



# Cabinet

To the Cabinet on Friday, 02 February 2024

Date of meeting: Monday, 12 February 2024

Time: 18:30 Please note start time.

Venue: The Council Chamber

The Symington Building, Adam and Eve Street, LE16 7AG

Members of the public can access a live broadcast of the meeting from the [Council website](#), and the meeting webpage. The meeting will also be open to the public.

- Information Exchange from Portfolio Holder
- Topical Issues
  - Questions
  - Petitions
  - Notices of Motion

## Agenda

1 Apologies for Absence

2 Declarations of Members' Interests

3 DRAFT Minutes of Cabinet - 15.01.24

3 - 10

Consider the following reports:

4 Final Budget 2024/25 & the Medium-Term Financial Strategy  
(2025/26 to 2028/29)

To Follow

5 Approval of 5 Contracts over £50,000 to enable preparation of the new Harborough Local Plan and Granting Extended Delegated Authority to the Director of Planning, in Consultation with the Planning Portfolio Holder, to award future such contracts 11 - 18

6 Supply and Installation of a Solar PV System for Harborough Innovation Centre 19 - 26

**7 Any Urgent Business**  
To be decided by the Chair.

JOHN RICHARDSON  
CHIEF EXECUTIVE AND HEAD OF PAID SERVICE  
HARBOROUGH DISTRICT COUNCIL

Contact:  
[democratic.services@harborough.gov.uk](mailto:democratic.services@harborough.gov.uk)  
Telephone: 01858 828282

Circulate to: Paul Beadle - Member, Simon Galton - Member, Mark Graves - Member, Jim Knight -  
Member, Phil Knowles - Leader, Darren Woodiwiss - Member

# Minutes of the Cabinet Meeting

**Location:** Council Chamber, The Symington Building, Adam and Eve Street, Market Harborough, LE16 7AG



**Date:** 15 January 2024 commencing at 6.30pm

## Present:

**Councillors:**

P. Knowles (Leader)	Cabinet member for Strategy, Culture, Leisure & Tourism
S. Galton	Cabinet member for Planning
P. Beadle	Cabinet member for Corporate
M. Graves	Cabinet member for Finance
J. Knight	Cabinet member for Wellbeing
D. Woodiwiss	Cabinet member for the Environment & Climate Change

## Officers:

L. Elliot – Interim Chief Executive  
C. Mason – Interim Deputy Chief Executive, Section 151 Officer  
J. Young – Head of Legal, Interim Monitoring Officer  
V. Jessop – Interim Director of Communities & Wellbeing  
D. Atkinson – Director of Planning  
T. Nelson – Head of Strategic Planning  
C. Elsasser – Interim Democratic Officer

## Information Exchange

Councillor Graves spoke about the amount of work going on regarding the budget and he thanked Officers.

Councillor Woodiwiss reported that the waste contract was going through the procurement process currently and that it was complicated due to the implications of the Environment Act guidance, costs, depot requirements and Leicester County Council reliance on an incinerator in Coventry which added further costs. He explained

that Officers had managed to negotiate a temporary solution until December which had avoided immediate costs.

Councillor Galton updated Members in relation to resources in development management. He explained that his priority was to put back some additional human resources into the team and recruit three new posts into that service including a fulltime Conservation Officer and posts would be funded by the increase in planning fees which would ensure that compliance for new legislation would be met.

Councillor Beadle reported on a Revenue and Benefits meeting he attended and explained that there would be a tax credit managed migration for a significant amount of residents through the Department of Work and Pensions (DWP) for the rest of the year. Currently the DWP had the view that Councils should not assist claimants with Universal Credit and that Housing benefit claimants should be referred to a helpline to help them directly.

Councillor Knight announced that he and Councillor Woodiwis had visited the Ploughman's Yard facility where the Council holds three properties that require extensive work to alleviate damp and that those works would go out to tender.

Councillor Knowles reported on his recent Chairing of the Parish Liaison Meeting and was happy with the collaborative nature of the Committee. He suggested that at some stage, in regards, to the aforementioned properties, Cabinet would need a more detailed report. He also referred to the Gartree prison decision being overturned by the Secretary of State and explained that he had a meeting with the MP who confirmed that there would be a meeting with Michael Gove at some point that would include the Gartree Action Group who have also written a letter to him. He also wanted to thank Officers for all of their hard work and support.

#### **1. Apologies for Absence**

There were no apologies for absence.

#### **2. Declaration of Members' Interests**

There were no declarations of interest.

#### **3. Minutes**

Cabinet agreed the minutes of the meeting on 23 October 2023 as a true and accurate record.

#### **4. New Local Plan – Issues and Options Consultation**

Councillor Galton, Cabinet member for Planning, introduced the report. The report sought a recommendation from Cabinet to Council for approval for the Issues and Options document (Appendix A) to be published for public consultation.

