



**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO  
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)  
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &  
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u>	
To appoint legal representation for the leasing of the leisure box on Abbey Street Phase 2	
<u>DECISION REFERENCE</u>	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc.
DO/30/2025 (VS/MB)	<ul style="list-style-type: none"> <li>• Cabinet Minute no CB110</li> <li>• Cabinet report: 21st February 2024 – Regeneration Update.</li> </ul>
<u>DATE OF DECISION</u>	<u>DECISION MAKER (Name and Job Title)</u>
13/08/2025	<p>Victoria Summerfield Strategic Director – Corporate Resources</p>  <p>Maria Bailey Strategic Director – Place and Economy</p> 
<u>RECORD OF THE DECISION</u>	
<p>a) The issue</p> <p>The leisure box on Phase 2 of the Abbey Street development is now completed by BAM and has been passed over to NBBC to be kitted out by the occupier. It is vital that a robust lease is in place before being passed on to the occupier. Given the lack of capacity within the internal legal team and the need to instruct legal advisors who are experts in this field we have gone out for 3 quotes for this work as per the Council's Contract Procedure Rules.</p> <p>b) The Decision</p> <p>That the work on the lease is awarded to Gowling WLG (UK) LLP. All quotes came in around the same price. New regulations for procurement are based on Most Advantageous Tender (MAT) rather than Most Economically Advantageous Tender (MEAT) so less emphasis on price. As Gowlings have a fixed price it gives NBBC more certainty and limited additional cost.</p>	

<p><u>REASON FOR THE DECISION</u></p> <p>Following Cabinet and senior officers being involved in interviews for potential occupiers of the new leisure box on Abbey Street Phase 2, a preferred provider has now been notified so the next stage is to engage legal representatives to draw up a lease agreement. Cabinet will be kept informed of progress and updated on a regular basis. A report is expected to September Cabinet. Legal representation is required in advance of any formal decision being made by Cabinet in readiness for the selected occupier</p>
<p><u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION</u></p> <p>Two other quotes received which could result in additional unexpected costs, so the most certain option was chosen. In house capacity considered but not available at this time.</p> <p>Using the new Legal Services Framework Agreement. Whilst the framework agreement has a property lot and the procurement process has concluded, the framework agreement currently isn't operational for an award to be placed.</p>
<p><u>WARD RELEVANCE</u></p> <p>St Mary's</p>
<p><u>FINANCIAL AND BUDGET IMPLICATIONS</u></p> <p>The cost of this legal work will come from the existing Abbey Street Phase 2 budget.</p>
<p><u>CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS</u></p> <p>Leader of the Council Portfolio Holder Chief Executive Officer Monitoring Officer / Assistant Director Strategic Director – Corporate Resources Strategic Director – Place and Economy Assistant Director –Economy and Regen</p>
<p><u>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED</u></p> <p>N/A</p>
<p><u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given).</p> <p>N/A</p>

EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)

No impacts identified. The buildings will meet all current building and construction legislation.

HUMAN RESOURCES IMPLICATIONS

No impacts identified

FINANCIAL IMPLICATIONS

See financial and budget implications section above.

HEALTH EQUALITIES IMPLICATIONS

No impacts identified

SECTION 17 CRIME & DISORDER IMPLICATIONS

No impacts identified

RISK MANAGEMENT IMPLICATIONS

If the Council doesn't deliver within the agreed timeframes, including drawing down the funding, the funding will be withdrawn.

Equally the validity of the business case was based on the successful operation of a leased building for the duration of the lease.

Any expenditure on the project over and above what has already been agreed, or lease failure, will result in a direct financial burden, requiring capital contribution and creating a revenue burden on the General Fund.

SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS

Occupation of the leisure box will enhance the economic activity in the Borough.

ENVIRONMENTAL IMPLICATIONS

The project will be delivered in accordance with regulations

LEGAL IMPLICATIONS

Procurement and appoint of a legal form for the lease and associated legal documents falls below the threshold for public procurement. In accordance with the Contract Procedure Rules, three quotes were obtained.

This decision also ensures the Council is protected by having a lease agreement for the leisure box site.

ANY OTHER COMMENTS

N/A

**PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS  
MADE OR AS REASONABLY PRACTICABLE THEREAFTER**