




Melton  
Borough  
Council

**Record of Cabinet Portfolio Holder  
Decision**

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision made by</b>	Portfolio Holder
<b>Key decision?</b>	Yes
<b>Date of decision</b>	19 <sup>th</sup> December 2019
<b>Name and job title of Officer requesting the decision</b>	Pranali Parikh – Director for Growth & Regeneration
<b>Officer contact details</b>	<a href="mailto:pparikh@melton.gov.uk">pparikh@melton.gov.uk</a>
<b>Decision</b>	<ol style="list-style-type: none"><li>1. Delegation to Corporate Property &amp; Asset Manager to award/directly appoint CLC Contractors Ltd from a national framework for Passive Fire Safety (Lot 6) (as procured through the Fusion 21 contracting authority) up to a value of £200,000;</li><li>2. Authority for the Corporate Property &amp; Asset Manager to utilise Fusion 21 (Lot 6) for all works in connection with Passive Fire Protection and Maintenance up to an aggregate value of £200,000.</li><li>3. Authority for Legal Services to review, prepare and complete any associated contract documentation.</li></ol>
<b>Reason for Decision</b>	<p>The National Construction framework is compliant with the Public Contract Regulations 2015 and this route offers the timeliest response to urgent issues arising out of the Fire Risk Assessments, Passive Fire Protection and Maintenance.</p> <p>There is also an ongoing need under BS9999: The Code of Practice for Fire Safety in the Design Management and Use of Buildings which recommends routine fire inspections for Passive</p>

	<p>Fire precautions.</p> <p>The criticality of fire safety requires a supply chain that can deliver timely improvements arising from fire risk assessment and ongoing compliance reassurance and inspections where necessary. The results of fire risk assessment(s) will invariably result in corrective actions being required. These will need to be implemented in a timely manner in order to maintain minimum this is particularly important in the case of purpose built flats where minimum standards of health and safety for tenants needs to be ensured.</p> <p>The Fusion 21 (Lots 6) framework offers the opportunity to respond timely to urgent fire safety related matters.</p> <p>The Code of Practice recommends routine fire inspections and Melton Borough Council needs to demonstrate that it has undertaken these checks to ensure it can evidence compliance</p>
<p><b>Alternative options rejected</b></p>	<p>Not to appoint from a framework and procure the works – this is not the preferred option due to the timeframes involved which would prevent the Council from providing timely responses to any issues arising in respect of Fire Safety and / or from the Fire Risk Assessments.</p>
<p><b>Legal implications</b></p>	<p>This is a key decision and as a result will need to be put on the forward plan to provide 28 days notice before the decision can be taken unless there are exceptional circumstances agreed with the Monitoring Officer. A General Exception can be used where this procedure cannot be followed due to urgency.</p> <p>The Council has to comply with the Fire Safety legislation.</p> <p>The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).</p> <p>The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into</p>

	on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations			
<b>Financial implications</b>	The cost of this is £50k per annum for 4 years and is a revenue cost. For 2019/20 and 2020/21 the annual cost will be met from the HRA Development and Regeneration Reserve. 2021/22 and 2022/23 may be able to be met from the HRA working balance depending on the financial position at this time. The Chief Executive in consultation with the Director for Corporate Services will need to exercise his delegated authority to access the funding for 2019/20 with later years being built into the budget.			
<b>Other implications</b>	None			
<b>Background papers considered</b>				
<b>Declarations/conflict of interest?</b>	N/A			
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Ward Councillors	N/A		
	Legal	Adele Wylie	<i>[Signature]</i>	19/12/2019
	Finance	Dawn Garton		19/12/2019
	Human Resources	N/A	N/A	N/A
	Equalities	N/A	N/A	N/A
	Communications			
<b>Exempt Decision?</b>				
<b>Call In Waived by Scrutiny Committee Chair?</b>	Yes – 15.11.19			
<b>Cabinet Portfolio Holder (Leader) Signature</b>	<p>Signature: </p> <p>Councillor Joe Orson</p> <p>Date: 19.12.19</p>			

**ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.**

FOR DEMOCRATIC SERVICES USE ONLY		
Form Received	19/12/19	
Date published to all Councillors	19/12/19	
Call In Deadline	N/A - URGENT	