Approval was also sought for delegation to be given to the Director of Planning in consultation with the Portfolio Holder for Planning for factual updates, minor changes and the insertion of additional diagrams and other visual aids to enable the finalisation of the document and its publications for consultation purposes.

It was explained that the planning system was plan-led. This meant that planning applications must be considered and determined in accordance with the development plan unless material considerations indicated otherwise and that the development plan must be kept up to date.

The current Harborough Local Plan was adopted in 2019, and although it remains up to date, a new local plan is being prepared to ensure the development plan remains up to date, in line with Government guidance.

Issues and Options are the first public consultation in the preparation of the new local plan. Its purpose is to start a public conversation about the future of the district and about what the new Local Plan should contain.

The consultation document focuses on various key planning issues, including homes, jobs, heritage, town centres, climate change, biodiversity and protection of important open spaces. Each issue is introduced, explained, and feedback sought via a number of consultation questions. It is intended for the consultation to run during January 2024 – February 2024. A dedicated webpage will be set up to host the consultation document and enable comment through a consultation portal. Responses received would be used to inform the next stage of preparing the new local plan.

Councillor Galton added that work was being done to prepare for the new Local Plan and that the document was available to read ahead of the consultation. Subject to a decision at full Council, it was important to understand that there was matter of risk if the Council not go ahead with the plan. He explained that Councillor Burrell was currently examining appeals made during the 2012/13 period when a Local Plan had not been in place as a reminder to the Council of what the outcome of those appeals were.

Cabinet **RESOLVED** to:

1. Recommend to Council for determination the New Local Plan Issues and Options Consultation document (Appendix A) for public consultation.
2. Delegate authority to make any factual corrections and minor changes to finalise the consultation document and facilitate the requirements of setting up consultation material as well as to make any changes agreed at Cabinet and Council to the Director of Planning, in consultation with the Portfolio Holder with responsibility for Planning.

### **Alternatives Considered**

For Cabinet not to agree to recommend to Council publication of the Issues and options document for consultation is not recommended since it will delay the start of the Issues and Options consultation and will significantly increase the risk of the Council being unable to achieve submission of the new local plan by the Government-

imposed deadline of 30 June 2025. The consequence of missing this deadline is needing to await the establishment of the new planning system and the likely delays that will incur. Due to the proposed way in which the new planning system is being introduced, local plan preparation is likely to be significantly delayed, with the start of plan preparation expected in 2027, meaning adoption not until, at least, 2030.

## 5. Local Development Scheme (LDS) Update

Councillor Galton, Cabinet Member for Planning introduced the report.

The report confirmed that the Council was required to keep under review the key milestones in the Local Plan timetable and any changes in planning context, especially at a sub-regional and national level. Preparation of a new Local Plan currently faced two key challenges.

The Council has a duty to prepare, publish and maintain an LDS for the district. The last LDS, published in July 2022, indicated that Regulation 18 (Issues & Options consultation) would be conducted in September/October 2023 and therefore it is now out-of-date. The purpose of the LDS update was to ensure that the timetable for Local Plan preparation remains up to date.

Councillor Galton explained that as the Regulation 18 was overdue and out of date it needed to be updated in order to ensure the Council's LDS obligation was fulfilled.

Cabinet **RESOLVED** to:

1. Recommend to Council for determination the revised Local Development Scheme, set out at Appendix A.
2. Delegate to the Director of Planning, in consultation with the Head of Legal Services and the Portfolio Holder for Planning, authority to:
  - (a) Commission, negotiate, award, enter into and vary such arrangements and legal agreements as may be necessary or appropriate to deliver the Local Development Scheme.
3. Delegate to the Director of Planning, in consultation with the Portfolio Holder for Planning, authority to:
  - (a) Keep the Local Development Scheme under review as necessary and appropriate.

### **Alternatives Considered**

For Cabinet not to agree the LDS. This is not the recommended option because it will produce uncertainty and significant risk for the Authority in preparation and Submission of a new Local Plan, by the government deadline of 30 June 2025.

## 6. New Local Plan Resources

Councillor Galton, Cabinet Member for Planning introduced the report.

The report set out to seek approval for additional financial resources to be used to fund the preparation of the Local Plan and aimed to meet a submission by June 2025.

Councillor Galton explained that the Council would need to make resources available for this and that the last Local Plan was short of £2m. He conceded that staff were crucial in this process and that if the Council didn't resource this properly the Inspector could halt or reject the Local Plan which could mean legal challenges on planning from developers.

Cabinet **RESOLVED** to:

Recommend to Council for determination the additional resources needed for Local Plan preparation set out in Table 1 in paragraph 4.4 of this report in order to aim to submit the new local plan for examination by June 2025.

