



Havering
LONDON BOROUGH

Notice of Non-key Executive Decision

Subject Heading:	Authority to commence tendering for the essential repairs to the Upminster Tithe Barn
Decision Maker:	Imran Kazalbash – Director of Environment
Cabinet Member:	Cllr B Mugglestone – Cabinet Member for Environment
SLT Lead:	Neil Stubbings, Strategic Director of Place
Report Author and contact details:	Kathryn Skinner Architectural Officer Kathryn.skinner@havering.gov.uk 01708 433344
Policy context:	The Havering Vision Place Outcome – Havering is a Green Borough <ul style="list-style-type: none">• Investing in our Parks• Number of Parks with Green Flags
Financial summary:	The cost for building works for the essential repairs to the Upminster Tithe Barn is estimated at approximately £0.450m and is met by the grant received (£0.650m) from the Lower Thames Crossing Fund, accepted in Key Executive Decision published 11 th January 2024
Relevant Overview & Scrutiny Sub Committee:	Places OSSC

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Is this decision exempt from being called-in?	<i>The decision will be exempt from call in as it is a Non key Decision</i>
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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.

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Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1. For the reasons detailed in this report the Director of Environment is recommended to approve the commencement of a procurement exercise, for a works contract to undertake the essential rethatching, structural repairs and electrical works to the Upminster Tithe Barn at an estimated total project sum of £450,000.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

3.3 Powers of Members of the Senior Leadership Team

Members of the Senior Leadership Team (SLT) have delegated authority to act as follows within the assigned service service/portfolio of responsibilities, subject to the general provisions and limitations set out in section 3.1.

General powers

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

Contract powers

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

STATEMENT OF THE REASONS FOR THE DECISION

A Key Executive Decision has already been published to accept the funding for a total of £650,000 from the Lower Thames Crossing Fund to carry out the essential repairs to the Upminster Tithe Barn, a Scheduled Monument, now listed on the "At Risk Register" by Historic England. This decision seeks to begin the procurement exercise to engage a specialist contractor team to carry out the essential repair works, which will be funded from the aforementioned grant.

OTHER OPTIONS CONSIDERED AND REJECTED

Alternative options have been considered and rejected, as to do nothing would mean a loss of the Lower Thames Crossing funding, LBH would likely be served with an enforcement notice

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from Historic England, which would mean the works would need to be carried out using alternative funding which has not been secured in order to save the building.

PRE-DECISION CONSULTATION

No formal consultation is required to make these arrangements although key stakeholders are kept apprised of the project.

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

Name: Kathryn Skinner

Designation: Architectural Officer

Signature: K Skinner

Date: 12/03/2024

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 statutory limitations.
2. Additionally, the Council has the power to procure the contract 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.
3. The proposed contract value is below the threshold for works contracts (currently £5,372,609) and accordingly does not fall within the full rigours of the Public Contracts Regulations (as amended) 2015 (PCR).

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

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FINANCIAL IMPLICATIONS AND RISKS

Risks

There may be a risk that tender costs will be significantly higher than estimated. At which point management action will be taken, following a review of available options, which will include options to reduce costs (as appropriate) or seek additional funding. A separate decision will be submitted prior to the award of tender which will reassess the financial implications of the project.

The estimated costs will be funded via the grant received from the Lower Thames Crossing Fund £0.650m, although this is in excess of the estimated construction value, is required to cover other project costs such as specialist consultant fees.

Capital implications

Utilisation of the grant funding will allow for cost avoidance (Capital Borrowing).

Project costs are currently estimated as follows:

Item	Estimated cost £m
Estimated construction cost, including thatch and other repairs, contractors prelims, OHP etc	£0.450
Technical fees including Planning fees	£0.070
Project contingency & risk allowance	£0.130
Estimated total project costs	£0.650

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

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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.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

Due to the nature of the project, and the status of the building as a Scheduled Monument, the ability to improve the environmental impact is challenging. However, the replacement of the existing thatch itself will improve the fabric of the building, whilst conserving an important historical asset, both to LBH and the Country itself.

As part of the works, the current electrical installation is intended to be replaced, including the lights which would be replaced with LED fittings. LED lighting can have an energy saving of around 75% and is designed to last 25 times longer than incandescent lighting, which reduces both energy consumption and waste from replacement fittings.

Procurement element

As part of the tender exercise, tenderers will be asked to produce their environmental credentials, and will be evaluated on this basis, along with other technical queries. In particular, tenders will be evaluated in relation to their response to waste management, energy and carbon footprint questions.

Contractors will be asked to confirm what measures, above and beyond their contractual obligations, they propose to take in order to minimise the production of waste arising from operations, and how the remaining amount of waste will be recycled and disposed of.

Furthermore, contractors will be asked to confirm, describe what measures, above and beyond their contractual obligations, they propose to take in order to minimise the use of fossil fuel energy in your operations, and to generally decrease the carbon footprint of operations. Additionally, contractors will provide details describing their process to calculate their organisation's carbon footprint and what concrete steps they will have already taken in order to reduce this, or offset the emissions produced by their business.

All tender responses will be evaluated carefully and the successful tenderer will be asked to fully show their understating of all the issues, and to demonstrate proactive, above and beyond commitments and practical steps taken to improve their environmental policies and practices and to reduce site waste and operational carbon emissions.

Lastly, as part of the Council's commitment to go paper free, the tender exercise, which some years ago would have resulted in huge amounts of paper being produced, has been moved online and it is now a fully digitalised exercise.

BACKGROUND PAPERS

Non-key Executive Decision

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

Details of decision maker

Signed 

Name: Imran Kazalbash

Date: 24th April 2024

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 _____

Signed _____