



OFFICER DECISION NOTICE (ODN)/MAYORAL DECISION NOTICE (MDN) FORM

**NOTE: Please read process sequence on page 6 before completing this form.
Please hover over the text box for instructions on completion.**

1. Officer Decision or Mayoral Decision No.	ODN265-2021
2. Decision Title	Extension and novation of skills brokerage contract for the month of February
3. Name of Officer/Mayor making the decision	John T Hill
4. Date of decision	Click or tap to enter a date.
5. Responsible Director, if applicable. Please leave blank if this is a decision to be made by the Mayor.	John T Hill
6. Form author and contact details:	Fliss Miller Felicity.miller@cambridgeshirepeterborough-ca.gov.uk
7. Does your form include exempt or confidential information?	No All completed forms will be published on the CA website. NOTE: Put any confidential/exempt information as an appendix and state this is not for publication. Include the exemption category on the appendix. Please note that it is the responsibility of the Monitoring Officer to determine whether information is exempt or confidential.
8. Is it a key decision?	No If YES, please complete Question 9.
9. KEY DECISIONS ONLY	Section 9 only needs to be completed if the decision is a key decision.
Insert forward plan ref number	N/A



Date of decision	N/A
Date report published on the website	N/A
Implementation Date	N/A
Does the report have an annex that contains exempt information?	No

10. Description of decision/proposal Please consult with Legal prior to completing this section.	To extend the current novated OP contract with Gareth Preece Consulting Ltd up to the end of February 2021 To set a maximum budget of £20,000
11. Authorisation Please consult with Legal Team prior to completing this section.	This decision has been taken under: 1. CPCA Constitution Page 154, Chapter 17, Officer Scheme of Delegation and Proper Officers Para. 3.5; Page 149, Chapter 16, Contract Procedure Rules Para. 46.2 (e) "The additional value of the extension or variation is not a material change, the need was unforeseeable, there is a proprietary right or there is urgency, and the change does not exceed more than 50% of the original advertised value (Monitoring Officer)." OR 2. For delegated decisions, please reference the delegation given including meeting date and minute reference. Click or tap here to enter text.




12. Background Information	<p>The CPCA held a contract with Opportunity Peterborough for 4 years, and as part of the business growth service procurement novated the contract to the new subconsultant in advance of the award to the prime. The BGS contract has been delayed and therefore an extension to the novated contract is sought for up to a month to ensure we comply with TUPE obligations.</p> <ul style="list-style-type: none">• The existing novation expires on the 31st January.• The new contract will end once the BGS contract is signed
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<p>13. Alternative options considered.</p>	<p>List alternative options considered and rejected including the reason for rejection. NOTE: Do not leave this section blank or put 'None'. There is always an alternative even if it is to do nothing.</p> <ol style="list-style-type: none"> 1. Do nothing – this could result in 4 members of staff being made redundant which could create a liability back to the CPCA. 2. Re-procure on the open market – insufficient time and ultimately the contract will become part of the new business growth service contract. 3. Not extend, but rather award a contract directly with the new supplier who is part of the business growth service contract – advised by PM that for time and simplicity we should adopt the recommended option as this form of contract has already been agreed by both parties, and there is insufficient time to negotiate something different. 	
<p>14. Financial Implications</p>	<p>This extension will cost a maximum of £20,000 which is approximately one months' salary for the staff involved. Whilst this will initially have to be funded from the CPCA MTFP, once the Peterborough and Cambridgeshire Business Growth Company is in contract with the delivery partner for the service, the money will be recharged, thereby having a net nil impact on the CPCA budget.</p>	
<p>15. Comments from Finance Team</p>	<p>Whilst the CPCA will have to initially cashflow this extension, this will only be for a maximum of one month, as the costs will be recharged to the Growth Company as mentioned above. There is a possibility that the costs will be lower than this depending on the speed of the novation, hence the maximum costs are shown. Additionally, 1.5 FTE of the staff will be partially funded by the CEC contract, and 1 FTE will be funded by the Inward Investment budget line, thereby bringing the costs even lower. Once the contract/extension has been novated, true costs will be analysed and applied to the relevant budget lines.</p>	
<p>16. Comments from Legal Team</p>	<p>This lawful extension to the contract shall be drafted by CPCA's external lawyers, Pinsent Masons and shall be checked as fit for purpose by CPCA Legal Services.</p>	
<p>17. Consultation</p> <p>Please retain emails to show the relevant officers have approved the decision/proposal.</p>		<p><i>Please insert the name of consultee and date of written approval or insert N/A</i></p>
	<p><i>Chief Executive</i></p>	<p>N/A</p>
	<p><i>Responsible Director/Chief Officer</i></p>	
	<p><i>Monitoring Officer</i></p>	<p>R Parkin 29.01.21</p>
	<p><i>S73</i></p>	<p>J Alsop 29.01.21</p>
	<p><i>Portfolio Holder</i></p>	
	<p><i>Finance Manager</i></p>	<p>Vanessa Ainsworth, 28/01/2021</p>
	<p><i>Lawyer</i></p>	<p>David Cox, 29/01/2021</p>
<p>18. Declarations/Conflicts of Interests (only if the decision falls under the 'Express authorisation' category)</p>	<p>Click or tap here to enter text.</p>	



