

**MUNICIPAL YEAR 2016/2017 REPORT NO.**

**ACTION TO BE TAKEN UNDER  
DELEGATED AUTHORITY**

**OPERATIONAL DECISION OF:**  
Executive Director – Regeneration  
and Environment

**Agenda – Part: 1**

**KD Num: 4437**

**Subject: Communications Support  
Package for the Regeneration and  
Economic Development Projects**

**Wards: N/A**

Contact officer and telephone number:

Jasper Keech **020 8379 3625**

E mail: [jasper.keech@enfield.gov.uk.com](mailto:jasper.keech@enfield.gov.uk.com)

**1. EXECUTIVE SUMMARY**

- 1.1. This report sets out the background to the proposed contract award of specialist communications support to be called off if required for regeneration and environment projects.
- 1.2. The recommendation is to award the contract to the bidder who was the most economically advantageous and able to offer the required level of specialist communications support
- 1.3. The successful bidder will be available to provide communications support on a range of regeneration and economic development projects as the range and scale of these projects increases.

**2. RECOMMENDATIONS**

It is recommended that the Executive Director:

- 2.1. Approves the final terms of the call-off contract with NEPRO.
- 2.2. Agrees to the appointment of Bidder A to provide the services in accordance with the NEPRO framework.

### **3. BACKGROUND**

- 3.1. A number of regeneration and economic development projects have identified the need to be able to call on additional specialist communications services covering communications, marketing, public relations and brand management services if demand arises. This need has been identified in consultation with the Council's own communications team.
- 3.2. The project teams require the support in order to ensure a consistency of approach for communications activities across their development projects at times of increased demand.
- 3.3. Access to specialist communications support has been identified as a need in order to:
  - 3.3.1. Raise the awareness and presence of the London Borough of Enfield's ("LBE") development projects with the local community so they can benefit from the regeneration in their area
  - 3.3.2. Raise the profile of LBE regeneration projects for potential future customers, such as home buyers.
  - 3.3.3. Raise the profile of LBE regeneration projects in the property development sector.
  - 3.3.4. Maintain a strong identity to encourage inward investment into the borough, especially for attracting new businesses which will offer opportunities for local residents.
  - 3.3.5. Showcase the Council's progressive and innovative approach to delivering its services, particularly with respect to the Council's flagship development, Meridian Water.
  - 3.3.6. Provide the ability to deliver all communications services at times of high demand where LBE Communications do not have the capacity to deliver in house.
  - 3.3.7. Provide flexibility in services, and increase access to more specialist communications, PR and marketing skills to complement those of LBE Communications.
  - 3.3.8. LBE Communications shall be consulted on the use of these specialist services to ensure that there is not the skillset and/or capacity to undertake the work in-house.
- 3.4. LBE Communications shall be consulted on the use of the successful bidder's support throughout to ensure that Council guidelines are followed.

### 3.5. Specific project needs

- 3.5.1. Regeneration & Environment support. A potential requirement has been identified to have access to an external perspective on their marketing materials to raise the profile of their projects within the Council; with external organisations as well as current and potential future employees.
- 3.5.2. Neighbourhood Regeneration. The Meridian Water project will require access to additional skills and capacity to deliver its communications requirements; with local residents and further afield.
- 3.5.3. Estate Renewal. The Estate Renewal team may need access to this framework to provide strategic communications support in order to raise the profile of its large redevelopment projects, such as the Alma Estate, New Avenue and Ladderswood.
- 3.5.4. energetik. 'energetik' has been established by the Council to provide better value energy that's efficient, reliable and better for the environment. As the Council's local energy company, energetik will supply low carbon heating and hot water to thousands of Enfield residents and businesses. energetik is keen to maximise synergies and Council cost savings through joint communications work with both the Meridian Water and Estate Renewals' projects, ensuring energetik is part of the bigger regeneration story.
- 3.5.5. Inward Investment. The Council has recently reorganised its inward investment service to facilitate business growth into the borough, as well as support and grow its existing business base. The ability to call on this framework may be necessary to provide specialist advice and additional capacity at important times.
- 3.5.6. Strategic Planning & Design. Transport for London are in ongoing consultation with Network Rail for a second Crossrail route in London for either Metro Option or Regional Option. The Council is in favour of the Regional Option and are therefore looking to promote the advantages of greater connectivity this will bring to the local community. The Council is also exploring potential development opportunities that may arise from using the excavation waste produced for Crossrail 2. Such projects may enhance or make innovative use of greenbelt spaces within Enfield. The team may need strategic communications, marketing and PR advise to support these positions.
- 3.6. The above requirements were used to prepare a specification for a procurement process.
- 3.7. The procurement was undertaken using the North East Procurement Organisation's framework for professional services "NEPRO".

