

CABINET MEMBER SIGNING

Tuesday, 5th July, 2022, 4.30 pm

Members: Councillors Ruth Gordon – Cabinet Member for Council Housebuilding, Placemaking and Development

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

3. DECISION ON DESIGN AND BUILD CONTRACT, BROADWATER FARM (PAGES 1 - 16)

4. EXCLUSION OF THE PRESS AND PUBLIC

Item 5 is likely to be subject to a motion to exclude the press and public be from the meeting as *it contains* exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 3 and 5, namely information relating to the financial or business affairs of any particular person (including the authority holding that information) and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**5. EXEMPT: DECISION ON DESIGN AND BUILD CONTRACT,
BROADWATER FARM (PAGES 17 - 78)**

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Monday, 27 June 2022

Report for: Cabinet Member Signing – 5 July 2022

Title: Approval of contractor for Stage one Pre-Contract Services Agreement for Broadwater Farm New Homes

Report authorised by: David Joyce, Director of Placemaking and Housing

Lead Officer: David Sherrington, Programme Director (Broadwater Farm)

Ward(s) affected: West Green

**Report for Key/
Non Key Decision:** Key decision

1. Describe the issue under consideration

- 1.1. This report asks Cabinet to approve the award of a contract to the winning bidder Tenderer A for a Pre-Construction Services Agreement (PCSA) for the sum referred to in Part B (exempt section) of this report. Cabinet approval is required to approve any tender exceeding £500,000 under Contract Standing Order (CSO) 9.07 (d).
- 1.2. Since taking the decision to demolish the Tangmere and Northolt blocks on Broadwater Farm Estate in 2018 due to structural faults, the Council has been working in partnership with residents and wider stakeholders on designs for 294 replacement and new council homes.
- 1.3. To deliver this ambitious scheme, officers have been undertaking a procurement process via the London Construction Programme (LCP) Major Works Framework to identify a contractor to deliver the works.
- 1.4. Once works set out through the PCSA have been concluded, a further Cabinet report will be submitted to seek and obtain approval prior to entering into the full construction contract.

2. Cabinet Member Introduction

- 2.1. I am pleased to present this report to progress the next steps of the Broadwater Farm Improvement Programme and to enable the delivery of 294 brand new council homes on the estate. The Broadwater Farm Improvement Programme is a transformational programme of investment into the Broadwater Farm estate that will deliver new council homes, a new medical centre, a grocery shop, enterprise units and public realm improvements for the residents of Broadwater Farm. To

deliver this, the council have opted to undertake a two-stage procurement process and work with the appointed contractor and the community to further develop the designs for delivery.

- 2.2. These proposals will provide a much-needed uplift in family housing on the estate, create environmentally friendly homes that are affordable to run, and be prioritised for the most in need residents of Broadwater Farm through the Council's Neighbourhood Moves Scheme.
- 2.3. This report seeks authority to enter into a stage 1 (Pre-Construction Services Agreement) contract with the preferred contractor, the first step in appointing a company to build and deliver these high-quality new council homes. By entering into this contract, officers can work alongside the contractor and the community to further develop the designs, ensure the proposals continue to meet the needs of the community, and secure value for money for the council and residents. The contractor has been chosen following a compliant procurement process, which included direct input from residents to ensure that they put the community at the heart of their work.
- 2.4 Residents across the estate have been involved in every stage of the design, from shaping the priorities for the proposals to having the final say in a resident ballot. The resident ballot closed on 7 March 2022 and was supported by 85% of voting residents, demonstrating that the community overwhelmingly supports the council's investment into their estate. The council will continue working in collaboration with residents to deliver this scheme and ensure that the community remain involved throughout the next stages of these ambitious proposals.
- 2.5 The Broadwater Farm Improvement Programme is an important pillar in the Council's ambition to deliver a new generation of high-quality council homes and the recommendations within this report will help make that possible.

