

# **CABINET MEMBER SIGNING**

**Friday, 21st October, 2022, 10.00 am**

**Members:** Councillor Dana Carlin – Cabinet Member for Housing Services, Private Renters, and Planning.

## **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. EXTENSION TO GAS WORKS CONTRACT (PAGES 1 - 6)**

## **4. ADDITIONAL COST REPORT FOR FIRS HOUSE FIRE REINSTATEMENT WORKS (PAGES 7 - 14)**

## **5. BROADWATER FARM - KITCHEN AND BATHROOM PROGRAMME (PAGES 15 - 22)**

## **6. AWARD OF CONTRACTS FOR ELECTRICAL INSPECTION CONDITION REPORTS (EICR) (PAGES 23 - 28)**

*Approval is sought to award contracts to two contractors who have been selected from the South East Consortium Framework in order to deliver the required programme of Electrical Inspection Condition Reports (EICRs) and ensure compliance, following the depletion of our in-house team, due to staff leaving and recruitment difficulties. Due to the unforeseeable nature of these issues and the urgency in completing works to ensure compliance, it was not possible to comply with the usual 28-day notice period.*

*Given the above, it is not practicable to comply with the 28-day notice requirement in Part Four, Section D, Rule 13 of the constitution. This is set out in Part Four, Section D, Rule 16, of the Constitution.*

**7. EXCLUSION OF THE PRESS AND PUBLIC**

Items 8-9 are likely to be subject to a motion to exclude the press and public from the meeting as they contain 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.

**8. EXEMPT - BROADWATER FARM - KITCHEN AND BATHROOM PROGRAMME (PAGES 29 - 30)**

**9. EXEMPT - AWARD OF CONTRACTS FOR ELECTRICAL INSPECTION CONDITION REPORTS (EICR) (PAGES 31 - 32)**

Fiona Rae, Acting Committees Manager  
Tel – 020 8489 3541  
Email: [fiona.rae@haringey.gov.uk](mailto:fiona.rae@haringey.gov.uk)

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Thursday, 13 October 2022

Report for: Cabinet Member Signing – 21 October 2022

Title: Extension to Gas Works Contract

Report  
Authorised by: Judith Page, Assistant Director Housing Property Services

Lead Officer: Keith Rodney, Head of Mechanical & Engineering

Ward(s) affected: All

Report for Key/  
Non-key Decision: Key Decision

## **1. Describe the issue under consideration**

- 1.1. In September 2019 Home for Haringey commenced a procurement to identify contractors to carry out gas related servicing & repairs to its properties within the Western and Eastern regions of the borough.
- 1.2. The Managing Director of Homes for Haringey under delegated powers awarded two contracts, each for an initial term of two years with an option to extend up to three years in one year increments up to (maximum term of five years). These contracts were awarded to:
  - Purdy Contracts Ltd – Contract value £2.39m per annum
  - K&T Heating Services Limited – Contract value £2.36m per annum
- 1.3. The Council is now approaching the end of the initial contract term and would like to exercise the option of extending both of the above contracts for a further 12-month period commencing October 2022.
- 1.4. That for the approval of future contract extensions as permitted under the two contracts, the Councils Standing Orders and in accordance with regulation 72 of the Public Contract Regulations (2015) is delegated to the Director of Placemaking and Housing.

## **2. Cabinet Member Introduction**

Not applicable.

### 3. Recommendations

The Cabinet Member for Housing Services, Private Renters, and Planning is recommended:

- 3.1. To approve the implementation of Contract Standing Order 10.02.1 b. pursuant to Contract Standing Order 16.02 and agree to extend both current Gas Servicing contracts with the following contractors:
  - Purdy Contracts Limited, Value of 1st year extension is £2.39 million.
  - K&T Heating Services Limited, value of 1st year extension is £2.36 million.
- 3.2. Each contract is to be extended for a period of 12 months commencing from 2nd October 2022 until the 1st of October 2023.
- 3.3. To delegate the approval of future contract extensions, as permitted under the two contracts, the Councils Standing Orders, and in accordance with regulation 72 of the Public Contract Regulations (2015), to the Director of Placemaking and Housing.

### 4. Reasons for decision

The reasons for seeking to extend this contract are set out below:

- 4.1. In order to continue with the servicing and maintenance of Domestic & Commercial heating systems with minimal disruption to the residents.
- 4.2. To ensure continuity of ensuring that we are adhering to regulation 36 (Duties of Landlords) under the gas safe regulations 1998 to keep our residents safe.
- 4.3. This is the most economically advantageous route as a new procurement would inflate the contract sum under the current financial climate.
- 4.4. When the original procurement was conducted there were large savings made over the previous contract.

### 5. Alternative options considered

#### 5.1 Undertaking a full procurement exercise to re-tender the contract

As the contract was procured as a 2 year plus 3 x 1-year extensions it would not have been viable to go through a full tender exercise as this could take between 9-12 months to procure, also the contractors' performance is good, so it is felt that there is no need to re-procure for a new contract at this stage. However, there is an interest for this service to be insourced within the council, a review will be conducted within the next 12 months to explore this option further.

We also must consider the complexity of procuring such a contract, so by extending as per the contract award we are not leaving any of our residents vulnerable in terms of servicing & repairs.

Also, as the extension is due in October the seasonal aspect would be in our favour in order not to disrupt residents having any loss of services in the colder months.

## 5.2 **Do Nothing**

This is not an option, due to the Councils statutory health and safety obligations.

