

Report for: Leader Signing – 4th October

Item number: 4

Title: Legal advisor for Tottenham and borough wide regeneration including the Haringey Development Vehicle

Report authorised by : Lyn Garner - Director of Regeneration, Planning and Development

Lead Officer: Dan Hawthorn EXT 2247 Dan.Hawthorn@haringey.gov.uk

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key

1. Describe the issue under consideration

The Leader of the Council is requested to extend the contract term for the legal advisor for Tottenham and Borough wide regeneration, and to approve additional expenditure, outside the authority of the Director of Regeneration Planning and Development.

2. Recommendations

The Leader of the Council is requested to:

- i. Extend the contract term for the provision of legal advice by Pinsent Masons for Tottenham and Borough Wide Regeneration to 31st July 2017.
- ii. Approve additional expenditure to a maximum of £592,400 including contingency
- iii. Delegate authority to the Director of Regeneration, Planning and Development after consultation with the Chief Operating Officer to approve further expenditure to a maximum of £200,000 in the event of exceptional circumstances e.g withdrawal of the preferred bidder and renegotiation with an alternative bidder.

3. Reasons for decision

The decision is required to ensure the provision of ongoing effective legal advice to the Council as it procures and establishes the Haringey Development Vehicle. Pinsent Masons have provided the advice so far and continuity of advice is crucial.

4. Background

In October 2014, the Council undertook a further competition process under the Crown Commercial Services (CCS) Framework (Legal Services Framework RM919 Lot 8), for the provision of legal services to assist the Council in establishing investment and delivery mechanisms to drive investment, growth and regenerative change across Haringey, including for the Haringey Development Vehicle, as it is now known.

The procurement covered legal advice for the Haringey Development Vehicle, for Tottenham Hale, for Northumberland Park and for additional ad hoc advice.

Following evaluation, Pinsent Masons were identified as the successful bidder and were awarded a contract to the 31st March 2015, but with provision for this to be extended on the same terms and conditions. It is now necessary to extend this contract to 31st July 2017, at which point, including contingency, it is expected that the Haringey Development vehicle will be established.

5. Alternative options considered

The alternative option would be to invite further quotations under the CCS Framework, referred to above, for the provision of legal services to assist the Council in the remaining stages of the procurement and establishment of the HDV. This would itself take a period of some weeks and trigger a delay to the ongoing procurement of the Haringey Development Vehicle.

This would also potentially increase risk to the project, with financial and resource implications due to the comprehensive hand over required and to the fact that documents developed to date would not be warranted by the new providers.

Pinsent Masons LLP has a comprehensive understanding of the project and the parameters in which the legal advice will sit. They are fully integrated into the project delivery team, and have established an effective working relationship with the other appointed advisers. To date they have produced high quality outputs and met the ambitious project timetables.

6. Contribution to strategic outcomes

The legal advice contributes to achieving the strategic outcomes set out in the Corporate Plan 'Building a Stronger Haringey together (in particular priorities 4 and 5), to the Economic Development and Growth Strategy 'A plan for jobs, growth and prosperity', and to the draft outcomes of Haringey's Housing Strategy.

7. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

7.1 Head of Procurement

Procurement has been in consultation with the service in respect of matters contained in this report. Procurement recognises the importance of maintaining continuity through a complex procurement and supports the recommendations of this report.

7.2 Chief Finance Officer

The cost of this contract extension can be contained within the existing budget allocation for the Development Vehicle along with approved transformation funding allocated from reserves.

The legal advice for the areas covered in this contract is expected to cost £921,500, which covers a period of around 2 years on the relevant projects and is broken down as follows:

Northumberland Park/ OB	£ 18,400
Haringey Development Vehicle	£ 670,000
Tottenham Hale	£ 183,100
Contingency	£ 50,000

7.3 Assistant Director of Corporate Governance

7.3.1 Please see legal comments in the exempt part of the report.

7.4 Equality

7.4.1 There are no equality implications arising from this report. Further Equality Impact Assessments will be carried out on the work of the Haringey Development Vehicle at later stages.

8. Use of Appendices

Part B: Exempt information relating to sections of this report

9. Local Government (Access to Information) Act 1985

NOT FOR PUBLICATION by virtue of paragraph 3 and paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

This report is not for publication as it contains information classified as exempt under Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.