

NOTICE OF MEETING

CABINET MEMBER SIGNING

Monday, 6th October, 2025, 10.00 am - Alexandra House, Station Road, N22 7TY (watch the live meeting [here](#), watch the recording [here](#))

Councillors: Sarah Williams

1. FILMING AT MEETINGS

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

3. 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

4. URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear).

5. DEPUTATIONS / PETITIONS / QUESTIONS

6. HOUSING ASSET MANAGEMENT PARTNERING CONTRACTS (PAGES 1 - 8)

7. KENNETH ROBBINS HOUSE - CONTRACT VARIATION (PAGES 9 - 16)

8. STELLAR HOUSE - CONTRACT VARIATION (PAGES 17 - 24)

9. EXCLUSION OF THE PRESS AND PUBLIC

Items 10-12 are likely to be subject to a motion to exclude the press and public from the meeting as *they* 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.

10. EXEMPT HOUSING ASSET MANAGEMENT PARTNERING CONTRACTS (PAGES 25 - 70)

11. EXEMPT STELLAR HOUSE - CONTRACT VARIATION (PAGES 71 - 74)

12. EXEMPT KENNETH ROBBINS HOUSE - CONTRACT VARIATION (PAGES 75 - 78)

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Friday, 26 September 2025

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Report for: Cabinet Member Signing

Item number: CP-00205

Title: Housing Asset Management Partnering Contracts

Report authorised by: Jahed Rahman, Director of Housing

Lead Officer: Christian Carlisle – Assistant Director of Asset Management

Ward(s) affected: All

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

1. Describe the issue under consideration

- 1.1 This report seeks approval the contract award of four long-term Partnering Contracts following previous Cabinet approval in June 2025. The contract award is for four contracts, across four geographical Lots, to four separate providers to develop investment and maintenance works for Housing Asset Management. The contract award will be conditional pending leaseholder consultation.
- 1.2 This contract award follows a review of the evaluation completed prior to seeking Cabinet approval for contract award in June 2025. The review led to changes in the evaluation scoring for each lot and a change to the award for one of the four Lots.
- 1.3 The procurement and contract award follows a mini competition via the recently procured London Construction Programme MW24-H Housing Framework (Lot2.3) for the delivery of Housing Major Works to properties owned and managed by the Council. The successful service providers will provide a range of investment and refurbishment works to the Council's housing stock. The provider will also carry out several initiatives through the Social Value portal. The contracts will be awarded for a period of 10.5 years (5.5 years, with an optional 5-year extension).

2. Cabinet Member Introduction:

N/A

3 Recommendations

- 3.1 It is recommended that the Cabinet Member for Housing and Planning (Deputy Leader):
- 3.2 Approve the award of the four partnering contracts across four geographical Lots, to four separate successful bidders stated in the Part B Exempt report for a period five years with an option to extend a further five years, in accordance with CSO2.01 (C), conditional on leaseholder consultation.

3.3 Pursuant to Cabinet approval in June 2025 to delegated authority for the Director of Housing, in consultation with the Corporate Director of Finance and Resources, to issue works orders under the contract in line with the annual Cabinet approved, Housing Revenue Account Housing Capital Programme.

4. Reasons for decision

4.1 The award of the four contracts supports the strategy approved by Cabinet in July 2022 'Partnering Contracts Strategy for Housing Major Works' and establishes four long-term partnering contracts which were identified as the best way to address decency issues which adopts a holistic approach to refurbishing properties and blocks (both tenanted properties and leasehold) and maximizes the social value benefits of the Council's investment. Key objectives of these contracts will include:

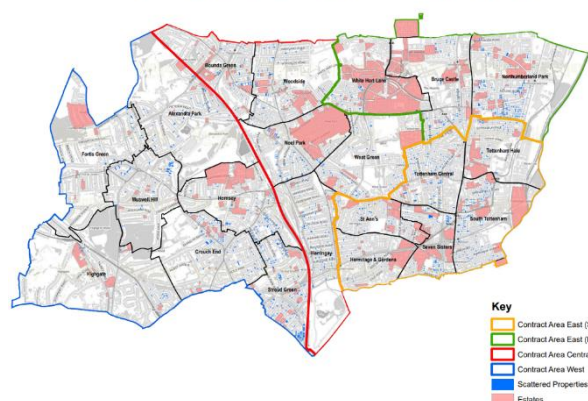
- Ensuring that all stock meets the Decent Homes Standard, and this is maintained going forward.
- Ensuring that all Council owned homes have a minimum of an EPC B by 2035.
- Ensuring that statutory safety standards are maintained in all blocks.
- Providing employment and training opportunities; supporting and enabling SME supply chain in the borough to benefit from the investment and involving our residents at all stages in the procurement and delivery process.

4.3 The Partnering Contracts will deliver Housing capital investments works to properties owned and managed by the Council and includes but not restricted to:

- Decent Homes Related Works
- Building Safety & Fire Safety Related Works
- Block Refurbishment Works
- Mechanical & Electrical Works
- Decarbonisation Related Works
- Neighbourhood & Estate Improvement Works
- Internal and External Cyclical Works

4.5 A procurement process was undertaken, via a mini competition through Lot 2.3 of the LCP Housing framework, to find four suitable-qualified contractors, a separate contractor for each of four geographical lots, to provide capital repairs and maintenance services to the Council's housing stock. In June 2025 Cabinet approved the award of four contracts, one to each of four separate recommended bidders identified through the tender evaluation process.

