

Delegated Decision Notice (DDN)

This form is the written record of a key, significant operational or administrative decision taken by an officer.

Decision type	<input checked="" type="checkbox"/> Key Decision	<input type="checkbox"/> Significant Operational Decision	<input type="checkbox"/> Administrative Decision
Approximate value	<input type="checkbox"/> Below £500,000 <input type="checkbox"/> £500,000 to £1,000,000 <input checked="" type="checkbox"/> over £1,000,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000 <input type="checkbox"/> £100,000 to £500,000 <input type="checkbox"/> Over £500,000	<input type="checkbox"/> below £25,000 <input type="checkbox"/> £25,000 to £100,000
Director¹	Director of City Development		
Contact person:	Chris Capitano	Telephone number: 0113 378 8273	
Subject²:	Leeds Grand Theatre Waiver Report		
Decision details³:	<p>What decision has been taken?</p> <p>The Chief Officer Operations & Active Leeds (on behalf of the Director of City Development) has:</p> <p>I. approved the waiver of CPR 8.1 and 8.2 to directly appoint JBH Developments Ltd to provide project management consultancy services for the urgent repair works required at the Theatre for the sum of up to £35,000.</p> <p>II. approved the waiver of CPR 9.1 and 9.2 to authorise the Council to directly appoint the Stone Technical Services Group Ltd (the Contractor) to carry out the design and delivery of the urgent repair works to the Theatre for an estimated sum £1.676 million.</p> <p>This is on the grounds that the consultant and the contractor need to be experienced with working on listed buildings with significant structural issues and which are also live performing events venues. The figures quoted are inclusive of up to £500,000 works carried out under an Early Works and Undertaking Agreement approved by the Director of City Development on 14th March 2024 to enable urgent works to commence and minimise risk exposure.</p>		

¹ Give title of Director with delegated responsibility for function to which decision relates.

² If the decision is key and has appeared on the list of forthcoming key decisions, the title of the decision should be the same as that used in the list

³ Simply refer to supporting report where used as these matters have been set out in detail.

	<p>A brief statement of the reasons for the decision</p> <p>Given the need to maintain the development programme and the need to minimise the Council's risk exposure, it is not considered practical given the nature of the proposed works to either appoint other consultants to assume design responsibility for such works, or to seek to procure another specialist contractor to undertake the works, as such would more than likely increase the Council's risk exposure by delaying the start of the works possibly into early 2025, with consequential cost implications to both the Council and LGT.</p> <p>If the Director of City Development is minded to approve the Waiver of Contract Procedure Rules to appoint the preferred Contractor and Consultant without the need to invite competitive tenders for the works and services, it should be noted that further reports will be presented for approval detailing the provisional terms and conditions that have been agreed with consultant for their design input to the project and, the preferred contractor to progress the works on site.</p>
	<p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>If the proposed action is not approved, there will be a continuing risk that the theatre is exposed to an unplanned closure which would inevitably impact on the operation of the Theatre.</p> <p>It is not considered feasible to appoint NPS Leeds, procure other consultants via a mini competition from the YORconsult Framework or seek to procure a contractor from the YORbuild Framework, as this would significantly impact on the programme, add cost to the Council and adversely impact the operational arrangements of LGT.</p>
Affected wards:	Little London and Woodhouse
Details of consultation undertaken⁴:	<p>Executive Member</p> <p>Executive Member for Economy, Culture and Education – February 2024</p>

⁴ Include details of any interest disclosed by an elected Member on consultation and the date of any relevant dispensation given.

	Ward Councillors Ward members for Little London and Woodhouse – February 2024		
	Chief Digital and Information Officer ⁵		
	Chief Asset Management and Regeneration Officer ⁶		
	Others		
Implementation	Officer accountable, and proposed timescales for implementation It is proposed that the works to the paint frame floor and bowing wall be undertaken by the Council in this financial year (cost £440,000), with the remaining works estimated at £1.26m progressed as early as possible in 2024/25. Christopher Capitano (Programme Manager) is responsible for the delivery and project management of the works.		
List of Forthcoming Key Decisions⁷	Date Added to List:- 23 February 2024		
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision		
	If Special Urgency Relevant Scrutiny Chair(s) approval Signature _____ Date _____		
Publication of report⁸	If not published for 5 clear working days prior to decision being taken the reason why not possible:		
	If published late relevant Executive member's approval Signature _____ Date _____		
Call-in	Is the decision available ⁹ for call-in?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
	If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public:		


⁵ See Officer Delegation Scheme (Executive Functions) CDIO must be consulted in relation to all matters relating to the Council's use of digital technology

⁶ See Officer Delegation Scheme (Executive Functions) CAMRO must be consulted in relation to all matters relating to the Council's land and buildings.

⁷ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

⁸ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁹ See Executive and Decision Making Procedure Rule 5.1. Significant operational decisions taken by officers are never available for call-in. Key decisions are always available for call-in unless they have been exempted from call-in under rule 5.1.3.

Approval of Decision	Authorised decision maker ¹⁰ Jane Walne – Chief Officer Operations & Active Leeds (on behalf of the Director of City Development)	
	Signature 	Date 27 March 2024

¹⁰ Give the post title and name of the officer with appropriate delegated authority to take the decision.