



## NOTICE OF MEETING

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# Cabinet Procurement Committee

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TUESDAY, 12TH JANUARY, 2010 at 18:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Bob Harris (Chair), Bevan, Kober and Reith.

### AGENDA

**1. APOLOGIES FOR ABSENCE** (if any)

**2. URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. Late items will be considered under the agenda item where they appear. New items will be dealt with at item 9 below. New items of exempt business will be dealt with at item 13 below.

**3. DECLARATIONS OF INTEREST**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

**4. MINUTES**

To confirm and sign the minutes of the meeting of the Procurement Committee held on 22 December 2009.

**5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS**

To consider any requests received in accordance with Standing Orders.

**6. PROCUREMENT OF THE WASTE MANAGEMENT CONTRACT**

(Report of the Director of Urban Environment): To inform Members of the progress of the procurement of the new contract for the Council's Collection of Waste and Recycling, Street Cleansing and other Environmental Services.

**7. TOTTENHAM HIGH ROAD - PARTNERSHIP SCHEMES IN CONSERVATION AREAS (PSICA): AWARD OF CONTRACT**

(Report of the Director of Urban Environment): To seek approval to appoint the recommended contractor for the building contract of Tottenham High Road – 'Partnership Schemes in Conservation Areas' (PSiCA) Nos. 467-477 (except No.471) and 482-488 Tottenham High Road.

**8. PREPARATION FOR PERSONALISATION - CARERS' CONTRACTS - WAIVER**

(Report of the Director of Adult, Culture and Community Services): To seek approval to a waiver of Contract Standing Orders to facilitate the award of new fourteen month contracts with the three providers listed in the report.

**9. NEW ITEMS OF URGENT BUSINESS**

To consider any items admitted at 2 above.

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

The following items are likely to be the subject of a motion to exclude the press and public as they contain exempt information relating to the business or financial affairs of any particular person (including the Authority holding that information).

Note from the Head of Local Democracy and Member Services

Items 11 and 12 allow for consideration of exempt information in relation to items 7 and 8 which appear earlier on this agenda.

**11. TOTTENHAM HIGH ROAD - 'PARTNERSHIP SCHEMES IN CONSERVATION AREAS' (PSICA): AWARD OF CONTRACT**

(Report of the Director of Urban Environment): To seek approval to appoint the recommended contractor for the building contract of Tottenham High Road – 'Partnership Schemes in Conservation Areas' (PSiCA) Nos. 467-477 (except No.471) and 482-488 Tottenham High Road.

**12. PREPARATION FOR PERSONALISATION - CARERS' CONTRACT - WAIVER**

(Report of the Director of Adult, Culture and Community Services): To seek approval to a waiver of Contract Standing Orders to facilitate the award of new fourteen month contracts with the three providers listed in the report.

**13. NEW ITEMS OF EXEMPT URGENT BUSINESS**

To consider any items admitted at item 2 above.

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and Member Services  
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4 January 2010.

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**MINUTES OF THE CABINET PROCUREMENT COMMITTEE  
TUESDAY, 22 DECEMBER 2009**

Councillors \* Bob Harris (Chair), \*Bevan, Kober and Reith.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
PROC58.	<p><b>APOLOGIES FOR ABSENCE</b> (Agenda Item 1)</p> <p>An apology for absence was submitted on behalf of Councillor Reith.</p>	
PROC59.	<p><b>MINUTES</b> (Agenda Item 4)</p> <p>We noted that with regard to minute PROC.54 Councillor Bevan had not yet been supplied with a copy of the report on the possible issue of Homes for Haringey parking permits as part of the contract with Civica. We asked that officers investigate whether or not the report was yet available and if so to arrange for a copy to be supplied to Councillor Bevan.</p> <p><b>RESOLVED</b></p> <p>That the minutes of the meeting held on 24 November 2009 be approved and signed.</p>	<p>DUE</p> <p>HLDMS</p>
PROC60.	<p><b>HARINGEY OFFENDER MANAGEMENT SCHEME</b> (Director of the Assistant Chief Executive – Policy, Performance, Programmes and Communication - Agenda Item 6)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the current Drugs Intervention Programme (DIP) contract terminated on 31 March 2010 after a one year's extension and that in line with the Council's Contract Standing Orders the DIP had been re-tendered. A competitive tendering process had been undertaken and evaluated against a Most Economically Advantageous Tender evaluation to provide the Council with a Value for Money service.</p> <p><b>RESOLVED</b></p> <p>1. That, in accordance with Contract Standing Order 11.01(b), approval be granted to the award of the contract for Haringey's Offender Management Scheme Criminal Justice Intervention Team (Lot 1) and Rapid Access Prescribing (Lot 2) to Crime Reduction Initiatives for a period of 36 months commencing on 1 April 2010 with an option to extend for a further period of up to 24 months for the sum of £690,726 per annum to be funded from the Drugs Intervention Programme Main Grant and Pooled Treatment Budget.</p>	<p>ACE-PPPC</p>