3. Recommendations

- 3.1 It is recommended that Cabinet:
- 3.2 Pursuant to Contract Standing Order (CSO) 9.07 1 (d) to approve the award of a contract to Tenderer A (identified in Part B of this report), for a Pre-Construction Services Agreement (as described in the report) for the sum as stated in Part B of this report.
- 3.3 To authorise the Director of Placemaking and Housing to sign, execute and enter into the PCSA contract.
- 3.4 To delegate to the Director of Placemaking and Housing a client side budget of up to (identified in Part B of this report) to award contracts for enabling works and surveys and to authorise the Director Placemaking and Housing, to approve a client side contingency of up to (identified in exempt section of this report).

- 3.5 To note a further report will be presented to Cabinet at a later date in respect of the award of the main construction works contract (stage 2).

4. Reasons for decision

- 4.1. The reason for the decision to award the PCSA to Tenderer A, is that following a robust evaluation process Tenderer A received the highest overall score for quality and price. The evaluation process was undertaken by the Evaluation Panel, consisting of and overseen by the Head of Procurement.
- 4.2. Awarding the PCSA is an important next step to delivering the homes and improvements set out in the Landlord offer. It will allow the Council to progress to the Pre-contract services phase, which will allow the contractor and the Council to fully design, cost and establish a programme for the proposed construction.
- 4.3. Officers have taken professional advice to choose the route to market either via single stage or two stage design and build tender. The single stage design and build tender was market tested and deemed to be unsuitable for BWF due to level of risk the market would need to consider in respect of inflation of materials, labour, and the impact of operating at such low profit margins. Due to the volatility of the current market conditions and the time the scheme will take to complete, a single stage design and build approach would have been too much for the market to absorb without adding significant risk into their pricing submissions.
- 4.4. A two-stage tender process has been adopted following feedback from professional advisors, LB Haringey Strategic Procurement Team and the soft market testing with the framework contractors. By adopting a two-stage process, it allows the Council to split the process into two phases:
- 4.4.1. Pre-Construction Services Agreement (PCSA) – This phase allows the contractor and the Council to fully design, cost and establish a programme for the proposed construction.
 - 4.4.2. Construction Phase – This phase is the commencement of the works in accordance with the PCSA outcomes. It should be noted, whilst it is currently anticipated that the contractor is retained for the delivery of the works following the completion of the PCSA, the Council is not obliged to use the same contractor for this phase. This provides scope for the Council to consider an alternate contractor (subject to a new procurement process) to deliver the scheme should costs substantially escalate or other considerations arise preventing the Council from awarding the main works to Contractor A stated in this report.
- 4.3 Once the PCSA is complete at the conclusion of Stage 1 the council will have ownership of the design, specification and full visibility of the costs of the scheme and the benefit of any enabling works. Following a further cabinet approval the council would enter into a main construction contract for the Stage 2 works.

- 4.4 If the Stage 2 contract is not awarded to Tenderer A the Council would need to undertake a further procurement to award Stage 2; however would have the benefit of the PCSA outcomes to inform the procurement.

5. Alternative options considered

5.1 Undertake a single stage design and build tender

- 5.2 This option was considered, however, responses to the soft market engagement prior to tender indicated that several contractors regarded the risk associated with the New Homes scheme so high that it meant they would be unwilling to tender on a single stage basis. LBH professional advisors also counselled that a single stage tender would result in significant risk being priced into the tender. Tenderers indicated a large variance in inflationary assumptions if adopting a single stage design and build approach. This brings significant complexities to evaluating tenders and complying with the Procurement Regulations.

5.3 Do nothing

- 5.4 This option was considered and discounted due to a number of factors.

- The council has balloted residents who have overwhelmingly voted in favour of the new homes proposals which is a once in a generation opportunity to transform the community, its homes, health care and work and employment opportunities. Failure to build the new homes would represent a breach of promises made and would leave empty sites (as Tangmere and Northolt would still be demolished due to structural problems) on the estate and a net loss of social rented homes.
- The GLA has awarded the Council a grant for replacement homes. This funding is only available in the current grant funding round.

6. Background information

Broadwater Farm Improvement programme

- 6.1 The Broadwater Farm Estate was built in the late 1960s and early 1970s and consists of nine 6-storey medium rise blocks, two 18-storey tower blocks, and one 6-storey ziggurat style block. In total, there are 1073 dwellings.
- 6.2 Structural surveys were carried out on the estate in 2018 which identified significant issues with Tangmere and Northolt. Following a Section 105 consultation, Cabinet agreed to demolish Tangmere and Northolt and replace them with new high quality council homes.
- 6.3 In 2021, Cabinet agreed to inclusion of a small wing block (known as Stapleford North) in the overall redevelopment proposals. This followed consultation with residents via a section 105 consultation.