## 5.3 **In-house Delivery**

Homes for Haringey has only recently returned to the Council and there has not been sufficient time or capacity to undertake a review of this option. An enabling review will be undertaken within the next 12 months to explore service delivery options further.

## 6. **Background**

### Procurement of Current Gas Maintenance Contract

6.1 In September 2019 Homes for Haringey commenced a procurement exercise in accordance with the Public Contract Regulations 2015 Restricted Procedure. Following this procurement process a recommendation was made to award two contracts commencing October 2020 to Purdy Contracts Ltd and K&T Heating Services Limited for an initial period of two years and a further option to extend up to a maximum of three years in 12 month increments until October 2025.

6.2 These contracts were novated across to the Council from Homes for Haringey on 23 June 2022 following the transfer of Homes for Haringey to the Council.

6.3 A copy of the Gas Maintenance Contract award report can be found here.

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[7b Gas](#)

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## 7 **Contribution to strategic outcomes**

7.1 The works outlined in this report will contribute to achieving the council's obligations to keep our residents safe, and to ensure that as a landlord we abide by regulation 36 of the gas safe regulations 1998.

7.2 We will collaborate with our contractor to ensure the following:

a) That the contract is managed/monitored & delivered within scope.

b) Ensure that all properties have a valid Landlord Gas Safety Record where possible

c) Ensure that we abide by environmental protection laws to carry out servicing to properties that have been difficult to access.

d) Maintain our KPI (Key Performance Indicator) within the 98%-100% threshold

## **8. Statutory Officer Comments**

### **8.1 Finance**

This recommendation is for existing contract extension for a period of 12 months as allowed in the existing contract arrangement.

The annual contract sum remains the same as in the two previous financial years of the contract and represents a maximum amount to be spent in the period.

This actual spend is monitored monthly and is expected to remain within the approved contract sum.

It is expected that a percentage of this sum will be capitalised as the works will relate to replacement of systems and boilers.

There is provision within the housing property services budget for this contract sum.

### **8.2. Legal**

8.2.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

8.2.2 The extensions which this report relate to are in accordance with Regulation 72(1)(a) of the Public Contracts Regulations 2015.

8.2.3 Pursuant to Contract Standing Order 10.02.1(b) and Contract Standing Order 16.02, the Cabinet Member with the relevant portfolio responsibilities has authority to approve the extensions referred to in the recommendations.

8.2.4 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member for Housing Services, Private Renters, and Planning from approving the recommendations in the report.

### **8.3. Procurement**

8.3.1 Strategic Procurement notes the contents of this report and confirms the extension of the contracts as stated in the Recommendations above are consistent with Contract Standing Orders 10.02.01 b) (Cabinet to approve extension to contracts valued above £500k).

8.3.2. Strategic Procurement notes the award of the contracts contemplated three one-year extensions following the initial two-year term.

8.3.3 Strategic Procurement confirms these contracts were novated from Homes for Haringey to the Council on 23 June 2022.

## 8.4. Equality

8.4.1 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 those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 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 apply to the first part of the duty.

8.4.3 The proposed decision relates to contractors performing gas service-related work in Council housing stock, ensuring houses stay warm and safe for residents. The decision will ensure that Council houses stay safe for Council tenants. This will have a neutral impact on council tenants, many of whom share protected characteristics. As such, this decision is expected to have neither a positive nor negative impact on those with protected characteristics.

8.4.4 Criterion 6 of the Evaluation Criteria used to appoint Purdy Contracts Ltd & K&T Heating Services Ltd back in 2020 as part of their original commission on Social Value (Equality, Diversity, and Inclusion). Bidders were scored against this criterion to assess their consideration and application regarding social value and equality matters.

8.4.5 As an organisation carrying out a public function on behalf of a public body, the contractors will be obliged to continue to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above.

## 9. Use of appendices

Not applicable

## 10. Local Government (Access to Information) Act 1985

- Delegated decision Appointment of Gas Maintenance contract (July 2020)  
[7b Gas Maintenance Contracts Award \(002\).docx](#)

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**Report for:** Cabinet Member Signing – October 2022

**Title:** Additional Cost Report for Firs House Fire Reinstatement Works

**Report Authorised by:** David Joyce, Director of Housing, Regeneration and Planning

**Lead Officer:** Manley Murray, Deputy Head of Major Works

**Ward(s) affected:** Wood Green

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

1. **Describe the issue under consideration**

1.1 This report requests authorisation for additional variation of costs under an existing building contract approved by Cabinet in March 2021.

2. **Cabinet Member Introduction**

2.1 Not applicable

3. **Recommendations**

The Cabinet Member for Housing Service, Private Renters & Planning is recommended:

3.1 In accordance with Contract Standing Order 10.02.1(b) and Contract Standing Order 16.02, to approve additional costs and variations for Firs House Fire Reinstatement Works as follows:

3.1.1 To approve a variation of the contract with Cosmur (London) Limited to increase the value of the contract sum of £999,622.88, by £158,938, to an aggregate value of £1,158,561.

3.1.2 To approve a variation to the associated consultant contract with Ridge and Partners to increase the value of the contract sum by £33,223 for additional consultants' fees, resulting in a total aggregate value of £119,103.

3.2 To agree that the cost of these works will not be recharged to the leaseholders of properties as the majority of the works are expected to be covered by insurance and the Major Works Capital Programme.

4. **Reasons for decision**

4.1 The Firs House Fire Reinstatement Works were approved by Cabinet in March 2021 and mobilised in September 2021. Additional works costs are required to reinstate building components that could not be contained within the provisional and contingency sums and to carry out additional improvements works including

those recommended by Haringey Building Control, to bring the works up to current building standards.

