

Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt under the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended. The exemption sought is by virtue of:

Paragraph 3 - Information relating to the financial or business affairs of any particular person including the authority holding that information; and

It is in the public interest to withhold the information as the public interest in maintaining the exemption outweighs the public interest in disclosing the information as disclosing the information could prejudice the Council's position and this is not in the public interest.

Subject Heading:	Hornchurch Stadium Track Re-surfacing Award of Contract
Decision Maker:	Barbara Nicholls
Cabinet Member:	Councillor Gillian Ford
SLT Lead:	Patrick Odling-Smee
Report Author and contact details:	Guy Selfe, 01708 433866, guy.selfe@havering.gov.uk
Policy context:	People – things that matter for residents
Financial summary:	The tendered costs to resurface the athletic track at Hornchurch Stadium can be met from the allocated budget. The tendered costs are attached as an exempt appendix.

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Relevant Overview & Scrutiny Sub Committee:	People
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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

People - Things that matter for residents X

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 set out in this report, the Strategic Director of People is recommended to agree to award the contract for the resurfacing of the athletic track at Hornchurch Stadium to Cleveland Land Services (Guisborough) Limited at a value of £165,313.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

3.3.3 Scheme – Powers common to all Strategic Directors

1. General

1. To take any steps necessary for proper management and administration of allocated portfolios.

4. Contracts

- 4.2. 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

1. Background

- 1.1 The athletic track at Hornchurch Stadium was resurfaced last in 2004. Athletic tracks have an expected lifespan, with the correct ongoing maintenance, of 21 years.
- 1.2 The last condition survey of the athletic track commissioned by England Athletics in December 2022 identified that the existing track was showing signs of requiring replacement. The survey forms the basis as to whether the track receives Track Mark accreditation, required to host England Athletics sanctioned athletics competitions. Without accreditation, Havering Athletic Club would not be able to host athletic competitive meets at Hornchurch stadium.

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- 1.3 Since December 2022 there has been further deterioration of the track through legitimate use and to continue to receive track Mark accreditation, the track replacement needs to take place in summer 2025. This will start as soon as the football season concludes at some point in May 2025.
- 1.4 The tender documents provided the specification for the track resurfacing that includes for relaying a new surface on top of the existing surface after a pressure clean. This is a cheaper option than taking up the existing track surface and completely relaying a new track surface from the base layer up.
- 1.5 The procurement of the track resurfacing was run via the RFQ portal, with nine suppliers selected from construction line invited to tender and three suppliers submitting a tender.

Decision Required

- 1.6 Following a tender for the work to deliver the track resurfacing and an evaluation of the tender returns, it is recommended to appoint Cleveland Land Services (Guisborough) Limited (CLS). The tender scores are shown below:

	CLS	Tenderer B	Tenderer C
The extent to which the proposed design (site-specific method statement and operational approach) meets the Client's requirements and England Athletics and IAAF standards. Bar chart programme to be included. Awareness of potential problems. Suitability and quality of samples.	6%	8%	6%
Contract resources/experience (provide CVs) and management structure for the team who will be dedicated to this contract. Please provide details of your quality management systems and recording process.	6%	0%	6%
Please provide a construction phase Health and Safety plan tailored to this contract and a	4%	0%	2%

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company health and safety policy.			
Environmental considerations to include but not be limited to: proposed materials; surface water discharge and flow; fleet and deliveries etc.	3%	0%	3%
Price	70%	58.28%	58.05%
Total	89%	66.28%	75.05%

1.6 The value of the contract is £165,313.

OTHER OPTIONS CONSIDERED AND REJECTED

1. Do nothing – to do nothing would result in the athletics track at Hornchurch stadium not receiving Track Mark accreditation from England Athletics. This in turn would result in Havering Athletic Club not being able to host competitive track competition at the Stadium. For this reason, this option has been rejected.

PRE-DECISION CONSULTATION

None

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

Name: Guy Selfe

Designation: Head of Culture, Leisure, Heritage and Libraries

Signature:

Date:

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

Section 1 of the Localism Act 2011 grants Local Authorities a General Power of Competence, allowing it to do anything that an individual may do, provided there are no statutory constraints. No limitations are engaged by this decision.

The Local Authority is a Contracting Authority for the purposes of the Public Contract Regulations 2015 (PCR). The value of the contract is below the works threshold of £4,733,252, therefore this Contract is not caught by the full PCR regime. The procurement must comply with the Council's Contract Procedure Rules (CPR).

The Council's Contracts Procedure Rules as they relate to a works contract between £110k and £499,999k require a minimum of 5 organisations selected from Constructionline to be invited to tender. As set out in this report, the procurement complies with this requirement.

For the reasons set out above the Council may award the contract.

FINANCIAL IMPLICATIONS AND RISKS

This decision paper is seeking approval to award the contract for the resurfacing of the athletic track at Hornchurch Stadium to Cleveland Land Services (Guisborough) Limited.

An estimated costs for the track resurfacing in the last track inspection report in November 2022 estimated the cost to be in the region of £200k including project management. The total cost of the award is below the original estimation.

There is provision of £400k within the Capital Programme split over 2024/25 and 2025/26 to fund the track resurfacing and this budget is sufficient to meet the tendered costs.

The tender costs and evaluation are included within an exempt Appendix A to this report.

This option is considered the best value for money as the resurfacing can achieve the desired Track Mark accreditation rather than a full track replacement which would cost substantially more and following a competitive procurement process this provider scored highest both on price and quality.

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

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.

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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.

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

The contractor will be required to give details of its approach to energy consumption, use of sustainable materials, transport plan, site waste management, and noise pollution. It will be encouraged to reduce carbon emissions as much as possible and to use materials that are obtained from an accredited source and using local labour resources wherever possible.

BACKGROUND PAPERS

None

APPENDICES

Appendix A	Financial Implications and Risks	Exempt
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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: Barbara Nicholls

Cabinet Portfolio held:

CMT Member title: Strategic Director for People

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 _____