

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No:** CR/659/12/23

**BOX 1**

**DIRECTORATE:** Corporate Resources      **DATE:** 8 November 23  
**Contact Name:** Faye Tyas                      **Tel. No.:** 01302 862606

**Subject Matter:** Specialist Finance Advisory Services Contract Award

**BOX 2****DECISION TAKEN**

Award of a contract via the CCS RM6187 MCF3 (lot 4) to EY for specialist financial and commercial advice in respect of the SYAC Project.

**BOX 3****REASON FOR THE DECISION**

South Yorkshire Airport City (SYAC) is the project to reopen Doncaster Sheffield Airport (DSA) and develop a cluster of high value economic activity which complements traditional aerospace functions, including logistics. SYAC would incorporate employment, retail, leisure and residential opportunities with excellent transport links, supporting new inward investment into Doncaster and South Yorkshire.

To ensure successful delivery the Council has developed a detailed programme plan with a number of strands. It seeks to protect existing airport assets where possible including airspace, ensure there is a viable and robust case for the acquisition and operation of a successful airport, and considers the wider development of an economic cluster around the airport.

A formal competitive procurement process is progressing for a provider to operate and develop the airport in accordance with the aspirations of the Council and Region i.e., economic regeneration, ensuring risks are mitigated and the contract is let in a fair and transparent manner. Under the legislation the specific process to deliver this agreement is the Competitive Procedure by Negotiation (CPN).

The Council is entering stage two of the CPN, which is the Invitation to Tender (ITT). The tender will clearly set out the specification of requirements, form of contract. This is where bidders will answer to questions as described so that these can be evaluated. The tender will be made up of

both commercial (quantitative) questions, qualitative questions on service delivery against the specification/aspirations and demonstrate social value and environmental commitments on the contract. At this stage, the Council may have a lease term agreed at which point how this passes down to and are signed up by the bidders will be explored.

At this stage it is essential to procure specialist financial and commercial advisers to support the ITT stage, including the following activities:

<u>Stage</u>	<u>Dates</u>	<u>Activities</u>
Stage 2	19/10/23> 14/11/23	Support the drafting of the commercial information & evaluation criteria.
Stage 3	15/11/23> 17/01/24	Support in drafting clarification questions pertaining to the commercial requirements and questions.
Stage 4	17/01/24> 17/02/24	Raise clarifications on the information submitted for bidders to respond, sense check submissions, provide supplementary information to support the scoring & evaluation of ITT submissions, input to moderation meeting 02/02/24
Stage 5	17/2/24> 31/3/24	Support on the financial and commercial requirements and questions. Provide advice and guidance on matters arising from negotiation meetings.

EY have been awarded the contract compliant with the Councils Contract Procedure Rules (CPRs), via RM6187 MCF3 (lot 4). EY have specialist knowledge that supports the SYAC Project Team on commercial matters and are able to mobilise quickly to meet the challenging project timescales.

The overall project funding was approved by Cabinet on 12<sup>th</sup> April 2023, [REDACTED], [REDACTED]

[Cabinet 120423 DSA - FINAL REPORT BODY JG.pdf \(modern.gov.co.uk\)](#)

At this point in time, the EY financial and commercial services for the ITT stage of the procurement process [REDACTED]. This will be further refined and clarified as we progress the ITT. Prior to each stage CDC officers will agree a fee with EY, based on an estimate of the work required, and therefore EY resources. These costs will be funded from the overall project funding either from the contingency amount allocated or redirecting from another budget line i.e., legal fees.

#### **BOX 4**

##### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- Not award via the CCS framework agreement – not advisable due to the immediate needs of the SYAC project and EY’s knowledge to date.
- Not award the contract – failure to receipt expert knowledge on commercial matters could leave the Council at risk.

**BOX 5****LEGAL IMPLICATIONS**

The appointment of a partner to reopen the Airport is a significant endeavour for the Council and will require the assistance of a range of expert advisors across different disciplines in order to ensure that the interests of the Council are protected. Given the financial implications of this project it is prudent to source financial advisors.

The appointment of EY via a framework is a recognised process and is compliant with CDC Contract Procedure Rules and relevant procurement legislation.

**Name:** Scott Fawcus

**Date:** 09.11.23

Name of Assistant Director of Legal and Democratic Services (or representative)

**BOX 6****FINANCIAL IMPLICATIONS:**

Within the £3.1m funding allocation for the project approved on the 12<sup>th</sup> April 2023 is an allocation for £1.085m for legal fees which is no longer fully required for that purpose due to how the project is now progressing. There is also a contingency allocation for £285,720 which currently has negligible spend against it. These two allocations can be used to fund this spend.

**Name:** Clare Rosser

**Date:** 10<sup>th</sup> November 2023

Name of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7****OTHER RELEVANT IMPLICATIONS**

**Name:** \_\_\_\_\_

**Date:** \_\_\_\_\_

Name of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

**BOX 8**

**EQUALITY IMPLICATIONS:** (To be completed by the author).

**BOX 9**

**RISK IMPLICATIONS:** (To be completed by the author)

- Contractual risks are mitigated by formalising the contract between the Council and EY.

**BOX 10**

**CONSULTATION**

Consultation on the decision has been undertaken with the SYAC project team.

**BOX 11**

**INFORMATION NOT FOR PUBLICATION**

Information in box 3 has been redacted as its financial information.

**Name: Holly Blake**

**Date: 20.11.23**

Name of FOI Lead Officer for service area where ODR originates

**BOX 12**

**BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

**BOX 13  
AUTHORISATION**

**Name: Christian Foster Signature: [REDACTED] Date: 4<sup>th</sup> December 2023**

Strategic Programme Lead

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**NO**

**If yes please authorise below:**

**Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

Chief Executive/Director/Assistant Director of \_\_\_\_\_

**Consultation with Relevant Member(s)**

**Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

**Designation \_\_\_\_\_**

**(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)**

**Declaration of Interest NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Ladem@doncaster.gov.uk](mailto:Ladem@doncaster.gov.uk) who will arrange publication.

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**