



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 Champion	Date: 26.01.21
Service: Planning	Team: Development Management
	Total contract value: £23,995.00

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

EDDC have previously commissioned Lambert Smith Hampton (LSH) to undertake work on their behalf regarding the Cranbrook Site. Due to time constraints and that LSH has already worked on the site and have a lot of knowledge about the site. EDDC approached LSH for a fee proposal to undertake additional work in relation to the valuation and negotiations of some the parcels known as TC3, TC4d, and TC4e at Cranbrook Town Centre.

LSH have Proposed a fee of £23,995.00 + VAT.

The work is to be commissioned to support EDDC in pursuing the option of purchasing one or more of the Cranbrook town centre parcels (TC3, TC4d or TC4e) from the East Devon New Community Partners, as set out the revised MOU.

The MOU sets out the expectation for market residential value to be paid for the land. LSH will provide advice on the assumptions used to derive a land value and undertake negotiation on behalf of EDDC to derive a final value for the parcels of land. As set out in the report on Cranbrook Town Centre, considered by Cabinet in January 2021, there are concerns about the assumptions used by the EDNCp on deriving a land value, which has been indicated to up to £1.1m/acre.

Extract from MOU:

<p>Parcels TC3, TC4d and TC4e</p>	<p>EDDC may acquire the parcels for a price per acre to be agreed before the MOU is signed and to reflect market residential value per acre.</p> <p>Offer to transfer shall be made upon completion of the MOU and remain open for 18 months. EDDC shall accept the offer to transfer an entire parcel or none of that parcel.</p> <p>If the offer to transfer isn't accepted within the 18 month period then EDNCp will be free to develop the land for residential purposes.</p> <p>If EDDC purchase a parcel/s they shall be free to use it for uses as is thought fit and appropriate and may include town centre uses under the existing s106 agreement provided that such use not adversely affect financial or commercial viability of EDNCp's development.</p>
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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)		

Business Benefits for an Exemption:

LHS the supplier, fully understands and has the ability to meet the requirements, meet contract conditions and offer the best value for money.

What are the implications to the following:

Finance: None

Human Resources: None

ICT: None

Asset Management: None

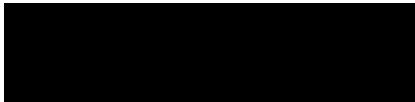
Strategic and/or Operational Objectives:None

Risk Assessment:


Detail risks here: N/A

Or attach print from the RM system

Signature of line manager or service head



Supporting signature of Strategic Lead - Finance



Supporting signature of Strategic Lead – Governance and Licensing



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.**