



ADVANCED PUBLICATION OF REPORTS

This publication gives five clear working days' notice of the decisions listed below.

These decisions are due to be signed by individual Cabinet Members
and operational key decision makers.

Once signed all decisions will be published on the Council's
Publication of Decisions List.

- 1. APPROVAL OF WALKING & CYCLING IMPROVEMENTS BETWEEN HOPPERS ROAD AND HASELBURY ROAD. (Pages 1 - 16)**
- 2. PONDER'S END QUBE RELOCATION (Pages 17 - 34)**

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MUNICIPAL YEAR 2018/2019 REPORT NO.**ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY**

PORTFOLIO DECISION OF:
Deputy Leader

REPORT OF:
Executive Director - Place

Agenda – Part: 1	KD Num: 4783
Subject: Approval of walking & cycling improvements between Hoppers Road and Haselbury Road.	
Wards: Bush Hill Park, Haselbury, Palmers Green and Winchmore Hill	

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1. EXECUTIVE SUMMARY

This Report seeks approval to implement walking & cycling improvements between Hoppers Road in Palmers Green and Deansway in Edmonton. These proposals form part of the Mayor of London's Transport Strategy to increase active travel in London and will be fully funded by Transport for London (TfL). Forming part of the wider network, the proposals contained in this report are expected to deliver health and transport benefits for both local residents and visitors to Enfield.

2. RECOMMENDATIONS

2.1 To approve implementation of the scheme provided in the post consultation overview drawing at Appendix 1, including:

- footway buildouts and rain gardens at the junction of Hoppers Road and Stonard Road;
- cycle friendly speed humps and reducing the speed limit on Barrowell Green;
- widening the footpath alongside Clowes Sports Ground to allow shared use with cyclists;
- a raised parallel cycle/zebra crossing across Firs Lane;
- a footway level cycle track from this crossing to Firs Farm Park;
- lighting of the existing footpath through Firs Farm Park;
- opening up the existing underpass on the A10 to cyclists;
- replacing the speed humps (in poor condition) on Deansway with cycle friendly versions.

2.2 To make the traffic management orders without modification to enable the associated waiting and loading restrictions, the revised width restriction in Firs Lane and the 20mph speed limit in Barrowell Green to be implemented and enforced.

3. BACKGROUND

- 3.1 These proposals form part of the package of works aimed at improving the Borough's walking & cycling infrastructure. 'Secondary routes', such as these are intended to strengthen the network of routes, following quieter streets, parks and waterways across Enfield. They'll connect with other projects, expanding the reach of previous investment and linking residential areas to local services such as schools, town centres and green spaces. This type of infrastructure will help overcome barriers to walking & cycling by providing safe and signed routes, creating 'feeder' routes to the major routes on some of our key roads.
- 3.3 This link will provide an east to west route either side of the A105 (Green Lanes), creating a connection to Firs Farm Park (and the new tennis courts), across the A10 using the underpass and into Edmonton.
- 3.4 This report sets out the outcome of statutory consultation undertaken on this scheme, which provided the opportunity for residents and interested parties to comment on the design and layout of the proposed design.

4. SCHEME DESIGN PROPOSALS

- 4.1 A summary of the proposals are at Appendix 1 (detailed designs are available if required). Key design features of this scheme are:
- 4.1.1 **Hoppers Road junction with Stonard Road** – Footway buildouts will narrow traffic lanes to calm traffic speeds and shorten crossing points for pedestrians and green the area with some rain gardens. The originally proposed continuous footway at this junction has been removed from the design as further investigations have identified that the road levels would not enable this feature (insufficient height to ensure appropriate ramp, necessary to slow motor vehicles as they crossover).
- 4.1.2 **Road markings** – Double yellow lines are proposed for the corners along the route between Stonard Road and Lytton Avenue. This will improve visibility for cyclists, drivers and pedestrians alike.
- 4.1.3 **Lytton Avenue** – The existing path between the eastern end of Lytton Avenue and the A105 Green Lanes footway will be resurfaced with harvest buff tegula blocks and be made pedestrian priority but allow use by cyclists.
- 4.1.4 **Barrowell Green** – The road is to have a 20mph speed limit with cycle friendly speed humps constructed along Barrowell Green to reduce traffic speeds where cyclists are sharing the road with vehicular traffic. Cyclists

will be taken off the carriageway near the entrance to the recycling centre. The existing lightly used footpath will be widened to create a path where pedestrians have priority, but that people cycling can also use.

- 4.1.5 **New parallel zebra crossing** – The existing width restriction on Firs Lane will be relocated to make way for a raised parallel zebra crossing to connect pedestrians and cyclists to Firs Farm and the new tennis courts. The eastern footway will be widened to provide a cycle track up to the entrance to Firs Farm.
- 4.1.6 **Firs Farm** - The existing path through Firs Farm will be lit to provide a safe 24-hour route for cyclists to and from the A10 which is fully supported by the Friends of Firs Farm.
- 4.1.7 **A10 Underpass** – “No Cycling” signs and some of the existing railings will be removed on the underpass by TfL to allow cyclists to use the facility to safely cross the A10 away from traffic.
- 4.1.8 **Deansway** – The existing speed humps along Deansway are in very poor condition and will be replaced with cycle-friendly versions.