- 3.8. Due diligence has been undertaken by LBE Procurement and this route was recommended as the framework to use. The Council is currently an associate member of the North East Procurement Organisation, required to access their frameworks.
- 3.9. The specification for the tender was sent to NEPRO on 13/12/2016. See annex 1 for the tender brief.
- 3.10. Agencies on the framework were required to respond by 11:59pm on 05/01/2016.
- 3.11. One response was received on time, from Bidder A and was evaluated on 06/01/2017.
- 3.12. A late response was received from Bidder B on 06/01/2017. LBE Procurement advised that this bid should still be considered.
- 3.13. The evaluation model used covered all aspects of the brief and tested the agency's abilities to reach the objectives set out.
- 3.14. The responses were evaluated independently by two members of the Neighbourhood Regeneration team with support from LBE Finance.
- 3.15. Scores were moderated and entered into the evaluation model.
- 3.16. Bidder A scored the highest in quality.
- 3.17. The difference in cost between the bidders was negligible.
- 3.18. Bidder A showed considerable understanding of the Council's need as identified through the brief and showed clear methods on how they would provide communications support to meet key objectives.
- 3.19. Bidder A has a preferred branding partner to provide branding services, which has been identified as a need by the Neighbourhood Regeneration and Communications Teams
- 3.20. NEPRO acts as a neutral vendor to provide support throughout at no cost to the Council.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1. Do nothing. The consequences of doing nothing are that potential communications opportunities are missed, as without the increased capacity, the identified projects may not be able to move at the same speed. This could result in LBE being unable to raise the profile of our projects which in turn would adversely affect ability to achieve the various project objectives.

- 4.2. Use in-house skills. It is likely that the various projects may require specialist skills in addition to those of the LBE Communications team. The framework will also provide additional capacity to the LBE Communications service at times of high demand. The LBE Communications team have been involved throughout the process and the final brief was approved by the Head of Communications.
- 4.3. To purchase directly through the framework. This would not provide opportunity for further competition and the Council wished to explore what was available in the market.

## **5. REASONS FOR RECOMMENDATIONS**

- 5.1 Through evaluation, Bidder A has proven to have the required skillset to meet the Council's need, and provides good value for money for their service within the Council's forecasted budget.
- 5.2 To ensure various projects within the Regeneration and Environment Department have appropriate communication support through 2017-2020.

## **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES, AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

Any additional cost incurred from the requirement to call off support from the framework would be charged to and funded from the relevant project budgets. Where the costs can't be capitalised they would have to be funded from the centralised communications revenue budget.

### **6.2 Legal Implications**

- 6.2.1 Section 111 of the Local Government Act 1972 gives a local authority power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.
- 6.2.2 The Council also has a general power of competence in section 1(1) of the Localism Act 2011. This states that a local authority has the power to do anything that individuals generally may do provided it is not prohibited by legislation.
- 6.2.3 The Council's Constitution, in particular the Contract Procedure Rules ("CPR's") permit the Council to call-off from an existing framework as long as the framework terms permit such. The Council's Corporate Procurement Service has conducted due diligence on the use of the

framework, and is satisfied that the Council may procure such services, in accordance with the framework.

- 6.2.4 The Council must comply with its obligations relating to obtaining best value under the Local Government (Best Value Principles) Act 1999.
- 6.2.5 As the contract value exceeds £250,000 this is a Key Decision and the Council must comply with the Key Decision procedure.
- 6.2.6 All legal agreements arising from the matters described in this report must be approved in advance of contract commencement by the Assistant Director of Legal Services and Governance.

### 6.3 **Property Implications**

There are no property implications arising from this procurement.

