

# **MINUTES OF CABINET MEMBER SIGNING HELD ON THURSDAY 4 DECEMBER 2025, 1:00PM – 1:10PM**

**PRESENT:** Councillor Sarah Williams, Cabinet Member for Cabinet Member for Housing and Planning (Deputy Leader)

**In attendance:** David Sherrington, Head of Estate Renewal, Ishen Stewart-Dowding, Senior Housing Delivery Project Manager, Robbie Erbmann, Delivery Director and Nazyer Choudhury, Principal Committee Co-Ordinator

## **1. FILMING AT MEETINGS**

The Cabinet Member referred to the notice of filming at meetings and this information was noted.

## **2. APOLOGIES FOR ABSENCE**

There were none.

## **3. DECLARATION OF INTEREST**

There were none.

## **4. URGENT BUSINESS**

There were none.

## **5. DEPUTATIONS / PETITIONS / QUESTIONS**

There were none.

## **6. BWF - FRA PROGRAMME VAIATION**

In line with Contract Standing Order (CSO) 0.08, 2.01(d) and 18.03, the report sought approval from the Cabinet Member for Housing and Planning (Deputy Leader) to vary the BWF – Fire Risk Assessment and Protective Coatings contract, increasing the contract sum by a further £690k to deliver the works set out in the report. The revised total contract sum would be £5.94m.

The additional works were detailed in Appendix A – Exempt Report and would be carried out to all eight blocks within the existing BWF – Fire Risk Assessment and Protective Coatings contract. The additional works were required to ensure the programme achieves full compliance with current Fire and Building Safety Regulations. Carrying out these works would provide crucial benefits, including ensuring compliance with the Building Safety Act, fulfilling legal duties to protect occupants from fire hazards, implementing effective fire prevention and control measures, and preventing the spread of fire and smoke. These works would enhance occupant

safety, provide peace of mind, and reduce the risk of severe incidents by identifying and rectifying potential fire risks within a building.

### **The Cabinet Member RESOLVED**

1. Pursuant to (CSO) 0.08, 2.01(d) and 18.03, to approve the variation of the BWF – Fire Risk Assessment and Protective Coatings contract in the sum of £5.25m, authorises an increase in the contract sum by a further £690k, and approves the use of contingency as set out in the report. The revised contract value will be £5.94m.
2. To agree the total costs and scope of works contained within Appendix A of the Exempt Report.

### **Reasons for decision**

The BWF – Fire Risk Assessment and Protective Coatings Contract was developed following a series of fire risk assessments, which identified essential fire safety works to 8 blocks on the estate. The works were required to ensure that residential buildings met current fire safety legislation and adequately resisted the spread of fire throughout the communal areas and provided a protected means of escape to allow the safe evacuation of residents and safe access by the fire brigade. The project commenced November 2023. During the works, the project team identified and agreed that additional works were required to ensure the project met current fire safety regulations. The additional works were not identified at tender stage; however, they were considered essential for compliance and include the following:

- Replacement of all windows, including spandrel panels to the communal stairwell of Kenley, a 17-storey residential block
- Installation of enhanced emergency lighting across all wing blocks
- Provision of additional fire-rated doors on external balconies
- Upgraded wayfinding and fire safety signage
- Implementation of essential fire safety features and surface finishes across all eight blocks on the Estate
- Additional works to complete the programme as detailed in the table in Appendix A – Exempt Report

The above measures would ensure compliance with current building and fire safety across the estate.

Subject to approval of the additional budget allocation, the Broadwater Farm (BWF) – Fire Risk Assessment (FRA) Programme would proceed towards full completion. The

current programme anticipated a final project sign-off and end of defects period by March 2026.

Completing these works would ensure that the eight blocks currently included in the programme achieve full compliance with the existing Fire and Building Safety Regulations.

While the Broadwater Farm Estate comprises ten blocks in total, it was acknowledged that Rochford and Martlesham are not covered under this scope.

These two blocks would instead benefit from upgrade works under the separate Pilot Refurbishment Programme.

### **Alternative options considered**

Do nothing – Doing nothing was not an option as the Council needed to comply with current fire safety regulations to ensure the safety of residents and visitors to the 8 blocks on the Broadwater Farm Estate. Also, bringing forward elements of the major works programme will improve the overall condition of the communal parts, and enhance the quality of life for residents on the estate.

The only option available was to extend the current contract sum and programme to enable the existing contractor to continue with the additional works to ensure the essential fire safety features are incorporated into the programme.

## **7. AWARD OF CONSTRUCTION CONTRACT**

The report sought Cabinet Member approval to appoint the preferred contractor for the delivery of a construction contract at undisclosed site – detailed in the exempt part of the report. The development was designed to provide safe and secure accommodation.

