

NOTICE OF MEETING

SPECIAL OVERVIEW AND SCRUTINY COMMITTEE

Tuesday, 8th November, 2016, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Charles Wright (Chair), Pippa Connor (Vice-Chair), Makbule Gunes, Kirsten Hearn and Emine Ibrahim

Co-optees/Non Voting Members: Uzma Naseer (Parent Governor Representative), Luci Davin (Parent Governor representative), Yvonne Denny (Co-opted Member - Church Representative (CofE)) and Chukwuemeka Ekeowa (Co-opted Member - Church Representative (RC))

Quorum: 3

1. **FILMING AT MEETINGS**

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. **APOLOGIES FOR ABSENCE**

3. **URGENT BUSINESS**

It being a special meeting under Part 4, Section B, Paragraph 17 of the Council's Constitution, no other business shall be considered at the meeting.

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's constitution.

6. CALL IN OF CAB 88: RECOMMENDATION OF A PREFERRED BIDDER TO SECURE THE FUTURE OF HORNSEY TOWN HALL (PAGES 1 - 78)

- a. Report of the Monitoring Officer ***TO FOLLOW***
- b. Report of the Director of Regeneration, Planning and Development ***TO FOLLOW***
- c. Appendices:
 - Copy of Call-in (Call-in 1)
 - Copy of Call-in (Call-in 2)
 - Excerpt from the draft minutes of the Cabinet Meeting held on 18 October 2016
 - 18 October 2016 Cabinet Report – Preferred Bidder to Secure the Future of Hornsey Town Hall

7. EXCLUSION OF THE PRESS AND PUBLIC

Item 8 is likely to be the subject of a motion to exclude the press and public from the meeting as it contains exempt information as defined in Section 100a of the Local Government Act 1972; Para 3 – information relating to the business or financial affairs of any particular person (including the authority holding that information).

8. CALL IN OF CAB 88: RECOMMENDATION OF A PREFERRED BIDDER TO SECURE THE FUTURE OF HORNSEY TOWN HALL (PAGES 79 - 82)

Felicity Foley, Principal Committee Co-ordinator
Tel – 020 8489 2919
Fax – 020 8881 5218
Email: felicity.foley@haringey.gov.uk

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Monday, 31 October 2016

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Appendices (For Information Only)

Copy of Call-in (Call-in 1)

Copy of Call-in (Call-in 2)

Exerpt from the draft minutes of the Cabinet Meeting held on 18 October 2016

18 October 2016 Cabinet Report - Preferred Bidder to Secure the Future of Hornsey Town Hall

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'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	Cabinet
DATE OF MEETING	18/10/2016
MINUTE No. AND TITLE OF ITEM	Item 15-Recommendation of a preferred bidder to secure the future of Hornsey Town Hall

1. Reason for Call-In/Is it claimed to be outside the policy or budget framework?

It is not claimed to be outside the policy or budget framework.

Hornsey Town Hall is a wonderful listed building and should be preserved for future generations to enjoy with full public access to the Hall, Square and Green.

Reasons for call-in:

1. We believe that the proposal put forward at the Cabinet meeting is not the best option for the building.
2. We are concerned that at the final stage there were only two bidders for the Town Hall site.
3. We are concerned that the council has recently allocated millions of pounds for a new corporate office/HQ whilst it has been stated the council does not have the money to repair Hornsey Town Hall.
4. We are concerned that public access to the Hall, Square and Green are dependent on the preferred bidder sticking to the terms of the agreement and that no details have been provided as to a break clause or other consequences to the bidder if they fail to allow public access.

2. Variation of Action Proposed

To call a halt to the current proceedings and ensure one of the following options for the future of Hornsey Town Hall is adopted with the community option being examined first:

1. The local community or a community-led organisation, takes on the Town Hall, ensuring public access to the Hall, Square and Green. The land to the rear of the hall being sold for suitable development purposes such as housing, with proceeds being used to pay for essential repairs to the Town Hall
2. The council uses funds from the capital budget to renovate the Town Hall ensuring public access to the Hall, Square and Green. The council would sell the surplus land at the rear of the building for housing or other suitable development with the money contributing to the cost of the repairs to the Town Hall.
3. The bidding process for Hornsey Town Hall reopens.

Signed:

Councillor: Gail Engert (Please print name): GAIL ENGERT

Countersigned:

1. Councillor: Martin Newton (Please print name): MARTIN NEWTON

2. Councillor: Clive Carter (Please print name): CLIVE CARTER

3. Councillor: David Beacham (Please print name): DAVID BEACHAM

4. Councillor: Bob Hare (Please print name): BOB HARE

Date Submitted: 19/10/16

Date Received: 19/10/16
(to be completed by the Democratic Services Manager)

Notes:

1. Please send this form to:

Michael Kay (on behalf of the Proper Officer)
Democratic Services and Scrutiny Manager
5th Floor
River Park House
225 High Road, Wood Green, London N22 8HQ
Tel: 8489 2920
Fax: 020 8881 5218

This form must be received by the Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.
3. A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.
4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.

'CALL IN' OF DECISIONS OF THE CABINET

This form is to be used for the 'calling in' of decisions of the above bodies, in accordance with the procedure set out in Part 4 Section H.2 of the Constitution.

TITLE OF MEETING	Cabinet Committee
DATE OF MEETING	18 th October 2016
MINUTE No. AND TITLE OF ITEM	88 ITEM 15 Preferred Bidder to Secure the Future of Hornsey Town Hall

1. Reason for Call-In/Is it claimed to be outside the policy or budget framework?

This decision agrees the sale of the Hornsey Town Hall site to Far East Consortium.

Haringey Council, being the owners of the Hornsey Town Hall site, had unfettered opportunity to apply for new planning permission after the agreement with Mountview fell through. The Council took a decision not to do so prior to engaging with the procurement process.

Underpinning the foundations of the decision to sell is an expectation – or an intention – that only 4 units of affordable housing will be built on this site.

Consequently, we the undersigned contend that the decision to sell the Hornsey Town Hall site to Far East Consortium with the expectation that only 4 units of affordable housing will be built upon it, falls short of policy goals espoused within the Corporate Plan, the Housing Strategy and the Local Plan.

The decision delivers an outcome outside of the policy framework Priority 5 of our Corporate Plan "Creating mixed and inclusive neighbourhoods"

"Achieve a step change in the number of new homes being built ...to provide greater numbers of affordable housing...supporting low and middle income residents to get on the housing ladder ..."

This policy springs from a manifesto commitment to build mixed communities "across the borough". Whilst there is much land and many sites available in the centre and east of the borough, in order to deliver that policy in the west of the borough, sites like Hornsey Town Hall need to be utilised. As well as failing to deliver an appropriate level of affordable housing, the Cabinet decision regarding the sale of Hornsey Town Hall contained no safeguards whatsoever to ensure that the properties that were built would be marketed to the people of Haringey, before being available for purchase by anonymous overseas investors. There is negligible affordable housing, no provision for social housing and no guarantees for local people that they can buy the flats being built.

The decision is taken in contravention of key policy objective within the Housing Strategy

"[Haringey Council will] Put mixed communities at the heart of our approach. Not just a mix of homes across the borough, but a mix within each neighbourhood ... in Haringey this means focusing new affordable rented housing as much as possible in places where it is currently scarce ..."

Located in the heart of Crouch End, Hornsey Town Hall provides a vital opportunity for Haringey to deliver on this key objective within the Housing Strategy. The Town Hall and car park are both in the Council's ownership and Crouch End is an area where both social and affordable housing are scarce.

In order to achieve the Housing Strategy's objectives and enable the development of mixed communities, the Council has deliberately prioritised facilitating more market-rent homes and homes for sale in areas which are currently dominated by affordable rented housing. In Tottenham, for example, there is the new Spurs development, and the proposed tower blocks at Apex House and Wards Corner.

The Council has been prepared to reduce the social and affordable housing percentage in developments in the east of the borough to facilitate these mixed communities. It should be equally willing to deliver more affordable housing units in the west of the borough.

The housing proposed within the Hornsey Town Hall development presents a rare opportunity. The Strategy expects us to redress the existing local imbalance and deliver those same mixed communities we are creating in Tottenham, in the west of the borough as well. The Housing Strategy expects us to build a significant number of affordable housing units on the Hornsey Town Hall site.

Decision taken in contravention of Corporate Plan policy outcome "Value for money"

"We will get better value out of every pound spent"

Nowhere within the report upon which this decision is based is there clear evidence that the proposed sale of the Hornsey Town Hall site for the restoration of Hornsey Town Hall makes financial sense, or is the best or only financial option available.

The decision offers poor value for money for Haringey Council Taxpayers to whom this building ultimately belongs. When considering the proposed cost to refurbish the Town Hall and the potential profit to be made, the Council has substantially undervalued the land and the premium to be paid to the Council is well below what might reasonably be expected given land values in this area.

Option D in the report was never seriously considered as to whether this would provide a more cost effective route to renovate the Town Hall. When taken on its own merits, the Hornsey Town Hall car park site is perfectly capable of delivering a housing development 40% of which is affordable. No evidence was available within the report to challenge the belief that the viability of such a development would also allow for the regeneration of the Town Hall. There was neither a viability report requested, nor a viability report submitted that argued that this site could not deliver closer to the 40% of affordable housing that the policy required and renovate the Town Hall. There were no costings in the public report regarding the value of the land, and no clear justification for the £27m cost to renovate the

Town Hall.

Decision taken in contravention of Local Plan Policy SP2

The procurement was predicated upon a decision taken in direct contravention of Local Plan Policy SP2, placing the Executive in direct conflict with its own planning and development management department. The Council intends for only 4 affordable units to be built on this site. If the Council does not respect its own policies, how can it legislate to ensure others will? Irrespective of when this decision was taken, it was still in contravention of policy and was the foundation underpinning all further actions leading to the decision to sell.

Haringey's Local Plan Policy SP2 – Housing - states

“The need for affordable housing outstrips supply, with a shortfall in provision of 11,757 homes over the period 2015 to 2031. As a proportion of the total net housing requirement for all tenures (20,172) over the same period, this equates to 59%.

“Subject to viability, sites capable of delivering 10 units or more will be required to meet a borough wide affordable housing target of 40%, based on habitable rooms.”

This site belongs to the Council and changing the planning consent was within our gift. Consequently, it was an overt act to ignore the existing planning policy – at that time a 50% affordable housing requirement. This decision has caused loss to the people of Haringey who are in need of affordable housing. Furthermore, there is no certainty as to whether or not the community aspect of the proposal can be delivered to justify the decision to deprioritise the provision of affordable housing and to deprioritise receiving the best financial return.

We contend that the decision to sell fails to deliver within the four above policy frameworks, though it does achieve part of Priority 4, with regards to the regeneration of Hornsey Town Hall.

However it is not logical to meet one policy objective at the cost of all others. For the council to prioritise one policy objective over another there must be a clear benefit and clearly defined deliverables attached with this.

Furthermore, if the council contends that it is acceptable to deliver on one policy by breaching another, then it is incumbent upon the Council to prove its assertions that the former policy can be delivered in full.

The report placed “an unprecedentedly low score” for the financial offer (18%), whilst prioritising the Community Offer (21%). However, the report does not set out any clear process for communicating and agreeing that offer with the local community; fails to describe what that offer would look like or how that community offer would be delivered.

Finally

The report consists of a number of inconsistencies that the Cabinet may have relied upon when coming to its decision.

The report highlighted the fact that the preferred bidder could deliver their proposals using the existing planning consent [a scorable part of the bidding process]. During the Cabinet

meeting, it was explicitly said that the planning strategy of the preferred bidder had no risk, and that this was one of the deciding factors in their success.

However, then the report (6.29) asserts that the successful bidder will require "planning amendments" to deliver their aspirations - without fettering the scale or scope of that planning application. In addition, the report and Cabinet members are simultaneously asserting that the Council was bound by the existing planning consent which it used as the basis for the original procurement.

If the preferred bidder can apply for new planning consent, why could the Council not do so? Nowhere within the report does it contradict the assertion that the existing planning consent can be changed. And nowhere within the report does the Cabinet express a desire to do so.

There was also a differing view amongst experts as to whether the existing planning consent was suitable for the running of a hotel, however, since the report talks about "planning amendments", one could assume that it is not.

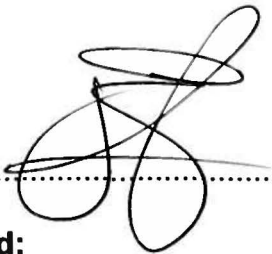
This is, at a minimum, confusing and inconsistent. A report on such a vital issue should be clear and transparent regarding these matters.