## 7. **KEY RISKS**

- 7.1. Procurement challenge. The risk of a procurement challenge is very low. The procurement was undertaken using an OJEU compliant framework. The evaluation was undertaken independently by two officers in the Neighbourhood Regeneration team with support from LBE Finance. Evaluation criteria were clear and were adhered to during the evaluation period in a fair and transparent manner.
- 7.2. Bidder A does not deliver desired services. This risk is low; Bidder A has a strong track record with successful delivery of similar projects. This risk shall be mitigated through contract management and working closely with Bidder A to set key milestones and performance indicators. Furthermore, NEPRO offers a free service to support LBE through any disputes with the supplier.

## 8. **IMPACT ON COUNCIL PRIORITIES**

### 8.1 **Fairness for All**

- 8.1.1 Bidder A will help identify all relevant stakeholders to include within communications channels and advise on how best to engage

### 8.2 **Growth and Sustainability**

- 8.2.1 Bidder A will potentially support various teams in the Regeneration & Environment department including: Neighbourhood Regeneration (including Meridian Water), Estate Renewal, Strategic Planning & Design.
- 8.2.2 The range of projects is vital to the growth and sustainability of the borough, and having an effective communications support package is needed for them to reach their full potential.

### **8.3 Strong Communities**

- 8.3.1** Bidder A will work with local communities and facilitate stakeholder engagement. This will help to build strong communities.
- 8.3.2** There is particular interest in promoting cohesion between the existing communities and the incoming communities that will arrive through the housing development and regeneration projects.
- 8.3.3** Having a strong co-ordinated communications message will help with all community relations activity.

### **9. EQUALITY IMPACT IMPLICATIONS**

- 9.1** Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report.

### **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 10.1** LBE will have regular (envisaged to be monthly) meetings with Bidder A to monitor progress and quality. KPIs may be developed for milestones and projects as necessary.

### **11. PUBLIC HEALTH IMPLICATIONS**

- 11.1** Effective communications support will improve links between the council and communities, as well as links between communities which will improve social cohesion.





**MUNICIPAL YEAR 2016/2017 REPORT NO.**

**REPORT OF:**

Executive Director –  
Regeneration &  
Environment and  
Executive Director of  
Finance, Resource  
and Customer  
Service

**PORTFOLIO DECISION OF:**

Cabinet Member for Housing  
and Housing Regeneration and  
Cabinet Member for Finance and  
Efficiency

Contact officer and telephone number:  
Mamta Toohey 0208 379 3397  
E mail: [mamta.toohey@enfield.gov.uk](mailto:mamta.toohey@enfield.gov.uk)

<b>Agenda – Part: 1</b>	<b>KD 4482</b>
<b>Subject: Electric Quarter, Ponders End – Appropriation of land held in HRA to the General Fund</b>	
<b>Wards: Ponders End</b>	
<b>Cabinet Members consulted:</b> Councillor Ahmet Oykener Councillor Dino Lemonides	

**1. EXECUTIVE SUMMARY**

- 1.1 This report is requesting the transfer of the HRA land as set out in Appendix 2 to the General fund for the purposes of the Electric Quarter development.
- 1.2 On 25 April 2012, Cabinet endorsed a comprehensive approach to the redevelopment of the Ponders End Electric Quarter site for the purposes of regeneration. (Key decision 3350)
- 1.3 Cabinet of 24 April 2013 delegated authority to enter into an Agreement for Lease following the satisfaction of conditions with the preferred bidder, Lovell Partnerships Limited to deliver the Electric Quarter Regeneration Scheme.
- 1.3 Cabinet of 25 June 2014 approved the revised development site boundary and revised order to land (Key Decision 3922).
- 1.4 On 15 March 2016 Cabinet approved to grant the Agreement for Lease. There were a number of conditions related to the Agreement for Lease, two of which were key; to secure all the land and property interests required to deliver the initial phase of the regeneration programme and to secure planning permission.
- 1.5 Planning Committee approved Lovell Partnerships Limited's full planning application for the Electric Quarter on 26 January 2016.

- 1.7 On 19 October 2016 (Key Decision: 4382) the Cabinet approved for the Council to use its powers to appropriate the land acquired for planning purposes at Queensway.
- 1.8 A Compulsory Purchase Order was made by the Council in 2016 (Key Decision 3922) to ensure that title and possession could be obtained of all the land and property required for delivery of the scheme. A Public Inquiry into the CPO was held on 29 November 2016 and the Secretary of State's decision is due in early 2017.

