

## MUNICIPAL YEAR 2018/2019 REPORT NO.

### ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

#### PORTFOLIO DECISION OF:

Cllr Achilleas Georgiou,  
Cabinet Member for Children's Services

#### REPORT OF:

Executive Director  
Place

**Agenda – Part: 1**

**KD Num: 4811**

**Subject:** Ponders End Library Temporary Relocation

**Wards:** Ponders End

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### 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 Ponders End Library will be rebuilt as a permanent facility as part of Phase B. To complete construction enabling works the library service is to be relocated to an alternative site for a period of approximately 24 months. The current library has now been demolished. This is to ensure construction enabling works can continue and avoid a delay in the build out of new housing units, community, commercial space, and the new library hub.
- 1.3 This report sets out the proposal to relocate the library on a temporary basis to Swan Annex High Street Ponders End, at minimal cost and disruption to the service.

## **2. RECOMMENDATIONS**

It is recommended that the Cabinet Member for Children's Services in consultation with the Executive Director Place:

- 2.1** Approve the temporary relocation of the library service to Swan Annex and note that capital funding will be allocated from the approved Electric Quarter Capital Budget.
- 2.2** Authorise the Director of Law & Governance to prepare, complete and execute the required legal documentation relating to the temporary relocation of the service to the Swan Annex in accordance with the Councils property procedure rules.
- 2.3** Approves the works contract award to "Contractor A" as further detailed in Part 2 of this report.
- 2.4** Approves the works contract and notes the award to the successful "Contractor A" is based on their pre-estimate price under the Corporate Measured Term Contract as further detailed in Part 2 of this report.
- 2.5** Approves the total scheme capital expenditure of £222,000 which includes the works contract, professional & technical costs and scheme contingency.

## **3. BACKGROUND**

- 3.1** Cabinet of 24<sup>th</sup> 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 each phase) to the development partner following satisfaction of the Conditions of the Agreement for Lease for the delivery of the Electric Quarter.
- 3.2** Phase A is complete and has delivered 61 private sale and affordable units. Phase B is nearing commencement as authorised by Cabinet on the 12<sup>th</sup> September 2018. KD4560. As part of this process the Library has been demolished. Enablement works are now close to completion to prepare elements of Council owned land within Phase B of the Electric Quarter Compulsory Purchase Order 2016 boundary for construction works.

- 3.3** Phase B land assembly was completed by way of Compulsory Purchase Order General Vesting Declaration on the 10<sup>th</sup> December 2018. On this date the Council secured legal title and vacant possession has been achieved of 100% of the land and property interests required to the deliver Phase B.
- 3.4** As Cabinet of the 12th Sept 2018 provided authority to grant the lease for Phase B of the Electric Quarter (KD 4560) The Phase B Lease and associated Supplemental Lease is due for signing and sealing imminently.
- 3.5** Phase B will deliver; a new Library, 167 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. The library is designed to be a state of the art building, a central focus being the creation of a Community Hub and a revitalised high street.



**Image 1:** New Library – Electric Quarter Ponders End

## **Swan Annex (Training Suite) – Ponders End Temporary Library**

- 3.7** Swan Annex is situated to the East of the central portion of Ponders End High Street. It benefits from an extensive frontage on to the main road facing the Electric Quarter Development and Enfield Islamic Centre. This central location is approximately 100 metres away from the site of the previous library and provides easy access for existing service users. The library service will be located to the West of the Swan Annex campus building with direct access for service users from the high street.



**Image 2:** Swan Annex

### **Schedule of Works**

- 3.8** The training suite provides approximately 85 sq.m of space and requires general cosmetic refurbishment and upgrading to ensure it is DDA compliant. Planned works consist of general plaster board partitions, upgrading of toilets, new disabled chair lift, small staff breakout area, children's and general reading areas, a computer bank with 8 dedicated PC bays, Wi-Fi enabled, internal decoration and signage. Externally a hatched crossing area will be provided to ensure safe entry and exit to and from the building. Minor pavement remediation works will be completed where required. 2 Disabled Parking Bays will be provided directly outside the temporary library with wheel chair access by way of a ramp. Car parking will be provided for up to 10 vehicles for exclusive use of Library customers within 80 metres. It is expected works will commence in February 2019 with completion in Spring 2019.

