



18 February 2011

**NOTICE OF INTENTION TO ENTER INTO A QUALIFYING LONG TERM AGREEMENT (Section 20 of the Landlord and Tenant Act 1985 (as amended) and Schedule 2 of the Service Charges (Consultation Requirements)(England) Regulations 2003).**

Dear Leaseholder

**Qualifying Long Term Agreement relating to the appointment of construction works related consultancy services relating to construction works.**

I am writing to inform you that the Council, as your landlord, proposes to enter into a long term agreement, details of which are given below. The Council is required to consult all leaseholders who may be affected, in accordance with Section 20 of the Landlord and Tenant Act 1985 (as amended) ("the Act") and Schedule 2 of the Service Charges (Consultation Requirements) (England) Regulations 2003 ("the Regulations").

The Regulations require the Council to serve you with a notice of intention to enter into the agreement. In due course the Council will serve you with a further notice regarding its proposal. This letter is the notice of intention. Under the Regulations this notice must contain the following information.

**1. Description of the agreement.** The Council is planning to enter into what the Act calls a "qualifying long term agreement". This is an agreement which lasts for more than 12 months and concerns services to be carried out in relation to the building or estate in which you are a leaseholder.

The Council intends to appoint consultants to provide construction-related consultancy services. These services include the administration of projects on behalf of the Council from inception to completion.

The types of services, for which you will be liable to pay a proportion of the cost by way of a service charge, will relate to (but not be limited to) the following categories:

- (i) project management;
- (ii) structural engineering;
- (iii) civil engineering design;
- (iv) building surveying services;
- (v) landscape architecture services;
- (vi) urban design services;
- (vii) quantity surveying (both construction and civil engineering) including whole life costing;
- (viii) building surveying services;
- (ix) architectural services including Client Design Advisors;
- (x) mechanical and electrical engineers;
- (xi) other related design services such as acoustic engineers; master planning; surveys etc
- (xii) BREEAM standards (Building Research Establishment Environmental Assessment Method),;
- (xiii) some element of quality control (Clerk of works) may also be expected;
- (xiv) specialist design advice on conservation, listed buildings etc.
- (xv) Construction Design and Management Co-ordinators

**2. Duration of the agreement.** The agreement is planned to run from November 2011 for a period of four years

**3. Value of the agreement.** The total cost of provision of all services throughout the Borough is envisaged to be in the range £3.6 million - £5.4 million.

**4. Reasons why the agreement is necessary.** The agreement will enable the Council to enter into a contract with the successful consultant to provide the services listed above. The existing agreement for the supply of these services expires in March 2012. The proposed agreement is necessary so that the Council can comply with its contractual and statutory obligations to tenants and leaseholders. Value for money can be obtained through the adoption of framework agreements for construction consultancy services to achieve economies of scale and enable quicker project initiation.

**5. Observations.** You are invited to make any written observations you may wish to make regarding the proposals contained in this notice. If you wish to do this, you must send them to this office in writing to be received within 30 days from the date of this notice. All observations must be received by the 21 March 2011. Observations should be sent to the following address: Home Ownership Team, 13 – 27 Station Road, Wood Green, London, N22 6UW.

**6. Reason why the Council is not inviting nominations from leaseholders.** In the case of the proposed agreement the European Union requires the Council as a public authority to advertise the agreement by way of a public notice in the Official Journal of the European Union because of the estimated cost of the provision of the services. Where it is necessary to issue such a public notice (as in this case), the right of leaseholders to nominate a consultant does not apply.

The public notice must give details and invite tenders from suitable consultants in respect of the proposed agreement. In view of this requirement, the Regulations state that it is not possible for leaseholders themselves to propose a person or consultant to tender for the contract, as would otherwise be the case. The Regulations also state that leaseholders must be informed of this fact.

**7. Further consultation – Notification of Landlord’s Proposal.** Upon receipt of the tenders/estimates, we will send you a further notice regarding the Council’s detailed proposal in accordance with the Regulations. This will inform you of the proposed consultant and provide you with a further opportunity to be consulted about the proposed agreement.

**8. Cost of the services.** As a leaseholder you will only be liable for a proportionate part of any costs incurred in relation to your building or estate under the agreement.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Thevanesan', is written over a horizontal line. A vertical red line is positioned to the right of the signature.

**T. Thevanesan**  
**Home Ownership Manager**