### **Alternatives Considered**

If no recommendation to Council to approve the additional resourcing. This is not recommended since it will slow down local plan preparation and result in the Council being unable to achieve submission of the new local plan by the government deadline of June 2025. The consequence of missing this deadline is needing to await the establishment of the new planning system and the likely uncertainties and associated delays to the preparation of the new local plan that will incur in those circumstances. Due to the proposed way in which the new planning system is being introduced, local plan preparation is likely to be significantly delayed under the new system, with the start of plan preparation not expected until at least 2027, meaning adoption not until, at least, 2030.

## **7. Mid-Year Treasury Management Report 2023/24 and Prudential Indicators**

Councillor Graves, Cabinet Member for Finance introduced the report.

The report explained that Treasury Management was an integral part of the Council's finances relating to cash flow management and financing of capital schemes and therefore underpinned all of the Council's aims. The mid-year treasury report was a requirement of the Council's reporting procedures and covered the treasury management activity for the first six months of 2023/24. The report also covered the actual Prudential Indicators for the period in accordance with the requirements of the Prudential Code.

In accordance with the requirements of the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (revised 2021), the Council was required to receive, as a minimum, three main treasury reports each year – the annual Treasury Management Strategy Statement, a Mid-year Review Report (this report) and an Annual Report. Therefore, this report ensured that the Council was implementing best practice in accordance with the Code.

Cabinet **RESOLVED** to:

1. Note the Mid-Year Treasury Management Report for 2023/24 and treasury activity;
2. Note the Prudential Indicators.

### **Alternatives Considered**

The Council is required to report the matters contained within this report and retains independent financial experts to provide that advice therefore there were no alternative options.

## **8. 2023/24 Performance Report – Financial (Outturn) and Corporate Quarter 2 (Year ending 31 March 2024)**

Councillor Graves, Cabinet Member for Finance and Councillor Beadle, Cabinet Member for Corporate introduced the report.

The report provided an update to Cabinet in respect of the Quarter 2 forecast outturn for 2023/24 for revenue, capital, and reserves, and provide information on the Council's performance. The report combined two reports previously received separately, Financial Performance (Outturn), and Performance and set out the forecast financial position (outturn) for the year ending 31 March 2024, based on information at the end of September 2023 for revenue and capital, and covers performance monitoring of the refreshed corporate plan for Quarter 2, July to September 2023.

Based on the financial position at 30 September 2023, known income and expenditure commitments and working assumptions, the forecast is as follows:

Revenue is forecasting an underspend of £410k, a variance of 3.3% to the approved budget.

Capital is forecasting an overspend of £200k, a variance of 1% to the approved budget.

A refresh of the Corporate Plan Key Activities was undertaken prior to 01 April 2023, resulting in 31 Key activities for the 2023/24 period. Appendix 6 contained a report of progress against all 31 Key activities in the Corporate Plan. At the end of Quarter 2 there was one at red status. Appendix 7 contained a report of twenty key performance indicators (KPI's). At the end of Quarter 2, one KPI had a red status.

Cabinet **RESOLVED** to consider and comment on the contents of this report and associated appendices.

### **Alternatives Considered**

Not applicable.

## **9. 2024/25 Budget & MTFS - Budget Principles & Reserves Strategy**



Councillor Graves, Cabinet Member for Finance presented the report.

The report highlighted to Members the budget setting process and get agreement on key principles to support the development of the 2024/25 Budget and Medium-Term financial Strategy (2025/26 to 2028/29), and confirm the principles of the Reserves Strategy.

The report explained that in February each year, the Council was required to approve the Council Tax for the forthcoming year. To achieve this, the Council has to:

prepare an annual budget that has to comply with statutory regulations as well its own Constitution and local corporate priorities.

a medium-term financial strategy (MTFS) that aids future decision making.

All budgets are organic in nature, in that they are a best estimate of resource allocation to meet the Councils corporate priorities; consequently, they can change over time and as the coronavirus pandemic and the cost-of-living/inflationary economic climate is currently showing.

Councillor Graves explained that the report indicated the outline principles and reserve strategy set out by the 151 Officer.

Cabinet **RESOLVED** to:

1. Approve the budget principles, delegations and definitions that are summarised in Appendix 3.
2. Approve the Reserves Strategy in Appendix 4.

### **Alternatives Considered**

Not applicable.

## **10. Creation of a Members Development Cabinet Advisory Panel**

Councillor Knowles, Leader of the Council and Cabinet Member for Strategy, Culture, Leisure & Tourism introduced the report.

The purpose of the report was to appoint Members to a Cabinet Advisory Panel for Member development, including the adoption of appropriate terms of reference.

It was explained that the Committee would consist of 5 members with the following Members appointed:

Councillor Beadle - Chair

Members - Councillors Burrell, Dann, Elliot and Graves (with substitutes allowed)

Cabinet **RESOLVED** to:

1. Appoint members to the Members Development Cabinet Advisory Panel.
2. Approve the Terms of Reference as set out at Appendix B of this report.

