

	<b>Officer Key Decision</b>
	<b>Report to the Corporate Director Residents and Housing Services</b>
	<b>Lead Cabinet Member for Housing, Homelessness and Renters</b>
<b>AUTHORITY TO AWARD CONTRACT FOR DISREPAIR WORKS IN THE BOROUGH FROM A FRAMEWORK</b>	

<b>Wards Affected:</b>	All
<b>Key or Non-Key Decision:</b>	Key Decision
<b>Open or Part/Fully Exempt:</b> <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
<b>No. of Appendices:</b>	None
<b>Background Papers:</b>	None
<b>Contact Officer(s):</b> <small>(Name, Title, Contact Details)</small>	Name: Spencer Randolph Job Title: Director – Housing Services Email: Spencer.randolph@brent.gov.uk

## 1.0 Executive Summary

1.1 This report concerns approval to direct a contract for disrepair work within the borough. This report requests authority to award contracts as required by Contract Standing Order 88. This report summarises the process undertaken in procuring a contract and, following the completion of the evaluation of the bids, recommends to whom the contract should be awarded.

## 2.0 Recommendation(s)

That the Corporate Director, Residents and Housing Services:

2.1 Approves the award the contract for housing disrepair work within the borough to Prestige Domestic Property Maintenance Ltd for 1 year in the sum of £2.5m.

## 3.0 Detail

## **Contribution to Borough Plan Priorities & Strategic Context**

### **3.1**

- (a) This report sets out proposals for the award of a contract for disrepair works within the Borough, supporting the Council's overarching priority to provide safe, high-quality housing and to improve standards across council-managed homes. The delivery of timely and effective disrepair works is central to maintaining residents' wellbeing, meeting statutory obligations, and ensuring that housing stock is managed in a sustainable and responsive manner.
- (b) The proposals align with the Council's Borough Plan priorities, in particular those relating to ensuring that residents have access to good quality, safe homes, and that the Council delivers responsive and resident-focused services. They also support wider strategic objectives around tackling housing inequality, improving living conditions, and enhancing the overall

### **Background**

- 3.2 The Council requires the provision of disrepair works within council-managed homes in the Borough. The original contract for these works was procured in 2023 through a further competition under the Fusion21 Reactive Repairs & Empty Buildings Framework, following which Prestige Domestic Property Maintenance Ltd achieved the highest score and was appointed.
- 3.3 Disrepair works are often small in scale and require a responsive and flexible approach. As a small to medium-sized contractor, Prestige Domestic Property Maintenance Ltd is able to mobilise quickly and deliver works within tight timescales, enabling the Council to meet its obligations to residents efficiently and respond promptly to disrepair issues.
- 3.4 In accordance with the terms of the Framework Agreement, officers have now undertaken a direct award (call-off) process without reopening competition. This has been carried out by applying the Framework provisions and relevant considerations, including the Council's requirements and value for money. Following this process, the same contractor has been identified in line with the Framework's direct selection provisions. Officers therefore recommend the award of a call-off contract for disrepair works (the "Contract").

### **The Procurement Process**

- 3.3 The Contract will be called off from the Fusion21 Reactive Repairs & Empty Buildings Framework (the “Framework”), using the direct award procedure and the standard call-off terms and conditions prescribed under the Framework.
- 3.4 The call-off has been undertaken in accordance with the Framework’s direct award provisions, without reopening competition, and applying the applicable criteria set out in the Framework.
- 3.5 In accordance with the Framework guidance on direct awards, the selection of the contractor has been based on relevant considerations including value for money, the Council’s requirements, and the contractor’s delivery capability.

### **Evaluation Process**

- 3.6 The contractor selection was undertaken by officers from the Council’s Housing service in accordance with the Framework requirements.
- 3.7 The approach adopted was a direct award under the Framework and did not involve a competitive tender process or the submission of bids. A contractor was identified based on the applicable Framework provisions and the Council’s requirements.
- 3.8 Officers applied relevant Framework considerations, including value for money, the scope of works, and the contractor’s capacity and experience, to inform the selection. It is noted that the process undertaken reflects a direct award rather than a full evaluation procedure.
- 3.9 Officers therefore recommend the award of the Contract to Prestige Domestic Property Maintenance Ltd.
- 3.10 The existing contractor is currently engaged until 30 June 2026. The proposed Contract will therefore commence on 1 July 2026 and will run for a period of 12 months, ending on 30 June 2027, in accordance with the terms of the Framework and the applicable call-off arrangements.
- 3.11 During this 1-year period, Housing officers will work together with Procurement officers to run a competitive tendering process to identify and select a longer term contractor for these works, which will be in place by July 2027.

### **4.0 Stakeholder and ward member consultation and engagement**

- 4.1 None.

