



RECORD OF CABINET PORTFOLIO HOLDER DECISION

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Decision Ref. No.	PH031
Decision made by	Portfolio Holder for Growth & Prosperity (& Deputy Leader)
Decision Title	Restoring your Railways – Award of Contract for Strategic Outline Business Case
Key decision? <ul style="list-style-type: none">• Expenditure/savings/income over £50K and/or• significant impact 2 or more wards	Yes
Date of decision (same as date form signed)	26 March 2021
Name and job title of Officer requesting the decision	Sarah Legge, Local Plans Manager
Officer contact details	Sarah Legge, Local Plans Manager 01664 502380 / slegge@melton.gov.uk
Decision	Authority to award a 12 month contract to WSP (UK); To delegate authority to the Director for Growth and Regeneration to enter into a contract with WSP (UK) to produce a Strategic Outline Business Case supporting the Council's successful bid to the Restoring Your Railways Ideas Fund through Department for Transport. The SOBC will set out the case for improved connectivity between Melton Mowbray and Nottingham.
Background	The Council was successful in achieving match funding from the LLEP in 2019 to procure a Connectivity Study to research how connectivity between Melton Mowbray and Nottingham could be enhanced. WSP successfully completed that work in 2020, outlining that the best performing option would be to further explore the utilisation (and improvement) of the Syston Chord for passenger transport which would allow trains from Melton to turn north onto the Midland Mainline, resulting in a direct service between Melton and Nottingham. To support the Council's Corporate Strategy Priority 3 (Delivering sustainable and inclusive growth in Melton) a bid was made to the Department for Transport (DfT) Restoring

	<p>Your Railways Ideas Fund by the local elected Member of Parliament for Rutland and Melton, Alicia Kearns.</p> <p>In late 2020, Melton Borough Council was advised that the bid had been successful, and were to be awarded up to £50k (or maximum 75%) of the cost of producing a Strategic Outline Business Case (SOBC) to support improved connectivity between Melton and Nottingham.</p> <p>In terms of funding, Melton Borough Council has committed £15k to the project, which has also been supported by the MP for Charnwood. Consequently, Charnwood Borough Council have also committed £15k to the project. Therefore, the total budget is a maximum of £80k.</p> <p>An initial project workshop was held in January 2021 which outlined the timeframe for the submission of the SOBC, to be completed in June/July 2021. The SOBC is a relatively complex piece of work, which will produce evidence as to the ability for the service to run, including line, junction and platform capacity along the route. It will also investigate the social, economic and environmental components to support the proposal alongside the technical requirements.</p>
<p>Reason for Decision/Main Considerations</p>	<p>In order to create a SOBC that meets the DfT standards and to allow the scheme to compete on a level playing field in order to lever in future investment, a specialist consultant is required to undertake the work. The Council does not have the expertise or ability to create the SOBC that is required, which is a specialised rail strategic outline business case. A number of transport consultants across the country have the relevant expertise, and the grant funding from DfT is sufficient to allow the Council to procure the specialist consultants required to undertake the work.</p> <p>Given the demanding deadlines given by DfT at the outset of the project, WSP were contacted to undertake initial project scoping and project management, which were outside of the Council's skillset. As stated above, WSP authored the Connectivity Study on which the bid was founded, therefore were best placed to progress the work at the pace required of DfT.</p> <p>An initial contract for £7500 was signed for a period of around 2 months to scope the SOBC and project manage the required workshops, meetings and documentation to ensure that we could meet the initial DfT deadlines. Monthly submissions are made to DfT to monitor progress via a dashboard, with all projects that are within this round of funding being actively monitored and compared against each other. A first 'stock check' is to take place in April 2021, prior to the submission of the actual SOBC in June / July 2021.</p> <p>This initial project management and scoping work has now come to an end, and WSP have provided the scope required</p>

for the SOBC and a quotation for them to undertake the work.

Main Considerations

As the work is in excess of £10k, procurement processes would state that the Council should go out to tender for the work. However, given that we now only have 3 months to complete the work, the RFQ process alone would likely take us beyond the date for the submission of the final SOBC to DfT.

