



London Borough of Enfield

Title of Report:	Appointment of HTA Architects to undertake additional design services for the Joyce Avenue and Snell's Park regeneration project.
Report to:	Joanne Drew
Date of Report:	5 April 2023
Directors:	Joanne Drew Sarah Cary
Report Author:	Nick Weston
Ward(s) affected:	Upper Edmonton
Key Decision Number	KD 5594
Implementation date, if not called in:	26 April 2023
Classification:	Part I and Confidential Appendix 1
Reason for exemption	<i>Commercially sensitive</i>

Purpose of Report

1. This report seeks to award a contract to HTA Design LLP ('HTA') who have been procured to provide architectural, technical, and planning advice for the Joyce and Snell's hybrid masterplan application.

Recommendations

- I. Approve appointment of HTA Architects to undertake the necessary design work including coordination of technical consultants in accordance with the Council strategic brief for Joyce and Snell's estate regeneration. The Scope of Work is set out in Appendix 1.
- II. Delegate approval of the Contract and ancillary documents as necessary to the Director of Housing and Regeneration

Background and Options

2. In September 2021, Cabinet approved (KD5343) a Council-led redevelopment of the estate and approved fees and construction works budgets to deliver the initial detailed phases of the regeneration, supported by GLA grant funding under the AHP 21-26 programme. The approval also included undertaking a residents' ballot as required by the GLA in order to access the grant, submission of a planning application and authorised leaseholder buybacks for phases 0-3. A budget of £10m for professional fees was agreed for Phases 0-3.
3. The ballot took place in December 2021 and there was a strong 'YES' vote in the ballot with 85.5% of eligible voters taking part, and 78.5% voting in favour of the regeneration.
4. The planning application was submitted in September 2022 and is targeted for planning committee later this year.
5. More recently, a further £50m of grant has been secured from the GLA's Land Fund to assist with land assembly, principally through buying back Leaseholders and Freeholders who don't wish to stay on the estate; and acquiring properties from non-resident Leaseholders and Freeholders who want to sell.
6. Receipt of Land Fund monies will allow the Council to offset a considerable amount of cost that needs to be incurred early on in the scheme to accommodate the decanting of existing residents. This reduction in initial debt brings a long-term finance benefit to the scheme.
7. The original grant settlement of £54m plus this additional Land Fund money represents a very significant amount of funding towards mobilising and delivering the scheme, and clearly shows the GLA's strong support for the scheme and willingness to invest in Enfield.
8. HTA are the lead designer on the Joyce and Snell's masterplan and appointed initially in 2020 to provide architectural services to planning submission. That contract has expired, and a new procurement is required to maintain programme delivery of the Joyce and Snell's regeneration scheme.
9. In consultation with Procurement and Legal Services, Notting Hill Genesis (NHG) framework was selected as a route to procure additional design and technical services. The procurement is necessary to ensure a full multidisciplinary team is retained from post-submission to contract of works. External law firm Pinsent Masons have reviewed the Framework Agreement and consultant contracts and are satisfied that this is in accordance with the Council's requirements. The procurement was undertaken through the London Tenders Portal (LTP) with the Procurement Team.
10. HTA have been called off the Framework and following a 4 week tender period and negotiated fee has been agreed for full services to the end of December.

11. HTA are being recommended as they have demonstrable experience and evidenced an ability to develop a strong masterplan and deliver on time and within budget. HTA have accumulated knowledge about the residents and housing need on the Joyce Avenue and Snell's Park estates which has helped to co-produce and successfully deliver a planning application. They will act as Lead Consultant with responsibility for appointing and managing a suite of sub-consultants to deliver the amended planning application and Environmental Impact Assessment.
12. The tender is in the sum of £652,800 and covers all work to determination. This includes the process of submitting the revised planning application following a period of review and dialogue with the Local Planning Authority.
13. The fee is comprised of the following work stages:
 - **Stage 1** - Work to date, strategic brief, options appraisals, LPA engagement, Client approvals, project meetings
 - **Stage 2** - Refine options, coordination, technical reports, LPA engagement, project meetings, approval
 - **Stage 3** - Coordination, EIA preparation, LPA approvals, design meetings, submission
 - **Stage 4** - Query responses, minor amendments, clarifications, determination
14. Subject to this approval, HTA is ready to commence work straight away.

Preferred Option and Reasons for Preferred Option

15. The preferred option is to appoint HTA to undertake the redesign work, resubmit the planning application and to provide support for any additional information required during the determination period in accordance with their submitted pricing schedule at Appendix 1.
16. HTA have the resources and expertise to undertake this work and have demonstrated their competency throughout their previous appointment on this scheme.
17. The proposed sub-consultant team have mostly all worked on the scheme previously and have excellent working knowledge of the site, its constraints and the rationale behind the design.
18. Appointing HTA will provide continuity with the LPA, with whom there have been long and continuous discussions around the constraints and opportunities the site possesses.

Relevance to Council Plans and Strategies

19. The Joyce and Snell's regeneration project will deliver much needed new and better council housing for existing residents as well as increasing housing for a range of incomes. The scheme is aiming to reach 50% affordable housing, providing a major boost to the social rented stock in the area and provide affordable home ownership opportunities to aspirant local buyers.

20. Progression of this scheme supports a number of strategies that sit within the Council plan

21. Good homes in well-connected neighbourhoods

- Regeneration of Joyce and Snell's will bring about a fundamental change in both in terms of improved, energy efficient dwellings and changes to the immediate environment within the new master plan, highly enhanced green areas and upgrades to the high street.
- The scheme will provide additional affordable housing as well as new private for sale homes to help achieve mixed and balanced communities.
- The regeneration scheme forms part of an exciting and cohesive ward, when considered alongside other regeneration projects in the area including Upton & Raynham, Meridian Water and North Middlesex University Hospital.