### **5.0 Financial Considerations**

- 5.1 Part 3 of the Council's Constitution states that the Corporate Director, Residents and Housing Services has delegated authority to approve the award of contracts for Works valued at less than £5 million. The estimated value of the Contract is £2.5m
- 5.2 The cost of the Contract will be funded from the Housing Revenue Account (HRA).
- 5.3 The proposed direct award to Prestige Domestic Property Maintenance Ltd has an estimated value of £2.5m over a 12 month period. This is significantly higher than the original contract provision of £936k for a three year period let in 2023. Spend to date has reached £1.4m with £265k of payments due and a further £200k of works in progress leaving £2.035m of the proposed contract value for new works.
- 5.4 The approved disrepair budget for 2026/27 is £1.084m. As a result, delivery of this contract at the proposed value will require a reprioritisation of other expense within the HRA which will include other aspects of the repairs and maintenance programme being deferred or scaled back to maintain affordability.

## **6.0 Legal Considerations**

- 6.1 Officers recommend the use of the Fusion21 Reactive Repairs & Empty Buildings Framework (the "Framework") to procure the Works. The Framework was originally procured prior to 24 February 2025 in accordance with the Public Contracts Regulations 2015 ("PCR 2015"), and as such, any call-off under the Framework remains governed by the PCR 2015.
- 6.2 The estimated value of the Contract over its lifetime is below the relevant PCR 2015 threshold for works contracts. Accordingly, whilst the PCR 2015 applies to the use of the Framework, the award of this Contract does not require compliance with the full procurement procedures applicable to above-threshold works contracts.
- 6.3 The PCR 2015 expressly permit contracting authorities to establish and utilise framework agreements. Contracts may be awarded by way of call-off from such frameworks without the need for separate advertisement or a full procurement process, provided that the call-off is undertaken in accordance with the framework terms, including the application of any relevant selection criteria and adherence to the prescribed terms and conditions.
- 6.4 The Council's Contract Standing Orders provide that formal tendering procedures do not apply where a contract is called off from a framework agreement established by another contracting authority, provided that

the call-off is approved by the relevant Corporate Director or Director and that the Director of Law has confirmed that participation in the framework is legally permissible. The Director of Law has confirmed that participation in the Framework is legally permissible.

- 6.5 The Council is empowered to carry out housing repair and maintenance works, including disrepair remediation, pursuant to its statutory duties under the Housing Act 1985, the Landlord and Tenant Act 1985, and the Homes (Fitness for Human Habitation) Act 2018. These duties require the Council, as landlord, to keep its housing stock in repair and ensure that properties are fit for human habitation. In exercising these powers, the Council must comply with procurement legislation and its internal governance requirements.
- 6.6 The award of the Contract is subject to the Council's Contract Standing Orders in respect of Medium Value Contracts. The Corporate Director has delegated authority to award Medium Value Contracts in accordance with paragraph 9.5 of Part 3 of the Constitution.
- 6.7 The decision to award the Contract will be subject to call-in in accordance with the Council's Constitution. As the Contract is being awarded via a framework call-off, there is no requirement to observe a mandatory standstill period under the PCR 2015. Subject to there being no challenge preventing award, officers intend to proceed to implementation following the decision.
- 6.8 It is noted that a number of invoices relating to disrepair works have been submitted by the contractor under existing arrangements and on the basis of the Framework terms and conditions. These relate to works already completed and must be processed to ensure continuity of service delivery and to protect the Council's contractual and commercial position. The proposed direct award will ensure that such works, and any further works, are formally aligned with the Framework and subject to appropriate governance.
- 6.9 This decision is being taken in reliance on Access to Information Rule 38 (urgency provisions), on the basis that any delay associated with the standard decision-making process would be likely to prejudice the Council's interests, including its ability to deliver disrepair works in a timely manner and manage associated operational and legal risks. The urgency procedure has therefore been properly applied in accordance with the Constitution.

## **7.0 Equity, Diversity & Inclusion (EDI) Considerations**

- 7.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

7.4 There is no prescribed manner in which the council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.

7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

## **8.0 Climate Change and Environmental Considerations**

8.1 The proposals contribute to the Council's environmental objectives by supporting timely repairs that improve the energy efficiency and condition of council homes. Works such as addressing insulation, damp and heating issues can reduce energy use and carbon emissions, while the use of a framework helps ensure contractors meet appropriate environmental standards.

## **9.0 Human Resources/Property Considerations (if appropriate)**

9.1 This service is delivered by an external contractor, with no implications for Council staff arising from the award of the Contract.

9.2 There are no property or accommodation implications associated with the proposals.

## **10.0 Communication Considerations**

10.1 No specific communications strategy is required. Where necessary, residents will be informed of works through existing housing service channels.

**Report sign off:**

*Tom Cattermole*  
Corporate Director Residents and Housing Services