It is therefore proposed, given the in-depth, specialist involvement that WSP have had in the project to date, and the challenging time constraints imposed by DfT that the contract is awarded to WSP to undertake the creation of the full SOBC and submission to DfT.

Additionally, WSP have quoted for the work at a rate below that which is quoted on the ESPO Framework, further highlighting the value for money in directly awarding the contract to them.

Alternative options rejected

Officers have investigated a number of options for the procurement of the work, as a number of companies would be able to provide this type of work for the Council to the specification as requested by DfT.

Framework Procurement

Existing Frameworks which the Council has access to (CCS, Pagabo, NEPO) do not allow for direct award, so would not sufficiently accelerate the procurement process, only easing the contract / legal work once a contractor is procured.

Officers completed paperwork to allow access to the ESPO Framework as it allows direct award. There are many companies on that Framework who could undertake the work. Upon close inspection, other companies appear to be able to offer a lower daily / hourly rate than WSP, however it is apparent that they would need to undertake a large amount of work (therefore incurring significant costs) to get 'up to speed' with the project and the amount of background work that has been undertaken to date. The Framework does not allow for this nuance in terms of prior knowledge, and it is therefore very difficult to undertake an accurate comparison between companies on the Framework on a solely hourly/daily rate basis. If there was no previous history, a simple comparison of day / hourly rates would be considered appropriate, however it is not considered appropriate in this circumstance for this reason.

Previously, the Melton to Nottingham Connectivity Study was procured through the County Council's LLITM Framework. Whilst this allowed for quick procurement, the costs were high which impacted on value for money. Additionally, it is

	<p>considered appropriate for procurement to be undertaken separately from the County Council on this occasion.</p> <p>Tender/RFQ</p> <p>As explained above, the time constraints on the completion of this work are so significant that there is no time to be able to undertake a formal RFQ for quotations to undertake the work. We could not run a tender until we knew what the SOBC would need to contain, and that work has only now been completed. DfT require that that SOBC is submitted in June/July 2021. Even if a tender was set up today, it is unlikely that we would have consultants in place before the work is required to be completed.</p>			
<p>Legal implications</p> <p>Officer/Date provided:</p>	<p>The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).</p> <p>The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations. The Contract Procedure Rules provide exemptions but the exemptions listed do not apply to procurements valued above the relevant EU Threshold.</p> <p>An exemptions ref CEX113 has been approved by the Director for Corporate Services and the Assistant Director for Governance & Democracy.</p>			
<p>Financial implications</p> <p>Officer/Date provided:</p>	<p>The Council has agreed funding of £15k towards this project, alongside that which has been agreed by Charnwood Borough Council. The Council will shortly be entering into the Grant Agreement with DfT. There are no further financial implications for the Council.</p>			
<p>Other implications</p>	<p>Delay to the procurement process would likely impact on the Council's reputation with DfT, and with its elected MP, Alicia Kearns. Therefore, for the reasons as set out above, this procurement is considered to represent the best, most cost effective means of achieving the SOBC required.</p>			
<p>Background papers considered</p>	<p>None.</p>			
<p>List consultees (Where applicable)</p>		<p>Name</p>	<p>Outcome</p>	<p>Date</p>
	<p>Ward Councillors</p>	<p>N/A</p>		
	<p>Human Resources</p>	<p>N/A</p>		
	<p>Equalities</p>	<p>N/A</p>		
	<p>Communications</p>	<p>N/A</p>		
<p>Confidential Decision? (The decision will be published in its entirety unless it contains exempt information as described in Section 1.4 of the Council's Access to Information Rules)</p>	<p>N/A</p>			

Call In Waived by Scrutiny Committee Chair? (Under urgency Procedures) Where urgency procedures used please provide approved urgency notice	N/A
Has this been discussed by Cabinet Members?	Yes
Cabinet Portfolio Holder Signature	By email – Portfolio Holder for Growth and Prosperity (Cllr Leigh Higgins) 26.03.21
Declarations/conflict of interest?	

ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.

FOR DEMOCRATIC SERVICES USE ONLY		
Form Received	26 March 2021	
Date published to all Councillors	29 March 2021	
Call In Deadline	1 April 2021	