

Notice of Non-key Executive Decision

Subject Heading:	Rise Park Tennis Courts Improvements
Decision Maker:	Imran Kazalbash, Director for Environment
Cabinet Member:	Barry Mugglestone
SLT Lead:	Neil Stubbings, Strategic Director of Place
Report Author and contact details:	James Rose
Policy context:	<p>The Havering Vision</p> <p>Place Outcome – Havering is a Green Borough</p> <ul style="list-style-type: none"> • Investing in our parks • Number of parks with Green Flags
Financial summary:	The Council will spend £0.061m as part of the agreed capital programme to refurbish the Rise Park Tennis courts as part of the LTA renovation project.
Relevant OSC:	Places OSSC
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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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 **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 stated in this report, the Director for Environment, is recommended :

To award a works contract to ETC Sports Surfaces to renovate the Rise Park tennis courts for the value of £60,578 (£0.061m) and for the period of February to July 2024

AUTHORITY UNDER WHICH DECISION IS MADE

The Council's Constitution

Part 3

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

1. As part of the LTA tennis court renovation project, the Rise Park tennis courts were identified as having unsatisfactory conditions.
2. Due to the level of deterioration of the surface the LTA would not agree to provide funding.
3. In response, capital budget from the 23/24 programme has been allocated for the necessary renovation works which includes; replacement of existing foundations, drainage, edging, resurfacing and painting.
4. The above works will bring the courts up to standards and will allow for them to be managed in line with the LTA grant agreement.
5. Three written quotes from competent contractors have been received based on the same specification for these works.
6. ETC are the most economically advantageous tender (MEAT) so have been selected.
7. Works are expected to take place in March/April 24 following the receipt of a purchase order.

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OTHER OPTIONS CONSIDERED AND REJECTED

Not carrying out improvement works which will not allow courts to be managed effectively and the Council would then not be able to fulfil LTA grant conditions, i.e. using the courts for coaching and under the LTA's 'Clubspark' system. Therefore, this option was considered and rejected.

PRE-DECISION CONSULTATION

Capital programme agreed by Lead Member for Environment

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

Name: James Rose

Designation: Park Development Manager

Signature:



Date: 9/2/24

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has the power to procure a contract for these works under 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.

The Council also has a general power of competence under Section 1 of the Localism Act 2011 to do anything an individual can do, subject to any statutory constraints on the Council's powers. None of the constraints on the Council's Section 1 power are engaged by this decision.

The contract value of £60,578 is below the applicable public procurement threshold for works contracts for the purposes of the Public Contracts Regulations 2015 (PCR 2015) and the contract is not caught by the full regime of the regulation. However, the contract must comply with the Council's Contract Procedure Rules (CPR).

For the reasons set out above, the Council may award the contract to ETC Sports Surfaces.

FINANCIAL IMPLICATIONS AND RISKS

The refurbishment cost for the Rise Park Tennis court will be funded from the capital budget C35030. At the time of writing the report, there is enough funds contained within the capital budget to fund the renovation.

Invoices shall be paid as per suppliers' conditions after works have been completed and checked as satisfactory.

Not completing the works and retaining the capital budget would negatively impact on the LTA Tennis Court Improvement funding c£0.350m.

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

Works will be carried out externally and will not impact staff or existing resources.

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:

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- (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.

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

No implications

BACKGROUND PAPERS

APPENDICIES

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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: Imran Kazalbash

Cabinet Portfolio held:

CMT Member title: Director of Environment

Head of Service title

Other manager title:

Date: 29th February 2024

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 _____