## **Alternatives Considered**

In the event that Cabinet does not wish to appoint an Advisory Panel, it will need to decide and review the progression of member development plans itself.

### **11. Urgent items**

There were no urgent items to consider.

The meeting ended at 19:21

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# Harborough District Council



## Report to Cabinet Meeting of 12<sup>th</sup> February 2024

<b>Title:</b>	Approval of 5 Contracts over £50,000 to enable preparation of the new Harborough Local Plan and Granting Extended Delegated Authority to the Director of Planning, in Consultation with the Planning Portfolio Holder, to award future such contracts, unless there is a timely Cabinet meeting available to approve them.
<b>Status:</b>	Public
<b>Key Decision:</b>	Yes
<b>Report Author:</b>	David Atkinson (Director of Planning)
<b>Portfolio Holder:</b>	Cllr Simon Galton (Portfolio Holder for Planning)
<b>Appendices:</b>	Appendix A

### Summary

- i. This report seeks approval from Cabinet to award five contracts with a value of between £50 000 and £100,000 to service providers, as detailed in the exempt appendix, to enable the efficient preparation of the new Harborough Local Plan. The report also seeks extended Chief Officer delegated authority to be granted to the Director of Planning in consultation with the Planning Portfolio Holder, to approve further Local Plan related contracts up to a value of £100,000 for a temporary period up to June 2026, unless there is a timely cabinet available to approve them. This is to minimise the delay in procuring key evidence studies and specialist technical support to enable the new Local plan to be prepared and submitted in accordance with the approved Local Development Scheme.

## Recommendation

It is recommended that Cabinet:

1. Approve the award of the contracts set out in Appendix A.
2. Delegates authority to the Director of Planning, in consultation with the Portfolio Holder, Planning, to approve the award of Local Plan preparation related contracts up to the value of £100,000 for a temporary period up to the end of June 2026, unless there is a timely Cabinet meeting available to approve those contracts.
3. Delegates to the Director of Planning, in consultation with the Portfolio Holder, Planning and the Head of Legal Services, authority to negotiate and finalise the contracts, including minor variations.

## Reasons for Recommendation

- i. To minimise delays in procuring key evidence studies and specialist technical support required to prepare the new local Plan in accordance with the programme set out in the approved Local Development Scheme. Approving the five contracts recommended in this report and delegating authority to the Director of Planning in consultation with the Planning Portfolio Holder to approve similar contracts with a value of up to £100,000, unless there is a timely cabinet meeting available to approve them, will ensure delays to plan making are minimised.

## 1. Purpose of Report

- 1.1 This report seeks approval by Cabinet for approval of five contracts related to the preparation of the Local Plan, and the temporary amendment of Chief Officer delegated authority to allow the Director of Planning, in consultation with the Planning Portfolio Holder, to approve Local Plan related contracts from the current value of up to £50,000 to up to £100,000, unless there is a timely Cabinet meeting available to approve such contracts.

## 2. Background

- 2.1 Full Council at its meeting on 18<sup>th</sup> December 2023 approved the preparation of the new Local Plan. An intensive procurement exercise is currently underway to commission several key evidence studies and the temporary specialist technical support needed to meet the challenging local plan preparation programme. The programme is challenging because it is generally accepted that the normal amount of time required to prepare a local plan to the point of submission for examination is around 30 months. The Council are aiming to complete this work in a much shorter timescale, and so supporting processes need to be as streamlined and efficient as possible to enable this timescale to be met. Preparing the new local plan in a shorter timescale is necessary to ensure that the Council submit the new local plan under existing plan-making Regulations by June 2025: a government-imposed deadline.
- 2.2 Following approval by Full Council at its meeting on 18<sup>th</sup> December 2023 to proceed with the preparation of the new Local Plan, an intensive procurement exercise is currently

underway to commission several key evidence studies and the temporary specialist technical support needed to meet the challenging programme to Submit the new local plan under existing Regulations by June 2025.