CONTRACT AREAS, WARDS, ESTATES & SCATTERED PROPERTIES



- 4.6 Following a review of the completed evaluation of the submitted bids the evaluation scores for all of the four lots changed from those originally submitted to Cabinet. Three of the contract awards scores changed but the bidder remained as previously proposed but the recommended bidder for Lot 1, the West of the borough, has changed. As a result, approval is sought for the award of all four geographically based contracts.
- 4.7 15 bids were received for the three of the Partnering Procurement Lots, (West; East North and East South) and 14 bids were received for the Central region Lot.
- 4.8 Through the procurement process bidders were able to submit bids for all of the 4 lots however to minimise risk and maximise competition, bidders were only able to win one of the four geographical lots. During the tender process those bidders who submitted bids for more than one lot, were required to express their lot preferences in priority order. These preferences formed part of the evaluation process.
- 4.9 A leaseholder consultation process has been undertaken in line with Landlords and Tenants Act 1985 Section 20 process. Following legal advice on the appropriate approach to the Section 20 process when procuring these contracts through the LCP framework a dispensation has been requested. This is not expected to impact on the Council's ability to recover appropriate costs from leaseholders.

Evaluation

- 4.11 Selection of the contractors was based on 65% quality and 35% cost. Of the quality evaluation element, 25% of the 65% quality marks were based on the response to social value. This 25% equated to a weighting of 16% of the total marks.
- 4.12 The price element of 35% were based on the tables below. The method of scoring each criterion will be that the Tenderer with the lowest price will receive the maximum points available for that criterion.

Ref	Description	Element weighting
a	Target Cost – Internal and External Components	14.00
b	NHF Schedule of Rates	7.00
c	Site Overheads, Central Overheads and Profit	14.00
	Total:	35.00

- 4.13 Tenderers were required to submit Social Value Proposal for each Lots they were applying for via the Social Value Portal, in accordance with CSO 6.01, 6.02 and 6.03. The social value element of 16% was apportioned as 4.8% Quantitative, 5.6% Qualitative and 5.6% Delivery Plan and was evaluated by the Social Value Portal.
- 4.14 The quality element of 49% and the assessment of the quality element will be a combination of the evaluation of the written tender submissions (the Qualitative Delivery Proposal). The quality elements have a maximum of 100 points available, which will then be weighted to the 49%.
- 4.15 The written responses to the Qualitative Delivery Proposal were evaluated by a panel of officers, residents, and representatives of Haringey. Each question was scored by each individual

evaluator and then a moderation exercise was undertaken, to determine a single overall score for each question to be agreed by consensus. All pricing information will be excluded from the team evaluating the quality submission.

Outcome

4.16 Lot 1 – West

- From the results of the tender evaluation, Bidder 2 achieved the highest combined scores, since they submitted the most economically advantageous tender.
- As Bidder 2 were the top placed tenderer on all four of the Lots and were only permitted to win a single Lot, their preferences set out in their tender submission were taken into account. Bidder 2's preference was to be awarded the East North Lot (3). Lot 1 would then pass to the second placed Contractor, who was Bidder 14, however, as Bidder 14 were second placed on Lot 4 and their preference was to be awarded Lot 4, Lot 1 would be awarded to the third placed tenderer, who is Bidder 9, however, as Bidder 9 were third placed on Lot 2 and their preference was to be awarded Lot 2, Lot 1 would be awarded to the fourth placed tenderer, who is Bidder 3. Bidder 3's preference within their tender submission was Lot 1 should they be top placed tenderer on more than one Lot.
- With consideration of the information provided in this report, we recommend that the Council appoint Bidder 3 to Lot 1 (West).

4.17 Lot 2 – Central

- From the results of the tender evaluation, Bidder 9 achieved the highest combined scores, since they submitted the most economically advantageous tender. Bidder 9's preference within their tender submission was Lot 2 should they be top placed tenderer on more than one Lot.
- With consideration of the information provided in this report, we recommend that the Council appoint Bidder 9 to Lot 2 (Central).

4.18 Lot 3 – East North:

- From the results of the tender evaluation, Bidder 14 achieved the highest combined scores, since they submitted the most economically advantageous tender. As Bidder 14 were the top placed tenderer on three of the four Lots and were only permitted to win a single Lot, their preferences set out in their tender submission were taken into account. Bidder 14's preference was to be awarded the East South Lot (4). Lot 3 would then pass to the second placed Contractor, who was Bidder 2.
- With consideration of the information provided in this report, it is recommended that the Council appoint Bidder 2 to Lot 3 (East North).

4.19 Lot 4 – East South:

- From the results of the tender evaluation, Bidder 14 achieved the highest combined scores since they submitted the most economically advantageous tender. Bidder 14's preference within their tender submission was Lot 4 should they be top placed tenderer on more than one Lot.
- With consideration of the information provided in this report, it is recommended that Bidder 14 be appointed to Lot 4 (East South).