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	<p>2. That in accordance with Contract Standing Order 11.01(b), approval be granted to the award of the contract for Haringey's Offender Management Scheme the Drug Rehabilitation Requirement Programme (Lot 3) and Haringey Resettlement Service (Lot 4) to Westminster Drugs Project for a period of 36 months commencing on 1 April 2010, with an option to extend for a further period of up to 24 months, for the sum of £394,128.77 per annum to be funded from the Drugs Intervention Programme Main Grant and Pooled Treatment Budget.</p> <p>3. That it be noted that the cost of the contract was to be met from partnership budgets, all being external grants given to the partnership for this purpose, these being the Drugs Intervention Programme Main Grant, hosted by the Council, and the Pooled Treatment Budget, hosted by Haringey NHS and that any variance in the allocated grant will be reflected in the annual cost of the contract.</p>	ACE-PPPC
<p><b>PROC61.</b></p>	<p><b>ASBESTOS REMOVAL FRAMEWORK AGREEMENT</b> (Director of Corporate Resources - Agenda Item 7)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the Council procured construction project-related asbestos removal services through the use of a pre-qualified list of contractors that was managed by the Construction Procurement Group (CPG). The Council's Category Management strategy had identified asbestos removal as an area of spend where benefits could be achieved through the procurement of a long term procurement arrangement.</p> <p>The proposed framework agreement would provide a mechanism for the procurement of asbestos removal companies for individual projects. A work study of asbestos removal work indicated that the majority of work fell under £3,000 in value and work under £3,000 would normally be let on a call-off basis by way of the issuing of a works order. Selection would be on the basis of the most economically advantageous tender (MEAT) based on the results of the procurement process for the framework agreement and performance measured through key performance indicators (KPI). Any work over £3,000 would normally be let via mini-competition in accordance with the criteria set out in the tender documents which had been agreed with the Council's Legal Service.</p> <p>In response to a question, we were advised that it was estimated that the Section 20 Leaseholder consultation process to which reference was made in paragraph 12.2 of the interleaved report would take approximately 3 months. We were also advised that work under £3,000 in value would be let on a call off basis normally to the contractor with the best final evaluation score. Any work over £3,000 would normally be</p>	

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	<p>let via mini-competitions.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That in accordance with Contract Standing Order 11.03 framework agreements for the removal of asbestos and asbestos containing materials be awarded to the following companies - <ul style="list-style-type: none"> <li>• Clifford Devlin Limited,</li> <li>• Keltbray; and</li> <li>• Forest Environmental Limited</li> </ul> </li> <li>2. That the framework agreements be awarded for a period of 2 years with an option to extend for a further 2 years and with an estimated total value of £400,000 per year.</li> </ol>	<p>DCR</p> <p>DCR</p>
<p><b>PROC62.</b></p>	<p><b>CONTRACT FOR PROVISION OF LEGAL SERVICES (CHILD CARE LITIGATION) BY LONDON BOROUGH OF ISLINGTON</b> (Director of Head of Legal Services - Agenda Item 8)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the report sought approval for the extension of the existing contract for Child Care Litigation for a further period of three months, until 31 March 2010.</p> <p>We also noted that the proposed extension would accommodate a winding down arrangement to bring back in-house the cases which were currently being dealt with by the London Borough of Islington Legal Services by the continuation of the existing support until the completion of recruitment pursuant to the Council's own Legal Services restructuring under its recent Strategic Review.</p> <p>Our Chair drew attention to the comments of the Chief Financial Officer concerning the need to maintain momentum with the planned transition of cases back from Islington and those of the Head of Procurement with regard to the need to obtain revised market rates should the outsourced service continue beyond March 2010.</p> <p><b>RESOLVED</b></p> <p>That in accordance with Contract Standing Order 13.02 approval be granted to a variation of the existing contract with the London Borough of Islington for Child Care Litigation by way of an extension for a period of three months, until 31 March 2010, with an increase in the hourly fees to the amount set out in paragraph 1.3 of the Appendix to the interleaved report but otherwise on the existing terms and conditions.</p>	<p>HoLS</p>