5. **ENGAGEMENT & CONSULTATION PROCESS**

- 5.1 Following a TfL Sponsor Review of these proposals, an early engagement was carried out during July/August 2018 to share our designs with the public to help shape our plans for the area in advance of the statutory consultation. 27 responses were received online, and the consensus was that residents were in favour of the proposals including traffic calming along Barrowell Green. The main objections were to the proposed double yellow lines on the junction corners along Avondale Road. It was also suggested that we make Barrowell Green a 20mph street (which will be self-enforcing through the introduction of cycle-friendly speed humps). This early feedback was considered and informed the development of the subsequent design.
- 5.2 An extended statutory consultation took place from September 12th 2018 to October 7th 2018. A total of 1,501 leaflets were hand delivered to residents living along the route, with the distribution company utilising GPS trackers to ensure effective delivery.
- 5.3 In line with the requirements of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996, the various prescribed consultees were notified. In addition, ward councillors were informed about the consultation process and details were published in the Enfield Independent and London Gazette on 12th September 2018. Public notices were erected on street and the consultation was also promoted in the Council's Cycle Enfield e-newsletter which is sent to over 4,000 interested

stakeholders. Throughout the process, detailed information on the proposals was published at www.cycleenfield.co.uk/have-your-say

- 5.4 Paper copies of the consultation document were available and issued to those that made a request.

6. CONSULTATION RESPONSES

- 6.1 There were 18 separate submissions to the consultation, although none from any of the Emergency Services or other statutory consultees. Consultations are designed so that people living both within and outside of the area can comment if they wish. The following table demonstrates that the responses were broadly received from the local area:

Postcode	No. of responses
N7	1
N9	1
N13	10
N16	1
N21	5

Consultations are promoted widely however relatively low return rates are not untypical (an issue for all local authorities rather than specifically Enfield Council). Overall the responses were positive with 8 of the 14 that commented on the proposals in favour of the proposals. The other 6 residents that commented only discussed one aspect of the scheme (double yellow lines at the junctions along Avondale Road) and didn't respond for or against the wider scheme. In addition to the responses above there was a co-ordinated response by one resident on Avondale Road with 9 signed copies of the same letter objecting to the proposed double yellow lines (see paragraph 6.2 item 1 in the table below for the response).

A detailed response from the Enfield Cycling Campaign was received which represented the wider views of its membership. The issues raised are captured in the table at para 6.2.

- 6.2 The table below illustrates the key issues raised in the statutory consultation and provides a response:

[Table on following page]

Item	Issue Raised	Council Response
1	<p>Objection to the proposed installation of double yellow lines on the junction corners along Avondale Road and the impact on resident parking.</p>	<p>It is standard practice to prevent parking on junction corners to increase safety and visibility for all road users. Where funding allows, double yellow lines are introduced to make it clear that parking at junctions is not appropriate. Even without such markings, motor vehicle owners should not be parking at junctions as reinforced by the Highway Code Rule 243 which states the following “DO NOT stop or park opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space”. These measures provide clear indication that parking should not take place at junctions, although in this instance, the distance of the double yellow lines is no more than 7m. This area is not in a Controlled Parking Zone and these measures do not remove any prescribed parking spaces.</p>
2	<p>Objection based on the perception that a route isn't required along Avondale Road and Lytton Avenue as there is already new cycle lanes on Green Lanes</p>	<p>These secondary routes are intended to strengthen the network of routes already in place, following quieter streets, parks and waterways across Enfield. They'll connect with other infrastructure, expanding the reach of investment and linking residential areas to local services such as schools, town centres and green spaces. They help overcome barriers to walking & cycling by providing safe and signed routes and where appropriate, creating 'feeder' routes to the major schemes. Without these complementary routes, the major routes become less attractive to less confident riders, families and children.</p>

3	Objection based on the perception that speed humps increase noise and vibration and the associated disturbance to residents.	There is the possibility that the introduction of speed humps could marginally increase the level of background noise and vibration. However, any increase in noise and vibration is more likely to be due to large or empty goods vehicles rather than from cars. Consequently, wherever speed humps have been proposed we are using a new 'sinusoidal' speed hump profile which provides a smoother transition and should reduce the level of noise and vibration caused by any vehicles travelling over them.
4	Objection based on the perception that Firs Lane is busy and dangerous and concerns regarding children cycling at this location.	The proposed cycle facilities along Firs Lane are on off-carriageway footway level cycle tracks which are segregated from motor traffic.
5	Objection based on the need for more zebra crossings and/or lights on Firs Lane to enable pedestrians to cross safely.	An additional 10m high lighting column is to be installed adjacent to the new zebra crossing to provide increased street lighting to improve visibility of pedestrians and cyclists using the crossing thus increasing safety. There is already an existing zebra crossing approximately 330m north adjacent to the entrance to Winchmore School.
6	Objection that there needs to be an obvious pedestrian crossing point, not just a cycle crossing point at the A105 junction with Barrowell Green.	There still is a pedestrian crossing point across the A105 in the form of a parallel zebra crossing. This will not change as a result of this scheme. The junction across Barrowell Green has been narrowed as part of the A105 Cycle Enfield project which reduces pedestrian crossing distance.
7	Objection based on the perception that pedestrian activity is not low alongside Clowes Sports Ground.	Spot counts carried out on 3 separate occasions in early 2018 counted between 6 and 10 pedestrians using the path in a 30min period demonstrating that pedestrian figures are extremely low. Therefore potential conflict with cyclists is not felt to be a safety issue. Counts were carried out during school run times when it is anticipated that the pedestrian use is at its highest. Signs will be installed into the path that indicate that pedestrians have priority.