4.20 Overall Cost

- The cost of providing the service is funded through the Housing Revenue Account (HRA) capital budget, which is approved annually by Cabinet as part of the business planning process.

5. Contribution to the Corporate Delivery Plan 2024-2026 strategic outcomes

5.1 It is aligned with the **Asset Management Strategy (2021)**, the **Housing Asset Management Strategy (2023–2028)**, and the **Corporate Delivery Plan (2023/24)**. It is designed to:

- Support the Housing Strategy (2022) and ensure all council homes meet the Decent Homes Standard by 2028.
- Respond to the climate emergency by delivering energy efficiency upgrades and decarbonisation measures, aligned with the borough's net zero target by 2041.
- Ensure building safety and compliance, in line with the Building Safety Act (2022) and Social Housing Regulation Act (2023).
- Embed active asset management, reviewing long-term viability and demand before investing in housing stock.
- Align with the Corporate Delivery Plan Theme 2: "Responding to the climate emergency," by prioritising sustainability in all property decisions

5.2 There are estimated to be over 15,000 households experiencing fuel poverty in the borough. Improving the energy efficiency of our housing stock to reduce fuel bills is the most effective means of achieving a key objective of the Council's Affordable Energy Strategy 2020-2025. Improving the energy efficiency of homes remains the most sustainable, long-term solution to fuel poverty. With many homes requiring an extensive package of energy efficiency measures.

5.3 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 deliver the following objectives: -

- Ensuring the Council is compliant with the regulatory requirement to bring all council homes to the Decent Homes Standard by 2028.
- Meeting all Building Safety and Compliance regulatory requirements to ensure the safety of residents living in council homes.

6. Carbon and Climate Change

6.1 A key objective of the four partnering contracts is to ensure all Council owned homes have a minimum of an EPC B by 2035 in support of the council climate emergency action plan. The scope of works included within the new contracts includes the delivery of decarbonisation related works to the Councils housing stock.

7. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

7.1 Strategic Procurement

- 7.1.1. The Chief Procurement Officer has been consulted in the preparation of this report and confirms that a compliant mini competition was undertaken via the London Construction Program (LCP) Housing Framework – Lot 2.3 in accordance with CSO 7.02 and regulations 33 (8) (b) (ii) of the Public Contracts Regulations (2015). The Tenderer submissions have been evaluated in accordance with the scoring methodology contained within the published Invitation to Tender document. Additional comments are contained in Part B Exempt report.
- 7.1.2. Strategic Procurement confirms CSO 2.01(C) requires Cabinet to approve contracts valued at £500,000 and above and that there are no procurement related reasons preventing Cabinet member for Housing and Planning from approving the Recommendations stated in paragraph 3 above.

7.2 Financial Consideration

- 7.2.1. This report recommends approval to award four long-term major works partnering contracts, across four geographical Lots in the borough, to four separate providers. The value of works will be based on agreed rates, and the total value of works order cannot exceed the approved budget for this programme. The value of these works will be met from the approved major works capital programme budget/MTFS. There is a risk of cost escalation leading to a reduced benefit-cost ratio. Hence, the schemes under this programme must be strictly monitored and reporting enhanced.

7.3 Legal Considerations

- 7.3.1 The Director of Legal and Governance (Monitoring Officer) was consulted in the preparation of the report.
- 7.3.2 The report indicates, and Strategic Procurement has confirmed that the contracts in the report were procured via a mini competition through the London Construction Program (LCP) Housing Framework – Lot 2.3 which is a compliant route to procure such services as per the Council's Contract Standing Order (CSO) 7.02 and Regulation 33 of the Public Contracts Regulation 2015 (PCR15) which was then applicable when the contract was procured.
- 7.3.3 Pursuant to CSO 2.01(c), Cabinet has power to approve the award of a contract where the value of the contract is £500,000 or more.
- 7.3.4 Further to paragraph 7.3.3 above and pursuant to the Council's CSO 0.08, a decision reserved for Cabinet may be taken by a Cabinet Member with the agreement of the Leader and as such the recommendation in paragraph 3 of the report requesting Cabinet Member for Housing and Planning (Deputy Leader) to approve the award of the four partnering contracts across four geographical Lots, to four separate successful bidders stated in the Part B Exempt report for a period five years with an option to extend a further five years is in line with the Council's CSO so long as the Cabinet Member is taking the decision with the agreement of the Leader.

- 7.3.5 The recommendation in paragraph 3.3 of the report to delegate authority to the Director of Housing, in consultation with the Director of Finance, to issue works orders under the contract in line with the annual Cabinet approved, Housing Revenue Account Housing Capital Programme is in line with the provisions of Part 4 Section F paragraph 1.3(a) of the Council's Constitution and also in line with law. Cabinet has power under the Local Government Act 2000 to delegate the discharge of any of its functions to an officer (S.9E (Discharge of Functions)).
- 7.2.6 The Director for Legal and Governance (Monitoring Officer) sees no legal reasons preventing the approval of the recommendations in the report.

7.4 Equality

- 7.4.1. The Council has a Public Sector Equality Duty (PSED) 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.
- 7.4.2. 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. The first part of the duty applies to marriage and civil partnership status only.