2. Variation of Action Proposed

We are asking the Overview and Scrutiny Committee:

1. To agree that the agreement to sell to the preferred bidder is predicated upon an expectation that only 4 affordable units will be built on the Hornsey Town Hall site
2. That the Council deciding to build only 4 affordable units on the Hornsey Town Hall site falls outside of the policy framework of:
 - i. The Corporate Plan; and/or
 - ii. The Housing Strategy; and/or
 - iii. The Local Plan
3. To agree that – since this is a decision taken outside of the policy framework – there are insufficient guarantees that the expected mitigations used to justify taking this decision can be delivered
4. To refer the report back to the Cabinet or Full Council as it wishes and we ask the Committee:
 - to instruct the Cabinet to renegotiate the level of affordable housing to be built on the site, increasing it to AT LEAST 30% (by habitable room) before completing the sale, because it will not be possible to do so afterwards.
 - to instruct the Cabinet to add a clause to the proposed contract that confirms the exact details of the community offer within the Town Hall; clarity about public access to the building (including the chamber), the piazza and the green prior to the completion of the sale.
 - to instruct the Cabinet to add an additional condition to the contract to ensure that the preferred bidder keeps to their word with regards to the height and density of the proposed housing development. At the Cabinet committee, it was asserted that the ultimate choice of the preferred bidder was in large part predicated upon them being able to deliver the project using the existing planning consent “without increased massing”.

Signed:


Councillor:  (Please print name): EJLÓFOR

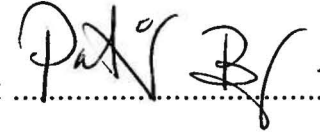
Countersigned:

1. Councillor:  (Please print name): ZENA BRAZON


2. Councillor:  (Please print name): M BLAKE

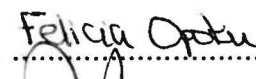
3. Councillor:  (Please print name): GORDON BULL

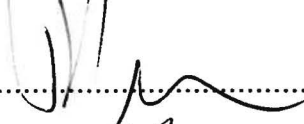
4. Councillor:  (Please print name): CHARLES ABJE


5. Councillor:  (Please print name): PAT BERRYMAN


6. Councillor:  (Please print name): ANNE STEUNSTI

7. Councillor:  (Please print name): KISOROS DIAKIDES

8. Councillor:  (Please print name): FELICIA OPORU

9. Councillor:  (Please print name): NOAH TUCKER

10. Councillor:  (Please print name): REG RICE

11. Councillor:  (Please print name): VINCEVIC CARROCCI

12. Councillor: (Please print name):

Date Submitted: 24 October 2016

Date Received: 24 October 2016
(to be completed by the Democratic Services Manager)

Notes:**1. Please send this form to:**

**Michael Kay (on behalf of the Proper Officer)
Democratic Services and Scrutiny Manager
5th Floor
River Park House
225 High Road, Wood Green, London N22 8HQ
Tel: 8489 2920
Fax: 020 8881 5218**

This form must be received by the Democratic Services and Scrutiny Manager by 10.00 a.m. on the fifth working day following publication of the minutes.

- 2. The proper officer will forward all timely and proper call-in requests to the Chair of the Overview and Scrutiny Committee and notify the decision taker and the relevant Director.**
- 3. A decision will be implemented after the expiry of ten working days following the Chair of Overview and Scrutiny Committee's receipt of a call-in request, unless a meeting of the Overview and Scrutiny Committee takes place during the 10 day period.**
- 4. If a call-in request claims that a decision is contrary to the policy or budget framework, the Proper Officer will forward the call-in requests to the Monitoring Officer and /or Chief Financial Officer for a report to be prepared for the Overview and Scrutiny Committee advising whether the decision does fall outside the policy or budget framework.**

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MINUTES OF THE MEETING OF THE CABINET HELD ON TUESDAY, 18TH OCTOBER, 2016, 6.30pm

PRESENT: Councillors: Claire Kober (Chair), Peray Ahmet, Jason Arthur, Eugene Ayisi, Ali Demirci, Joe Goldberg, Alan Strickland, Bernice Vanier and Elin Weston

Also in attendance: Councillors: Wright, Engert, Newton, Jogee, G Bull, Carter, M Blake.

83. DEPUTATIONS/PETITIONS/QUESTIONS

The Leader advised that a Deputation request had been received from the Hornsey Town Hall Appreciation Society in relation to item 15, Preferred Bidder to Secure the Future of Hornsey Town Hall, and invited Mr Tibber, the lead spokesperson, to put forward his Deputation to Cabinet.

Mr Tibber then came forward and handed a petition to the Leader which had been collated in response to the Cabinet report proposals and, within a week, attracted over 2300 signatures. The Deputation was further requesting the Cabinet consider the petition/report from the Hornsey Town Hall Appreciation Society and defer decision making on the preferred bidder for Hornsey Town Hall for one month.

Mr Tibber focused the Deputation's presentation on challenging the recommendation based on the three key aspects where the successful bidder scored higher than the unsuccessful bidder, as set out within the report.

The Deputation contested the following:

- Whether the preferred bidder carried a lower planning risk and contended that a fresh planning application would be needed to take forward the preferred bidder's plans for a Hotel and it could not be done under a S73. Mr Tibber explained the Appreciation Society has received its own planning advice to this effect.
- That the guarantees required by the Council on the development work and ongoing operation of the building and community access would be difficult to enforce as the successful bidder was based in the Cayman Islands. Mr Tibber questioned why a bidder would offer a guarantee.
- The legality around the special purpose vehicle being set up for the project, as this is currently not in existence.

Mr Tibber continued to refer to there not being a need for a Hotel in Crouch End and further emphasised the overseas status of the bidder which he claimed went against

recent mayoral announcements on tackling the sale of domestic assets to overseas investors.

The Deputation asked the Cabinet to consider the employment impact of moving 74 businesses, located in the Town Hall, and highlighted the issues currently being experienced with relocation.

The Deputation concluded by asking Cabinet to consider the impact of the decision which could incur expensive legal challenges and the proposed decision being inconsistent with the Council's Community Strategy. Mr Tibber asked Cabinet to pause and further consult on the proposals before making a decision on the future of Hornsey Town Hall.

The Leader thanked Mr Tibber for his Deputation and asked Cabinet Member colleagues to put forward their questions to the Deputation party.

Councillor Arthur, Cabinet Member for Finance and Health and a ward Councillor for Crouch End, questioned the concerns raised on planning risk, as the planning strategy put forward, within the tender submission of the unsuccessful bidder, was scored as providing a greater risk to the Council; with the preferred bidder scoring better on the planning strategy they put forward in their bid. Cllr Arthur asked for the response to be within the context of the public procurement and assessing the bids put forward.

Cllr Arthur asked the Deputation whether the petition put forward to the community fully reflected the preferred bidder's proposals as contained in the Cabinet report.

Councillor Arthur asked the Deputation to also elucidate on the community use of the current Arts centre and the value of continued Arts related uses.

The Deputation explained that the report set out that the unsuccessful bidder would require a new planning application and the report was not referencing planning risk. The Leader pointed to section 6.25 of the report which clearly set out that the planning strategy of the unsuccessful bidder held a greater planning risk.

The Deputation then referred to paragraph 2.5 which set out the advantages of the preferred bidder over the unsuccessful bidder, which included the unsuccessful bidder requiring a new planning permission and the successful bidder working within the existing planning arrangements, and they contended that this assessment was incorrect and would likely be challenged. In their experience and planning knowledge, a new planning application for the Hotel would be needed, requiring new consultation and in turn providing a higher planning risk. Even if a S73 was appropriate, it was claimed it would require consultation, therefore not correct to say the preferred bidder would work within the existing arrangements.

The Deputation party advised that the people who had signed the petition did not know very much detail and the petition had been compiled and launched as a measure to instigate a public response and allow fuller information to come forward about the Hotel plans before a decision was made on the future of the Town Hall. Particular reference had been made to the Hotel proposal which was felt would not be

acceptable to the Crouch End Community and it was reasonable for the community to have more information on the plans for the Hotel before a decision was made.

The Deputation party elaborated on the popular use of the current Arts centre located within Hornsey Town Hall. They felt that this was self evident, with 74 businesses and 130 people employed in the last 18 months. Also there was increased use of Hornsey Town Hall by local groups including the Crouch End Festival. The Town Hall building interiors had attracted interest with a number of people visiting on a daily unplanned basis to appreciate the interior of the buildings and visit the Arts provisions.

In light of the Deputation's references to the second bid, the Leader questioned whether the Deputation party had a preferred bidder or were not in favour of any of the proposals put forward as part of the procurement process.

In response the Deputation party explained that they were not a political group and did not specifically support any of the bidders. They had, as a group, spoken with the interested parties to gauge their proposals and the Appreciation Society exists solely to safeguard community access and use for the building, square and the green for the community. The Deputation advised that they also want the Festival to continue, the businesses located in the building to remain, the building to be restored and then returned to being an arts centre.

A Deputation party member of the Hornsey Town Hall Appreciation Society stated to Cabinet their preference for the unsuccessful bid as it came closer to the aspirations of the community. However, this preference could also equally apply to the other bids which did not reach the final procurement round.

Councillor Strickland, Cabinet Member for Housing, Regeneration and Planning responded to the Deputation, acknowledging the strong community interest and concerns for the future of the Town Hall. Councillor Strickland highlighted the background that the project had been progressing for many years and a further delay would not be of benefit. Councillor Strickland confirmed the lengthy and onerous procurement process had been completed in line with OJEU requirements and with an agreed criteria and assessment panels.

In response to the particular planning concerns expressed, it was the planning strategies of the final two bidders that had been assessed and the assessment panel included both planners from the Council and external planning advisers, and they had concluded the proposed change in use carried a lower planning risk but the unsuccessful bid proposed increased development which carried a higher planning risk. It was important to note that, within the context of the overall procurement scoring, planning only made up 5% of the score and the overall difference between the two bids, at the end of the process, was 15%.

Cllr Strickland confirmed the legal advice received sets out the preferred bidder's guarantee is enforceable. Assurance was provided that the Hotel proposition had been through a thorough assessment process, with expert Hotel industry advice sought, as part of the procurement assessment process.

The experience and expertise of FEC on Hotel provision was evident in the assessment process and was reflected in the number of Hotels they held around the world so this also provided further assurance.

Councillor Strickland responded to concerns about community use and provided a reminder of the Council's instigation of the interim use of the Town Hall as an arts centre and this was because of the Council's sustained commitment to keep the Town Hall in community use. Councillor Strickland confirmed the Council had always been very clear that the current arts centre is a temporary use of the building. The Council would continue to work with businesses and are advancing discussion with a local organisation interested in operating workspaces in the library.

The Cabinet Member for Housing, Regeneration and Planning concluded by emphasising the detailed and objective procurement process undertaken which had included a whole range of stakeholders including representatives from the Hornsey Town Hall Creative Trust (on the community assessment questions) and in his view had been a fair and robust process.

The Council and local stakeholders wanted to see the continued use of the building, by the community, which was why providing community use was mandatory category and also the highest scoring question. The preferred bidder was very willing to work with the community, will be setting up a community steering group with representatives from residents, alongside providing a viable future a diverse range of uses.

88. RECOMMENDATION OF A PREFERRED BIDDER TO SECURE THE FUTURE OF HORNSEY TOWN HALL

The Cabinet Member for Housing, Regeneration and Planning introduced the report which set out the tendering process which had been undertaken to select a bidder that would be able to provide a financial and sustainable future for Hornsey Town Hall.

The Cabinet Member continued to provide some context for the decision going forward, with a reminder of activity undertaken by the Council and local stakeholders, including the Hornsey Town Hall Creative Trust, over the last 10 years, and reiterated the Council's commitment to community access which required the highest scoring category in the process. He referred to the Mountview proposals, which had disappointingly not eventually proved financially viable.

The Cabinet Member emphasised that a solution for Hornsey Town Hall had to be commercially viable. He drew attention to the lengthy, detailed and robust procurement process which he had politically overseen and had been completed effectively, in line, with procurement requirements. Given the high running costs of the building and high restoration costs, the preferred bidder provided a balanced solution, maintaining community access. Therefore agreement was sought from Cabinet for the Far East Consortium International Ltd ("FEC"), the highest scoring bidder, to be appointed as the preferred bidder for HTH.

The Cabinet Member for Housing, Regeneration and Planning referred to section 2.5 of the report, which had briefly tried to summarise the report and was not the basis of

the recommendation to Cabinet. Instead section 6.25 clearly sets out that following an assessment of the planning strategy of the bidders, the preferred bidder put forward a proposal with lower planning risk. The Cabinet Member re-iterated that the advice of independent planning advisers had been sought when making this decision.

The Leader also reminded the meeting of some of the background to Hornsey Town Hall, in particular the Planning Committee meeting decisions in July 2010, where the main objections had been concerned with the scale of the residential development, including concerns on daylight as well as other considerations which arise from having large residential areas.

The Leader invited questions firstly from non Cabinet Members and the following information was provided in response to questions/concerns:

- Cabinet were making a decision on the procurement process which was triggered in 2015 and not on the parameters of the existing planning consent given by Committee in 2010. The number of affordable units had been set at 4 units due to the high cost of restoring the building.
- There was no information to hand on the exact square metres for use for the Hotel. However the preferred bidder was keen to have a presence in and around the Town Hall to answer detailed questions from residents and discuss detailed plans as they are developed with the community.
- The Leader referred to the Cabinet report in 2009 where residential development was seen as an enabler to refurbish the building. Knight and Frank advice on affordable housing was 70% private and 30% affordable. However, in 2010 when going to planning committee and while working with Creative Trust on a community solution, it became clear that there would need to be more private housing with 123 units and only 4 would be affordable. This was accepted because the planning gain was the community and cultural offer and restoration of the building rather than affordable housing provisions and even with this reduced level of affordable housing there was still a funding gap. Then in 2011 Mountview proposed using the capital receipt from the residential development to refurbish the building but even with the residential enabler there was still not a viable scheme.
- Change in the housing market – although house values had gone up, so had construction costs and further building deterioration had also occurred to the Town Hall building during this time which also needed to be considered. The Cabinet procurement decision was working to the Planning permission given in 2010 and this was still a ‘live’ planning permission.
- The heritage aspects would be restored, including the committee rooms. It was further clarified that it was the previous car park space at the back of the building being used for the housing development.
- Finance issues raised by the MP for Wood Green and Hornsey, Catherine West had been discussed with Council lawyers and the Chief Operating officer. The Cabinet Member was assured that the due diligence process had been

conducted including financial advisers and they were reported no concerns about the preferred bidder. The bidder's intention was to set up special purpose vehicle which will be UK based.

