

# WINCHESTER CITY COUNCIL DECISION RECORD

VERSION 4. MARCH 2022

**Officer Completing the Form:** Rick Smith

**Lead Director:** Dawn Adey

**Subject:** Tree Management Framework (TMF2)

**Details of Decision:** *Please provide a brief explanation as to what decision was made, including any financial implications. This should be done in easy to understand, non-technical language - as this wording will appear on the website for the public to read. Also please remember all staff will be able to see this document.*

*Two items are asked for approval:*

1. To approve Total (potential) Value of the Framework of £900,000 and estimated annual contract value of £225,000 for a fixed 4 year term. The purpose of the TMF2 is to enter in to a 4-year multi-contractor Framework Agreement to undertake tree works throughout the district from January 2025, following the expiry of the current 4-year framework agreement.
2. Cabinet (CAB3448) approved the authorisation of the Strategic Director (Place) to procure, award and enter in to a contract to secure the services of tree contractors to undertake works to Winchester City Council owned and managed trees, by means of a Framework Agreement, in compliance with public procurement regs and the Council's constitution.

**Type of Decision: (please tick. see reverse for definitions)**

- |   |
|---|
| <input type="checkbox"/> Key Decision (Executive) & Subject to Call-In (see section 2A on reverse of this form) Note, these decisions are published on winchester.gov.uk    |
| <input checked="" type="checkbox"/> Significant Operational Decision (see section 2B (1) on reverse of this form). Note, these decisions are published on winchester.gov.uk |
| <input type="checkbox"/> Other Decisions to be Published (see section 2B (2) on reverse of this form) Note, these decisions are published on winchester.gov.uk              |
| <input type="checkbox"/> Administrative Decision (see section 3 on reverse of this form)  |

**Reason for the Decision:** *A brief overview of your reasons for taking this course of action.*

This decision record follows the CAB3448 report and the Reg 84 "Procurement Process & Award Recommendation Report for above threshold projects" to authorise procurement for the Tree Management Framework. The £900,000 Total Potential Value of the 4 year contract was approved at CAB3448 on 14<sup>th</sup> March 2024.  
The service is currently successfully *delivered via a framework established in 2019 in compliance with PCR 2015.*

**Alternative Options Considered & Rejected:** *All alternative options considered need to be outlined here. Please include detail of any representations received. This will include your response to any alternatives suggested by those making representation and the reasons why these alternatives were rejected.*

N/A

**Supporting Information:** *If your decision relates to delegated authority derived from a specific Committee resolution, please confirm the name of the Committee, the date of the meeting and paste the resolution into this box.*

Cabinet, Thursday 14 March 2024 – item 8: CAB3448

"RESOLVED:

That the Strategic Director – Place be authorised to procure, award and enter into a contract to secure the services of tree contractors to undertake works to Winchester City Council owned and managed trees, by means of a Framework Agreement, in compliance with public procurement regulations and the Council's constitution

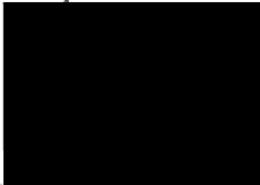
**Declared Officer and/or Member interests:** *List any conflict of interest declared by any Cabinet Member who was consulted by the officer which relates to the decision and, in respect of any declared conflict of interest, any note of dispensation granted by the Monitoring Officer.*

N/A

Departmental Review (Via Cabinet report)		
Legal review:	<i>Tick this box to confirm legal team have reviewed proposed decision.</i>	<input checked="" type="checkbox"/> Karen Murphy
Finance review:	<i>Tick this box to confirm finance team have reviewed proposed decision.</i>	<input checked="" type="checkbox"/> Neil Aitken
Other review:	<i>Tick this box to confirm any other departmental review of proposed decision (and specify department)</i>	<input checked="" type="checkbox"/> Julie Mahoney
Public Sector Equality Duty:	<i>Tick this box to confirm you have considered the PSED requirements (see section 4 on reverse of this form)</i>	<input checked="" type="checkbox"/>

