

Record of decision taken under delegated authority by a Council officer

Title:	Approval of the Estate Regeneration Procurement Strategy for the selection of specialist advisers to support delivery of the Council's Estate Regeneration programme.
Wards Affected:	Sutton North, Sutton Central, Sutton West, Sutton South
Decision taken under delegated authority by virtue of:	London Borough of Sutton Constitution: Part 6, Contract Standing Orders

Summary of Recommendations

These recommendations seek approval of the Estate Regeneration Procurement Strategy for the selection of specialist advisers to support delivery of the Council's Estate Regeneration Programme.

Waivers are sought for two commissions whilst it is recommended that a third follow the regular procurement procedures (set-up of framework under OJEU tender):

1. Legal Adviser (waiver sought)
 - To provide specialist legal advice on the procurement of potential delivery partners, delivery structures, tax advice, land assembly and CPO, as well as housing law, rehousing, disposals, ground for possession and statutory approvals.

2. Commercial Adviser (waiver sought)
 - To provide specialist commercial, property and procurement advice on different regeneration proposals, delivery approaches, delivery partnerships and procurement methods, as well as acting as lead consultant and project manager on the estate options appraisal and financial viability appraisal of the programme.

3. Framework Panel of Independent Tenant & Homeowner Advisers
 - To provide independent and impartial advice to residents affected by the estate regeneration programme.

Advisers are needed to support the council to deliver the resident support and engagement stages of the project, and the various commercial property, legal, governance and delivery aspects of the programme.

Decision

That:

1. The proposed procurement approach for the following specialist advisors be approved:
 - a. A Panel of Independent Tenant & Homeowner Advisers,
 - b. A Commercial Adviser and
 - c. A Legal Adviser
2. An exemption from tendering requirements be approved under standing order 52.4 with regards to the commercial and legal advisers.
3. An exemption from using the Council's e-tendering portal in favour of the Homes England e-tendering portal be granted in order to procure the Commercial Adviser using the Homes England Property Framework.

Reasons for Decision:

The decision will enable the Housing Regeneration team to procure the professional advisers needed to support the Council in delivering the resident support and engagement stages of the project, and the various commercial property, legal, governance and delivery aspects of the programme.

The three estate regeneration commissions are in accordance with the legal framework for procurement and have been agreed as compliant in consultation with SLLP and the Corporate Procurement Unit.

There is sufficient funding for this work and the expenditure on the advisers has been budgeted for.

Options, if any, considered and rejected

1. Legal Adviser (waiver sought)
 - Crown Commercial Services - Wider Public Services Legal Services Panel Agreement (unable to mix lots or use multiple lots).
 - EM LawShare Framework Agreement - Legal Services Consortium for Public Bodies (LBS not a member and framework limited).
2. Commercial Adviser (waiver sought)
 - Crown Commercial Services - Professional Services Framework (unable to mix lots or use multiple lots).
 - Perfect Circle - Built Environment Consultancy Services Framework and Scape Venture (more technical and contractor focused, not appearing to cover the full extent of requirements).

- Open Tender (The process to appoint could be lengthy and costly; use of the Homes England Procurement Framework, which requires use of their e-tendering portal, gives us access to the best range of relevant providers).

3. Framework Panel of Independent Tenant & Homeowner Advisers

- Using another local authority framework (which could undermine the Council's approach to establish its own panel of suitable providers with involvement by Sutton estate residents and the list may not meet requirements).
- Open Tender (The process to appoint multiple ITHA could be lengthy and costly).

Further detail is provided in the listed background documents.

Decision taken by:	David Moore Interim Strategic Director of Environment, Housing and Regeneration
Decision taken on:	3 March 2019
To be implemented on:	3 March 2019

Declarations of conflicts of interest

None.

Background Documents

Exempt:

Estate Regeneration Procurement Strategy Report and Appendices	No
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