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<p><b>PROC63.</b></p>	<p><b>PROVISION OF INTENSIVE SUPERVISION AND SURVEILLANCE - AWARD OF CONTRACT</b> (Director of the Assistant Chief Executive – Policy, Performance, Programmes and Communication - Agenda Item 9)</p> <p>The Appendix to the interleaved report was the subject of a motion to exclude the press and public from the meeting as it contained exempt information relating to the business or financial affairs of any particular person.</p> <p>We noted that the Intensive Supervision and Surveillance (ISS) service was essential in relation to diverting young offenders from custody. The current contract expired at the end of March 2010 and a re-tendering exercise had taken place. The tender was advertised on the Council's website and was a collaborative procurement on behalf of Haringey, Enfield and Barnet. The tender received was evaluated by the relevant YOS managers from Haringey and Barnet.</p> <p>We also noted that the award of the contract to the existing providers would mean there was no disruption in terms of service delivery, particularly in relation to staff and young people who would continue to work with current staff members. The current contract had been monitored annually by the local authority and once by the Youth Justice Board and was achieving the contract objectives. Annual monitoring would continue and the ISS steering group would continue to meet quarterly.</p> <p><b>RESOLVED</b></p> <ol style="list-style-type: none"> <li>1. That in accordance with Contract Standing Order 11.01(b) approval be granted to the award of the provision of Intensive Supervision and Surveillance to NACRO on the terms and conditions set out in the Appendix A to the interleaved report.</li> <li>2. That it be noted that contract would be awarded for 12 months in the first instance as the funding from the Youth Justice Board might not be ring fenced after 2011 but with a view to extending the contract annually for a total of 3 years should funding be secured thereafter.</li> </ol>	<p>ACE-PPPC</p>
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The meeting ended at 19.45 hours.

BOB HARRIS  
Chair





Agenda item:

**[No.]****Procurement Committee****On 12<sup>th</sup> January 2010**

Report Title. A further update on the Procurement of the Waste Management Contract

Report of: **Director of Urban Environment**

Signed :

*W. Jones* 23<sup>rd</sup> Dec. 2009

Contact:

Graham Jones, Environmental Resources  
[Graham.jones@haringey.gov.uk](mailto:Graham.jones@haringey.gov.uk)  
 020 8489 3254

Wards(s) affected: **All**

Report for: **Information**

### 1. Purpose of the report

- 1.1. This is the second in a series of quarterly "for information only" reports designed to inform Members on the progress of the procurement of the new contract for the Councils "Collection of Waste and Recycling, Street Cleansing and other Environmental Services." The procurement is being undertaken under OJEU Competitive Dialogue regulations and is expected to result in an Award of Contract recommendation to committee in Autumn 2010

### 2. Introduction by Cabinet Member (if necessary)

- 2.1. This is the second report to inform the Committee of progress made to date with this major procurement exercise. The award of the contract, estimated at up to £20 million per annum over a 14 year period will be a key decision. This is a major opportunity for Haringey to redefine its Waste Management and

<p>Cleansing Services and has my full support.</p>
<p><b>3. State link(s) with Council Plan Priorities and actions and /or other Strategies:</b></p> <p>3.1. Considering the strategic implications of a Waste Services Contract is key to understanding how this procurement will improve service performance and meet the policy objectives in Haringey's Sustainable Community Strategy and Greenest Borough Strategy. Bidders have been made aware that methodologies aimed at assisting the Council in achieving its strategic objectives will be a key phase of dialogue during the procurement.</p>
<p><b>4. Recommendations</b></p> <p>4.1. That Members note the procurement procedure currently underway and progress made to date as outlined in this report.</p> <p>4.2. That Members note that this is the second of a number of reports to be presented at Procurement Committee, scheduled at key stages of this procurement to keep Members informed of progress.</p> <p>4.3. That Members note this procurement will eventually lead to seek Members' agreement as a key decision to award the contract for an Integrated Waste Management Contract with a total contract value per annum of up to £20 million for a 14 year term with a possible extension for a further period of up to 7 years.</p>
<p><b>5. Reason for recommendation(s)</b></p> <p>5.1. N/A</p>
<p><b>6. Other options considered</b></p> <p>6.1. N/A</p>
<p><b>7. Summary</b></p> <p>7.1. <b>Cabinet approved on 15 July 2008 the Public Realm Commissioning Strategy, which included;</b></p> <p>7.1.1. Agreement to let specialised contracts, one of which was to engage a single supplier to provide Collection of Waste and Recycling, Street Cleansing Services, Winter Maintenance and other Environmental Services</p>

including Graffiti and Fly posting removal.

- 7.1.2. Agreement to undertake the procurement of this service using a Competitive Dialogue procedure, which allows the Council to gradually reduce the number of suppliers and bids as the process develops.
- 7.1.3. Agreement to extend the existing Integrated Waste Management & Transport contract with Haringey Enterprise Ltd. by 16 months to allow time for a thorough procurement process to be undertaken through Competitive Dialogue. This will mean that the new contract start date would be April 2011.
- 7.1.4. Agreement to review through the procurement process the benefits of various delivery models, including the option to create a Joint-Venture Company
- 7.1.5. Agreement to establish a Cross Party Member Steering Group to review the programme as it develops.
- 7.2. **The overall objectives that the Council is seeking to achieve in re-letting this contract are;**
  - 7.2.1. Improved Performance and value for money
  - 7.2.2. Improved Public Perception of the Service being provided
  - 7.2.3. Efficiencies and cost savings through economies of scale
  - 7.2.4. Flexibility and Innovation in the way the services are delivered
  - 7.2.5. That Haringey becomes a top-quartile performer in London
  - 7.2.6. Reduce carbon emissions through developing innovative waste management solutions.
- 7.3. **Timescales and Budget**
  - 7.3.1. The intention of the procurement is to appoint a supplier by Autumn 2010, allowing a sufficient mobilisation period before the service start date of April 2011.
  - 7.3.2. The Procurement Team's intention is to provide regular, for information reports, to Committee during the procurement phase. The final report which is likely to be presented in Autumn 2010 will seek approval for a recommendation of Award of Contract to the preferred supplier.