- 6.4 Alongside designs for new homes, the improvement programme includes workstreams on refurbishment, socio-economic programmes, rehousing, and core service improvement.

Demolition

- 6.5 In January 2022, Cabinet approved the award of a demolition contract for Tangmere. The contract commenced onsite on 19th April and is due to conclude in early 2023.
- 6.6 The demolition of Northolt is due to take place in late 2023/2024 and will likely take 12 months to complete. The options for the procurement of the Northolt demolition contractor are currently under consideration. Northolt will either be demolished via a standalone contract or will be included within the contract for new homes following the conclusion of the PCSA period.
- 6.7 In June 2022 Cabinet approved the decant and demolition of Stapleford North. Stapleford North is directly connected to the Northolt tower and was included in the redevelopment plans following consultation. The demolition of Stapleford North will be completed alongside Northolt due to its proximity to the tower block.

Rehousing Programme

- 6.8 All secure tenants have been rehoused and leasehold interests acquired in Tangmere. Under the Broadwater Farm Rehousing and Payments Policy (approved in 2018) secure tenants and resident leaseholders retain the Right to Return to the new council homes once complete.
- 6.9 A small number of leasehold interests remain in Northolt and the acquisition process is ongoing. The Council secured Compulsory Purchase Order (CPO) powers in 2021 which it will utilise should it not be able to reach mutual agreement with leaseholders in the coming months.
- 6.10 The rehousing of Stapleford North tenants and acquisition of leasehold properties in Stapleford has commenced. This process will be done in line with the programme for demolition and under the same conditions set out within the Broadwater Farm Rehousing and Payments Policy, including a Right to Return to the new homes for secure tenants and resident leaseholders.
- 6.11 The Broadwater Farm rehousing team are in contact with former residents of the Tangmere and Northolt blocks to ensure they are aware of the progress to build new homes and their options to return should they wish to do so. Rehousing officers are also in communication with Stapleford North residents to ensure they are supported through the rehousing process.

Resident Ballot

- 6.12 In December 2021 Cabinet approved a report which set out in detail the proposals for new homes (including the demolition and re-provision of Stapleford North) and other improvements to the Broadwater Farm estate and gave authorisation to present these proposals to residents of the estate in a resident ballot.
- 6.13 This ballot was overseen by Civica Election Services and carried out between 11 February 2022 and 7 March 2022 in accordance with the Greater London Authority's (GLA) guidelines for estate regeneration ballots.
- 6.14 Out of 1073 eligible voters, 590 (55%) voted in the ballot. 502 (85.1%) voted 'yes' in favour of the proposals and 88 (14.9%) voted 'no'.
- 6.15 With the community's positive support for the final design proposals, this report seeks authorisation for the award of the PCSA to the winning tenderer to enable the delivery of the final design proposals which are the subject of a detailed planning application which was submitted on 21st March 2022.

Design and Planning

- 6.16 The December 2021 Cabinet report also sought approval for the high-level principles for new homes on the estate and the Urban Design Framework for the estate.
- 6.17 This followed 16 months of engagement work with local residents and stakeholders to develop designs for almost 300 new homes on the estate. Further information about resident involvement in the designs can be found in the consultation report appended to the December 2021 decision.
- 6.18 Following the successful ballot result, a planning application was submitted on 21st March 2022. Determination of the planning application is anticipated in the Autumn.

Procurement and tender process

- 6.19 A cost estimate for the new homes was produced by Jackson Coles and Partners LLP in October 2021 and is included within the Part B of this report. A separate cost estimate was produced by Alban LLP for the Northolt and Stapleford North demolition. Airey Miller LLP have since been appointed as part of the consultant team to further interrogate the anticipated costs of the new homes. Airey Miller have produced a cost evaluation report which is appended to Part B of this report (Appendix B). The full qualitative evaluation scores and social value scores can be found appended to Part B of this report (Appendix A) and the tender recommendation report can be found appended to Part B of this report at Appendix C.
- 6.20 The LCP Major Works Framework (Lot 1.4 Housing & Residential Pan London £20m+) has been used to procure the Broadwater Farm (BWF) new build (NB) contractor in accordance with CSO 7.01 b) (selecting one or more providers from a framework).