- In relation to boutique Hotel, no presumption had been made for the building use. The Council had always been clear that they could not make promises on what uses could be taken forward in the Town Hall and this was based on the project objectives, set out in paragraph 1 of the report, agreed by Cabinet in 2015, including community use. It was important to note that this was a building in constant need of funding due to its age and maintenance requirements and there was a recognised need for a part commercial solution. The experience of the preferred bidders in the Hotel industry provided assurance that this was a viable solution to take forward.
- The Leader provided a reminder of the Creative Trust Plans from 2008 which would have succeeded if the car park was the basis to fund the restoration of the building and despite working hard for a solution the finance viability could not be met.
- Public access was guaranteed to the Square and the Green, which currently have limited budgets available for their upkeep and the community wanted to see more investment to further improve use which the bidder was happy to do. There are no plans for significant development in these areas.
- There had been detailed Planning discussions regarding the bids therefore not a need to speak with external planning organisations to seek advice.
- Emphasised that the planning strategies submitted by the bidders were assessed and one of these strategies was judged to have risk.
- Although the London political context had changed, the Town Hall's continued maintenance and restoration needs have not altered over the years and this financial aspect has not changed so the need to restore the building and enable meaningful community use is still needed and the decision had to be seen in this context. If a new application including increased affordable housing was put forward by the preferred bidder they would have further financial liability.
- TA costs - important to emphasise, the reason for lower level of affordable housing was to enable the restoration of the building. If TA was placed on the site, this would bring additional cost.
- Important to secure the future of the Town Hall which will be bound by a lease and a contract. It was also a positive consideration to have attracted this overseas investment in the borough.
- The Cabinet cannot take a view on the nationality of the bidders and will be mainly concerned with ensuring the procurement process was robust.

The Leader sought Cabinet Member comments and questions who responded as follows:

- The Hotel would be in a good place to activate the space at the front of the building,
- It's been over 10 years since the Hornsey Town Hall Creative Trust started the community solution and then brought through Mountview solution which was disappointingly not financially viable.
- Important to bring the building back into full use and protect the footfall into the area and not delay the decision.
- Accessible public square part of the procurement objectives. There will be public access to the Hall and Square and this has always been a priority and these areas need to have additional investment which the bidder has promised to do.
- It was made very clear that Haringey is not against overseas investment in the borough and this investment should be viewed as a positive thing.
- Preferred bidder keen to involve the community in the square issue, and on community access, when the building opens. There will be a substantive community working group to oversee the community access to the building. Clear commitment in writing on this community steering group.
- The preferred was bidder keen to engage with residents on their proposals. If the Cabinet agreed the preferred bidder, they would create a community steering group once the building is open.
- Cabinet Member for Finance and Health - provided a reminder of the current financial context and reiterated that the Council does not have the financial capacity to bring the building up to standard and continue maintenance. Cllr Arthur acknowledged that the community: wants access to the Town Hall building and square, cherishes its arts activity, want to have some role in its ongoing development of the town Hall and have a stake in the building. The Cabinet Member felt that the proposal meets the requirements of the community as it delivers what people care about i.e. arts centre, access to building and improved square built into contract and the Council will look at how the existing businesses can be relocated. Cabinet will continue to work with the community and preferred bidder to release information and share information on the Arts centre and what will happen to the businesses.

The Leader referred to the petition which did not mention the mixed use nature of the scheme.

The Cabinet considered the recommendations in the exempt part of the meeting.

The Leader clarified that the recommended bidder be referred to as Far East Consortium International Ltd.

Cabinet unanimously RESOLVED

To agree to the selection of Far East Consortium International Ltd as the preferred bidder for the HTH site (shown edged red on the plan included in Appendix A) based on the scoring set out in Appendix E and to enter into a Development Agreement for the HTH site with either Far East Consortium International Ltd or a special purpose vehicle set up by Far East Consortium International Ltd and the grant of long leases with such appropriate tenants as agreed with FEC based on the main terms set out in paragraph 6.27 of this report; and that delegated authority be given to the Director of Regeneration, Planning and Development after consultation with the Assistant Director of Corporate Governance to agree the final terms of the Development Agreement, long leases and all associated legal agreements.

Reasons for Decision

The Cabinet decision in April 2011 declared the site surplus to the Council's requirements and agreed the principle for a partner to enter into a 125 year lease to operate the building, with the Council retaining the freehold.

The Listed building is on English Heritage's Buildings At Risk Register therefore a solution is required to undertake restoration work to the building and the Council does not have funding available to undertake these works itself.

Options Appraisal work identified that one developer for both the HTH site and building is a preferred approach as it secures both the restoration works and a long term operator for the building and is likely to bring the building back into use at the earliest opportunity. In addition to this a Developer would expect to have control over the works in the town hall as residential units cannot be occupied until essential heritage works have completed in the town hall because of the existing planning condition which links the two elements.

A public sector procurement of this scale must legally be governed by the public procurement regulations; therefore an OJEU process had to be carried out to secure a future for the dilapidating building. Professional advisors and the Council's Legal & Procurement team advised that an OJEU compliant Competitive Dialogue process is the best way to achieve this outcome and this has been undertaken in accordance with the Public Contract Regulations 2015 (as amended) ("Regulations").

To ensure the town hall building remains open and in use in the long term a partner, with a long term sustainable business plan needs to be appointed.

A timely decision on the future approach to the HTH project is required in order to engage with and exchange contracts with the bidder while they have a strong appetite to progress with the project, avoid further deterioration to the listed building, remove the ongoing liability of the building to the Council at the earliest opportunity and address the longstanding frustrations of the local community at the timeframe for securing a sustainable future for the Town Hall.

Alternative options considered

The alternative options that had been considered for the Hornsey Town Hall project can be defined as follows:

- Option A - Do nothing: Without taking any action to secure a future use and developer/operator for the Town Hall the building condition will continue to deteriorate. The Council remains responsible for the on-going liability for the building and any use of the building by the local community will be limited.
- Option B - Conditional land sale: The Council could sell the HTH site via a conditional land sale agreement, however the Council would have limited control in this option to enable and enforce community access and use.
- Option C - Freehold sale of the site: Sale of the site without retaining any interest would mean the Council is unable to secure community access and use as there are no lease mechanisms to enable this. The Council was not prepared to pursue an option that did not guarantee community access or provide the Council with enough control to ensure that Hornsey Town Hall can support community cohesion and economic dynamism in Crouch End.
- Option D - Dispose of land at the rear and use receipt to refurbish the building: In this scenario it is not expected that the land sale receipt would fully cover all the costs to refurbish and fit out the building for use, the Council's on-going liability for running costs and maintenance is not removed and a sustainable operator and future use is not secured for the Town Hall.

102. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under paragraph, 3 and 5 Part 1, schedule 12A of the Local Government Act 1972.

103. RECOMMENDATION OF A PREFERRED BIDDER TO SECURE THE FUTURE OF HORNSEY TOWN HALL

As per item 88.

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Report for: Cabinet 18 October 2016

Item number: 15

Title: Preferred Bidder to Secure the Future of Hornsey Town Hall

Report

authorised by : Lyn Garner, Director Regeneration, Planning & Development

Lead Officer: Jon McGrath, Assistant Director Property & Capital Projects

Ward(s) affected: Crouch End

Report for Key/

Non Key Decision: Key

1. Describe the issue under consideration

1.1 Securing a financially sustainable future for the iconic Hornsey Town Hall is a key priority for the Council. For a number of years, the Council supported Mountview Academy of Theatre Arts to develop a major proposal to transform the Town Hall into a new premises for the theatre school. Unfortunately, Mountview were not ultimately able to make this proposal financially viable and withdrew in January 2015. In addition, an interim arts centre in the Town Hall has proven popular but does not cover the running costs of the building nor contribute to restoration costs. A long term, financially sustainable solution is needed to secure the future of the Town Hall. This is why in June 2015 the Council's Cabinet agreed an OJEU compliant competitive tendering process could commence for the Hornsey Town Hall (HTH) project, in order to secure a long term partner to maintain and operate the site. In July 2015 the Leader of the Council agreed the OJEU route would be a 'Competitive Dialogue' process.

1.2 Cabinet approved the following objectives for the project, which would need to be implemented by the final preferred bidder following the tendering process:

- Restore Hornsey Town Hall in a way that respects its Grade II* listed building status and safeguards its future by providing financially sustainable spaces fit for purpose.
- Facilitate cultural, community and other activities in the Town Hall, provide public access to the building and make a positive contribution to the local economy.
- Remove the Council's ongoing liability for the building.
- The Town Hall square will be improved by integration into the final scheme, retaining public use.

1.3 The following parameters were set for the procurement, which focus on delivery in line with the objectives:

- a) The Council is offering a long leasehold interest in the site for a term of 125 years.

- b) LBH would prefer not to have any future stake holding in, nor carry any liability for the town hall.
- c) LBH does not desire an on-going role in the development process or operation of the site (beyond its statutory role) after selection of the preferred developer.
- d) The Town Hall square will be included in the development, given appropriate provision for public use and access.
- e) The Council must achieve best consideration for its asset and is happy to consider both revenue and capital payment structures in order to facilitate a suitable solution in light of its broader objectives.

1.4 The OJEU Public Contract Notice (PCN) was published in November 2015. The project received a good level of interest from the market and a competitive dialogue tendering process commenced; further details on how the tendering process was carried out are set out within section 5 of this paper.

1.5 This paper outlines the tendering process which has taken place and seeks agreement from Cabinet for the Far East International Consortium Ltd (“FEC”) to be appointed as the preferred bidder for HTH.

1.6 The recommended consortium is proposing a mixed-use scheme, which includes residential at the back of the site which remains in line with the existing planning consent, a small element of residential within the back wings of the HTH building although the area of residential units inside the building has decreased from the consented scheme, a hotel which is mostly concentrated in the areas of less historic interest and an arts centre which will allow access and use of most of the areas of significant historic interest.

1.7 A decision is now required by members to approve the preferred bidder for the HTH site so the project can progress to award of contract stage.

2. Cabinet Member introduction

2.1 Hornsey Town Hall is an iconic building right at the heart of Crouch End which must be restored and preserved for future generations of Haringey residents. Finding a plan for the Town Hall which restores the stunning historical features, opens up the building to the public, enables community use and gives the building a sustainable financial footing for the first time are absolutely vital.

2.2 I'm delighted that after a long and thorough bidding process, we are able to recommend a consortium of organisations to the Cabinet. This bidding process has involved council staff, external advisors and Crouch End residents from the Hornsey Town Hall Creative Trust. I am grateful to everyone who has worked so hard to scrutinise, test and challenge the various bids we received.

2.3 I am particularly pleased that public access, community use and creative activity are an important part of the recommended bid. Creative use has been a high priority for residents, so the proposals for an arts centre in the restored town hall are very welcome. I'm delighted that the temporary arts centre, operated for the Council by the organisation ANA, has proven so popular. However, it's clear that continuing the arts centre alone is simply not a viable option. Even with this excellent interim use, the Town Hall still falls well short of meeting its running costs and makes absolutely no contribution to restoration costs.

- 2.4** To secure the future of the Town Hall, it's clear that a mix of uses will be needed. The recommended bid proposes a boutique hotel, a café/restaurant and new homes which will be vital to funding the ongoing maintenance of this listed building. The proposed scheme will create much needed jobs and important additional footfall for Crouch End businesses. This mixture of uses promises to bring the building to life, with local residents, cafe customers, hotel guests, event participants and others all using the building in a way that will bring activity to all parts of the site.
- 2.5** This proposal from FEC has a number of important advantages over the second bidder. Importantly, the bid not being recommended proposed higher residential buildings to the rear, requiring a new planning application and did not involve the developer being involved once works and homes were complete, leaving uncertainty about the future and an inability to guarantee ongoing community use. The bid being recommended aims to work with the existing planning arrangements and provides clear guarantees about community use and access.
- 2.6** Central to the successful transformation will be effective engagement with the community. If a bidder is agreed at Cabinet, that organisation can start to develop more detailed plans for the Town Hall and to discuss these with the community. The Crouch End community is rightly very proud of the town hall and I know from all of the engagement meetings and workshops I've attended just how passionately people feel about the building. That's why I'm pleased that the recommended bidder has made clear commitments to engaging the community on an ongoing basis and as a Council we will be working with them to help ensure this takes place.
- 2.7** If Cabinet approve the report, the recommended bidder has committed to creating a Community Hub as soon as possible to provide staff at the Town Hall to answer questions from residents and to discuss more detailed proposals with the community as they emerge. The bidder has also committed to setting up a Community Steering Group to involve residents in overseeing community use and access for the Town Hall and Town Hall Square, which is very welcome.
- 2.8** Hornsey Town Hall is in need of major restoration and refurbishment, and a new, financially sustainable purpose which secures it's future. After an objective and robust procurement process, I hope Cabinet will agree the recommendations in this report to select a bidder with a strong proposal to secure this.

