

## Notice of a NON KEY Executive Decision

<b>Subject Heading:</b>	Extension of contract with Ridge & Partners LLP for the provision of client side consultancy in respect of the proposed East Havering Data Centre local development order
<b>Decision Maker:</b>	Helen Oakerbee, Director of Planning and Public Protection
<b>Cabinet Member:</b>	Councillor Graham Williamson - Cabinet Member for Regeneration
<b>ELT Lead:</b>	Andrew Blake-Herbert Chief Executive
<b>Report Author and contact details:</b>	Lauren Miller, Team Leader Development Planning
<b>Policy context:</b>	National Planning Policy Framework London Plan 2021 Havering Local Plan 2016-2031
<b>Financial summary:</b>	The extension value is up to £67,500. This will be funded via a Planning Performance Agreement.
<b>Relevant OSC:</b>	Places Overview & Scrutiny Sub-Committee.
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a non-key decision taken under delegated powers.

## Non-key Executive Decision

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

People - Supporting our residents to stay safe and well

Place - A great place to live, work and enjoy [X]

Resources - Enabling a resident-focused and resilient Council

### **Part A - Report seeking decision**

#### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

A third party developer (Digital Reef) is proposing to build a hyper scale data centre within East Havering.

The Local Planning Authority ("LPA"), mindful of this opportunity, but without prejudice to the decision making process concerning the same, is considering the possibility of utilising a Local Development Order ("LDO"), as a mechanism for granting permission.

Before the LPA can reach a view about whether the LDO is appropriate, a significant amount of inter-related technical studies and evaluations must first be completed. This is a complex undertaking which requires external support to reach a conclusion and enable the LPA to determine how it would like to proceed.

The LPA enquired via Fusion 21, a pre-procured framework to see if appropriate consultant support could be procured. A number of firms on the Framework were invited to respond. Ridge & Partners LLP ("Ridge") best met the LPA's requirements. A Non-Key Executive Decision was made on 11 February 2025 to approve the use of the Fusion 21 Framework to make a direct contract award, as permitted under framework rules, to Ridge to supply client-side project management services in relation to work on a LDO.

This decision enables the extension of the contract with Ridge for a further period.

#### **Recommendations.**

For the reasons detailed in this report the Director of Planning and Public Protection is asked to:

- (1) Approve extension of the contract with Ridge & Partners LLP to supply client-side project management services in relation to work on a Local Development Order for a period of 6 months at a value of up to £67,500.

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(2) Complete all of the appropriate and necessary contractual and legal arrangements required to implement Recommendation 1.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Latest scheme of delegation:

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.

As sub-delegated to the Decision Maker from 3 April 2025.

### **STATEMENT OF THE REASONS FOR THE DECISION**

A third party developer (Digital Reef) is proposing to build a hyper scale data centre within East Havering.

The LPA, mindful of this opportunity, but without prejudice to the decision making process concerning the same, is considering the possibility of utilising a LDO, as a mechanism for granting permission. This is a complex undertaking which requires external support to reach a conclusion and enable the LPA to determine how it would like to proceed.

Ridge is supplying project management consultancy to the LPA to help it manage and coordinate the project tasks and timings.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

The option to proceed without securing a continuation of the additional client-side project management support was considered, but given the complexity in designing and developing this complex proposal, this would result in an unacceptable level of programme risk. *This was therefore rejected.*

Going through a full tender process was also considered, but this would create a significant delay and is not required under procurement regulations. *This was also rejected.*

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**PRE-DECISION CONSULTATION**

None

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

Name: Lauren Miller

Designation: Team Leader Development Planning

Date: 4 August 2025

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

Section 111 of the Local Government Act 1972 permits the Council as “a local authority shall have power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of their functions”. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything an individual can do, subject to any statutory constraints on the Council’s powers. The recommendations in this report are in keeping with these powers and duties.

The contract was procured via call off from the Fusion 21 framework. This is a Public Contracts Regulations 2015 compliant framework. Clause 7.3 of the contract permits the Council to instruct additional Services. The Fusion 21 framework permits such extension to be up to 50% of the original contract value. The extension is therefore a permitted extension for the purposes of the Council’s Contracts Procedure Rules (CPR 19.1)

For the reasons set out above, the Council may enter into the extension.

### FINANCIAL IMPLICATIONS AND RISKS

Fusion21 entered into Framework Agreements (dated 21st September 2021) with Consultants constituting Fusion 21’s Consultants Framework (OJEU Contract Award Notice 2021/S 000-024888) for its Members to use.

The outcome is to determine whether the authority will implement a Local Development Order (LDO) to progress development of the site.

Due to the time constraints and complexity outlined in this report, the decision proposes to extend the contract value by £67,500, taking the total to £202,500 via the Fusion 21 Framework to fund a consultant for a further 6 months approximately, from August 2025.

The expenditure will be incurred on the East Havering Data Centre cost-centre within Planning & Public Protection (PPP). In terms of funding the expenditure, it is expected that milestone payments relating to the Planning Performance Agreement (PPA) with Digital Reef will be used to recover the Local Planning Authority’s expenditure.

Officers will therefore need to monitor this closely to avoid budget pressures from the project as funding recovery is dependent on the agreed PPA milestones being reached. If the project fails to reach the milestones, or a subsequent PPA agreement is not reached to mitigate the expenditure, then the authority would be at risk of needing to finance the expenditure from its limited resources.

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Should an LDO be agreed in the future there is a possibility of future income and other contributions such as under CIL or S106, as appropriate.

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

There are no HR implications arising from this decision.

**EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS**

There are no Equalities or Social Inclusion implications arising from this decision.

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, 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**

There are no direct implications relating to the environment or climate change relating to the proposal set out in this report.

**BACKGROUND PAPERS**

None

**APPENDICES**

None

**Non-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 

Name: **Helen Oakerbee, Director of Planning and Public Protection**

Date: 6 October 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 \_\_\_\_\_