



PUBLICATION OF DECISION LIST NUMBER 4/21-22

MUNICIPAL YEAR 2021/2022

Date Published: Friday 4 June 2021

This document lists the Decisions that have been taken by the Council, which require publication in accordance with the Local Government Act 2000. The list covers Key, Non-Key, Council and Urgent Decisions. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

A valid request for call-in is one which is submitted (on the form provided) to the Governance and Scrutiny Team in writing within 5 working days of the date of publication of the decision by at least 7 Members of the Council.

Additional copies of the call-in request form are available from the Governance and Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision, please refer to:

– Claire Johnson (0208 132 1154)

INDEX OF PUBLISHED DECISIONS – Friday 4 June 2021

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| 2/4/21-22 | Executive Director of Place - Sarah Cary | Monday 14 th June 2021 | Part 1 | Award of Design and Professional Consultancy Contract Exeter Road | KD 5310 | Enfield Highway | Friday 11th June | 2 |
| 3/4/21-22 | Executive Director of Place - Sarah Cary in consultation with Fay Hammond (Executive Director Resources) | Monday 14 th June 2021 | Part 1 & 2 | Electric Quarter Regeneration Scheme Compensation Payments | KD 5345/ U235 | Upper Edmonton | Friday 11th June | 3 |

DECISIONS

For additional copies or further details please contact Claire Johnson (020 8132 1154), Governance and Scrutiny Team.

| SUBJECT TITLE OF THE REPORT: | | | | | | | |
|---|-----------------------------------|---|--|---|--|--|---|
| AWARD OF CONTRACT TO REMOVE CONTAMINATED SOIL FROM WINCHMORE HIGH SCHOOL | | | | | | | |
| Part 1 or 2 (relevant exempt Paragraph) | Wards affected by decision | Decision taken by | Date Decision comes into effect | Interest declared in respect of the Decision | Category of decision (i.e. Key, Non-Key, Council, Urgent) | Contact Details | Eligible for Call-in & Date to be called in by |
| Part 1 & 2 | Winchmore Hill | Cllr Rick Jewell – Cabinet Member for Children’s Services | Monday 14th June 2021 | None | KD: 5225 | Allen Gibbons Allen.gibbons@enfield.gov.uk 07583025561 | Yes Friday 11th June 2021 |
| DECISION | | | | | | | |
| <p>AGREED subject to not being called in, to:</p> <ol style="list-style-type: none"> To seek approval to award a contract to Contractor ‘A’ relating to the removal of contaminated soil at Winchmore High School (‘School’) prior to the start of proposed construction of a new Sixth Form building and Multi Use Games Area (MUGA) (the Award of this Contract will be under a separate DAR KD 5111) for a total contract sum of £659, 745.00 as detailed in the restricted Appendix ‘A’ of this report. Approve the expenditure relating to the works professional and technical fees, project contingency can be found in the restricted in Appendix ‘A’ of this report. | | | | | | | |
| ALTERNATIVE OPTIONS CONSIDERED | | | | | | | |
| <p>To do nothing is not an option as the new Sixth Form building and MUGA cannot start until the contaminated material is removed. Other methods of construction and foundations have been considered but ruled out as contaminated material would still have to be removed whatever option considered. The proposed method of construction for the new build was the most economic and meant that less contaminated soil must be removed and disposed of.</p> | | | | | | | |
| REASONS FOR RECOMMENDATIONS | | | | | | | |
| <ol style="list-style-type: none"> Contractor ‘A’ have submitted a compliant and most economically advantages tender in accordance with the award criteria, and which meets the programme requirements. The contract period is for 10 weeks starting on 10th May 2021 and completing on 16th July 2021. The tender is below the pre-tender estimate. Health and Safety issues to be addressed by removing contaminated soil which is necessary to allow construction of the new proposed Sixth Form building and MUGA. | | | | | | | |
| BACKGROUND | | | | | | | |
| <p>Please note that a copy of the Part 1 report is available on the Council’s democracy pages. As the part 2 appendix contains exempt information it will not be available to press and public.</p> | | | | | | | |

