



## Report of Head of Fleet

### Report to Chief Officer; Civic Enterprise Leeds

Date: 11 April 2016

**Subject: Novation of Framework Agreement from Nissan Motors (GB) Ltd to Aprite (GB) Ltd t/a West Way Nissan**

Are specific electoral Wards affected? If relevant, name(s) of Ward(s):	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information? If relevant, Access to Information Procedure Rule number: Appendix number:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

### Summary of main issues

1. Leeds City Council currently has a Framework contract with Nissan Motors (GB) Ltd for the supply of vehicles.
2. A wholly owned subsidiary company of Nissan Motors (GB) Ltd are Aprite (GB) and is the delivery arm for the provision of vehicles.

### Recommendations

3. That the Chief Officer: Civic Enterprise Leeds approves the novation of the Framework with Nissan Motors (GB) Ltd to Aprite (GB) Ltd t/a West Way Nissan.

## **Purpose of this report**

- 1.1 The purpose of this report is to seek approval from the Chief Officer: Civic Enterprise Leeds to novate the current contract for vehicles from Nissan Motors (GB) Ltd to Aprite (GB) Ltd t/a West Way Nissan .

## **2 Background information**

- 2.1 The contract to Nissan Motors (GB) Ltd was awarded in January 2014 as part of a Framework for vehicles.
- 2.2 The Framework is accessed for the supply of vehicles to various sections of the Council.

## **3 Main issues**

- 3.1 Nissan Motors (GB) Ltd have requested to novate their position on the vehicle framework to a wholly owned subsidiary Aprite (GB) Ltd t/a West Way Nissan.
- 3.2 As a result of this change Civic Enterprise Leeds are being requested to sign a novation in order for this to be facilitated. Other than the novation signature there is no cost or risk, and there will be no service impact to Leeds.
- 3.3 The novation is required in order to continue accessing vehicles through the Framework arrangements from this company.
- 3.4 The novation of the agreement between Nissan Motors (GB) Ltd and Aprite (GB) Ltd t/a West Way Nissan does not impact upon the expiry date of the Framework Agreement.
- 3.5 As a result of the novation, there will be no change to the way in which the Council places orders under the framework agreement and there will be no impact on any existing contracts that the Council has entered into. Apart from the name change, there is no material difference in the agreement.

## **4 Corporate Considerations**

### **4.1 Consultation and Engagement**

- 4.1.1 The service teams have been made aware of this proposed novation.
- 4.1.2 Consultation has been undertaken with the Projects, Programmes & Procurement Unit (PPPU).

### **4.2 Equality and Diversity / Cohesion and Integration**

- 4.2.1 An Equality Impact Assessment was completed as part of the original procurement exercise for appointment of the Framework. As the proposed novation covers a rebranding of the company no additional considerations or impacts are likely.

### **4.3 Council policies and the Best Council Plan**

- 4.3.1 The proposals within this report will contribute to the Local transport Plan by reducing the Councils business CO2 emissions by the use of newer lower exhaust emission vehicles and alternative fuelled vehicles where suitable.

#### **4.4 Resources and value for money**

4.4.1 The novation of the contractor will not incur any charges for the Council other than Officer time.

#### **4.5 Legal Implications, Access to Information and Call In**

4.5.1 The Commercial Team in PPPU have reviewed the novation agreement and have provided assurance that it complies with the Public Contracts Regulations 2015.

4.5.2 This is a Key Decision, which was originally signed by the Chief Officer for Civic Enterprise Leeds.

4.5.3 The report does not contain confidential or exempt information and is not subject to Call-In.

#### **4.6 Risk Management**

4.6.1 There is no risk foreseen to the Council in approving novation of the contract.

### **5 Conclusions**

5.1 Nissan Motors (GB) Ltd has requested the Council novate its Framework Agreement to Aprite (GB) Ltd t/a West Way Nissan. The Commercial Team in PPPU have reviewed the novation agreement and are in agreement with this proposal.

### **6 Recommendations**

6.1 That the Chief Officer: Civic Enterprise Leeds approves the novation of the framework with Nissan Motors (GB) Ltd to Aprite (GB) Ltd t/a West Way Nissan.

### **7 Background documents**

7.1 None

