

# **NOTICE OF A PRIVATE MEETING OF A DECISION-MAKING BODY TO WHICH THE CHAIR OF THE OVERVIEW AND SCRUTINY COMMITTEE HAS AGREED<sup>1</sup>**

*Notice of an imminent occasion when the public may be excluded from a meeting due to the likelihood that if members of the public were present during an item of business confidential or exempt information would be disclosed to them and which the Chair of the Overview and Scrutiny Committee has agreed is urgent and cannot reasonably be deferred.*

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<sup>1</sup> In accordance with Regulation 5(7) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

1. At least 28 clear days before a private meeting<sup>2</sup> of a decision-making body, public notice<sup>3</sup> must be given which must include a statement of reasons for the meeting to be held in private.
2. At least 5 clear days before a private meeting of a decision-making body, further public notice<sup>4</sup> must be given which must include a statement of reasons for the meeting to be held in private, details of any representations received by the decision-making body about why the meeting should be open to the public and a statement of the Council's response to such representations.
3. Where the date by which a meeting must be held makes compliance with the above requirements impracticable, the meeting may only be held in private where the decision-making body has obtained agreement from the Chair of the Overview and Scrutiny Committee.<sup>5</sup>
4. Compliance with the requirements for the giving of public notice has been impracticable in relation to the business detailed below

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<sup>2</sup> A 'private meeting' means a meeting or part of a meeting of a decision making body which is open to the public except to the extent that the public are excluded due to the confidential or exempt business to be transacted.

<sup>3</sup> In accordance with Regulation 5(2) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>4</sup> In accordance with Regulation 5(4) of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

<sup>5</sup> In accordance with regulation 5(6) of the Local Authorities (Executive Arrangements) (meetings and Access to information) (England) Regulations 2012.

Date of Decision or period within which the decision is to be made	Matter in respect of which the decision is to be made	Short Description	Decision maker	Cabinet Member & Lead Officer	List of documents to be submitted to decision maker	Public or Private meeting. Statement of reasons if private.
Between 15 May and 29 <sup>th</sup> of May 2024	Variation to the contract value for Gas servicing and maintenance contract between Haringey Council and Purdy Contracts Ltd.	To increase the contract value by £5,504,908.90, due to additional and unforeseen works and costs over the life of the contract. Including additional emergency cover, increased boiler replacement costs, communal boiler failures and temporary plant, and increased inflation over the period of the contract, and the cost of installing, maintaining, and replacing additional Carbon Monoxide detectors across the stock. This additional contract value is funded from existing available budgets being split approximately 29% Revenue and 71% Capital funding.	Cabinet Member Signing	Cabinet Member for Housing Services, Private Renters, and Planning And Jahedur Rahman Operational Director for Housing & Building Safety	Report for Variation of Contract	Part exempt  Paragraphs 3, 5  Information relating to the financial or business affairs of any particular person (including the authority holding that information). Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
Between 15 May and 29 <sup>th</sup> of May 2024	Approval of a revenue budget virement from the Housing Revenue Account (HRA) reserves for the provision of services to manage housing disrepair cases, and funding for the delivery of Electrical Inspection & Condition Reports (EICR)	Disrepair (HRS) require: £2m to fund contractors to complete repair works; £1.1m for legal costs incurred by tenants/ lessees; £2.4m for the Council's external law firms, and £700k for compensation to tenants/lessees.  A sum of £651k is required for a contractor to complete new Electrical Inspection & Condition Reports (EICR).  A budget virement of £3.5m is required from	Leader of the Council	Leader of the Council  David Joyce Director of Placemaking & Housing	EICR award report January 2024.	Part exempt  Paragraphs 3, 5  Information relating to the financial or business affairs of any particular person (including the authority holding that information). Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

		<p>the HRA reserves to meet some of these costs.</p> <p>The remaining budget will come from savings in the Housing Operational &amp; Building Safety budget, potential refund / claim &amp; reallocation of £0.5m from the HIP budget.</p>				

5.The Chair of the Overview and Scrutiny Committee has agreed that the Leader and Cabinet Member may hold a private meeting to consider the business referred to in paragraph 4 above because the meeting is urgent and cannot reasonably be deferred for the reasons stated below.

<b>Date of Chair's agreement</b>	<b>Matter in respect of which the decision is to be made</b>	<b>Reasons why meeting urgent and cannot reasonably be deferred</b>
26.04.2024	Variation to the contract value for Gas servicing and maintenance contract between Haringey Council and Purdy Contracts Ltd.	The impact of not implementing a contract value variation would mean that the incumbent contractor for Lot 2 would not be paid for works under the contract and could withdraw services following a seven day notice. This means that Haringey Council tenants would be put at risk, from no gas servicing and maintenance, which could result in injury or death and would also mean that Haringey would not be compliant under the Health & Safety at Work Act 1974 and the Consumer Standards under the Housing & Regeneration Act 2008, and could face

		<p>sanctions by both the HSE and the Regulator for Social Housing.</p> <p>The recommendations concerning this decision will require consideration of exempt information relating to section 12A of the local government act 1972 - Paragraphs 3 &amp; 5</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information). Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>Agreement to hold this private meeting has been agreed by the Chair of Overview and Scrutiny in line with Part Four of the Council Constitution, Section D - Access to information Rules - paragraphs 18.1 to 18.3.</p>
26.04.2024	<p>Approval of a revenue budget virement from the Housing Revenue Account (HRA) reserves for the provision of services to manage housing disrepair cases, and funding for the delivery of Electrical Inspection &amp; Condition Reports (EICR)</p>	<p>The decision is urgent and needs to be taken in less than 28 days because any delay in implementation would seriously prejudice the Council's or the public's interests due to the fact that critical financial liabilities are being incurred and will continue to do so at a steep incline, which will further compound year on year, with implications for budgets and our reputation; through breached settlements and Court Orders (which we are already experiencing &amp; managing).</p> <p>This decision will ensure that the cause of these circumstances can begin to be addressed immediately by enabling the operational team to arrest the exponential increase in costs and legal defaults and decrease the number of tenants living in disrepair, despite bringing legal action against the Council and obtaining agreements and Orders requiring the same to be remedied.</p> <p>The current circumstances may give rise to a drastic multiplication of costs over the next 2 years, which would see current budget levels breached at or before Q2</p> <p>EICRs are a regulatory requirement, funding is urgently required to ensure the annual programme of reports commences in April 24.</p> <p>The recommendations concerning this decision will require consideration of exempt information relating to section 12A of the</p>

		<p>local government act 1972 - Paragraphs 3 &amp; 5</p> <p>Information relating to the financial or business affairs of any particular person (including the authority holding that information). Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.</p> <p>Agreement to hold this private meeting has been agreed by the Chair of Overview and Scrutiny in line with Part Four of the Council Constitution, Section D - Access to information Rules - paragraphs 18.1 to 18.3.</p>
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