



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Officer Delegated Decision

20th November 2024

Richard Wyles – Deputy Chief Executive
and s151 Officer



To seek approval to enter into Agreement with Anglian Water to allow Council access into existing infrastructure located in Open Space adjacent to Guildford Close, Grantham.

Contact

Peter Nouch
Reactive Maintenance Officer, Corporate Property



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Decision made by:	Richard Wyles – Deputy Chief Executive and S151 Officer.
Decision:	1.To seek approval to enter into Agreement with Anglian Water to allow SKDC access into their existing infrastructure located in Open Space adjacent to Guildford Close, Grantham to carry out drainage repair works. 2. To enter into a contract for the necessary drainage repair works to be carried out.
Public or Exempt:	Public
Reasons for exemption:	N/A
Conflicts of interest:	No
Policy compliant:	Yes
Details of delegation:	“In accordance with the Constitution, Part 3(c) 20 - Management of Services: the Deputy Chief Executive &

S151 Officer is authorised to manage services: a) In accordance with any policy decisions made by, or guidelines issued by, the Council b) Within budgets made or approved by the Council c) In compliance with all Rules of Procedure and Codes set out in the Constitution And to take such decisions or actions as they are required or authorised to take in: d) Understanding orders adopted and decision made by the Council for implementation e) Their role as proper officers of the Council as defined in Section 270(3) of the Local Government Act 1972; Also, Constitution 26 -Property (including land), (j) the Deputy Chief Executive & S151 Officer is authorised to serve notices and authorise repairs in relation to drainage under relevant legislation. Also, in Accordance with the Constitution Part 3(c) 28 the Deputy Chief Executive & S151 Officer is authorised to award contracts to contractors on behalf of the Council.

1. Implications

Taking into consideration implications relating to finance and procurement, legal and governance, risk and mitigation, health and safety, diversity and inclusion, safeguarding, staffing, community safety, mental health and wellbeing and the impact on the Council's declaration of a climate change emergency, the following implications have been identified:

Finance

- 1.1 The financial implications are set out at 5.5 and 5.6 and the costs can be met within existing budgets.

Completed by: Paul Sutton Interim Head of Finance (Deputy s151)

Legal and Governance

- 1.2 The proposed agreement is to allow necessary drainage construction work to be carried out within the construction period of 12 months from the date of the agreement. The Deputy Chief Executive & S151 Officer is authorised to enter into such agreement as set out in the details of delegation above.
- 1.3 Paragraph 5.5 of this report sets out details of contracting out the repair works which is compliant with the Council's contract procedure rules and financial regulations.

Completed by: Mandy Braithwaite, Legal Executive

Procurement

1.4 Three quotes were sought and the procurement meets the Council's Contract Procedure Rules.

Completed by: Helen Baldwin (Procurement Lead)

2. The Purpose of the Report

2.1 To seek approval to enter into Agreement with Anglian Water to allow SKDC access into their existing infrastructure located in Open Space adjacent to Guildford Close, Grantham to carry out drainage repair works and to enter into a contract for the necessary drainage repair works to be carried out.

3. Available Options Considered

- 3.1 Option 1 – Enter into agreement with Anglian Water to allow access to their manhole for the redirection of ground water that is causing an ongoing flooding issue on the Open Space adjacent to Guildford Close, Grantham. The flooding is also affecting the footpath that runs through the Open Space causing a Health & Safety risk to the public during the winter months.
- 3.2 Option 2 – Not to enter into the agreement leaving us with no options to stop the flow of ground water across the open space leaving us open to claims from the public.

4. Preferred Option

4.1 Option 1 – Enter into agreement with Anglian Water to allow access to their manhole for the redirection of ground water that is causing an ongoing flooding issue on the Open Space adjacent to Guildford Close, Grantham. The flooding is also affecting the footpath that runs through the Open Space causing a Health & Safety risk to the public during the winter months.

5. Reasons for the Decision(s)

- 5.1 After investigation by the SKDC contractor and Anglian Water it was found that the only option to deal with the ground water issue is to access the adjacent manhole to the source of the ground water. Attached Appendix A – Site Plan.
- 5.2 The site of the Open Space adjacent to Guildford Close, Grantham is surrounded by housing on all side so there is no other alternative to allow for drainage of the ground water.

- 5.3 Failure to carry out any works will leave the council open to claims from members of the public for slips/falls during the winter months when the water run off could create areas of ice on the public walkway.
- 5.4 Concerns have been raised by several local residents and councillors about the future risk of subsidence to properties adjacent to the Open Space if the ground water issue isn't dealt with asap.
- 5.5 The work to rectify the issue has been quoted by the drainage contractor at a value of £13,589.00 + vat (Minster Group). The contractor will look to make good any areas requiring repair to the grass surfaces by laying topsoil and seeding on reinstatement. Further quotes were requested from:
- C.G. Godfrey £12,889.08 (company recently gone into administration)
- Hardy Construction – declined chance to quote
- PAG Construction Ltd – declined chance to quote
- 5.6 The cost for entering into the Legal Agreement with Anglian Water is £2,062.00.
- 5.7 Anglian Water has specified the exact kind of connection they will require and this has been incorporated into the quoted price. Attached Appendix B – Connection Design Specification.

6 Appendices

- 6.1 **Appendix A** - Site Plan.
- 6.2 **Appendix B** - Connection Design Specification.
- 6.3 **Appendix C** – Copy of draft Anglian Water Agreement with revised Attestation by SKDC Legal Department.

Signed by: **Richard Wyles**

Dated: **20 November 2024**