

MINUTES OF THE CABINET MEMBER SIGNING MEETING HELD ON THURSDAY 21ST SEPTEMBER 2023, 2:30PM – 2:20PM.

PRESENT: Councillor Sarah Williams

ALSO ATTENDING: Kodi Sprott, Principal Committee Coordinator, Bhavya Nair, Principal Committee Coordinator, Scott Kay, Head of Residential Building Safety, Zuned Patel, CSL Manager, Andy Briggs, AD for Customer Services

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted by attendees.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest put forward.

4. URGENT BUSINESS

There were no items of urgent business.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were no deputations, petitions or questions put forward.

6. OUT OF HOURS CONTRACT - FINANCIAL APPROVAL TO EXTEND THE CONTRACT

This report sought for approval to ratify the extension to the Out of Hours agreement with Ealing Council and Capita Business Services Limited, for the provision of the shared Out of Hours Customer Call Handling Service. The service was under contract for 7 years, due to expire in September 2025.

The Cabinet Member for Housing Services, Private Renters and Planning RESOLVED

For the Cabinet Member for Housing Services, Private Renters and Planning to ratify the contract extension of two years and to approve the additional funding from £719,500 to £959,100 which is an increase of £239,600 (excluding Housing) to cover the period from October 2023 to September 2025 with Capita Business Services Limited as described at section 6 and 7.

£239,600 includes costs associated with Ealing Council and Capita Business Service Limited, Ealing Council costs will be £19,600 and Capita Business Services Limited will be £220,000.

Approve the additional funding of the sum £419,600 for the housing related aspect of the out of hours contract to cover the period from October 2023 to September 2025 with Capita Business Services Limited as described at section 6 and 7. £419,600 includes costs associated with Ealing Council and Capita Business Service Limited, Ealing Council costs will be £19,600 and Capita Business Services Limited will be £400,000.

Reasons for decision

The approved value of the contract with Ealing Council and Capita Business Services Limited is currently £719,500. This is the sum agreed upon at the commencement of the contract with the Out of Hours Customer Call Handling Service, Capita, on 1st October 2018 up to 30 September 2023. For the period from October 2023 to September 2025, the remaining value of the contract is £239,600.

As the council is now managing the Out of Hours services provided for Housing, there will be an additional cost of £419,600.

The overall additional financial value will therefore be £659,200.

The extended financial approval will ensure that we continue to have a robust out of hours offering.

Alternative options considered

Two alternative options were considered:

Option A – Exit the contract and replace the supplier with an alternative provider

Option B - Exit the contract and set up and operate our own in-house operation

Option A: This is not a viable due to the limitations on time to identify and enter a contract with an alternative provider. Furthermore, to exit the contract ahead of the contract end date will result in Haringey paying an exit fee at an estimated cost of £431,235 for year 6 & 7.

Option B: This is not a viable option. We are not able to robustly set up an in-house out of hours service provision within the timeframe. Additionally, Haringey would be required to pay an exit fee to leave the contract early at an estimated cost of £431,235 for year 6 & 7.

7. AWARD OF CONTRACT FOR FIRE SAFETY AND DECORATION WORKS ON THE BROADWATER FARM ESTATE.

In line with Contract Standing Order (CSO) 16.02, this report sought approval from the Cabinet Member for Housing Services, Private Renters, and Planning to award a contract for the programme of Fire Safety Works and Communal Decorations to eight blocks on the Broadwater Farm Estate. These works were essential to ensure residential buildings adequately provided a suitable means of escape in the event of fire and separation between the dwellings and the communal areas.

These works included replacement of flat entrance doors, cross corridor and stairwell doors and riser cupboard doors. Works would also include communal decorations and replacement of emergency lighting as and where required. The cross-corridor doors also include for hold-open devices linked to individual detectors.

The Cabinet Member for Housing Services, Private Renters and Planning RESOLVED

In line with Contract Standing Order (CSO) 16.02, approved the award of contract to Tenderer A (as set out in Appendix A), from 23 October 2023 up to the end of December 2025, to a total value of £3.5m. This includes the end of the defects period of 12 months following practical completion of the works.

Delegated authority to the Operational Director of Housing and Building Safety, and the Project Director for Broadwater Farm Estate, in consultation with the Head of Finance, authorised and expend sums as set out within the exempt part of this report.