**5. Alternative options considered**

5.1 The option of not doing the works was considered but rejected. As the Landlord, Haringey Council has a duty to ensure that the property meets the Decent Homes and current Health and Safety standards. It is more cost effective to include the works within the existing contract whilst on site as the works are integral to the dwellings and will be less disruptive for our residents.

**6. Background information**

6.1 Approval was given on 30<sup>th</sup> March 2021, by Cabinet, for the Firs House Fire Reinstatement Works. The scope of works comprised of:-

- The rebuild of the main roof structure including fire compartmentation works to the entire roof, new flat roof covering to the communal staircase area, rainwater goods, fascia boards and soffits,
- External brickwork and concrete repairs,
- External decoration to the West side of the building
- Replacement of the windows to Flat 16 which were damaged by the fire.
- Replacement of FD30s flat entrance doors
- Re-plastering works
- Rewiring to the fire damaged flat
- New internal doors and joinery
- Replacement of kitchens and bathrooms
- Replacement of boilers and plumbing works
- Internal decoration and floor coverings to kitchens and bathrooms

6.2 Project details:

|   |                                    |
|---|------------------------------------|
| The number of dwellings within this project | 14                                 |
| Total budget contract sum                   | £999,623                           |
| Revised total budget contract forecast      | £1,158,561                         |
| Building contract variation                 | £158,938 excluding fees            |
| Additional consultancy fees total           | £33,223                            |
| Original completion date reported           | 18/03/2022                         |
| Completion date now reported                | 12/08/2022                         |
| Contractor: Cosmur (London) Ltd             | Site works commenced on 06/09/2021 |
| The original contract period was 26 weeks   |                                    |

6.3 Summary of total costs:

| <b>Item</b>       | <b>1<br/>Original<br/>Financial<br/>Provision<br/>(Tender<br/>Stage)</b> | <b>2<br/>Previousl<br/>y<br/>Authorise<br/>d<br/>Additions</b> | <b>3<br/>Current<br/>Financial<br/>Provision</b> | <b>4<br/>Further<br/>Approval<br/>Now<br/>Sought</b> | <b>5<br/>Revised Total<br/>(3+4)</b> |
|-------------------|--|--|--|--|--------------------------------------|
|                   | £  | £  | £  | £  | £                                    |
| Building contract | £999,623   | 0  | £999,623   | £158,938   | <b>£1,158,561</b>                    |
| Fees              | £85,880  | 0  | £85,880  | £33,223  | <b>£119,103</b>                      |
| <b>Total</b>      | <b>£1,085,503</b>  | <b>0</b>   | <b>£1,085,503</b>                                | <b>£192,161</b>                                      | <b>£1,277,664</b>                    |

#### 6.4 Additional contract costs

- 6.5 An allowance was made within the contract for the installation of a new central heating system and boiler to Flat 16 (the seat of the fire). Provisional sums were allowed for the replacement of new boilers and heating systems for the remaining thirteen flats, however this sum was not sufficient to cover the total costs of these works.
- 6.6 An allowance was made within the contract for the complete rewire of Flat 16 Firs House (the seat of the fire) and electrical remedial works only to the remaining thirteen flats which were damaged by water when the fire was extinguished. The removal of the wiring during the 'enabling' strip out works of the water damaged plaster by HRS' term maintenance contractor means that complete electrical rewires were required to thirteen flats.
- 6.7 Pigeon infestation was found in four of the flats (15, 16, 20 & 21) and specialist contractors were appointed to carry out the removal and disinfect the properties before the contractor could proceed with the removal of the remaining plaster stripping out works.
- 6.8 Following the pigeon removal works, further stripping out of the water damaged plaster was required to facilitate the drying out of flats 15, 16, 20 & 21
- 6.9 The scope of works allowed for the installation of insulated plasterboard to the rear elevation and front bedroom external walls but not the kitchen and bathroom due to space constraints within these areas. The scope of works was adjusted to comply with Haringey Building Control request to install insulated plasterboard to the external walls of the kitchens and bathrooms.
- 6.10 To ensure that the windows are in a serviceable condition on completion, repairs are required to thirteen flats which includes missing or damaged window locks, window trims and trickle vents

- 6.11 The water system was not previously boosted, however a booster pump was required to achieve the minimum required water pressure for the new combi boilers within the flats to comply with current Building Regulations.
- 6.12 An extension of time claim has been submitted by the contractor for the increased scope of works and for completing the works out of sequence and equates to 10 weeks. The extension of time has not been agreed and is being reviewed by the consultants.
- 6.13 Consultants were commissioned during the enabling works stage and the consultancy fees were agreed by the Council's Loss Adjuster on the basis of 20 weeks. This included input with the enabling works. The contract was tendered on the basis of a 26 week contract and the current programme is estimated to be 44 weeks.
- 6.14 Breakdown of additional cost: -

| <b>Description of Works</b>  | <b>Cost</b>     |
|--|-----------------|
| Installation of central heating systems to thirteen flats  | £37,427         |
| Complete rewire of thirteen flats  | £31,603         |
| Clearance & disinfection of pigeon guano and proofing of entry points                                  | £6,384          |
| Strip out of remaining plaster, fixtures and fittings to four flats to facilitate drying certification | £8,177          |
| Insulated plasterboard to external elevations of kitchens and bathrooms                                | £27,616         |
| Window servicing and repairs   | £8,676          |
| Installation of water booster sets to achieve required water pressure to system                        | £6,000          |
| Anticipated claim for delay and disruption of programme (10 weeks)                                     | £33,055         |
| <b>Sub Total</b>   | <b>£158,938</b> |
| Anticipated additional Consultancy fees of 18 weeks  | £33,223         |
| <b>TOTAL</b>   | <b>£192,161</b> |

### **Budget**

- 6.15 The additional cost of this project is estimated to be £192,161 bringing the total cost of the scheme to £1,277,664, as set out in paragraph 6.3 of this additional cost report.
- 6.16 This project will be funded from Haringey Council's Insurance where this is directly associated to the fire damage to the building and betterment works, such as external decorations and compartmentation to the East wing of the block in the sum of £17,020 will be funded from the Major Works Budget within the 2022/23 Housing Capital Works programme.

