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<b>Decision maker:</b>	<b>Chief finance officer</b>
<b>Decision date:</b>	<b>17 May 2017</b>
<b>Title of report:</b>	<b>Appointment of property consultants from Crown Commercial Services Estates Professional Services framework contract</b>
<b>Report by:</b>	<b>Development manager</b>

## **Classification**

### **Open report with Exempt appendix**

Appendix 2 is exempt by virtue of paragraph 3 'Information relating to the financial or business affairs of any particular person (including the authority holding that information)' of the Access to Information Procedure Rules set out in the constitution pursuant to Schedule 12A Local Government Act 1972, as amended.

Notice has been served in accordance with Part 2, Section 5 (Procedures Prior to Private Meetings) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (Regulations) 2012.

## **Key decision**

This is not a key decision.

## **Wards affected**

Countywide

## **Purpose**

To approve the direct award of consultants Montagu Evans from the Crown Commercial Services Estates Professional Services framework contract to provide advice to the council in relation to strategic property asset.

## **Recommendation**

**THAT:**

**(a) Montagu Evans be appointed from the Crown Commercial Services Estates**

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Further information on the subject of this report is available from  
Ian Higgs, development manager on Tel (01432) 261569

**Professional Services framework to provide advice on a potential strategic property asset at a cost of not more than £20k.**

## **Alternative options**

- 1 Procure agents in accordance with council's procurement procedure which will incur staff resources and delay the appointment.

## **Reasons for recommendations**

- 2 The council has been made aware of the imminent sale of a significant property asset and it wants to obtain independent expert advice on the potential benefits and risks that could be achieved if the council were to purchase.
- 3 If such advice is not obtained now then there is the risk that other potential purchasers will be able to move faster than the council should the property come to market and the opportunity will be lost.
- 4 By using the Crown Commercial Services Estates framework we have the ability to use consultants with the relevant local, regional and national expertise at a cost that has been competitively tested through a public procurement process.

## **Key considerations**

- 5 As a result of the reducing central government funding the council is having to look at alternative ways of generating income and the purchase of property is one such option.
- 6 Following the recent launch of the councils Economic Vision the council has set out a number of key strategic opportunities and is keen that where new opportunities are present that they are fully explored. This is one such opportunity and if it is to be progressed the council needs to fully understand what the risks and rewards are. The nature of this requires specialist advice.
- 7 The Crown Commercial Services Estate Management Framework (RM928) was identified as an appropriate route to market for the procurement of these specialist services. The direct award procedure was followed, whereby the services and rates of the 10 suppliers on the framework agreement were compared and Montagu Evans were identified as the supplier which was best able to meet the council's requirements from both a quality and cost perspective.

## **Community impact**

- 8 Ensuring relevant professional advice is available to inform decision makers in a timely way ensures that the council can achieve its corporate plan priority to secure better services, quality of life and value for money.

## Equality duty

9 Under Section 149, the "General Duty" on public authorities is set out thus:

"A public authority must, in the exercise of its functions, have due regard to the need to -

eliminate discrimination, harassment, victimisation and any other conduct ... prohibited by or under this Act;

advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

foster good relations between persons who share a relevant protected characteristic and persons who do not share it."

The appointment will be made under the Crown Commercial Services Estates Professional Services framework contract which requires the provider to comply with councils and governments procedures and policies on equality and diversity.

## Financial implications

10 The cost of the consultancy will be no more than £20k and will be funded from the development partnership revenue budget.

11 The consultant's report will provide expert opinion on any potential investment opportunities for the specified site. Should the investment and/or development potential be positive, the report will inform the development of a business case submission through the council's capital programme process.

## Legal implications

12 In accordance with the contract procedure rules 4.1.15.6 all the contractors on the Framework that are capable of meeting the specification must be allowed to submit a bid against that specification and the award of contract must be on the basis of the criteria for the Framework as set out in the Framework agreement itself, that is, within the original tender documentation setting up the Framework. Paragraph 7 above confirms that our contract procured rules were complied with.

13 The terms of the contract will be those contained in the call off contract and cannot be varied.

## Risk management

14 This report is required at the earliest opportunity in order that the council is prepared to respond should the property come onto the market. Depending on the report conclusions a further report may follow for approval to purchase. Failure to prepare may result in the council not being in a position to respond and lose out on the chance to make a commercial investment.

## Consultees

15 None.

## **Appendices**

Appendix 1 – Fee proposal.

Appendix 2 – Exempt by virtue of paragraph 3 *'Information relating to the financial or business affairs of any particular person (including the authority holding that information)'*

## **Background papers**

- None identified.