

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Council Housebuilding Cabinet **Date:** Thursday, 5 April 2018
Committee

Place: Council Chamber, Civic Offices, **Time:** 7.00 - 9.00 pm
High Street, Epping

Members Present: S Stavrou (Chairman), S Kane, G Mohindra, J Philip and C Whitbread

Other Councillors: R Bassett, D Dorrell, S Heap, R Morgan, M Sartin, J M Whitehouse and D Wixley

Apologies: W Breare-Hall

Officers Present: P Pledger (Assistant Director (Housing Property)), M Rudgyard, J Leither (Democratic Services Officer), H Pradun (Senior Communities Officer (Quality and Performance)) and J Whittaker (Finance Officer)

28. SUBSTITUTE MEMBERS

The Cabinet Committee noted that Councillor C Whitbread would substitute for Councillor G Mohindra at this meeting.

29. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

30. MINUTES

That the minutes of the meeting held on 29 January 2018 be taken as read and signed by the Chairman as a correct record.

31. APPOINTMENT OF FRAMEWORK CONSULTANTS AND CONTRACTORS FOR THE FUTURE DELIVERY OF THE COUNCIL HOUSE-BUILDING PROGRAMME

The Assistant Director (Housing Property & Development) presented a report to the Cabinet Committee. He advised that at its meeting in January 2018, the Cabinet Committee were advised that East Thames had exercised their right to end their role as Development Agents and as a result, the Council considered a report on the way forward in terms of delivering future phases of the Council's Housebuilding programme.

The report explained how the Council had reviewed its approach based on its experiences over the last 4-years, and how it would deliver a more efficient service and de-risk some of the aspects of the programme that have so far resulted in additional costs across schemes that were on site. This included dealing with ground contamination, drainage, foundations and advancing the designs to a more detailed stage prior to appointing the Contractor. The Cabinet Committee were advised that

this would require an EU procurement exercise in order to make the necessary appointments.

The Council had appointed Cameron Consulting, a specialist procurement consultant to undertake the EU Procurement exercise. Notices were placed in the European Union Journal for a Multi-Disciplinary Design Team (MDDT), Employers Agents and Contractors. Expressions of interest were received and evaluated based on quality, price and interview to explore the approach they would take to engage and deliver as part of a team on behalf of the Council.

The Council sought two separate services contracts, MDDT and Employers Agent and Cost Consultants (EA). There were a combined number of 143 expressions of interest for each of the MDDT and EA roles, which resulted in just three formal bids for the MDDT Consultant and five bids for the EA Consultant. The tenders were evaluated by Cameron Consulting Limited with Council Officers undertaking a final moderation exercise.

The tenders were based on quality, price and interview using a weighting of 60:30:10 for the MDDT and 50:40:10 for the EA. The tables below summarise the scores for each of the bidders:

Final Summary – Lot 1 Multi-Disciplinary Design Team

Tenderer	Rewighted Quality (Desktop)	Rewighted Quality (Presentation)	Cost	TOTAL
Available Score	50.00%	10.00%	40.00%	100.00%
ECD Architects Ltd	50.00%	10.00%	33.78%	93.78%
Pellings LLP	40.63%	6.50%	40.00%	87.13%
Duggan Morris Architects	33.24%	0.00%	0.00%	33.24%

Final Summary – Lot 2 Employer's Agent/ Cost Consultant

Tenderer	Rewighted Quality (Desktop)	Rewighted Quality (Presentation)	Cost	TOTAL
Available Score	50.00%	10.00%	40.00%	100.00%
Airey Miller Limited	44.87%	10.00%	39.69%	94.56%
Macegreen Consulting Limited	50.00%	5.41%	35.18%	90.59%
Frankham	43.27%	7.03%	37.11%	87.41%
Equals Consulting	41.99%	8.11%	37.28%	87.38%
PDSI Construction Consultants (Initiate Consulting)	36.22%	0.00%	0.00%	36.22%

Based on the results of the tender exercise, it was therefore recommended that ECD Architects Limited be appointed as the MDDT team and Airey Miller Limited be appointed as the EA.

Decision:

(1) That, following an open procedure EU Procurement Exercise, the Consultants listed below be appointed, based on a Quality/Price/Interview (50/40/10) evaluation methodology, to assist the Council with the future delivery of the Council House-building programme:

- a. ECD Architects Ltd be appointed based on an overall weighted score of 93.78% as the Architects and Multi-disciplinary Design Team (MDDT); and
- b. Airey Millar Ltd be appointed based on an overall weighted score of 94.56% as the Employers Agents.

(2) That, following an open procedure EU Procurement Exercise, the list of Framework of Contractors below be agreed, based on the first stage of a 2-stage tender process using a Quality/Stage one Price/Interview (60/30/10) evaluation methodology, from which second stage tenders will later be sought to construct the future delivery of the Council House-building programme:

- a. Neilcott Construction Ltd, based on an overall weighted score of 96.59%;
- b. Roof Ltd, based on an overall weighted score of 85.59%;
- c. TSG Building Services Ltd, based on an overall weighted score of 74.35%; and
- d. Indecon Building Ltd, based on an overall weighted score of 65.91%.

Reasons for Decision:

The Council's procurement rules require a Cabinet decision to award any contract over £1m. However, the Cabinet Committee have been delegated authority by the Cabinet to approve any tenders relating to the Council House-building Programme.

By appointing these Consultants and Contractors it will lead to the formation of a multi-disciplinary design and build team that will work alongside the Council's Development Team that will take over from the previous approach that was led by East Thames as Development Agents.

Other Options Considered and Rejected:

To employ the relevant resources in-house to deliver the programme directly.

