



## Notice of Non-Key Executive Decision

<b>Subject Heading:</b>	Commencement of procurement for an Architect (design team lead) to the Forest Approach Academy project.
<b>Decision Maker:</b>	Paul Walker, Interim Director of Housing & Property.
<b>Cabinet Member:</b>	Cllr Paul McGeary, Cabinet Member for Housing & Property.
<b>ELT Lead:</b>	Neil Stubbings, Strategic Director of Place.
<b>Report Author and contact details:</b>	Nicola Lorenzo Prandini RIBA Design and Architecture Manager <a href="mailto:nicolalorenzo.prandini@havering.gov.uk">nicolalorenzo.prandini@havering.gov.uk</a> 01708432142
<b>Policy context:</b>	This decision supports the Council's objectives of ensuring effective governance and value-for-money procurement of professional services, contributing to the efficient delivery of Council capital projects.
<b>Financial summary:</b>	Approval is sought to tender for the services of an architect at an estimated cost of £442,500.  These costs will be met from existing capital project budgets.
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	Place OSSC.
<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.

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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

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### Part A – Report seeking decision

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

For the reasons detailed in the body of the report, the Director of Housing and Property is recommended to agree:

1. To commence a tender exercise (mini-competition via Constellia Ltd) to appoint an Architect (design team lead) to the Forest Approach Academy expansion project.

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

##### **Part 3 of the Council's Constitution**

3.3.3 Scheme 3.3.3– Powers Common to All Strategic Directors

##### 1. General

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

##### **4. Contracts**

4.1 To approve commencement of a tendering process for all contracts below a total contract value £1,000,000.

Sub-delegation on 3 April 2024 from the Strategic Director of Place to Director of Property for all functions under Scheme 3.3.3.

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

The CDCE - Architecture Group was instructed by Children Services to bring forward the project to expand the Forest Approach Academy.

The Council's internal architects group is currently working to full capacity on a range of live education and corporate projects. In line with the Council's approach, internal resources are prioritised for available fee-earning work; however, given existing commitments it is not possible to deliver this project in-house without adversely impacting other statutory programmes.

It is therefore necessary to appoint an external architect, acting as design team lead, to develop the scheme through design, statutory approvals, procurement, and delivery stages. Procuring these services externally ensures that the project can progress in a timely manner and that the Council maintains the necessary level of professional expertise and capacity.

Cabinet has previously approved the adoption of Constellia Ltd as the Council's consultancy procurement platform. Consistent with that decision, the appointment will be progressed via a mini-competition on Constellia, with evaluation on the basis of 60% Price, 30% Quality, and 10% Social Value.

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

The following options have been considered:

- **DELIVER IN HOUSE** The Council's Architects Group is already fully committed to existing education and corporate programmes. Taking on this project in-house would risk unacceptable delays to other schemes and overstretch internal resources. Therefore this option was considered and rejected.
- **DIFFERENT ROUTE TO MARKET** Cabinet has approved the adoption of Constellia Ltd as the Council's consultancy procurement platform. Procuring through an alternative route would be inconsistent with Council policy and would undermine the benefits achieved through the Constellia framework, including cost savings and governance efficiency. Therefore this option was considered and rejected.
- **DO NOTHING:** The expansion of Forest Approach Academy is required to meet the forecast demand for pupil places in the borough. Failing to progress the appointment of an architect would delay the project and place the Council at risk of not being able to deliver the necessary accommodation in time. Therefore this option was considered and rejected.

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**PRE-DECISION CONSULTATION**

N/A

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

Name: Nicola Lorenzo Prandini RIBA

Designation: Design and Architecture Manager CDCE

Signature:



Date: 10/02/2026

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

Local Authorities should have regard to sections 13, 13A and 14 of the Education Act 1996 which require local authorities to ensure efficient primary, secondary and further education are available to meet the needs of the population of their area.

The Council also has a general power of competence under Section 1 of the Localism Act 2011 to do anything an individual may generally do.

Additionally, the Council has the power to procure a contract under Section 111 of the Local Government Act 1972 which, permits the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The proposed value of the contract is £442,500 which is above the threshold for services as set out in the Procurement Act 2023. Therefore, any proposed procurement must be in compliant with both the Act and the Council's Contract Procedure Rules (CPR).

Constellia was procured through the Eastern Shires Purchasing Organisation MSTAR4 Lot 4 London Collaboration, which is compliant with both the Procurement Act 2023 and the CPR. Therefore, officers may procure the architect service via a mini competition through the Constellia framework.

### FINANCIAL IMPLICATIONS AND RISKS

The estimated architectural fee for this professional appointment is **£442,500**.

This cost will be met from the approved capital budget, Project code: C43610. The funding for this scheme was agreed by Cabinet on the 22<sup>nd</sup> January 2025, as part of the £66.72m School Expansion Programme. The design should take into consideration the overall budget allocation provided for this particular project within Appendix A of the Cabinet report to minimise cost pressures in the wider programme.

Procuring the appointment through Constellia Ltd ensures compliance with the Council's procurement policy and reduces the levy payable (c.2.2%) compared to the former procurement vehicle (4%), thereby achieving better value-for-money.

The principal financial risks relate to potential scope changes or programme delays, which could increase professional fees. These risks will be managed through robust contract management and by maintaining clear scope definitions at each project stage.

Although the procurement exercise will cover the full contract value for architectural services, payment will only be made for services actually delivered. As is standard for professional appointments of this nature, there is an inherent risk that the project may not progress beyond a given stage (for example, if planning approval is not secured).

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In such a scenario, the Council would only be liable for fees incurred up to the point of termination, and no further contractual commitment would arise. The appointment is structured against defined RIBA Plan of Work 2020 stages, with milestone-based payments to ensure financial control and value for money. In accordance with procurement regulations, the full contract value must be procured at the outset to ensure transparency, avoid unlawful contract disaggregation, and maintain continuity of design responsibility, which could not be achieved if separate appointments were made at different stages.

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

None

### **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.

An EqHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this isn't required.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are not equalities and social inclusion implications and risks associated with this decision.

### **ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

The procurement of architectural services will be carried out via Constellia, a fully

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digitalised and paperless platform, reducing the environmental impact associated with traditional procurement processes.

In addition, appointing external architects provides the Council with access to best practice and current state-of-the-art approaches to sustainable design and construction. This ensures that the scheme can benefit from contemporary expertise in low-carbon architecture, energy efficiency, and environmentally responsible construction methods.

There are no direct adverse environmental risks associated with this decision.

### **BACKGROUND PAPERS**

Cabinet Decision taken on the 22<sup>nd</sup> January 2025

<https://democracy.havering.gov.uk/documents/s77212/9.0%20Update%20to%20Phase%205%20Expansion%20Programme-%20Jan%202025%2023.12.pdf>

### **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



Paul Walker  
Interim Director of Housing & Property

Date: 2<sup>nd</sup> March 2026

**Lodging this notice**

The signed decision notice must be delivered to Committee Services, in the Town Hall.

**For use by Committee Administration**

This notice was lodged with me on \_\_\_\_\_

Signed \_\_\_\_\_