19. Supporting documentation - please include any relevant reports	Click or tap here to enter text. <i>NOTE - all of this information must be retained for public inspection for a period of at least 4 years – there is no provision for the release of exempt/confidential information).</i>	
20. Officer/Mayor signature	Signature:  Name: John T Hill	Date 01.0 2.21 Click or tap to enter a date.
21. Please send the completed, signed form to Sue Hall. The Decision will be recorded on the Decision Notice Register and published on the website.		



Officer or Mayoral Decision Notice

Where an officer or the Mayor makes a decision, including under specific delegation from a meeting of a decision-making body, the effect of which is

- (a) to grant a permission or licence,
- (b) to affect the rights of an individual; or
- (c) to award a contract or incur expenditure, the decision-making officer must produce a written record of the decision as soon as reasonably practicable after the decision has been made.

Key Decisions

1. A “key decision” means a decision, which in the view of the Overview and Scrutiny Committee is likely to:
 - (a) result in the Combined Authority **spending** or saving a significant amount, compared with the budget for the service or function the decision relates to;
 - or (b) have a significant effect on communities living or working in an area made up of two or more wards or electoral divisions in the area.
2. When assessing whether or not a decision is a key decision, Members must consider all the circumstances of the case. However, a decision which results in a significant amount spent or saved will not generally be considered to be a key decision if that amount is less than **£500,000**.
3. A key decision which is considered to have a ‘significant’ effect on communities should usually be of a strategic rather than operational nature and have an outcome which will have an effect upon a significant number of people living or working in the area and impact upon:
 - (a) the amenity of the community or;
 - (b) quality of service provided by the Authority
4. Subject as below, a key decision may not be taken by the decision maker unless: (a) it is in the Forward Plan on the Combined Authority’s website; (b) at least 28 clear days’ notice has been given, or if this is impracticable, the decision has complied with the provisions set out in paragraph 12 or 13 below as they may apply; and (c) notice of the meeting has been given in accordance with these rules.

The process sequence below will assist you to complete this form

Process Sequence

All questions on the form must be completed.

1. Email Sue Hall for ODN/MDN number. Please include a description of the decision in your email to Sue. Sue will then email you an ODN number.
2. Please complete questions 1 to 9 on the form. Only complete question 9 if the decision is a key decision.
3. Speak to the Legal team prior to completing questions 10 and 11.
4. Complete questions 12 and 13.
5. Complete question 14, speaking to the finance team first, if you are unsure. Send the form to the finance team who will complete question 15.
6. Send form to the legal team (legal officer who is assisting you) to complete question 16.
7. Please complete question 17, as applicable with the relevant consultees. This is the person/s who approved of the decision and will always include the s73 Officer and the Monitoring Officer. You must insert their name and the date which written approval was received. All emails showing approvals by relevant officers need to be kept and stored in the folder with the ODN. Please send these to Sue Hall. If a contract exists, a copy needs to be attached to the ODN. Please insert N/A for consultees that are not applicable to the decision.
8. Complete Q18 and Q19. Supporting documents will include contracts, reports, approval emails, links to CA Board or Committee Reports etc.
9. Q20 When the decision notice is complete, it must be signed off by the correct authorised person.
10. The completed signed form must be sent to Sue Hall.