

FORM 1

NOTICE OF DELEGATION OF DECISION TO CABINET MEMBER BY STRONG LEADER

Section 15(4) of the Local Government Act 2000, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

I, Cllr Marcus Hart, as Strong Leader, delegate the decision to progress the approval to enter into a contract with NPower through the Yorkshire Purchasing Organisation (YPO) framework for the electricity supply, for the period 1 April 2019 – 31 March 2023, as detailed in the Forward Plan to the Cabinet Member detailed below:

Cabinet Member: Councillor N J Desmond

Dated:

22nd January, 2019.

Signed:



Leader of the Council

FORM 2

NOTICE OF DECISION OF CABINET MEMBER

Pursuant Section 15(4) of the Local Government Act 2000, as amended by section 63 of the Local Government and Public Involvement in Health Act 2007, the senior executive member may discharge any of the functions that are the responsibility of the Cabinet or may arrange for them to be discharged by another member of the Cabinet or Officer. On 1st December 2010, the Council adopted the Strong Leader Model for Corporate Governance 2011 as required under Part 3 of The Local Government and Public Involvement in Health Act 2007 (The 2007 Act).

In accordance with the authority delegated to *me / by the Leader* (delete as appropriate), I have made the following decision:

| Subject | Decision | Reason for decision | Date for Decision to be taken |
|-----------------------------|--|--|--------------------------------------|
| Electricity Supply Contract | To authorise the entering into a contract with NPower through the Yorkshire Purchasing Organisation (YPO) framework for the electricity supply, for the period 1 April 2019 – 31 March 2023. | To ensure competitive electricity supply contract is in place to secure the best value for the Council | 23/1/19. |

I confirm that the appropriate statutory officer consultation has taken place with regard to this decision.

Dated: 23/1/19.
Signed: 
Councillor: Nathan Desmond.
Cabinet Member

WYRE FOREST DISTRICT COUNCIL
STRONG LEADER CABINET REPORT

22nd JANUARY 2019

Contract for the supply of Electricity

| Exempt | |
|-------------------------|---|
| CABINET MEMBER: | Councillor N J Desmond |
| DIRECTOR: | Mike Parker, Director – Economic Prosperity & Place |
| CONTACT OFFICER: | Elaine Brookes, Facilities & Asset Manager Ext. 2797 elaine.brookes@wyreforestdc.gov.uk |

1. PURPOSE OF REPORT

- 1.1 To approve the entering into a contract for the supply of electricity with the Yorkshire Purchasing Organisation (YPO)

2. RECOMMENDATION

The Cabinet is asked to DECIDE:

- 2.1 To authorise the entering into a contract with NPower for the provision of electricity using the Yorkshire Purchasing Organisation (YPO) Framework for the period 1 April 2019 – 31 March 2023.

3. BACKGROUND

- 3.1 The Council's current purchasing agent for electricity is the Yorkshire Purchasing Organisation (YPO) with NPower as supplier.
- 3.2 The current contract for electricity supply expires in March 2019. To take advantage of the new YPO framework the Council is required to sign up to an agreement with Npower by 31st January 2019.
- 3.3 YPO carried out a competitive tender between 6 electricity supply companies, EDF, Haven, SSE, Engie, NPower and Total Gas & Power, see results below:

| Supplier | EDF | Engie | Haven | nPower | SSE | Total Gas & Power |
|---------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| Quality Score (out of 60) | (2 nd) | (4 th) | (6 th) | (5 th) | (3 rd) | (1 st) |
| Price Score (out of 40) | (2 nd) | (3 rd) | (5 th) | (1 st) | (6 th) | (4 th) |
| Total Score (out of 100) | (2 nd) | (4 th) | (6 th) | (1 st) | (5 th) | (3 rd) |

4 KEY ISSUES

- 4.1 Due to the expiry of the contract for the supply of electricity it is essential that the Council progress the new contract for the supply of electricity. The YPO Framework Agreement (with NPower as supplier) offers competitive rates.
- 4.2 The framework has followed EU procurement regulations and was subject to the full EU procurement process.
- 4.3 The new electricity contact will cover the period 1 April 2019 – 31 March 2023. This enables the Council to procure its supply at the most competitive rate without the need to directly run a procurement process.

5 RECOMMENDATION

- 5.1 It is recommended that the Council enters into a new contract with NPower for the supply of electricity, commencing 1 April 2019, using the existing framework from YPO for the period up to March 2023.

6 FINANCIAL IMPLICATIONS

- 6.1 The budget for electricity for 2019/20 is £171,900 per annum, on all sites. The total value of the contract will therefore be within the region of £687,600.

7 LEGAL AND POLICY IMPLICATIONS

- 7.1 The Contract Procedure Rules require Cabinet approval to enter into contracts where the estimated value of the contract exceeds £160,000.
- 7.2 The Contract Procedure Rules permit the use of framework agreements where the Procurement Officer and the Solicitor to the Council are satisfied that the Council can lawfully use them and that it is in the Council's interest to do so.
- 7.3 The terms and conditions have been reviewed by the Contracts Solicitor.

8 RISK MANAGEMENT

- 8.1 Failure to continue with the existing framework contract for the supply of electricity would mean that the Council are left without an electricity provider.

9 EQUALITY IMPACT ASSESSMENT

- 9.1 This is a financial report and there is no requirement to consider an Equality Impact Assessment.

10 CONCLUSION

- 10.1 Approval is sought to use the YPO Framework to enter into a contract for the supply of electricity with NPower and to authorise the entering into a contract under the YPO framework for electricity supply.

11 CONSULTTEES

11.1 Director – Economic Prosperity & Place

11.2 Finance Manager

11.3 Assistant Accountant

11.4 Contracts Solicitor

11.5 Facilities & Asset Manager