3. Recommendations

3.1 Members are asked to:

3.1.1 Agree to the selection of Far East Consortium Ltd as the preferred bidder for the HTH site (shown edged red on the plan included in Appendix A) based on the scoring set out in Appendix E and to enter into a Development Agreement for the HTH site with either Far East International Consortium Ltd or a special purpose vehicle set up by Far East International Consortium Ltd and the grant of long leases with such appropriate tenants as agreed with FEC based on the main terms set out in paragraph 6.27 of this report; and that delegated authority be given to the Director of Regeneration, Planning and Development after consultation with the Assistant Director of Corporate Governance to agree the final terms of the Development Agreement, long leases and all associated legal agreements.

4. Reasons for Decision

4.1 The Cabinet decision in April 2011 declared the site surplus to the council's requirements and agreed the principle for a partner to enter into a 125 year lease to operate the building, with the Council retaining the freehold.

4.2 The Listed building is on English Heritage's Buildings At Risk Register therefore a solution is required to undertake restoration work to the building and the council does not have funding available to undertake these works itself.

4.3 Options Appraisal work identified that one developer for both the HTH site and building is a preferred approach as it secures both the restoration works and a long term operator for the building and is likely to bring the building back into use at the earliest opportunity. In addition to this a Developer would expect to have control over the works in the town hall as residential units cannot be occupied until essential heritage works have completed in the town hall because of the existing planning condition which links the two elements.

4.4 A public sector procurement of this scale must legally be governed by the public procurement regulations, therefore an OJEU process had to be carried out to secure a future for the dilapidating building. Professional advisors and the Council's Legal & Procurement team advised that an OJEU compliant Competitive Dialogue process is the best way to achieve this outcome and this has been undertaken in accordance with the Public Contract Regulations 2015 (as amended) ("Regulations").

4.5 To ensure the town hall building remains open and in use in the long term a partner, with a long term sustainable business plan needs to be appointed.

4.6 A timely decision on the future approach to the HTH project is required in order to engage with and exchange contracts with the bidder while they have a strong appetite to progress with the project, avoid further deterioration to the listed building, remove the ongoing liability of the building to the Council at the earliest opportunity and address the longstanding frustrations of the local community at the timeframe for securing a sustainable future for the Town Hall.

5. Alternative options considered

5.1 The alternative options that have been considered for the Hornsey Town Hall project can be defined as follows:

- Option A - Do nothing: Without taking any action to secure a future use and developer/operator for the Town Hall the building condition will continue to deteriorate. The council remains responsible for the on-going liability for the building and any use of the building by the local community will be limited.
- Option B - Conditional land sale: The council could sell the HTH site via a conditional land sale agreement, however the council would have limited control in this option to enable and enforce community access and use.
- Option C - Freehold sale of the site: Sale of the site without retaining any interest would mean the council is unable to secure community access and use as there are no lease mechanisms to enable this. The council was not prepared to pursue an option that did not guarantee community access or provide the council with enough control to ensure that Hornsey Town Hall can support community cohesion and economic dynamism in Crouch End.
- Option D - Dispose of land at the rear and use receipt to refurbish the building: In this scenario it is not expected that the land sale receipt would fully cover all the costs to refurbish and fit out the building for use, the council's on-going liability for running costs and maintenance is not removed and a sustainable operator and future use is not secured for the Town Hall.

6. Background information

6.1 The Council appointed a professional team to advise on and manage the tendering process. The team includes professional advisors GVA and legal advisors Sharpe Pritchard to advise and manage the tendering process to find a preferred bidder for HTH.

6.2 The preparation of all community elements of the tendering documents was done in conjunction with the Hornsey Town Hall Creative Trust who were a part of the evaluation panel for the community use questions. The scope of the tendering process and the key stages are set out below:

Document Preparation

6.3 Following Cabinet approval in June 2015 the project team, comprising both internal and external Procurement, Legal and Property professionals agreed what the key stages of the procurement would be and these are set out in more detail below. The team commenced procurement document preparation in accordance with the Regulations. Compliance at this stage and throughout the process was governed by Haringey's Construction Procurement Group and external lawyers Sharpe Pritchard, who were appointed to act on behalf of the Council.

6.4 The Descriptive Document which is a part of the tender documents and acts as a brochure for bidders was reviewed by Haringey's Communications team and all other procurement documentation was signed off by Haringey's Construction Procurement Group.

- 6.5 In line with the Regulations, as much information as possible would be made available to the market at the point the Public Contract Notice (“PCN”) was released.

Prior Information Notice (PIN)

- 6.6 As the HTH project had evolved over a number of years and different strands of soft market testing had taken place, it was agreed that a PIN would be issued approximately a month in advance of the PCN. The purpose of the PIN was to flag up to potentially interested bidders that the opportunity to secure a long term partner for this project would shortly be released, therefore allowing them to factor this into their pipeline of bids.
- 6.7 The PIN was issued on 14th October 2015 in accordance with the Regulations and therefore potential bidders had an equal opportunity to see the published PIN.

Public Contract Notice (PCN) & Pre-Qualification Questionnaire (PQQ)

- 6.8 The public PCN was issued via the Delta e-sourcing portal on 11th November 2015 in accordance with the Regulations. Potentially interested bidders were able to access the PQQ and supporting documents in the portal via a link and in total 71 organisations accessed the PQQ.
- 6.9 The final deadline for PQQ submission was set as 14th December 2015 and in total nine bidders/consortiums responded to the PQQ. A schedule is included at Appendix B which sets out which organisations submitted a PQQ stage.
- 6.10 The PQQ contained relevant standard PQQ compliance questions which included providing full company registration details, insurance thresholds, criminal backgrounds etc and also a financial check (Dun & Bradstreet). The PQQ questions Appendix C.
- 6.11 Of the nine companies who submitted the PQQ, one company did not meet the financial criteria and therefore was removed from the tendering process on this basis.
- 6.12 In addition to the standard and financial questions, the PQQ contained some more technical questions asking for bidders to set out experience relevant to the HTH opportunity and the team had intended to take five organisations through to the next stage of the tendering process. The PQQs were evaluated independently by an Evaluation Panel consisting of representatives from Haringey’s Property, Legal and Finance teams and external Property and Legal advisers (“Evaluation Panel”). A moderation session was then held and a moderated score for each question was agreed.
- 6.13 Following the moderation the moderator confirmed that six organisations should be taken through to the next stage as the fifth and sixth ranked bidders received very similar overall scores. The scores can be seen in Appendix E which is the exempt Part B of this report.
- 6.14 One of the six bidders withdrew from the tendering process and therefore five bidders continued to ISDS stage.

Invitation to Submit Detailed Solutions (ISDS)

6.15 A draft of the ISDS information was available for bidders to review at PCN stage. This information was optimised and finalised throughout the course of the PCN and PQQ stages and the ISDS was issued to selected bidders on 15th January 2016. A series of dialogue meetings and site visits with the selected bidders took place over the following months, during which stage one further bidder withdrew from the process due to other resourcing commitments leaving four bidders in dialogue.

6.16 The ISDS evaluation criteria had an overall price/quality weighting of 30/70% (as set out in the Cabinet Report in June 2015); the Council has been very clear with bidders that finding a solution which meets all of the Council's key objectives is the driver for this procurement and therefore a relatively unprecedented low score weighting for price was adopted. The broad questions and weightings were as follows and more detailed questions can be seen in Appendix D:

Evaluation Criteria			Overall weighting
Mandatory Requirements	Yes/No	Community access	Mandatory requirement
Price	30%	Financial offer	18.0%
		Commercial narrative justification / evidence	5.0%
		Overage offer	2.0%
		Securing funding/finance	5.0%
			30%
Quality	70%	Masterplan	5.0%
		Heritage	5.0%
		Sustainability	2.0%
		Method Statement/Delivery Plan	6.0%
		Qualified Team	4.0%
		Planning	5.0%
		Stakeholder Engagement	2.0%
		Business plan	11.0%
		Community Use	21.0%
		Legal	9.0%
			70%

6.17 The questions and weightings clearly demonstrate the emphasis placed on community access and use of the town hall with the following minimum criteria being set for the project in this regard and a further question on enhanced community use scoring a possible 21% and therefore being the highest weighted question:

- improvements should be made to the Town Hall Square and open public access and use secured; and
- an open front door policy should be adopted to ensure public interaction with the building.

- 6.18** As can be seen in the table included in 6.16, a highly weighted question was included on the business plan to ensure the Council's key objective for finding a long-term solution could be met.
- 6.19** A detailed evaluation of the four received bids was carried out in April/May 2016 by the Evaluation Panel (as set out in 6.12) and three bidders/consortiums progressed through to the Final Tender stage.

Invitation to Submit Final Tenders

- 6.20** The team continued to dialogue with the three shortlisted bidders who were invited to submit their final tenders by Friday 22nd July 2016. However during this period of dialogue and final tender preparation it was confirmed that Britain had voted to leave the European Union and this created greater uncertainty for developers on land values, sales values and construction costs and as a result one bidder withdrew from this stage of the process leaving two bidders.
- 6.21** The evaluation criteria remained mostly the same with minor tweaks to provide clarity on some of the more detailed descriptions of information expected to be provided in bidder responses.
- 6.22** The Final Tender submissions were evaluated independently by members of the Evaluation Panel. Moderation meetings were held in August 2016 and the moderated scores for both bidders can be seen in Appendix E which is the exempt Part B of this report. The bidder with the highest score was a Far East International Consortium Ltd and CoPlan Estates Ltd (its delivery partner) (“

Preferred Bidder

- 6.23** The preferred bidder is proposing a mixed-use scheme, which includes residential at the back of the site which remains in line with the existing planning consent, a small element of residential within the back wings of the HTH building although the area of residential units inside the building has decreased from the consented scheme, a boutique hotel which is mostly concentrated in the areas of less historic interest, an arts centre which will allow access and use of most of the areas of significant historic interest and restaurant/cafe provisions at ground floor level.
- 6.24** FEC have yet to secure an operator for the Arts Centre, however they have named ANA Arts Projects Ltd who currently operate an Arts Centre in HTH as their preferred operator. ANA have provided a letter expressing their interest in working with this bidder, they have looked at an initial plan of how the spaces can be used and at announcement of preferred bidder these discussions can become more detailed.
- 6.25** The scores set out in Appendix E (the exempt Part B of this report) show a 15.6% difference in the scores of the two bidders, demonstrating there is a clear preferred bidder. The key areas in which the unsuccessful bidder scored significantly lower than the successful bidder were:
- Financial offer – the unsuccessful bidder had a lower overall financial offer, the financial offer proposed by the preferred bidder is included in Appendix E which is the exempt Part B of this report.
 - Planning – the unsuccessful bidder was proposing an increased scale of residential new build on the site which carried greater planning risk.
 - Legal – the unsuccessful bidder was not providing a guarantor for the on-going operation of the building, therefore there was no guarantee the

town hall would be open to the public or in use at all. The Developer's involvement would cease once works are completed and homes sold, which did not provide any security over the long term viability of the town hall

6.26 The recommended preferred bidder has demonstrated within their final tender proposal that they can meet the project objectives, which are set out as follows:

- Restore Hornsey Town Hall in a way that respects its Grade II* listed building status and safeguards its future by providing financially sustainable spaces fit for purpose – the bidder has included about £27m for HTH development works (net of finance) and has provided a draft cost plan which has been reviewed by our independent Cost Adviser who believes adequate allowances have been made within their cost plan to undertake the essential restoration works to protect the heritage of the building.
- Facilitate cultural, community and other activities in the Town Hall, provide public access to the building and make a positive contribution to the local economy – the bidder is proposing an arts centre will occupy a substantial area within the building including the assembly hall, council chamber and committee rooms and this will not only provide public access but it will encourage the public to use the spaces within the building. Once the town hall opens they will set up a steering group, which will meet regularly to review the arts centre progress and ensure it is meeting the needs of the community. This group will include representation from key local stakeholders including community organisations and ward councillors.
- Remove the Council's ongoing liability for the building – the Council will enter into a lease with the organisation who is operating the hotel in the building and the Council will therefore have assurances through the lease that they will maintain the building and maintain public access. FEC under the Dorsett brand has a proven track record in operating hotels. This includes successfully converting and running the Dorsett Shepherd's Bush Hotel, which sits in a Grade II Listed building. The preferred bidder has used their experience in the preparation of their bid and appears to have included a sufficient allowance within their business plan to cover the likely on-going costs.
- The Town Hall square will be improved by integration into the final scheme, retaining public use – on-going public use of the square is a minimum criteria set out within the procurement document and at no point in this process did a bidder express an interest in restricting public use of the square. The preferred bidder has demonstrated they understand this is a public square, they are proposing to invest a significant amount into improving it and will sign up to legal clauses contained within the Development Agreement and Lease which will ensure on-going public access to the square at all times (excluding when works are taking place).