## **Library Floor Space**

- 3.9** The previous library building provided a Gross Internal Area of 379 sq.m with approximately 127 sq.m used by Age UK; giving a net area for the public library of 252 sq.m. The total useable area taken up by library services including main library reference, children's, and study areas was 149 sq.m excluding toilets, lobby, storage and office space of 103 sq.m.
- 3.9.1** Whilst the temporary provision is 85 sq.m, and therefore a reduction in size, the facility is only temporary and will be used to engage the community in activities leading up to the opening of the new Library.
- 3.9.2** We will consult users and key stakeholder regarding the design and fit out of the new Electric Quarter Library and Community Hub to ensure the facility is to a high standard to provide a welcoming environment for service users and the community.
- 3.9.3** The new permanent library in the Electric Quarter development will be 498 sq.m, gross as determined under Planning Decision Notice 15/04518/FUL dated 25 November 2016.

## **Communications and Engagement**

- 3.10** Service users have been informed the temporary library facility will be available from the Spring onwards. A communications plan will be put in place focused on providing regular updates on construction progress as the build out of the new library progresses. A poster campaign is also planned and consultation events leading up to the opening of Phase 2 of the Electric Quarter.
- 3.11** Engagement has taken place with volunteers and service users from the following organisations: Ponders End Community Development Trust, United Reform Church, Enfield Mosque and West Lea School who occupy the Swan Annex. The small sample of stakeholders have confirmed **(i)** They support the Councils plans to deliver value for money through investment in Council property assets. **(ii)** The relocation of the library service to the Swan Annex is a positive interim measure. **(iii)** This will increase confidence in the Councils efforts to improve local services using community assets. **(iv)** The benefits and opportunities a new library and community hub will provide on completion of Phase B of the Electric Quarter scheme.

## **West Lea School**

- 3.12** Refer to Part 2.

## **4. ALTERNATIVE OPTIONS CONSIDERED**

**Do Nothing.**

There is no viable option to do nothing. The library has been closed and the service must resume in Spring 2019.

### **Relocation Options**

- 4.1 There has been an extensive review of sites suitable to accommodate the relocation of the Ponders End Library Service, including rental of high street properties, creation of a new portacabin, and sharing the existing Qube in a relocated site.
- 4.2 The Eagle House car park was identified as a potential site for the library service early in the options feasibility process. Officers explored the use of sharing the Qube in a new location, this option however hindered community use. A portacabin for Libraries use exclusively at Eagle House Car Park was also explored, and planning submitted. A contingency approach was needed due to (i) The impact of potential delays to the Electric Quarter construction programme. (ii) The increase in costs resulting from a failure to meet contractual obligations to the developer. (iii) The impact on local people from the loss of statutory and community services.
- 4.3 As the options feasibility process continued it was identified that the Swan Annex, an option previously discounted, became available again. Refitting the Swan Annex is a more cost effective and better investment of Council resources than procurement of a new portacabin.

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

- 5.1 There are no significant hindrances to the use of the Swan Annex for a temporary period until the new library is built. The relocation of the service to the Swan Annex therefore provides the most cost-effective and timely solution that delivers best value for the Council and customers
- 5.2 Refer to Part 2.
- 5.3 Refer to Part 2.
- 5.4 The capital investment needed to refurbish the annex increases the value of a Council asset. A partnership between the Education and Library service provides the opportunity to provide an enhanced service for customers and West Lea school pupils who will have access to the IT Suite for exclusive use during designated times to ensure safeguarding compliance. Refitting an existing building is effective use of Council resources. The recommended option provides value for money, can be contained within the Electric Quarter budget, and reduces reputational impact because of closure in a reasonable timeframe. In summary the recommendation provides the following benefits;

