

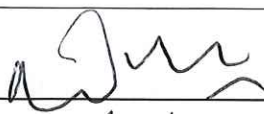
Record of individual Cabinet member decision

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

Decision made by	David Rouane
Key decision?	Yes
Date of decision (same as date form signed)	08/11/19
Name and job title of officer requesting the decision	William Piotrowski Senior Flood Risk Engineer
Officer contact details	Tel: 01235 422679 Email: William.piotrowski@southandvale.gov.uk
Decision	<p>(a) To transfer £40,000 from the provisional capital programme (Flood Defence No. 281) to the approved budget No. A143 Flood Alleviation.</p> <p>(b) To begin an open tender procurement process to identify a suitable contractor to install a flood alleviation channel at Langley Field Farm, Chalgrove (providing all legal agreements are secured to carry out the work on third party land)</p> <p>(c) To agree that the decision to accept the tender will be taken by the Cabinet member for housing and environment through an Individual Cabinet Member Decision.</p>
Reasons for decision	<p>To provide budget to carry out the construction of a flood alleviation channel at Mill Lane, Chalgrove which will allow officers to start the tender process.</p> <p>To procure a contract for the construction of a flood alleviation channel and to obtain authorisation to begin procurement process.</p>
Alternative options rejected	<p>Do Nothing – this has been rejected as the houses along Mill Lane as shown on the plan attached as appendix A would still be at risk of flooding</p> <p>Upgrade drainage within Mill Lane – upsizing of the drainage culvert along Mill Lane was rejected due to a combination of existing levels and utility crossings which would make the</p>

	<p>construction difficult and costly.</p> <p>Upstream attenuation – an area of land previous considered for attenuation was proved too small to be of any significant benefit. Any larger areas of land upstream of the village have not been favoured for such purposes by landowners who would be unwilling to sell/lease the land for flood attenuation purposes.</p>
Legal implications	<p>Planning permission has been granted for the proposed flood alleviation channel, reference P18/S3087/FUL.</p> <p>A legal agreement/easement for the construction, inspection and maintenance of the flood alleviation channel will be required from the landowner. This may have financial and time implications and at present this is an unknown. Therefore the procurement process will only start once all legal agreements are in place.</p> <p>Following the securing of the essential easement and the procurement process, a suitable form of works contract would be entered into with the selected provider to address risk and liabilities of the parties.</p> <p>Contracting and development always carries legal risk and legal documents cannot mitigate all of those risks because they need to balance the position of both parties.</p>
Financial implications	<p>Officers estimate the total cost of the project at £90,000. This project is to be delivered through partnership funding. £35,000 has been secured from Oxfordshire County Council (OCC) and a further £40,000 has been committed from the Environment Agency (EA) via Flood and Coastal Risk Management Grant in Aid. South Oxfordshire District Council will need to contribute approximately £15,000 from the approved capital programme for flood alleviation work.</p> <p>There is £40,000 in the provisional programme which officers request to be transferred to the approved budget. The £40,000 can be claimed back from the EA once the works are complete.</p> <p>Ongoing maintenance costs are deemed to be negligible. Visual inspections annually and after flood events will be undertaken under the normal workload of the engineering team.</p>
Other implications	<p>The tender process to procure a contractor will not commence until all relevant easements and necessary property/legal agreements have been agreed and signed off.</p> <p>The proposed procurement process will be managed in-house through an open tender process advertised via the South East Business Portal. Our in-house engineers will act</p>

	<p>as technical consultants ensuring the project is properly managed.</p> <p>The evaluation of tenders will be undertaken against published criteria (60 percent cost and 40 percent quality) set by a panel including council engineers, technical, procurement and legal staff. Officers will prepare an Independent Cabinet Member Decision (provided that quotations are within budget), to award the contract which will include an evaluation of the tenders received.</p> <p>The decision to award the contract will be taken by the cabinet member responsible for Housing and Environment (with formal advice from the head of legal and democratic service) as long as the tendered price is within budget.</p> <p>Subject to easements being agreed it is anticipated that the procurement process will be completed by Christmas 2019, with construction due to start January 2020 weather permitting.</p>			
Background papers considered	None			
Declarations/conflict of interest? Declaration of other councillor/officer consulted by the Cabinet member?				
List consultees		Name	Outcome	Date
	Ward councillor	David Turner	Agreed	25 Oct 19
	Legal	Deidre Smith	Agreed	14 Oct 19
	Finance	Emma Creed	Agreed	17 Oct 19
	Procurement	Angela Cox	Agreed	30 Sept 19
	Sustainability	Heather Saunders	Agreed	16 Oct 19
	Diversity and equality	No Response		
	Communications	Lucy Billen	Agreed	11 Oct 19
	Senior Management Team	Andrew Down	Agreed	06 Nov 19
Confidential decision? If so, under which exempt category?				
Call-in waived by Scrutiny Committee chairman?				

Has this been discussed by Cabinet members?	Discussed at cabinet briefing 08/11/19
Cabinet portfolio holder's signature To confirm the decision as set out in this notice.	Signature  Date <u>8/11/19</u>

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

For Democratic Services office use only		
Form received	Date: <u>8 - 11 - 19</u>	Time: <u>14:00</u>
Date published to all councillors	Date: <u>8 - 11 - 19</u>	
Call-in deadline	Date: <u>15 - 11 - 19</u>	Time: <u>17:00</u>

Appendix A – Works Layout