6.17 Phasing of estimated expenditure is set out in the table below:-

| <b>Financial Year</b> | <b>Works</b>      | <b>Fees</b>     | <b>Total</b>      |
|-----------------------|-------------------|-----------------|-------------------|
| Spend up to 31/03/22  | £642,750          | £44,568         | £687,318          |
| 2022/2023             | £486,847          | £71,557         | £558,404          |
| 2023/2024             | £28,964           | £2,978          | £31,942           |
| <b>TOTAL</b>          | <b>£1,158,561</b> | <b>£119,103</b> | <b>£1,277,664</b> |

## 7. Consultation

7.1 **Homes for Haringey** Newsletters have been sent to residents to provide updates during the course of the works in August 2021, November 2021, December 2021, February 2022, April 2022 and June 2022.

## 8. Leasehold implications

8.1 No leaseholders have been affected by the works. The Loss Adjusters representing the leaseholders will pay the proportion of costs for the works for the reinstatement of the flats and communal areas of the building where they have been affected by fire or water damage.

## 9. Conservation areas

9.1 There are no properties within conservation areas within this project.

## 10. Contribution to strategic outcomes

10.1 This project will help to achieve the Borough Plan Outcome 3: 'We will work together to drive up the quality of housing for everyone'. This will include contributing to delivering the following objectives: -

- Improve the quality of Haringey's Council Housing, including by ensuring that a minimum of 100% of homes meet the Decent Homes Standard by 2025.
- Improve residents' satisfaction with the service they receive from Homes for Haringey
- Ensure safety in housing of all tenures across the borough, responding to any new regulations as they emerge.

## 11. Statutory Officer Comments (Chief Finance Officer (including procurement), Head of Legal and Governance, Equalities)

### 11.1. Finance

11.1.1 The further additional approval now sought of £158,938, which revises the contract sum for this project to £1,158,561.

11.1.2 The total scheme cost including additional fees of £33,223 is now £1,277,664. The 2022/23 revised expenditure can be contained and will be funded from the

Haringey Council's Building Insurance where this is directly associated with the Fire Damage to the building (contract costs of £1,141,541 plus fees at £119,103). The expenditure for the betterment works (contract costs of £17,020) will need to be catered for in the allocation for investment in housing stock which is approved as part of the 2022/23 budget setting process which may include carry forward amounts from 2021/22.

## 11.2 Procurement

11.2.1 Strategic Procurement note the content of the report. The variations noted in paper are in line with the authorities Contract Standing orders and the Public Contract Regulations. Strategic Procurement sees no reason preventing the approval of the recommendation set out in the paper to vary the contracts to the agreed amounts.

## 11.3 Legal

11.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.

11.3.2 Pursuant to Contract Standing Order 10.02.1(b) and Contract Standing Order 16.02 a Cabinet Member with the relevant portfolio responsibilities has authority to approve the recommendations in the report.

11.3.3 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member for Housing Services, Private Renters, and Planning from approving the recommendations in the report.

## 11.4 Equality

11.4.1 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 those protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

11.4.2 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 apply to the first part of the duty.

11.4.3 The decision will primarily impact residents returning to the properties managed by Homes for Haringey. There is no indication that this decision will result in any foreseeable negative impacts on any individual or group that shares the protected characteristics.

11.4.4 As a body carrying out a public function on behalf of a public authority, the contractor will be required to have due regard for the need to achieve the three aims of the Public Sector Equality Duty, noted above. Arrangements will be in place to monitor the performance of the contractor and ensure that any reasonably possible measures are taken to address any issues that may occur and may have a disproportionate negative impact on any groups who share the protected characteristics.

**12. Use of appendices**

12.1 Not applicable

**13. Local Government (Access to Information) Act 1985**

13.1 The background papers relating to this report are included within appendix A

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**Report for:** Cabinet Member Signing – 21 October 2022

**Title:** Broadwater Farm - Kitchen and Bathroom Programme.

**Report Authorised by:** David Sherrington – Programme Director

**Lead Officer:** Peter De Bique, Senior Project Manager, Broadwater Farm Estate

**Ward(s) affected:** West Green

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

**1. Describe the issue under consideration**

- 1.1 This report seeks approval to directly award a contract, valued at £670,000.00. The contract will deliver upgrades to 75 homes on the Broadwater Farm Estate, to include the replacement of 39 kitchens and 63 bathrooms.

**2. Cabinet Member Introduction**

Not applicable.

