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| Report for: | Cabinet |
| Date of meeting: | 22nd September 2020 |
| Part: | I |
| If Part II, reason: | |

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| Title of report: | Appointment of a Principal Contractor for Coniston Road Development, Kings Langley |
| Contact: | <p>Cllr Margaret Griffiths, Portfolio Holder for Housing</p> <p>Mark Gaynor, Corporate Director Housing and Regeneration</p> <p>Fiona Williamson, Assistant Director Housing</p> <p>Nigel Howcutt, Assistant Director Finance and Resource</p> <p>David Barrett, Housing Development Group Manager</p> |
| Purpose of report: | <p>To be read in conjunction with Part II.</p> <ol style="list-style-type: none"> 1. To seek approval to award the main contract and appoint a Principle Contractor to construct 10 Houses at land adjacent to the corner of Coniston Road and Barnes Lane, Kings Langley. 2. To provide delegated authority to the Council's Assistant Director (Corporate and Contracted Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract and/or reasonably required to complete the Project, including (but not limited to): <ol style="list-style-type: none"> a. all professional appointments; b. collateral warranties; and c. Agreements under S.38, & S.278, of the Highways Act 1980; |

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| | <p>S.247, Part III of the Town and Country Planning Act 1990; S.104 of the Water Industry Act 1991, and S.50 of the New Roads and Street Works Act 1991.</p> |
| Recommendations: | <ol style="list-style-type: none"> 1. That the main contract to construct 10 x social rented Houses at Land Adjacent to the corner of Coniston Road and Barnes Lane, Kings Langley be awarded to Bugler Developments Ltd. 2. That delegated authority be approved to the Council's Assistant Director (Corporate and Contracted Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract and/or reasonably required to complete the Project, including (but not limited to): <ol style="list-style-type: none"> a. all professional appointments; b. collateral warranties; and c. Agreements under S.38, & S.278, of the Highways Act 1980; S.247, Part III of the Town and Country Planning Act 1990; S.104 of the Water Industry Act 1991, and S.50 of the New Roads and Street Works Act 1991. |
| Corporate Objectives: | Delivering Affordable Housing |
| Implications: | <p><u>Financial</u></p> <p>Land adjacent to the corner of Coniston Road and Barnes Lane, Kings Langley.</p> <p>The overall development budget is reviewed strategically as part of the annual review of the Housing Revenue Account Business Plan. Each individual scheme following contract award is subject to close financial monitoring with any variances agreed formally through a change control process</p> |
| Value For Money Implications' | <p><u>Value for Money</u></p> <p>Land adjacent to the corner of Coniston Road and Barnes Lane, Kings Langley.</p> <p>This has been achieved through a successful procurement programme involving an open tender process.</p> |
| Risk Implications | <p>Risk assessments are completed within the new build Project Initiation Document (PID) and reviewed and updated on Project Management Office, on a monthly basis.</p> <p>A risk assessment is completed for each site by the Employers Agent and reviewed monthly from the award of the contract.</p> |

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| Community Impact Assessment | A Community Impact assessment not required as homes are developed and allocated in line with the demand and to replicate the criteria for assessment, as set out in the Council's Allocation Policy, which has had a full assessment. The development includes one wheelchair compliant house. |
| Health And Safety Implications | <p>Each new build scheme has in place a Principal Designer and Construction Design and Management Regulations (CDM) Advisor. Contractors are required to comply with the Council's Health and Safety (H&S) policy along with Considerate Constructors requirements.</p> <p>Health & Safety is identified as a key risk of the Housing Service and is reported to the Council's Housing and Communities Overview and Scrutiny Committee on a quarterly basis. To ensure compliance monthly site checks carried out on behalf of DBC as the client to ensure adherence to H&S procedures.</p> <p>In addition the recommended contractor, Bugler Developments Ltd was the only tenderer to provide and reference implementation of a COVID-19 working policy and is COVID-19 compliant.</p> |
| Monitoring Officer/S.151 Officer Comments | <p>Monitoring Officer:</p> <p>The proposed contract award follows a competitive and compliant tender process which demonstrates that the Council is receiving value for money for the contract.</p> <p>Deputy S.151 Officer</p> <p>The Coniston Road development is part of the approved HRA capital programme and the costs of this contract are in line with the approved budget for this project.</p> |
| Consultees: | <p>Mark Gaynor, Corporate Director Housing and Regeneration</p> <p>James Deane, Corporate Director Finance & Operations</p> <p>Fiona Williamson, Assistant Director Housing</p> <p>Nigel Howcutt, Assistant Director Finance and Resources</p> <p>David Barrett, Group Manager, Housing Development</p> <p>Caroline Souto, Financial Planning & Analysis Team Leader, Financial Services</p> |

