

REQUEST FOR EXEMPTION TO CONTRACT STANDING ORDERS

Contract Standing Orders (CSOs) requires certain steps to be followed when carrying out procurement exercises. Exemptions to CSOs can be authorised by Council / Cabinet upon report and separately by officers with the approval of certain senior officers. An exemption can only be relied upon in certain circumstances (as detailed in CSOs Rules 3.1 – 3.5) but in any event cannot be used where the EU Procedure applies.

This form is intended to be used by officers to obtain an exemption to using CSOs.

Name: Andy Wood	Date: 30 th April 2020
Service: Growth, Development & Prosperity	Team:
	Total contract value: £39,807

Background (including product and supplier details, costs etc):

The Cabinet meeting on the 27th November 2019 confirmed the Council's support for being part of MHCLG's Garden Communities programme. The background to this started with the publication of a prospectus in August 2018 including the following text;

This prospectus sets out our vision and expectations for high-quality place-making across this country. It's a fresh opportunity to stimulate economic growth in new places, and a chance to aspire beyond identikit housing and town centres that look like anywhere and nowhere. It's a call to developers, investors, local authorities and local enterprise partnerships to build communities with local character, good employment opportunities, strong services, integrated and accessible transport, innovative uses of technology – and beautiful green spaces

The prospectus invited bids for ambitious, locally supported, proposals for new garden communities at scale. These would need to meet a number of key principles including a strong local vision for how a place would develop.

The deadline for the submission of bids was November 2018. A bid was jointly developed with Exeter City Council and Teignbridge District Council which anticipated the delivery of circa 20,000 homes under garden community principles both within and outside of Exeter. In terms of development within the City this subsequently developed in to the Liveable Exeter vision which anticipates the delivery of circa 12,000 new homes on key brownfield sites and was launched in to the public domain in February 2019. The potential for strategic scale development in the North West Quadrant area of the District was also identified and the discussion concept of a network of linked villages, referred to as Clyst Villages, was put forward in order to satisfy the requirements of the application process.

Government announced in May 2019 that this bid had been successful. This was accompanied by an award of £750k of capacity funding to the City Council as the lead applicant.

The Future Place programme is a joint initiative of the Royal Institute of British Architects (RIBA), Chartered Institute of Housing (CIH), Local Government Association (LGA), Local Partnerships, Homes England (HE) and Royal Town Planning Institute (RTPI). It seeks to unlock place making potential at local level through quality in design, future thinking, and knowledge sharing. The programme, designed to promote best practice and the potential of innovative delivery, design and funding models, cross-sector collaborations capacity building, and knowledge sharing at a local level, was launched in December 2018.

The local authorities of East Devon, Exeter, Mid Devon and Teignbridge and Devon County Council ('the Greater Exeter Councils') were successful in an application for support under the programme. This was confirmed in March 2019 as one of five areas nationally. In order to deliver meaningful change which will enhance people's lives, improve community wellbeing and create sustainable environments each of the five areas selected have been working with the programme partners to identify where support is required to develop and advance innovative place making strategies.

A team comprising Hilton Barnfield Architects and David Hawes Urban Design were commissioned by RIBA as part of the Future Place initiative. Their initial focus has been on developing a tool kit for place making in relation to the Liveable Exeter programme.

There is an opportunity to harness this expertise in conjunction with consultants LDA (who undertook much of the preparatory work for the Garden Community bid) to define a powerful vision for future strategic growth in the District. Their proposals anticipates a workshop based approach which will engage key stakeholders to develop a preferred growth scenario. This will involve preparing a conceptual masterplan and indicative visualisations to convey the character and nature of growth at a level of detail similar to the Liveable Exeter Vision. Key place making drivers will be identified and in response to these the team will develop a number of possible development typologies to explore and identify locally appropriate development forms that could be codified into a specific Future Place toolkit for the area to support the delivery of place

making. This will also help to inform the development of the Greater Exeter Strategic Plan and future consultation exercises.

The LDA/Hilton Barton/David Hawes team are considered to be uniquely placed to undertake this work. An exemption from Standing Orders is sought to enable this team to be commissioned. The majority of the work would be paid for from funds awarded through the Garden Communities programme with the remainder (circa £7k) coming from existing EDDC budgets. Progressing this work will put the Council in a better position to access further capacity support from the Garden Community programme in the future.

Business Reasons for an Exemption:

Although the following are justifiably accepted as valid reasons for an exemption to Contract Standing Orders, they are closely monitored and should be applied only in cases where a full procurement exercise is not a viable option. (Tick appropriate boxes)

	✓	Which CSO rule?
An Emergency		
Goods or Services to existing systems or kit		
Purchase or repair of patented or proprietary articles sold only at a fixed price		
Effective competition is prevented by government control		
Goods and/or Services recommended by a Central Government Department		
Extension to an existing contract for the purpose of achieving Best Value		
Purchase or Sale by Auction		
Where the Contract is with a Public Utility Company or other organisation which will assume liability for the works on completion e.g. sewer adoption		
Other Reasons (please provide details) To utilise the expertise available through the Future Place programme and to make full use of the initial work already undertaken including the associated knowledge and understanding. .	X	

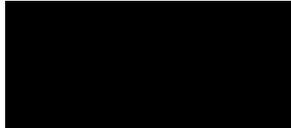
Business Benefits for an Exemption:

The total cost of this commission is expected to be £39,807 plus VAT. The majority of this cost will be met through funding already awarded through the Garden Communities programme. Progressing this work will enable a clear vision to be developed, a critical foundation for future place making. Undertaking this work now will increase the Council's chances of being able to access further capacity funding in the future, for example to undertake detailed master planning and infrastructure assessment work.

The LDA/Hilton Barnfield/David Hawes team are considered to be uniquely placed to undertake this work. Using the Future Place team is also a requirement of Homes England, a key partner in the programme.

<u>What are the implications to the following:</u>
Finance: the majority of the budget will from the Garden Community funding award with the remainder coming from existing budgets.
Human Resources: None
ICT: None
Asset Management: None
Strategic and/or Operational Objectives: Having a clear vision is critical to future place making. This work will provide an important foundation for a wide range of activity including helping to inform the development of the Greater Exeter Strategic Plan. This will sit alongside work already commissioned with the support of the Future Place programme to explore delivery vehicles and structures necessary to engrain high quality outcomes. There is considerable learning from the delivery of the current programme of strategic development in the West End of the District. Together these pieces of work will enable this learning to be put in to practice.

<u>Risk Assessment:</u>
Low
Detail risks here: <p style="text-align: right;">Or attach print from the RM system</p>

<u>Signature of line manager or service head</u>
<u>Supporting signature of Strategic Lead – Finance</u>  4/5/2020
<u>Supporting signature of Strategic Lead – Governance and Licensing</u>  5/5/2020

PLEASE NOTE:

Where the Contract value is £20,001 or above then Rule 3.2 requires you to prepare a report for Cabinet to note their support for the action taken.

The Council is required to keep a Register of Exemptions. **Please ensure that a signed copy of this form is provided to the S.151 Officer.**