7.3.3. Current service costs are approx £20m pa.

7.3.4. The new contract is expected to deliver savings of £1.2m p.a.

## 8. Progress to date

8.1. Progress during the period from the formal OJEU Contract Notice on 29 April 2009 to mid September 2009 was reported in the first update report to Members on 15 September 2009.

8.2. In summary, this period included the following activities;

Activity	Date
OJEU Notice Published	29 April 2009
PQQ Return Date (10 Suppliers)	04 June 2009
Long list approved by Board (6 Suppliers)	22 June 2009
Invitation to Participate in Dialogue (IPD) issued	26 June 2009
IPD Responses received	12 Sept 2009

8.3. At the date of the last update to Members, supplier responses to the Invitation to Participate in Dialogue was ongoing. The result of the evaluation, which included supplier presentations was reported to Board on 09 October 2009, which resulted in approval for a short list of 3 suppliers to be invited into the next stage of dialogue.

8.4. The three bidders who have been invited into the current detailed phase of the dialogue are, Veolia Environmental Services, May Gurney and Enterprise plc.

8.5. The 3 remaining suppliers were formally invited into the next stage of the dialogue process and issued with an Invitation to Submit Detailed Solutions (ISDS) on 15 October 2009. The ISDS requires suppliers to develop detailed solutions to be submitted in February 2010.

8.6. During this phase, ongoing dialogue meetings designed to assist the suppliers in completing their bids are ongoing.

8.7. Throughout the procurement, risks, including failing to complete the procurement successfully are being monitored and reviewed on a regular basis.

## 9. Next Steps

9.1. Ongoing dialogue with the three remaining bidders will continue until the submission of their initial detailed solutions in February. Bids will then be evaluated with a view to identifying the final two bidders who will be invited into

the final stage of Dialogue

9.2. The remaining phases of the dialogue will be designed to refine the bids presented, until the Council can be sure that bids;

9.2.1. are within the available budget;

9.2.2. achieve the Council's objectives, and;

9.2.3. are offered on an acceptable commercial basis.

9.3. At which stage the Council will formally close the dialogue phase and call for final bids to be submitted

#### **10. Chief Financial Officer Comments**

10.1. At this stage of this major procurement exercise there is no financial implication to be reported.

#### **11. Head of Legal Services Comments**

11.1. The procurement being undertaken is in compliance with the Council's standing orders and the EU Directive on public procurement (the Consolidated Directive), as implemented in the UK by the Public Contracts Regulations 2006.

11.2. As this process is using the competitive dialogue procedure the process must adhere throughout the process to the Public Contracts Regulations 2006, in particular regulation 18.

#### **12. Head of Procurement Comments**

12.1. This procurement is progressing as expected and within planned timescales.

12.2. A sufficient number of suppliers were initially attracted to take part in the process and thus ensure competition. The competitive dialogue procedure is intended to gradually reduce these number over a period of time and the Council is currently engaged with three suppliers.

12.3. The next stage will be a key milestone, when current bidders are reduced to 2.

#### **13. Equalities & Community Cohesion Comments**

13.1. Bidders' compliance with equalities legislation was assessed during the pre-qualification stage of the procurement and will be incorporated in the contract

signed with the successful bidder.	
<b>14. Consultation</b>	
14.1.	Stakeholder Consultation is being undertaken at a number of levels;
14.2.	Public Consultation – a Council questionnaire was provided in July’s issue of Haringey People, allowing all residents to make their views known. This has generated the largest ever response to a public consultation in Haringey.
14.3.	Trades Unions – Unions representing the staff providing the service currently are consulted formally once a month. They are kept up to date with the process and timescales and any key developments which will affect their members.
14.4.	Staff – Meetings with depot staff, where the Environmental Resources Procurement Team and Personnel explained the procurement process and impact on staff took place in December 2009.
14.5.	London Mayor’s Office – The GLA have approved the process to date and are being regularly updated on progress.
14.6.	Homes for Haringey – as a contributor to the service costs, Homes for Haringey are consulted on a regular basis and are represented at Project Board.
14.7.	Commercial Traders – a separate consultation is being undertaken with Traders in Haringey on their views on Trade Waste collection and recycling in February.
14.8.	Cross Party Members Steering Group – has been established to ensure that Members from all Parties are aware of the process and progress.
<b>15. Use of appendices /Tables and photographs</b>	
15.1.	N/A
<b>16. Local Government (Access to Information) Act 1985</b>	
16.1.	[List background documents] N/A
16.2.	[Also list reasons for exemption or confidentiality (if applicable)] N/A



