

## **Cllr Ian Harvey**

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**From:** ian@ian4sunbury.org  
**Sent:** 07 April 2020 19:13  
**To:** Amar Brar; Bob Noble; Clare Barratt; Colin Barnard; Dick Smith-Ainsley; Helen Harvey; Jim McIlroy; Jo Sexton; John Boughtflower; Mary Madams; Maureen Attewell; Michele Gibson; Naz Islam; Nick Gething ; Olivia Rybinski; Richard Barratt; Robin Sider; Rose Chandler; Satvinder Buttar; Tony Harman; Tony Mitchell; Vivienne Leighton  
**Subject:** Waterfront Questions  
**Attachments:** Waterfront Questions[52585].docx

Dear Group

Based on some reasonably asked questions I have put these to officers today and the Monitoring Officer has provided the attached "Questions and Answers" which I hope clarify matters.

A couple of other points that may be of interest:

- This process started in October 2017 when we agreed the purchase of Hanover House and our original consultants Colliers International started working on the "specification" in February 2019.
- The Specification was issued on 25<sup>th</sup> July 2019.
- The date of tomorrow's meeting was originally set on 28<sup>th</sup> February 2020.
- There is no "sale" or "purchase" so no significant financial implications until it opens / units are sold. Thereafter on the hotel, a sustainable index linked annual income is expected [REDACTED]  
[REDACTED]
- Estimated Council Tax / Business Rates income (our share) on current levels is approximately [REDACTED]  
[REDACTED] shown in the Cabinet financial reports.
- The completed development is estimated to represent a [REDACTED] into the Borough.
- Bidder B has stated that they would significantly enhance the river bank / quay heading, and build a jetty with maintained river path public access. Such matters are of course subject to final design detail and planning consent.

I hope this additional information is helpful.

Best wishes

Ian

**Cllr Ian T E Harvey**  
Leader, Spelthorne Conservative Group  
Leader Spelthorne Borough Council  
*Spelthorne Means Business*

## **Questions relating to the procurement process for the proposed Waterfront development.**

### **Why were only 4 Councillors used for the evaluation?**

This was an officer-led project, and the evaluation panel was made up of both members and officers.

There were 5 sections the bid, and Members were asked to evaluate the section A, which addresses Bidders' proposed quality of hotel, serviced apartments and residential uses for the site in accordance with a specification of requirements.

The Councillors on the panel were the Leader and Deputy Leader, and the portfolio holders for Economic Development and Investment Portfolio Management & Regeneration respectively. Members were chosen based on their portfolio interest and / or professional background. The Group Head of Regeneration & Growth and the Assets Management Contractor were subject matter expert officers also evaluating this section.

A greater number of Councillors was initially proposed, but the Principal Solicitor advised that it would be very unusual to have such a larger number of evaluators on a procurement, and that it might be appropriate to have the Leader, Deputy Leader and the relevant Portfolio Holders.

The remaining sections of the tender documents were evaluated by officers and / or the appointed professional advisors.

### **What is the process and was there a requirement for consultation?**

The Procurement was conducted in accordance with the Public Contracts Regulations 2015, on the open market. The market has responded in accordance with a specification and requirement already set out by the Authority that is to the minimum requirements for the proposed uses for the site. We approached the market to get the most economically advantageous outcome. Under the Public Contracts Regulations there is no requirement for consultation. The formal Competitive Dialogue is centred around the published criteria as required by the Regulations. There will be a public consultation process during the planning application.

### **What were the timescales for the procurement and have these been accelerated?**

The Regulations require that the timetable be published in the formal documentation known as the Invitation to Participate in Dialogue and is as below, and we have adhered to the timetable throughout the competitive dialogue process, as tenders would expect. This is because they need to manage their tender teams, and submitting tenders of this nature is an expensive business.

Bidders were aware of the timetable, and the only extensions of time requested from them during the process was to move one of the dialogue sessions within the time window and to extend the submission deadline for 2 days.

<b>Event</b>	<b>Date</b>
Issue ITPD	6 November 2019
Qualified Bidders confirm Participation	7 November 2019
Dialogue phase ( <b>envisaged maximum time</b> )	12 November 2019 – end February 2020
Issue Invitation to Submit Final Tender (ISFT)	4 March 2020
Qualified Bidders submit ISFT responses	18 March 2020
SBC evaluates ISFT responses	w/c 23 March 2020
Internal approvals	April 2020
Notify tenderers of contract award decision	End April 2020
"Standstill" period	10 days
Award contract & OJEU contract award notice	May

**When was the 8 April Extraordinary Cabinet called?**

The meeting date was originally set on the 28 February and published on the 10<sup>th</sup> March to fit with the procurement timetable and the key decision requirements of giving 28 days' notice.

**What is the cost to the authority?**

The funding of the development is by the bidder, and the Council is putting in the land. We will get a long term income stream from the development when completed.

**What is the timetable for the project moving forward?**

This is a quick guide to the milestone dates within the development agreement which has been negotiated during the Competitive Dialogue process.

DA Signed --- within 25 weeks planning application is made --- within 9 months vacant possession of the site is given and within --- 18 months planning permission is obtained.

Once planning permission is obtained and vacant possession given within 10 working days the agreement is unconditional and the lease is granted. Within 6 months of the unconditional date development must commence. There is an initial target of 49 months for the build with extension provisions for a further 12 months.