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| DECISION NO: | <i>For Member Services use only</i> |
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| Concurrence No: | 066420 |
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| Action under delegated authority of Chief Executive | X |
| Action under delegated authority of Director of Finance and Cabinet Member for Finance | |
| Action taken by Chief Executive in consultation with Cabinet Member(s) | |

Subject: Exception to Contract Standing Orders – Cheshunt High Street Flats

Signature and designation of officer(s) taking action:

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| <div style="text-align: right; margin-bottom: 5px;">27/11/2020</div> <div style="border-top: 1px solid black; display: flex; justify-content: space-between; padding-top: 2px;"> Chief Executive Date </div> | <div style="text-align: right; margin-bottom: 5px;">25/11/2020</div> <div style="border-top: 1px solid black; display: flex; justify-content: space-between; padding-top: 2px;"> Director of Finance Date </div> |
| | <div style="text-align: right; margin-bottom: 5px;">24/11/20</div> <div style="border-top: 1px solid black; display: flex; justify-content: space-between; padding-top: 2px;"> Head of Finance Date </div> |

Name of Cabinet Member(s) Consulted:

I have been consulted and concur with the proposals set out below:

Councillor

Cabinet Member for

Signature:

Date:

Councillor

Cabinet Member for

Signature:

Date:

Name of any member who has declared a conflict of interest in relation to this decision: _____

THIS DOCUMENT WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE

The report overleaf sets out the decision to be taken, the reasons for the decision, and the details of alternative options, if any, considered and rejected.

Officer decisions are available for public inspection, both at the Borough Offices and on the Council's website. Officer decisions are kept for a period of six years at the Borough Offices and for six months on the website after the decision is made. Background papers are available for four years.

RECOMMENDED that:

Approval is given for an exception to Contract Standing Orders to allow Robyland Ltd to be appointed to carry out legionella control works to Cheshunt High Street Flats.

Purpose

To request approval for an exception to Contract Standing Orders to allow Robyland Ltd to be appointed to carry out legionella control works to the flats above shops on Cheshunt High Street.

The Project

The water tanks, situated on the roof, above the flats on Cheshunt High Street are in a bad state of repair and have been neglected for a long time. Given their current state of repair, there is a risk of a legionella outbreak occurring.

Due to the condition and poor access to the water tanks, it would be more economical and safer in the long run to isolate the tanks and replace the boilers served by the tanks, located on the roof, with ones that use a mains water supply – combi boilers.

Robyland Ltd has provided a quote for the works and has spent much time in trying to establish which tanks serve which property and dealing with other related complications. This gives Robyland Ltd knowledge of the system and they would be best placed to carry out the works. Were another contractor to be engaged to carry out the works, they would need to do their own additional surveys which would add additional expense and further disruption for the tenants.

Therefore, an exception to Contract Standing Orders is requested allow Robyland Ltd to be appointed to carry out the works on the basis that it is in the Council's best interests to appoint an existing supplier.

Financial, Legal and Risk Management Implications

Duties under the Health and Safety at Work etc. Act 1974 (HSWA) extend to risks from legionella bacteria and as the Council is responsible for the water tanks and would therefore be liable if there were to be an outbreak of Legionella.

The works will be funded from existing budgets and will cost £16,050.

Alternative Options Considered and Rejected

A tender process could be undertaken, however this would result in additional costs and disruption to tenants as each bidding company would need to carry out surveys and investigative works. In addition a quote was sought from a second contractor which was higher than that quoted by Robyland. Therefore, it is considered unlikely that a tender process would result in lower costs.

Contribution to the Council's Objectives and Environmental Sustainability Priorities

This would help to maintain a clean environment and provide work for local people through a local firm, therefore, helping the economy to thrive.

Conclusion

Approval should be given for an exception to Contract Standing Orders to allow Robyland to be appointed to carry out legionella control works at the flats above shops on Cheshunt High Street.

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| Contact Officer: | Stuart Elms | Ext: 5762 | Date | 13 November 2020 |
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Action reported to the Cabinet on:
