



Notice of Meeting:

Environment and Climate Action (Formerly Environment and Highways)

Meeting Location:

URGENT DECISION

Date and Time:

Monday, 15 March 2021 at 17:45

Contact for Enquiries:

Address:

Democratic Services,
Perceval House, 14 Uxbridge Road,
Ealing, London, W5 2HL

Telephone: 020 8825 6253

Email: democraticservices@ealing.gov.uk

Chief Executive:

Paul Najsarek

URGENT INDIVIDUAL CABINET MEMBER DECISION

AGENDA

Open to Public and Press

1 Matters to be Considered in Private

The Appendix to the Report contains information that is exempt from disclosure by virtue of paragraph 5, Part 1 of Schedule 12A of the Local Government Act 1972.

2 Declarations of Interest

3 Urgent Matters

Urgent decision exempt from call in

The reason for urgency was:

The contract needs to be entered into urgently because the fluidity of the associated market means that any delay could jeopardise the tendered sum. It was in the public interest to restore this open space to enable public access at the earliest opportunity.

Urgent, pursuant to the following procedures:

Rule 4 (c) of the [Access to Information Procedure Rules](#)

(meeting called at less than five clear working days' notice)

Rule 16 of the Access to Information Procedure Rules
(impractical to comply with Forward Plan requirements)

Rule 5 of appendix to the Access to Information
Procedure Rules (urgent ICMD)

Rule 16 of the [Scrutiny Procedure Rules](#) (special
urgency and exemption from call-in)

The decision will be reported for information to the next
full meeting of council.

4 Award of Contract for landscaping works at Glade 5 - 10
Lane Canalside Park
Confidential Appendix - Glade Lane Canalside Park

- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings;

Paul Najsarek, Chief Executive, 15 March 2021

Published: Monday, 15 March 2021



Paul Najsarek
Chief Executive, London Borough of Ealing

Contains Confidential or Exempt Information	YES YES (Part) The exemption of the Access to Information Rules relates to Paragraph 4 which contains legally privileged information by virtue of paragraph 5 of Part 1 of Schedule 12A of the Local Government Act 1972)
Title	Award of Contract for landscaping works at Glade Lane Canalside Park
Responsible Officer(s)	Mark Wiltshire, Director for Community Development
Author(s)	Chris Bunting, Assistant Director Leisure Services
Portfolio(s)	Cllr Jasbir Anand
For Consideration By	Cllr Jasbir Anand
Date to be Considered	16 th March 2021
Implementation Date if Not Called In	30 th March 2021
Affected Wards	Norwood Green
Keywords/Index	Glade Lane Canalside Park, Norwood Green, Southall, Landscaping, Park, Contract, Award

Purpose of Report:

This report seeks Portfolio Holder approval to award a contract to Woodland Environmental Limited to construct, complete and maintain certain landscaping works including the importation of soil to site in compliance with all the contract provisions at Glade Lane Canalside Park, Norwood Green, Ealing.

1. Recommendations

It is recommended that the portfolio holder;

- i) Notes and agrees the proposal to undertake landscaping works at Glade Lane Canalside Park, Norwood Green (to include the importation of soil) and the significant improvements that can be delivered at the location.
- ii) Notes steps taken to procure a contract for the provision of the landscaping works and agrees that Woodland Environmental Ltd is the successful bidder.
- iii) Authorises the award of a contract to Woodland Environmental Limited from March 2021 to January 2022 to construct, complete and maintain the landscaping works.
- iv) Notes that awarding of this contract will contribute £0.375m in 2020-21 to meet the approved budget target. The estimated net income in 2021-22 is not budgeted and it is anticipated that the net income forecast position will be reported through the monitoring process. Please refer to section 4 for more details.