Agenda item:

**[No.]****Procurement Committee****On 12 January 2010**

Report Title: **Tottenham High Road – ‘Partnership Schemes in Conservation Areas’ (PSiCA): Award of Contract**

Report of **Niall Bolger, Director of Urban Environment**

Signed :

*Niall Bolger* 23<sup>rd</sup> Dec. 2009

Contact Officer : Yvette Chin, Regeneration & Conservation Officer, tel. 0208 489 4565  
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Wards(s) affected: **Bruce Grove**

Report for: **Non-Key Decision**

**1. Purpose of the report (That is, the decision required)**

- 1.1. To seek Procurement Committee approval to appoint the recommended contractor as shown in Appendix A, paragraph 3.1 for the building contract of Tottenham High Road – ‘Partnership Schemes in Conservation Areas’ (PSiCA), Nos. 467-477 (except No. 471) & 482-488 Tottenham High Road.

**2. Introduction by Cabinet Member of Regeneration & Strategic Sites – Cllr. Kober**

- 2.1. This project will directly assist with the regeneration of Tottenham High Road and will help to preserve and enhance the historic fabric of Bruce Grove town centre. I support the recommendation of this report, particularly in light of the time constraints of the project to take full advantage of the funding available.

**3. State link(s) with Council Plan Priorities and actions and /or other Strategies:**

- 3.1. One of Economic Regeneration's aims is to spur regeneration through conservation and refurbishing buildings which can act as a catalyst for further economic and physical improvements. Tottenham PSCiA is a key project in this and forms part of the wider Regeneration Strategy for the borough and plays a vital role in the regeneration of Tottenham High Road.
- 3.2. The main outcome of the project is to improve the physical condition and appearance of properties on the High Road to help conserve the historic urban fabric of Bruce Grove town centre. To a larger extent, this will contribute to the physical and environmental improvements being made as part of a wider strategy to regenerate Tottenham.
- 3.3. In addition to this Bruce Grove is one of the defined areas identified for special attention in the Tottenham High Road Strategy adopted in 2002.
- 3.4. The work of PSCiA supports Haringey's Unitary Development Plan (UDP) on Conservation policy which states that, "*Heritage conservation is recognised as a key factor in facilitating urban regeneration and promoting civic pride.*" The key objectives of this policy are to protect buildings of architectural and / or historic interest and their settings; and to preserve or enhance the character and appearance of conservation areas.
- 3.5. The Tottenham PSCiA project supports the outcome of Haringey's Regeneration Strategy and Haringey's Local Area Agreement targets through the improvement of economic vitality. Improving the built environment helps to attract visitors and encourages economic vitality through increased footfall. It is expected that this in turn will help sustain businesses in the area, safe guarding jobs as well as encourage inward investment into Bruce Grove.

**4. Recommendations**

- 4.1. That Members agree to award the contract for the above Project to the contractor named in **Appendix A, paragraph 3.1.** as allowed under Contract Standing Order (CSO) 11.3.
- 4.2. That the contract be awarded for a period of **31** weeks.

**5. Reason for recommendation(s)**

- 5.1. The contractor named in **Appendix A, paragraph 3.1.** submitted the lowest fixed price tender which is considered to represent the best value for money and is considered to be satisfactory as the basis for a Contract.

**6. Other options considered**

- 6.1. A total of 8 contractors on the Framework Agreement for the provision of Major Works Construction Services were invited to tender for the works. Details of this are contained in the exempt part of this report, Appendix A.



## 7. Summary

### Background

- 7.1. The Economic Regeneration department has been successfully awarded grant funding from English Heritage (EH) under the 'Partnership Schemes in Conservation Areas' (PSiCA) towards building conservation works on Tottenham High Road, Bruce Grove town centre.
- 7.2. PSiCA is concerned with regenerating Tottenham's historic environment and will deliver specialist refurbishment work to prescribed groups of buildings in the Bruce Grove conservation area. The scheme enables Haringey Council to support the heritage-related costs associated with the preservation and enhancement of conservation areas through building improvements in Tottenham.
- 7.3. PSiCA is successor to the English Heritage funded programme, 'Heritage Economic Regeneration Scheme' (HERS) and is a continuation of the schemes successfully delivered in Tottenham High Road (Nos. 497-507 and 485-489) and Hornsey High Street (Nos. 1, 3, 7, 17 & 34), both completed in 2007.
- 7.4. PSiCA focuses on improvements to specific groups of properties identified and agreed as part of the bid to EH. The property owners have been offered grants to make specialist conservation improvements to the shop fronts and external fabric of the building and will make a financial contributions towards the project costs.
- 7.5. Works eligible for PSiCA grant funding include:
  - roof structure repairs;
  - work to protect the structure;
  - renewing roof lead work;
  - repairing or replacing rainwater goods;
  - repairs to external walls;
  - repairing or replacing panels, windows and doors;
  - repairing/replacing existing external features;
  - measures to manage rising or penetrating damp;
  - reinstatement of lost architectural features; and
  - professional fees

