



WELWYN HATFIELD

EXECUTIVE MEMBER DECISION NOTICE

LOCAL GOVERNMENT ACT 2000 SECTION 9E

1 **EXECUTIVE MEMBER**

COUNCILLOR FIONA THOMSON

2 **TITLE OF REPORT**

PROCUREMENT OF FIRE RISK ASSESSMENTS

3 **DECISION TAKEN**

TO AWARD THE CONTRACT FOR FIRE RISK ASSESSMENTS TO FRANKHAM CONSULTANCY LIMITED, CALLING OFF FROM THE PROCUREMENT FOR HOUSING FRAMEWORK

4 **IF URGENT, REASONS FOR URGENCY**

TO AVOID UNNECESSARY DELAY TO THE UNDERTAKING OF FIRE RISK ASSESSMENTS OF THE COUNCIL'S HOUSING BLOCKS AS THIS CONCERNS THE SAFETY OF RESIDENTS.

Name Councillor Fiona Thomson

Signature _____

Date this decision was taken 29 July 2021

Date of circulation/publication of this decision August 2021

Supported by Chairman of the General Procurement Board

Name Councillor Duncan Bell

Signature  28/07/2021

5 EXPLANATION/BACKGROUND:

- 5.1 There is a requirement for Fire Risk Assessments to be undertaken on 498 housing blocks.
- 5.2 The Housing Property team has been completing various surveys in recent months on all of the housing blocks to ensure that we are addressing any issues identified. Our work also includes continuing to replace fire doors as part of the ongoing planned programme. The surveys also highlight that more in-depth fire risks assessments should be carried out within all of the blocks to ensure that we are in a good position with the new Fire Safety Act and the proposed Building Safety Bill. The Fire Risk Assessments will be Type 3 Fire Risk Assessments. A Type 3 Fire Risk Assessment is comprehensive – and covers more than the law requires. This type of assessment covers all common areas of a building – and individual dwellings. A Type 3 FRA considers all means of escapes (including those within individual dwellings), structures, and compartmentation between flats and any means of fire detection.
- 5.3 Procurement for Housing offer a framework contract that allows a direct award to the contractor ranked 1 for each geographical area. Frankham Consultancy Limited are ranked number 1 in this region.
- 5.4 To avoid unnecessary delay to the undertaking of Fire Risk Assessments of the Council's housing blocks, this decision was made under the Urgent Key Decision procedure. This procedure is outlined in the Constitution under Part 4 (Rules and Procedures); Section 3 (Access to information procedure rules); Paragraph 12. The procedure allows key decisions to be made without having been published on the Forward Plan for 28 days and be exempted from 'call-in' by the Overview and Scrutiny Committee.
- 5.5 The reason for urgency is that the work relates to the safety of residents. Whilst Officers do not believe there to be any immediate risk, they are nevertheless keen to complete this work as soon as possible. Unfortunately, Officers did not realise that the cost of the work would breach the threshold for a key decision, and therefore did not add it to the Forward Plan published on Monday 12 July 2021. However, having now received the quote, and confirmed it is within market expectations for work of this kind, Officers would like to proceed without further delay. Not treating this as an urgent key decision would have delayed the award of the contract and the associated work until at least 7 September 2021.

5.6 Legal Implications:

The council has a duty to undertake Fire Risk Assessments in accordance with the Regulatory Reform (Fire Safety) Order 2005.

As required by paragraph 12 (1)(b) of the Access to Information Procedure Rules, the consent of the Chairman of the Overview and Scrutiny Committee has been sought and obtained, to enable this decision to be taken and the Members of the Overview and Scrutiny Committee have been notified

5.7 Financial Implications:

The cost of the surveys £137,530.44 will be met from existing budgets.

5.8 Risk Implications:

There are no specific risks relating to the procurement process outlined

There are high risks of not carrying out the assessments.

5.9 Other Implications (including communications, security and terrorism, human resources, procurement, climate change, human rights, health and wellbeing, equality and diversity)

The direct award to Frankham Consultancy is in accordance with the Council Contract Procedure Rule and the Public Contracts Regulations 2015.

5.10 Alternative options considered and reasons for their rejection (if any):

The Council could have waited until the new Forward Plan was published on Monday 9th August, ahead of the Cabinet meeting on Tuesday 7 September. However this would have delayed the award of the contract and the associated work until at least 7 September 2021. Given that this work concerns the safety of residents, it was decided that it was preferable to award the contract via an Executive Member Decision Notice using the Urgent Key Decision procedure to avoid unnecessary delay to the work.

BACKGROUND PAPERS USED TO INFORM THE DECISION

5.11 Not applicable

6 DETAILS OF ANY MEMBERS OR OFFICERS WHO HAVE DECLARED AN INTEREST IN THIS MATTER AND NATURE OF ANY SUCH INTEREST AND ANY DISPENSATIONS GRANTED

6.1 None

7 ADDITIONAL CONFIDENTIAL OR EXEMPT INFORMATION CONSIDERED

7.1 No

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From: [Fiona Thomson](#)
To: [Jonah Anthony](#);
Cc:
Subject: RE: Proposed Executive Member Decision Notice, made under Urgent Key Decision process
Date: 29 July 2021 10:43:05

Dear all

"I confirm approval of this Procurement of Fire Risk Assessments, exercising powers delegated to me under paragraph 18 of the Cabinet Procedure Rules within the Constitution".

Kind regards
Fiona

Cllr Fiona Thomson
Handside Ward
01707 395932

Executive Member for Housing and Climate Change
Welwyn Hatfield Borough Council
Chair of Welwyn Hatfield Dementia Action Alliance