22. Safe, healthy and confident communities

- The green areas around the estate are designed to provide leisure facilities to people of all ages and much better biodiversity.
- The master plan is designed to minimise unseen spaces and maximise natural surveillance to deter crime and antisocial behaviour.
- Improved links between the estate, the high street and the community to the west including North Middlesex University Hospital and environs.

23. An economy that works for everyone

- New shops on the high street and 'makers lane' to provide premises for new businesses.
- Better access to public transport including a new pedestrian crossing to Silver Street Station.
- New employment opportunities during the construction period including links to the new Upper Edmonton Skills Academy.

24. Healthy Streets – the new master plan puts sustainable transport at the centre of the design, with streets designed to prioritise walking and cycling, reduced on-street carparking and green spaces integrated into the layout. This reduces local pollution and promotes cleaner air around spaces where people live. The estate is also a key hub point for the east-west cycle route that links the North Middlesex Hospital with Meridian Water.

25. Energetik - It is proposed that the Energetik district heating network will be connected to all new homes, providing clean, competitively priced heating and hot water and obviating the need for gas supplies on the estate.

Financial Implications

26. In September 2021, a Joyce and Snell's report (KD5343) went to cabinet which approved a budget of £10m for professional fees to continue work on the development. Within the £10m approved budget an allocation for architectural and planning advice has been set aside. The award of the contract set out in this report will be funded from this allocation

27. This report requests approval to award a contract to HTA Designs LLP, to provide architectural, technical, and planning advice for the Joyce and Snell's development.
28. This report is requesting approval for the contract value of £652,800. There hasn't been a contingency included because this is a fixed term contract, and any changes will be subject to variation approval.

The table below shows the breakdown of the contract value.

Services Required	Total cost
Legal Consultant Services	£22,975.00
Architecture and Masterplanning Services	£195,275.00
Planning Services	£91,750.00
Ancillary Services Required	£342,800.00
Total	£652,800.00

29. A financial assessment has been completed on HTA Design LLP and they have sufficient financial stability to undertake contracts up to the value of £6m. The contractor will be monitored on the Equifax credit software.

Legal Implications

Prepared by CP based on version of report circulated 21.3.23

30. Section 1 of the Localism Act 2011 provides the Council with the power to do anything an individual may do, subject to a number of limitations. This is referred to as the "general power of competence". A local authority may exercise the general power of competence for its own purpose, for a commercial purpose and/or for the benefit of others.
31. Pursuant to section 8 of the Housing Act 1985, the Council is required to consider the housing conditions and needs of their area with respect to the provision of further housing accommodation. The Council has the power under section 9 of that Act to provide housing accommodation and under s17 of that Act to acquire land for housing purposes.
32. Further, under Section 111 of the Local Government Act 1972, the Council has the power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The appointment of HTA to carry out the proposed services in connection with the Joyce Avenue and Snell's Park regeneration scheme is in accordance with these statutory powers.

33. The contract is a public services contract under the Public Contracts Regulations 2015 (PCR 2015) and the estimated contract value exceeds the threshold under Part 2 of the PCR 2015 (currently £213,477 inclusive of VAT). The Council must therefore ensure compliance with the PCR 2015 and its Constitution - in particular, the Contract Procedure Rules ('CPRs'). Both the PCR 2015 and the CPRs permit the use of Framework agreements. CPR 14.4 states that Frameworks, where they exist, should be used provided Best Value can be demonstrated and managers are required to retain sufficient evidence to demonstrate compliance. A due diligence exercise must have been carried out by the Procurement and Commissioning Hub (P&C Hub) prior to calling off from the framework and the Council must be clearly identified as a contracting authority able to use the framework when it was set up.
34. The proposed direct award must be permitted under the terms of the framework, and relevant conditions for such a direct award must be met.
35. The call off contract must be consistent with the framework terms, and in a form approved by Legal Services on behalf of the Director of Law and Governance. Due to the value, it will need to be sealed as a Deed.
36. Under the CPRs, for a contract of this value, the Council should consider requesting 'sufficient security' (a bond, parent company guarantee or similar) to manage risk. Evidence of the form of security required, or why no security was required, must be stored and retained on the E-Tendering Portal for audit purposes. In addition, the Council should seek to obtain collateral warranties from the sub-consultants engaged in the delivery of the services.

Equalities Implications

37. The Equalities Team have confirmed an EqIA is not needed in this instance.

Procurement Implications

38. When awarding the contract proposed in this report the Council must comply with its contract procedure rules and the Public Contracts Regulations 2015, both of which permit direct awards off framework agreements provided the framework terms permit. The Notting Hill Genesis Framework permits direct awards.
39. In accordance with the CPRs, sufficient security from the Supplier must be considered to manage risk. Evidence of the form of security required, or why no security was required, must be retained for audit purposes.
40. A contract of this size must have a proper contract management schedule and measurable KPI's. This is to ensure that the contract is delivered and value for money is maintained.
41. The procurement and award of the contract, including evidence of authority to award, promoting to the Councils Contract Register, and the uploading of the executed contract must be undertaken on the London Tenders Portal including future management of the contract.

42. In accordance with the Councils CPR's the service must ensure that a Contract Manager is nominated and allocated to the procurement and that the monitoring requirements are adhered to.

43. The awarded contract must be promoted to Contracts Finder to comply with the Government's transparency requirements.

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Appendices

Confidential Appendix 1 Pricing Schedule and deliverables

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