32. CHB-008 SITES FOR RESUBMISSION TO PLANNING APRIL 2018 (2)

The Assistant Director (Housing Property & Development) presented a report to the Cabinet Committee. He advised that 12 sites had either been refused planning permission or withdrawn from the Council's Housebuilding programme. These sites were now brought back to this meeting to decide on the future outcomes.

Where any of the Council's development sites were identified for Council house-building and was not developable for any of the reasons below, then the Cabinet Committee were to decide on each site's future use:

- (1) They do not receive planning permission;
- (2) They are not financially viable for the Council to develop based on a development appraisal; or
- (3) The Cabinet Committee considers for whatever reason, the site should not be developed for Council housing

The options already agreed by the Cabinet Committee were as follows:

- (a) To sell the site for social housing to a Housing Association in return for a capital receipt to fund future Council house-building and to gain nomination rights for Council housing applicants;
- (b) To sell the site for private development, either for residential or other use in return for a capital receipt to fund future Council house-building;
- (c) To divide up the site and sell the land to local residents to extend their private gardens in return for a capital receipt to fund future Council house-building;
- (d) To demolish the garages, re-surface and mark out the land and to leave the site as open car parking for local residents;
- (e) To sell the site to a Town or Parish Council for their own purposes (eg. public amenity space) in return for a capital receipt to fund future Council house-building; or
- (f) To continue to market and rent the garages to local residents

A further option now available to the Cabinet Committee was to submit a new planning application for each of the sites which were either withdrawn or refused by the relevant Area Planning Committee, since the Council's Constitution has recently been amended allowing any future planning applications that are refused permission at the relevant Area Planning Committee to be referred to District Development Management Committee (DDMC) as the Council's appeal mechanism.

Each of the sites at Hillyfields, Pyrles Lane (Sites A and B) in Loughton; Hornbeam Close (Site A) in Buckhurst Court; Colvers in Matching Green; Gant Court, Mallion Court and St Thomas's Close in Waltham Abbey; Palmers Grove and Pound Close in Nazeing; Hansells Mead/Parkfields in Roydon and Springfields in Epping had been identified as being undevelopable, either because they did not, or would not likely to receive planning permission.

The Assistant Director advised that there were concerns with the paid for parking garage site at Springfield (B) as residents were not keen in taking up the spaces due to the cost involved. The first year cost was £500 per space and £250 every subsequent year. The Council would only be recouping their costs in preparing the sites for paid resident parking and the installation of posts so that each space allocated to a resident would not be able to be used by anyone else.

Members of the Cabinet Committee agreed that local residents should be given one last opportunity to take up the available parking, the site should be remarketed so that the nature of the charges were clear and transparent, and if there was no take up that the site be redesigned and submitted for planning approval.

Decision:

- (1) That the garage sites, either previously withdrawn or refused planning permission be redesigned and resubmitted for planning approval, at the following locations:
 - a. Garage site to the rear of 80-98 and 100-112 Hillyfields, Loughton – development of 2no. 2 bed-houses.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents,

then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.

- b. Garage site to the rear of 109 to 127 Pyrles Lane (Site A), Loughton – development of 2no. 2 bed-houses.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.
- c. Garage site to rear of 100 to 108 Pyrles Lane (Site B), Loughton – development of 3no. 3 bed-houses.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be offered for sale to the developer of the Pyrles Lane Nursery site in the first instance, or be sold on the open market and the proceeds be recycled back into the Council House-building Programme.
- d. Garage site at Hornbeam Close (Site A), Buckhurst Hill (adjacent to 6 Cascade Close) – development of 2no. 2 bed-houses.
Agreed that this site would be developed for paid for parking.
- e. Garage site adjacent to 25 Colvers, Matching Green – development of 3no. 2-bed houses.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.
- f. Garage site at Gant Court, Waltham Abbey – development of 3no. 2-bed houses.
Agreed that this site would be developed for paid for parking.
- g. Garage site at Mallion Court, Waltham Abbey – development of 4no. 2-bed houses.
Agreed but to be held for 12 months in order for the new Leisure Centre to open and settle down.
- h. Garage site adjacent to 44 Palmers Grove, Nazeing – development of 3no. 3-bed houses and 1no. 2-bed house.
Agreed that this site would be developed for paid for parking.
- i. Garage site adjacent to 52 Hansells Mead and 2 Parkfields, Roydon – development of 2no. 3-bed houses.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.

- j. Garage site adjacent to 14A Pound Close Nazeing – development of 2no. 3-bed houses and 2no. 2-bed houses.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.
- k. Garage site at St Thomas's Close, Waltham Abbey – development of 2no. 3-bed houses and 1no. 2-bed house.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.
- l. Garage site adjacent to 36 Springfield (Site B), Epping – development of 2no. 1-bed bungalows.
Agreed to be redesigned and resubmitted for planning approval. At the Pre-app stage, should it not be possible to obtain the positive support of the Planning Officer, then the site be offered for paid parking and residents' consulted; if there is insufficient interest for paid parking from residents, then the site is be sold on the open market and the proceeds be recycled back into the Council House-building Programme.

Reasons for Decision:

The Cabinet Committee is required to decide on the future use of garage sites that have previously been refused planning permission but are to be re-submitted with the reasons for planning refusal being taken into account in the new application in line with the Council's Policy.

Other Options Considered and Rejected:

To adopt any other of the options within the existing Policy on the future use of undevelopable sites, as set out in the body of the report.

33. ANY OTHER BUSINESS

The Cabinet Committee noted that there was no other urgent business for consideration.

34. EXCLUSION OF PUBLIC AND PRESS

The Cabinet Committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

CHAIRMAN