


**RECORD OF EXERCISE OF DELEGATED AUTHORITY BY OFFICER PURSUANT TO
REGULATION 13 OF THE LOCAL AUTHORITIES (EXECUTIVE ARRANGEMENTS)
(MEETINGS AND ACCESS TO INFORMATION) (ENGLAND) REGULATIONS 2012 &
THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014**

<u>SUBJECT OF DECISION</u>	
Procurement of a contract for HRA and General Fund assets to cover the Effective Control of Legionella within Council's Communal Housing & Corporate Property Site Water Assets via EEM0007 Framework - Water Treatment Management Services Contract – Midlands Lot 1	
<u>DECISION REFERENCE</u>	<u>SOURCE OF AUTHORITY AND REFERENCE</u> (i.e. Committee/ Constitution/Minute No. etc.)
DO/75/2025 (NB)	HRA/GF - Cabinet meeting 21 February 2024 CB104 and CB105 HRA have majority sites concerned
<u>DATE OF DECISION</u>	<u>DECISION MAKER</u> (Name and Job Title)
4 th March 2025	 Nicola Botterill – Assistant Director, Social Housing & Community Safety
<u>RECORD OF THE DECISION</u>	
The Issue	
a) Essential and Regulatory compliance provision of services and work with accountability to uphold the HSE/HSC recommendations to the L8 Document ACoP for our water system assets across the Borough Council's estate. A full Framework JCT provision of works with accountability avenue for water management and effective Legionella control across our Communal/District Heating Schemes, Independent Living Schemes, certain General-Purpose blocks and Corporate sites to provide continuous safe water systems within our buildings and the residential customer users.	
The Decision	
b) Competition exercise via the EEM Framework.	
<u>REASON FOR THE DECISION</u>	
NBBC have a high-level regulatory obligation and a duty to manage to ensure our communal water system assets within Housing & Corporate sites are maintained, monitored and improved to the appropriate standards and upgraded where applicable. To be able to maintain this, an external contractor and Competent Person in these areas is required to be appointed to work with and alongside the internal, Legionella Control – Responsible Person.	
<u>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED IN MAKING THE DECISION</u>	
An open tender process was considered but due to the complexity of the works required and the length of time an open tender process would take this method of procurement was rejected.	

<p><u>WARD RELEVANCE</u> All.</p>
<p><u>FINANCIAL AND BUDGET IMPLICATIONS</u> The cost of the works has been included in the budget setting process for the HRA and General Fund. A 5-year contract term budget provision by tender returns and contingencies allocation to a maximum value of 360K.</p>
<p><u>CONSULTATION UNDERTAKEN WITH MEMBERS/OFFICERS</u> The Legionella Control Responsible Person, Capital Investment Service Manager, Procurement Officer, Service Managers – Corporate Assets and Surveying and Compliance Health & Safety Management have all been consulted. External expertise also consulted by the Plant, Maintenance / Energy Officer</p>
<p><u>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER CONSULTED</u> None.</p>
<p><u>IN RESPECT OF ANY DECLARED CONFLICT BY A CABINET MEMBER, ANY DISPENSATION GIVEN BY THE HEAD OF PAID SERVICE</u> (Note if the decision is a non-executive decision, no dispensation can be given). N/A</p>
<p><u>EQUALITIES IMPLICATIONS (including any Equality Impact Assessment)</u> N/A</p>
<p><u>HUMAN RESOURCES IMPLICATIONS</u> None.</p>
<p><u>FINANCIAL IMPLICATIONS</u> None.</p>
<p><u>HEALTH EQUALITIES IMPLICATIONS</u> Legionella control precautions and protection for all our customers of good health and varying health conditions.</p>
<p><u>SECTION 17 CRIME & DISORDER IMPLICATIONS</u> None.</p>
<p><u>RISK MANAGEMENT IMPLICATIONS</u> Improves our risk management within these disciplines and Regulator reporting</p>
<p><u>SME (SMALL/MEDIUM ENTERPRISES) & LOCAL ECONOMY IMPLICATIONS</u> None.</p>

ENVIRONMENTAL IMPLICATIONS

None.

LEGAL IMPLICATIONS

Contract essential to uphold our duties to manage under the HSE recommendations and enforcement

ANY OTHER COMMENTS

None.

PLEASE RETURN TO THE MONITORING OFFICER AS SOON AS A DECISION IS MADE OR AS REASONABLY PRACTICABLE THEREAFTER