11. Use of Appendices

11.1 Cabinet Papers

12. Background papers

12.1 Exempt Report.

Report for: Cabinet Member Signing – Cabinet Member for Housing and Planning (Deputy Leader)

Item number: CP-00313

Title: Kenneth Robbins House – Contract Variation

Report authorised by: Sarah Sutton – Corporate Director Adults Housing Health

Lead Officer: Peter De-Bique – Head of Housing Investment Delivery

Ward(s) affected: Northumberland Park

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

1. Describe the issue under consideration.

- 1.1. In line with Contract Standing Order (CSO) 8.01 and 18.03.3, this report seeks approval from the Cabinet Member for Housing and Planning (Deputy Leader) to vary the contract sum and programme for the major refurbishment programme at Kenneth Robbins House.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

That the Cabinet Member for Housing and Planning (Deputy Leader):

- 3.1. In line with Contract Standing Orders (CSO) 8.01, and 18.03.3, approval is sought for a variation to the existing contract in the sum of £1,751,359.36, revising the total contract value to £10,164,213.00. Additionally, approval is requested to amend the programme duration from 78 weeks to 150 weeks. This extended timeframe will accommodate the process of obtaining Gateway 2 approval for the works from the Building Safety Regulator (BSR), as well as provide sufficient allowance for final sign-off at Gateway 3.
- 3.2. It should be noted that any variation in the contract sum or programme will not affect the total amount rechargeable to leaseholders, as outlined in the Notice of Estimates issued on 23 August 2024.
- 3.3. Issue a Letter of Intent to the contractor in line with CSO 16.04 for the sum of £900k which is no more than 10% of the revised contract sum. The Letter of Intent will enable the contractor to place an order with their supply chain to enable the revised programme to be met.

4. Reasons for decision

- 4.1. On 08 April 2024, the Council received tenders from eleven bidders for the major works programme at Kenneth Robbins House. Following a comprehensive evaluation process, the contract was awarded to United Living as the successful contractor.
- 4.2. The initial contract award was predicated on an anticipated 8-week period for securing Building Safety Regulator (BSR) approval for the proposed works, which aligned with a projected start date in Autumn 2024. However, due to a significant industry-wide backlog in BSR applications, current estimates indicate approval periods ranging from 30 to 45 weeks. As a result, the commencement of works is now deferred, with Autumn 2026 representing the earliest feasible start date.
- 4.3. Following a series of discussions between the contractor, the multi-disciplinary consultant, and the Council's project team, it was agreed that it would be unreasonable to require the appointed contractor to maintain the tendered price submitted in April 2024, given the extended delay in securing Building Safety Regulator (BSR) approval. Consequently, the contractor was invited to submit a revised financial proposal to account for the prolonged approval period and increased supply chain costs. This review resulted in a contract variation totalling £1,751,359.36.

5. Alternative options considered.

- 5.1. Do nothing was considered and ruled out. This is because the works to Kenneth Robbins House is essential to ensure the building meets current fire safety regulations. Therefore, the Council has no option but to appoint a competent contractor to deliver the works.
- 5.2. Retendering was also considered; however, the appointed contractor was awarded the contract having submitted the most economical and advantageous tender. There is no guarantee that retendering the project will result in a better outcome in terms of cost and programme. It should also be noted that the extended period for securing Building Safety Regulator approval will still apply, therefore any alternatives bids will include a significant risk profile and cost for a delayed start to the works.
- 5.3. The only option available to the Council is to accept the uplifted costs submitted by the appointed contractor. This will ensure the works commence as soon as possible, thus ensuring the building meets current fire safety regulations.

6. Background information

- 6.1. Kenneth Robbins House is a residential purpose-built 17 storey block on the Northumberland Park Estate in North Tottenham. There are 128 self-contained units, of which 64 are 1-bedroom and 64 are 2-bedroom apartments.
- 6.2. Haringey commissioned report to develop a major works programme to the block. The report concluded that major works are required to the block, and in view of

this, a package of work was developed to include replacement windows and spandrel panels, structural repairs, replacement of the internal soil and vent pipe, upgrade to some bathrooms and kitchens, communal decorations, lighting and flooring and general improvements and upgrade to fire safety elements.