8	Objection based on an understanding that an earlier proposal to limit access to Stonard Road from Hoppers Road was good and included one-way street access which has now been changed.	There appears to have been a misunderstanding as there was never any plan to make Stonard Road one-way, just a proposal to install a point no-entry on the road to prevent rat running between Green Lanes and Hoppers Road. The residents of Stonard Road stated a preference to stop westbound vehicles accessing Hoppers Road as opposed to limiting access to Green Lanes along Stonard Road from Hoppers Road. This measure remains and will be implemented as part of the previously approved Fernleigh Road Quieter Neighbourhood project.
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6.3 In addition to the issues raised during statutory consultation, the following observations were raised as part of the early engagement process:

1	Enfield Cycling Campaign would prefer the scheme to be extended to use the existing pedestrian bridge over the railway opposite the Stonard Road exit on Hoppers Road. Their proposal was for this link to end with a zebra crossing over Bourne Hill between Caversham Avenue and Woodland Way. That way the Quiet Route would create access to two whole neighbourhoods (i.e., the Fox Lane area as well as the area east of Woodland Way), connecting the two neighbourhoods to both the A105 cycle tracks as well as the Firs Lane Wetlands.	This certainly remains a future aspiration. Unfortunately, the railway bridge parapets are in a very bad condition and is currently fenced off. If future works take place to address the issues with the railway bridge then a future project could explore this additional connection as a way to further increasing the network.
2	There is no crossing of the A10 for cyclists at the entrance to Firs Farm.	As part of this new quiet route, Transport for London is opening up the existing A10 underpass to allow cyclists to use it to cross the A10 safely.

3	The proposed speed humps along Barrowell Green are welcome due to speeding vehicles, but we would like to see a 20mph speed limit applied.	This feedback was responded to by including proposals to make Barrowell Green a 20mph road in the statutory consultation. This is now one of the recommendations of this report.
4	Opening up the bottom end of Lytton Avenue will create safety issues.	Signs will be erected to inform all users that the area is now used by pedestrians and cyclists and paving slabs will be installed informing cyclists that pedestrians have priority and they should take care. The area may be busy at certain times when the church is in use, but most of the time the path is extremely quiet.
5	Barrowell Green - There is a blind bend at the bottom of the road by the cricket pitches so not sure how this proposal will improve anything.	There appeared to be some confusion with the understanding of where the cycle route will take cyclists. Between the entrance to the recycling centre and Firs Lane the cycle path will be taken off carriageway alongside Clowes Sports Ground.
6	Suggestions to remove cyclists completely from the carriageway along Barrowell Green by creating a shared path.	At the current time there is insufficient funding to implement a measure that would potentially require adjusting the kerb line along the entire length of Barrowell Green. However, the proposed measures will be monitored to determine the impact of the new 20 mph restrictions and associated traffic calming measures. Further enhancements could then be considered as funding allows.

7. Alternative Options Considered

The following alternative options have been considered:

Option	Comment
Do nothing.	This is not recommended as this project is a key part of the strategy to promote more walking & cycling in the Borough.
Implementing the scheme without double yellow lines at junctions along Avondale Road.	This is not recommended as parking should not be taking place at junctions and these measures will help increase safety and visibility for all road users.

8. REASONS FOR RECOMMENDATIONS

8.1 The recommendations have been made to enable the scheme to be implemented so that a number of benefits can be realised, including:

- Delivering a safe and convenient walking & cycle route connection between the west and east of the Borough.
- A new raised parallel zebra crossing to provide another crossing point to provide safe access to Firs Farm.
- Traffic calming measures to slow traffic speeds and provide a safer environment for pedestrians and cyclists.

9. COMMENTS FROM OTHER DEPARTMENTS

9.1 Financial Implications

9.1.1 The total estimated cost of implementing the scheme is £330,000, which will be fully funded via the 2018/19 Local Implementation Plan allocation provided by Transport for London to help deliver the Mayor's Transport Strategy.

9.1.2 The funding arrangements are governed through the TfL Borough Portal and no costs will fall on the Council. The release of funds by TfL is based on a process that records the progress of the works against approved spending profiles. TfL makes payments against certified claims as soon as costs are incurred, ensuring the Council benefits from prompt reimbursement.

9.1.3 Use of the funding for purposes other than those for which it is provided may result in TfL requiring repayment of any funding already provided and/or withholding provision of further funding. TfL also retains the right to carry out random or specific audits in respect of the financial assistance provided.

9.1.4 Future maintenance costs from this scheme will be contained within existing revenue budgets.

9.2 Legal Implications

9.2.1 Under the Greater London Authority (GLA) Act 1999, the Mayor is empowered, through TfL, to provide grants to London Boroughs to assist with the implementation of the Transport Strategy. TfL is charged with responsibility of ensuring that the key rationale for allocating grants is the delivery of the Mayor's Transport Strategy.