- 2.2 The Council's appropriate procurement procedures are being followed with the majority of study costs estimated to fall within current Chief Officer delegated authority to award contracts up to the value of £50,000. However, a number of studies and technical support are estimated to cost more than £50,000 which would be above the Chief Officer delegated authority limit and which would normally have to be referred to Cabinet for approval
- 2.3 The studies and technical support to which this currently applies and approval by Cabinet is being sought are:
  - The Harborough District Infrastructure Delivery Plan (IDP);
  - The procurement of 3 no. specialist local plan preparation consultants; and
  - The procurement of a specialist local plan programme manager.
- 2.4 It is possible that, as the local plan progresses, other procurements could fall into this category and the essential speed of plan preparation would be maintained by granting the delegated authority recommended in this report.
- 2.5 Given the urgent need to progress procurement of studies and support packages the need to seek approval from Cabinet each time to award contracts above £50,000 when there is no convenient Cabinet meeting scheduled, would lead to delay, due to the urgent nature of the programme, which will significantly impact the Local Plan preparation. It is for this reason that delegated authority is sought in this report to the Director of Planning, in consultation with the Portfolio Holder for Planning to award such contracts unless a timely Cabinet meeting is available to approve them. This will ensure that delays to the preparation of the local plan can be minimised.
- 2.6 The current Scheme of Delegation set out in the Council Constitution allows the Director of Planning to approve contracts up to the value of £50,000. Approval is being sought to amend the Scheme of Delegation for Chief Officers in respect to the award of contracts to give delegated authority to the Director of Planning, in consultation with the Planning Portfolio Holder, and when there is no convenient Cabinet meeting scheduled, to approve contracts required for the preparation of the new Local Plan up to the value of £100,000 for a temporary period up to June 2026. This is to enable this programme for the preparation of the Local Plan to be met within the urgent timescales, and for subsequent Examination support to be commissioned in a timely manner.

## **4. Implications of Decisions**

### **Corporate Priorities**

3.1 The temporary amendment to the Scheme of Delegation will help reduce delays in awarding essential contracts for key evidence required to prepare the new Local Plan, which will help deliver the following corporate priorities:

- CO1: There will be an adequate supply of housing to meet local needs across all tenures and price ranges and reducing the potential for homelessness.
- CO2: Our local plan will ensure growth in the area is balanced with employment opportunities and ensure that transport and infrastructure needs are met.
- CO3: The rural nature of the district will be recognised, and our heritage and cultural assets are preserved.
- CO4: Engagement of our local communities, the voluntary and charitable sector and ensuring they actively manage their own localities and shape their own places.
- CO5: The district will be shaped through good design, that addresses local needs and promotes healthier life choices.

The policies of the new local plan will set out how these corporate priorities are to be met and achieved. The new policies will be assessed in the light of these corporate priorities to ensure they meet the aims and objectives of the Council's Corporate Plan.

### **Consultation**

3.2 As this is an internal council governance matter there is no need for consultation.

### **Financial**

3.3 No additional resources are required.

### **Legal**

3.4 Procurement will be undertaken in accordance with the provisions set out in the Council's Constitution.

### **Environmental Implications**

3.5 The revised delegation arrangements will reduce potential delays to the preparation of the new Local Plan. The new Local plan will have implications in relation to the spatial planning of the district, it will guide the delivery of development in a plan-led way and coordinate environmental protection. The wider environmental implications of the scale and distribution of development and associated supporting infrastructure will be assessed through the Sustainability Appraisal of the Local Plan, which incorporates the requirements of the SEA Directive. The SEA Directive is important to the preparation of the local plan. It is one of the key documents that ensures that the spatial strategy of the plan is sustainable and that the plan thereby delivers sustainable development. This will ensure that the plan provides the best possible benefit to the district because development planned for, through the plan, will be delivered in a way that minimises its impact.

### **Risk Management**

3.6 The temporary amendment to delegated authority will help minimise delays and enable the Local Plan to be prepared in accordance with the timetable set out in the approved Local Development Scheme. The local plan preparation timetable is challenging and cabinet approving recommendation two in this report will mean that repeated reports to cabinet would not be needed when urgent contracts of up to a value of £100,000 need to be entered into to enable the plan to be prepared, and a suitably timed cabinet meeting is not available. This will enable the efficient preparation of the local plan within the fixed time

available. Cumulatively this will save significant time and ensure that the process of preparing the local plan is as efficient as possible and will support meeting local plan preparation deadlines. This will support being able to submit the local plan for examination by the government deadline of June 2025. In so doing, this serves to ensure the local plan remains up to date and enables risks associated with not having an up-to-date local plan to be managed and mitigated.

- 3.7 Not meeting the government deadline to submit the new local plan by 30 June 2025 would mean that preparation of the new local plan would suffer a hiatus whilst the new national planning system is introduced. This would impose a significant delay on plan making. If the June 2025 deadline for the submission of the new plan for examination is not met, a new plan would need to be prepared under a new national planning system being introduced by the government, about which little is known. In the new plan making system, the government would essentially control the local plan preparation timetable and because the council has a good plan-making record to date, this would be likely to result in the council being unable to submit a plan for examination until potentially 2027. This is because it is understood that under the new plan-making system, the Government will invite councils with poor plan making records to submit plans for examination first, with Harborough District being invited to do so later. The result of this would be likely to be that the council would not be able to adopt a new local plan until potentially 2029, or around that time, taking into account the time needed for examination and adoption procedures. Not achieving a new adopted plan until around 2029 would be likely put the district at risk of being unable to resist unplanned, speculative and potentially unsustainable development in the period when no up-to-date local plan would be in place, which could amount to several years. This is why it is important to progress a new local plan under the existing plan making regulations and submit the new plan for examination by the Government's deadline of June 2025. Cabinet approving recommendation two in this report will facilitate this being achieved.