- 6.3. Tenders were invited for the above works on 29 January 2024, and 11 bidders were received on 08 April 2024. The contract was awarded to Tenderer A in the sum of £8,412,853.64.
- 6.4. The contract was awarded based on a 78-week programme. As Kenneth Robbins House falls within the category of a High-Risk Building (HRB), the tendered programme initially included an 8-week period for the contractor to secure approval for the works via an application to the Building Safety Regulator (BSR).
- 6.5. Following a series of design meetings with the contractor and the multi-disciplinary consultant, it's noted that the initial 8-week period allocated for the submission and approval of the Building Safety Regulator (BSR) Application was insufficient. Therefore, the project team realigned the design and delivery programme.
- 6.6. The realignment of the programme resulted in a significant delay to the start of the works, as the approval period for securing Building Safety Regulator Approval extended from the initial 8-weeks to a period of between 30-45 weeks.
- 6.7. The initial start date for the works was Autumn 2024. With the Building Safety Regulator Approval period of 30-45 weeks, the revised start date would be Autumn 2026, which is 24 months later than the original programme.
- 6.8. The contractor raised concerns, and these were upheld by the cost consultant. The concerns centred around the delayed start to the works, the commercial exposure to price increases from their supply chain – especially as the works will commence 2 years after their initial tender submission, and the extended preliminary costs associated with managing the extended design and delivery programme.
- 6.9. In view of the above, the contractor was invited to revisit their costs. The costs were jointly assessed by the Cost Consultant and Haringey to ensure they reflect market conditions. Although it was noted that the contractor included a financial risk to account for the unknown period for the Building Safety Regulator Application, the costs were generally acceptable, however it was agreed that should the contractor receive Building Safety Regulator Approval in a period less than 45 weeks, Haringey reserves the right to recover the preliminary costs associated with this.
- 6.10. Prior to the initial award report dated 29 October 2024 leasehold consultation was undertaken and concluded in line with the requirements of Section 20 of the Landlord and Tenants Act 1985.
- 6.11. An initial Notice of Intent was issued on 28 November 2022 to the leasehold flats affected, and no observations or nominations were received.

- 6.12. Notice of estimates were issued on 23 August 2024 to the leasehold flats affected. The period for providing observations in response expired on 25 September 2024.
- 6.13. The total amount rechargeable to leaseholders was estimated at £660,998.64, with an average leaseholder charge of £34,789.40.
- 6.14. The above figures reflect the restrictions placed upon the Council under Part 5 of the Building Safety Act 2022 (“the Act”). Part 5 of the Act contains a number of complex provisions which prevent or limit the Council’s ability to recover service charges from its leaseholders (“tenants”) where it undertakes works to remedy “**relevant defects**” in “**relevant buildings**”.
- 6.15. Officers do not anticipate that there will be any increase in sums rechargeable to leaseholders if the recommendations in this report are adopted.
- 6.16. Subject to approval from the Cabinet Member for Housing and Planning (Deputy Leader) to vary the contract sum by £1,751,359.36 from £8,412,853.64 to £10,164,213.00, the projected spend profile is shown in the following table.

The project will be funded from Asset Management’s Capital Works Programme. Funding will accommodate all works executed on the project and will extend over 3 financial years from 25/26 to 27/28 as shown in the table below.

Description	Year 1 (25/26) £’000	Year 2 (26/27) £’000	Year 3 (27/28) £’000
Kenneth Robbins Hse – Major Works Programme	£200	£9710.107	£254.106

7. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes’?

This project will help to contribute to the Corporate Delivery Plan by creating a solid resident experience and enabling success for all residents impacted by the project.

The project will create an opportunity for all residents in the block to participate in the decision-making process. For example, residents will be invited to select colours and finishes for doors, windows, walls, flooring and other key elements of the project. They will be invited via community events, drop in sessions, consultation meetings and general updates where feedback will be offered and incorporated into the final design of the scheme.

By involving residents in developing the project, the project team has ensured that they build mutual trust and confidence through positive interactions with residents, from getting the basics right to involving residents more deeply in Council decision-making, especially in matters that affect them.

8. Carbon and Climate Change

- 8.1 Haringey Council made a commitment to be a Net Zero Carbon Borough by 2041. The Major Works Programme to Kenneth Robbins House will help to achieve this by firstly reviewing the scope of works with the appointed consultants to determine what measures can be incorporated into the programme that will assist the Borough in its aspirations for Net Zero Carbon by 2041.
- 8.2 The project team noted that the main element of work that will impact on reduced carbon is the replacement of windows including spandrel panels and doors to balconies and communal areas. These elements have been carefully selected to ensure they meet the minimum requirements as set-out in Approved Document L of the Building Regulations. Other elements such as lighting to communal and external areas have been selected to reduce energy consumption and extend the time-period between maintenance cycles.
- 8.3 As part of the invitation to tender, bidders were required demonstrate their commitment to achieving the Gold Standard for the Fleet Operator Recognition Scheme (FORS). The appointed contractor and their supply chain must show best practice in the management of their fleet in matters such as safety, efficiency, and environmental protection. This means that the works to Kenneth Robbins House will be managed by a company who considers the environmental impact of the works on the local community and takes measures to reduce carbon when operating vehicles and delivering the project.
- 8.4 Reducing the environmental impact and carbon consumption will include ensuring that materials are purchased locally where possible, to avoid long sustained journeys through London and the local areas. Employing local labour via the contractor's Social Value commitment will also contribute to the Council's Net Zero commitments, as this will provide local employment opportunities which in-turn will reduce the need for travel outside the Borough and thus help to reduce carbon consumption.
- 8.4 It is believed that the above measures will contribute to Haringey's commitment to be a Net Zero Carbon Borough by 2041.

9. Statutory Officer Comments (Director of Finance (procurement), Assistant Director of Legal and Governance, Equalities)

9.1 Finance

The original contract sum is £8.413m; over a period of 3 years. This report recommends a variation of the contract sum by an additional £1.751m, bringing the revised total contract value to £10.164m.