- 9.2.2 Section 62 of the Highways Act 1980 provides a general power for the Council to improve highways. Section 65 of the same act provides a specific power that enables the Council to construct cycle tracks. The act also provides powers to plant vegetation, construct road humps/speed tables and vary the relative widths of carriageways and footways.
- 9.2.3 The Road Traffic Regulation Act 1984 provides powers to regulate use of the highway, including revoking and introducing width-restrictions, introducing 'At Any Time' waiting restrictions, setting speed limits and installing parallel zebra crossings.
- 9.2.4 In exercising powers under the Road Traffic Regulation Act 1984, section 122 of the Act imposes a duty on the Council to have regard (so far as practicable) to securing the 'expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway'. The Council must also have regard to such matters as the desirability of securing and maintaining reasonable access to premises and the effect on the amenities of any locality affected.
- 9.2.5 The final decision to implement a scheme needs to take account of the considerations set out above and the outcome of the statutory consultation relating to the new parking controls, the 20mph speed limit, the width restrictions and other elements of the scheme requiring the making of a Traffic Management Order pursuant to powers contained within the Road Traffic Regulation Act 1984 and the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

9.3 Property Implications

There are no corporate property implications arising from this report.

10. KEY RISKS

The key risks relating to the scheme are summarised below together, where relevant, with steps taken to mitigate the level of risk:

Risk Category	Comments/Mitigation
Strategic	<p>Risk: Not delivering health and other benefits associated with an increase in levels of cycling.</p> <p>Mitigation: Corporate support for the Cycle Enfield programme and funding from TfL.</p>
Operational	<p>Risk: Disruption during construction.</p> <p>Mitigation: Traffic management arrangements will be designed to minimise disruption for local residents. Roadworks will also be co-ordinated to take account of other work in the area.</p>

Financial	Risk: Insufficient funds/cost escalation. Mitigation: Funding from TfL has been allocated to the scheme and the estimated implementation cost falls within the available budget. Controls are in place to ensure that order is not placed until price is known and budget confirmed.
Reputational	Risk: Opposition to the scheme from some local residents/ organisations. Mitigation: Consultation has been undertaken to take into account views of local residents.
Regulatory	Risk: Failure to comply with statutory requirements. Mitigation: The scheme is being delivered by experienced designers, with support from TMO experts.

11. IMPACT ON COUNCIL PRIORITIES - CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

11.1 Good homes in well-connected neighbourhoods

The scheme directly supports the Council's commitment to reduce congestion, improve air quality and encourage people to walk and cycle.

11.2 Sustain strong and healthy communities

The scheme also helps to deliver the Council commitment to improve health by promoting active travel.

11.3 Build our local economy to create a thriving place

Wider investment in the walking & cycling network forms part of the Council's strategy to support our high streets and town centres by providing safe and easy access to local shops and services.

12. EQUALITIES IMPACT IMPLICATIONS

- 12.1 Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. We need to consider the needs of these diverse groups when designing and changing services or budgets so that our decisions do not unduly or disproportionately affect access by some groups more than others.

- 12.2 In recommending this proposal we have considered the needs of all highway users including those from the protected characteristic groups. All members of the community have full access to the highways however it is recognised that some protected groups may have practical problems in using the service. We are confident that these proposals will ensure that everyone will continue to benefit from this service.
- 12.3 The Council are looking to provide an east-west route either side of the A105 cycle route. This will be achieved by implementing various measures along the route previously detailed in the report that will aim to calm traffic speeds and take cyclists off carriageway wherever possible. The lighting of the path through Firs Farm will open up this route as a safe 24-hour route for pedestrians and cyclists and provide a lit route to the new tennis courts during the winter months.
- 12.4 Any impact on social economic inequality is likely to be low, as those on low incomes are less likely to own cars, meaning they are more likely to walk or cycle and this proposal promotes active health and provides a safer area for this to occur.
- 12.5 The potential negative impact of any shared pedestrian/cycle areas and footway level cycle tracks have been considered against the benefits of enabling safe active travel for all age groups. Tactile materials will be used in the appropriate locations and signs will be included to ensure that people cycling are clear that they should offer priority to people walking.

13. PERFORMANCE AND DATA IMPLICATIONS

This scheme will have limited impact on performance when considered in isolation. However, when considered as part of a wider active travel network, the scheme will contribute to a number of key targets, including those relating to improving the health of adults and children in the Borough, reducing the number of vulnerable road users injured on our roads, and increasing the use of sustainable means of travel.

14. PUBLIC HEALTH IMPLICATIONS

- 14.1 The scheme is part of the Council's plans to improve the Borough's walking & cycling infrastructure, which provides a unique opportunity to improve the health of the Borough's residents and address health inequality.
- 14.2 Compared to those who are least active, sufficient physical activity reduces all-cause mortality and the risk of heart disease, cancer, mental health issues and musculo-skeletal disease by approximately 20 to 40%. Treating these conditions accounts for 70% of the NHS budget.

