

**WAVERLEY BOROUGH COUNCIL**

**LANDLORD SERVICES ADVISORY BOARD**

**23 FEBRUARY 2023**

**EXECUTIVE CO-PORTFOLIO HOLDER FOR HOUSING DECISIONS MEETING**

**23 FEBRUARY 2023**

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**Title:**

**FIRE REMEDIATION AND FIRE DOOR INSTALLATION CONTRACT**

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**Portfolio Holder:** Cllr Paul Rivers, Co-Portfolio Holder for Housing (Operations)

**Head of Service:** Andrew Smith, Executive Head of Housing

**Key decision:** Yes

**Access:** Part Exempt

Note pursuant to Section 100B(5) of the Local Government Act 1972. This report contains exempt information by virtue of which the public is likely to be excluded during the item to which the report relates, as specified in Paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, namely: Information relating to the financial or business affairs of any particular person (including the authority holding that information).

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**1. Purpose and summary**

1. To share the proposal to enter into contracts for Fire Remediation and Fire Door Installation Services.

**2. Recommendation**

2. It is recommended that the Executive Co-Portfolio Holder for Housing:
  - endorses the signing of the Fire Remediation and Fire Door Installation contract with Ian Williams Limited, maximum contract duration 2023 to 2028

**3. Reason for the recommendation**

3.1 Waverley Borough Council has a statutory requirement to ensure buildings are maintained in a manner that will reduce the spread of smoke or fire, in the event a fire starts in a flat managed by Waverley.

3.2 Waverley Borough Council also has a statutory requirement to ensure all fire door sets installed in the buildings they manage, are maintained and repaired in a manner that maintains the fire integrity of the door.

3.3 This is to protect residents and other visitors from the effects of smoke and fire, and to ensure escape routes are kept free of smoke and fire. This contract is required in order to facilitate the fulfilment of these obligations

#### 4. **Background**

4.1 The existing contract with Ian Williams was awarded as a direct award, in light of significant remediation works identified at Riverside Court. As such the contract did not go through the typical section 20 process for notifying leaseholders of our intentions to tender and award the contract, and therefore any works completed under this contract can only be charged to leaseholders up to the maximum of £250 per flat.

4.2 This new contract has been tendered in adherence to the section 20 notification process, in order that Waverley Borough Council can recoup from leaseholders, any cost as a result of works exceeding £250 per flat.

4.3 The services provided under these contracts affect multiple stakeholders who rely on them to carry out workstreams in a safe and informed manner.

- Compliance
- Responsive Repairs
- Voids
- Planned works

4.4 In advance of this tender, Fire Risk Assessments and fire door inspections were completed at all HRA owned flat blocks. These have identified works required to improve fire safety.

4.5 Tender period was live between 12 December 2022 and 20 January 2023. Three responses were submitted for this tender.

4.6 Procurement was conducted with the support of the Council's procurement officer and followed section 20 leaseholder engagement requirements.

4.7 The contract is JCT Measured Term and terms are written to reflect existing terms agreed with Ian Williams on the existing fire remedial contract.

#### 5. **Relationship to the Corporate Strategy and Service Plan**

5.1 The report supports the Council's Corporate commitments to promote "Good quality housing for all income levels and age groups" and "Improving the health and wellbeing of our residents and communities", as well as the Council's aim to "be the best council landlord in the South East and to be acknowledged so by our tenants."

5.2 These contracts also support the Housing Asset Management , Strategic Objective to ensure our properties are safe, secure and compliant, meeting all our landlord obligations.

## **6. Implications of decision**

If we are unable to enter contracts formally, we would subsequently be putting at risk our ability to meet our statutory requirements. We would also have a lack of ability to endorse the terms of the contract should the contractors fail to deliver the respective services as required.

### **6.1 Resource (Finance, procurement, staffing, IT)**

**Drafted by: Candice Keet**

The cost of this £5.75m contract over five years has been budgeted for in the HRA capital budget which is going to Council in February 2023. An allowance has also been made in the inflation provision of 9% in 2023/24, 4% in 2024/25 and 2% going forward which can be drawn if required during the year.

### **6.2 Risk management**

There are a number of risks that present themselves should we not be able to enter these contracts:

- Increased risk to residents, contractors and other visitors of HRA owned flat blocks
- Increased risk to the buildings and neighbouring buildings, if steps aren't taken to ensure spread is limited in the event of a fire
- Should there be a significant incident requiring the notification of the HSE or Surrey Fire and Rescue Service, there is significant risk that the Council would be found liable for managing fire safety in an unsuitable manner.

### **6.3 Legal**

**Drafted by: Ian Hunt**

The Council is responsible for the management of Health and Safety within its premises, this includes the provision of appropriate fire safety. The Council is entitled as landlord to engage contractors and if having gone through the appropriate consultation process recharge the full cost of works to tenants. In conducting procurement processes the Council is bound to follow the defined scoring and evaluation matrix. The Council essentially have the option of either awarding the tender to the highest ranked contractor or withdrawing from the procurement process.

### **6.4 Equality, diversity and inclusion**

There are no direct equality, diversity or inclusion implications in this report. Equality impact assessments are carried out when necessary across the Council to ensure service delivery meets the requirements of the Public Sector Equality Duty under the Equality Act 2010.

### **6.5 Climate emergency declaration**

Questions regarding minimising environmental impact were included within the quality questions for both tenders.

Ian Williams stated they have a **Sustainability Strategy with the objective of becoming Carbon Neutral Organisation by 2035** (if not before) to ensure our planet's longevity for future generations.

Their Companywide **approach is built on Annual Sustainability Future Plans (2022-2023)** which encompasses planet-people-place. **Contains year-on-year targets, tactics and metrics** which feed into our longer-term Sustainability Strategy. Added Value: **creates the right culture**, where the climate emergency is central to our day-to-day operations.

They noted a list of initiatives, including:

- Increase hybrid/fully electric cars
- Introduce hybrid/fully electric vans ASAP
- Promote sustainable driving
- Zero waste to landfill
- Year on year reduction in consumable use- reduced single plastic usage, using more durable PPE etc.
- Greener offices- 100% of Ian Williams owned building to use renewable energy suppliers, annual campaigns to change behaviour of office staff
- Carbon offsetting- work with their partners to support tree planting in local communities

## 7. **Consultation and engagement**

Leaseholder consultation carried out in accordance with Section 20 requirements. No wider consultation carried out.

## 8. **Other options considered**

Not applicable

## 9. **Governance journey**

Executive Briefing, O&S if requested, Landlord Service Advisory Board and Co-Portfolio Holder for Housing Decisions.

## **Annexes:**

Exempt Annexe 1 – Waverley BC Fire Remediation and Fire Door Tender Report

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## **Background Papers**

There are no background papers, as defined by Section 100D(5) of the Local Government Act 1972).

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## **CONTACT OFFICER:**

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Agreed and signed off by:

Legal Services: Ian Hunt 31/01/2023

Head of Finance: Candice Keet 31/01/2023

Strategic Director: Annie Righton 31/01/2023

Portfolio Holder: Cllr Paul Rivers 31/03/2023