

DECISION NOTICE - OFFICER/ MAYORAL

To grant a permission or a licence, affect the rights of individuals, to award a contract or incur expenditure over £250k, to amend budgets, or apply a Key Decision over £500k.

DECISION INFORMATION – to be completed by Project Owner for all Decisions		
1. DECISION TITLE	Leases of 72 and 74 Market Street, Ely	
2. DECISION No.	ODN333-2021	
3. DECISION DATE	26/11/2021	
4. FORM AUTHOR	Name: Joanna Peek Email: Joanna.peek@cambridgeshirepeterborough-ca.gov.uk	
5. DESCRIPTION OF DECISION	To execute leases for 72 & 74 Market Street Ely between East Cambridgeshire District Council (ECDC) and the Combined Authority for a term ending on 31 December 2021 at a rent of £34,975 pa and £15,000 pa respectively. To seek retrospective consent for the installation of a shower within the premises.	
6. AUTHORITY FOR DECISION	Chief Executive – General – Chapter 17, Paragraph 4.12	
7. DECISION TYPE	Chief Officer	
8. DECISION OWNER	Chief Executive	
9. KEY DECISION INFORMATION (only complete where implementing the delegated authority of a Key Decision)	FORWARD PLAN DATE	Xx/xx/xxxx
	FORWARD PLAN NUMBER	xxx
	DATE OF DECISION	Xx/xx/xxxx
	DATE REPORT PUBLISHED	Xx/xx/xxxxx
	APPROVAL HYPERLINK	https//
	IMPLEMENTATION DATE	Xx/xx/xxxx
	EXEMPT INFO/ ANNEX	e.g. personal data, commercially sensitive data
DECISION OVERVIEW – to be completed by Project Owner for all Decisions		
10. SUMMARY OF REQUIREMENTS	A decision to:- a) agree and execute the leases for 72 and 74 Market Street. b) agree the installation of a shower and for a retrospective consent for alterations.	

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11. PROJECT BACKGROUND	<p>The CPCA are in occupation of the offices at Market Street, Ely. The premises are owned by East Cambridgeshire District Council and their Legal team have prepared the leases. The leases for the premises have to date not been completed and so by completing the leases this will regularise the Combined Authority's occupation of the premises. The proposed terms for the leases are as follows:</p> <p><u>72 Market St</u></p> <p>Term - 14/05/2018 – 31/12/2021 Rent - £34,975 pa Other - includes 1 hour cleaning per weekday and 3 car parking spaces.</p> <p><u>74 Market St</u></p> <p>Term - 01/12/2019 – 31/12 2021 Rent – £15,000 pa</p>	
12. FINANCE INFORMATION	VALUE OF DECISION	£49,975p.a. + £10,155 p.a. business rates (est) + £3,300 shower installation
	BUDGET CODE(S)	CX0014
	BUDGET DESCRIPTION(S)	Mayor's Office Accommodation
	FUNDING TYPE	REVENUE
	FUNDING APPROVAL	27 th January 2021 – approved by the Combined Authority Board as part of the Mayor's budget
	FUNDS AVAILABLE	c. £77k p.a. for total Mayor's Office Accommodation Costs
	OTHER COMMENTS	<p>The ongoing costs of the Mayor's office have been met within budget in prior years.</p> <p>Beyond this, given the possibility of a contribution from the Combined Authority's accommodation budget, in recognition that the office has been used for non-Mayoral functions since the Combined Authority vacated their Alconbury premise in 2020, it is likely that there is sufficient budget available to meet these costs.</p>
13. PROCUREMENT CONSIDERATIONS	DIRECT AWARD JUSTIFICATION	n/a
	REGULATION RISKS	n/a

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	VFM JUSTIFICATION	n/a
14. LEGAL CONSIDERATIONS	LEGAL RISKS	<p>If the leases do not complete then the Combined Authority has no express terms under which they are occupying the premises. The leases will be excluded from security of the Landlord and Tenant Act 1954 which means there will be no automatic right for the Combined Authority to have a new lease nor remain in occupation at the end of the term.</p> <p>The works carried out to the premises have not been carried out with the consent of ECDC. If consent is not obtained then ECDC could require the Combined Authority to reinstate the premises to its original condition. Even if consent is obtained ECDC may still require the premises to be reinstated at the end of the term of the lease.</p>
	CONTRACT/ GRANT INFORMATION	n/a
15. CONFLICTS OF INTEREST/ MITIGATION	n/a	
16. SUPPORTING DOCUMENTATION	n/a	
17. CONFIDENTIAL INFORMATION	n/a	
DECISION APPROVAL/ CONSULTATION- to be completed by consulted officers for all Decisions		
PROCUREMENT	NAME	Henry Okelieh
	DATE	19/11/2021
	COMMENT	No reservations, happy to progress this request.
FINANCE	NAME	Robert Emery
	DATE	19/11/2021

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	COMMENT	There should be sufficient budget available to meet the costs of the lease.
LEGAL	NAME	Joanna Peek
	DATE	19 November 2021
	COMMENT	The Leases have been reviewed and approved by legal
CHIEF OFFICER/ DIRECTOR	NAME	Robert Parkin
	DATE	25.11.21
	COMMENT	
OVERALL APPROVAL		
DECISION MAKER	NAME	Eileen Milner
	DATE	26/11/2021
	COMMENT	Approved 

**Please ensure all red guidance notes are removed before final sign off and adding to the ODN/
Contract Register**

TO BE COMPLETED BY LEGAL/ PROCUREMENT POST APPROVAL

ACTION	DATE	COMPLETED BY
Reported to board		
Published on Website		
Contract award notice published on contracts finder		
Contract award notice published FTS		
Notification to Framework Owner		

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Decision added to Decision Register		
Contract signed		
Contract added to Contract Register		

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

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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.