

## **BOROUGH COUNCIL OF KING'S LYNN AND WEST NORFOLK**

### **RECORD OF DECISION TAKEN BY OFFICERS UNDER DELEGATED POWERS**

This is a record of a decision taken by an officers under delegated powers and where necessary taken in consultation with members and officers.

<b>REPORT TITLE:</b>	Parkway PPC – contract with Lovells
<b>OPEN/EXEMPT</b>	Open
<b>LEAD OFFICER</b>	David Ousby & James Grant
<b>IS DECISION SUBJECT TO CALL IN?:</b>	No as Urgent Decision – contract must be entered as a matter of urgency as this has been delayed since January 2023 to enable due diligence checks and due to elections and change of administration. Significant risk of major cost consequences and threat to the whole work programme if the contract is not entered asap.
<b>DATE DECISION ADVERTISED:</b>	
<b>DATE OF DECISION:</b>	
<b>DEADLINE FOR CALL IN:</b>	n/a
<b>PRE-SCREENING EQUALITY IMPACT ASSESSMENT COMPLETED:</b>	YES /NO

**Delegated Power**

Specify the particular delegated power being exercised by reference to the Scheme of Delegation or the Council body minute and date.

Report to Cabinet – 17<sup>th</sup> January 2023

Recommendation 2: *That the Executive Director (Development Service\*), in consultation with the Portfolio Holder for Development and Regeneration and Monitoring Officer be given delegated authority to approve the final terms of a Project Partnering Contract (PPC) 2000 with Lovell Partnerships Limited (LPL) under the Major Housing Partnership Development Management Agreement (30 April 2014) to deliver the project.*

\*The role of Executive Director for Development Services has subsequently been superseded by the role of Executive Director for Place.

**Decision Taken**

Specify precise details of the decision taken.

Decision

To approve the final terms of the PPC contract and proceed with signing to proceed with the construction of the new 226 homes off Parkway, Gaywood.

Commentary

The terms of the contract have been renegotiated and revised by Alexa Baker and James Grant following the provision of external legal advice.

Key changes to PPC included:

- Inclusion of a Parent Company Guarantee
- Retention
- Liquidated Damages
- Review of clauses amended by Lovell Partnerships Ltd, and reverting them back to PPC2000 standard wording where required.

The revised terms provide better security for the council in encouraging Lovell to meet project goals and protecting the Council's position.

**Reasons for the Decision**

Specify all reasons for taking the decision  
To deliver this Major Project approved by Cabinet.

**Details of alternative options, if any, considered and rejected.**

The Corporate Projects team and Lovell Partnership Ltd have risk assessed the implications this scheme will have in a number of areas should the scheme be aborted.

Key implications include: Financial loss incurred by BCKLWN, failure to deliver on funding received from Homes England, Failure to meet Local Plan & 5 Year Land Supply Targets, Housing delivery failure, implications on BCKLWN Companies business plans, local economic impact, etc.

**Any declarations of interest and details of any dispensations granted in respect of interests (in relation to officers and any Members consulted).**

N/A

**List of Background papers**


Report to Cabinet on 17.01.23: Cabinet recommendation to proceed

Council on 26.01.23: decision to proceed on recommendation from Cabinet on 17.01.23

**Authorisation**

Name: Oliver Judges

Post Held: Executive Director (Place)

Signature: 

Date:

30/06/2023

**Consultation with members/officers**

**If the decision is taken following consultation with the members/officers, please give details:** Consultation in accordance with Cabinet delegation. Due to change in portfolios, the Portfolio Holder consulted has followed the portfolio responsibility.

**Name of Members/officers consulted:**

Alexa Baker, Monitoring Officer

Signed by officer as consulted: 

Date 30/06/2023

*Cllr Terry Parish, Leader.*  
~~Cllr Alistair Beales, Portfolio Holder for Business~~

**Signed by Portfolio Holder as consulted:**

Date

30/06/2023

# Pre-Screening Equality Impact Assessment

Borough Council of  
**King's Lynn & West Norfolk**



Name of policy/service/function	Corporate Projects				
Is this a new or existing policy/ service/function?	New / Existing (delete as appropriate)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service rigidly constrained by statutory obligations	Agreement to sign the PPC 2000 in order to proceed with the construction of 226 homes off Parkway.				
<b>Question</b>	<b>Answer</b>				
<p><b>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</b></p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
Other (eg low income)					
<b>Question</b>	<b>Answer</b>	<b>Comments</b>			
<b>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</b>	Yes/ No				
<b>3. Could this policy/service be perceived as impacting on communities differently?</b>	Yes/ No				
<b>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</b>	Yes/ No				
<p><b>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</b></p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	Yes/ No	<b>Actions:</b>			
		<b>Actions agreed by EWG member:</b>			
		Name .....			
<b>Assessment completed by:</b> <b>Name</b>	Allison Bingham				

<b>Job title</b> <b>Principal Project Officer</b>	<b>Date 28/6/23</b>
<b>Please Note: If there are any positive or negative impacts identified in question 1, or there any 'yes' responses to questions 2 – 4 a full impact assessment will be required.</b>	