This variation is mainly due to significant delay to the start of the work, which was not covered in the original contract.

This additional sum can be contained within the existing stock capital programme budget/MTFS.

However, this might lead to other existing homes requiring maintenance and improvement works is either being deprived of funding to the tune of £1.751m or additional sum borrowed to fund such works – which will also attract revenue cost in the form of additional interest on borrowing.

It should be noted that this sum does not include sum of £0.535m which has been spent on external and communal works at Kenneth Robbins' house in recent years.

There is a further risk of cost escalation if this contract is not properly managed and monitored.

Further finance comments are contained in the exempt report.

9.2 Procurement

Strategic Procurement (SP) notes that this report relates to the approval to vary the approved spend with supplier on Appendix A.

SP note that the cost for this contract was £8,412,853.64 to £10,164,213, an uplift of £1,751,359.36. Additionally, approval is requested to amend the programme duration from 78 weeks to 150 weeks.

In reference to Paragraph 4 above the reason for this variation has come about due to significant delay to the start of the work, which was not covered in the original contract.

This variation is in accordance with regulation 72(1)(b)(i)(ii) of the Public Contracts Regulations 2015. SP supports the recommendation to approve the award in accordance with CSO 18.03.3 and 2.01.1(d).

9.3 Director of Legal and Governance (Monitoring Officer)

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

9.3.2 The works are above the threshold where the Public Contracts Regulations 2015 (the Regulations), the procurement legislation in force at the time of the tender, applied to the procurement. Any variation will therefore be governed by the modification rules set out in Reg 72.

9.3.3 Under Reg 72 (1) c) a contract may be modified without a new procurement (c) where all of the following conditions are fulfilled:—

- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

- 9.3.4 Because of the value of this contract, it would fall to Cabinet to take a decision on the variation (CSO 2.01 d) (contract variations valued at £500,000 or more). However, in-between meetings of the Cabinet, the Leader may approve or may allocate to a Cabinet Member to take a decision (CSO 0.08).
- 9.3.5 The Cabinet Member also has power to approve issue of a letter of intent which may be for either £100,000 or 10% of the Contract price, whichever is the higher.
- 9.3.6 The Director of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Housing and Planning to approve the recommendations in this report.

9.4 Equality

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.

The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/fait, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

The decision is regarding the award of a major works contract for the improvement and upgrade to Kenneth Robbins House. These works are essential to ensure our residential buildings adequately provide a suitable means of escape in the event of fire and separation between the dwellings and the communal areas, and have good modern facilities, and where facilities are not being renewed, the existing services are in a good state of repair and meets current regulations and standards.

Data held by the council suggests that women, young people, disabled people and BAME people and naturally low-income people are over-represented among those living in council housing. These improvement works should there for be expected to have a positive impact on those that share the protected characteristics.

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.

10. Use of Appendices

Exempt Report – **Appendix A**

11. Local Government (Access to Information) Act 1985

Exempt information will include commercially sensitive information for the successful bidder.

Report for: Cabinet Member Signing – Cabinet Member for Housing and Planning (Deputy Leader)

Item number: CP-00315 - To be added by the Committee Section

Title: Stellar House – Contract Variation

Report authorised by: Sarah Sutton – Corporate Director Adults Housing Health

Lead Officer: Peter De-Bique – Head of Housing Investment Delivery

Ward(s) affected: Northumberland Park

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

1. Describe the issue under consideration.

- 1.1. In line with Contract Standing Order (CSO) 8.01, and 18.03.3, this report seeks approval from the Cabinet Member for Housing and Planning (Deputy Leader) to vary the contract sum and programme for the major refurbishment programme at Stellar House.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

That the Cabinet Member for Housing and Planning (Deputy Leader):

- 3.1. In line with Contract Standing Orders (CSO) 8.01, and 18.03.3, approval is sought for a variation to the existing contract in the sum of £1,398,776.55, revising the total contract value to £8,011,626.90. Additionally, approval is requested to amend the programme duration from 78 weeks to 150 weeks. This extended timeframe will accommodate the process of obtaining Gateway 2 approval for the works from the Building Safety Regulator (BSR), as well as provide sufficient allowance for final sign-off at Gateway 3.
- 3.2. It should be noted that any variation in the contract sum or programme will not affect the total amount rechargeable to leaseholders, as outlined in the Notice of Estimates issued on 23 August 2024.
- 3.3. Issue a Letter of Intent to the contractor in line with CSO 16.04 for the sum of £700,000.00 which is no more than 10% of the revised contract sum. The Letter of Intent will enable the contractor to place an order with their supply chain to enable the revised programme to be met.

4. Reasons for decision

- 4.1. On 25 March 2024, the Council received tenders from fifteen bidders for the major works programme at Stellar House. Following a comprehensive evaluation process, the contract was awarded to Equans as the successful contractor.
- 4.2. The initial contract award was predicated on an anticipated 8-week period for securing Building Safety Regulator (BSR) approval for the proposed works, which aligned with a projected start date in Autumn 2024. However, due to a significant industry-wide backlog in BSR applications, current estimates indicate approval periods ranging from 30 to 45 weeks. As a result, the commencement of works is now deferred, with Autumn 2026 representing the earliest feasible start date.
- 4.3. Following a series of discussions between the contractor, the multi-disciplinary consultant, and the Council's project team, it was agreed that it would be unreasonable to require the appointed contractor to maintain the tendered price submitted in March 2024, given the extended delay in securing Building Safety Regulator (BSR) approval. Consequently, the contractor was invited to submit a revised financial proposal to account for the prolonged approval period and increased supply chain costs. This review resulted in a contract variation totalling **£1,398,776.55**.

