

# Record of Decision taken by Executive Councillor

**Decision title:** Approval to award contract for Seaward Way, Minehead

**Executive Councillor making the decision:** Councillor Fran Smith (Portfolio Holder for Housing)

**Author Contact Details:** Christopher Brown, Assistant Director Housing Property

**Date of Decision:** 29<sup>th</sup> September 2021

## Details of decision:

To approve signing of the JCT 2016 Design and Build contract between SWT and Classic Builders for the construction of 54 Council homes at Seaward Way, Minehead.

A compliant procurement exercise has been undertaken, utilising a framework arrangement, and a contractor selected as the preferred bidder following a tender evaluation. The estimated total contract value (including employers contingency) is approximately £9.5m.

It is recommended that SWT awards the contract with the preferred bidder.

## Reasons for proposed decision:

As the contract value for this work exceeds £1 million pounds it is thus classified as a Key Decision for the Executive to award as it exceeds the thresholds in the SWT Constitution, thus requiring 28 days notification in the Executive Forward Plan (undertaken 12/08/21 – 09/09/21). The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 sets out that a Key Decision is one which would result in the relevant local authority incurring expenditure which is, or the making of savings which are, significant having regard to the relevant local authority's budget for the service or function to which the decision relates.

The Leader of the Council can delegate the making of Executive Key Decisions to her Portfolio Holders or Officers as under Part 3 of the Constitution – Responsibility for Executive Functions - 3.1.5 – “The Leader shall determine how all executive powers shall be discharged. The Leader may: a) discharge any of those functions; or b) arrange for the discharge of any of those functions: i. by the Executive collectively, ii. by another member of the Executive, iii. by a committee of the Executive, or iv. by an officer of the Authority.”

## Alternative funding options sourced:

The HRA funding for the scheme comes from Right to Buy receipts (40%), Hinkley Point funding (£470,000), a commuted sum (£58,204) and a loan for the balance.

<b>The below has been completed:</b>	<b>Name(s)</b>	<b>Date</b>
Relevant ward councillor(s) consulted	Councillor Andrew Hadley	01/09/2021

	Councillor Craig Palmer	
<p><b>The following are if appropriate / applicable: Yes/No. If yes the implications should be attached to this decision notice.</b></p>		
Finance implications	Funding for this construction project is included in the approved HRA budgets for 2021/22. 22/23 and 23/24,	
Legal implications	A formal contract will be entered into with the selected contractor, which will be scrutinised and approved by SHAPE.	
Links to corporate aims	The Council's HRA Business Plan includes the development of 1000 new homes over 30 years. The District has significant demand for affordable homes with a current target of 264 units per year. SWT new build through the HRA complements the affordable homes delivered through housing association partners and planning gain. A commitment by the Council to ensure that sites are all low carbon and energy efficient, but also exploring the most of technological and design innovations.	
Climate and Sustainability implications	All homes will be zero carbon in use, using the latest building systems and technology.	
Community Safety Implications	N/A	
Equalities Impact Safeguarding Implications	The scheme has considered the districts housing needs. All homes will be rented at affordable rent levels. An Equality Impact Assessment has been undertaken.	
Risk management	A compliant procurement exercise has been undertaken. The scheme will exceed building regulations, and properties	

	will have NHBC guarantees on completion. All risks are monitored and managed.	
Partnership implications	N/A	

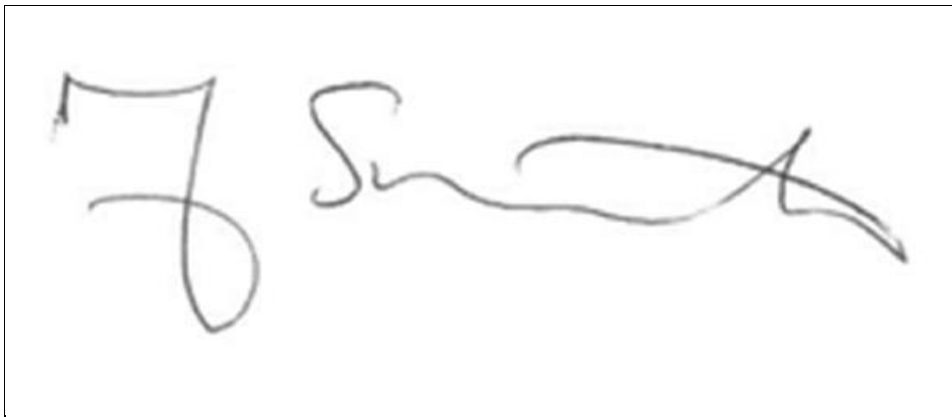
**Any conflicts of interest declared by Leader or Executive Members consulted on the proposed decision. If Yes provide confirmation from Chief Executive to grant dispensation for the Leader's / Executive Member's views to be considered.**

None.

**Decision Maker**

**I am aware of the details of this decision(s), considered the reasons, options, representations and consultation responses and give my approval / agreement to its implementation.**

**Signed:**



**Name: Cllr Francesca Smith**

**Date: 29/09/21**

Note – This decision record is for decisions taken by Executive Councillors. The decision(s) can be implemented following publication and the period for any call-in has expired.

**Note:** A copy should also be sent to the Governance Team – [governance@somersetwestandtaunton.gov.uk](mailto:governance@somersetwestandtaunton.gov.uk)