

Notice of a NON KEY Executive Decision

Subject Heading:	Farnham & Hilldene: Project Management Services
Decision Maker:	Neil Stubbings
Cabinet Member:	Councillor Graham Williamson - Cabinet Member for Development & Regeneration
SLT Lead:	Neil Stubbings Director of Regeneration Programmes
Report Author and contact details:	Paul Walker Assistant Director of Development paul.walker@havering.gov.uk
Policy context:	Havering Housing Strategy 2014-2017 National Planning Policy Framework 2021 London Plan 2021 Havering Local Plan 2016-2031 Havering Climate Change Action Plan 2021
Financial summary:	The proposed contract value is up to approximately £175,000. This will be funded from the Housing Revenue Account capital programme
Relevant OSC:	Places
Is this decision exempt from being called-in?	Yes, this is a non-key decision taken under delegated powers.

Non-key Executive Decision

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents [X]

Place - A great place to live, work and enjoy [X]

Resources - A well run Council that delivers for People and Place.

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons detailed in this report the Director of Regeneration is asked to:

- (1) Approve the use of the Fusion 21 Framework to make a direct contract award, as permitted under Framework rules, to a consultancy (Ridge & Partners LLP) to supply project management services to support the proposed redevelopment of Farnham & Hilldene;
- (2) Approve all of the appropriate and necessary contractual and legal arrangements required to implement Recommendation 1.

AUTHORITY UNDER WHICH DECISION IS MADE

Pursuant to Part 3.4 of the Council's Constitution, Second Tier Managers are permitted under

Contract powers

- (a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000.

STATEMENT OF THE REASONS FOR THE DECISION

In February 2023, Cabinet approved the Havering & Wates Regeneration LLP Business Plan and Budget 2022/2023.

Non-key Executive Decision

Amongst other things, this referred to the proposed redevelopment of the existing shopping centre and associated housing at Farnham & Hilldene. The Cabinet report outlined how this scheme was to be taken forward with HWR.

The Cabinet Report acknowledged that work will need to be undertaken over approximately 12 months to firm up specifications, design and budgets, to inform the viability and deliverability of this scheme as a regeneration project.

In order to support this work the services of a suitably skilled and experienced consultant to provide client-side project management services will need to be obtained. This requirement can be met by using a consultant from the extant Fusion 21 Framework.

OTHER OPTIONS CONSIDERED AND REJECTED

The option to proceed without securing additional client-side project management services was considered, but given the complexity in designing and developing this complex, phased proposal, this would result in an unacceptable level of financial and programme risk. *This was rejected.*

Going through a full tender process was also considered, but this would create a significant delay and is not required under procurement regulations. *This was rejected.*

PRE-DECISION CONSULTATION

This project was raised on I-Decision

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Paul Walker

Designation: Assistant Director of Development

Signature:



Date: 31/03/23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a statutory duty under Section 8 of the Housing Act 1985 to consider housing conditions in its district and the needs of the district with respect to the provision of further housing accommodation. Further, section 111 of the Local Government Act 1972 permits the Council as “a local authority shall have power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything an individual can do, subject to any statutory constraints on the Council’s powers. The recommendations in this report are in keeping with these powers and duties.

The value of the proposed contract falls below the threshold for full advertisement. The proposed use of Fusion 21, a pre-procured framework, to make a direct appointment of a consultant will be compliant with the Council’s Contract Procedure Rules.

FINANCIAL IMPLICATIONS AND RISKS

It is difficult to precisely estimate the exact cost of the required client-side work at this time, but it is likely to be in the range £145,000 – £175,000 (excluding VAT), based on Fusion 21 Framework rates. This is an approximate 12 month appointment so costs will be variable, however the current estimated costs can be accommodated within the 2023/24 approved budget for the Farnham & Hilldene project.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

The service has determined that the engagement of an external consultant via Ridge & Partners is the appropriate route to fill the resource need for client side project management support services. This approach will enable the Council to use the paid for time to bring on board whatever skills are necessary over the next year or so. There are no other HR implications or risks arising from this decision.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

There are no Equalities or Social Inclusion implications arising from this decision.

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have ‘due regard’ to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;

Non-key Executive Decision

(iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, disability, gender reassignment, marriage and civil partnerships, pregnancy and maternity, race, religion or belief, sex/gender, and sexual orientation.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no direct implications relating to the environment or climate change relating to this report.

BACKGROUND PAPERS

Havering & Wates Regeneration LLP Business Plan and Budget: Cabinet Report, 8th February 2023.

APPENDICIES

None

Non-key Executive Decision

Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker



Signed

Name: Neil Stubbings

Cabinet Portfolio held:

CMT Member title: Director of Regeneration

Head of Service title

Other manager title:

Date: 03.04.23

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____

Non-key Executive Decision