2. Reason for Decision and Options Considered

In 2019, the Council commissioned Lambert Smith Hampton (at that time the Council's property agents) to provide support to the Council subject to an initial desktop appraisal of Planning Policy and Environmental Permit, suitability for potential soil importation works at a range of sites including Ealing Central Sports Ground and Glade Lane Canalside Park. It was at that point made clear that soil importation was to be undertaken with the purpose of retaining these sites for outdoor sports and recreation and that importation would be in keeping with the landscape characteristics of the respective locations. The legislative process for implementing these projects has been twofold. In the first instance, a suitable Planning Consent must be acquired and then subsequently an Environmental Permit is required prior to commencement. The initial desktop appraisal indicated a level of soil importation at Glade Lane in the region of 50,000 cubic metres.

Working with Lambert Smith Hampton, the Council is already delivering a successful sport pitch upgrade at Ealing Central Sports Ground at no net cost to the Council. Having succeeded with this project the next location to be developed is Glade Lane Canalside Park.

A robust review of the soil importation potential and a new opportunity to increase levels due to the Environment Agency's approval to import soil over the area of the site that was fly-tipped in 1995/96 has provided a significant opportunity to increase levels of import from 50,000 cubic metres to somewhere between 100,000 and 148,000 cubic metres. The original/lesser scheme was anticipated to yield a net payment to the council of approximately (£0.350m).

Having achieved Planning Consent in September 2020; Lambert Smith Hampton tendered the project in November 2020. In seeking competitive proposals from suitable contractors with a relevant track record, sufficient secured projects to meet the importation requirements and experience of obtaining suitable Environmental Permits to undertake the proposed works, the most financially advantageous bid was tendered by Woodland Environmental Limited.

Financial details of the Woodland Environmental Limited proposal to implement the whole of the works have been included in the confidential appendix.

3. Key Implications

Glade Lane Canalside Park was created on the site of a former council plant/tree nursery in 1995. The photograph below was taken in 1999 and shows the newly complete park. The area highlighted by the red boundary is an area of 22,000m² which was left out of the park. Unfortunately, in 1995/96, illegal fly tipping took place on the site; the individual piles from each lorry load can be seen in the photograph below. Over the subsequent years the site continued to be considered and investigated as a possible site for sports use but after various site investigations it became apparent that the site was not viable for any form of building works.

Over the past 18 months, the Parks team have been investigating three sites in the borough to carry out landscaping / importation schemes to both enhance each of the sites and to potentially generate funds. The first of these is Ealing Central Sports Ground where contractors are currently onsite using imported soil to improve the drainage and generate income. The Glade Lane site was an obvious candidate where

landscaped features could be added to enhance the site and generate income to provide facilities onsite and provide an estimated capital receipt to the council of at least £0.5m.



The abandoned landfill site has remained largely inaccessible to the public for 25 years. Returning the site to full public use will contribute approximately 22,000 square meters of new public open space to the Park. The proposals are similar in design to Northala Fields which was a similar exercise, but here on a smaller scale. As part of the works the existing ball courts will be replaced with a new court at the front of the site and a new play area will be created with the old play area retained. Trees will be planted, and a new path network will be constructed to link the mounds with the rest of the park. We anticipate that providing this new viewing point and adding interest to the site will draw people from a much wider area and increase the use of the Park while creating an asset for the developing local community.

To create the new mounds up to 148,000 cubic metres of soil will be imported over a nine-month period with a site compound constructed where soil imports will be received and subsequently distributed and profiled across the park. It is anticipated work will start in spring 2021 and take between 10-12 months to complete.



4. Financial

a) Financial impact on the budget

The approved revenue budget for 2020-21 contains a one-off income target of £0.750m which is to be delivered through two schemes. This contract is one of those two schemes and subject to awarding this contract £0.375m will be achieved in this financial year to meet the budgeted one off income target.

The contract period is from March 2021 to January 2022 and the below table shows the estimated net income over the two year period. Please note that based on the quantity of imported soil the estimated income will vary in 2021-22 and this is not budgeted. It is assumed that this net income will support to mitigate any potential pressures within the service and the forecast position will be reported through the 2021-22 monitoring process.