- 6.21 A two-stage design and build tender process has been adopted following feedback from professional advisors, LB Haringey Strategic Procurement team and the soft market testing with the framework contractors.
- 6.22 The Expression of Interest (EOI) was issued on 11/10/21 to 10 contractors with a return date of 22/10/21. Five contractors submitted compliant EOI.
- 6.23 Following preparation of tender documentation, LB Haringey Strategic Procurement officers issued a tender for the opportunity to deliver the entire programme of works (stage 1 PCSA and Stage 2 Construction Phase) by via the LCP major works framework (Lot 1.4 Housing ad residential pan London £20m+) portal.
- 6.24 The tender went live on 17th January 2022 with an 8-week tender return date of 11th March 2022. Tender return date was extended to 25th March after a number of requests for extensions were made by tenderers.
- 6.25 Three compliant tender returns were received via the LCP framework portal on 25th March 2022. Tender evaluation and weighting were set prior to the tenders being issued. Quality received 45%; Social value received 15%; Price received 40%.
- 6.26 The council is committed to putting residents at the heart of everything that it does. This principle has been put into practice in this procurement with three members of the resident’s association receiving procurement training together with other panel members. The residents were subsequently involved in scoring a question on resident engagement and participating in the tender moderation as part of the Quality submission.
- 6.27 A tender report has been produced by Alban LLP setting out the recommendation to award the PCSA to Tenderer A. The Tender Price Evaluation Report produced by Airey Miller is appended to Part B of this report (Appendix B).
- 6.28 The following final moderated scores are based upon an evaluation of both the PCSA and construction phases:

	Qualitative Delivery Score	Social Value Score	Price Score	Final Weighted Scores
Tenderer A	39%	12%	37%	88%
Tenderer B	32%	12%	40%	84%
Tenderer C	33%	9%	37%	79%

Social Value

- 6.29 As part of the tender process the council set out a range of questions to assess the social value commitment of each contractor. The social value element had an overall weighting of 15% within the evaluation.

- 6.30 The social value commitments sought from contractor covered Delivering Social Value for the LB Haringey and Community Benefits for the Broadwater Farm Estate.
- 6.31 Community Benefits for the Broadwater Farm estate are intended to make positive contributions and outcomes that support better social, economic and health outcomes for Broadwater Estate and its residents. These benefits will include but are not limited to:
- Upskilling residents, including local priority groups, so that they are job ready, particularly in response to the Covid-19 pandemic impacts on the employment market
 - Fundraising activity and commercial support offered to local voluntary and community groups
 - Initiatives aimed at reducing crime and anti-social behaviour (e.g. support for local youth groups, private)
 - Initiatives to engage people in physical and mental health interventions
Initiatives to improve social connectedness and reduce isolation for local priority groups
- 6.32 The project team will work with colleagues in the wider BWF team, Community Engagement and the socio-economic team to ensure that social value and Community Benefits commitments are realised throughout the course of the contract.

PCSA period and cost management.

- 6.33 The JCT Pre-Construction Services Agreement (General Contractor) is designed for appointing a contractor to carry out pre-construction services under a two-stage tender process. The Pre-Construction Services Agreement (PCSA) enables the contractor to collaborate with the employer or their team of consultants to develop detailed designs, to develop the main contract works, or to compile specialist tender documents.
- 6.34 The contractor's involvement at the pre-construction stage is valuable and often essential in the final design process of a project, as well as making preparations for the construction phase, such as the programme, cost plans, buildability and any specialist procurement.
- 6.35 The agreement covers the period from the submission of first stage tenders up to the submission of a definitive second stage tender and entry into a main contract for the construction phase.
- 6.36 A strategy to manage the PCSA has been produced by Alban LLP which will be used by the project team to ensure the contract is managed appropriately.