**3. Recommendations**

The Cabinet Member for Housing Services, Private Renters, and Planning is recommended:

- 3.1. In line with Contract Standing Order (CSO) 16.02, to approve the award of a contract to Contractor A (as set out in Appendix 1, the exempt report) to the value of £670,000.00 for the refurbishment of kitchens and bathrooms on the Broadwater Farm Estate.
- 3.2. To approve a provisional sum to enable un-surveyed properties to be included in the programme. The value of the provisional sum is detailed in Appendix 1 (the exempt report).
- 3.3. To agree to the appointment of Ridge and Partners LLP to act as Principal Designer and Cost Consultant. The charging rates are detailed in Appendix 1 (the exempt report).

**4. Reasons for decision**

- 4.1. The project will deliver upgrades to 75 homes, delivering a total of 39 new kitchens and 63 bathrooms to properties on the Broadwater Farm Estate. The works will ensure residents have new modern facilities, including mobility showers for tenants who have been assessed by Haringey's Occupational Therapist. Works will also include new smoke alarms and heat detectors, along with fire doors to kitchens, new flooring, tiling and redecorations.

- 4.2. To directly award the contract using the London Housing Consortium (LHC) Framework for the refurbishment of kitchens and bathrooms. The project will be let under a JCT Minor Works Building Contract with Contractor's Design 2016 Edition (JCT MWD 2016). The process has been overseen and approved by Procurement, the Council's Commercial and Contracts officers and the London Housing Consortium (LHC).

## 5. Alternative options considered

- 5.1. The following options have been considered: -

- 1 **Do nothing** - This option is not possible, as recent surveys found that the kitchens and/or bathrooms to 75 properties on the Broadwater Farm Estate fail the Decent Homes standard and are in need of replacement.
- 2 **Defer the project and include in the major refurbishment programme** - This was considered and discounted, as the pilot refurbishment programme is not due to start until summer of 2023 and will only include works to Rochford and Martlesham.

Works to other blocks have yet to be scoped and programmed – which based on current estimates, are unlikely to start before 2025, with a delivery programme of 5–7-years.

If the kitchen and bathroom programme was deferred for a further 5-7-years, properties which are currently failing Haringey's standards, will likely fall into disrepair, resulting in further costs to the Council.

It should also be noted that replacing the kitchens and bathrooms under this current programme will not result in abortive works when the major refurbishment starts. This is because the refurbishment programme will focus on the external and communal parts of the estate, therefore kitchens and bathrooms which are refurbished now, will not be removed, or replaced later.

- 5.2. The only viable option is therefore to appoint a main contractor to deliver a standalone kitchen and bathroom programme using the LHC Framework. This approach will not only minimise costs associated with appointing an external consultant to prepare tender documents and manage the tender process, but will also reduce the time allowed for open tendering and thus enable the works to start and complete within the current financial year.
- 5.3. The rates submitted by the main contractor for the works is reflective of their 2019/20 tender bid to the LHC Framework. This provides cost certainty to the Council and protects against the current cost increase in labour and materials.

## 6. Background information

- 6.1. Following the installation of the new district heating system on the estate, most residents received new kitchens and bathrooms to bring the properties up to the decent homes standard.
- 6.2. A total of 154 residents refused access, therefore we were unable to upgrade the kitchens and bathrooms to all tenanted properties on the estate.
- 6.3. Letters were sent to these residents advising that we would like to develop a standalone kitchen and bathroom programme and carry out surveys to decide whether they require a new kitchen and/or bathroom.
- 6.4. A total of 82 residents responded, of which works were identified to 75 properties, resulting in a works value of £670,000.00. The works will include the replacement of 39 kitchens and 63 bathrooms.
- 6.5. Not all residents will receive a new kitchen and a new bathroom. This is because some properties were included under a previous project, therefore only those kitchens or bathrooms which were excluded, will form part of this current programme.
- 6.6. It is noted that 72 residents have not responded to the initial letters. Therefore, surveys were not carried out to these properties. In view of this, a provisional sum should be allowed to give residents a further opportunity to be included in the programme, as upon starting the works – residents may decide to come forward. The value of the provisional sum is detailed in the Exempt Report
- 6.7. The provisional sum may not cover the value of works to all 72 homes, therefore should the works exceed this amount, a further report will be drafted for approval to extend the programme.
- 6.8. We recognise that of the 72 residents who have not had a recent survey, access is required to inspect the electrical installation to make sure the system is safe and meets current regulations. To facilitate these inspections, the contractor's resident liaison officer will be required to contact the residents, to arrange appointments to inspect the property and agree on what works are required to ensure the property meets current standards.
- 6.9. In terms of procurement, it was agreed that the most cost effective and time efficient procurement route would be a direct award via the London Housing Consortium (LHC) Framework.
- 6.10. Procuring the works via the LHC has limited the Council's exposure to the current increases in the cost of labour and materials, as the rates offered by the main contractor reflects their 2019/20 prices. The LHC also offers a rebate for using the Framework, and this was factored into the decision to select this as the chosen procurement route.
- 6.11. The main contractor also submitted the Most Economically Advantageous Tender (MEAT) for Lot 2 in the LHC's kitchen and bathroom category for the value range of £250-£2m.

