

Notice of Non-Key Executive Decision

Subject Heading:	Appointment of Pellings consultancy by direct award via the CHIC framework to provide building regulations Principal Designer services for the Council's project to refurbish and upgrade the lifts in its residential tower blocks.
Decision Maker:	Paul Walker - Interim Director of Housing & Property.
Cabinet Member:	Councillor Paul McGeary - Cabinet Member for Housing and Property.
SLT Lead:	Neil Stubbings - Strategic Director of Place.
Report Author and contact details:	James Wallis, Project Manager, Property Services Email: James.wallis2@havering.gov.uk Tel: 01708 433468
Policy context:	HRA Business Plan Update & Capital Programme. Housing Asset Management Plan.
Financial summary:	This report seeks authorisation to appoint a consultant to provide specialist professional services. The fee quote for these services, including 10% contingency, will be £128,172. The services have been budgeted for in the 2025/26 HRA Capital Programme.
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 X
- Resources - A well run Council that delivers for People and Place. X

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

For the reasons detailed in this report, the Strategic Director of Place is recommended to:

1. Approve the appointment of Pellings LLP (company No. OC326178) by direct award through the Communities & Housing Investment Consortium (CHIC) framework to provide building regulations Principal Designer services to 9 High-rise residential Blocks at a cost £128,172 including 10% contingency from around December 2025 to around June 2027. The services are required to fulfil the statutory role required for works to higher-risk buildings under The Building Safety Act 2022.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3 of the Council's Constitution

Scheme 3.3.3 - Powers common to all Strategic Directors

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. This delegation shall include the ability to extend or vary a contract up to and including a value of £1,000,000 (provided that the extension is in line with the existing contractual provisions.)

STATEMENT OF THE REASONS FOR THE DECISION

1. The Council are in the process of seeking approval from the Building Safety Regulator (BSR) to proceed with works to refurbish and upgrade lifts at all ten of its existing high rise blocks. The works include new firefighting lifts at seven of the blocks and secondary battery power supplies to all ten blocks. These works were recommended by specialists and were included in the safety case reports for the blocks.
2. The Council previously procured and awarded a contract for the works to Lift Specialists Ltd. They are now working in collaboration with the consultant team and the Council's staff to obtain BSR approval for the works.
3. The Building Safety Act 2022 and the Building etc (Amendment)(England) Regulations 2023 took effect after the contract was awarded.
4. The Building etc (Amendment)(England) Regulations 2023 require the appointment of a building regulations Principal Designer to oversee the design and specification of the works on the client's behalf to ensure they comply with the required standards. No works can proceed to any higher-risk building until the designs and specifications have been approved by the BSR.
5. A separate BSR application is required for each building.

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6. The Council originally appointed Pellings to act as building regulations Principal Designer when detailed design work was starting in May 2024. The initial appointments were £5k per building and were based on hourly rates, although the full scope of services required was unknown at the time as this is a newly created statutory role.
7. It is now apparent that, due to the amount of paperwork, lengthy processes and difficulties engaging with the BSR the amount of time required from Pellings is much greater than the original order values. Pellings have proposed a new fee quote of £116,520, to which we propose adding a 10% contingency, to complete the services and obtain BSR approval for the lift works to all ten blocks. This quote is based on an estimated number of hours charged at the agreed CHIC framework rates. If less time is required, then a reduction will be achieved.
8. This proposed direct award to Pellings via the CHIC framework will ensure that Havering has the expertise it needs, continuity, and will be able to obtain BSR approval for these works.

OTHER OPTIONS CONSIDERED AND REJECTED

Option 1 - Do nothing

This is not considered to be a viable option as it is a legal requirement for all housing providers to ensure compliance with the Building Safety Act or risk unlimited fines.

Option 2 – Seek specialist support and deliver this area of work in-house.

This is not considered to be a viable option as Havering Council do not employ the expert resources to carry out this work in-house hence the requirement to seek additional resources to support the project.

Designs and specifications need to be independently insurance backed and approved by the Building Safety Regulator.

Therefore, both options were considered and rejected.

PRE-DECISION CONSULTATION

None.

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

Name: James Wallis
Designation: Planned Works Project Manager

Signature: *James wallis*

Date: 25-07-2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

1. The Council is the owner of all nine Residential Blocks. It has statutory requirements under the Building Safety Act 2022 relating to fire safety and prevention in high-rise buildings. The Council is making a decision to make a contract for the provision of principal designer services to comply with those requirements.
2. The Council has the power to make the contract through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate or conduce or incidental to the discharge of any of its functions, or through its general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do, subject to certain limitations. None of the limitations apply to this decision.
3. The proposed value of the contract is below the applicable threshold for service contracts in the Procurement Act 2023 (PA) of £214 904. Therefore, it is not subject to the full PA regime.
4. For the reasons set out above, the Council may make the contract.

FINANCIAL IMPLICATIONS AND RISKS

This report is seeking approval to directly award Pellings LLP for Continued Principle Designer Duties via the CHIC Framework for the delivery of Havering's high-risk buildings firefighting or lift replacement project.

The fee estimate includes a 10% contingency to total £128,172 payable from the Housing Revenue Account (HRA) Capital Programme financial year 2025-26. Any unspent budget to be spent in future years will need to be requested.

This will provide continued principle designer duties with Pellings to continue with building safety in line with the new process for building regulations and avoid delaying programme works.

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.

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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.

The procurement process will be carried out in accordance with the Council's Contract Procurement Rules. The proposed contractor will be expected to comply with the Council's policies with regards to the promotion of equality and diversity in service delivery and employment practice.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

None.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

None.

BACKGROUND PAPERS

None.

APPENDICIES

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



Paul Walker
Interim Director of Housing & Property

Date: 30th July 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 _____