6.27 The key terms of the Development Agreement include the following:

- Haringey will enter into a Development Agreement with a Special Purpose Vehicle (SPV) formed by Far East Consortium International Limited and the obligations for the SPV under the Development Agreement will be guaranteed by Far East Consortium International Limited.
- The long leases terms will be 125 years each for all parts of the site and will be full repairing, obligating the tenant to put and keep the property in good and substantial repair and decoration.
- The minimum premium to be paid to the Council for the site will be that which is set out in Appendix E the exempt Part B of this report.
- There will be a mixed-use scheme implemented on site which will include community activities, a boutique hotel and residential accommodation.
- The key special provisions of the Development Agreement will include:
 - Improvements to the Town Hall Square and open public access and use
 - An open front door policy to the town hall to ensure public interaction with the building

6.28 The preferred bidder does not include workspaces as a part of their scheme for HTH, therefore the Council is actively looking for alternative locations for those currently hiring space in the building. There may be an opportunity to look at how some of the underutilised space in Hornsey Library could be used for this purpose and the Council has already been approached by a local organisation interested in operating workspaces in the library.

Programme

6.29 The programme for the next steps at HTH is dependent on several factors including finalising the contract, obtaining necessary planning amendments and refurbishment/construction progress. The Council intends to exchange contracts with the preferred bidder by early 2017, which should enable works on site to start as early as Autumn 2017. Works on site are expected to last about three years, therefore the doors of the newly refurbished town hall building could be open by 2020.

Costs/ Budget

6.30 In June 2015 Cabinet approved a total budget of £1.48m for the project, which has been sufficient to this point and is likely to cover the future costs until practical completion of the works on site.

7. Contribution to strategic outcomes

- 7.1** The regeneration of the Hornsey Town Hall complex site is set within the context of the Council's Corporate Plan 2015-2018: Building a Stronger Haringey Together. Proposals for the redevelopment and future use of the Hornsey Town Hall site have been assessed in the context of the Corporate Plan to ensure such proposals address the Council's priorities.
- 7.2** The Hornsey Town Hall project has the potential to play a key role in the council delivering its Corporate Plan priorities, particularly priority 4 (Drive growth and employment) and priority 5 (Create homes and communities).
- 7.3** In relation to priority 4, the project can drive growth and employment through any end use of the building with the potential to create jobs both through the redevelopment of the site but also via any long term commercial use for the building.
- 7.4** In relation to priority 5, the existing planning consent and the preferred bidder's proposals include provision for new residential development on the site which will create new desirable homes and via preservation of the heritage and by providing a long-term sustainable operation of the building this will ensure the proposals support the local area and community.
- 7.5** The wider strategic context of Hornsey Town Hall being listed on English Heritage's Buildings at Risk register also highlights a broader strategic context and driver for the project.

8. Statutory Officers comments

8.1 Comments of the Chief Finance Officer and financial implications

- 8.1.1** Hornsey Town Hall is recognised as a valuable surplus asset, however the holding and security costs are a drain on Council resources. Savings in these costs following expected disposal of this property were not included in the 2015 to 2018 medium term financial strategy but will be considered for future budget savings within the context of the whole of the Corporate Property budget.
- 8.1.2** The procurement detailed in this report describes a tendered process designed to achieve the required best consideration taking into account the desired community and regeneration outcomes.
- 8.1.3** The total remaining cost of this project is expected to be in the region of £750k. This will be funded from the capital budget for Hornsey Town Hall. The capital receipt resulting from the disposal will be used by the Council to finance approved capital projects.

8.2 Comments of the Assistant Director of Corporate Governance and legal implications

8.2.1 The competitive dialogue process has been carried out in accordance with the Regulations. Members should note the terms on which the disposal will take place including the condition precedents that would need to be satisfied.

8.2.2 The Hornsey Town Hall Site has been appropriated for planning purposes and as a result the Council must dispose in accordance with section 233 of the Town and Country Planning Act 1990. The Council must secure the best use of that land; or secure the construction of any building, which is necessary for the proper planning of the area; and obtain best consideration. Best consideration means obtaining the highest amount of money that can be obtained on the open market. If best consideration is not being achieved then the consent of the secretary of state is required.

8.2.3 If the site includes any open space the Council must advertise its intention to dispose for two consecutive weeks in a newspaper circulating in the area and consider any objections to the proposed disposal.

8.2.4 Where the Council is contracting with any foreign registered companies the Overseas Companies (Execution of Documents and Registration of Charges) Regulations 2009 (SI 2009/1917) must be complied with and the necessary due diligence must be carried to safeguard the Council's position.

8.2.5 This is a key decision and the Service has confirmed it is on the Forward Plan.

8.2.6 The Assistant Director confirms there are no legal reasons preventing Members from approving the recommendations in the report.

8.3 Equalities and Community Cohesion Comments

8.3.1 This procurement process has set public access to the town hall and town hall square as a minimum requirement for the preferred bidder. This has been set out clearly within the tender questions, which can be seen in section 6.16 and 6.17 of this report.

8.3.2 In addition to this, to encourage bidders to provide community activities in the town hall a further question was included to understand their proposal for how the public can interact with the building. As can be seen in section 6.16 of this report this question on community use could score 21% of the overall marks and therefore was the highest weighted evaluation criteria for the bidders to respond to.

8.3.3 The Council has been working with local group the Hornsey Town Hall Creative Trust to try to secure a future for HTH for over 10 years. The relationship with local the Trust during this procurement process is set out in section 6.2, confirming their involvement in this process to further encourage community use of the building.

- 8.3.4 The preferred bidder will be committing through legal agreements to on-going community access to the town hall and public access at all times to the town hall square, which reinforces that the objectives around community access set out within the Cabinet report from June 2015 will be met by the preferred bidder (see section 6.26 of this report).
- 8.3.5 The current building has limited disabled access, therefore in order for the building to be used for the prescribed uses it is likely that access will be improved. The access requirements will be managed through either existing or future planning consents for the development of the site.
- 8.3.6 The building is currently occupied, although this has been clearly agreed as interim use. The users will need to relocate either for the duration of the works or for the longer term and the Council will support them by advising on alternative Council owned properties which may be available. The Council is also working with the preferred bidder to ensure the current uses, particularly the community based activities can continue for as long as possible before works commence in the Town Hall.

8.4 Head of Procurement Comments

- 8.4.1 A number of experienced external advisors were engaged to lead and support the HTH procurement. Legal advisers Sharpe Pritchard provided advice and guidance in ensuring the process complied with public procurement regulations. Sharpe Pritchard also undertook the role of Moderator during the evaluation stages.
- 8.4.2 Corporate Procurement (construction team) was heavily involved in preparing the initial tender documentation and continued to provide a monitoring role throughout the procurement. The monitoring role ensured the process was conducted fairly and in accordance with procurement regulations.
- 8.4.3 The Head of Procurement has been engaged throughout the procurement, undertaking a quality assurance role, ensuring due process was followed and moderation sessions were conducted in a fair and transparent manner. The Head of Procurement is satisfied the procurement has been undertaken in accordance with the Procurement Regulations and has no concerns with the outcome of the procurement process.
- 8.4.4 Head of Procurement therefore supports the recommendation of this report to appoint FEC as the preferred bidder for HTH.

9. Use of Appendices

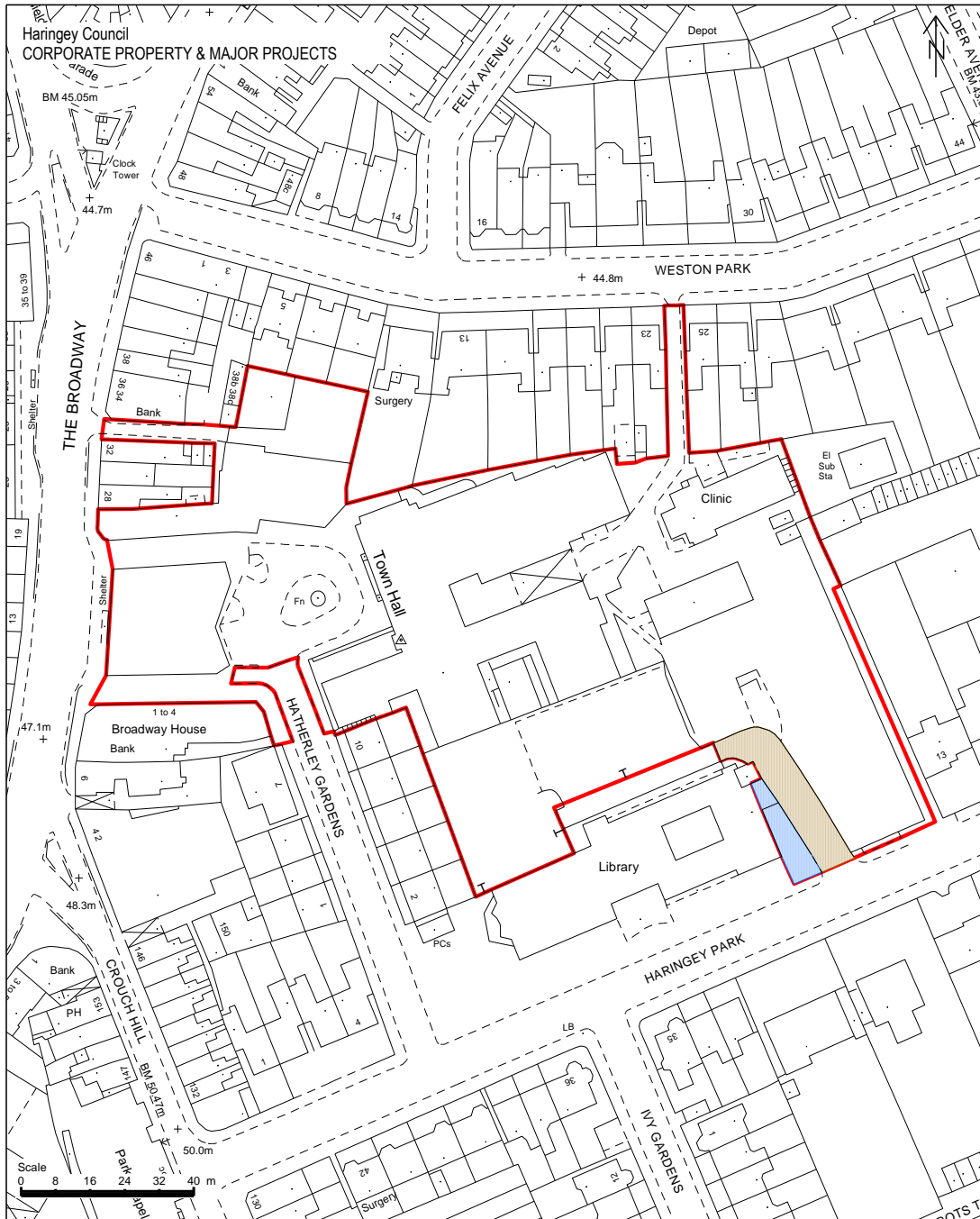
- Appendix A – Site Plan
- Appendix B – List of companies who submitted a PQQ
- Appendix C – PQQ Questions
- Appendix D – ISDS Questions

10. Local Government (Access to Information) Act 1985

- Appendix E - Part B: Exempt report

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Appendix A – Site Plan



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Hornsey Town Hall Complex
The Broadway
Crouch End
LONDON
N8 9JJ

Red verging - Extent of site. T marks indicate responsible for maintaining boundary
 Brown shading - Reserved pedestrian & vehicular right of way
 Blue shading - Reserved pedestrian right of way

Deed packet no. : 1928, HD114, HD123, HD174, HD213, HD212, HD199, ***, 6286

Title no. : NGL129796, AGL198253, MX96777, MX94630, MX52288, AGL208955, EGL188574

CPM no. 0698 Commercial file ref

Overlay : Corp Admin Bldgs

Plan produced by Janice Dabinett on 12/02/2016

Site area (hectares) : 1.302 ha (140120 sq ft)

Scale 1:1250

BVES Drawing no. A4 0825x

Appendix B – Organisation Submitting a PQQ

Company Name
Coplan Estates Limited & Far East International Consortium Ltd
Guildmore Limited
Henley Homes
IDP (Central) LTD T/A IDP Group
Kajima Partnerships Limited
Polyteck Building Services Ltd, Empyrean Developments Ltd and The MillCo Project
Telford Homes Plc
Tishman Speyer Properties UK Ltd, Bio-Regional Development Group and Ethical Property Company
Wates Construction Limited, London Newcastle Capital Ltd and Newlon Housing Trust