- 6.12. The LHC reviewed and verified the rates submitted by the main contractor and have concluded that their costs are reflective of their tendered rates, and includes the allowances for the additional cost of materials such as a revised kitchen manufacturer as required by Haringey Council.
- 6.13. It was agreed that the works is best delivered under a JCT Minor Works Building Contract with Contractor's Design 2016 Edition (JCT MWD 2016), as the contractor will be required to survey each property to develop the design and layout of the kitchens and bathrooms.
- 6.14. Consideration was given to procuring the works via an open tender using DPS (Dynamic Purchasing System). Due to current market conditions and the risk associated with the increased cost of labour and materials, it was felt that the LHC Framework offered the Council protection against fluctuating costs, as the contractor agreed to deliver the works based on the 2019/20 rates.
- 6.15. The time and cost involved in appointing an external consultant to carry out surveys and draft a detailed schedule of works, and manage the tender process was also considered. It was noted that the LHC Framework removed these costs, as the main contractor is required to carry out surveys as part of their appointment. Therefore, it was decided that the LHC offers a more efficient route to procuring and managing the works, and therefore offered better value for money.
- 6.16. In terms of consultancy support, Ridge and Partners will be engaged to provide consultancy services to manage expenditure and process valuations during the project. They will also act as Principal Designer in line with the CDM Regulations. Their commission will be an extension of their current role as property consultants on the Broadwater Farm Estate, therefore additional procurement for these services will not be required.
- 6.17. The fees for services provided by Ridge and Partners will be in line with their current commission for services related to works on the Broadwater Farm Estate. Fee percentages for the Principal Designer and the Cost Consultant is detailed in the Exempt Report.
- 6.18. Fees payable to Ridge and Partners will be met and paid for via an existing purchase order. The purchase order covers the above services required to deliver the refurbishment of c.75 kitchens and bathrooms on the Broadwater Farm Estate.
- 6.19. It is recognised that the works will be disruptive to residents, therefore the resident liaison team will work closely with the main contractor to develop a strategy for engagement. The contractor will be required to have dedicated member of the team who will be responsible for arranging access, guiding residents through the process of designing the layout of their kitchens and bathrooms, and for selecting paint colours. There will also be a process developed for aftercare, for which the contractor will be responsible for designing and implementing.
- 6.20. Works are planned to start on site November 2022, and complete 20 weeks thereafter. The outline completion date is April 2023.

6.21. The outline spend profile for the project will be as follows:

| Broadwater Farm Estate - Kitchen and Bathroom Programme<br>Spend Profile |          |          |          |          |          |          |
|--|----------|----------|----------|----------|----------|----------|
| Dec 2022   | Jan 2023 | Feb 2023 | Mar 2023 | Apr 2023 | Apr 2024 | Total    |
| £85,000  | £120,000 | £180,000 | £160,000 | £108,250 | £16,750  | £670,000 |

6.22. Subject to approval by the Cabinet Member for Housing, Private Renters and Planning, the main contractor will be notified that the award of the contract under London Housing Consortium (LHC) Framework has been successful for the delivery of 39 new kitchens and 63 new bathrooms to c.75 properties on the Broadwater Farm Estate, in the sum of £670,000.00.

6.23. It is therefore recommended that pursuant to CSO 16.02, a contract is awarded to the value of £670,000.00, for the replacement or kitchens and bathrooms on the Broadwater Farm Estate. The works will be funded from the 22/23 budget for the Broadwater Farm Refurbishment Programme.

## 7. Contribution to Strategic Outcomes

7.1. The works will deliver 39 new kitchens and 63 new bathrooms to c.75 properties on the Broadwater Farm Estate. This will contribute to the Council’s strategic outcomes by providing a safe home and a healthy environment for residents on the estate, whilst also ensuring that families are well placed to achieve their full potential in a safe environment.

## 8. Statutory Officer Comments

### Procurement

8.1 Strategic Procurement note the content of the report. The procurement has been conducted in line with the authority’s contract standing orders and the Public contract regulations. A direct award is permissible under the LHC framework.

Strategic procurement sees no reason that the recommendation in the report is not approved.

### Finance

8.2 The contract is for a maximum sum of £670,000 for kitchen, bathroom and associated works as detailed in section 3.1.

It is estimated that this project will last for 5 months and projected to be spent as detailed in table 5.23 with a £16,750 retention due in April 2024.

There is provision in the BWF 2022/23 capital programme budget for this spend.

Additional finance comments are in the exempt report.

## Legal

8.3 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report.

The works are below the threshold where the tendering requirements set out in the Public Contracts Regulations 2015 apply.

The Council has procured by way of a direct award under the London Housing Consortium Framework Agreement. Framework Agreements are provided for in the Council's Contract Standing Orders (CSO 7.01 (b) ). Awards under a Framework Agreement need to be in accordance with procurement legislation and the provisions set out in the Framework Agreement. The Head of Legal and Governance (Monitoring Officer) has been advised that this is the case.

Because of the value of this contract, approval would normally fall to Cabinet. However, CSO 16.02 provides that in-between meetings of the Cabinet, the Leader may take any such decision or may allocate this to the Cabinet Member with the relevant portfolio.

The Head of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member with the relevant portfolio from approving the recommendations in the report.

## Equality

8.4.1 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 those protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not.

8.4.2 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 apply to the first part of the duty.

8.4.3 The proposed decision relates to contractors upgrading the kitchens and bathrooms of Council properties on the Broadwater Farm Estate. The decision will improve the quality of Council housing stock in Broadwater Farm and, as such, will positively impact council tenants occupying the properties. Many Council tenants share protected characteristics. Therefore, this decision is expected to affect those with protected characteristics positively.

8.4.4 Regarding the contract extension, as an organisation carrying out a public function on behalf of a public body, the contractors will be obliged to continue to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above.

**9. Use of appendices**

9.1. Appendix 1 – Exempt report

**10. Local Government (Access to Information) Act 1985**

Not applicable.