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| | Andrew Linden, Team Leader, Commissioning, Procurement & Compliance |
| Background papers: | HRA Business Plan January 2020 |
| Glossary of acronyms and any other abbreviations used in this report: | HRA Housing Revenue Account ITT Invitation to Tender JCT Joint Contract Tribunal SQ Separate Pre- Qualification PID Project Initiation Document CDM Construction Design and Management Regulations H&S Health and Safety |

1. Background

- 1.1 Since 2013 the Council has embarked on a development programme, which to date has seen the delivery of 270 new Council homes, including St Peters, a block of energy efficient, Passive House flats. Additionally the Council has needed to respond to an increasing pressure from Homeless applicants and completed a 41 bed homeless hostel, The Elms in 2015.

Table 1. Properties delivered to date

| Scheme | Tenure | No. of units | Completion | Site source |
|------------------|-------------|--------------|------------|-------------|
| The Elms | TA | 41 | 2015 | Private |
| Longlands | Social rent | 6 | 2015 | Council |
| Farm Place | Social rent | 26 | 2015 | Council |
| St Peters | Social rent | 9 | 2015 | Private |
| Aspen Court | Social rent | 36 | 2016 | Private |
| Queen Street | Social rent | 6 | 2016 | Council |
| Able House | Social rent | 14 | 2017 | Private |
| Kylina Court | Social rent | 79 | 2019 | Private |
| Corn Mill Court | Social rent | 12 | 2019 | Private |
| Williams House | TA | 6 | 2020 | Council |
| Howe Grove House | TA | 6 | 2020 | Council |
| Magenta Court | Social Rent | 29 | 2020 | Private |
| TOTAL | | 270 | | |

- 1.2 The Council already has both a good record of accomplishment on delivery of new homes to date and a strong pipeline of new schemes programmed. The lifting of the borrowing cap on the HRA has presented an opportunity to accelerate delivery and enable a sustainable ongoing development programme.

Table 2. Properties under construction

| Scheme | Tenure | No. | Completion | Site source |
|--------------|---------------------|-----------|------------|-------------|
| West Dean | Social rent | 3 | 2020 | Council |
| Martindale | Social rent Sale | 44 21 | 2020 | Private |
| TOTAL | | 68 | | |

2. Introduction

Land Adjacent to the corner of Coniston Road and Barnes Lane, Kings Langley

- 2.1 This report seeks approval for the appointment of the Principal Contractor at land adjacent to the corner of Coniston Road and Barnes Lane.
- 2.2 The Council identified Land Adjacent to Coniston Road for redevelopment, using part HRA resource and part General Fund resource. The properties would provide an ongoing revenue stream as well as being a valuable flexible asset.
- 2.3 After public consultation at the local Community Hall, a planning application was submitted in September 2019 for consideration and comprised 10 x two and three bedroom dwellings including a fully compliant Wheelchair house and creating a new access road and associated parking and amenity space, while maintaining an access path to the remaining field owned by the general fund. Planning permission was achieved in October 2019.
- 2.4 To address the climate emergency, our approach will be Fabric First, but we have the facilities within the design to include Solar PV panels if required. In addition, every house will be wired with an external supply for Electric Vehicle charging.
- 2.5 The site layout and design is shown in Appendix 1.