## **2. RECOMMENDATIONS**

To authorise:

- 2.1 The appropriation of land held within the Housing Revenue Account and transfer to the General Fund (see green hatched area in Appendix 2)
- 2.2 The transfer of HRA land for a contribution of £17,875 from the General Fund.

## **3. BACKGROUND**

- 3.1 On 24 April 2013, Cabinet (KD 3682) noted the results of the procurement exercise for a Delivery Partner for the Electric Quarter and approved the recommendation to select Lovell Partnership Limited as the Preferred Developer Partner (the Developer Partner). The decision to enter into a conditional Agreement for Lease with the Developer Partner and to ensure that then following the conditions to grant a Lease for the delivery of the Electric Quarter was delegated to the Director of Regeneration and the Director of Finance.
- 3.2 There are two phases of development, phase A and phase B (See Appendix 1 – phase plan). The Council will enter into a Lease Agreement for Phase A comprising 61 units in total made up of one, two, three and four bed properties including 21 affordable apartments and 40 town houses, associated public realm and parking. College Court Car Park will be re-provided with 24 designated spaces, re-landscaping and a flood storage facility as part of the redevelopment phase. An additional area of land is also shown which is required as a vehicle turning point for Phase A, whilst Phase B is under construction. For the purposes of this report, the land requiring transfer is delineated

green by hatched markings in Appendix 2 and will form part of the Phase A development.

#### **Details of Site**

- 3.3 Land to be transferred (Appendix 2) is currently used as an access road and amenity space. The total area is 1,633sqft (0.03 acres).
- 3.4 The land is situated south of the Electric Quarter Phase A scheme, lies west of Ponders End High Street and north of College Court residential block.
- 3.5 Land immediately to the side of College Court provides access into the residential block via a footpath and two entrances.

#### **Appropriation of HRA land**

- 3.6 Local Authorities have the general power granted to them through Section 122 of the Local Government Act, 1972 to appropriate land to any purpose when it is no longer required by them for the purpose for which it is held.
- 3.7 The land held within HRA is included inside the site boundary of the phase A Electric Quarter development. HRA land at College Court is currently held as amenity space and an access road.
- 3.8 It is this land that requires appropriating out of the Housing Revenue Account into the council's General Fund so that the Council is able to enter into the lease agreement with the developer. In accordance with the planning approval, this land will be used as a car park, highway and general amenity, including hard and soft landscaping and in addition, a new electricity substation will be located to the north west corner of the car park.
- 3.9 There will be no new buildings or change of use to the land. The car park will be improved and will be available to members of the public and residents free of charge therefore, the land will not generate any additional revenue.
- 3.10 To facilitate works on the car park, part of the amenity space belonging to College Court, which is held by the HRA, will need to be used on a temporary basis. This area will therefore need to be licenced to the Electric Quarter's developer, and consultation will need to take place with residents and the Estates Management Team to ensure disturbance can be minimised. This licence will need to be agreed with Strategic Property Services and a fee will be payable to the Council

### **Transfer, valuation and contribution**

- 3.11 In accordance with the Local Government and Housing Act 1989, when considering to appropriate land out of the HRA, particularly in a situation where an amenity is shared by the community as a whole, the local authority must have regard to paragraph 3 of Part III of Schedule 4 to the 1989 Act. This requires a contribution to be made from the General Fund to the HRA reflecting the general community's share of the amenity.
- 3.12 The Council's appointed property valuation professionals GVA Ltd have valued the HRA land at £17,875 based on amenity rate per acre.
- 3.13 The area is to be developed for the larger scheme as approved and agreed by Cabinet of 25 April 2012 and Cabinet 25 June 2014 (KD 3922).
- 3.14 The development value was assessed and it was concluded that if the site were to come forward on its own, due to its proximity to College Court residential block, in planning terms it would not be feasible. There would be no opportunity to bring forward a separate development.
- 3.15 Therefore, it has to be valued on the land itself which is based on its amenity value.

### **4. ALTERNATIVE OPTIONS CONSIDERED**

- 4.1 **Do Nothing** - This is not an option because the Council has already resolved to acquire all land within the Electric Quarter either compulsorily or by agreement (Cabinet 17 June 2015, KD 4076). Furthermore, Thames Water will not be able to adopt the carriageways and sewers and the Council will be unable to deliver the Electric Quarter scheme and therefore regenerate Ponders End High Street.
- 4.2 **Not to appropriate and transfer land:** This is not an option because the land forming the car park and surrounding access road and amenity land is an integral part of the planning consent and the Electric Quarter scheme.

### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 **Preferred option:** works are required to enable the delivery of Electric Quarter regeneration scheme.

The redevelopment will assist to achieve the proposals for the regeneration of Ponders End and will promote and improve the economic, social and environmental status of the area.

## **6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **6.1 Financial Implications**

The land is currently held within the HRA portfolio as amenity space and does not attract an income therefore there are no financial implications on the HRA revenue accounts.

The value for which the general Fund will reimburse the HRA for the appropriation is £17,875 and will be reflected as a capital receipt to the HRA and as capital expenditure to the General fund.

### **6.2 Legal Implications**

The proposed appropriation is within the legal powers of the Council, being permitted by section 122 of the Local Government Act 1972.

### **6.3 Property Implications**

6.3.1 Strategic Property services supports the development of the Electric Quarter as an important contribution to neighbourhood regeneration.

As the future use of the land remains unchanged (as a car park) and the land value has therefore been assessed on an existing use basis by GVA there are no further property implications arising other than temporary interruption / disturbance for current car park users and residents of college court.

6.3.3 The area to be transferred will form part of the Electric Quarter's demise and while it will be reinstated as a public car park, it will be managed by the Management Company to be established for the Electric Quarter scheme. The management company will consequently be responsible for its upkeep and maintenance. In this regard the lease agreement will need to clearly specify this obligation of the management company and the requirement for it to be accessible to the public.

6.3.4 Given that part of this land is held by the HRA Account, it will need to be appropriated from the HRA to the General Fund. Our

external valuer has valued the HRA interest at £17,875, and this amount will need to be transferred from the General Fund to the HRA Account.

6.3.5 To facilitate works on the car park, part of the amenity space belonging to College Court, which is held by the HRA, will need to be used on a temporary basis. This area will therefore need to be licenced to the Electric Quarter's developer, and consultation will need to take place with residents and the Estates Management Team to ensure disturbance can be minimised. This licence will need to be agreed with Strategic Property Services and a fee will be payable to the Council.

## **7. KEY RISKS**

- 7.2 **Risk** - Not transferring the land in a timely manner will delay the overall construction programme and lengthen the build programme causing further disruption to local residents and businesses. Any mitigation of delay will benefit the wider Ponders End regeneration efforts.

**Mitigation:** Risks are mitigated by the proposed actions within this report.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The Regeneration of Ponders End High Street will promote fairness for all members of the local community through consulting the community on the proposals and by the planned provision of new commercial, community and residential development that is appropriately accessible to the local community. The Community Benefits Toolkit has already informed Tender Documentation, and accordance with its requirements was an evaluation criterion.

### **8.2 Growth and Sustainability**

Growth and sustainability are central to the proposals for Ponders End High Street. The proposed development will provide growth in terms of increasing the supply and tenure of quality housing in the area; improving the quality and quantity of commercial space; and by including one or more community uses that will facilitate appropriate community activities.

### **8.3 Strong Communities**

The proposals for Ponders End High Street aim to increase the type and tenure of housing in the area leading to an increase in home ownership levels which will create a more mixed community and support greater footfall along the High Street. The proposed redevelopment will also provide a range of unit sizes to accommodate a diversity of community and commercial uses, and improving the public realm will facilitate the free flow of people between the High Street, Park, and the former Middlesex University site.

## **9. EQUALITIES IMPACT IMPLICATIONS**

- 9.1 The Equalities Impact Assessment 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. That the positive aspects of the development are Involvement; Crime, Fear of Crime; An Affordable Home; A Home to Meet Needs; Access to Facilities and Services, Public Transport and Accessibility;
- 9.2 Overall the Equalities Impact Assessment finds the proposed development will respond positively to securing a development that promotes equality.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 10.1 The Regeneration of Ponders End High Street contributes towards the achievement of:
- Core Policy 41 of the Core Strategy
  - Shaping Enfield's Future
  - North East Enfield Area Action Plan 2016
  - Ponders End Central Planning Brief 2011
  - 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.

## **11. HEALTH AND SAFETY IMPLICATIONS**

- 11.1 In relation to the works, it will be necessary, through the process of due diligence, to establish the extent of contaminated land and to ensure that appropriate measures are taken to mitigate risks and to ensure its suitability for projected end uses.
- 11.2 The Council would also need to ensure that any acquired land was properly managed in order to provide a satisfactory level of amenity, safety and security.