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**Report for:** Cabinet Member Signing – 21 October 2022

**Title:** Award of Contracts for Electrical Inspection Condition Reports (EICR).

**Report authorised by:** David Joyce, Director of Placemaking & Housing.

**Lead Officer:** Judith Page, Assistant Director Property Services

**Ward(s) affected:** All

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

**1. Describe the issue under consideration**

- 1.1. This report is to inform and seek approval from Members for the need to award two contracts for the temporary outsourcing of Electrical Inspection Reports until March 2024 for all residential properties in the Councils Housing stock, to meet our obligations under the Institute of Engineering & Technology (IET) Wiring Regulations British Standard 7671 - 18<sup>th</sup> Edition, 2018.
- 1.2. Haringey Council needs to undertake electrical safety inspections every 5 years or upon change of tenancy in our rented properties, to ensure that the electrical supplies, cables and connected appliances (installations) within our properties are safe and do not increase the risk of electric shock and/or fire.
- 1.3. Due to the passing or resignation of members of the management team in Haringey Repairs Service and reaching the end of the previous sub-contractor contract, there is a current lack of resources and experience to manage the required electrical testing programme in our residential properties and common areas.
- 1.4. Our programme was being delivered by external sub-contractors from March 2019. Due to the contract value being exceeded we were unable to issue further works under the contract after May 2021. The original programme was due to complete by the end of March 2023. There is therefore a need to bring in temporary external resources until such time as Haringey Repairs Service (HRS) can again deliver the programme.
- 1.5. Two contractors have been identified from the Southeast Consortium Procurement framework who are able to mobilise within a relatively short period of time to deliver the programme against pre-tendered rates.
- 1.6. The two contractors will also undertake testing and installation of smoke detectors in all properties to ensure compliance with the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022 during the electrical inspections.

- 1.7. The 2022/23 phase of the EICR programme will be funded from the existing capital budget provision of £2.1m. Provision for 2023/24 works will be met from the capital provision in the current capital programme MTFs and will be revisited submitted during the 2023/24 budget setting process.
- 1.8. The overall programme and expenditure profile is shown in the following table. No professional fees are required as the quality assurance is delivered in-house.

| Completion date | Programme       | Contractor        |             | Total Number | Contractor Value  |                   | Total Cost        |
|-----------------|-----------------|-------------------|-------------|--------------|-------------------|-------------------|-------------------|
|                 |                 | A                 | N           |              | A                 | N                 |                   |
| Mar-23          | EICR            | 1656              | 2010        | 3666         | £ 579,600         | £ 703,500         | £1,283,100        |
|                 | Smoke Detectors | Subject to survey |             |              | £ 360,000         | £ 360,000         | £ 720,000         |
| Mar-24          | EICR            | 2990              | 2989        | 5979         | £1,046,500        | £1,046,150        | £2,092,650        |
|                 | Smoke Detectors | Subject to survey |             |              | £ 840,000         | £ 840,000         | £1,680,000        |
| <b>Totals</b>   |                 | <b>4646</b>       | <b>4999</b> | <b>9645</b>  | <b>£2,826,100</b> | <b>£2,949,650</b> | <b>£5,775,750</b> |

## 2. Cabinet Member Introduction

- 2.1. Not applicable.

## 3. Recommendations

The Cabinet Member for Housing Service, Private Renters, and Planning is recommended:

- 3.1. Pursuant to Contract Standing Order 16.02 and Contract Standing Order 9.07.1(d), to approve the award of two contracts up to the end of March 2024, to a total value of £5.78 million as shown in the table at section 1.8 of the report, to Contractor A and Contractor N (detailed in exempt Appendix 1) based on their submission of a resourced programme to deliver the works and a satisfactory method statement on how the works will be delivered. The contract values are based on an assessment of the works to be carried out. The costs of works is based on the framework schedule of rates which was subject to a competitive process to set up the framework.
- 3.2. To agree to award a contract to Contractor A (detailed in exempt Appendix 1) for up to £2,826,100 to deliver 4,646 electrical tests and any smoke detector testing and associated remedial works as a result of surveys.
- 3.3. To agree to award a contract to Contractor N (detailed in exempt Appendix 1) for up to £2,949,650 to deliver 4,999 electrical tests and any smoke detector testing and associated remedial works as a result of surveys.
- 3.4. To note that the contracts will be from October 2022 until March 2024. The form of Contract will be the JCT measured term contract.
- 3.5. To note that the contracts are for the temporary outsourcing of Electrical Inspection Reports, urgent remedial works resulting from the inspections and to

install smoke alarms where required, for approximately 10,000 properties in the Councils Housing stock, to meet our obligations under the Institute of Engineering & Technology (IET) Wiring Regulations British Standard 7671 - 18th Edition, 2018, and the Smoke and Carbon Monoxide Alarm (Amendment) Regulations 2022.

#### **4. Reasons for decision**

- 4.1. The 18th Edition Wiring Regulations - IET BS7671 require landlords to undertake regular electrical condition reports and recommend that they are undertaken at least every 5-years, or upon new tenancies, within homes, and communal areas.
- 4.2. In the Draft Social Housing (Regulation) Bill there is a proposal to include mandatory 5-yearly testing for social housing properties.
- 4.3. Haringey has 5546 certificates out of 15,191 dwellings and 769 certificates of 771 communal supplies including the Broadwater Farm estate. Therefore, we require c10,000 certificates to be completed to include those that will expire during the programme.
- 4.4. Tests are not carried out in leaseholders' properties as this remains their responsibility under the terms of their lease. They are carried out in all communal areas including those with leaseholders. There are no new leasehold financial implications for these communal tests. The costs have always been and will continue to be re-charged through normal service charges and will be below any S20 consultation threshold. Any major works resulting would be consulted on separately.
- 4.5. Haringey does not currently have the in-house resource capacity and capability to deliver the required programme of EICRs and to cover the level of responsive repairs and voids works due to staff turnover. Whilst this programme is being delivered, we will be developing our in-house capability in this area.
- 4.6. Haringey needs to reinstate the programme of EICRs through external contractors as soon as possible, to minimise the risk to residents, staff, and properties from electric shock and/or fire, due to properties without a valid EICR.
- 4.7. Valid electrical inspection condition reports enable us to demonstrate compliance with regulatory requirements, by ensuring there are no significant electrical hazards. It also provides compliance with the Building Safety Act 2022 and The Fire Safety Act 2021, ensuring they do not contribute to the risk and spread of fire in multi-storey, multi-occupancy rented accommodation.

