

Notice of a NON KEY Executive Decision

Subject Heading:	Contract with Ridge & Partners LLP for the provision of client side consultancy in respect of the proposed East Havering Data Centre Local Development Order
Decision Maker:	Helen Oakerbee, Director of Planning and Public Protection
Cabinet Member:	Councillor Graham Williamson - Cabinet Member for Regeneration
ELT Lead:	Andrew Blake-Herbert Chief Executive
Report Author and contact details:	Lauren Miller, Development Planning Team Leader
Policy context:	National Planning Policy Framework London Plan 2021 Havering Local Plan 2016-2031
Financial summary:	The additional contract value is up to approximately £135,000. The intention is for this to be funded via a re-negotiated Planning Performance Agreement (PPA).
Relevant OSC:	Places Overview & Scrutiny Sub-Committee.
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a non-key decision taken under delegated powers.

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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

For the reasons detailed in this report the Director of Planning and Public Protection is asked to approve the use of the Fusion 21 Framework to make a direct contract aware, as permitted under Framework rules, to Ridge & Partners LLP to supply client-side project management services in relation to work on a Local Development Order for a period of approximately 7 months at a value of up to £135,000 to start in October 2025.

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. 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.)

As sub-delegated to the Director of Planning and Public Protection through a notice of delegation of responsibilities for functions on 3 April 2024.

STATEMENT OF THE REASONS FOR THE DECISION

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

The Local Planning Authority ("LPA") of the London Borough of Havering, which is Havering Council, 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. 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.

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.

A further Non-Key Executive Decision was made on 6 October 2025 to extend the contract with Ridge for a further period. A third decision is required to secure the ongoing use of Ridge.

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.

PRE-DECISION CONSULTATION

None

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

Name: Lauren Miller

Designation: Team Leader Development Planning

Date: 11 February 2026

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

In certain situations the Council requires services from project managers to help support the delivery of its functions. It is making a decision to make a contract for a project manager's services for a possible Local Development Order for that purpose.

The Council has the power to make the contract for consultants' advice through section 111 of the Local Government Act 1972, which allows the Council to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions, or through its general power of competence in section 1 of the Localism Act 2011 to do anything that individuals generally may do. There are limitations on the general power of competence, but the limitations do not apply to this decision.

The contract value is below the applicable public procurement threshold for services contracts stipulated in the Procurement Act 2023 (PA) of £207 720. Therefore, the contract will not be subject to the full PA regime.

For the reasons set out above, the Council can make the contract.

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 enter into a further contract with a value of up to £135,000, via the Fusion 21 Framework to fund a consultant for a further 7 months approximately, from mid-October 2025. The total overall spend via this decision and those prior would equal £337,500.

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. An update to the current PPA is being sought to cover these additional costs.

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

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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.

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.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

Havering Council is committed to protecting and promoting the health and wellbeing of residents. There are no direct health and wellbeing risks or implications arising from the recommendation to extend the use of consultancy services from Ridge. The health and wellbeing implications of the data centre proposal and

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accompanying mitigations will be considered in a separate Health Impact Assessment.

BACKGROUND PAPERS

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

Date: 11 February 2026

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 _____