Delegated authority to the Operational Director of Housing and Building Safety in consultation with the Head of Finance, extended the contract period from 1 January up to the end of April 2026 if required. Page 9 Agenda Item 7 Page 2 of 8 3.4. The Cabinet Member for Housing Services, Private Renters, and Planning permitted the contractor to commence the works prior to issuing a formal contract. It was proposed that a Letter of Intent be issued to the contractor for a value of no more than £100k. The Letter of Intent would enable the contractor to place an order with their supply chain to enable the programme to be met.

Reasons for decision:

Haringey Council needed to ensure that residential buildings adequately resisted the spread of fire throughout communal areas. This would provide a protected means of escape in the event of a fire and would allow the safe evacuation of residents and safe access by the fire brigade.

These works had been identified through Fire Risk Assessments. The completion of these works would reduce the number of overdue actions and would improve fire compartmentalisation to the blocks on the Broadwater Farm Estate. The works would also ensure the blocks are compliant with the Fire Safety and Building Safety Regulations.

Alternative options considered:

Do nothing is not an option as they needed to comply with current fire safety regulations to ensure the safety of residents and visitors to the blocks on the Broadwater Farm Estate.

The option to include the fire safety works in the wider refurbishment programme was considered; however, it was felt that the works were urgent and essential, therefore delaying the recommendations of the fire risk assessments was not deemed a suitable viable option.

Consideration was also given to undertaking the fire safety works and defer the communal redecorations until the wider refurbishment works take place. It was felt that this approach would adversely impact upon the environment in which our residents live, as the communal areas would look and remain in a state of partial completion.

8. TO AWARD A NEW ASBESTOS REMEDIATION CONTRACT FOR A PERIOD OF 4 YEARS

This report sought approval from Cabinet for the award of a contract to appoint a licensed asbestos removal contractor to undertake various remedial works that includes encapsulation of asbestos containing materials, removal and clearance of any asbestos debris in accordance with the Control of Asbestos Regulations 2012 to both residential and corporate buildings managed by the Council. This will ensure that the Council meets its legal duties under the Health and Safety at Work Act.

Appendix A is not for publication on the basis that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information) as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).

The Cabinet Member for Housing Services, Private Renters and Planning RESOLVED

1. To approve the award of a contract to Contractor A, pursuant to a call off from the London Construction Program (LCP) Dynamic Purchasing System (DPS), as allowed under CSO 7.01(b) for Asbestos Remediation Works, over a period of 4years commencing September 2023 and ending September 2027, for a maximum value of £939,464.00 (consisting of estimated spend for variable volume work, priced against bespoke prices). The form of contract will be the [JCT Measured Term Contract (MTC) 2016].

2. To also approve the issue of a letter of intent to the preferred contractor for an amount of up to, but not exceeding £93,946.40 which represents 10% of the contract sum. This would enable mobilisation of the contract whilst the contract documentation is finalised.

Reasons for decision

1. The Council requires an asbestos remediation contractor to ensure that all residents, employees, and contractors are kept safe whilst living, visiting, or working in buildings that we manage which may contain asbestos materials.
2. The Council has a legal duty to ensure that they are compliant with the management of asbestos in accordance with the Control of Asbestos Regulations 2012.

Alternative options considered:

1. A do-nothing option would mean the residents living in buildings and staff working in offices with asbestos containing material are at risk of actions from asbestos surveys not being managed with the potential for exposure to asbestos. In addition, the Council would not be compliant with their duties under the Control of Asbestos Regulations 2012.
2. It is not feasible to directly employ asbestos removal operatives due to the specialist nature of the work and potential insurance liabilities. The Council is the duty holder for the management of asbestos in their properties and therefore have a legal responsibility to ensure that the work is carried out in a compliant manner.

Asbestos remediation work poses a great deal of risk to the residents and employees and by using directly employed staff the employer will need a significant level of investment and a requirement for a 3 year license, public and private liability insurance and professional indemnity, together with specialist equipment for removal, testing and monitoring of the immediate and surrounding area where work is taking place.