Please see Appendix B – English Heritage guidance for PSiCA for further details.
- 7.6. The individual grant agreements between the Council and the property owners which have been drawn up by Legal stipulate that maintenance to external decorations, cleaning and repairs must be carried out on a regular basis for a period of five years from completion of the works. The grant agreements also include provisions stating that if the property is disposed of within three years of completion of the works the funding may be recovered.
- 7.7. The properties in this PSiCA programme are Nos. 467-477 High Road, west-side (except No. 471 who what withdrawn from the scheme) and 482-488 High Road, east-side (9 properties). Please see Appendix C for photographs of the

properties.

- 7.8. The building improvements in this grant scheme must follow strict guidance set out by English Heritage as well as a sensitive application of conservation principles and methods specific to the architectural period and historic fabric of the existing buildings. Design and building conservation decisions will continue to be made in consultation with the key stakeholders including English Heritage, the Principal Conservation Officer and property owners/tenants.

### **Sustainability implications**

- 7.9. As this is a conservation project, the work carried out will be refurbishing existing elements of the building as opposed to replacing them, which demonstrates good sustainable practice, economically and environmentally since it extends the life of these heritage buildings.
- 7.10. Re-using and repairing existing buildings has environmental value. Repairs prolong the existing use of a building for at least a generation, and with regular maintenance for considerably longer. Timber is to be obtained from certified sustainable sources and generally all other specified items are for repair rather than renewal.
- 7.11. In terms of delivering economic aspects of sustainability, this project will improve the visual outlook of these commercial properties, with the aim of attracting greater footfall to improve commercial return.

### **Procurement Process**

- 7.12. Competitive tenders were invited from eight firms from the Framework Agreement for the Provision of Major Works Construction Services Value £250,000 - £999,999.
- 7.13. Tenderers were invited from the Framework Agreement for Major Works on the following basis: experience of refurbishment work, shopfront renewal, building conservation work, and work in tenanted buildings. The tenders received are listed in **Appendix A, paragraph 1.2**.
- 7.14. The defects liability period is 12 months.
- 7.15. All of the contractors invited to tender submitted a tender.
- 7.16. None of the tenders received are qualified in any way which would make their tender inadmissible.
- 7.17. The overall range of tenders is 44%.
- 7.18. All tenders are open for acceptance for a period of four months from 20<sup>th</sup> November 2009, the date for the submission of the tenders. Consequently a tender should be accepted no later than 20<sup>th</sup> March 2010.
- 7.19. For the lowest Fixed Price tender received, please see **Appendix A, paragraph 1.3**.
- 7.20. The lowest tender is within 28% of the estimate, reducing to 25.5% after adjusting for arithmetic and pricing errors.
- 7.21. The large difference is mainly due to the very competitive current market and that the lowest tender in particular, is very keenly priced. When compared with the second lowest tender, the difference is 11.65%.

Examination of the lowest tenders:

7.22. In view of the major difference between the lowest tenders, the tender documents submitted by the three lowest tenders have been examined in detail to highlight where the differences arise.

Arithmetic check

7.23. Two arithmetical errors were found in the lowest tender submitted which, if adjusted would increase their tender. For the amount increased, please see **Appendix A, paragraph 2.2.1.**

7.24. The tender has been submitted in accordance with Alternative 2 contained in 'JCT Practice Note 6 (Series 2) Main Contract Tendering' which allows the tenderer to correct genuine errors if they so wish. The Quantity Surveyor has discussed this with the Contractor and as they have asked for this tender to be amended, a letter confirming the changes and the revised price has been sent, dated 3 December 2009 – a copy of the letter is included in Appendix A.

7.25. Apart from the points mentioned above and **Appendix A, paragraph 2.2.2.**, the pricing is considered to be consistent and competitive.

Domestic sub-contractors

7.26. With the lowest tender, the contractor has included a list of three domestic sub-contractors that they propose using but a full list is yet to be confirmed and agreed.

PC and provisional sums

7.27. The Schedule of Works contains Provisional Sums for specialist work that is to be carried out by the named sub-contractors. These will be selected by competitive tender and to ensure that the successful sub-contractor is acceptable to the main contractor, the proposed tender list will be discussed with them in due course.

Programme

7.28. The programme including alternative programmes for each tenderer have been examined – please see **Appendix A, paragraph 2.3.1.** The contract period for the works is 31 weeks.

Sustainability

7.29. A Site Waste Management Plan has been allowed within the project/specification.

7.30. Life Cycle Costing has been considered in preparing the proposal. Given the options available for a conservation project that will satisfy English Heritage, the proposed work will provide the best solution for the long term sustainability of the buildings.

