



CABINET - 23 MARCH 2021

EXCEPTION TO CONTRACT PROCEDURE RULES - URGENT ACTION TAKEN BY THE CHIEF EXECUTIVE IN RELATION TO THE GREEN HOMES GRANT LOCAL AUTHORITY DELIVERY SCHEME

REPORT OF THE DIRECTOR OF PUBLIC HEALTH

PART A

Purpose of the Report

1. The purpose of this report is to advise the Cabinet of urgent action taken by the Chief Executive to agree an exception to the Council's Contract Procedure Rules which will enable the direct appointment of E.ON as the Council's partner in the delivery of Phase 1B Green Homes Grant Local Authority Delivery Scheme.
2. The Council currently works with E.ON to deliver the Warm Homes Fund project. The Council has been successful in an application to the Department for Business, Energy and Industrial Strategy (BEIS) for £2.9m funding from the Green Homes Grant Local Authority Delivery Scheme and this will complement existing activity.

Recommendations

3. It is recommended that the Cabinet notes the urgent action taken by the Chief Executive to agree an exception to the Contract Procedure Rules to enable the appointment of E.ON to deliver the Phase 1B Green Homes Grant Local Authority Delivery Scheme.

Reasons for Recommendation

4. The Council's Constitution (Contract Procedure Rule 6 (b)) provides that exceptions to the Contract Procedure Rules may be made by the Cabinet where it is satisfied that an exception is justified on its merits and that in urgent cases the Chief Executive (after consultation with the Leader or Deputy Leader save where this is not practicable) may direct that an exception be made subject to this being reported to the next meeting of the Cabinet.
5. The direct award of a contract to E.ON was required to enable the project to progress and for Leicestershire to benefit from the £2.9m funding.

Timetable for Decisions (including Scrutiny)

6. The Chief Executive agreed the exception on 25 February in order for the necessary documentation to be submitted to the Department for Business, Energy and Industrial Strategy by its deadline of 26 February.
7. The Council intends to use existing structures to deliver the Green Homes Grant Local Authority Delivery Scheme by September 2021.

Policy Framework and Previous Decisions

8. The Cabinet in December 2019 agreed an exception to Contract Procedure Rules to enable the Council to enter into a contract with E.ON to deliver the Warm Homes Fund project.

Resource Implications

9. There are no resources implications arising from the recommendation in this report.
10. No funding from the Council is required towards the costs of the work to be carried out under the BEIS grant.
11. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

Circulation under the Local Issues Alert Procedure

12. None.

Officers to Contact

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PART B

Background

13. The Council made an application to the Department for Business, Energy and Industrial Strategy (BEIS) in December 2020 for funding to improve the energy efficiency of low-income households in Leicestershire.
14. Due to the tight deadlines to assemble the bid and with the aim that the funding would add to the existing projects, it was intended that an exception to Contract Procedure Rules would be requested to make a direct award to the Council's existing Warm Homes Fund delivery partner E.ON. Alternative procurement routes were deemed unviable given the timescales, service capacity, and the level of information required to make a sufficiently detailed and compelling bid.
15. The BEIS confirmed the award of £2.9m grant funding at the end of January subject to the necessary documentation being submitted by 26 February. As the Cabinet was not due to meet until 23 March it was necessary to request the Chief Executive to take urgent action to agree the exception to Contract Procedure Rules to secure the funding.
16. The Council currently acts as accountable body for the delivery of the Warm Homes Fund in partnership with E.ON and the project is overseen by the Council and a partnership including the district councils, E.ON, and Age UK Leicester, Shire and Rutland.
17. The BEIS grant funding will complement existing activity and extend the Warm Homes Fund offer, providing significant improvements for low-income households through physical improvements to the home as well as financial and behavioural advice.
18. It is intended that E.ON and the Council will oversee the delivery of the BEIS funding. Detailed arrangements will be subject to further discussions to finalise the terms of E.ON's appointment.

Equality and Human Rights Implications

19. There are no equality or human rights implications arising from the recommendations in this report

Background Papers

None.

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