

Delegated Decision Notice (DDN)

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

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| Decision type | <input type="checkbox"/> Key Decision | <input checked="" 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 type="checkbox"/> Over £1,000,000 | <input type="checkbox"/> Below £25,000 <input checked="" 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 City Development | | |
| Contact person: | Lora Hughes | Telephone number:0113 378 7669 | |
| Subject²: | Request to waive Contracts Procedure Rules 8.1 and 8.2 'Competition for Intermediate Value Procurements' to enable the Council to make a direct award to Squire Patton Boggs for legal advice relating to Temple Works | | |
| Decision details³: | What decision has been taken? (Set out all necessary decisions to be taken by the decision taker including decisions in relation to exempt information, exemption from call in etc.) The supporting report sets this out in detail. In summary, the decision taken is to: a) Approve a waiver of CPRs 8.1 and 8.2 using the authority set out in CPR 1.3 in order for a contract to be directly awarded to Squire Patton Boggs Ltd for a period of four years. b) Approve the appointment for legal services on an hourly fee quotation, with a £100,000 cap for costs not indemnified and/or funded by third parties. | | |
| | A brief statement of the reasons for the decision (Include any significant financial, procurement, legal or equalities implications, having consulted with Finance, PACS, Legal, HR and Equality colleagues as appropriate) The supporting report sets this out in detail. In summary, to support and deliver the workstreams and priorities at Temple Works in South Bank, external legal services are required to provide advice to the Council on this multi-faceted and complex project on a range of multi-disciplinary areas. It is proposed to grant the contract for legal services for Temple Works directly to Squire Patton Boggs via a waiver of CPRs 8.1 and 8.2 for Intermediate Value Contracts. The reasons are because this firm has provided legal advice relating to the project since January 2016 following a previous competitive procurement tender | | |

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.

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| | <p>process, and is also contracted to continue to provide advice on the wider South Bank and station regeneration work. Continuing to use the Squire Patton Boggs rather than go out to tender again via a wider procurement exercise would provide best value for money due to the underlying knowledge already built up on this complex project, and would also maintain the good working relationships between all parties.</p> |
| | <p>Brief details of any alternative options considered and rejected by the decision maker at the time of making the decision</p> <p>The supporting report sets this out in detail. There is insufficient capacity and resources available within the Council's own legal team to provide the necessary advice within appropriate timescales. To appoint a different legal advisor would be inefficient and more expensive overall as there would be a cost in the time taken for a new advisor to understand the background context and complexities of the project</p> |
| Affected wards: | City and Hunslet |
| Details of consultation undertaken⁴: | Executive Member - None |
| | Ward Councillors - None |
| | <p>Others</p> <p>There has been engagement with and support from the Head of Regeneration, the Regeneration Executive Manager for the South Bank, and the relevant Heads of Service in Legal Services, around the importance of the role of a specialist legal consultant in future work facilitating this regeneration.</p> <p>The South Bank Regeneration Framework (South Bank SPD) was developed by Leeds City Council working in collaboration with landowners, stakeholders and local businesses and has been shaped by extensive public consultation with more than 32,000 individual responses being received.</p> <p>Procurement and legal officers within in Procurement and Commercial Services have been consulted on the approach to this legal services contract, and are supportive.</p> |
| Implementation | <p>Officer accountable, and proposed timescales for implementation</p> <p>Chief Officer, Asset Management and Regeneration</p> <p>Timescale for implementation of the direct award is imminent as soon as the contract has been signed and standstill period undertaken.</p> |
| List of Forthcoming Key Decisions⁵ | Date Added to List:- N/A |
| | <p>If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision</p> <p>N/A</p> |
| | <p>If Special Urgency Relevant Scrutiny Chair(s) approval</p> <p>Signature _____ Date _____</p> |

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

⁵ See Executive and Decision Making Procedure Rule 2.4 - 2.6. Complete this section for key decisions only

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| Publication of report⁶ | 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 ⁷ for call-in? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| | If exempt from call-in , the reason why call-in would prejudice the interests of the council or the public: | | |
| Approval of Decision | Authorised decision maker ⁸ Angela Barnicle, Chief Officer, Asset Management and Regeneration | | |
| | Signature  | Date 10 January 2022 | |

⁶ See Executive and Decision Making Procedure Rule 3.1. Complete this section for key decisions only

⁷ 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.

⁸ Give the post title and name of the officer with appropriate delegated authority to take the decision.