

Notice of Non-key Executive Decision

Subject Heading:	Appointment of Jacobs U.K. Limited to Support Transport Planning Services
Decision Maker:	Helen Oakerbee Director of Planning and Public Protection
Cabinet Member:	Councillor Barry Mugglestone- Lead Member for Environment
SLT Lead:	Neil Stubbings – Strategic Director Place
Report Author and contact details:	Daniel Douglas Team Leader Transport Planning
Policy context:	Local Implementation Plan 2019
Financial summary:	Expenditure for the Jacobs Commission will be paid for through the under spend projected within the development planning salary cost centre.
Relevant Overview & Scrutiny Sub Committee:	Places
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non-Key Decision

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The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents X

Place - A great place to live, work and enjoy X

Resources - A well run Council that delivers for People and Place. X

Place an X as appropriate

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

This report seeks approval from the Director of Planning and Public Protection to note the award of a consultancy contract to Jacobs U.K Limited (Company number 02594504) through the ESPO Procurement Framework for Consultancy Services Lot 5, to deliver transport planning projects for the value of £66,763 from 5th April until 27th September 2024.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Scheme of Delegations

Functions Delegated to Officers

3.3.3 Powers common to all Strategic Directors

4. Contracts

4.2 To award all contracts with a total contract value of below £1,000,000 other than contracts covered by Contract Procedure Rule 16.3.

STATEMENT OF THE REASONS FOR THE DECISION

Background

1. The Transport Planning team forms part of the Spatial Planning Group. Structurally the team is located within the Planning Service under the Place Directorate.
2. Following the departure of the Spatial Planning Group Manager in 2020, whilst the team has continued to be structurally based within the Planning Service, day-to-day workstream delivery and the reporting of such workstreams has sat within the Highways, Traffic and Parking service since July 2020.
3. The Transport Planning Team responsibilities cover three main work areas. These are:
 - Strategic Transportation
 - Smarter Travel
 - Road Safety Education

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4. The team itself consists of 6 posts in total. A Transport Planning Team Leader, a Deputy Team Leader Transport Planning, and four Transport Planner posts.
5. There have been challenges with recruiting to posts that are vacant within the team. In 2019, following the implementation of the Planning Service restructure, a Planning Service recruitment campaign took place. Unfortunately, the vacant posts within the transport planning team were unable to be filled at the time.
6. Since the Planning Restructure was implemented a number of posts within the team have remained vacant. This has placed increasing pressure on existing postholders as workstreams have had to be absorbed within the rest of the team. In other cases, workstreams have had to be “paused” as there are not the resources available to deliver them.
7. Further pressure has been placed on the Transport Planning team over the last 18 months. A member of the team left the Council under the Voluntary Release Scheme that took place in 2022 and as a result that post was deleted from the group structure.
8. In April 2023 a member of the team retired. The post has remained vacant ever since, due to external funding (TfL LIP) for the post no longer being available for it. This has left the only occupied posts within the team being the Team Leader and two Transport Planner posts. The remaining posts, of Deputy Team Leader and two Transport Planner posts continue to be vacant.

Jacobs Secondments

9. To help support the team with delivery outputs the Council appointed Jacobs Ltd to provide technical support in the form of two personnel working two days a week from November 2023 to March 2024.
10. This secondment arrangement has proved to be very successful and it is proposed to extend this arrangement covering the period 5th April 2024 to 27th September 2024.
11. The secondees would carry out a number of activities within the transport planning team, not limited to but including:
 - Day to Day project management of the Local Implementation Plan programme
 - Taking forward development of the Council’s emerging Active Travel Strategy
 - Project Management of the on-street Cycle Parking Programme
 - Day to day management of the Council’s Cycle Training programme
 - Queens Hospital Travel Plan delivery
 - Responding to Member enquiries.
12. As a result of the new financial controls that are in place, a request was formally submitted to the newly established Recruitment Panel on 12th April, to

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temporarily fill the Deputy Team Leader post with technical support in the form of Secondees from Jacobs.

13. This request was approved by the Recruitment Panel.

Procurement Process

14. It is proposed to Commission Jacobs via the ESPO Consultancy Services Framework through a Direct Award.
15. Advice on this approach has been sought from the Council's Strategic Procurement Unit, who have confirmed that a Direct Award to Jacobs Ltd can be made through this framework, subject to a Non-Key Executive Decision being signed.

How will the secondment be funded?

16. The initial six month secondment was fully funded by Transport for London through the Local Implementation Plan programme. However there is no further funding available from TfL for this secondment arrangement.
17. The Commissioning of Jacobs for a resource for a further 6 month period covering 5th April through to 27th September is a cost of £66,973.
18. The 6 month secondment period from 5th April to 27th September will be funded from the Development Planning Cost Centre budget where there is a Salary budget underspend as a result of a number of vacant posts within the Transport Planning team, including the Deputy Team Leader post and two Transport Planner posts. This underspend is sufficient to pay for the 6 month secondment arrangement.

Next Steps

19. Subject to this Non-Key Executive Decision being signed by the Director of Planning and Public Protection, a contract will then be finalised to commission Jacobs via the ESPO Framework.

OTHER OPTIONS CONSIDERED AND REJECTED

20. The option of not temporarily back filling the vacant Deputy Team Leader role was considered and rejected. Due to existing and future work pressures over the coming months it is important that an additional resource can be used to support workstream delivery.

PRE-DECISION CONSULTATION

Not Applicable

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NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Daniel Douglas

Designation: Team Leader Transport Planning

Signature:

Date: 7th August 2024

D. Douglas

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

21. This report notes the award of a consultancy contract utilising the ESPO Framework for “Consultancy Services” under Lot 5 for the delivery of transport planning projects.
22. Part 1 Chapter 1 of the Localism Act 2011 gives the Council the same power to act as that of an individual, subject to other statutory provisions limiting or restricting its use. The recommendation in this report is compatible with the above statutory power.
23. The proposed value of the contract is £66,763, which is below the threshold for services under the Public Contracts Regulations 2015 (PCR). Accordingly, it is not subject to the full PCR regime. The use of a Framework is compliant with Regulation 33 of the PCR. The ESPO Framework (Contract Award Notice 2021/S 202-528967), commenced on (01/09/2021) and does not expire until (31/08/2025).
24. The Council's Contract Procedure Rules confirm that all subsequent purchases under a framework shall either not require further competition (if a single supplier) or, if there are two or more suppliers for those goods or services on the framework, follow the express framework provisions for choosing a supplier.
25. The framework allows direct award and mini competition options. As set out in the body of this report, Officers have decided to directly award a contract to Jacobs U.K. Limited.

FINANCIAL IMPLICATIONS AND RISKS

26. The cost of commissioning Jacobs (£0.067m) for the period 5th April - 27th September 2024 will be met through the salary underspend (as projected at P3 £0.067m) with any residual costs offset through the TfL Grant within the development planning cost centre (A26610).

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

27. The recommendations made in this report do not appear to give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

28. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have ‘due regard’ to:

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- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

29. The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

30. The Council seeks to ensure equality, inclusion, and dignity for all in all situations. There are no EDI considerations not already covered.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

31. Appointing Jacobs Ltd to support Transport Planning delivery workstreams will support the delivery of environmental and climate change related targets that are included in the Havering Local Implementation Plan. A number of the targets included in the Climate Change Action Plan are supported by the Transport Planning team.

BACKGROUND PAPERS

None

APPENDICES

None

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker

Signed



Name: **Neil Stubbings**

Cabinet Portfolio held:

CMT Member title:

Head of Service title: Strategic Director of Place

Other manager title:

Date: **08.08.24**

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____