Appendix C – PQQ Questions

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
1	Supplier Information		FIO
1.1	Supplier Details		FIO
1.1.1	Full name of the Supplier completing the PQQ	Unique name of legal entity	FIO
1.1.2	Registered company address	Property name, street name, town, county, postcode.	FIO
1.1.3	Registered company number	Registration number with Companies House or Registration number with equivalent body.	FIO
1.1.4	Registered charity number		FIO
1.1.5	Registered VAT number		FIO
1.1.6	Name of immediate parent company		FIO
1.1.7	Registered company number of immediate parent company	Registration number with Companies House or Registration number with equivalent body.	FIO
1.1.8	Name of ultimate parent company		FIO
1.1.9	Registered company number of ultimate parent company	Registration number with Companies House or Registration number with equivalent body.	FIO
1.1.10	Please indicate your trading status: i) a public limited company. ii) a limited company iii) a limited liability partnership iii) other partnership iv) sole trader v) other (please specify)	Select from drop down menu	FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
1.1.11	Please indicate whether any of the following classifications apply to you: i) Voluntary, Community and Social Enterprise (VCSE) ii) Small or Medium Enterprise (SME) ¹ iii) Sheltered workshop iv) Public service mutual	Select from drop down menu	FIO
1.2	Bidding Model		FIO
1.2.1	Please indicate whether you are; a) Bidding as a Prime Contractor and will deliver 100% of the key contract deliverables yourself b) Bidding as a Prime Contractor and will use third parties to deliver some of the services c) Bidding as Prime Contractor but will operate as a Managing Agent and will use third parties to deliver all of the services d) Bidding as a consortium but not proposing to create a new legal entity e) Bidding as a consortium and intend to create a Special Purpose Vehicle (SPV)	Select from drop down menu	FIO
1.2.2	If you answered B, please provide details of your proposed bidding model using Appendix 1 that includes members of the supply chain, the percentage of work	Provide details of your proposed bidding model using Appendix 1 if you are not delivering 100% of the key contract deliverables yourself.	FIO

¹ See EU definition of SME: <http://ec.europa.eu/enterprise/policies/sme/facts-figures-analysis/sme-definition/>

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	<p>being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.</p> <p>If you answered C, please provide details of your proposed bidding model using Appendix 1 that includes members of the supply chain, the percentage of work being delivered by each sub-contractor and the key contract deliverables each sub-contractor will be responsible for.</p> <p>If you answered D, please include details of your consortium using Appendix 1 to explain the alternative arrangements i.e. why a new legal entity is not being created. Please note that the Authority may require the Consortium to assume a specific legal form if awarded the contract, to the extent that it is necessary for the satisfactory performance of the contract.</p> <p>If you answered E, please include details of your Consortium, current lead member and intended SPV and provide full details of the proposed bidding model using Appendix 1. Consortium applications are also required to complete and upload Appendix 2.</p>	<p>Consortium applications are also required to complete and upload Appendix 2.</p>	
1.3	Contact Details - Supplier contact details for enquiries about this PQQ		FIO
1.3.1	Name	Contact name for correspondence	FIO
1.3.2	Postal Address including postcode and country	Property name, street name, town, county, postcode.	FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
1.3.3	Phone	Phone number	FIO
1.3.4	Mobile	Mobile number	FIO
1.3.5	Email	Email address	FIO
1.4	Licensing and Registration		Pass/Fail
1.4.1	Registration with a professional body: If applicable, is your business registered with the appropriate trade or professional register(s) in the EU member state where it is established (as set out in Annex XI of directive 2014/24/EU) under the conditions laid down by that member state.	The applicant needs to respond by answering yes or no.	FIO
1.4.2	If Yes, please provide the registration number.	In the UK this statutory requirement is satisfied by registration with Companies House or a declaration on oath that the Candidate is carrying on business in the trade in question in the UK at a specific place of business and under a specific trading name. If you are a non-UK business you will need to provide details of compliance with the licence/membership of relevant organisations Non-compliance will constitute a fail .	Pass/Fail
1.4.3	Is it a legal requirement in the state where you are established for you to be licensed or a member of a relevant organisation in order to provide the requirement in this procurement?	The applicant needs to respond by answering yes or no.	FIO
1.4.4	If you have answered Yes to 1.4.3, please provide additional details within the text box of what is required	Provide details of compliance with the licence/membership of relevant organisations Non-	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	and confirmation that you have complied with this.	compliance will constitute a fail .	
2	Grounds for Mandatory Exclusion		Pass/Fail
2.1	Grounds for Mandatory Exclusion		Pass/Fail
N/A	Within the past five years has your organisation (or any member of your proposed consortium, if applicable), Directors or partner or any other person who has powers of representation, decision or control been convicted of the following offences:		
2.1.1	(a) conspiracy within the meaning of section 1 or 1A of the Criminal Law Act 1977 or article 9 or 9A of the Criminal Attempts and Conspiracy (Northern Ireland) Order 1983 where that conspiracy relates to participation in a criminal organisation as defined in Article 2 of Council Framework Decision 2008/841/JHA on the fight against organised crime?	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.2	(b) corruption within the meaning of section 1(2) of the Public Bodies Corrupt Practices Act 1889 or section 1 of the Prevention of Corruption Act 1906?	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.3	(c) the common law offence of bribery;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
2.1.4	(d) bribery within the meaning of sections 1, 2 or 6 of the Bribery Act 2010; or section 113 of the Representation of the People Act 1983;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.5	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities: (i) the offence of cheating the Revenue;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.6	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (ii)the offence of conspiracy to defraud;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.7	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (iii)fraud or theft within the meaning of the Theft Act 1968, the Theft Act (Northern Ireland) 1969, the Theft Act 1978 or the Theft (Northern Ireland) Order 1978;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.8	(e)any of the following offences, where the offence	Where the response is 'no' for this question, the applicant	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (iv)fraudulent trading within the meaning of section 458 of the Companies Act 1985, article 451 of the Companies (Northern Ireland) Order 1986 or section 993 of the Companies Act 2006;	will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	
2.1.9	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (v) fraudulent evasion within the meaning of section 170 of the Customs and Excise Management Act 1979 or section 72 of the Value Added Tax Act 1994;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.10	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (vi) an offence in connection with taxation in the European Union within the meaning of section 71 of the Criminal Justice Act 1993;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.11	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	the European Communities (vii)destroying, defacing or concealing of documents or procuring the execution of a valuable security within the meaning of section 20 of the Theft Act 1968 or section 19 of the Theft Act (Northern Ireland) 1969;	receive a 'fail' mark and be disqualified.	
2.1.12	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (viii)fraud within the meaning of section 2, 3 or 4 of the Fraud Act 2006; or	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.13	(e) any of the following offences, where the offence relates to fraud affecting the European Communities' financial interests as defined by Article 1 of the Convention on the protection of the financial interests of the European Communities (ix)the possession of articles for use in frauds within the meaning of section 6 of the Fraud Act 2006, or the making, adapting, supplying or offering to supply articles for use in frauds within the meaning of section 7 of that Act;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.14	(f) any offence listed— (i)in section 41 of the Counter Terrorism Act 2008;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.15	(f) any offence listed— (ii)in Schedule 2 to that Act	Where the response is 'no' for this question, the applicant	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	where the court has determined that there is a terrorist connection;	will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	
2.1.16	(g) any offence under sections 44 to 46 of the Serious Crime Act 2007 which relates to an offence covered by subsection (f);	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.17	(h) money laundering within the meaning of sections 340(11) and 415 of the Proceeds of Crime Act 2002;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.18	(i) an offence in connection with the proceeds of criminal conduct within the meaning of section 93A, 93B or 93C of the Criminal Justice Act 1988 or article 45, 46 or 47 of the Proceeds of Crime (Northern Ireland) Order 1996;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.19	(j) an offence under section 4 of the Asylum and Immigration (Treatment of Claimants etc.) Act 2004;	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.20	(k) an offence under section 59A of the Sexual Offences Act 2003;	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
		Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	
2.1.21	(l) an offence under section 71 of the Coroners and Justice Act 2009	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.22	(m) an offence in connection with the proceeds of drug trafficking within the meaning of section 49, 50 or 51 of the Drug Trafficking Act 1994; or	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.23	(n) any other offence within the meaning of Article 57(1) of the Public Contracts Directive— (i) as defined by the law of any jurisdiction outside England and Wales and Northern Ireland; or	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.1.24	(n) any other offence within the meaning of Article 57(1) of the Public Contracts Directive— (ii) created after the day on which these Regulations were made, in the law of England and Wales or Northern Ireland.	Where the response is 'no' for this question, the applicant will pass. Any applicant who answers 'yes' to this question will receive a 'fail' mark and be disqualified.	Pass/Fail
2.2	Non-payment of Taxes		
2.2.1	Has it been established by a judicial or administrative	Where the response is 'no' for this question, the applicant	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	decision having final and binding effect in accordance with the legal provisions of any part of the United Kingdom or the legal provisions of the country in which your organisation is established (if outside the UK), that your organisation is in breach of obligations related to the payment of tax or social security contributions?	will pass.	
2.2.2	If you have answered Yes to question 2.2.1, please use the text box to provide further details. Please also use this text box to confirm whether you have paid, or have entered into a binding arrangement with a view to paying, including, where applicable, any accrued interest and/or fines?	<p>If the response is 'yes' to question 2.2.1 please provide details of and binding arrangement or confirmation that you have paid the full amount, using the text box.</p> <p>If you have not paid or entered into a binding arrangement to pay the full amount, you may still avoid exclusion if only minor tax or social security contributions are unpaid or if you have not yet had time to fulfil your obligation since learning of the exact amount due. If your organisation is in that position, please provide details using a separate appendix.</p> <p>If the applicant does not provide details then the applicant will fail.</p>	Pass/Fail
3	Grounds for Discretionary Exclusion - Part 1		Pass/Fail
3.1	Grounds for Discretionary Exclusion - Part 1		Pass/Fail
3.1.1	Within the past three years, please indicate if any of the following situations have applied, or currently apply to	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	your organisation - (a) your organisation has violated applicable obligations referred to in regulation 56 (2) of the Public Contract Regulations 2015 in the fields of environmental, social and labour law established by EU law, national law, collective agreements or by the international environmental, social and labour law provisions listed in Annex X to the Public Contracts Directive as amended from time to time;		
3.1.2	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (b) your organisation is bankrupt or is the subject of insolvency or winding-up proceedings, where your assets are being administered by a liquidator or by the court, where it is in an arrangement with creditors, where its business activities are suspended or it is in any analogous situation arising from a similar procedure under the laws and regulations of any State;	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.3	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (c) your organisation is guilty of grave professional misconduct, which renders its integrity questionable;	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.4	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (d) your organisation has entered into agreements with other economic operators aimed at	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	distorting competition;		
3.1.5	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (e)your organisation has a conflict of interest within the meaning of regulation 24 of the Public Contract Regulations 2015 that cannot be effectively remedied by other, less intrusive, measures;	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.6	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (f)the prior involvement of your organisation in the preparation of the procurement procedure has resulted in a distortion of competition, as referred to in regulation 41, that cannot be remedied by other, less intrusive, measures;	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.7	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (g)your organisation has shown significant or persistent deficiencies in the performance of a substantive requirement under a prior public contract, a prior contract with a contracting entity, or a prior concession contract, which led to early termination of that prior contract, damages or other comparable sanctions;	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.8	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (h)your organisation—(i)has been	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	guilty of serious misrepresentation in supplying the information required for the verification of the absence of grounds for exclusion or the fulfilment of the selection criteria; or		
3.1.9	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (h) your organisation—(ii) has withheld such information or is not able to submit supporting documents required under regulation 59 of the Public Contract Regulations 2015; or	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.10	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (i) your organisation has undertaken to (aa) unduly influence the decision-making process of the Contracting Authority, or	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.11	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (i) your organisation has undertaken to (bb) obtain confidential information that may confer upon your organisation undue advantages in the procurement procedure; or	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail
3.1.12	Within the past three years, please indicate if any of the following situations have applied, or currently apply to your organisation - (j) your organisation has negligently provided misleading information that may have a material influence on decisions concerning exclusion, selection or	Where the response is 'no' for this question, the applicant will pass.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	award.		
3.1.13	Any Supplier that answers “Yes” to questions 3.1.1 to 3.1.12 should provide appropriate explanation and evidence using the text box.	Provide your answer in the text box.	Pass/Fail
4	Grounds for Discretionary Exclusion - Part 2		Pass/Fail
4.1	Grounds for Discretionary Exclusion - Part 2		Pass/Fail
4.1.1	From 1 April 2013 onwards, have any of your company’s tax returns submitted on or after 1 October 2012; Given rise to a criminal conviction for tax related offences which is unspent, or to a civil penalty for fraud or evasion;	Where the response is ‘no’ for this question, the applicant will pass.	Pass/Fail
4.1.2	<p>From 1 April 2013 onwards, have any of your company’s tax returns submitted on or after 1 October 2012; Been found to be incorrect as a result of:</p> <ul style="list-style-type: none"> • HMRC successfully challenging it under the General Anti-Abuse Rule (GAAR) or the “Halifax” abuse principle; or • A tax authority in a jurisdiction in which the legal entity is established successfully challenging it under any tax rules or legislation that have an effect equivalent or similar to the GAAR or the “Halifax” abuse principle; or • the failure of an avoidance scheme which the 	Where the response is ‘no’ for this question, the applicant will pass.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	Supplier was involved in and which was, or should have been, notified under the Disclosure of Tax Avoidance Scheme (DOTAS) or any equivalent or similar regime in a jurisdiction in which the Supplier is established		
4.1.3	<p>If answering “Yes” to either 4.1.1 or 4.1.2 above, the Supplier may provide details of any mitigating factors that it considers relevant and that it wishes the authority to take into consideration. This could include, for example</p> <ul style="list-style-type: none"> • Corrective action undertaken by the Supplier to date; • Planned corrective action to be taken; • Changes in personnel or ownership since the Occasion of Non-Compliance (OONC); or • Changes in financial, accounting, audit or management procedure since the OONC. <p>In order that the authority can consider any factors raised by the Supplier, the following information should be provided:</p> <ul style="list-style-type: none"> • A brief description of the occasion, the tax to 	Provide your answer in the text box.	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	<p>which it applied, and the type of “non-compliance” e.g. whether HMRC or the foreign Tax Authority has challenged pursuant to the GAAR, the “Halifax” abuse principle etc.</p> <ul style="list-style-type: none"> • Where the OONC relates to a DOTAS, the number of relevant scheme. • The date of the original “non-compliance” and the date of any judgment against the Supplier, or date when the return was amended. • The level of any penalty or criminal conviction applied. 		
5	Economic and Financial Standing		Pass/Fail
5.1	Financial Information		Pass/Fail
5.1.1	<p>The Applicant/Lead Applicant of a consortium should provide one of the following to demonstrate their economic/financial standing (note that the Lead Applicant of a Consortium is financially responsible for every consortium members’ performance):</p> <p>(a) A copy of your audited accounts for the most recent two years</p>	Document upload of the information and/or documents as requested.	FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	<p>(b) A statement of your turnover, profit & loss account, current liabilities and assets and cash flow for the most recent year of trading</p> <p>(c) A statement of your cash flow forecast for the current year and a bank letter outlining the current cash and credit position</p> <p>(d) Alternative means of demonstrating financial status if any of the above is not available (e.g. Forecast of turnover for the current year and a statement of funding provided by the owners and/or the bank, charity accruals accounts or an alternative means of demonstrating financial status).</p>		
5.1.2	<p>Please upload a Dun and Bradstreet Report (the report to be dated within 7 days of the PQQ Submission Deadline).</p> <p>The Applicant/Lead Applicant of a consortium will need to demonstrate a minimum financial standing through a Dun and Bradstreet (or equivalent) credit check. The credit check will be based upon two factors - the risk of business failure (using the D&B Risk Indicator) and Tangible Net Worth (using the D&B Financial Strength).</p> <p>For Risk of business failure Applicants must achieve a Dun and Bradstreet rating of 1 “minimum risk”, 2 “lower than</p>	<p>Please upload a Dun and Bradstreet Report (the report to be dated within 7 days of the PQQ Submission Deadline) which demonstrated the Applicant / Lead Applicant has the required D&B Risk Indicator</p>	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	<p>average risk” or 3 “higher than average risk”.</p> <p>If the score is 4 “High risk” or “Undetermined” the applicant must provide additional information as per question 5.1.5.</p>		
5.1.3	<p>The Applicant/Lead Applicant of a consortium will need to demonstrate a minimum financial standing through a Dun and Bradstreet (or equivalent) credit check. The credit check will be based upon two factors - the risk of business failure (using the D&B Risk Indicator) and Tangible Net Worth (using the D&B Financial Strength).</p> <p>For Tangible Net Worth Applicants / Lead Applicant must achieve a D&B Financial Strength of 1A (greater than £699,999) or higher.</p> <p>If this level is not demonstrated through a Dun and Bradstreet Report (or equivalent) credit check the applicant must provide additional information as per question 5.1.5.</p> <p>(No response is required to this question)</p>	<p>The formula for calculating tangible net worth is: Tangible Net Worth = Total Assets - Total Liabilities - Intangible Assets</p> <p>The Dun and Bradstreet Report provided within the PQQ Question 5.1.2 upload is to demonstrate the Applicant / Lead Applicant has the required D&B Financial Strength</p>	Pass/Fail
5.1.4	Please provide your Dun and Bradstreet (D&B D-U-N-S) number (if applicable) for the Applicant / Lead Applicant of a Consortium	Dun and Bradstreet (D&B D-U-N-S) number	FIO
5.1.5	If Applicant / Lead Applicant of a consortium has failed, or	Provide an upload of the information required within	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	is unable to provide, a Dun and Bradstreet (or equivalent) credit check then the Applicant/Lead Applicant must provide the information required in Appendix 3; such information will be evaluated in accordance with Appendix 3.	Appendix 3	
5.1.6	Where the Authority has specified a minimum level of economic and financial standing within the evaluation criteria for this PQQ, please self-certify by answering 'Yes' or 'No' that you meet the requirements set out here	Select Yes / No. No being a fail	Pass/Fail
5.1.7	Are you part of a wider group (e.g. a subsidiary of a holding/parent company)?	Select Yes / No	FIO
5.1.8	If you answered yes to 5.1.7, please provide the name of the holding/parent company	Name of the holding/parent company	FIO
5.1.9	If you answered yes to 5.1.7, please provide the Dun & Bradstreet (D&B D-U-N-S) number for the holding/parent company (if applicable)	Dun and Bradstreet (D&B D-U-N-S) number	FIO
5.1.10	If you answered yes to 5.1.7, please provide details of the relationship of the holding/parent company to the Supplier completing the PQQ using Appendix 4.	Please upload the requested details and information by completing Appendix 9	FIO
5.1.11	If you answered yes to 5.1.7, please provide holding/parent company accounts for the most recent two years if available.	Select Yes / No	FIO
5.1.12	If you answered yes to 5.1.7, would the holding/parent company be willing to provide a guarantee if necessary?	Select Yes / No	FIO
5.1.13	If you answered no to 5.1.12, would you be able to obtain a guarantee elsewhere (e.g. from a bank?)	Select Yes / No	FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
6	Technical and Professional Ability		30%
6.1	Case Study 1		Sub-weightings
6.1.1	<p>Please provide a case study using the template at Appendix 5.1 which illustrate your experience and capability of delivering similar projects. The case study must:</p> <ul style="list-style-type: none"> • Comprise a mixture of property uses as part of a development scheme • Have been delivered through a partnering contract with the public sector • Have practically completed in the last 5 years • Be limited to 2 pages (font Arial 11), excl. images 	<p>For the case study please provide:</p> <ul style="list-style-type: none"> • Description and location details • Contract value • Project commencement and completion date • Delivery structure detail • Details of role undertaken by applicant(s) in this PQQ • Names and details of other partners involved • Reference - name, position, organisation, contact email and phone 	FIO
6.1.2	<p>By reference to your first case study, using Appendix 5.2 please explain how the project is relevant to the opportunity proposed by the council.</p> <p>(maximum word count: 1000)</p>	Relevance to the opportunity proposed by the council	7%
6.1.3	<p>By reference to your first case study, using Appendix 5.3 please explain how the five key challenges on the project and how they were addressed.</p> <p>(maximum word count: 1000)</p>	Five key challenges and how these were addressed	3%
6.2	Case Study 2		