### **Equalities Impact**

- 3.8 An Equalities Impact Assessment (EIA) for the Local Plan will be prepared and updated at key stages of the Local Plan making process. In addition, an EIA will be prepared for each public consultation stage.

### **Data Protection**

- 3.9 Where appropriate consultants undertaking evidence studies and technical specialists will be required to meet the provisions of the UK General Data Protection Regulations and the Data Protection Act 2018 in respect to any data handling.

## **5. Alternative Options Considered**

- 4.1 Option 1: Not to amend the current Scheme of Delegation in the manner sought in recommendation two of this report, and rather to seek approval from Cabinet to the approval of contracts above £50,000 on every occasion, whether there is a timely meeting of Cabinet available or not. This is not Recommended because the time this would take would prevent delivery of the local plan in accordance with Local Development Scheme timelines. In the light of the need to avoid the scenario indicated in paragraph 3.7 above, and for the council to adopt a new local plan as quickly as possible to ensure a plan-led approach to the delivery of sustainable development is maintained across the district, it is important that the local plan preparation timetable set out in the approved Local Development Scheme is met. In

order to do this the council need to prepare and submit a new local plan for examination by June 2025. It is for this reason that the timelines in the Local Development Scheme are tight. By approving recommendation two of this report cabinet will be supporting the efficient preparation of the new plan through enabling decision making on entering into contracts up to £100,000, to support the preparation of the new plan, to be as efficient as possible. By delegating authority to enter into such contracts to the Director of Planning, in consultation with the Planning Portfolio Holder, if a conveniently timed cabinet meeting is not available, will ensure efficient progress on the preparation of the new plan will be maintained and Local Development Scheme timelines can be met.

## **6. Recommendations**

### **6.1**

**It is recommended that Cabinet:**

- 1. Approve the award of the contracts set out in Appendix A.**
  
- 2. Delegates authority to the Director of Planning, in consultation with the Portfolio Holder, Planning, to approve the award of Local Plan preparation related contracts up to the value of £100,000 for a temporary period up to the end of June 2026, unless there is a timely Cabinet meeting available to approve those contracts.**
  
- 3. Delegates to the Director of Planning, in consultation with the Portfolio Holder, Planning and the Head of Legal Services, authority to negotiate and finalise the contracts, including minor variations.**

## **7. Background papers**

7.1 There are no background papers to accompany this report.



## Appendix A: Schedule of Current Local Plan Contracts Exceeding £50,000 Delegated Authority Limits

Evidence Studies	Procurement process	Name of supplier/ consultant	Estimated value of contract
<p><b>Infrastructure Delivery Plan</b></p> <p>Preparation of study to identify:</p> <ul style="list-style-type: none"> <li>• baseline provision of all essential infrastructure; and</li> <li>• identify all essential infrastructure (including costs) to enable the timely sustainable development of proposed local plan housing and employment allocations.</li> </ul>	Open market tender	Not yet known – tender submission closing date – 12 <sup>th</sup> February 2024	Up to £70,000
<p><b>Plan Preparation Programme Management and Technical Support (key responsibilities)</b></p>			
<p><b>1-Local Plan Programme Advisor</b></p> <ul style="list-style-type: none"> <li>• Programme management</li> <li>• Advice on various aspects of Local plan preparations.</li> </ul>	Exemption due to urgent need to put in place detailed project plan, specialist knowledge of Local Plan programme management and preparation and detailed knowledge of the Harborough District gained from role in assisting preparation of current adopted Local Plan.	Individual consultant A	Up to £80,600
<p><b>2-Specialist Local Plan Consultant</b></p> <ul style="list-style-type: none"> <li>• Housing Options, including site selection</li> </ul>	Exemption based on detailed knowledge of the Harborough District having led previous Local Plan	Individual consultant B	Up to £99,000
<p><b>3-Specialist Local Plan Consultant</b></p> <ul style="list-style-type: none"> <li>• Infrastructure and housing</li> </ul>	Appointment following recruitment exercise involving relevant recruitment agencies and assessment against experience requirements.	Individual consultant C	Up to £90,000

<b>4-Specialist Local Plan Consultant</b> <ul style="list-style-type: none"><li>• Environment matters</li></ul>	Appointment following recruitment exercise involving relevant recruitment agencies and assessment against experience requirements.	Individual consultant D	Up to £82,000
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January 2024

