

Notice of Non KEY Executive Decision

| | |
|---|--|
| Subject Heading: | Award of Asbestos Analytical Contract: Name Correction. |
| Decision Maker: | Neil Stubbings, Strategic Director of Place |
| Cabinet Member: | Councillor Ray Morgan, Leader of the Council |
| ELT Lead: | Neil Stubbings, Strategic Director Place |
| Report Author and contact details: | Sue Wilks, Head of Health and Safety 01708 432903 sue.wilks@havering.gov.uk |
| Policy context: | High customer satisfaction. Commission goods and services in a way that provides the best value for money and ensures compliance with the Control of Asbestos Regulations 2012. |
| Financial summary: | The approximate anticipated total value of the contract to be procured over the four-year duration is c. £150,000 p.a. with an estimated spend of £600,000 over the life of the contract (4 years) for analytical works. This will depend on actual requirements that arise during the course of the contract. Funding for analytical (surveying) is budgeted within the capital programme to ensure Council buildings and community schools have up to date information. This report only seeks to make a name correction. |

Key Executive Decision

| | |
|--|--------------------------------|
| Relevant OSC: | Overview & Scrutiny Board |
| Is this decision exempt from being called-in? | Yes, it is a Non key 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 x

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

Key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To note that in respect of the Notice of Key Executive Decision with the subject heading Award of Asbestos Analytical Contract signed by Dave McNamara, the then Section 151 Officer, on the 5th May 2023:

1. In the detail of the decision requested and recommended action section 'Thames Laboratories' should be 'The Hazard Management and Environmental Services Laboratories Limited'.
2. In the statement for the decision in both places where it is stated 'Thames Laboratories' should be 'The Hazard Management and Environmental Services Laboratories Limited'.

It is recommended that these minor name corrections be approved in the interests of accuracy.

AUTHORITY UNDER WHICH DECISION IS MADE

Paragraph 3.3.3 of the London Borough of Havering's Constitution
(Powers Common to All Strategic Directors)

(Contract powers)

(4.1) To award all contracts with a total contract value of below
£1,000,000 other than contracts covered by Contract Procedure Rule
16.3.

STATEMENT OF THE REASONS FOR THE DECISION

This paper seeks authorisation to make an alteration to the name of the supplier to which a contract was award in the Notice of KEY Executive Decision with the subject heading Award of Asbestos Analytical Contract signed by Dave McNamara, the section 151 officer, on the 5th May 2023, which is Appendix A. The name of the supplier was incorrectly stated in that Notice of KEY Executive Decision as Thames Laboratories. This report seeks to remedy an error that was made at the time of the award and confirm that the company name is The Hazard Management and Environmental Services Laboratories Limited, which also trades as Thames Laboratories. The Hazard Management and Environmental Services Laboratories Limited is a company with the company number 02647438 and the registered address Thames Laboratories Hollow Farm, 9 Hilton Road, Fenstanton, Cambridgeshire, PE28 9LJ.

The error in the original Notice of KEY Executive Decision was made due to some confusion between the company's trading name and the company's registered name for which the award should have been made. For its bid on the AS2 framework, the company submitted its name as: "The Hazard Management and Environmental Services Laboratories Limited T/A Thames Laboratories".

Key Executive Decision

It appears the company's trading name of Thames Laboratories was accidentally used in the original Notice of KEY Executive Decision where it should have stated The Hazard Management and Environmental Services Laboratories Limited.

OTHER OPTIONS CONSIDERED AND REJECTED

This remains unchanged from the original – see Appendix A

PRE-DECISION CONSULTATION

None

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

Name: Sue Wilks

Designation: Head of Health and Safety

Signature:



Date: 06/01/25

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council can only award the contract to the company that submitted the winning bid, which is The Hazard Management and Environmental Services Laboratories Limited. The decision in the Notice of KEY Executive Decision of the 5th May 2023 was to award a contract to Thames Laboratories, which is a trading name of The Hazard Management and Environmental Services Laboratories Limited. It was clearly a mistake to refer to a trading name of the company. However, the Council can not use an executive decision to award a contract to Thames Laboratories as a basis on which to award a contract to The Hazard Management and Environmental Services Laboratories Limited. Before the Council can award the contract to The Hazard Management and Environmental Services Laboratories Limited, the mistakes in the Notice of KEY Executive Decision of the 5th May 2023 must be corrected. The Council is making this decision to correct those mistakes to enable it to lawfully award the contract to The Hazard Management and Environmental Services Laboratories Limited.

FINANCIAL IMPLICATIONS AND RISKS

No change from the original comments – see Appendix A.

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

No change from the original comments – see Appendix A.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

No change from the original comments – see Appendix A.

Key Executive Decision

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

No change from the original comments – see Appendix A.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

No change from the original comments – see Appendix A.

BACKGROUND PAPERS

None

APPENDICIES

Appendix A – Original Signed version of the Notice of KEY Executive Decision.



21. Key Decision
Thames Labs April 20;

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



Neil Stubbings
Strategic Director of Place

Date: 9th January 2025

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 _____