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
6.2.1	<p>Please provide a case study using the template at Appendix 5.1 which illustrate your experience and capability of delivering similar projects. The case study must:</p> <ul style="list-style-type: none"> • Comprise a mixture of property uses as part of a development scheme • Have been delivered through a partnering contract with the public sector • Have practically completed in the last 5 years • Be limited to 2 pages (font Arial 11), excl. images 	<p>For the case study please provide:</p> <ul style="list-style-type: none"> • Description and location details • Contract value • Project commencement and completion date • Delivery structure detail • Details of role undertaken by applicant(s) in this PQQ • Names and details of other partners involved • Reference - name, position, organisation, contact email and phone 	FIO
6.2.2	<p>By reference to your second case study, using Appendix 5.2 please explain how the project is relevant to the opportunity proposed by the council.</p> <p>(maximum word count: 1000)</p>	Relevance to the opportunity proposed by the council	7%
6.2.3	<p>By reference to your second case study, using Appendix 5.3 please explain how the five key challenges on the project and how they were addressed.</p> <p>(maximum word count: 1000)</p>	Five key challenges and how these were addressed	3%
6.3	Case Study 3		
6.3.1	<p>Please provide a case study using the template at Appendix 5.1 which illustrate your experience and capability of delivering similar projects. The case study must:</p>	<p>For the case study please provide:</p> <ul style="list-style-type: none"> • Description and location details • Contract value • Project commencement and completion date 	FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	<ul style="list-style-type: none"> Comprise a mixture of property uses as part of a development scheme Have been delivered through a partnering contract with the public sector Have practically completed in the last 5 years Be limited to 2 pages (font Arial 11), excl. images 	<ul style="list-style-type: none"> Delivery structure detail Details of role undertaken by applicant(s) in this PQQ Names and details of other partners involved Reference - name, position, organisation, contact email and phone 	
6.3.2	<p>By reference to your third case study, using Appendix 5.2 please explain how the project is relevant to the opportunity proposed by the council.</p> <p>(maximum word count: 1000)</p>	Relevance to the opportunity proposed by the council	7%
6.3.3	<p>By reference to your third case study, using Appendix 5.3 please explain how the five key challenges on the project and how they were addressed.</p> <p>(maximum word count: 1000)</p>	Five key challenges and how these were addressed	3%
6.4	Start-up Organisations		
6.4.1	<p>If you cannot provide at least one example within your team for each of the questions 6.1 to 6.3, using Appendix 5.4 in no more than 1000 words please provide an explanation for this including how you intend to use your expertise with your team e.g. your organisation is a new start-up.</p>		FIO
7	Additional PQQ Modules		70%

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
7.1	Project Specific Questions to Assess Technical and Professional Ability		Sub-weightings
7.1.1	Using Appendix 6 please provide details of any relevant experience involving the refurbishment of statutory listed buildings including engagement with English Heritage/Historic England. (Word limit: 1000 – Font Aerial 11)	The response should include actual examples of projects incorporating the refurbishment of a listed building(s) where the applicant has had a lead or supporting development role. The response should also highlight how the applicant has successfully engaged with English Heritage/Historic England.	14%
7.1.2	Using Appendix 6 please provide details of the applicant’s relevant experience of working in partnership with public sector organisations on regeneration projects. (Word limit: 1000 – Font Aerial 11)	The response should include actual examples of projects where the applicant has had a direct contractual relationship with a public sector organisation (e.g. development agreement or joint venture), and may be a development project or other regeneration project(s) (e.g. operational partnership)	7%
7.1.3	If the applicant is bidding as part of a consortium using Appendix 6 please provide a statement detailing any experience of this consortium working in partnership with public sector organisations on regeneration projects. (Word limit: 500 – Font Aerial 11)	The response should clarify, in cases where consortium’s are seeking to pre-qualify, where the consortium has actively worked together in public sector partnership projects (i.e. where the applicant has had a direct contractual relationship with a public sector organisation(s) (e.g. development agreement or joint venture), and may be a development project or other regeneration project (e.g. operational partnership)	FIO
7.1.4	Using Appendix 6 please provide details of delivering regeneration projects incorporating uses of benefit to	The response should include actual examples of project(s) incorporating the provision of community uses within the	14%

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	<p>and/or securing access for the community.</p> <p>(Word limit: 1500 – Font Aerial 11)</p>	<p>project, and/or access being maintained for the benefit of the community.</p>	
7.1.5	<p>With reference to one or more of the case study examples provided in Section 6, using Appendix 6 please provide examples of how the applicant has optimised commercial return from other mixed-use property development projects (in the context of wider project objectives).</p> <p>(Word limit: 1000 – Font Aerial 11)</p>	<p>The response should refer to one or more of the case studies provided in Q6.</p> <p>The response is expected to set out how the applicant has assessed and responded to the market demand and supply context when designing and delivering other mixed-use development projects. This may include reference to the research, design, specification, pricing and/or marketing procedures.</p> <p>The response should be placed on the context of other project objectives (e.g. non-financial).</p>	7%
7.1.6	<p>With reference to one or more of the case study examples provided in Section 6, using Appendix 6 please provide details of applicant experience in delivering projects which have required active community engagement and how this was used to enhance the project.</p> <p>(Word limit: 1000 – Font Aerial 11)</p>	<p>The response should also set out how such engagement had fed into the project in hand, for example in relation to the design outcomes.</p> <p>The response is expected to set out how the applicant has engaged and/or consulted with community stakeholders as part of other mixed-use development projects, including (wherever possible) reference to engagement outside of the statutory planning process.</p>	5%

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
		The response should also set out how such engagement has fed into the project in hand, for example in relation to the design outcomes.	
7.1.7	<p>With reference to one or more of the case study examples provided in Section 6, using Appendix 6 please provide details of your approach and experience of managing multi-disciplinary technical teams to ensure the successful delivery of similar mixed-use property development projects.</p> <p>(Word limit: 1000 – Font Aerial 11)</p>	<p>The response should refer to one or more of the case studies provided in Q6.</p> <p>The response is expected to set out how the applicant has worked with and managed its multi-disciplinary technical teams (i.e. external consultants or internal staff) to respond to specific technical challenges on other mixed-use development projects. In this way the response may seek to explain how the technical input has helped inform the project outcomes to a successful conclusion.</p>	7%
7.1.8	<p>With reference to one or more of the case study examples provided in Section 6, using Appendix 6 please provide details of the 5 key project risks identified on other similar mixed-use development projects, including how you managed and mitigated such risks.</p> <p>(Word limit: 1000 – Font Aerial 11)</p>	<p>The response should refer to one or more of the case studies provided in Q6.</p> <p>The response is expected to set out how the applicant has identified and managed project risks to deliver successful outcomes. This may include an overview of the applicant’s approach to risk management, along with narrative to explain how specific risks have been managed and/or mitigated to a successful conclusion.</p>	7%
7.1.9	<p>Using Appendix 6 please provide at least one example that demonstrates any relevant experience of enhancing and managing substantial areas of public realm as part of other regeneration projects.</p>	<p>The response should include actual examples of project(s) incorporating the enhancement (i.e. investment in, adaptation or transformation of etc.) or management (either directly or through a 3rd party) of public realm of a</p>	7%