# Harborough District Council



## Report to the Cabinet Meeting of 12<sup>th</sup> February 2024 (Appendix A Exempt)

<b>Title:</b>	<b>Supply and Installation of a Solar PV System for Harborough Innovation Centre (Appendix A Exempt)</b>
<b>Status:</b>	Report: Public  Appendix A: Exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12a of the Local Government Act 1972.
<b>Key Decision:</b>	Yes
<b>Report Author:</b>	Tim Bradbury, Business Centres Manager 07394 567512 <a href="mailto:t.bradbury@harborough.gov.uk">t.bradbury@harborough.gov.uk</a>
<b>Portfolio Holder:</b>	Portfolio – Economic Development, Councillor Phil Knowles
<b>Appendices:</b>	Appendix A (EXEMPT) – Tender Summary

### Summary

Harborough Innovation Centre is a business centre with up to 52 individual office spaces, shared workspaces, virtual services, meeting rooms, onsite café, and reception services. Established in 2011 and funded by Harborough District Council, European Regional Development Fund and East Midlands Development Agency, Harborough Innovation Centre has supported more than 250 business since opening.

The building has strong eco credentials which is a motivating factor for current and potential tenants as businesses and employees are increasingly focused on climate-friendly initiatives.

This project is to supply and install a solar array on 3 aspects of Harborough Innovation Centre roof (see picture below), to generate electricity from renewable sources, further improving the green credentials of the building and Harborough District Council as a whole.



## Recommendations

It is recommended that Cabinet:

1. Approve the award of a contract for the supply and installation of solar panels at Harborough Innovation Centre to contractor 1 as detailed in Appendix A
2. Delegates to the Director of Resources (& s.151), in consultation with the Portfolio Holder, Economic Development and the Head of Legal Services, authority to negotiate and finalise the contract, including minor variations.

## Reasons for Recommendations

- i. To ensure that the Council appoints a suitable contractor to undertake the supply and install works as described.
- ii. The evaluation panel agreed that Contractor 1 should be offered preferred provider status based on the tenders submitted.
- iii. Awarding a contract based on the tender submitted by Contractor 1 offers the best option and value for money for this project.

## 1. Purpose of Report

- 1.1 To seek approval for the award of a contract that will secure the preferred contractor for the provision of the supply and installation of solar panels at Harborough Innovation Centre.

## 2. Background

- 2.1 Harborough Innovation Centre is a business centre with up to 52 individual office spaces, shared workspaces, virtual services, meeting rooms, onsite café and reception services. Established in 2011 and funded by Harborough District Council, European Regional Development Fund and East Midlands Development Agency, Harborough Innovation Centre has supported more than 250 business since opening. The main point of difference of the centre is the targeted and tailored business support start-up businesses and SMEs receive. This includes strategic coaching and mentoring as well as advice on grants and funding. Designed to give a flexible workspace solution without long-term

financial ties, Harborough Innovation Centre continues to be the perfect location for local growing businesses in the district.

- 2.2 Part of the appeal of Harborough Innovation Centre to tenants is the green credentials of the building:
- LED lighting throughout the building reducing energy usage and maintenance costs.
  - Activity sensors in most rooms in the building allowing lighting to automatically switch off when not needed.
  - Biomass heating.
  - Rainwater harvesting used primarily for toilets in the building.
  - 11 Electric Vehicle charging stations allowing electric cars to charge up to a speed of 22kwh.
- 2.3 The next initiative to further improve the green credentials of the building is to install solar panels on the roof of Harborough Innovation Centre which will generate the majority of the electric power needed to run the building, some of the Electric Vehicle chargers and potentially supply excess energy generated to the grid.
- 2.4 This project is to supply and install a solar array on 3 aspects of Harborough Innovation Centre roof to generate electricity and further improve the green credentials of the building and Harborough District Council as a whole.

### **3. Details**

- 3.1 Following a full review of the energy usage requirements of Harborough Innovation Centre and to maximise the potential of a solar solution, Harborough District Council has put out a tender to appoint a supplier partner to install a roof-mounted solar PV system.
- 3.2 An application for District Network Operator approval has been received from the National Grid based on the following specifications:
- 1 x solis 80k 5G Inverter, restricted to 75kW using a G100 device.
  - Nominal Voltage at Connection Point: 400 Volts
  - Number of Phases: 3
  - Nominal Frequency: 50Hz
  - Maximum Export Capacity: 75kW
  - Maximum Import Capacity: 150kVA
  - External Earth Loop Impedance: 0.35
  - A remote monitoring system to allow the performance of the panels to be measured at all times.
- 3.3 A full structural engineers report was conducted prior to tender confirming the roof structure of Harborough Innovation Centre is suitable for the planned installation.
- 3.4 Confirmation has also been gained from the local planning authority that planning permission is not required at Harborough Innovation Centre for this installation.
- 3.5 The scope of works will include 222 x 420w solar panels which are expected to generate 83,500kwh per year of electricity. This will, in turn, reduce Harborough Innovation Centre emissions by 16 Tonnes of CO2 per year. The installation will include a remote monitoring system accessible via computer or smartphone.

