

Notification of Urgent Decision

Full Council

15 April 2021

Procurement over £500k - Notification of urgent decision taken by the Executive Director (Corporate Development S151) in accordance with the Council's procedural rules, relating to the Gigabit Hub Programme

For Review and Consultation

Portfolio Holder: Cllr P Wharf, Corporate Development and Change

Local Councillor(s): All

Executive Director: A Dunn, Executive Director, Corporate Development

Report Author: A Dunn

Title: Executive Director Corporate Development (S151 Officer)

Report Status: Public

Notification of Urgent Decision

1. Full Council are requested to note that in late March 2021 Dorset Council received £2.7m of grant funding from Building Digital UK (BDUK), which is part of the Department for Digital, Culture, Media & Sport (DCMS).
2. The purpose of the funding was to improve digital connectivity for 114 sites (45 Dorset Council and 69 school sites) associated with the Gigabit Hub Connectivity in Rural Dorset (GHCiRD) project. The project requires a procurement process to select a commercial partner to undertake the work.
3. Procurements over £500k are classified as a key decision and usually require Cabinet approval. However, a requirement of the funding was that the procurement was required to commence on or by 31 March 2021 and this did not allow sufficient time for the formal Cabinet decision making process.
4. In these exceptional circumstances, and in accordance with Part 3 of the Scheme of Delegation within the Council's Constitution, the Section 151 officer authorised the commencement of the procurement.
5. Paragraph 32 of the scheme of delegation explains the circumstances in which the delegation can be used:

'In any cases which s/he considers to be urgent, to discharge any function and deliver any service within the Chief Officers responsibility, other than those functions which can only be discharged by the Council or a specific Committee.

This delegation is subject to the following conditions:

- prior consultation with the Monitoring Officer and the Section 151 Officer;
 - consultation with the appropriate Executive Member or the Chairman of the appropriate Committee; and,
 - to the extent it will incur expenditure from working balances and/or reserves, the prior approval of the Section 151 Officer.'
6. In taking the decision, the Section 151 officer consulted with the Cabinet Member for Corporate Development and Change, who endorsed the approach.
 7. In addition the Monitoring Officer advised of the need to comply with Overview and Scrutiny Procedure Rule 27 relating to a decision that is so urgent that consideration should be given to excluding it from the scope of "call-in". Such decisions require the approval of the relevant Scrutiny Chairman and must be reported to the next available meeting of the Full Council.
 8. Recognising the urgency and the benefit of securing the grant funding the Chairman of the Place & Resources Scrutiny Committee supported the exercise of delegated powers as reasonable and that the decision should be excluded from call-in.
 9. The officer delegated decision notice has been published on the Councils website:
[Decision - Gigabit Hub Connectivity in Rural Dorset - Dorset Council](#)