The Cabinet Member was asked to approve the appropriation of the land outlined in red on the plan at Appendix 2—from housing to planning purposes—to enable the delivery of the scheme. This appropriation would allow the Council to exercise its powers to override any third-party rights or interests (subject to appropriate engagement with affected parties), and subsequently re-appropriate the land back to housing use upon practical completion of the development.

### **The Cabinet Member RESOLVED**

1. To approve the appointment of Contractor A, as identified in the Appendix 1 exempt part B of this report, to undertake the new build works for the contract sum as set out in the exempt report.

2. To approve the rents as set out in section 1.5 of the exempt part of this report.
3. To approve the exemption as set out in section 1.6 of the exempt part of this report.
4. To note the engagement and consultation undertaken in relation to this site, as detailed in section 3 of the exempt part of the report.
5. To approve the appropriation of the land, shown edged red on the plan at appendix 2 in the exempt part of the report, from housing purposes to planning purposes pursuant to Section 122 of the Local Government Act 1972, as it is no longer required for the purpose for which it is currently held, and for the purpose of carrying out the works approved under the planning permission for the scheme.
6. To approve the use of the Council's powers under Section 203 of the Housing and Planning Act 2016 to override any easements and other third-party rights and interests relating to the land edged red on the plan at Appendix 2 in the exempt part of the report that may be infringed by the development approved under the planning permission for the scheme and further described in the exempt part of the report.
7. To delegate authority to the Corporate Director of Culture, Strategy and Communities, in consultation with the Corporate Director of Finance and Resources, to agree and make any necessary compensation payments arising from valid claims relating to third-party rights affected by the development, in accordance with the Council's scheme of delegation.
8. To approve the appropriation of the land shown edged red on the plan at appendix 2 in the exempt part of the report, from planning purposes back to the Housing Revenue Account (HRA) for housing purposes under Section 19 of the Housing Act 1985 upon practical completion of the development.
9. To approve the total scheme cost as set out in the exempt part B of the report.
10. To approve the issuance of a Letter of Intent for up to 10% of the contract value, as detailed in the exempt section of the report.

## **Reasons for decision**

Contractor A has been identified through a formal tender process as the preferred contractor to deliver the new build.

There were no known reasons to believe that any third-party rights had been infringed by the development for the reasons set out in the section 6.2 (leading to the exempt part of this report).

This scheme would contribute to the Council's commitment to deliver high-quality, affordable provision as set out in the exempt part of this report in Haringey.

### **Alternative options considered**

One option considered was to not to proceed with the development, as the Council had no statutory duty to provide such services. However, excluding this site would have undermined the Council's ability to meet identified local needs.

The opportunity was procured through a competitive tender process using the Council's Dynamic Purchasing System. This route was recommended by Strategic Procurement based on the contract value and the need to ensure a fair and transparent process.

Alternative procurement options included either a restricted competitive tender to the open market via the Haringey Procurement and Contract System or a direct award to one of the LCP framework providers. These options were rejected in favour of the DPS route, which offered stronger safeguards around quality and pricing through open competition.

In order for the Council to carry out the works under the planning permission, the land must be appropriated for planning purposes pursuant to Section 122 of the Local Government Act 1972. If the Council did not appropriate the site for planning purposes, the works would not be authorised under the planning powers of Part 9 of the Town and Country Planning Act. Also, the Council could not use its powers under Section 203 of the Housing and Planning Act 2016 to override the party interests and rights, and, this would expose the development to potential delays or legal challenges from third-party claims. By utilising its powers under Section 203 of the Housing and Planning Act 2016, the Council has ensured that any third-party rights or easements affected by the development were converted into a right to compensation, rather than a right to seek an injunction. The Council acknowledged the potential rights of third parties and would make compensation payments where a legal basis was established. The Housing Delivery team engaged with local residents throughout the feasibility and design stages, and feedback received was considered by the Planning Committee in its decision-making.

The Council could have opted not to appropriate the land back to housing purposes upon completion of the building works. This option was rejected, as it would have prevented the Council from offering the much needed provision as set out in the exempt part of the report.

## **8. EXCLUSION OF THE PRESS AND PUBLIC**

Items 9 and 10 were subject to a motion to exclude the press and public from the meeting as it 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.

**9. EXEMPT - BWF FRA - PROGRAMME VARIATION**

The Cabinet Member considered the exempt information.

**10. EXEMPT - AWARD OF CONSTRUCTION CONTRACT**

The Cabinet Member considered the exempt information.

CABINET MEMBER: Councillor Sarah Williams

Signed by Cabinet Member .....

Date .....5 December 2025.....