- 14.3 25.4% of Year 6 pupils in Enfield (aged 10-11) are obese, higher than in London or England as a whole (22.6% and 19.1% respectively). 41% are either overweight or obese compared to 37.2% in London and 33.5% in England. This is the 6th highest in London.
- 14.4 Cycling can be a very effective means of integrating physical activity into everyday life. Improving cycling facilities in the Borough also has the potential to significantly increase the disposable income all residents in the Borough. Other benefits to the individual could include greater access to employment, education, shops, recreation, health facilities and the countryside.

Background papers

None

Quiet Route: Palmers Green to Edmonton

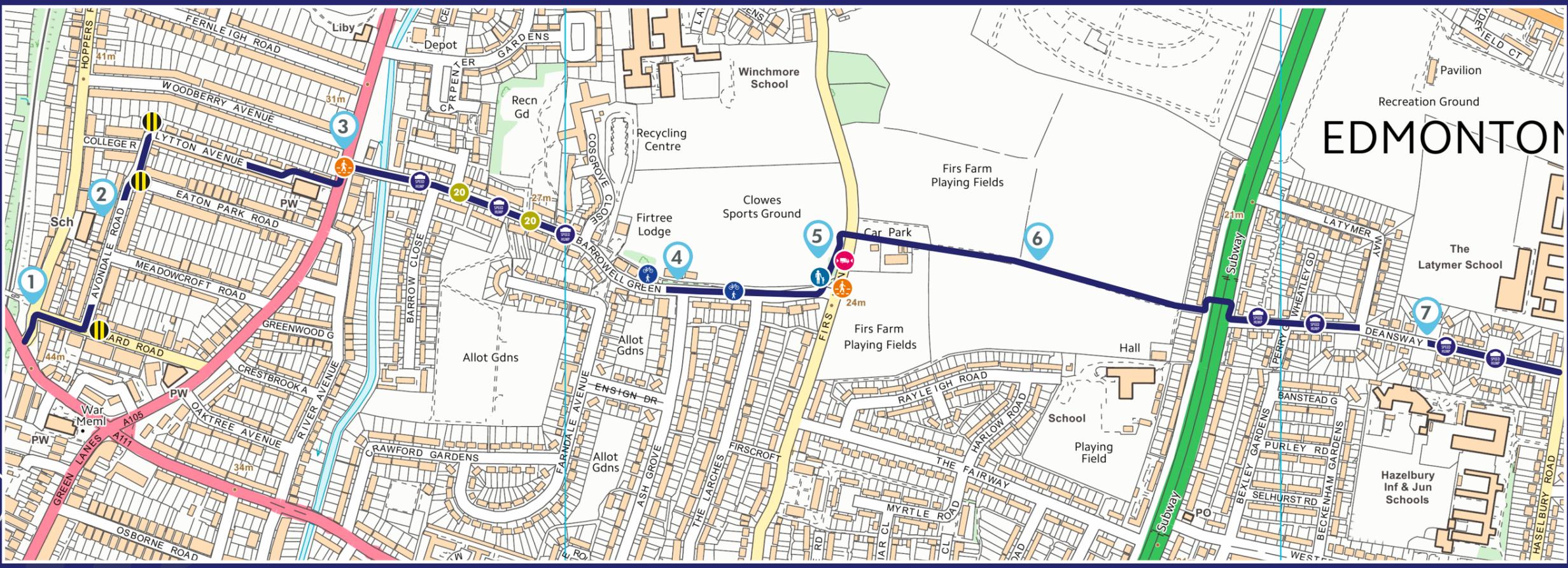
We are delivering walking and cycling improvements between Hoppers Road in Palmers Green to Deansway in Edmonton. These plans form part of the Mayor of London's Transport Strategy to increase active travel in London and will be fully funded by Transport for London (TfL). Forming part of the wider network, these plans are expected to deliver health and transport benefits for both local residents and visitors to Enfield. Following two stages of engagement and consultation in 2018 the following measures are to be implemented.

1 HOPPERS ROAD
Footway buildouts (including rain gardens) on Hoppers and Stonard Road will reduce pedestrian crossing distances below 7m as well as calming traffic.

2 SAFER JUNCTIONS
Double yellow lines on the corners of Stonard Road, Avondale Road, Meadowcroft Road, Eaton Park Road and Lytton Avenue will improve visibility for pedestrians, cyclists and drivers. No parking in junction corners is in line with Highway Code guidance.

3 A105 GREEN LANES
This route will utilise the newly constructed parallel cycle/zebra crossing on Green Lanes to provide a safe crossing point to and from Barrowell Green.

4 BARROWELL GREEN
The bend in the carriageway causes visibility problems and since pedestrian activity in this area is low. We will widen the footpath alongside Clowes Sports Ground so that it can be shared by pedestrians and cyclists. Cycle friendly speed humps are proposed where cyclists share the road with vehicles. Following consultation feedback we are implementing a 20mph speed limit to reduce vehicle speeds.



- KEY**
-  ZEBRA / PARALLEL CROSSING
 -  20MPH ROAD
 -  DOUBLE YELLOW LINES ON JUNCTION CORNERS
 -  SHARED USE FOOTWAY
 -  FOOTWAY WIDENING
 -  WEIGHT AND WIDTH RESTRICTIONS
 -  SPEED HUMP

5 FIRS LANE
The footway will be widened here to create a cycle track connecting cyclists to a new raised parallel cycle/zebra crossing to Firs Farm and the new tennis courts. The existing width restriction on Firs Lane will be relocated to accommodate the new cycle/zebra crossing. The raised crossing will improve safety for pedestrians and cyclists as well as calm traffic.