**Conclusion**

7.31. This report seeks Cabinet Procurement Committee approval for the award of the contact to the contractor and the price named in **Appendix A, paragraph 3.1.**

**8. Chief Financial Officer Comments**

8.1. The Tottenham High Road – Partnership Schemes in Conservation Areas scheme is match funded with £300,000 from Council Resources, £100,000 in each of the last 3 years and equivalent funding from English Heritage. The contract here can be fully funded from the available budget.

**9. Head of Legal Services Comments**

9.1. The PSiCA building contract has been procured under a Council Framework Agreement for Major Works. The Framework Agreement for Major Works was tendered in Europe and contractors were appointed to the Framework in accordance with the Public Contracts Regulations 2006.

9.2. A mini-competition was held between economic operators on the Framework Agreement who were capable of performing the PSiCA contract.

9.3. The Council now wishes to award the PSiCA contract to the lowest bidder.

9.4. Because of the value of the contract, it needs to be approved by the Cabinet Procurement Committee in accordance with CSO 11.03 (contracts valued over £250,000).

9.5. The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in this report.

**10. Head of Procurement Comments – [Required for Procurement Committee]**

10.1. The contractors invited to tender have been selected from the Councils Framework agreement for Major works.

10.2. The tender has been prepared and tendered on a lowest price basis.

10.3. Life cycle costing will be considered fully during the works.

10.4. The selected contractor as recommended in Appendix A, paragraph 3.1. represents best value for the Council.

10.5. Under normal circumstances, the preferred bidders price could have constituted an abnormally low bid, but given the current economic conditions, the contractor has confirmed this to be a valid and accurate tender. However, corporate procurement are concerned to ensure that such a low price does not result in poor quality and recommends that a clerk of works is appointed to closely monitor workmanship and the overall project.

**11. Equalities & Community Cohesion Comments**

11.1. This project has been developed in line with the Council's statutory requirements in relation to the Disability Discrimination Act 1995 (DDA).

11.2. There are no specific equal opportunities implications arising from this report. However, any efforts to regenerate Tottenham must recognise the diversity and ethnicity of the area. Many of these businesses are set up and run by people from ethnic minority communities and therefore they will benefit from the assumed commercial benefits associated with such a scheme.

## 12. Consultation

- 12.1. Property owners and traders were consulted on the scheme before, during and after the grant application stages, with regard to their participation and throughout the design development process.

## 13. Service Financial Comments

- 13.1. English Heritage has set aside a sum of £300k grant allocation and the Council has match-funded the required sum of £300k. A total of £600k has been secured to the Tottenham PSiCA project.
- 13.2. Tottenham PSiCA supports individual projects within the prescribed conservation area. To this end, a sum of £27,200 grant aid has been paid to Haringey Buildings Preservation Trust for works to the grade II\* listed building, 810 High Road N17. SAP is showing total spend of £36,347 which also includes professional fees spent on Tottenham PSiCA so £563,653 of the £600k funding is still available.
- 13.3. However, the grant budget available for the programme of works identified in Tottenham PSiCA is £572,800.
- 13.4. In addition, an aggregate sum of £47,205 in private contributions has been requested from the property owners.
- 13.5. Therefore, the anticipated total budget available for this project is £620,005.
- 13.6. The English Heritage funding deadline for completion of works is 31 March 2012.

## 14. Use of appendices /Tables and photographs

- 14.1. Appendix A of this report contains information exempt from public viewing. The information contained relates to the evaluation process for this procurement.
- 14.2. Appendix B – English Heritage guidance for PSiCA.
- 14.3. Appendix C – Photographs of 467-477 & 482-488 Tottenham High Road.

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

- 15.1. English Heritage PSiCA, Tottenham High Road funding agreement 2007/8, 08/9, and 09/10.
- 15.2. This report contains exempt and non-exempt information. Exempt information is contained in **Appendix A** of this report and **not for publication**. The exempt information is under the following category (identified in the amended Schedule 12A of the Local Government Act 1972: *Information relating to the financial or business affairs of any particular person (including the authority holding the information) (Ground 3)*).



## Part 3: Running a partnership scheme

### 3.1 How to administer a scheme

The day-to-day running of your partnership scheme will be delegated to within your local authority. You will need to identify existing staff with the necessary qualifications and experience. In some cases, staff will need to be recruited to run the scheme.

In order to ensure the consistent conservation quality of the individual projects to which you will offer grants, you will need the services of a conservation accredited architect or building surveyor. This professional may be an existing member of staff, or an outside consultant. English Heritage is committed to the principle of conservation accreditation for technical professionals, and from April 2006 onwards it will be part of our requirements for the agreed Delivery Plan of any new scheme that the services of a conservation accredited professional should be part of your team.

