

PART II – INDIVIDUAL CABINET MEMBER’S DECISION

LEADER

REPORT OF THE HEAD OF THE HEAD OF ENGINEERING AND HARBOUR SERVICES AND HEAD OF REGENERATION SERVICES – HEngH/07/47 and HRgn/07/27 on WHITBY SHELLFISH HOLDING FACILITY

DECISION

- (i) to enter into a contract with Yorkshire and Humber Seafood Group to accept additional funding for the project of £322,904 (to be added to existing funds of £7k);
- (ii) for inclusion of the project in the Council’s capital programme with a value of £329,904
- (iii) to grant an exemption from contract procedure rules under CPR rule 20(2)(j)
- (iv) to approve entry into the following contracts:
 - with Quibells & Son (Hull) Ltd in respect for design and build of the building in the sum of £201,762;
 - with Aqua Logistix in respect of the internal fit out, in the sum of £99,500

REASONS FOR DECISION

Following a Scrutiny Review, and a decision by Cabinet, the Council applied for Marine Fisheries Agency and Yorkshire Forward funding to deliver a Shellfish Holding Facility in Whitby. The funding bodies agreed to provide funding for the project, however, initially required that the project be delivered via the Yorkshire and Humber Seafood Group (“YHSG”) and be project managed by the Council. On 19 June 2007 Cabinet agreed to this.

Yorkshire and Humber Seafood Group (“YHSG”) have subsequently reviewed this request with the funding agencies. It has become apparent that the proposed arrangements for managing delivery of the project are not cost effective in that they will impose additional taxation costs on the project that have not been provided for. YHSG have therefore indicated their intention to fund the Council to deliver this project and obtained the support of funding bodies for this. Accordingly there is a need to enter into a funding agreement with YHSG, include the project in the Council’s capital programme and authorise entry into the necessary contracts to deliver the project. That funding agreement provides for recovery of any overspend on the project against YHSG were this to occur, and were this reasonable.

The construction contract needs to be entered into as soon as practicable to enable commencement of the project in September 2007 to meet the completion date required by funding agencies of March 2008 .

The Chair of Overview and Scrutiny Committee accepts that if authority to enter these agreements is delayed this would seriously prejudice the interests of the Council in that officers would be unable to deliver the project within the requisite timescales.

ANY RELEVANT INTERESTS DECLARED BY CABINET MEMBER AND ANY DISPENSATIONS GRANTED

None.

DATE OF DECISION: 13 September 2007

AGREEMENT OF CHAIR OF OVERVIEW AND SCRUTINY COMMITTEE: 13 September 2007

IMPLEMENTATION DATE 13 September 2007

Signed



**Councillor Tom Fox
Leader**
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Date of signature
13 September 2007
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Signed



**Chair of Projects and
Partnerships O&S Committee**
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Date of signature
13 September 2007
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