

Use of the Council's Rule 16 and Call in Waiver Urgency Processes since the report to the 10 July 2019 Council meeting

Council is asked to note the following decisions taken and the reasons for urgency.

1.1 Decision (Call in Waiver): Housing Quarterly Electricity Landlords' Supplies Contract Renewal

1.2 Reasons for urgency

The Executive Director Resources Fay Hammond approved a decision on 14 August 2019 to renew the Housing Quarterly Electricity Landlords Supplies Contract.

A call-in waiver was required because Enfield buys electricity and other energy utilities through LASER which is the approved buying agent representing a consortium of local authorities including Enfield. Being part of this consortium enables the Council to access energy at a best value price, taking advantage of the bulk buying powers of a larger group.

The contract for the supply of electricity to housing sites was due for renewal on 1 October 2019. LASER has put together a tender for this contract and a decision on the new contract was due on 14th August 2019. Prices were received by midday and had to be signed off by 2.30pm that same day. This did not leave enough time to allow for clearance of the 5 day call-in process, which usually follows a decision, before it can be formally implemented.

Waiting for the call-in period to pass, would have prevented the Council from securing electricity at the best possible price. For this reason a call-in waiver was agreed.

This situation also occurs when dealing with other electricity and gas purchases and so a general call-in waiver for future decisions on contracts for the supply of gas and electricity under the above arrangement was also agreed under the previous administration.

2.1 Decision (Rule 16) Decision on signing the GLA addendum for grant funding

2.2 Reason for Urgency:

On 20 September 2019 the Executive Director Place Sarah Cary agreed a decision to sign the GLA addendum for grant funding.

Urgent approval was sought for the implementation of this decision for the following reasons:

Failure to enable the exchange of contracts before the end of September 2019 would have resulted in a risk to the current intended acceleration of future phases of the new avenue regeneration scheme that the purchase of the additional units was designed to unlock.

There was no risk associated with signing the addendum as it simply enabled the receipt of money only available once the necessary criteria had been met by the Council.

It was not possible to give the required 28 day notice and include the decision on the Council's Key Decision List because it was only possible to verify that a key decision was required once the GLA had provided the contract. The GLA only provided this once they had approved the request for funding which was only agreed via negotiations as part of the process for developing the document for KD4968.