

 Brent	Officer Key Decision
	Report to the Director of Inclusive Regeneration & Climate Action
AUTHORITY TO AWARD CONTRACT FOR PLANNING ENFORCEMENT WORKS	

Wards Affected:	All
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	Appendix 1 – Evaluation Grid
Background Papers:	None
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Name: Tim Rolt Job Title: Planning Enforcement Manager Email: tim.rolt@brent.gov.uk

1.0 Executive Summary

- 1.1. This report concerns the contract for provision of support to the Planning Enforcement Service in Direct Action, Appeal and Compliance work (Known as Planning Enforcement Works) ('the Contract'). This report requests authority to award contracts as required by Contract Standing Order 88. This report summarises the process undertaken in procuring a contract and, following the completion of the evaluation of the bids, recommends to whom the contract should be awarded.

2.0 Recommendation(s)

That the Director of Inclusive Regeneration & Climate Action:

- 2.1 Approves the award of contract for Planning Enforcement Works to Enforcement Services Ltd in the sum of £850,000 for a period of 5 years

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

- 3.1 Planning Enforcement Direct Action falls within all five of the Council's Strategic Priority areas, as set out in the Borough Plan. Compliance with enforcement notices will lead to a **Cleaner Greener Future**. The removal of poor quality residential accommodation from the Borough will give its children the **Best Start in Life**. The removal of anti-social uses such as "Shisha cafes" and poor quality

residential accommodation, will lead to a **Healthier Brent**. Effective Planning Enforcement also leads to **Prosperity and Stability** as the built environment is improved and maintained. Therefore Planning Enforcement makes an essential contribution the Borough Plan.

Background

- 3.2 The Council requires the provision of a Planning Enforcement Works. Council officers have undertaken a procurement exercise and identified a contractor providing the most economically advantageous offer in accordance with relevant evaluation criteria and therefore recommend award of a contract for Planning Enforcement Works.
- 3.3 The engagement of a contractor to provide Planning Enforcement Works is essential to the effective operation of the planning enforcement team. The main role of the contractor is ensuring the planning enforcement notices are complied with, by taking direct action to enforce them when owners have failed to take the necessary steps required. Some examples of direct action are; demolishing a building which has been built without permission; restoring front garden areas which have been paved over without permission; removing Shisha café equipment and removals of waste and scrap materials from sites, which have undergone a change of use without permission; tackling “beds-in-sheds” and flat conversions which have taken place without planning permission, by un-converting or demolishing the premises; and finally taking s215 tidy land action, to improve the amenity of land within the borough. The contractor will also act for Brent at appeal and court hearings where appropriate.

The Procurement Process

- 3.4 The Contract for will be let using JCT Measured Term Contract 2016 with the Council's amendments for 5 years.
- 3.5 Advertisements were placed on the London Tenders Portal on 17th January 2025 to seek initial expressions of interest, which elicited 9 responses.
- 3.6 All tenders had to be submitted electronically no later than 14th February. Tenders were opened on 15/06/2025 and one valid tender was received. Each member of the evaluation panel read the tenders and carried out an initial evaluation of how well they considered each of the award criteria was addressed in the tender.
- 3.7. The contractors who expressed interest in tendering for the Contract were invited to submit tenders but only one contractor subsequently submitted a tender.
- 3.8 The tendering instructions stated that the Contract would be awarded on the basis of the most economically advantageous offer to the Council and that in evaluating tenders, the Council would have regard to the following:

Quality	Weighting
Experience	23%
Mobilisation	8%
Health and Safety	8%
Customer focus	16%
Systems	8%
Recycling	7%
Social Value	
Social Value – Q1	3%
Social Value – Q1	4%
Social Value – Q1	3%
Social Value – Total	10%
Price	20%
Overall	100%

Evaluation process

- 3.9 The tender evaluation was carried out by a panel of officers from the Planning Enforcement Team. The panel met on 27th February 2025 and each submission was marked by the whole panel against the award criteria.
- 3.10 It should be noted that Enforcement Services Ltd was the only tender received and based on the evaluation against the award criteria, Enforcement Services Ltd met all the necessary criteria. Officers therefore recommend the award of the Contract to Enforcement Services Ltd.
- 3.11 The Contract will commence on 1st July 2025.

4.0 Stakeholder and ward member consultation and engagement

- 4.1 The Planning Direct Action is an ongoing matter in the Borough and relevant stakeholders will be kept up to date with relevant information on the delivery of the contract.

5.0 Financial Considerations

- 5.1 Part 3 of the Council's Constitution states that the Director of Inclusive Regeneration & Climate Action has delegated authority to approve the award of contracts for work valued at less than £5 million. The estimated value of the Contract is £850,000
- 5.2 The cost of the Contract will be funded from the Planning Enforcement budget. It is largely self-financing as the Council will invoice the owner of land for the cost in carrying out the works.

6.0 Legal Considerations

- 6.1 The value of the Contract over its lifetime is below the Public Contracts Regulations 2015 (the "PCR 2015") threshold for Works and the award of the Contract is therefore governed by the PCR 2015 only in part. Section 3 of the

report outlines the procurement procedure which is consistent with the requirements of the PCR.

- 6.2 The award of the Contract is subject to the Council's own Standing Orders in respect of Medium Value Contracts given that it is valued at £850,000 Under Part 3 of the Constitution, at paragraph 9.5 in section 3(a) of the table therein, relevant Corporate Directors have delegated to them authority to award Medium Value Contracts, so far as the contract relates to the service area which they are responsible for. Directors have similar powers delegated to them under paragraph 9.7 of Part 3 of the Constitution and as this contract relates to area which the Director of Inclusive Regeneration & Climate Action is responsible for, it is considered that the Director of Inclusive Regeneration & Climate Action has delegated authority to approve the award of the contract.
- 6.3 The contract will be administered using the JCT Measured Term Contract 2016 with the Council's amendments.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

- 7.1 Pursuant to s149 Equality Act 2010 (the "Public Sector Equality Duty"), the Council must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment and victimisation and other conduct prohibited under the Act.
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 7.3 Having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.
- 7.4 There is no prescribed manner in which the Council must exercise its public sector equality duty but having an adequate evidence base for its decision is necessary.
- 7.5 The proposals in this report have been subject to screening and officers believe that there are no adverse equality implications.

8.0 Climate Change and Environmental Considerations

8.1 The works to be delivered under the contract, such as removal of poor quality residential accommodation, will contribute to a cleaner greener Borough.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 The contract will be delivered by a contractor and there are no human resources or property implications for the Council from the procurement of this contract

10.0 Communication Considerations

10.1 Officers will seek to engage and keep relevant stakeholders updated on delivery of the contract.

Report sign off:

Gerry Ansell
Director of Inclusive Regeneration & Climate Action

APPENDIX 1 – EVALUATION GRID

Enforcement Services			
Quality	Weighting	Score	%
Experience	23%	5	23
Mobilisation	8%	5	8
Health and Safety	8%	5	8
Customer focus	16%	4	12.8
Systems	8%	5	8
Recycling	7%	5	7
Social Value		/	/
Social Value – Q1 Prosperity & Stability	3%	4	2.4
Social Value – Q2 Cleaner Greener Future	4%	5	4
Social Value – Q3 A Healthier Brent	3%	3	1.8
Social Value – Total	10%		
Price	20%		20
Overall	100%		95