## **5. Alternative options considered**

- 5.1. To recruit sufficient in-house resources to carry out the programme. The electrical manager was appointed in July 2022 after the retirement of the previous incumbent. This was an internal appointment and due to the sudden death of the other Electrical Supervisor, there are two post which have only recently been recruited to. The new manager needs to ensure that repairs and maintenance responsibilities of the role are meeting the required level before taking on the testing programme. Additional operative resource is also required and the lead in for recruitment will take too long.

## **6. Background information**

- 6.1. The Institute of Engineering & Technology (IET) Wiring Regulations - British Standard 7671 were updated to the 18th Edition, in 2018. This edition recommends that both dwellings and communal areas are inspected every 5 years as a minimum. Previous recommendations were 5 years for communal areas and 10 years for dwellings.
- 6.2. In 2020, Homes for Haringey's Property Compliance Task and Finish Group agreed a three-year programme to ensure that all properties have a Satisfactory EICR less than 5-years old.
- 6.3. By the time this programme is completed, it is intended that a rolling 5-year programme of inspections be in place and will be delivered by our in-house team.
- 6.4. Failure to undertake EICRs may be subject to enforcement action by the Building Safety Regulator, the Housing Regulator, and potential subsequent prosecution by the Health & Safety Executive (HSE) should an incident occur.
- 6.5. The proposed delivery of the programme under these contracts has been set out in section 1.8 above based on proposals by the contractors and is subject to a swift and successful authorisation and mobilisation process.
- 6.6. The EICR programme currently has 63.5% of properties with an EICR less than 10 years old and those with an EICR less than 5 years old is 33%. 100% of properties with an EICR less than 5 years old will be realised by December 2023 if we implement the proposed programme using 2 external contractors.

## **7. Contribution to strategic outcomes**

- 7.1. This project will help to achieve the Borough Plan Outcome 3: 'We will work together to drive up the quality of housing for everyone'.

## **8. Statutory Officer Comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)**

### **8.1. Finance**

- 8.1.1 The total value of the contracts is £5.78m. There are no professional fees required for this contract as quality assurance will be delivered in-house; and the contract will end in March 2024.
- 8.1.2 This contract covers the whole of council's dwellings - units of circa 10,000 units except for units that have been inspected and with certificates of circa 5,000 units.
- 8.1.3 The previous contract was delivered via a combination of inhouse resource (Housing repairs service) and external contracts, which makes cost comparison slightly difficult.
- 8.1.4 The cost is projected to be spent as shown in table 1.8. The projected spend in 2022/23 will be met from the existing budget provision for EICR works in 2022/23 of £2.1m.
- 8.1.5 The projected spend for 2023/24 will be met from the current MTFS provision for 2023/24 and will be revisited as part of the 2023/24-28 budget and MTFS setting process.

### **8.2 Procurement**

- 8.2.1 Strategic Procurement note the content of the paper. The procurement has been conducted in line with the authorities Contract Standing Orders and the Public Contract Regulations. A direct award is permissible under the SEC framework, Electrical works.
- 8.2.2 Strategic Procurement see no reason as to why the recommendation in the paper cannot be endorsed.

### **8.3 Legal**

- 8.3.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of the report.
- 8.3.2 Strategic Procurement have confirmed the contracts which this report relates to have been procured in accordance with the Council's Contract Standing Orders and the Public Contracts Regulations 2015.
- 8.3.3 Pursuant to Contract Standing Order 16.02 and Contract Standing Order 9.07.1(d) the Cabinet Member for Housing, Private Renters and Planning has authority to approve the recommendations in the report.
- 8.3.4 The Head of Legal and Governance (Monitoring Officer) sees no legal reasons preventing the Cabinet Member for Housing, Private Renters and Planning from approving the recommendations in the report.

## **8.4 Equality**

- 8.4.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- 8.4.2 Eliminate discrimination, harassment, victimisation, and any other conduct prohibited under the Act.
- 8.4.3 Advance equality of opportunity between people who share those protected characteristics and people who do not.
- 8.4.4 Foster good relations between people who share those characteristics and people who do not.
- 8.4.5 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status apply to the first part of the duty.
- 8.4.6 The proposed decision relates to hiring contractors to perform electrical safety reports in all Council housing stock. The decision will ensure that Council houses stay safe for Council tenants. This will have a neutral impact on council tenants, many of whom share protected characteristics. As such, this decision is expected to have neither a positive nor negative impact on those with protected characteristics.
- 8.4.7 Regarding the contract appointment, 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.

## **9. Use of Appendices**

- 9.1 Appendix 1 – Exempt report

## **10. Local Government (Access to Information) Act 1985**

- 10.1 The information in Part B is exempt from publication.

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

Document is exempt

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