## **12. HR IMPLICATIONS**

None.

## **13. PUBLIC HEALTH IMPLICATIONS**

13.1 The detailed Planning Application (see Planning Application: (15/04518/FUL) included a Health Impact Assessment. It concluded that the development will contribute to objectives that have an overall beneficial effect on several determinants for health, in particular Healthy Housing, Active Travel, Healthy Environment, and Vibrant Neighbourhoods.

13.2 Furthermore, the development has the potential to benefit several vulnerable groups which have been identified in the area. These groups include the unemployed, young people and children in poverty, mainly through the education and training opportunities throughout the pre and post construction, but also through the re-provision of a more modern and attractive library.

### **Background Papers**

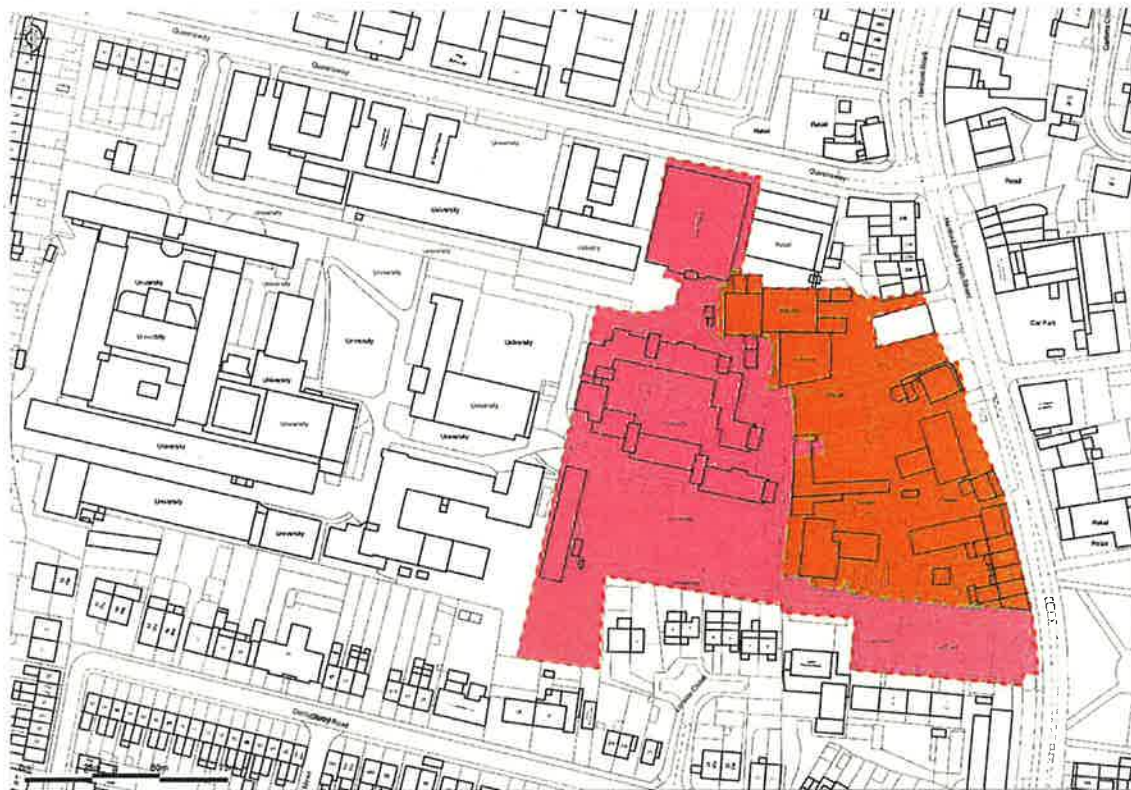
None

### **Appendices**

Appendix 1 – Phase Plan

Appendix 2 – Land to be appropriated and transferred





- SITE SCHEME
- PHASE 1
- PHASE 2
- PHASE 3

**MGM**  
 CHARITABLE TRUSTEES  
 100, QUEENSWAY, LONDON, W1 4AL  
 020 7463 4000

FOURTH FLOOR  
 100, QUEENSWAY, LONDON, W1 4AL

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