

CABINET MEMBER SIGNING

Thursday, 23rd December, 2021, 10.30 am

Members: Councillor Zena Brabazon

**3. CAMPSBOURNE PRIMARY SCHOOL PHASE 2 - EXTERNAL ENVELOPE,
BOUNDARY WORKS AND WINDOW REPLACEMENT - CONSTRUCTION
WORKS CONTRACT AWARD (PAGES 1 - 2)**

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Thursday, 16 December 2021

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LATE BUSINESS SHEET

Report Title: Campsbourne Primary School Phase 2 - External Envelope, Boundary Works and Window Replacement - Construction Works Contract Award

Agenda Item: 3

Committee: Cabinet Member Signing

Date: 23 December 2021

Reason for lateness and reason for consideration

To consider the updated legal comments. These are statutory comments required with key decision-making and need to be considered.

The legal comments in the original report should be replaced with the following legal comments (amendments in bold text):

8.3. Legal

8.3.1. The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

8.3.2. The contract which the report relates to has been procured under the London Construction Programme Framework Agreement (Education and Leisure lot 2.1b North £1m-£5m). The use of a Framework Agreement is compliant with the Public Contracts Regulations 2015 (Reg 33) and the Council's Contract Standing Orders (9.01.2 (f) (carrying out a mini-competition under a framework agreement).

8.3.3. **Because of the value of this contract, it would normally be approved by Cabinet. In-between meetings of the Cabinet, a Cabinet Member has power under CSO 16.02 to approve a decision which would normally be taken by Cabinet, providing that the Leader has allocated the decision to the Cabinet Member. The Cabinet Member with the relevant portfolio is the Cabinet Member for Children, Education and Families.**

- 8.3.4. **The Cabinet Member for Children, Education and Families** also has power to approve the issuance of a letter of intent up to £100,000 or 10% of the contract value, whichever is higher.
- 8.3.5. The award of this contract is over £500,000 and is therefore a Key Decision and as such must comply with the Council's governance requirements in respect of Key Decisions (including publication in the Forward Plan) (see CSO 9.07.1(e)).
- 8.3.6. The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing **the Cabinet Member for Children, Education and Families** from approving the recommendations in the report.