- Timely execution of the PCSA following Cabinet approval and standstill is key to avoiding any delays, therefore confirmation has been sought and obtained through the tender clarification process that offers are in full compliance with the JCT 2016 D&B contract and the JCT PCSA 2011 contract;
- There are a number of areas of risks associated the regeneration of the Broadwater Farm Estate, these include but are not limited to, increases in construction costs, resident engagement, resident disruption, programme and construction logistics, clearing planning pre commencement conditions. Risk mapping and mitigation measures will be proactively managed throughout the PCSA.
- A management structure with workstream meetings and clear processes will be established within the council/client/consultant team to manage contractor performance to ensure that all council objectives through the PCSA are achieved.
- Value engineering has been scoped and a target schedule of key areas has been produced which will be developed with the contractor to identify where specification and design efficiencies can deliver savings whilst maintaining quality.
- The contractor has identified their preferred design team and there will be early engagement with planning to produce the information needed to clear pre commencement conditions to an agreed timescale.
- An open book approach will be adopted to obtain full transparency on who the contractor is tendering works to, tracking tender returns and sharing their package tender analysis so that the QS can fully verify the costs.
- A summary report of each package will be issued by the QS alongside the Contract Sum Analysis to inform cost and any early warnings which may have an impact on the final contract sum. This will also allow for a dialogue on value engineering during the process to arrive at the desired final contract sum.

Construction Management Plan

- 6.37 To ensure the successful delivery of this programme, and to minimise disruption to residents, the construction logistics plan will be essential.
- 6.38 Tenderers submitted detailed Construction Management Plans which will continue to be developed throughout the PCSA stage.
- 6.39 As part of the planning application made on 21st March 2022, the Council submitted its own Construction Management Plan with input from professional consultants Alban LLP.
- 6.40 Throughout the delivery stage, a Construction Management Officer will be in place to ensure proper co-ordination and the minimisation of disruption between sites and other programmes that will be on site at the same time.

7.0 Communications and engagement

- 7.1 The council recognise that the process of building works will be disruptive to residents living on the Broadwater Farm estate and surrounding area.
- 7.2 A detailed communications and engagement plan will be developed alongside the appointed contractor, to ensure that residents are kept informed about the work due to take place and how it may affect them. It will also include plans to ensure that residents are able to raise concerns or issues directly to the contractor and Broadwater Farm team.
- 7.3 Alongside this, an engagement framework is being developed for Broadwater Farm in conjunction with the Independent Tenant and Leaseholder Advisors and the estate's Residents' Association. This framework includes proposals to include residents in all key aspects of the Broadwater Farm Improvement Programme, including the new build programme.
- 7.4 Through this framework residents will be able to enhance their voice in all improvement works and be directly involved in shaping the way the programme develops and is delivered.
- 7.5 This new engagement framework will help ensure that residents are involved throughout the further development and delivery of the new homes programme and that their voice is at the heart of decisions made for the estate.

8 Scheme Costs and Funding

- 8.1 (Covered in Part B of this report)
- 8.2 (Covered in Part B of this report)
- 8.3 (Covered in Part B of this report)
- 8.4 (Covered in Part B of this report)
- 8.5 (Covered in Part B of this report)
- 8.6 Items 1,2,3 are provided for in the Stage 2 works and commencement of these works during the PCSA period will facilitate the main contract works (subject to a further Cabinet approval).
- 8.7 The options following the award of the PCSA contract are as follows:
- The contractor performs to the PCSA contract and the target cost for the main contract is achieved. A report recommending that the London Borough of Haringey (LBH) enters into a main construction contract with Tenderer A is submitted to Cabinet in Dec 2022/January 2023. Following Cabinet approval, a main contract is executed with Tenderer A, who take possession of Moselle School and Tangmere sites.

- The contractor decides to not proceed with the PCSA and the contract is terminated under the relevant provisions or LBH is not satisfied with the contractor performance under the PCSA and terminates the contract after Stage 1. In either event the council will be in possession of and have the right to use all information (including drawings) produced during the PCSA and to benefit from any enabling works and survey information.
 - In the event the council does not proceed to full award, the council would be able to exercise its right to procure an alternate contractor through a further procurement exercise
 - Some of the costs expended through the PCSA will have retained value as the information (surveys and drawings) which had been produced and works which had been carried out could be included in a new tender process and would be set off against the original budget estimate and revised contract sum.

