



PUBLICATION OF DECISION LIST NUMBER 30/21-22

MUNICIPAL YEAR 2021/22

Date Published: 22 October 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 (ext.1154)

Phone 020 8132 then extension number indicated

INDEX OF PUBLISHED DECISIONS – 22 October 2021

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LIST REFERENCE: 1/30/21-22

SUBJECT TITLE OF THE REPORT:

PROCURING A COUNCIL WATER CONTRACT FOR CORPORATE AND HOUSING SUPPLIES TO APRIL 2026

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 (Para 3)	All	Sarah Cary (Executive Director Place)	Monday 1 November 2021	N/A	KD 4601	Liz Wright Energy Manager Liz.wright@enfield.gov.uk 02081320971	Friday 29 October 2021

DECISION

AGREED subject to not being called in: That it is recommended that the:

1. That the Council procures water supplies and the collection of waste water services through LASER ENERGY Ltd (Local Authorities South East Region Energy Ltd) as part of a consortium made up of 5 London local authorities (Barking and Dagenham, Hertfordshire County Council, Camden Council, Hillingdon Council and Enfield Council).
2. LASER was established as part of Kent County Council Commercial Services in 1989, in response to the increasing competitiveness of the deregulated energy markets and now provides complete energy solutions to 110 Local Authorities and other Public Sector bodies throughout the UK.
3. LASER has established an OJEU compliant Framework agreement for the supply of water, sewerage and additional services. The framework is available for all areas of England and accessible by all public sector bodies.
4. LASER will lead in the development and completion of a mini-tender from this Framework for 5 Local Authorities including Enfield. LASER will charge an admin cost of 1% of the total water charge, which will be applied to all supplies where all 5 authorities in the steering group join from project commencement. In the event that some authorities do not proceed, this charge will be revised.
5. LASER will assist in managing the contract, supporting KPIs, report data and hold Enfield data via our established database known as Systems Link.
6. By joining a consortium of Local Authorities, Enfield Council will reduce procurement administration and gain benefits from collaborative working.
7. The intention is to appoint a single waste and water retailer awarded through the LASER Framework Agreement and for a fixed term contract of 2 + 2 years (1st May 2022 – 30th April 2026). If notice is not given to leave at the end of the first two years, the contract will roll forward for an additional 2 years.

OPTIONS CONSIDERED

1. Yorkshire Purchasing Organisation (YPO) supplies products and services to a wide range of customers including schools, local authorities, charities, emergency services, public sector and other businesses such as nurseries and care homes. YPO are 100% publicly owned, by 13 local authorities.
YPO offer a contract with Wave Utilities which expires October 2024. Wave Utilities are the current Water supplier for Enfield Council. Whilst there are benefits in staying with Wave Utilities i.e. no transition period, cost effective and an established relationship there is no challenge or competition in terms of cost and ancillary service. For these reasons it is considered better for Enfield Council to commit to a mini-tender with LASER to broaden the competitive nature of the procurement.
2. The Council has also considered an independent procurement contract, however the administration in this is significantly higher than through a consortium nor would we gain the benefits from combined buying value especially where portfolios are relatively modest. Therefore, the recommendation would be to procure using the supporting existing LASER framework along with the 4 other Local Authorities to improve the buying power. This will also gain the benefit from the collaboration of working together to build services that efficiently address the needs of each Local Authority and achieve better terms and conditions of use, thereby maximising value for money.

Committing to an individual approach, the Council will lose out on the benefits of working collaboratively.

REASONS FOR PROPOSAL

1. The Council has around 183 corporate water supplies, which cover a range of buildings including office sites, parks and housing communal areas. The Council, as corporate landlord is required to provide water supplies and waste water collection services, which it does by appointing a suitable supplier. The current contract is due to end 30 April 2022 and an opportunity has been identified to form a consortium with other London local authorities to jointly procure a supplier.
2. Enfield will benefit from working as part of a joint Local Authority collective enabling the sharing of best practice and experience to procuring through collaborative working/knowledge sharing to achieve effective procurement administration cost reduction and quality assurance. This will result in an improved mini tender, contract result and contract management. By sharing experience in this emerging market, it will be easier to achieve a better shared objective by speaking with one voice, sharing best practices and learning from each other's expertise.
3. Enfield has an established and successful relationship with LASER. LASER's success and reputation has helped it to grow organically to its current position serving 110 public sector customers. LASER has over 25 years' experience buying and managing utilities for Public Sector organisations. LASER has become one of the leading procurement and utility management service providers in the UK and work with many public sector bodies including NHS Trusts, Universities & Colleges, Local Authorities and Housing Associations. LASER provide excellent customer service with dedicated customer relationship teams, regular customer communication on industry legislation, news and energy updates. LASER has also developed an established relationship with leading energy suppliers throughout the UK.

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.