6 FIRS FARM
The recently constructed shared use path through Firs Farm will connect with the subway under the A10 at Deansway. This path will be lit for night time use.

7 DEANSWAY
Cyclists can also connect with the A10 off-carriageway cycle route at this location. The existing A10 underpass will be opened up to cyclists. The speed humps which are in poor condition will be replaced along this road with a cycle friendly profile.

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MUNICIPAL YEAR 2018/2019 REPORT NO.**ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY****Agenda – Part: 1****KD Num: 4836****Subject: Ponders End Qube Relocation****OPERATIONAL DECISION OF:**Executive Director
Place**Wards: Ponders End**

Contact officer and telephone number:

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E mail: Kenneth.rose@enfield.gov.uk**1. EXECUTIVE SUMMARY**

- 1.1** Ponders End is identified as a strategic location in the Upper Lee Valley Opportunity area and the North East Enfield Core Strategy 2010 – 2025. The Electric Quarter regeneration scheme is situated south of Queensway and west of Ponders End High Street. Phase A of the scheme has been delivered and Cabinet provided authority on the 12th September 2018 to enter the Lease to deliver Phase B.
- 1.2** On 16th June 2017 the London Borough of Enfield (Ponders End Electric Quarter) Planning and Compulsory Purchase Order 2016 was confirmed by the Secretary of State for Communities and Local Government. The Council executed a General Vesting Declaration on 21st August 2018. On the 10th December 2018 title vested in the Council and vacant possession of all interests within the Order area was secured on 7th January 2019 including interests subject to Notice to Treat (NTT) and Notice to Enter (NTE) with a minor interest in the Order Land.
- 1.3** The Ponders End Community Development Trust currently deliver a range of community services from a council owned modular building known as the Qube located in the Compulsory Purchase Order Area Phase B. It is now necessary to remove the modular building from the development site to enable construction works for Phase B of the scheme to begin.
- 1.4** This report seeks approval to award a contract for construction works to relocate the modular building from the Electric Quarter to Eagle House car park Ponders End EN3 4DN temporarily for a period of 24 months and for project expenditure including related services.

2. RECOMMENDATIONS

- 2.1** Approve the relocation of the Qube to Eagle House car park and note that costs will be allocated from the agreed Electric Quarter capital budget for its removal.
- 2.2** Approve the procurement, appointment and award of the contract to “Contractor A” in accordance with the specification in the Tender report prepared by Stace LLP dated 15th January 2019. Refer to Part 2 (Appendix 1).
- 2.3** Delegate to the Director of Law & Governance authority to prepare, complete and execute the required legal documentation relating to appointment of the contractor in accordance with the Councils Contract Procedure Rules.

3. BACKGROUND

Cabinet of 24th April 2013 (KD3682) gave authority to enter into an Agreement for Lease with the preferred bidder (Lovell Partnerships Limited) and delegated authority to the Executive Director of Regeneration, Leisure and Culture acting in consultation with Executive Director of Finance, Resources and Customer Services. The same Cabinet delegated authority to the Director of Regeneration, Leisure and Culture and the Cabinet Member for Business and Regeneration, in consultation with the Director of Finance, Resources and Customer services to grant a Lease for Phase A and B of the scheme to the development partner following satisfaction of the Conditions of the Agreement for Lease for the delivery of the Electric Quarter.

- 3.2** On 16th June 2017 the London Borough of Enfield (Ponders End Electric Quarter) Planning and Compulsory Purchase Order 2016 was confirmed by the Secretary of State for Communities and Local Government. The Council executed a General Vesting Declaration on 21st August 2018. On the 10th December 2018 title vested in the Council and vacant possession of all interests within the Order area was secured on 7th January 2019 including those interests subject to Notice to Treat (NTT) and Notice to Enter (NTE) with a minor interest in the Order Land.
- 3.3** Phase A is complete and has delivered 61 private sale and affordable units. Cabinet provided authority on the 12th September 2018 to enter the Lease to deliver Phase B (KD4560). Enabling and demolition works have commenced and the construction of Phase B of the scheme will commence on the signing and sealing of the lease imminently.

- 3.4** Land assembly was completed by way of Compulsory Purchase Order General Vesting Declaration, NTE and NTT on the 10th December 2018 and 7th January 2019 respectively. Legal title and vacant possession have been achieved of 100% of the land and property interests required to deliver Phase B of the scheme.
- 3.5** Phase B will deliver; a new Library, 103 housing units, consisting of 52 affordable rent and intermediate units, 750 sq m of community space, 1,349 sq m of commercial and retail space, along with new civic space, access roads, associated parking, and landscaping. This is part of the Council's overall place shaping strategy designed to deliver transformational change for Ponders End and the High Street.
- 3.6** Karakusevic Carson Architects are the Council's retained design advisors and have provided high level architectural support, with the objective of ensuring the overall scheme design meets its original aspirations in terms of new housing, design, cost, quality, and civic amenity a central focus being the creation of a community hub and a revitalised high street.

