

Three Rivers District Council

Leisure and Natural Infrastructure Contracts and Funding Agreements - Committee Report

Date: June and July 2024

**POLICY AND RESOURCES COMMITTEE
(10 JUNE 2024)**

**FULL COUNCIL
(9 JULY 2024)**

PART I and PART II (Appendix B)

**Leisure and Natural Infrastructure Contracts and Funding Agreements 2024
(Associate Director for Customer and Community)**

1 Summary

- 1.1 The report seeks approval to award and enter into a number of contracts and enter into funding agreements for the financial year 2024/25 for Leisure and Natural Infrastructure.
- 1.2 Appendix B is PART II because it deals with confidential information in relation to funding agreements and the award of contracts.

2 Details

- 2.1 To enable Officers to deliver a number of Council agreed projects and/or enter into funding agreements necessary for those projects to progress, they need access to a range of services, products and specialists within the Leisure and Natural Environment field.
- 2.2 All services, products and specialists are procured by the Council, following the Council's Contracts Procedure Rules and Procurement Strategy.
- 2.3 In addition, Officers will continue to submit funding applications to a range of organisations in order to secure finance for these projects, including, but not limited to the National Lottery Heritage Fund. No contracts will be entered into unless there is sufficient, approved, budget in place for them.
- 2.4 Officers have identified a number of projects and potential funding agreements that will need to be entered into during the 2024/25 financial year (Appendix A). Approval is required from the, Policy and Resources Committee and Full Council for these contracts to be formally awarded.

3 Options and Reasons for Recommendations

- 3.1 To recommend approval and delegated authority to award the contracts and enter into funding agreements for the various products, services and specialists as identified within Appendix A and Appendix B (PART II).

4 Policy/Budget Reference and Implications

- 4.1 The recommendations in this report are within the Council's agreed budgets.

4.2 The recommendations support the implementation of the various projects to deliver against approved actions in service plans including through securing of additional, external funding.

4.3 The recommendations in this report relate to and support the achievement of the following objectives within the Corporate Framework 2023 – 2026:

- Expand our position as a great place to do business
- Support and enable sustainable communities

5 Financial Implications

5.1 Within Appendix A, the funding source for each project is identified, whether it be Council funded or funded from external sources. Contracts for projects will only be awarded subject to securing funding and entering into agreements to deliver those projects.

5.2 Council funded projects are already approved as part of the Medium-Term Financial Plan, Annual Budget and Service Plans.

6 Legal Implications

6.1 Under the Council Constitution, Committee approval is required to enter into any contracts above the value of £25,000.

6.2 All proposed contracts for goods, services and works to be procured and completed in accordance with the Council's constitution and Contracts Procedure Rules and any other permissions obtained (for example planning) where required.

7 Equal Opportunities Implications

7.1 Each project will undertake an independent impact assessment as part of the overall project plan.

7.2 Tenders will also include an assessment of the contractor's commitment to equalities and diversity in line with the Council procurement policies.

8 Climate Change and Sustainability Implications

8.1 Each project will undertake an independent climate change and sustainability impact assessment as part of the overall project plan.

9 Staffing Implications

9.1 All projects and funding awards will be delivered by existing staff within the Leisure and Natural Infrastructure Service.

10 Public Health and Environmental implications

- 10.1 A number of the projects identified within Appendix A will have a positive impact on the physical and mental health and wellbeing of the local community and on the local environment and biodiversity of the district.

11 Communications and Website Implications

- 11.1 Good news stories will be circulated and shared via the Communications team, including across a range of social media channels.

12 Customer Services Centre Implications and Community Safety Implications

- 12.1 None Specific

13 Risk and Health & Safety Implications

- 13.1 The Council has agreed its risk management strategy which can be found on the website at <http://www.threerivers.gov.uk>. In addition, the risks of the proposals in the report have also been assessed against the Council's duties under Health and Safety legislation relating to employees, visitors and persons affected by our operations. The risk management implications of this report are detailed below.
- 13.2 The subject of this report is covered by the Leisure and Natural Infrastructure Service Plan. Any risks resulting from this report will be included in the risk register and, if necessary, managed within this/these plan(s).

Nature of Risk	Consequence	Suggested Control Measures	Response	Risk Rating
Contract failure	Inability to deliver externally funded project or agreed project as part of the Council's capital programme	Contract properly tendered and awarded through recognised framework or via open tender with robust contract management in place to monitor through contract life	Tolerate	1
Unable to deliver against the externally funded projects	Inability to draw down external grant award	Award the contracts as recommended	Treat	1
Unable to deliver projects identified within Management Plans and Capital Programme	Loss of funding for the Council Reputational risk and negative feedback from the local community	Award the contracts and enter into funding agreements as recommended	Treat	1

Very Likely ----- Likelihood ----- ▼ Remote	Low 4	High 8	Very High 12	Very High 16
	Low 3	Medium 6	High 9	Very High 12
	Low 2	Low 4	Medium 6	High 8
	Low 1	Low 2	Low 3	Low 4
Impact Low ----- ► Unacceptable				

Impact Score

- 4 (Catastrophic)
- 3 (Critical)
- 2 (Significant)
- 1 (Marginal)

Likelihood Score

- 4 (Very Likely (≥80%))
- 3 (Likely (21-79%))
- 2 (Unlikely (6-20%))
- 1 (Remote (≤5%))

13.3 In the officers' opinion none of the new risks above, were they to come about, would seriously prejudice the achievement of the Strategic Plan and are therefore operational risks. The effectiveness of the management of operational risks is reviewed by the Audit Committee annually.

14 Recommendation

That the Policy and Resources Committee recommend to Full Council that:

- 14.1 Where external funding is identified in Appendices A and B that the Director of Finance be authorised to increase budgets in respect of the additional funding received.
- 14.2 That the Director of Finance, in consultation with the Leader and Portfolio Holder, be authorised to approve the Council entering into the contracts and the funding agreements listed in Appendix A and Appendix B to this report which are those of a value of £25,000 and above, subject to compliance with the Council's Contracts Procedure Rules (as amended from time to time),

Report prepared by: Charlotte Gomes, Head of Leisure and Natural Infrastructure

APPENDICES

Appendix A – Contracts and Potential Funding Agreements for Leisure and Natural Infrastructure.

Appendix B – PART II