| SUBJECT TITLE OF THE REPORT: | | | | | | | |
|---|-----------------------------------|--|--|---|--|---|---|
| AWARD OF DESIGN AND PROFESSIONAL CONSULTANCY CONTRACT EXETER ROAD | | | | | | | |
| Part 1 or 2 (relevant exempt Paragraph) | Wards affected by decision | Decision taken by | Date Decision comes into effect | Interest declared in respect of the Decision | Category of decision (i.e. Key, Non-Key, Council, Urgent) | Contact Details | Eligible for Call-in & Date to be called in by |
| Part 1 | Enfield Highway | Executive Director of Place - Sarah Cary | Monday 14th June 2021 | None | KD: 5310 | Nnenna Urum-Eke Nnenna.urumeke@enfield.gov.uk 0208 132 1665 | Yes Friday 11th June 2021 |
| DECISION | | | | | | | |
| <p>AGREED subject to not being called in, to:</p> <ol style="list-style-type: none"> 1. This report seeks the approval for the award of the full design and consultancy services for RIBA stage 3-6 for the Phase 1 of the Exeter Road development to Levitt Bernstein Architects through the LHC framework for the value of £897,000. 2. Approval of this decision will allow progress on the delivery of the Exeter Road scheme, as part of the Council's Building Council Homes for Londoners programme. | | | | | | | |
| ALTERNATIVE OPTIONS CONSIDERED | | | | | | | |
| <ol style="list-style-type: none"> 1. The Key decision 5286 authorised in February 2021 approved the overall capital investment for the Exeter road Phase 1 development and delegated authority to the Executive Director of Place, in consultation with Executive Director of Resources, to enter into development partnerships, award contracts for works and professional services and enter into or agreements for the acquisition or disposal of property for development schemes. The award of the consultancy contract is within this key decision. 2. The design and consultancy services being procured will cover the development of Phase 1 up to RIBA Stage 6. The development is part funded by the GLA's Building Council Homes for Londoners programme and the grant is conditioned on start on site by February 2022. This award is critical to the achievement of planning consent and contractor procurement necessary to meet the grant requirement. 3. The LHC framework is a Public Contracts Regulations 2015 compliant framework agreement. Procurement have confirmed that direct award is permissible with this framework and that the call off was carried out in accordance to its process. | | | | | | | |
| REASONS FOR RECOMMENDATIONS | | | | | | | |
| <ol style="list-style-type: none"> 1. Levitt Bernstein were appointed for the Enfield Architecture and Design Services Framework, through a mini-competition in 2016. Initial feasibility for Exeter Road commenced as part of a package of sites with formal appointment to recommence as part of the housing development programme via an agreed procurement route. As the Enfield Framework has now expired the Council is seeking to regularise all appointments by using an alternative framework. The rationale for seeking to award through a direct award to Levitt Bernstein is the demonstrable experience in working with the Council, their ability to adapt to the planning requirements and production of design and efficiency of outputs within budget. 2. It is proposed to call off Levitt Bernstein from the LHC Architect Design Services framework. The framework permits direct call-off and the Council has followed their prescribed steps. Value for money was assessed using the cost plan produced by the Quantity Surveyor and by comparing the LHC framework rates with that of the Nottingham Genesis framework. The cost plan confirmed that Levitt Bernstein's framework rate was within 8-10% of construction costs, which is the industry standard of the percentage of fees required for this type of development. Likewise, in comparison to commission rates of the Nottingham Genesis framework, their rate is competitive (details of which can be viewed on the Council's democracy pages). 3. The design development and construction will provide up to 50 homes for Enfield residents. Levitt Bernstein have developed the wider masterplan and have a broad experience of working on Enfield-led sites since 2017, when they were at that point commissioned to develop feasibility studies across a number of sites which would | | | | | | | |

eventually go on to be delivered.

4. Having worked on the design and feasibility since inception of Exeter Road, they have significant knowledge of the scheme and have a good track record of project delivery. Moreover, a competitive process would not necessarily result in a lower fee but would delay planning submission and risk loss of GLA subsidy due failure to start on site by February 2022.

5. This proposal contributes to the affordable homes' targets identified in the GLA BCHL programme.

6. Based on the above, the value of the direct award is competitive against market rates and provides good value for money, particularly considering the timescales to achieve the drawdown of grant and development programme.

BACKGROUND

Please note that a copy of the Part 1 report is available on the Council's democracy pages.

Publication of Decision List 2/4/21-22 Friday 4 June 2021

| SUBJECT TITLE OF THE REPORT: | | | | | | | |
|---|-----------------------------------|--|--|---|--|--|---|
| ELECTRIC QUARTER REGENERATION SCHEME COMPENSATION PAYMENTS | | | | | | | |
| Part 1 or 2 (relevant exempt Paragraph) | Wards affected by decision | Decision taken by | Date Decision comes into effect | Interest declared in respect of the Decision | Category of decision (i.e. Key, Non-Key, Council, Urgent) | Contact Details | Eligible for Call-in & Date to be called in by |
| Part 1 & 2 | Upper Edmonton | Executive Director of Place - Sarah Cary in consultation with Fay Hammond (Executive Director Resources) | Monday 14th June 2021 | None | KD 5345/U235 | Allen Gibbons Allen.gibbons@enfield.gov.uk 07583025561 | Yes Friday 11th June 2021 |
| DECISION | | | | | | | |
| AGREED subject to not being called in, to: | | | | | | | |
| 1. To make the recommended payments to claimants as detailed in Part 2 of the report. | | | | | | | |
| ALTERNATIVE OPTIONS CONSIDERED | | | | | | | |
| 1. There are no other alternative options that could be reasonable justified. To do nothing at this stage of the CPO process would invite court action for the compensation payments to be made and would cause huge reputational problems. | | | | | | | |
| REASONS FOR RECOMMENDATIONS | | | | | | | |
| 1. On 17 June 2015 Cabinet (KD4076) resolved to make a Planning Compulsory Purchase Order under section 226(1)(a) of the Town and Country Planning Act 1990 for the acquisition of land and new rights within the area described in the report ('the originating report'). | | | | | | | |
| 2. Under the Compulsory Purchase Order, the claimants are entitled the payments as they have compensable interests in their respective properties. The compensation payments are for the acquisition of property interests, and where appropriate, disturbance costs to the businesses. Possession of the properties was taken by the Council during 2018 and 2019. | | | | | | | |
| 3. The negotiation for these compensation payments have taken place over the last 3 years by the Council's appointed valuation consultants, Avison Young. Officers have been kept fully informed and have been party to some of the main points of agreement. Officers recommend these settlements. | | | | | | | |
| 4. The same Cabinet resolution also delegated authority to the Director of Regeneration and Environment, acting in consultation with the Director of Finance, Resources and Customer Services, to acquire all necessary interests in land subject either by agreement or compulsorily. Accordingly, the Executive Director of Place has authorised previous acquisitions and settlements. | | | | | | | |
| 5. An approval for the recommended balancing payments is being sought as an aggregated single exercise rather than seeking multiple approvals for each occasion that a settlement is agreed with each party. | | | | | | | |
| BACKGROUND | | | | | | | |
| Please note that a copy of the Part 1 report is available on the Council's democracy pages. As the part 2 appendix contains exempt information it will not be available to press and public. | | | | | | | |