The Qube – Ponders End High Street

- 3.7** The Qube is situated to the west of the central portion of Ponders End High Street. It benefits from frontage on to the main road within the area required to deliver Phase B of the scheme specifically block B3 and B4 of the development. The location provides direct access for service users from the high street along with designated parking.



Image 1: The Qube – Electric Quarter Ponders End

3.8 Relocation Options Exercise

The Council undertook to review available sites within proximity to the current site suitable for relocation of the Cube. The exercise also considered the deficiencies and risks associated with each site. This included size, accessibility, relocation costs, revenue costs and consideration of the opportunity costs attached to each option. None of the options considered provided value for money and were therefore discounted.

3.9 Planning Application

At the same time as the Relocation Options Exercise was being undertaken it was necessary to put in place contingency plans. The Eagle House car park is a council owned site. Due to the constraints of meeting the developer's construction programme and to provide surety for the PECDT that services could continue during the construction of Phase B a decision was made to submit a planning application to relocate the building to the Eagle House car park.

- 3.10** Planning approval was granted by Decision Notice on 18TH December 2018 (Planning Application reference 18/03966/RE4) for the proposal to relocate a single storey modular building, reconfiguration of the Eagle House car park, and for multipurpose community use.

Tender Submission

- 3.11** The construction works have been procured following a competitive quotation process via the London Tenders Portal in accordance with the Council's CPR's. The form of contract will be a JCT Intermediate Building Contract with Contractor's Design, 2016 Edition where insurance option A is to apply.
- 3.12** The tender has been conducted through a single stage process. The tendering procedure is in accordance with JCT Practice Note 2012, where Alternative 2 is to apply.
- 3.13** A list of five contractors were selected by the project team based on location, turnover, relevant experience, Construction Line status and proven experience working with the client team. Four confirmed agreement to submit a tender in line with the project programme.
- 3.14** A Tender Report has been prepared by the Quantity Surveyor, Stace LLP, who recommended contract award to "Contractor A" on the basis that their tender was the most economically advantageous and programme compliant as detailed in Part 2 of this report. Tenders were evaluated in accordance with the award criteria, and arithmetic or pricing errors were dealt with in accordance with the Tender procedure set out in the Invitation to Tender document.

- 3.15** Subject to authorisation, the appointment of “Contractor A” will take place on the 8th February 2019.

4. ALTERNATIVE OPTIONS CONSIDERED

Do Nothing

- 4.1** There is no option to do nothing. The modular building must be relocated to enable the Phase B construction programme to begin and to ensure PECDT can resume service in the Spring of 2019.

Relocation Options

- 4.2** As detailed elsewhere in the report none of the sites could accommodate a modular building within proximity to Ponders End High Street. On conclusion of the exercise a review of the options and costs was undertaken the outcome of which is the Eagle House Car park option delivers the best value.

5. REASONS FOR RECOMMENDATIONS

- 5.1** The tender from Contractor “A” is compliant and is the most economically advantageous tender.
- 5.2** Ponders End Community Development Trust (PECDT) provide a range of voluntary services and play an important role as a key community stakeholder in Ponders End. The modular building is central to their ability to deliver community services. It is important therefore that this resource is retained within the area and that PECDT can use the building to continue to work with the Council to contribute to the economic and social wellbeing of local communities.
- 5.3** The Qube must be relocated as the site is required to enable the developer to commence construction of Phase B of the scheme. A delay in its removal will result in a delay in the developer’s construction programme to a significant degree.
- 5.4** The Council will incur costs and will be in breach of its contractual obligations to the developer if the Qube is not removed within the timeframe specified by the Developer. This increases costs for the developer and the Council and will result in a delay to the construction of new homes, commercial units, and community buildings.

6. COMMENTS FROM OTHER DEPARTMENTS

6.1 Financial Implications

Refer to Part 2.

6.2 Legal Implications

6.2.1 S.111 Local Government Act 1972 (“LGA”) gives a local authority power to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of its functions.

6.2.2 S.1 Localism Act 2011 permits the Council to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. This would include the power to enter into contracts for works.

6.2.3 The Council must comply with its Constitution and in particular its Contract Procedure Rules (CPRs). The contract price falls below the relevant EU threshold for works (£4,551,413,148) of the Public Contracts Regulations 2015 (‘Regulations’), therefore, the EU procurement procedures do not apply. Nevertheless, strict compliance with the CPRs must be ensured. It has been confirmed by the Procurement team that the tender exercise conducted is compliant with the requirements contained in the CPR.

6.2.4 Furthermore, in accordance with CPR 19.2.2, the Council must comply with its obligations regarding obtaining best value in accordance with the Local Government (Best Value Principles) Act 1999. It has been confirmed that the most advantageous tender has been chosen, as per recommendation of the Tender Report prepared by the Quantity Surveyor, Stace LLP.

6.2.5 The Council must at all times during the procurement and contract award process, comply with the central EU treaty principles of transparency, equal treatment, non- discrimination, and proportionality, whatever the design of the procurement process chosen even if the overall value of the services to be retendered falls below the relevant EU threshold.

6.2.6 The contract will be in the form of an industry standard JCT Intermediate Building Contract with Contractor’s Design, 2016 Edition with insurance option A. The works contract and all ancillary documentation arising out of it must be approved by Legal Services and sealed in the Legal department on behalf of the Council.

