



Havering
LONDON BOROUGH

Notice of Non-key Executive Decision

Subject Heading:	Low rise & sheltered scheme lift replacements
Decision Maker:	Garry Knights AD of Housing, Property and Assets
Cabinet Member:	Councillor Paul McGeary - Lead Member for Housing
SLT Lead:	Neil Stubbings Neil.Stubbings@havering.gov.uk Strategic Director of Place
Report Author and contact details:	James Johnson, Senior Project Manager, Housing Services Email: james.johnson@havering.gov.uk Tel: 01708 432144
Policy context:	Supports the outcomes within the London Borough of Havering's Corporate plan. <u>Places.</u> Making sure that our neighbourhoods are a great place to live by investing in them and keeping them clean, green and safe.
Financial summary:	The estimated contract value is £414,000
Relevant OSC:	Places
Is this decision exempt from being called-in?	Yes – it is a non-key decision by a member of staff

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

~~People - Things that matter for residents~~_____

Place - A great place to live, work and enjoy

~~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, **Assistant Director of Property Services** is recommended to approve commencing a tendering process for a works contract to replace/repair the single lifts at Garrick House and Charlbury Crescent sheltered schemes and the pair of lifts at The Rotunda general needs block. The estimated value of the works is £414,000.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

3.4 Powers of Second Tier Managers

General powers

- a) To take any steps necessary for proper management and administration for their allocated portfolios.

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

Background

1. The single lifts at Garrick House and Charlbury Crescent sheltered schemes and the pair of lifts at The Rotunda general needs block are all old, are becoming difficult to maintain and are experiencing more frequent and longer periods of downtime due to breakdown. Some of the technology in the installations is now obsolete and the software no longer supported.
 - a. The lift at Charlbury Crescent was originally installed in 1983, upgraded in 2010. Parts of the lift are now 40 years old.
 - b. The lift at Garrick House was installed in 1999 and so is now 24 years old
 - c. The two lifts at The Rotunda were installed as part of the original construction of the building circa 1975. They underwent limited refurbishment in 1999, some 24 years ago.

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2. Replacement of the lifts will improve compliance with current regulations (as far as practicable) and serviceability by utilising well-engineered, good quality components, which are fully open protocol and suitable for their environment.
3. Where it is not detrimental to the design life, and possible, some of the existing components will be retained and refurbished as part of the works.
4. The life expectancy of the refurbished lifts would be expected to be 25 years, subject to the quality of maintenance and their correct usage during this time.
5. A lift engineering consultant has been appointed to design and specify the works. They will be retained to manage the contract when a contractor has been appointed.
6. Tenders for the works will be sought from a tender list of contractors selected from Constructionline using Fusion, in accordance with Havering's Contract Procedure Rules (CPRs). For procurements valued between £100,000 and £499,999, a minimum of five organisations will be selected and invited to tender via the Fusion procurement portal.
7. Financial checks will be undertaken prior to award of the contract to ensure the proposed contractor is financially viable for this project.
8. The total budget for the works is estimated to be £414,000.
9. In addition, in the case of The Rotunda, the leaseholders will be consulted in accordance with the requirements of S.20 of the Landlord and Tenant Act 1985.

OTHER OPTIONS CONSIDERED AND REJECTED

The option of doing nothing was rejected on the grounds that the current state of the lifts presents a big risk to its users and subsequently, to Havering in its role as a social landlord and freehold landlord. Whilst the lifts continue to be used then, as time passes they will wear out more and more and thus break down more and more frequently. Furthermore, as time passes, the lifts will become increasingly obsolete and parts hard or impossible to find. There will come a point when the lifts break down and cannot be repaired. This would mean that there would be no lift in place until replacement works are undertaken and waiting until this time would have a significant impact to people with limited mobility, particularly the elderly.

The specialist professional advice Havering sought is for these lifts to be replaced now. The consultant has also advised that, where possible, some parts may be refurbished and incorporated into the works.

PRE-DECISION CONSULTATION

Resident meetings were convened at the start of 2023 by the Resident Liaison team.

The Home Ownership team have issued Stage 1 Section 20 notices to the leaseholders at The Rotunda.

The Compliance Team who are responsible for lift maintenance have been consulted.

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The sheltered scheme managers and housing management have been engaged with.

Further consultation is planned, post tender, to comply with the requirements of S.20 of the Landlord and Tenant Act 1985. There will also be further engagement with other residents so that the details of the works can be disseminated, concerns addressed and expectations managed. In the case of the sheltered schemes this will be carefully arranged in liaison with the scheme managers.

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

Name: James Johnson

Designation: Senior Project Manager

Signature:



Date: 24/07/23

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The Council has the general power of competence under Section 1 of the Localism Act 2011 to do anything an individual may generally do, subject to limitations. Additionally, the Council has the power to procure contracts under Section 111 of the Local Government Act 1972 which, permits the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. 2. The proposed contract value is below the threshold for Works contracts (currently £5,336,937) and accordingly does not fall within the full rigours of the Public Contracts Regulations (as amended) 2015 (PCR).

3. However the procurement must still comply with the Council's Contract Procedure Rules (CPRs) which requires the Council to use Constructionline to invite at least 5 organisations to tender. The tender procedure conforms with the CPRs.

4. Leaseholder consultation is required under Section 20 of the Landlord and Tenant Act 1985 (as amended) and as stipulated by Section 151 of the Common hold and Leasehold Reform Act 2002.

5. For the reasons set above, the Council may commence the proposed procurement.

FINANCIAL IMPLICATIONS AND RISKS

This report is seeking approval to procure the replacement of life-expired lifts. It is anticipated that the works will cost £414,000, which will be funded from the HRA Capital Programme, Project Code: C38690 Task 8.0. This figure will be confirmed and the contract awarded via a separate Executive Decision.

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

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

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;

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

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

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.

The procurement process will be carried out in accordance with the Council's Contract Procurement Rules. The proposed contractor will be expected to comply with the Council's policies with regards to the promotion of equality and diversity in service delivery and employment practice.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

The contractor will be expected to comply with the law and contractual obligations imposed on them by Havering with regard to minimising adverse environmental impact.

BACKGROUND PAPERS

None

APPENDICES

None

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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

Delete as applicable

~~Proposal NOT agreed because~~

Details of decision maker

Signed



Name: Garry Knights
AD of Housing, Property and Assets

Cabinet Portfolio held:
CMT Member title:
Head of Service title
Other manager title:

Date:

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 _____

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