3.6 Due to the nature of solar panels needing minimal maintenance, the following warranties will be provided as a minimum under this procurement:

- 25 years for solar PV panels
- 5 years for workmanship
- 5 years for inverters
- 10 years for fixings
- 5 years for monitoring equipment

3.7	Current annual electricity usage at the HIC is:	161,000kwh.
	Estimated annual energy output – solar:	83,500kwh.
	Total value of solar energy generated (20 years)	£615,000
	<b>Return on Investment – project cost recovery estimate</b>	<b>3.5 years</b>

3.8 Authorisation of the award by Cabinet is necessary because the value of the contract exceeds £50,000 (Harborough District Council's Statement of Requirement Practice for Procurement, rule 28.2).

3.9 The tender documents include all statutory compliance requirements are met, thus that the Council can demonstrate effective health and safety management by the successful contractor.

3.10 The procurement method used for the contract was an open procedure, compliant with the Public Contracts Regulations 2015. This means it is a single stage process with no short-listing. As such, the completed response document comprises the entirety of a bidder's tender submission. The tender was conducted using the Pro Contracts e-tendering system and followed the process set out in the tender documentation, being managed by Welland Procurement.

3.11 Weighting of the tender evaluation was:

- a) Price: 60%
- b) Quality: 40%.

3.12 Tenders were evaluated by a panel of four. Of the 16 bids received, there were 11 considered compliant and agreed acceptable by the Evaluation Panel, and there was a unanimous consensus within the Panel.

- a) A summary of the successful tender submission is included as Appendix A.
- b) The Evaluation Panel agreed that Contractor 1 should be awarded the contract for the project. Award of the contract is subject to Cabinet approval, due diligence, and agreement of the final contract.
- c) The contract will commence on an agreed date to supply and install the solar project in its entirety subject to availability of materials and labour. It is expected the installation will be completed late Spring 2024.
- d) The contract will include a number of key performance indicators including.
  - i. Meeting with the Business Centres Manager on a weekly basis to give updates on the progress of the installation;

- ii. Responding to Customer enquiries in a timely manner;
- iii. Being responsible for the safe provision, erection, and dismantling of scaffolding,
- iv. Being responsible for the disposal of waste and any associated costs;
- v. Commissioning and testing the completed system;
- vi. Providing monitoring, maintenance, and training options to the Customer;
- vii. Providing operation and maintenance manuals and/or user guides for the system installed;
- viii. Maintaining a 12-month defect period post-commissioning to address any post-installation issues.

## **4. Corporate Priorities**

- 4.1 The recommendations will enable the Council to secure value for money and financial sustainability, whilst acknowledging the importance of creating a sustainable environment and carbon reduction and allowing action to support these goals.

### **Consultation**

- 4.2 Throughout the tender process, members of the following teams have been consulted; Finance, Assets, Procurement, Planning, Legal.

### **Financial**

- 4.3 The recommendation offers the best means of achieving value for money and financial sustainability.
- 4.5 It should be noted that this project is expected to save the Council over £500,000 over the next 20 years (based on current energy pricing).

### **Legal**

- 4.7 Award of the contract is subject to Cabinet approval; the option of deciding not to proceed is available.
- 4.8 The Council can either award a contract to Contractor 1 or award to no provider and seek an alternate approach.
- 4.9 The proposed form of contract is the JCT Minor Works Building Contract with contractors design 2016 Edition.
- 4.10 Procurement of Harborough Innovation Centre Solar Contract through open procedure is compliant with the Public Contracts Regulations 2015.

### **Environmental Implications**

- 4.11 Implementation of the recommendations will support the Council's commitment to become a net zero carbon Council by 2030 as far as is possible within financial constraints.

### **Risk Management**

- 4.12 None

### **Equalities Impact**

- 4.13 None

### **Data Protection**

- 4.14 None

## **5 Alternative Options Considered**

- 5.1 Given the nature of the project, a Single Contract is the most suitable and cost-effective to deliver a successful outcome, with minimal impact to Harborough District Council resources as supply and installation will be managed in full by the successful contractor.

## **6 Background papers**

- 6.1 None



**Cabinet – 12<sup>th</sup> February 2024**

**Section 100A (4) Local Government Act 1972**

**The following item is suggested to be dealt with under the above legislation.**

**To comply with the Act the following resolution needs to be passed.**

“That the public and press be excluded from the remainder of the meeting on the grounds that the matters yet to be discussed involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972”.

- **Exempt: Appendix A ‘Supply and Installation of a Solar PV System for Harborough Innovation Centre’.**