6.2.7 This report constitutes a Key Decision and the Council’s Key Decision process must be followed.

6.3 Property Implications

6.3.1 Property Services have assisted on the potential option sites for the Qube Relocation. Property Services agree that the location of Eagle House Car Park as the best option. Property Services await to be engaged to address terminating the existing lease for the Qube and granting a new lease for PECDT for the Qube's new location in Eagle House Car Park.

7. KEY RISKS

Risk: Contractor Poor Performance

The risk to this contract is related to the possible poor performance of the consultant/contractors.

Mitigation:

This risk is mitigated by robust performance/contract management by the Corporate Construction and Maintenance Team.

Risk: Not accepting the Tender

The risk in not accepting the tender is that the contractor will fail to deliver the relocation of the building. Consequently, the construction programme for Phase B will be delayed significantly, PECDT will be restricted in its ability to deliver valuable community services, the Council will be in breach of its contractual obligations to the developer and incur significant increased costs and reputational damage.

Mitigation:

The implications and ability for the project team to mitigate the risks is limited in the circumstances. All currently available relocation options have been considered, extensive work has been completed. The mitigation options are: **(1)** Revert to the developer to delay the construction programme and begin a new options relocation exercise. **(2)** Remove the modular building and place in storage off site thereby reducing the relocation costs as whole.

Risk: Stakeholder Dissatisfaction

Mitigation:

The PEDCT is being engaged and a long-term strategy is being put in place. The Trust is currently operating from Vincent House. There is the option to provide dedicated space in the new Library Community

Hub and in the preceding years to develop a coherent strategy to build the organisations capacity to deliver services and an income generating strategy that increases sustainability over the long term.

8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD

8.1 Good homes in well-connected neighbourhoods

Enfield Council are committed to delivering affordable homes in well-connected neighbourhoods. The Electric Quarter delivers on this commitment by ensuring the homes will be a mixture of tenures, sizes, and designs providing housing options for all people living and aspiring to live in the borough and through improvements in infrastructure in accordance with the Councils Corporate Strategy.

8.2 Sustain strong and healthy community

The Electric Quarter also contributes to Enfield Council's Corporate plan and place-shaping agenda by improving the built environment and providing places that increase the social and economic resilience and wellbeing of the communities we serve.

8.3 Build our local economy to create a thriving place

Enfield Council is an ambitious Council, committed to creating an enterprising environment for businesses to prosper with world-class digital infrastructure and access to the right skills and networks. The Electric Quarter Phase B contributes to this priority by providing a variety of homes commercial and civic buildings that will attract inward investment to the borough building on the success of a thriving local economy and delivering economic resilience and growth.

9. EQUALITIES IMPACT IMPLICATIONS

The Electric Quarter Ponders End Equalities Impact Assessment (EIA) September 2015 submitted as part of the approved planning application of 26 January 2016 (15/04518/FUL) found that the development scheme has responded positively to delivering a development that will promote equality. The EIA Matrix sets out the positive aspects of the development which are Involvement; Crime, Fear of Crime; An Affordable Home; A Home to Meet Needs; Access to Facilities and Services, Public Transport and Accessibility; The table below also sets out the impact against the nine Protected Characteristics set out in the Equalities Act 2010. Overall the Equalities Impact Assessment proposes development will respond positively to securing a development that promotes equality.

Electric Quarter, Ponders End: Equality Act 2010 Protected Characteristics

Protected Characteristic	Scheme: Electric Quarter	Mitigation
Disability	Positive	Not applicable
Gender	Neutral	None
Age	Neutral	None
Race	Neutral	None
Religion & Belief	Positive	Not applicable
Sexual Orientation	Neutral	None
Gender Re-assignment	Neutral	None
Pregnancy and Maternity	Positive	Not applicable
Marriage and Civil Partnership	Neutral	None

10. PERFORMANCE AND DATA IMPLICATIONS

The Regeneration of Ponders End High Street contributes towards the achievement of:

- Enfield Council Corporate Plan 2019 - 2022
- Core Policy 41 of the Core Strategy
- Shaping Enfield's Future
- North East Enfield Preferred Options Report
- Ponders End Central Planning Brief (approved for adoption)
- 5a of the Sustainable Community Strategy 2007-2017
- 2.10 "Improve the Quality of life for residents through the regeneration of the priority regeneration areas" of the Enfield Council Business Plan.
- London Plan

11. HEALTH AND SAFETY IMPLICATIONS

Refer to Construction Management programme

12. PUBLIC HEALTH IMPLICATIONS

The detailed Planning Application (**15/04518/FUL**) included a **Health Impact Assessment**. It concluded the development will contribute to objectives that have an overall beneficial effect on several determinants of health such as increases in the quality and affordability of housing, supporting active travel, creating a healthy environment and delivering a vibrant neighbourhood. Overall the development has the potential to support the delivery of healthy living benefits and

increased quality of life for several vulnerable groups during the pre- and post-construction phases. These groups include the elderly, disabled, unemployed, young people, and children in poverty.

Background Papers

1. Tender Report Refer to Part 2.
2. Planning Application Reference Number:18/03966/RE4

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