3. Procurement Process

- 3.1 The tender documents for the appointment of the Principal Contractor for land adjacent to the corner of Coniston Road and Barnes Lane were issued in April 2020 with an extended tender period due to the COVID-19 situation.
- 3.2 Each invite to tender (ITT) return has been scored in line with the scoring methodology set out in the ITT documentation. The scoring was completed by the Housing Development Team, the Employers Agent, BPM Project Management Ltd and the Principal Designer, Ridge and Partners LLP.
- 3.3 The form of contract for this appointment will be an amended Joint Contract Tribunal (JCT) 2016 Design and Build Contract, as provided by Eversheds in their capacity as legal adviser for the Council's New Build Programme. A draft copy of this contract was included in the ITT documentation.
- 3.4 A Design and Build Contract was selected as the Council are able to establish the financial commitments prior to works commencing, providing that changes are not introduced during the project.
- 3.5 The Council received 18 tender returns. The level of tender returns received indicates that a competitive level of tendering was achieved.

- 3.6 A financial assessment was carried out by the Council's Finance Department based on the bidder set of accounts (last 3 financial years) and a credit reference report. The recommended successful bidder passed this financial assessment.
- 3.7 The report recommends the award of the main contract to construct 10 new Council homes at land adjacent to the corner of Coniston Road and Barnes Lane to Bugler Developments Ltd.

4. Recommendations

- 4.1 To award the main contract to construct 10 x social rented units at land adjacent to the corner of Coniston Road and Barnes Lane to Bugler Developments Ltd.
- 4.2 To approve delegated authority to the Council's Assistant Director (Corporate and Contracted Services) to execute and complete all legal agreements ancillary to the JCT Design & Build Contract and/or reasonably required to complete the Project, including (but not limited to):
 - a. all professional appointments;
 - b. collateral warranties; and
 - c. Agreements under
 - S.38, & S.278, of the Highways Act 1980;
 - S.247, Part III of the Town and Country Planning Act 1990;
 - S.104 of the Water Industry Act 1991, and
 - S.50 of the New Roads and Street Works Act 1991.

Appendix 1.

| Coniston Road Development | |
|----------------------------|-------------------------|
| Area | |
| Site, Parking Spaces | |
| Site, Carports | |
| Site, Parking Spaces Total | |
| Total Site Area: | 0.3911 Hectares |
| Total Number of Dwellings: | 10 houses |
| Dwellings per Hectare: | 25.57 dwellings/hectare |



Keyplan
Scale 1:1000

| Landscape Materials Legend | |
|----------------------------|--|
| | Timber Boundary |
| | Timber Path |
| | Concrete Side Path Paving |
| | Block Paving, Marginal |
| | Block Paving, Buff |
| | Block Paving, Brindle |
| | Grass area |
| | Gravel |
| | New Trees |
| | Existing trees retained (refer to the tree survey for further information) |
| | Road protection zone of retained trees |
| | Removed Trees |
| | Boundary Line |
| | Timber knee rail 600mm high |
| | Timber cube boarded fence, 1000mm high with rails |
| | Timber cube boarded fence, 1800mm high with rails |
| | Block retaining wall (if required after detailed design) |
| | Road and Parking Curb |
| | Lighting column |



Scale 1:250

0 50 100 150 200

0 5001209 Aerial road and parking layout on the north boundary.
 N 5001209 Aerial photograph from north to south.
 M 5001209 Aerial photograph from north to south.
 Boundary

FOR INFORMATION

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| <p>DBC Coniston Road, Kings Langley</p> <p>Proposed Site Plan</p> | |
| <p>DATE: 18/07/2012</p> <p>PROJECT: Kings Langley</p> <p>CLIENT: DBC</p> <p>DRAWN: [Name]</p> <p>CHECKED: [Name]</p> | <p>SCALE: 1:250</p> <p>DATE: 18/07/2012</p> <p>PROJECT: Kings Langley</p> <p>CLIENT: DBC</p> <p>DRAWN: [Name]</p> <p>CHECKED: [Name]</p> |



Coniston Road Kings Langley