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	(Word limit: 1000 – Font Aerial 11)	<p>similar nature to the town hall square in terms of scale, quality or location aspects. The role of the applicant in such a process may be varied, albeit examples where the applicant has performed a similar role to that intended on the HTH project are preferred.</p> <p>Project examples may be a development project or other regeneration project(s) (e.g. operational models).</p>	
7.1.10	<p>Using Appendix 6 provide examples of how your organisation carried out a corporate social responsibility role in relation to training and development (you may reference case studies).</p> <ul style="list-style-type: none"> • Career development including but not limited to Apprenticeships, Graduate Training, mid-career development and lifelong learning <p>(Word limit: 500 – Font Aerial 11)</p>	The Applicant must provide information on what kind of contribution has been made by the applicant's organisation in connection with training programmes in communities. Please evidence your contributions to career development e.g. apprenticeships.	2%
7.2	Insurance		Pass/Fail
7.2.1	<p>Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below:</p> <p>Employer's (Compulsory) Liability Insurance = £10m</p> <p>*It is a legal requirement that all companies hold</p>	<p>Any applicant which self certifies that they already have or can commit to obtain the level of insurance cover indicated will obtain a pass mark for this question. Proof will be required on request at contract award stage.</p> <p>Any applicant which is subsequently unable to procure such insurances shall be excluded from further</p>	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	Employer's (Compulsory) Liability Insurance of £5 million as a minimum. Please note this requirement is not applicable to Sole Traders.	consideration at any point.	
7.2.2	Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Public Liability Insurance = £25m	Any applicant which self certifies that they already have or can commit to obtain the level of insurance cover indicated will obtain a pass mark for this question. Proof will be required on request at contract award stage. Any applicant which is subsequently unable to procure such insurances shall be excluded from further consideration at any point.	Pass/Fail
7.2.3	Please self-certify whether you already have, or can commit to obtain, prior to the commencement of the contract, the levels of insurance cover indicated below: Professional Indemnity Insurance = £5m	Any applicant which self certifies that they already have or can commit to obtain the level of insurance cover indicated will obtain a pass mark for this question. Proof will be required on request at contract award stage. Any applicant which is subsequently unable to procure such insurances shall be excluded from further consideration at any point.	Pass/Fail
7.3	Compliance with Equality Legislation		Pass/Fail
7.3.1	In the last three years, has any finding of unlawful discrimination been made against your organisation by an Employment Tribunal, an Employment Appeal Tribunal or any other court (or in comparable proceedings in any jurisdiction other than the UK)		FIO
7.3.2	In the last three years, has your organisation had a		FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	complaint upheld following an investigation by the Equality and Human Rights Commission or its predecessors (or a comparable body in any jurisdiction other than the UK), on grounds of alleged unlawful discrimination?		
7.3.3	<p>If you have answered “yes” to one or both of the questions in this module, please provide, using Appendix 6, a summary of the nature of the investigation and an explanation of the outcome of the investigation to date.</p> <p>If the investigation upheld the complaint against your organisation, please use Appendix 6 to explain what action (if any) you have taken to prevent unlawful discrimination from reoccurring.</p>	<p>Where the response is ‘no’ for questions 7.3.1 and/or 7.3.2, the applicant will pass.</p> <p>If the response is ‘yes’ any subsequent action taken by the applicant to prevent reoccurrence will be verified.</p> <p>If the applicant has taken adequate steps to prevent reoccurrence then the applicant will pass. The applicant must provide details of the finding/complaint of unlawful discrimination and must then detail what measures have been taken to prevent reoccurrence.</p> <p>The council will expect to receive details of training to prevent reoccurrence and specific remedies in relation to the finding/complaint.</p> <p>If the response is ‘yes’ and the applicant does not provide details or the London Borough of Haringey does not consider that the applicant has taken adequate steps to prevent reoccurrence (as outlined above) then the applicant will fail.</p>	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
7.4	Environmental Management		Pass/Fail
7.4.1	<p>Has your organisation been convicted of breaching environmental legislation, or had any notice served upon it, in the last three years by any environmental regulator or authority (including local authority)?</p> <p>The authority will not select bidder(s) that have been prosecuted or served notice under environmental legislation in the last 3 years, unless the authority is satisfied that appropriate remedial action has been taken to prevent future occurrences/breaches,</p>		FIO
7.4.2	<p>If your answer to question 7.4.1 is “Yes”, please provide in Appendix 8 details of the conviction or notice and details of any remedial action or changes you have made as a result of conviction or notices served.</p>	<p>Where the response is ‘no’ for question 7.4.1, the applicant will pass.</p> <p>If the response is ‘yes’ any subsequent action taken by the applicant to prevent reoccurrence will be verified.</p> <p>If the applicant has taken adequate steps to prevent reoccurrence then the applicant will pass. The applicant must provide details of the conviction/notice and must then detail what measures have been taken to prevent reoccurrence.</p> <p>The council will expect to receive details of training to prevent reoccurrence and specific remedies in relation to the conviction/notice.</p>	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
		If the response is 'yes' and the applicant does not provide details or the London Borough of Haringey does not consider that the applicant has taken adequate steps to prevent reoccurrence (as outlined above) then the applicant will fail.	
7.4.3	If you use sub-contractors, do you have processes in place to check whether any of these organisations have been convicted or had a notice served upon them for infringement of environmental legislation?	Select Yes / No	FIO
7.5	Health and Safety		Pass/Fail
7.5.1	Please self-certify that your organisation has a Health and Safety Policy that complies with current legislative requirements.	Any applicant which self certifies that they have a Health and Safety Policy that complies with current legislative requirements will obtain a pass mark for this question. Proof will be required on request at contract award stage. Any applicant whose policy does not comply with current legislative requirements shall be excluded from further consideration at any point.	Pass/Fail
7.5.2	Has your organisation or any of its Directors or Executive Officers been in receipt of enforcement/remedial orders in relation to the Health and Safety Executive (or equivalent body) in the last 3 years? The authority will exclude bidder(s) that have been in receipt of enforcement/remedial action orders unless the		FIO

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
	bidder(s) can demonstrate to the authority's satisfaction that appropriate remedial action has been taken to prevent future occurrences or breaches.		
7.5.3	If your answer to question 7.5.2 was "Yes", please provide in Appendix 9 details of any enforcement/remedial orders served and give details of any remedial action or changes to procedures you have made as a result.	<p>Where the response is 'no' for question 7.5.2, the applicant will pass.</p> <p>If the response is 'yes' any subsequent action taken by the applicant to prevent reoccurrence will be verified.</p> <p>If the applicant has taken adequate steps to prevent reoccurrence then the applicant will pass. The applicant must provide detail of the enforcement and must then details what measures have been taken to prevent reoccurrence.</p> <p>The council will expect to receive details of training to prevent reoccurrence and specific remedies in relation to the enforcement. Details must be provided of any follow up correspondence from the HSE etc. confirming acceptance of the remedies.</p> <p>If the response is 'yes' and the applicant does not provide details or the London Borough of Haringey does not consider that the applicant has taken adequate steps to prevent reoccurrence (as outlined above) then the applicant will fail.</p>	Pass/Fail

Question No	Question / Information Required	Description of information expected, which will be taken into account in assessment if applicable	Weighting
7.5.4	If you use sub-contractors, do you have processes in place to check whether any of the above circumstances apply to these other organisations?	Select Yes / No	FIO
8	Declaration & Checklist		Pass/Fail
8.1	Declaration		FIO
8.1.1	Please complete and upload the Declaration at Appendix 11.	This section is pass or fail. This must be completed, signed and dated as instructed on the form	FIO
8.2	Upload Checklist		Pass/Fail
8.2.1	Please complete and upload the Upload Checklist at Appendix 12.	. Upload the completed Upload Checklist.	

Appendix D – ISDS Questions

	Question Number	Draft Questions	Overall weighting
Financial (30%)	1	<p>Please set out your Financial Offer by completing the inputs in the yellow highlighted cells in Section 1 of the Financial Template provided (Appendix C).</p> <p>This will establish a Net Scheme Balance (NSB) which will be the basis of the evaluation as part of this question. The NSB will be established based using the prescribed discount rates (see Section 10) within the NSB formula in the Financial Template.</p> <p>Bidders should also set out reasoning for the proposed capital and revenue payment structure in the Financial Template.</p> <p>Bidders should be prepared to contract with the council, via a Development Agreement, on the basis of proposed capital and revenue payments in the Financial Template, subject to any conditions outlined in your response to Q2.</p>	18%
	2	<p>Please provide a commercial narrative providing justification and evidence to support the development appraisal assumptions included in the completed Financial Template. These should link in with your completed Financial Template and should cover the development and operational phases of the project. All summaries should include the following:</p> <ol style="list-style-type: none"> I. Estimated Scheme Revenues, including any proposed sales and/or lettings incentives. This should be broken down by tenure and typology of use. (2%) II. Development specification and cost plan broken down to include infrastructure costs, abnormal costs, construction costs, S106 , professional fees, marketing and legal costs. Costs should be broken down on a GIA (m2) basis. (1%) III. Finance cost and interest rate assumptions. (1%) IV. The percentage development return (on total development cost). (1%) <p>Your response should include reference to the conditionality attached to the net payments made to the council.</p>	5%
	3	<p>Please set out details of any proposed overage offered.</p>	2%
	4	<p>Please provide a detailed proposal for how you will source, raise and secure necessary (development and operational) finance for the scheme. Bidders must:-</p> <ol style="list-style-type: none"> I. Demonstrate how the funding for the project is 	5%

	Question Number	Draft Questions	Overall weighting
		<p>to be sourced and secured. (1%)</p> <p>II. Confirm whether there are any pre-conditions to funding which must be resolved and if so, when? (1%)</p> <p>III. Demonstrate the availability of funding to meet the peak funding requirement of the development with respect to the overall cashflow. (1%)</p> <p>IV. Evidence of a detailed offer of funding in the form of a letter from funders. Where the intention is to self-fund from internal resources, Bidders are required to provide a letter from their Financial Director or equivalent confirming that the funding is available. (1%)</p> <p>V. Proposals for guaranteeing. (1%)</p>	
Quality (70%)	5	Please provide a masterplan for the site as a whole, illustrating the approach to the Town Hall, the Town Hall Square, new development to the rear, the range of uses, housing tenures (where applicable) and densities proposed across the site and how the proposed uses would successfully integrate and interact with each other.	5%
	6	<p>Please demonstrate how your masterplanning and design proposal responds to the Town Hall's heritage status, potentially to include detail on:</p> <ul style="list-style-type: none"> • How you propose to restore the Town Hall in a way that retains and enhances its significance and Grade II* listed status. This should include your proposed approach to the internal layout of the Town Hall and how you propose to use spaces within it whilst conserving the historic fabric and architectural features of significance • How any proposed new development to the rear responds to the Listed Buildings within the site and the wider conservation area. • How your design concept for the Town Hall Square respects its heritage significance and civic status within the conservation area. 	5%
	7	Please provide your proposal for how you will engage in a sustainability and environmental programme with the council.	2%
	8	Please provide a full method statement/ delivery plan setting out the timetabled proposals for delivery of each key element and phase of the project (i.e. interim uses/stages, planning and design, stakeholder consultation, construction and operation).	6%
	9	The council requires an appropriately qualified and	4%

	Question Number	Draft Questions	Overall weighting
		experienced team to design, plan, fund, develop and (where applicable) operate this development scheme.	
	10	Please outline your proposed planning strategy.	5%
	11	Please outline your approach to stakeholder engagement (stakeholders may include planning officers, residents/community interest groups, and statutory bodies).	2%
	12	<p>Please provide a business plan which includes a detailed plan for the first five years of the lease and an outline plan for a further 15 years (i.e. 20 years in total). This document should include reference to the following:</p> <ul style="list-style-type: none"> Your strategic approach to the buildings/spaces that are let, including the scope of uses/activities to be included, who will be providing them and for what period (4%) A summary financial plan for the retained buildings. (4%) Your proposals for the long term management and maintenance of the site with particular reference to the Town Hall building and Town Hall Square. (3%) 	11%
	13	Please provide a statement which demonstrates how the proposal has responded to the council's minimum Community Use/Access requirements.	Pass/Fail
	14	Please provide a statement which demonstrates the extent to which your proposals meet the enhanced community use / access aspirations as set out in the Information Memorandum, over and above the specified minimum requirements.	21%
	15	Bidders should provide a detailed mark-up of those parts of the legal suite which the council has requested the bidders' responses to. Bidder's should also submit a commentary table in respect of each document explaining the purpose behind any proposed amendments. The evaluation will assess the reasonableness of any amendments taking into account the bidder's approach to contractual risk, commercial offer to the council, the suite of contract security provisions being offered and the Contracting Authority's responsibilities. Accordingly, the Contracting Authority will give weight to the level of consistency of proposals, the risk allocation and commercial offer that the bidder's mark-up represents.	9%
			70%

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

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