer regular training to users of the package which Legal Services tends to take up on an annual basis as a refresher for members of the team or for new starters. Legal Services find it easy to use with good functionality. The precedent documents are used by most other public authorities and private firms and the Revenues team are also able to access case law through our subscription.

For these reasons, it is proposed that Legal Services continue with their current provider, Thomson Reuters, for the provision of their online resources.

- **Contract for the provision of Consultancy services in respect of Planning Enforcement and Compliance in the Development Services team.**

On 24th August 2020 the Council entered into a consultancy contract for the provision of planning enforcement services, this contract was for 4 months with an option to extend to 6 months, which was exercised. This contract will expire on 24th February 2021. This contract was reported to the Chair of Overview and Scrutiny Committee in August as it was not possible to obtain 3 quotations. At that time a recruitment exercise to recruit a permanent planning enforcement officer had been unsuccessful and the contractor utilised was known to the Council having previously worked in the planning enforcement post. The service structure in planning is lean, and it is not possible for the enforcement work to be absorbed by other post-holders within the service. There has been a further recruitment campaign to the post of planning enforcement officer which has been unsuccessful. It is therefore necessary to immediately acquire additional resources to cover enforcement work, if performance and service levels are to be maintained and statutory timescales are to be met.

The proposed consultant has been working with the Council since August is a highly skilled consultant who has longstanding experience in planning enforcement and compliance within a local authority setting. She has specialist knowledge and skills having previously worked at Gedling in planning enforcement and compliance and will not require any training or supervision in order to deliver the services. In addition, the work undertaken since August is ongoing, to appoint a different consultant at this point would mean they would need to undertake additional hours to understand the history of the current caseload which would potentially increase costs and resource time in training and support.

The consultant is available up until the end of April and would provide a further temporary solution to ensure that statutory timescales and service levels are met whilst a further recruitment exercise, or longer term solution is considered. It is therefore proposed to enter into a contact with the same consultant.

- **To commission professional Cost Specialist & Project Management consultancy services for the Council works at Carlton Square during the Covid-19 crisis (preconstruction stage activities).**

The regeneration of the Carlton Square shopping area (privately owned) and associated car park (Council owned) has been a long-held ambition of Gedling Borough Council. Following lengthy negotiations and preparations, planning applications for a scheme to cover both elements was approved in November 2020. Furthermore a Council contribution of £100,000 towards the scheme was approved at Cabinet on 2 June 2020.

Following both of these the Council was successful in securing £350,000 funding from the N2 Town Centres programme to support the delivery of a redevelopment scheme of the car park at Carlton Square. The terms of this funding is that the scheme is to be delivered within a set timeframe, namely by March 2021. Whilst the overall scheme does not need to be completed, the N2TC budget of £350,000 needs to have been spent.

To facilitate this timescale the Council has used the Scape Framework to secure a contractor to undertake the Council element of the works. To help with this delivery and to keep up momentum, Officers have engaged MPP Group Ltd consultants to provide the project management function to drive the project forward. They liaise and challenge the contractor and provide critical experience not available within the team.

Initially, MPP were appointed at the critical time of November and December, when there was a need to push forward with delivery timescales and arrangements to start on site in early 2021. It has since become apparent that the need for this service is required beyond this time to cover the remainder of the pre-construction phase, as well as the construction phase itself.

Now that MPP have got to grips with the project and their support has proven to be useful there is a desire to continue this service to manage the remainder of the work. In this current situation, and with the need to deliver a significant part of the scheme to fit with the funders deadline (£350,000 spend by 31 March 2021), Officers would like to commission the next pre-construction phase of work. However, the project has already experienced some challenges during the Covid-19 pandemic which have impacted on the delivery programme. Officers are concerned that the project is at high risk of further delays, increased costs and uncertainty whilst we are all working under the Governments restrictions. Officers have therefore been reviewing the most economically viable and commercially advantageous method of progressing the scheme within the lockdown period.

With the changing restrictions linked to Covid-19, Officers feel it is inappropriate to seek three quotes for the work, as we would normally seek a site visit and face to face meeting with any consultant before appointing them. Given the further lockdown restrictions and future uncertainty, this has made this requirement extremely difficult given social distancing and non-essential working mandates from the government. Additionally, the need to progress the project quickly and achieve a significant amount of spend by 31 March 2021 makes it impractical.

Officers therefore propose to appoint MPP Group Ltd to continue to provide project management support services to take the Carlton Square project through to the end of the construction phase.

- **Contract for the provision of Consultancy services in respect of the provision of an Arborist to the Development Services team.**

On 30th July 2020 the Council entered into a consultancy contract with 4 D Tree Survey Limited to engage a consultant, for the provision of specialist arboricultural services. The contract was for 6 months and expired on 29th January 2021.

The role of an arborist for the Council is to provide expert advice on matters such as Tree Preservation Orders and planning applications. Such advice has previously been obtained through external providers and a longer term solution is under consideration. There is a statutory requirement for the Council to consider applications for Tree Preservation Orders and to assess the impact of development on protected trees. It is therefore necessary to immediately acquire the resources of an arborist to assist the Development Services team and ensure statutory obligations are met.

The proposed consultant is provided by the Consultant Company 4 D Tree Survey Limited. The consultant, is a highly skilled consultant who has longstanding experience in arboricultural advice within a local authority setting and as he has been working with the Council since July 2020 he will not require any training or supervision in order to deliver the services. Furthermore the work undertaken since July 2020 is ongoing, to appoint a different consultant at this point would mean they would need to undertake additional hours to understand the history of the current caseload which would potentially increase costs and resource time in training and support. The consultant through the company 4D Tree Survey Ltd is immediately available up until the end of May 2021 and would provide a further solution to ensure that statutory obligations are met.

It is therefore proposed to enter into a contact with 4D Tree Survey Ltd for consultancy services.

Please note that the above list may not be exhaustive; items may be referred at short notice to the Chair of Overview and Scrutiny Committee.