

**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%                  |
|                        |        |   | <b>30%</b>            |
| 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%                  |
|                        |        |   | <b>70%</b>            |

**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