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Contract

Regis Road Regeneration

London Borough of Camden

F03: Contract award notice

Notice identifier: 2023/S 000-010236

Procurement identifier (OCID): ocds-h6vhtk-03bd7b

Published 6 April 2023, 4:08pm

Section I: Contracting authority

I.1) Name and addresses

London Borough of Camden

London Borough of Camden, 5 Pancras Square

London

N1C 4AG

Contact

Mr Jonathan Lam

Email

jonathan.lam@camden.gov.uk

Telephone

+44 2079746504

Country

United Kingdom

Region code

UK - United Kingdom

Internet address(es)

Main address

www.camden.gov.uk

Buyer's address

www.camden.gov.uk

I.4) Type of the contracting authority

Body governed by public law

I.5) Main activity

Housing and community amenities

Section II: Object

II.1) Scope of the procurement

II.1.1) Title

Regis Road Regeneration

Reference number

DN664970

II.1.2) Main CPV code

- 70122000 - Land sale or purchase services

II.1.3) Type of contract

Services

II.1.4) Short description

The Council has agreed a conditional land sale agreement whereby it intends to sell leasehold interests in two Council-owned sites to YC CFQ Limited (“the buyer”):

(1) The land and buildings comprising the Council’s Holmes Road Depot and Flats 1- 21 and Flats 1 – 4 situated on the north-west side of Holmes Road at the junction with Spring Place and 76 and 78 Holmes Road respectively, Kentish Town in the London Borough of Camden and held under registered title NGL32828

(2) The land comprising the Council’s Regis Road Reuse and Recycling Centre and Car Pound situated at Regis Road, Kentish Town in the London Borough of Camden and held under registered title NGL517100 (“the sites”).

The Council’s aspiration is that the sites will be used by the buyer for the purposes of a comprehensive redevelopment of the Regis Road Growth area, to include film and television studios, post production and creative office space, as well as significant residential development and education and exhibition space. The sale of leasehold interests in the site will be conditional, inter alia, upon planning permission being obtained by the buyer which allows for such redevelopment, and which also allows for the re-provision of Council offices, facilities and Council-owned homes which are currently located on the sites.

II.1.6) Information about lots

This contract is divided into lots: No

II.1.7) Total value of the procurement (excluding VAT)

Value excluding VAT: £1

II.2) Description

II.2.3) Place of performance

NUTS codes

- UKI31 - Camden and City of London

II.2.4) Description of the procurement

The Council has negotiated the sale of leasehold interests in the sites with YC CFQ Ltd. Contracts were exchanged on 05 April 2023.

II.2.5) Award criteria

Quality criterion - Name: N/a / Weighting: 0

Price - Weighting: 100

II.2.11) Information about options

Options: No

II.2.13) Information about European Union Funds

The procurement is related to a project and/or programme financed by European Union funds: No

Section IV. Procedure

IV.1) Description

IV.1.1) Type of procedure

Award of a contract without prior publication of a call for competition in the cases listed below

- The procurement falls outside the scope of application of the regulations

Explanation:

The Council has not conducted a procurement in accordance with the Regulations before agreeing to sell leasehold interests in the sites to the buyer.

The primary purpose of the Contract is to dispose of interests in land, a type of transaction which falls outside the scope of the Regulations.

Notwithstanding the primary purpose of the Contract, the Council identified that the contract may result in the buyer constructing or procuring the construction of works, and providing related services, for the purposes of reproviding the facilities, offices and housing which are currently located on the sites, at alternative nearby sites. The Council has concluded, however, that that aspect of the Contract does not serve to bring the Contract within the scope of the Regulations, and did not require that it be subject to advertisement and a tender process, for the following reasons:

(1) The reprovision of facilities, offices and housing is subsidiary to the primary objective of the Contract, which is to dispose of interests in land.

(2) The buyer will have no enforceable obligation under the Contract, either immediate or contingent, to provide works or services to the Council. The Contract provides for the current occupation of the sites to continue, through the grant of underleases, once the buyer acquires leasehold interests over the sites. The buyer is then to have the option of reproviding facilities, offices and housing, and terminating underleases as appropriate when new facilities/offices/housing are available. It will not be required to do so. If it does not do so within a longstop period provided for within the Contract, then the Council will have the option to require the buyer to sell the leasehold interests back to the Council, or to a third party, at a price provided for in the Contract. Similarly, in relation to the fit-out of any new facilities, offices or housing, the buyer is to have the option to undertake fit-out works, but it cannot be required to do so, and if it does not do so it must make a contribution to the cost of the Council undertaking the fit-out works.

(3) In the absence of any enforceable legal obligation to carry out works or provide services, the Council considers that the Contract is not capable of constituting a public works or public services contract.

IV.1.8) Information about the Government Procurement Agreement (GPA)

The procurement is covered by the Government Procurement Agreement: No

Section V. Award of contract

Contract No

1

Title

Regis Road Regeneration

A contract/lot is awarded: Yes

V.2) Award of contract

V.2.1) Date of conclusion of the contract

6 April 2023

V.2.2) Information about tenders

Number of tenders received: 1

Number of tenders received from SMEs: 0

Number of tenders received from tenderers from other EU Member States: 0

Number of tenders received from tenderers from non-EU Member States: 0

Number of tenders received by electronic means: 0

The contract has been awarded to a group of economic operators: No

V.2.3) Name and address of the contractor

YC CFQ Limited

3rd Floor, Liberation House, Castle Street

St Helier

JE1 2LH

Country

United Kingdom

NUTS code

- UK - United Kingdom

The contractor is an SME

No

V.2.4) Information on value of contract/lot (excluding VAT)

Total value of the contract/lot: £1

Section VI. Complementary information

VI.4) Procedures for review

VI.4.1) Review body

Cabinet Office

London

Country

United Kingdom