

PORTFOLIO HOLDERS DECISION NOTICE

08 April 2024

(Published 10 April 2024)

This document lists the decision taken by the Deputy Leader and Portfolio Holder for Housing on 08 April 2024.

A decision may be implemented with immediate effect, unless it is eligible for call-in as identified below, whereupon a decision will not be implemented until five working days have elapsed.

Decision Taker	Decision	Reasons for Decision	Any Options Rejected	Declared Conflict of Interest?	Eligible for Call-In?
<p>Deputy Leader and Portfolio Holder for Housing</p> <p>Councillor David Carter</p>	<p><u>Contract Award – Fire Safety Work, external refurbishment and repairs at 1-10 The Friars</u></p> <p>RESOLVED that The most economically advantageous tender submitted by Contractor A who is Chas Berger Ltd (company registration number</p>	<p>To enable the Council to enter into a formal contract for refurbishment and fire safety works in accordance with Contracts Standing Orders.</p>	<p><i>Withdraw the refurbishment work</i></p> <p>Withdrawal of the works will result in further deterioration and failure of non serviceable elements of the building structure, communal areas and exterior of the block.</p> <p>To mitigate this, the block must be maintained to ensure it is weathertight and therefore habitable, free from defect, disrepair in compliance with the decent home’s standard.</p> <p>Recommendations from the fire risk assessment won’t be addressed thus Harlow Council will not be meeting their legal obligations to keep residents safe if withdrawn.</p> <p>Additionally, Harlow Council will not be adhering to the following legal and duty of care</p>	<p>None</p>	<p>Yes</p>

00359611), is accepted in the sum of £461,022.18 for the delivery of internal and external refurbishment and fire safety works to 1 – 10 The Friars based on a twenty-week working programme and four week lead in period “subject to contract and leaseholder consultation”.

requirements as Landlord:

Landlord and Tenant Act 1985 (Section 9 &11)
Homes (Fitness for Human Habitation) Act 2018
Housing Act 2004 (The Housing Health and Safety Rating System (HHSRS))
The Regulatory Reform (Fire Safety) Order 2005
Building Safety Act 2022
The Fire Safety (England) Regulations 2022
Decent home standard

Reduce the package/partially undertake the work

Works can be undertaken separately or only partially but there is a risk that this approach would leave Harlow Council open to litigation due to failure to adhere to the legislation detailed above where health and safety issues, failing or deteriorated elements of the building are not addressed.

It is more cost effective to package works together to benefit from the economy of scale and to reduce duplicating or increasing costs that form a package of refurbishment works such as site set up, welfare, contractor prelims, management costs etc. that would be attracted if the works weren't undertaken collectively.

Use alternative contractor (B, C or D)

		<p>The Council award contracts based on the most advantageous tender. We consider, not only price but also quality as follows:</p> <p>evidence of qualifications, experience, method statements and risk management</p> <p>how proposed procurements could make local improvements and how these could be delivered via the procurement process</p> <p>how what is being procured may improve the economic, social and environmental wellbeing of Harlow and the surrounding areas</p> <p>equality, diversity and sustainability issues</p>	
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