9. Contribution to strategic outcomes

9.1 The Broadwater Farm programme will contribute to the delivery of the following four priorities set out in the Council's Borough Plan (2019-2023):

- Priority 1 – Housing (“A safe, stable and affordable home for everyone, whatever their circumstances”): the Council wants all its residents to have a safe, stable, and genuinely affordable home, and as such is committed to delivering new Council homes, bringing up the standard of private rented housing, and preventing homelessness. The Council has a strong focus on significantly extending housing options for its residents, including direct delivery of homes and initiatives. The Broadwater Farm new homes will deliver approximately 100 additional council homes and will increase the number of family sized units available, allowing those in overcrowded accommodation to move house.
- Priority 2 – People (“Strong families, strong networks and strong communities nurture all residents to live well and achieve their potential”): As a Borough we are seeking to build the capacity of its communities and focus on a strengths-based approach, which doesn't focus solely on needs and deficits but on assets and qualities at individual, family, and community level. This work is initially focusing on North Tottenham. Early intervention and prevention are at the heart of this, with services being pulled together around the individual linking in with work to integrate health and social care, including through the delivery of Health and Wellbeing Hubs.
- Priority 3 – Place (“A place with strong, resilient and connected communities where people can lead active and healthy lives in an environment that is safe, clean and green”): The Community Safety Strategy 2019-23 sets out how the Council will deliver on its firm

commitments to enhanced safety, including support for vulnerable young people from violence, abuse and exploitation in the Young People at Risk Strategy and through programmes such as Haringey Gold. This is complemented by a focus on promoting physical activity which will be delivered through a 'whole system approach', which is proactive in promoting facilities, improved parks and open spaces, active and safe travel between areas, and direct interventions into schools and communities to promote sports and other activities. Broadwater Farm will strengthen existing public spaces and deliver new ones and include investment into projects which and enable healthy and safe lives for local people.

- Priority 4 - Economy ("A growing economy which provides opportunities for all our residents and supports our businesses to thrive"): Realisation of opportunities for good local business growth and skill and employment growth, in line with the current "community wealth building" approach. The Council approved this approach in October 2019 aimed at supporting the financial and social resilience of the borough's communities. A new Good Economy Recovery Plan provides a focus on a good economy – good jobs, fairness, health and well-being and environmental sustainability. Broadwater Farm will include significant investment into employment, education, and training opportunities for local people, to connect residents to sustainable and long-term jobs.

10. Statutory Officers comments (Chief Finance Officer (including Strategic Procurement), Assistant Director of Corporate Governance, Equalities)

Finance

- 10.1 The preferred contractor has been chosen following a competitive tender process based on quality, price, and social value.
- 10.2 The cost of entering the PCSA with the preferred contractor is (identified in Part B of this report). This includes design fees.
- 10.3 This cost will be met from the BWF capital programme budget approved by Cabinet in February 2022.
- 10.4 The tender price for the construction contract is currently estimated to be containable within the approved budget. Once finalised it will be brought to cabinet for consideration.
- 10.5 Given the potential for a final contract award for the construction contract, a financial check and review of the contractor needs to be carried out.
- 10.6 This project will be managed/monitored throughout with a risk register that will be updated and monitored regularly.

- 10.7 A further viability review will be undertaken once the fixed price is identified and before the building contract is awarded to ensure it is in line with approved budget.

Procurement

- 10.8 Strategic Procurement has been consulted in the preparation of this report and has been actively engaged with colleagues through the procurement process.
- 10.9 Strategic Procurement confirms the procurement has been conducted in line with Contract Standing Order 7.01 b) and the Public Contract Regulations.
- 10.10 The procurement was undertaken using the London Construction Programme Major Works framework and complied with the framework requirements for undertaking a mini competition.
- 10.11 Strategic Procurement confirm the 'soft market engagement' concluded a two-stage design and build approach and the commercial structure was accepted by all tenderers and was the preferred approach.
- 10.12 Strategic Procurement confirms there are no procurement related regulatory reasons preventing the Council from accepting the recommendations made in this report.