5. Alternative options considered.

- 5.1. Do nothing was considered and ruled out. This is because the works to Stellar House is essential to ensure the building meets current fire safety regulations. Therefore, the Council has no option but to appoint a competent contractor to deliver the works.
- 5.2. Retendering was also considered; however, the appointed contractor was awarded the contract having submitted the most economical and advantageous tender. There is no guarantee that retendering the project will result in a better outcome in terms of cost and programme. It should also be noted that the extended period for securing Building Safety Regulator approval will still apply, therefore any alternatives bids will include a significant risk profile and cost for a delayed start to the works.
- 5.3. The only option available to the Council is to accept the uplifted costs submitted by the appointed contractor. This will ensure the works commence as soon as possible, thus ensuring the building meets current fire safety regulations.

6. Background information

- 6.1. Stellar House is a residential purpose-built 19 storey block located on High Road Tottenham N17. There are 106 self-contained units, of which 104 are 1-bedroom and 2 are 2-bedroom apartments.
- 6.2. In May 2022 an options appraisal and feasibility study were carried out to the block, to assess the condition of the main building elements to develop a major works programme to the block. The report concluded that major works are required to the block, and in view of this, a package of work was developed to include replacement windows and spandrel panels, structural repairs,

replacement of the internal soil and vent pipe, upgrade to some bathrooms and kitchens, communal decorations, lighting and flooring and general improvements and upgrade to fire safety elements.

- 6.3. Tenders were invited for the above works on 15 January 2024, and 15 bidders were received on 25 March 2024. The contract was awarded to Tenderer A in the sum of £6,612,850.35.
- 6.4. The contract was awarded based on a 78-week programme. As Stellar House falls within the category of a High-Risk Building (HRB), the tendered programme initially included an 8-week period for the contractor to secure approval for the works via an application to the Building Safety Regulator (BSR).
- 6.5. Following a series of design meetings with the contractor and the multi-disciplinary consultant, it's noted that the initial 8-week period allocated for the submission and approval of the Building Safety Regulator (BSR) Application was insufficient. Therefore, the project team realigned the design and delivery programme.
- 6.6. The realignment of the programme resulted in a significant delay to the start of the works, as the approval period for securing Building Safety Regulator Approval extended from the initial 8-weeks to a period of between 30-45 weeks.
- 6.7. The initial start date for the works was Autumn 2024. With the Building Safety Regulator Approval period of 30-45 weeks, the revised start date would be Autumn 2026, which is 24 months later than the original programme.
- 6.8. The contractor raised concerns, and these were upheld by the cost consultant. The concerns centred around the delayed start to the works, the commercial exposure to price increases from their supply chain – especially as the works will commence 2 years after their initial tender submission, and the extended preliminary costs associated with managing the extended design and delivery programme.
- 6.9. In view of the above, the contractor was invited to revisit their costs. The costs were jointly assessed by the Cost Consultant and Haringey to ensure they reflect market conditions. Although it was noted that the contractor included a financial risk to account for the unknown period for the Building Safety Regulator Application, the costs were generally acceptable, however it was agreed that should the contractor receive Building Safety Regulator Approval in a period less than 45 weeks, Haringey reserves the right to recover the preliminary costs associated with this.
- 6.10. Prior to the initial award report dated 29 October 2024 leasehold consultation was undertaken and concluded in line with the requirements of Section 20 of the Landlord and Tenants Act 1985.
- 6.11. An initial Notice of Intent was issued on 22 March 2023 to the leasehold flats affected, and no observations or nominations were received.

- 6.12. Notice of estimates were issued on 23 August 2024 to the leasehold flats affected. The period for providing observations in response expired on 25 September 2024.
- 6.13. The total amount rechargeable to leaseholders is estimated at £423,858.02, with an average leaseholder charge per unit of £26,444.76.
- 6.14. The above figures reflect the restrictions placed upon the Council under Part 5 of the Building Safety Act 2022 (“the Act”). Part 5 of the Act contains a number of complex provisions which prevent or limit the Council’s ability to recover service charges from its leaseholders (“tenants”) where it undertakes works to remedy “**relevant defects**” in “**relevant buildings**”.
- 6.15. Subject to approval from the Cabinet Member for Housing and Planning (Deputy Leader) to vary the contract sum by £1,398,776.55 from £6,612,850.35 to £8,011,626.90, the projected spend profile is shown in the following table.

The project will be funded from Asset Management’s Capital Works Programme. Funding will accommodate all works executed on the project and will extend over 3 financial years from 25/26 to 27/28 as shown in the table below.

Description	Year 1 (25/26) £’000	Year 2 (26/27) £’000	Year 3 (27/28) £’000
Stellar Hse – Major Works Programme	£200	£7611.336	£200.290

7. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes’?

