

## Record of Delegated Executive Decision(s)

### 1. Subject of decision

Schools PFI variation

### 2. Name and Title of Decision Maker

Mark Longstaff, Director of Commissioning and Asset Management

### 3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

### 4. Executive summary

The Authority was successful in receiving funding to carry out decarbonisation works to four leisure centres within the Borough as part of the Government's national Public Sector Decarbonisation Scheme. One proposed was the Hadrian Leisure site. This leisure centre is located on the Burnside College site which forms part of a Grouped Schools PFI agreement with Kajima. In order to progress with the works an area of land is required to be removed from the PFI agreement.

The variation of the PFI agreement is something which the Director of Commissioning has the delegated authority to undertake by virtue of General Delegation GD13 contained in the Officer Delegation Scheme which forms part of the Authority's Constitution. GD 13 gives all Directors the following delegated authority in relation to contracts: -

"In consultation with the relevant Cabinet Member, Chief Finance Officer and the Assistant Chief Executive or appropriate Director of Service to approve all significant variations which cannot be contained within building and civil engineering contracts, after an allowance has been made for inflationary increases in fluctuating price contracts. (sections 5.9, 5.10 and B21 to B26 of Financial Regulations also refer.)"

## **5. Alternative Options considered**

Not approve the variation to the Grouped Schools PFI agreement. This would result in clawback of funding and would also mean that the carbon reductions would not be met by the Authority as previously reported to the Climate Emergency Board.

## **6. Decision(s)**

The variation to the Grouped Schools PFI agreement was approved to enable the decarbonisation works to be undertaken.

## **7. Reasons for the Decision(s)**

Completion of the variation will allow the decarbonisation works to be carried out and assist with the Authority's ambition to be carbon neutral by 2030. The proposed variation will also allow any future works to be carried out on the site.

## **8. Date Decision Made**

9 November 2021.

## **9. Is this decision subject to call-in and if so expiry date of call-in period**

Yes, the call-in period will expire at 5pm on Wednesday 17 November 2021.

## **10. Date of Publication**

10 November 2021.

## **11. Implementation Date (if decision not called in)**

After 5.00pm on 17 November 2021.