Legal

- 10.13 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.
- 10.14 The PCSA contract which the report relates to has been procured under the LCP Major Works Framework ("Framework"). The Framework has been established in accordance with the Public Contracts Regulations 2015 and is a compliant route to market.
- 10.15 Strategic Procurement have confirmed this procurement has been conducted in accordance with the rules of the Framework.
- 10.16 Pursuant to Contract Standing Order 9.07.1(d) Cabinet has authority to approve the recommendations in the report.
- 10.17 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing Cabinet from approving the recommendations in the report.

Equality

- 10.18 The council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act

- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.
- The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

10.19 There are several Equality Impact Assessments (EQIAs) that have been completed which relate to this decision. These are:

- June 2018 - Approve consultation on demolition: <https://www.minutes.haringey.gov.uk/ielIssueDetails.aspx?IId=62998&PlanId=0&Opt=3#AI58198>.
- November 2018 - Approval of Demolition: <https://www.minutes.haringey.gov.uk/ielIssueDetails.aspx?IId=63663&PlanId=0&Opt=3#AI58796>.
- Oct 2020 - CPO: <https://www.minutes.haringey.gov.uk/ielIssueDetails.aspx?IId=71378&PlanId=0&Opt=3#AI65938>.
- July 2021 - Stapleford Consultation: <https://www.minutes.haringey.gov.uk/ielIssueDetails.aspx?IId=76048&PlanId=0&Opt=3#AI69147>.
- September 2021 - Stapleford Demolition: <https://www.minutes.haringey.gov.uk/ielIssueDetails.aspx?IId=76699&PlanId=0&Opt=3#AI69733>.
- December 2021 – approval of designs for new homes, Landlord offer and ballot programme <https://www.minutes.haringey.gov.uk/mgAi.aspx?ID=70587#mgDocuments>.
- March 2022 – HGY/2022/0823. Broadwater Farm Estate N17. <http://www.planningservices.haringey.gov.uk/portal/servlets/AttachmentShowServlet?ImageName=1638535>

10.20 The first five EQIAs consider the impact of rehousing and subsequent demolition on residents. The sixth EQIA considers the overall impact of the programme, including the impact of demolition and rebuilding works. The seventh EQIA submitted as an informative as part of the planning application considers the impact of the planning application including reduction in car parking and the construction of the new homes.

10.21 The EQIAs identified that the construction process could have particular impacts to those with disabilities, elderly residents and those who have young children. This is due to changes required to access routes, the impact of dust and noise, and other associated impacts caused by major works. The EQIA

highlights the mitigations that will be put in place to avoid any disproportionate impact. These include:

- Ensuring the appointed contractor sets out a plan for engaging with and informing residents of the works and the impacts of these.
- Working with residents and the council contractors will be required to submit a detailed plan for how to minimise all disruptions and alternative access routes will be provided.
- Phasing considerations have also been made in order to minimise more intense disruption if all the necessary works were to be carried out at the same time. Phasing of construction works allows anticipated disruption to be spread out both in time and physical location.
- Ensuring there are mitigations in place such as dust suppression and noise reduction.
- Ensuring contractors work during the hours of the day that will cause the least disruption, including consideration of things such as traffic flows caused by the school run.
- Other mitigating measures may include using the most suitable modern methods of demolition and construction, and designing site boundaries in the most thoughtful way possible.

10.22 To ensure that these mitigations are in place, the contractor will be required to have dedicated resident engagement support for residents to contact and the council will work closely with residents to ensure their concerns are fed back to contractors, including through use of the Independent Tenant and Leaseholder Advisor on the estate.

10.23 As an organisation carrying out a public function on behalf of a public body, the Contractor will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.

11. Use of Appendices

- 11.1 Appendix A [EXEMPT] –
- 11.2 Appendix B [EXEMPT] –
- 11.3 Appendix C [EXEMPT] –

12. Local Government (Access to Information) Act 1985

a. List of background documents used in the preparation of this report:

- June 2018 – approval to consult residents on proposals to include ‘all council houses demolished will be replaced with the same number of new, high quality council homes all at council rents’.

- November 2018 – approval to demolish Tangmere and Northolt blocks and to rehouse residents.
- December 2021 – approval of the ‘preferred design scenario’ and decision to proceed to the resident ballot.
- January 2022 – Contract award for the demolition of the Tangmere block, Broadwater Farm.

By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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