

## Notice of Non-key Executive Decision

<b>Subject Heading:</b>	Havering Borough Festive Lighting contract extension 2023
<b>Decision Maker:</b>	Marcus Chrysostomou
<b>Cabinet Member:</b>	Cllr Ray Morgon
<b>SLT Lead:</b>	Andrew Blake-Herbert
<b>Report Author and contact details:</b>	Nicola Bowen <a href="mailto:nicola.bowen@havering.gov.uk">nicola.bowen@havering.gov.uk</a> 01708 434153
<b>Policy context:</b>	The decision is to be made in line with the procurement policy and guidelines
<b>Financial summary:</b>	This is a one year contract extension to the 2022 contract. The total contract value is £53,691 excluding VAT. Funding will be met from the existing Marketing and Events Budget.
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	N/A
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non key Decision

**Non-key Executive Decision**

**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. **X**

**Place an X as appropriate**

**Part A – Report seeking decision**

## Non-key Executive Decision

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

The Council is making a decision to extend the 2022 festive lighting contract with Blachere Illumination UK which will provide festive LED motifs, installation and removal of designated lamp columns in specified locations within the borough for Christmas 2023 at the value of £53,691. There will be the same amount of motifs as in 2022.

The Council is making a decision to extend the contract with effect from the 19<sup>th</sup> of September 2023 for a period of one year ending on the 19<sup>th</sup> of September 2024. Clause 3.2 of the 2022 contract accommodates a contract extension option for the Council.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

#### **3.4 Powers of Members of Second Tier Managers**

##### **Contract powers**

(a) To approve commencement of a tendering process for, and to award all contracts below a total contract value of £500,000 but above the EU Threshold for Supplies and Services.

### **STATEMENT OF THE REASONS FOR THE DECISION**

The supplier Blachere Illumination UK has delivered the borough festive lighting provision for the past 4 years.

The 2022 contract ends in September 2023 and has a clause including an option to extend for the 2023 provision.

They provided a quality service for 2022, therefore we do not need to go to out to tender for the 2023 contract and would like to exercise the decision to extend the current contract for the 2023 festive lighting provision.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

The alternative option is to have no festive lights in the borough. This option has been rejected due to the fact that the festive lights compliment the borough's town centres for the duration of the Christmas period.

Therefore, there is a general expectation among the borough's residents and businesses that the Council will provide festive lights and the Council is open to reputational risk if the decision to cancel the installation is made.

**Non-key Executive Decision**

**PRE-DECISION CONSULTATION**

N/A

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

Name: **Nicola Bowen**

Designation: **Events Manager**

Signature:

Date: 14.08.2023

A handwritten signature in black ink, appearing to read 'Nicola Bowen', is written over a light grey rectangular background.

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

The Council has the power to extend contracts through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions, or through its general power of competence in section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The Council intends to extend the contract with Blachere Illumination UK Limited for one year from the 19<sup>th</sup> of September 2023. Clause 3.2 of the contract enables the Council to extend the contract by one year. Therefore, the Council can extend the contract for one year in accordance with regulation 72(1) (a) Public Contract Regulations 2015, as the extension is provided for in a clear, precise and unequivocal review clause.

### FINANCIAL IMPLICATIONS AND RISKS

The contract extension of one year will be awarded for the value of £53,691. There is sufficient budget in the Marketing and Events cost centre to cover the costs of the motifs. The Service will undertake the relevant tender and procurement process to have a contract in place for 2024/25.

The motifs will be connected to lampposts across various Corporate Council sites, the cost of electricity for lighting the motifs will be met from Corporate Energy cost centre budget. Festive lighting contributes to the vibrancy of town centres during the festive period and expected to attract shoppers and visitors to the borough.

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

N/A

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

### **Non-key Executive Decision**

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

We do not consider there to be any equalities and social inclusion implications and risks to this decision.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The Council will embrace the Environment and Climate Agenda both strategically and globally through its development of footprint reduction initiatives, Climate Action plans and externally delivered services. The Council will strive to minimise negative impacts and optimise positive opportunities delivering our Climate change action plan.

The specification for the festive lights advises all frames must contain low energy bulbs. The documents received by the supplier evidenced they will meet this criteria.

### **BACKGROUND PAPERS**

N/A

### **APPENDICES**

None

**Non-key Executive Decision**

**Part C – Record of decision**

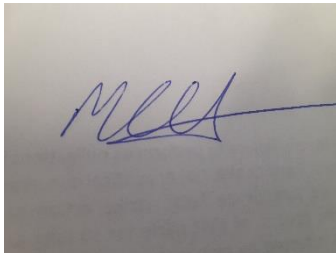
I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

**Decision**

Proposal agreed

**Delete as applicable**

**Details of decision maker**



Signed:

Name: Marcus Chrysostomou

Cabinet Portfolio held:

CMT Member title:

Head of Service title: Head of Communications

Other manager title:

Date: 15/08/2023

**Lodging this notice**

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

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

**Non-key Executive Decision**

Signed \_\_\_\_\_