**PTO**

Are the details of the decision open or exempt?
<input checked="" type="checkbox"/> Open
<input type="checkbox"/> Part Exempt. Please expand
<input type="checkbox"/> Exempt. Please expand

<p><b>Decision Taker (Dawn Adey):</b> <i>This needs to be the specific Officer or Cabinet Member who holds the delegation within the constitution/or referred to by a committee</i></p>	<p><b>Decision Taker (Signature):</b></p>	<p><b>Date:</b></p>
<p>Dawn Adey – Strategic Director – Place</p> 	<p>24/09/2024</p>	

Call In dates (key decisions only) and Implementation date:	
Commencement of call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Last date for call in: (date)	Click here to enter a date. <i>(Please refer to Dem Services for this)</i>
Planned Implementation Date:	Construction: November 2024

## Notes.

### 1) Why record officer decisions?

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require local authorities to produce a written statement of an executive decision made by an officer as soon as is reasonably practicable after the decision is taken (see Paragraph 13). This written statement must include the information requested in the questions of the pro forma on the previous page.

### 2) What sort of decisions are there?

- a) **Key decisions.** A key decision is defined by Regulation 8 of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2012 as being an executive decision which is likely:
- i. To result in the local authority incurring expenditure, which is or the making of savings which are significant having regard to the local authority's budget for the service or function to which the decision relates; **(For Winchester City Council, the financial limit above which a decision is regarded as significant is £250,000 per year), or;**
  - ii. To be significant in terms of its effect on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules, Access to Information Procedure Rules (Part 4) and the Officer Scheme of Delegation (Part 3) of this Constitution.

- b) **Non-Key Decisions.** Officers will usually take non-key executive decisions. A non-key decision is an executive decision that does not meet either criterion of a key decision as laid out above. These decisions are divided into significant operational decisions and administrative decisions.

1. **Significant Operational (Non-Key) Decisions.** This is a decision in relation to a Council or executive function which is not a key decision and results in one of the following:
  - i. Revenue expenditure or making savings (including the receipt or loss of income) between £100,000 and £250,000 per year;
  - ii. Capital expenditure (i.e. if they involve entering into new commitments and/or making savings) and/or contract awards of between £100,000 and £250,000
  - iii. When, in the opinion of the Chief Executive, the Section 151 Officer or Monitoring Officer, a published record of the decision is required to provide openness and transparency.
  - iv. A significant decision should be recorded in order to comply with Regulation 13 (Recording of executive decisions made by individuals) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (No. 2089).
2. **"Other" Decision.** Regulation 7 of the Openness of Local Government Bodies Regulation 2014 requires a written record to be produced as soon as reasonably practicable after an officer has made a decision under delegation which a) grants a permission or licence or b) affects the rights of an individual.
3. **Administrative Decision:** *(these do not require recording on this form unless one or more of the following applies)*
  - i. There is a financial implication;
  - ii. It is in conflict with the Budget and Policy Framework or other approved policies approved by full Council; and
  - iii. It raises new issues of policy.

### 3) Which officer decisions need to be recorded on this form?

Officers need to record:

- 1) any key decision, i.e., decisions that have a significant effect on 2 or more divisions, or have a cost/saving of £250,000 or more. (see 2A above)
- 2) any Significant Operational Decisions. (see 2B (1) above)
- 3) "Other" officer decisions regarding the granting of a permission or licence or that affect the rights of an individual (see 2B (2) above)
- 4) Administrative decisions for which there is a financial implication.

### 4) What are the relevant processes to be followed?

**For all decisions, the report author needs to complete the Forthcoming Decisions record in Sharepoint.**

Establish which type of decision it is (see 2 A and 2B above.)

Most officer decisions require to be recorded on this form (see 3 above) Once completed, please ensure that it is reviewed by legal, finance and the relevant Director prior to signing. Once approved, the form should be forwarded to Democratic Services for adding to the Council's website where it can be viewed by members of the public on the decisions page (unless it is an Administrative decision).

Public Sector Equality Duty. Contact your Corporate Head of Service should you require any clarification regarding the council's Public Sector Equality, including whether you may need to complete an impact assessment as part of this decision record.