This project will help to contribute to the Corporate Delivery Plan by creating a solid resident experience and enabling success for all residents impacted by the project.

The project will create an opportunity for all residents in the block to participate in the decision-making process. For example, residents will be invited to select colours and finishes for doors, windows, walls, flooring and other key elements of the project. They will be invited via community events, drop in sessions, consultation meetings and general updates where feedback will be offered and incorporated into the final design of the scheme.

By involving residents in developing the project, the project team has ensured that they build mutual trust and confidence through positive interactions with residents, from getting the basics right to involving residents more deeply in Council decision-making, especially in matters that affect them.

8. Carbon and Climate Change

- 8.1 Haringey Council made a commitment to be a Net Zero Carbon Borough by 2041. The Major Works Programme to Stellar House will help to achieve this by firstly reviewing the scope of works with the appointed consultants to determine

what measures can be incorporated into the programme that will assist the Borough in its aspirations for Net Zero Carbon by 2041.

- 8.2 The project team noted that the main element of work that will impact on reduced carbon is the replacement of windows including spandrel panels and doors to balconies and communal areas. These elements have been carefully selected to ensure they meet the minimum requirements as set-out in Approved Document L of the Building Regulations. Other elements such as lighting to communal and external areas have been selected to reduce energy consumption and extend the time-period between maintenance cycles.
- 8.3 As part of the invitation to tender, bidders were required demonstrate their commitment to achieving the Gold Standard for the Fleet Operator Recognition Scheme (FORS). The appointed contractor and their supply chain must show best practice in the management of their fleet in matters such as safety, efficiency, and environmental protection. This means that the works to Stellar House will be managed by a company who considers the environmental impact of the works on the local community and takes measures to reduce carbon when operating vehicles and delivering the project.
- 8.4 Reducing the environmental impact and carbon consumption will include ensuring that materials are purchased locally where possible, to avoid long sustained journeys through London and the local areas. Employing local labour via the contractor's Social Value commitment will also contribute to the Council's Net Zero commitments, as this will provide local employment opportunities which in-turn will reduce the need for travel outside the Borough and thus help to reduce carbon consumption.
- 8.4 It is believed that the above measures will contribute to Haringey's commitment to be a Net Zero Carbon Borough by 2041.

9. Statutory Officer Comments (Director of Finance (procurement), Assistant Director of Legal and Governance, Equalities)

9.1 Finance

The original contract sum is £6.613m; over a period of 3 years. This report recommends a variation of the contract sum by an additional £1.399m, bringing the revised total contract value to £8.012m.

This variation is mainly due to significant delay to the start of the work, which was not covered in the original contract.

This additional sum can be contained within the existing stock capital programme budget/MTFS.

However, this might lead to other existing homes requiring maintenance and improvement works either being deprived of funding to the tune of £1.399m or additional sum borrowed to fund such works – which will attract revenue cost in the form of additional interest on borrowing.

It should be noted that this sum does not include sum of £0.27m which has been spent on external and communal works at Stellar house in recent years.

There is a further risk of cost escalation if this contract is not properly managed and monitored.

Further finance comments are contained in the exempt report.

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9.2 Procurement

Strategic Procurement (SP) notes that this report relates to the approval to vary the approved spend with supplier on Appendix A.

SP note that the cost for this contract was £6,612,850.35 to £8,011,626.90, an uplift of £1,398,776.55. Additionally, approval is requested to amend the programme duration ranging from 30 to 45 weeks.

In reference to Paragraph 4 above the reason for this variation has come about due to significant delay to the start of the work, which was not covered in the original contract.

This variation is in accordance with regulation 72(1)(b)(i)(ii) of the Public Contracts Regulations 2015. SP supports the recommendation to approve the award in accordance with CSO 18.03.3 and 2.01.1(d).

9.3 Director of Legal and Governance (Monitoring Officer)

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

9.3.2 The works are above the threshold where the Public Contracts Regulations 2015 (the Regulations), the procurement legislation in force at the time of the tender, applied to the procurement. Any variation will therefore be governed by the modification rules set out in Reg 72.

9.3.3 Under Reg 72 (1) c) a contract may be modified without a new procurement

(c) where all of the following conditions are fulfilled:—

- (i) the need for modification has been brought about by circumstances which a diligent contracting authority could not have foreseen;
- (ii) the modification does not alter the overall nature of the contract;
- (iii) any increase in price does not exceed 50% of the value of the original contract or framework agreement.

- 9.3.4 Because of the value of this contract, it would fall to Cabinet to take a decision on the variation (CSO 2.01 d) (contract variations valued at £500,000 or more). However, in-between meetings of the Cabinet, the Leader may approve or may allocate to a Cabinet Member to take a decision (CSO 0.08).
- 9.3.5 The Cabinet Member also has power to approve issue of a letter of intent which may be for either £100,000 or 10% of the Contract price, whichever is the higher.
- 9.3.6 The Director of Legal and Governance (Monitoring Officer) confirms that there are no legal reasons preventing the Cabinet Member for Housing and Planning to approve the recommendations in this report.

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