A table outlining the financial impact on the budget is provided in Confidential Appendix

5. Legal

The contract award process was undertaken in accordance with the Council's Contract Procedure Rules; the contract will be an NEC 4 short term contract.

The Council has specific powers under section 164 of the Public Health Act 1875 as amended, to purchase, lay out, plant improve and maintain land for use as public walks and pleasure grounds, which powers are extended under section 4 of the Physical Training and Recreation Act 1937 to include equipping playing fields and providing open spaces intended purely for the playing of games. Further, the Council has general powers under section 1 of the Localism Act 2011 to do anything that an individual may do and that includes, by necessary implication, powers to promote the economic, social and environmental wellbeing of the Council's communities.

Whilst the provision of parks and open spaces is not a statutory function, the provision of good quality parks and open spaces can make a huge contribution to all aspects of the community's wellbeing.

6. Value For Money

The current contract was subject to tender to ensure value for money. The project will restore a significant area of green space park for public access at no net cost to the Council.

7. Sustainability Impact Appraisal

The completion of the Glade Lane Canalside Park project will provide an improvement in the local environment and will contribute to making Ealing a better place to live. It will also provide additional play facilities, both of which will help create a great place for children and young people. The project will be delivered to support the Council's Climate Strategy.

8. Risk Management

No implications

9. Community Safety

The proposed works will contribute to improved community safety in this park.

10. Links to the 3 Key Priorities for the Borough

By bringing the site into public use the proposed works will support the at least one of the council administration's three key priorities for Ealing namely

- A healthy and great place

11. Equalities, Human Rights and Community Cohesion

The recommendations in this report have no specific implications for equalities or community cohesion.

12. Staffing/Workforce and Accommodation implications:

The recommendations in this report have no specific implications for staffing or accommodation.

13. Property and Assets

The proposals will result in an improved infrastructure which will need to be managed as part of the Council's overall asset management schedule.

14. Consultation

This project forms part of the Council's Medium-Term Financial Strategy and Future Ealing Programme. The Portfolio Holder has briefed and the project was also party to public consultation ahead of the approved planning application (November 2020).

15. Timetable for Implementation

The contract is expected to be completed by Spring 2022 and it is vital that the other works necessary are undertaken as soon as possible so that the park can fully open to the public at the earliest opportunity.

16. Background Information

No additional background information

Consultation

Name of consultee	Post held	Date sent to consultee	Date response received	Comments appear in paragraph:
Internal				
Gary Alderson	Executive Director			Throughout
Helen Harris	Director, Legal and Democratic Services Services	22/2/21	01/03/21	5. Legal
Ross Brown	Chief Finance Officer			4. Financial
Cllr Jasbir Anand	Cabinet Member for: Environment and Highways	22/2/21	26/2/21	Throughout
Afam Ajoh	Contracts and Projects Lawyer		01/03/21	5. Legal
Yalini Gunarajah	Finance Manager	01/03/21	02/03/21	1 & 4
Lucy Taylor	Director of Growth and Sustainability	22/2/21		Throughout
Mark Wiltshire	Director of Community Development	22/2/21		Throughout
Jackie Adams	Head of Legal (Commercial)	22/2/21	01/03/21	Throughout
Chuhr Nijjar	Senior Contracts Lawyer	22/2/21	01/03/21	5. Legal
External				

Report History

Decision type:	Urgency item?
Key decision	Yes This item was not included in the Forward Plan with at least one month's notice because the tender return was not predicted to meet the level of authority required for a key decision (£0.500m). The contract also needs to be entered into urgently due to the nature of this project. In particular the fluidity of the associated market means that any delay could jeopardise the tendered sum.
Report no.:	Report author and contact for queries: Chris Bunting, Assistant Director Leisure buntingc@ealing.gov.uk 0208 825 6429