



Metropolitan Thames Valley Leasehold Management Services



key information

Client: Metropolitan Thames Valley
Location: London and South East
Value: £30,000,000
Dates: April 2018 – July 2019
Contract: TPC 2005 (2008)

services

**Leasehold Management Consultancy
Support**

the project

Faithorn Farrell Timms were appointed to assist and support Metropolitan Thames Valley (formerly Thames Valley Housing) (MTV) with the procurement of their long-term Flooring Contract, Windows & Doors Contract and their Cyclical Redecorations Contract.

An integral part of the procurement process was the requirement to undertake Leasehold Consultation for which FFT were also appointed. A key objective of our client was to ensure that timely and compliant Leasehold Consultation was undertaken to ensure that they could legitimately recharge their leaseholders for works undertaken across the duration of the contract term and enable the procurement timetable to progress in accordance with the programme.

our role

Upon appointment, we facilitated a workshop with key stakeholders from our client's team. MTV's housing requirements were for the procurement of three long-term contracts to deliver planned and cyclical works across all of their stock, including both general needs and leasehold tenures.

MTV has nearly 4,000 leaseholders therefore it was imperative to ensure that the consultation process minimised the administrative burden. To this end, we proposed a single Notice of Intention to be issued to all leaseholders and Residents Associations which stated the proposed Qualifying Long-Term Agreements. It was accepted that individual Notice of Landlords Proposals would be required at the second stage of consultation due to the differing requirements of the proposals.

Due to the long-term nature of the contracts, FFT advised that the Leasehold Consultation route would be a Schedule 2 notice to reflect the requirements of an OJEU procurement for a Qualifying Long-Term Agreement. FFT were responsible for drafting the Notices, which included a 'Frequently Asked Questions' section, which in our experience considerably reduces the number of observations received. Furthermore, we liaised with our client's Home Ownership Team to receive resident's details and addresses in a format that was appropriate for use with the mail merge fields within the Notice and to be received in a method that was compliant with General Data Protection Regulations (GDPR).

Due to the volume and size of the mail merge to be issued, FFT used a mailing house. We undertook due diligence to ensure that they were GDPR compliant and developed an agreed strategy in order to share the resident's data via the use of our own password protected Asset Portal. Upon receipt of a final and agreed resident list, FFT sought a quotation from the mailing house to ensure certainty of cost for our client. All observations were returned directly to us via an observation form or a dedicated residents email address.

the challenges

Following the initial workshop to scope the procurement, it became apparent that the Flooring Contract would fall below the OJEU procurement threshold and therefore the approach to Leasehold Consultation would follow a different route to the OJEU Cyclical Redecoration and Windows & Doors Consultation.



All Leaseholders potentially affected by the Flooring Contract would be eligible to submit contractor nominations and therefore we advised MTV how they could collate these nominations as well as ensure that the nominees were aware of the tender opportunity and how they could view and apply once the Contract Notice had been published.

the solution

Consequently, we drafted a Schedule 1 Notice of Intention for the Flooring Contract and a Schedule 2 Notice of Intention which combined the Cyclical Redecoration and Windows & Doors Contract. Upon issue of the Notices, via the mailing house, FFT established an observation log which facilitated for the recording of all observations and the subsequent responses. The log recorded any contractor nominations received to ensure that they were contacted regarding the tendering process.

As two consultations were running in tandem, this consultation exercise generated a very large volume of observations. FFT received, collated and responded to all the observations received and provided MTV with a copy of the log at the conclusion of the Notice of Intention stage of observation. Whilst this was administratively time consuming, we had dedicated administrative support and a Procurement Manager with specific Leasehold Management experience who took overall responsibility for the observation responses.

added value

MTV's Home Ownership Team requested that FFT provide a written statement of their role within the Leasehold Consultation and wider procurement exercise so that this may be used as part of their evidence to demonstrate engagement and joint working.

The Notice of Intention was issued including an observation form, which leaseholders were requested to return as confirmation that they had received the Notice as well as submit any observations they wished to make. This generated a considerable number of returns confirming receipt, many of which accrued large postage costs for residents, and necessitated a significant administrative input in order to log and record all the returns. Consequently, we proposed that the observation and associated form to confirm receipt be removed from the Notice of Landlords Proposal in order to reduce the administrative burden for leaseholders and the associated costs for our client. Leaseholders were invited to submit their observations via email or by letter, if they preferred, therefore they were not disadvantaged and received less paperwork in their Notice.

Faithorn Farrell Timms LLP

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contact

Paul Smith

Senior Associate

01689 885080

paulsmith@effftee.co.uk