SUBJECT TITLE OF THE REPORT:

AWARD OF BOROUGH-WIDE HOUSING BLOCK REFURBISHMENT WORKS CONTRACTS									
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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 (Para 3)	All	Sarah Cary (Executive Director Place)	Monday 1 November 2021	N/A	KD 5313	Abigail Ellis – Interim Director of Investment and Resident Safety Tel: 0208 132 1898 Abigail.Ellis@enfield.gov.uk	Friday 29 October 2021

DECISION									
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AGREED subject to not being called in: That it is recommended that the Executive Director Place:

1. That approval be given to award two, four-year contracts. The works included within these contracts comprise validation of stock condition information, survey, design and replacement and refurbishment of the external envelope of housing flat blocks and ancillary external work
2. The scope of the works relates to approximately 1,000 properties within blocks. The blocks are situated throughout the Borough and are all owned by the Council and there are Leaseholders within the Blocks that will be subject to the requirements of Section 20 Consultation.

OPTIONS CONSIDERED	
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Consideration was given to several alternative options to deliver the works that can be summarised as follows:

1. Option A: A single contract covering the whole borough of a long duration i.e. 5 years or more.
2. Option B: 2 geographically based contracts of up to 4 years duration
 - Option B was selected based upon the following:
 - Option A: Single Long-Term Contract
3. This approach is commonly used within the sector and does have benefits in terms of management input i.e. a single relationship to manage. However, the key factors that led to its rejection were:
 - Failure or poor performance is systemic and provides a major risk for the Council
4. Option B: 3 geographically based contracts
5. Officers considered that this option provides the optimum solution, it was selected because:
 - Having 2 contractors reduces the impact of failure or poor performance
 - The Council's management team and structure is ideally suited to this scale of Contract

REASONS FOR PROPOSAL

1. Given the high volume of properties included in the programme and planned timescale for completion of the works, it is recommended to award two separate contracts to ensure the Council mitigates risks around possible labour shortages and supply chain performance.
2. The procurement plan was approved at the Procurement and Commissioning Hub on Tuesday 24th September 2019, noting that all such procurement activity would be carried out in accordance with the Council's procurement rules to ensure the programme delivers value for money and achieves the quality standards expected for tenants.

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.

Publication of Decision List 2/30/21-22
22 October 2021 – page 3-4

LIST REFERENCE: 3/30/21-22**SUBJECT TITLE OF THE REPORT:**

LEASING OF WHITEWEBBS PARK GOLF COURSE

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 (Para 3)	Chase	Leader	Monday 1 November 2021	N/A	KD 5177	Wesley Pemberton Commercial Development Manager Wesley.pemberton@enfield.gov.uk 0208 132 1425	Friday 29 October 2021

DECISION

AGREED subject to not being called in: That it is recommended:

1. To approve entering into an Agreement for Lease based on the heads of terms attached to the Confidential Appendix and subject to planning permission for the proposed use, the granting of a 25-year Lease for the area shown edged blue on the attached plan to THL.
2. To delegate authority to the Director of Property & Economy in consultation with the Director of Legal and Governance to make minor amendments to the heads of terms and to finalise the Agreement for Lease, Lease and associated documents, including such variations that may be necessary to cover existing third-party rights affecting the site.
3. Note that all agreements to be entered into as contemplated by this report are to be approved in advance of commencement by Legal Services on behalf of the Director of Law and Governance.

OPTIONS CONSIDERED

1. Not to enter into a lease and to retain the whole site in Council management. Whilst this approach will potentially deliver wider access to the whole site it will not secure funding for investment in the creation and maintenance of new parkland or the upgrading of public rights of way. It will also not deliver investment in improved refreshment and welfare facilities or their maintenance over the term of the proposed lease.
2. There would be no investment in Women's and Girls Football either at elite or grassroots level.

REASONS FOR PROPOSAL

1. Following an extensive two stage marketing process THL's submission achieved the highest evaluation score. The bid was underpinned by a masterplan which set out how the Council's objectives as set out during the marketing process would be achieved across the WPGC site.
2. The proposal would see part of the leased site used as a football academy and it is proposed that the remainder of the golf course area would be transformed to parkland with enhanced open access provided to all park users.
3. The proposal excludes the majority of Whitewebbs Wood and part of the golf course to the south of the woods. These areas will not be included in the leased area and will continue to be managed by the Council.
4. The following is a summary of the proposed improvement works to be carried out under the terms of the lease:
 - Creation of an Academy for Women's and Girls' Football;
 - Refurbishment and extension of the Northern Clubhouse to create an education centre for Women's and Girls' Football;
 - Reinstatement of parkland on the southern part of the golf course;
 - Tree surveys, habitat survey, hydrological survey and woodland management survey;
 - Improvements to Southern Clubhouse and car park to incorporate a new visitor centre, café and WCs and improved public car parking;

- Expansion of a THFC Turf Academy, training the next generation of ground staff and greenkeepers in conjunction with other leading sports venues;
5. The proposal bid also outlined the provision of grassroots and community football coaching and other community engagement.
 6. In addition to a rental income, the proposal will see an initial capital receipt or premium to the Council to facilitate investment in improving footpaths and bridleways in Whitewebbs Woods and around the site.
 7. There will also be a commitment by the Council to invest in grass roots football in more deprived areas of the borough.
 8. A lease will not be entered into unless and until planning consent is granted for the proposals, with works to be completed in accordance with planning permission and building regulations consent.

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.