9. VARIATION OF ELECTRICAL INSPECTION REPORTS PROGRAMME

This report sought approval from the Cabinet Member for a second variation of the two existing contract values, for the current provision of Electrical Inspection Reports programme to the Council, by two contractors, for the remaining contract term, to April 2024, subject to Cabinet Approval to virement of capital budget, as set out in section 6.16 of this report.

The Officer reiterated to the Cabinet Member that there would be internal quality assurance. Sample inspections would allow for work to be reviewed, thus would ensure work would be done to the required standard.

**The Cabinet Member for Housing Services, Private Renters and Planning
RESOLVED**

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

1. To approve a second variation of the two existing contracts with Contractor N and Contractor A, for the provision of Electrical Inspection Services to the Council by increasing the maximum contract values by an additional £1,474,825.00 for Contractor N and £1,413,050.00 for Contractor A (£2,887,875.00 in total) taking the total maximum value for both contracts, to £11,551,500 over the maximum contracts period of 18 months (of which 8 months currently remain), subject to budget virement approval by Cabinet.

Reasons for decision

- In order to deliver the Electrical Inspection programmes, which includes completing urgent and high-risk actions and upgrading of smoke and heat alarms within properties, Haringey Council requires the support of specialist electrical contractors.
- The existing arrangements for this work have been in place since October 2022 and were procured as a direct award under the South East Consortium's (SEC) Electrical Renewal's Framework. Working with our Strategic Procurement business partners and the SEC, we were able to identify that Contractors N and A, were able to take on and support our service requirements.
- The contractors are and have since been successfully delivering the programmes of inspections and associated works, critical to the safety of residents. This service is currently relied upon whilst we recruit to existing vacancies within our in-house electrical team, who will, in the longer term deliver the core elements of this work. However, due to current priorities around damp and mould, voids and focus on improving the repairs service as well as market pressures and a shortage of suitably competent persons this is taking longer than originally anticipated and we will need to implement a further contract prior to fully in-sourcing the service in future.
- Even when the team is fully resourced, there will always be a need to rely upon additional contracting services to support the in-house team through peaks in workload and gaps in resources. The procurement of a longer-term support arrangement is the subject of a separate and new procurement project will be progressed, to take over this provision once this further extension is exhausted.
- As we continue delivering electrical safety programmes, the variation of these contracts offers continuity and the necessary resources to deliver on this key commitment to the Regulator and essential life-safety programmes, whilst we procure a longer-term solution.
- The second variation supports the ongoing delivery of the electrical safety inspection and works programmes to comply with the Electrical Safety Regulations and the Fire Safety Act.
- The existing fire safety budget is insufficient to cover the expenditure of all the work. However, there is provision within the capital budget for Mechanical and Electrical works. Approval for virement of this budget can only be given by Cabinet. The request for this will be made to Cabinet in September 2023 within the Budget Report submitted by Finance.

Alternative options considered.

- Do nothing. This would mean that the current contract would not be sufficient to complete the programme. It would also mean that we cannot meet our commitment to the Regulator to complete the EICR programme by the December 2023. Furthermore, it would leave the residents subject to living in buildings where there could be electrical safety issues that go unrecorded and unremedied if we do not undertake electrical inspections and improvement works. In addition, the Council would not be compliant with the Electrical Regulations.
- Undertake all the work in-house. This option is not viable due to the current lack of specialist skills available in the market for Haringey to recruit. However, this is the intention in the longer-term.
- Procure a new contract. This is in progress but will not be in place in time to deliver the current requirements.

10. NEW ITEMS OF URGENT BUSINESS

None

11. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

To exclude the press and public from the meeting as following item contained 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.

12. EXEMPT - OUT OF HOURS CONTRACT - FINANCIAL APPROVAL TO EXTEND THE CONTRACT

The Cabinet Member considered exempt information.

13. EXEMPT - AWARD OF CONTRACT FOR FIRE SAFETY AND DECORATION WORKS ON THE BROADWATER FARM ESTATE.

The Cabinet Member considered exempt information.

14. EXEMPT - TO AWARD A NEW ASBESTOS REMEDIATION CONTRACT FOR A PERIOD OF 4 YEARS

The Cabinet Member considered exempt information.

15. NEW ITEMS OF EXEMPT URGENT BUSINESS

There were no new items of exempt urgent business.

CABINET MEMBER: Councillor Sarah Williams

Signed by the Cabinet Member

Date