

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:	Rachael Broadbent	Telephone number: 0113 378 7238	
Subject²:	Leeds Flood Alleviation Scheme 2 (LFAS2) – West Yorkshire Combined Authority (WYCA) Funding Agreement, Injection of Additional Funds & Authority to Spend		
Decision details³:	<p>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.)</p> <p>The Chief Officer Highways & Transportation:</p> <ul style="list-style-type: none"> a) gave authority to enter into a funding agreement with the managing authority WYCA; b) authorised an injection and gave authority to spend £12.565m from Business, Energy, and Industrial Strategy (BEIS) funding for works on the LFAS2 capital programme. <p>This decision sits under previous key decisions which were approved in February 2019, March 2021, and May 2022.</p> <hr/> <p>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)</p> <p>With assistance from WYCA, additional funds to cover the cost of inflation have now been allocated to the scheme from Business, Energy, and Industrial Strategy (BEIS) funding. The purpose of this decision is therefore to authorise the injection and give authority to spend a further £12.565m into the LFAS2 capital budget. This</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>decision will not alter the current contract provisions.</p> <p>This injection of funding enables the forthcoming LFAS2 programme of works to continue and to ensure the full scheme progresses to completion. The increased projected scheme cost is a result of hyper-inflation caused by unpredictable world events, as well as the impacts of; Covid, Brexit and Storm Dudley.</p> <p>If the funding is not drawn down this financial year (2022/23) it will no longer be available to the scheme. It is therefore crucial the necessary approvals are put in place swiftly. This has therefore meant that this key decision has not been able to be on the List of Forthcoming Key Decisions for 28 clear days and is to be taken under General Exception otherwise the funding will not be received.</p> <p>Colleagues within LCC Finance and Legal teams have been appropriately consulted as part of this funding process.</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 alternative option is to not accept the additional BEIS funding being facilitated by the WYCA. This would expose the city council to covering the increased costs associated with inflation through the scheme's current funding provision. This option has therefore been rejected.</p>
Affected wards:	None
Details of consultation undertaken⁴:	<p>Executive Member Executive Member for Infrastructure and Climate briefed 27/02/23</p> <p>Ward Councillors</p> <p>Chief Digital and Information Officer⁵</p> <p>Chief Asset Management and Regeneration Officer⁶</p> <p>Others LCC Financial and Legal Services</p>

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

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.

Implementation	Officer accountable, and proposed timescales for implementation	
List of Forthcoming Key Decisions⁷	Date Added to List:- 28/02/23	
	If Special Urgency or General Exception a brief statement of the reason why it is impracticable to delay the decision In accordance with section 2.5 of the Executive and Decision Making Procedure Rules, this decision is being made under General Exception provisions. This is due to the time sensitive nature of the decision. If the decision were to be made in accordance with standard Key Decision rules (which require 28 clear calendar days between publication in the List of Forthcoming Key Decisions and the decision being taken), this would mean that the terms of the funding agreement would not be met and the opportunity to inject the funds into the capital programme before the end of the 2022/23 financial year would be missed. If the funding is not drawn down this financial year it will no longer be available to the scheme. This would then expose the city council to covering the increased costs associated with inflation through the scheme's current funding provision.	
	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:	
Approval of Decision	Authorised decision maker ¹⁰ Gary Bartlett – Chief Officer Highways & Transportation	
	Signature 	Date 3 March 2023

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.

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