

## **RECORD OF DECISION MADE UNDER DELEGATED AUTHORITY**

[To be completed having read 'Guidance to Members and Officers – Taking a Delegated Decision'].

### **\*PART 1 – PUBLIC DOCUMENT**

Any interest to declare/ or conflict and any dispensation granted [*if applicable*]

### **SERVICE DIRECTORATE: Place Directorate**

#### **1. DECISION TAKEN**

To appoint Fishtek Consulting to deliver a detailed design for the removal of a breached side weir structure on the River Oughton, in Hitchin, Hertfordshire, along with associated habitat enhancement along approximately 200m of the river channel.

#### **2. DECISION TAKER**

Sarah Kingsley

#### **3. DATE DECISION TAKEN:**

11<sup>th</sup> September 2023

#### **4. REASON FOR DECISION**

4.1 The above contractor attained the highest scores in the tender evaluation process based on price and quality criteria and are therefore considered best value.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

5.1 None considered.

#### **6. CONSULTATION (INCLUDING THE EFFECT ON STAKEHOLDERS, PARTNERS AND THE PUBLIC)**

6.2 Consultation has been undertaken with the Executive Member for Leisure and Environment.

#### **7. FORWARD PLAN**

7.1 This decision is not a key Executive decision and has therefore not been referred to in the Forward Plan.

#### **8. BACKGROUND/ RELEVANT CONSIDERATIONS**

8.1 Due to the current condition of the existing weir it is essential that expert technical resources are appointed to progress the project to replace the weir in accordance with the preferred proposals from the Environment Agency

#### **9. LEGAL IMPLICATIONS**

9.1. There are statutory duties underlying the decision.

- 9.2. The Council has a duty to ensure that its responsibilities as Riparian Owner of the riverbank adjacent Oughtonhead Common is safe for public access along the bridleway. Also, that water flow is always maintained and that the biodiversity is protected and enhanced to preserve this chalk stream.

## **10. FINANCIAL IMPLICATIONS**

- 10.1. The value of the works to provided by Fishtek is £79,608.00. There is an existing capital budget allocation for this expenditure.
- 10.2. Works to deliver the specification to resolve the issue of the collapsed weir will be tendered via a separate contract.

## **11. RISK IMPLICATIONS**

- 11.1 The risks associated with Oughtonhead Common Weir has been reviewed and updated on Pentana, the Council's performance and risk management software.

## **12. EQUALITIES IMPLICATIONS**

- 12.1 12.1 The Equality Act 2010 came into force on the 1<sup>st</sup> October 2010, a major piece of legislation. The Act created a new Public Sector Equality Duty, which came into force on the 5<sup>th</sup> April 2011. There is a General duty, described in paragraph 12.2, that public bodies must meet, underpinned by more specific duties which are designed to help meet them.
- 12.2 In line with the Public Sector Equality Duty, public bodies must, in the exercise of its functions, give **due regard** to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.3 There are no additional equality implications associated with this proposal.

## **13. SOCIAL VALUE IMPLICATIONS**

- 13.1 As the recommendations in the report relate to a contract below £100,000 the "go local" policy has not been applied due to the limited range of suitable contractors that are able to deliver this project within our identified timeframe.

## **14. ENVIRONMENTAL IMPLICATIONS**

- 14.1. An Environmental Impact Assessment will be undertaken as part of the works to identify the appropriate direction forward to deliver the identified specified works. This will entail various environmental site surveys. The resulting contract will then take into account all the implications of this research.

## **15. HUMAN RESOURCE IMPLICATIONS**

- 15.1 There no human resource implications as the works associated with delivering the framework contract are already contained within existing resources.

## **16. BACKGROUND PAPERS**

- 16.1 Specification and Contract documents relating to this project on InTend.

## **17. APPENDICES**

- 17.1 None

**NOTIFICATION DATE**

**Signature of Executive Member Consulted**

A handwritten signature in blue ink that reads "Steve Jarris". The signature is written in a cursive style and is underlined with a single horizontal line.

**Date 12<sup>th</sup> September 2023**

**Signature of Decision Taker**

A handwritten signature in black ink, written in a cursive style. The signature is partially obscured by the text "Signature of Decision Taker" to its left.

**Please Note: that *unless urgency provisions apply* EXECUTIVE decisions cannot be implemented until 5 clear working days have elapsed after the decision has been taken to allow for scrutiny call-in.**

**Call-in does not apply to NON-EXECUTIVE DECISIONS**