- There is no delay in the Electric Quarter construction programme and the build out of the new library, new homes, and community hub.
- Capital and revenue spend is limited to ensure best value.
- Disruption to the service is minimised.
- The location ensures a library service can be accessed by existing customers with minimum inconvenience.
- All spend invested in Council assets and services.
- There is a need to find a solution within a reasonable time frame to minimise the period of closure of the library.
- To ensure a co-ordinated communications strategy is put in place that promotes the new library to limit reputational impact because of closure.
- The designation of the building is D1.
- The Library is a service delivering educational benefit. The two services Education and Libraries have a history of working in partnership across the borough to deliver educational and learning opportunities.
- There are plans to provide unfettered access to the temporary library suite for Swan Annex pupils during periods when the library is closed.
- In addition, on decant of the Library service to the new library the unit can be used as a dedicated IT training suite for West Lea school pupils.
- In principle agreement to the occupation has been provided by Education and qualified by Officers.
- The DFE cannot challenge the use of the Swan Annex as the Land is not subject to disposal or a long-term lease.

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

### **6.1 Financial Implications**

The total cost of this project is £222,000 and this is to be funded fully from central government capital grant. The proposed capital expenditure profile of this scheme is detailed in the below table.

	2018/19 £'000	2019/20 £'000	TOTAL £'000
Total Expenditure	63.0	159.0	222.0

Further cost breakdown is provided in the Part 2 report.

### **6.2 Legal Implications**

- 6.2.1** The Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to Public Law principles.
- 6.2.2** Section 111 of the Local Government Act 1972 permits local authorities to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of their functions.
- 6.2.3** Local authorities have a statutory duty under the Public Libraries and Museums Act 1964 'to provide a comprehensive and efficient library service for all persons' in the area that want to make use of it.
- 6.2.4** The Council must comply with all requirements of its Constitution, its Contract Procedure Rules, when awarding contracts in connection with the recommendations within this Report with regard to the procurement of the works detailed in 3.8. above. The proposal to place a works order under LBE's existing Measured Term Contract, Contract Procedure Rule 3.4 permits the use of existing corporate agreements provided Best Value can be demonstrated.
- 6.2.5** The Council must also adhere to the Duty of Best Value in accordance with the Local Government Act 1999.
- 6.2.6** Any resultant legal contracts required in association with this matter must be in a form approved in writing in advance of contract start date and service commencement by Legal Services on behalf of the Director of Law and Governance.

### **6.3 Property Implications**

Refer to Part 2.

## **7. KEY RISKS**

### **7.1 Risk: Do Nothing**

There is no option to do nothing. The Library will be closed for a 24-month period which is unacceptable due to its impact on the local community.

**Mitigation:** None.

### **7.2 Risk: Education object to the relocation of the library**

**Mitigation:**

We have secured legal advice that confirms in this instance the relevant act that applies is the Academies' Act 2010. As the land is not subject to Disposal it is unlikely objection will be made to the temporary use of the Swan Annex by the Library service for a period of 24 months as the use class is D1, use is temporary, and not a disposal transaction.



### **7.3 Risk: High refurbishment costs for Swan Annex**

#### **Mitigation:**

Ensure refurbishment costs are value engineered at every opportunity whilst ensuring a fit for purpose compliant fit out. 100% of costs related to the relocation of the Library Service will be invested in improving services and increasing the value of Council assets.

## **8. INTERNAL DEPARTMENT IMPLICATIONS/CONSULTATION**

The Councils Corporate Maintenance and Construction Service have been commissioned to prepare procurement documents and to project manage the delivery of the refurbishment works on the Councils behalf.

### **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 communities**

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 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.

## **9.0 EQUALITY 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 MANAGEMENT AND DATA IMPLICATIONS**

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

- Enfield Council Corporate Plan
- 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. 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**

Refer to Part 2.

