

Officer Executive Decision Form – Urgent key decision



DECISION DETAILS:

- Subject:** Expenditure required to support tenants of Barton House with accommodation and to complete remedial works so they can return to Barton House.
- Full details of the decision taken:**

Authorise:

- the Executive Director, Growth and Regeneration to agree a contract extension with the Holiday Inn in respect of accommodation to be provided and any other contracts required to support and progress the situation.
- spend of up to £2.7m in addition to the £2.6m authorised in previous OED for Barton House evacuation giving a total spend of £5.3m [Officer Executive Decision published 24 November 2023 Mayor's Executive Scheme of Delegation \(bristol.gov.uk\)](#)

for which there is no budgetary provision in relation to the emergency evacuation of Barton House and the elements of spend set out above.

To note:

- that reprioritisation of HRA budgets will be required to accommodate the spend.
- Monetary value involved (if any):** up to £5.3m cumulative spend for both decisions
 - Contract number (if applicable):**
 - Reason for identifying as an Urgent Key Officer Executive decision:**

Decisions need to be taken urgently and cannot wait until the next Cabinet meeting. The existing contract with the Holiday Inn runs until the end of January and needs to be extended. Contractually this needs to be carried out before the next Cabinet meeting and so an Urgent Key Officer Executive Decision is needed.

- Date of decision:** 12 January 2024

7. Reasons for the decision:

This decision relates to additional spend over and above the £2.6m covered in the OED approved on 23rd November 2023.

Further survey information has now been received which supports a programme of works which will enable residents to return safely to Barton House. The programme of works is scheduled to complete by 23 February 2024. The existing contract with the Holiday Inn runs until the end of January and therefore needs to be extended. Contractually this needs to be carried out before the next Cabinet meeting and so an Urgent Key Officer Executive Decision is needed.

This decision will enable the Council to continue to support residents in alternative temporary accommodation until the works above have been completed and the block is safe for residents to return.

The decision is to spend on the above items up to a total of £2.7 m

Consultees:

Mayor Marvin Rees

Cllr Craig Cheney, Deputy Mayor and Cabinet Member, City Economy, Finance & Performance

Cllr Tony Dyer, Chair, Overview and Scrutiny Management Board

Denise Murray, Director of Finance/S151 Officer

Tim O’Gara, Monitoring Officer

John Smith, Executive Director of Growth and Regeneration

8. Details of alternative options considered and rejected:

Option 1 – not proceed with emergency spend – would not allow the Council to continue to support residents in alternative temporary accommodation or complete the necessary works to make the block safe.

Option 2 – reduced spend – the essential works have been scheduled to minimise the time and cost of alternative temporary accommodation.

9. Financial implications:

There is currently no budgetary provision within the HRA to fund the costs identified above, and any as yet unidentified costs arising. The total forecast costs are set out below:



Accommodation	Families	Invoiced (£000's)	Forecast (£000's)
<u>Holiday Inn</u>	96		
Guest Rooms		986.6	1,349.9
Function Room		168.8	258.0
Subsistence		0.0	958.3
Security & Parking		208.6	521.8
Guest Laundry			81.6
Cleaning			39.2
		1.6	5.9
<u>Clayton Hotel</u>	19		
Guest Rooms		17.7	17.7
<u>Leonardo Hotel</u>	19		
Guest Rooms		14.5	14.5
<u>Serviced Accommodation</u>	15		442.9
Disturbance Payments	14	36.2	119.6
Security At Barton House			
Additional Waking Watch		109.4	196.0
Temporary Fire Alarms			250.0
Fire boxing of goal posts			263.4
Legionella testing			22.0
Building Surveys			165.6
			0.0
Removal Costs		3.0	10.0
			0.0
Taxis		1.1	90.4
			0.0
Contingency			480.7
		1,547.5	5,287.4

During discussions with the council's insurers, Zurich, it was confirmed by them that as no insurable event had actually occurred, then the Business Continuity Material Damage Proviso within the policy will not be activated. We are therefore unable to recover any such costs through our insurers.

Reprioritisation of HRA budgets will be required to accommodate any spend. Forecast underspends within the HRA will be reviewed, and where appropriate virements requested. Should the expected costs of the emergency evacuation exceed expected savings during the remainder of the financial year, a drawdown from reserves will be required. There are currently sufficient reserves to absorb this, however over the longer term should this be required, then the necessary adjustments will need to be made within the 2024/25 HRA business plan to protect the reserves position.

10. Legal powers and implications:

There are no direct legal implications in respect of the decision that is requested.

The contract extension and any other contracts that are entered into will need to be compliant with 2015 Procurement Regulations and the Councils own procurement rules. Legal advice has been and will be provided separately as needed.

Husinara Jones
Team Manager/Solicitor
10th January 2024



11. Climate change and environmental implications:

None

12. Risk management:

The risk management unit will advise and assist officers regarding necessary risk improvement initiatives and processes to keep the council's exposures as low as possible.

13. Equality implications:

Due to the emergency nature of the incident, assessment of equality impacts have been dynamic and a regular consideration for the Incident Management Team and Strategic Coordinating Group. From data and experience we know that there are specific needs relating to age, disability, pregnancy and maternity, race, and religion or belief. This has informed tactical decisions including health and social care referrals, the regular provision of translated communications, direct resident engagement by Community Development Officers, the provision of appropriate food and more.

There is a risk of disproportionate impact on certain groups and mitigations are already in place and continue to be developed as part of a formal Equalities Impact Assessment. However, the potential harm of such impacts is considered to be outweighed by the increased risk to life presented had the block not been evacuated.

Ongoing regard is being given to:

- i) Eliminating discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- ii) Advancing equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to:
 - i. Remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - ii. Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - iii. Encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Fostering good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to tackle prejudice; and promote understanding.

14. Any conflict of interest declared by a Cabinet Member consulted by the officer taking the decision, together with a note of any dispensation granted by Audit Committee in relation to the conflict of interest (if applicable):

None



Consultees

Name: Mayor Marvin Rees

Signed: 

Date: 11 January 2024

Name: Cllr Craig Cheney, Deputy Mayor and Cabinet Member, City Economy Finance & Performance

Signed: 

Date: 11 January 2024

Name: Cllr Tony Dyer, Chair, Overview and Scrutiny Management Board

Signed: Signed via email


Date: 12 Jan 2024

Name: Denise Murray, Director of Finance/S151 Officer

Signed: 

Date: 11 January 2024

Name: Tim O’Gara, Monitoring Officer

Signed: 

Date: 11 Jan 2024

Name: John Smith, Executive Director of Growth and Regeneration

Signed:

Date: 12 Jan 2024

Name: Stephen Peacock, Chief Executive

Signed: 

Signed:

Date: 15 Jan 2024