To run a successful partnership scheme you will also need project management and administrative skills. The best schemes are those that encourage community participation in their management. You should consider setting up a steering group of key stakeholders. Partnership schemes that embrace wider initiatives are also sometimes answerable to existing wider groups or committees.

You will be expected to run the scheme in accordance with the agreed Delivery Plan and funding agreement.

If we agree to fund the employment of staff specifically to carry out your scheme, we may ask to be a party to the recruitment process.

You will be responsible for offering grants and for confirming that work has been carried out to the necessary standard. You will also be responsible for checking invoices or payment certificates before making grant payments to individual owners in advance of claiming English Heritage's contribution towards these payments.

You will need to notify us of all the offers and payments that you make within four weeks of the end of each quarter, in a standard format that we will send you. You must also provide details of the economic regeneration benefits of the grant-aided projects in the standard format that we will agree with you.

Regular submission of this information, at the times specified, is a prerequisite for us to reimburse our proportion of the grants.

**You must seek our written approval before making an offer for individual projects within the scheme that involve:**

- a property owned by an elected member of the local authority, an employee of the local authority, a family member, co-habitee or business partner of a member or employee of the local authority or body corporate with which the member or employee of the local authority is associated, of which the local authority is aware;

- a contribution from English Heritage that would be more than £20,000;
- a percentage rate of grant that is not in accordance with the agreed Delivery Plan;

- funding stand-alone reinstatement of architectural features;
- temporary building works;
- any unforeseen or contentious issues.

**You must seek our written approval and the formal offer will be made by us for:**

- funding public realm works;
- using partnership scheme funds to pay for management costs (see section 1.7);
- properties owned by the local authority.

### 3.2 How we pay our contribution

Under this scheme we reimburse our proportion of the grants that you pay to individual property owners retrospectively, on receipt of a payment application from you. Your payment application to us must contain details of the payments you have made under the partnership scheme.

Before submitting your application for payment, you will need to inspect the completed work, check receipted invoices and, if satisfied, pay the individual property owner.

We will check your payment application against the information you have previously supplied showing offers made. Where we are satisfied that you are

operating the scheme in accordance with our funding agreement, we will pay you our proportion of the grants within 30 days.

### 3.3 Monitoring

We will need to be satisfied that the scheme is being implemented in line with the Delivery Plan and funding agreement, and we will make periodic visits to monitor progress of the scheme and the standard of the grant-aided work. You will need to carry out an annual review of the partnership scheme in December/January to show whether the objectives of the scheme are being achieved and to consider whether revisions to the Delivery Plan are necessary.

### 3.4 Work that you can give grant for

We normally expect that any works funded through your partnership scheme will be carried out using traditional methods and materials appropriate to the history and condition of the building or area. When replacement is necessary, it should be done on a like-for-like basis.

Because of the value we place on retaining historic fabric, we believe that a number of small repairs to elements of the historic building fabric are often more appropriate than complete renewal. An example of this would be piecing in of new elements in a historic window. In general, you can offer grants towards conservative repairs; that is, repairs that are as limited as possible in scope yet achieve their conservation objectives.

In some cases you may require grant recipients to carry out appropriate

recording during the work and when the work is finished. The final record should show clearly the nature and extent of what has been done. It should include, in detail, a particular record of any part of the fabric of the building or site newly revealed or destroyed during the course of the work.

The following detailed guidelines on projects and costs that can be funded apply in most cases. We realise, however, that every historic building or area is different. If special circumstances apply, you should contact your English Heritage regional office to discuss the merits of the application.

**Eligible and non-eligible work can be undertaken in the same programme of work, but the costs must be identified separately and made explicit in agreed schedules of works and tender documents.**

**Temporary building works**  
If there is an unavoidable delay before full repairs are carried out, temporary measures, including work to protect a structure from collapse, damage or deterioration, such as propping and shoring, temporary weather-proofing, or putting up protective structures, could secure the building while its structure is being surveyed or a repair specification is being drawn up.

**You will need our agreement before you offer a grant for temporary works.**

**Roofs**  
Repairing roof structures, together with renewing or substantially repairing roof coverings; repairing roof features such as parapet and valley gutters, dormer windows and skylights, chimney-stacks and pots, cupolas and balustrading.

**Leadwork**  
Renewing roof leadwork, if it is no longer serviceable, or using lead welding in order to extend the life of lead that is of historic interest. It may be necessary to redesign the substrate (the structure just below the lead) to keep to current good practice. However, the visual and physical implications of this need to be considered carefully before any changes are made.

To avoid the risk of underside lead corrosion, lead roofing should be carried out between April and September and under a temporary roof. You will need to consider carefully any proposals that do not allow for this.

**Permanent access to carry out maintenance**  
If difficult access has prevented proper maintenance in the past, installing hatches, handrails or cables, fixed ladders or crawl-boards to improve access for maintenance and inspection may qualify for a grant.

**Removing rainwater**  
The wide-ranging repair or replacement of rainwater disposal systems, both above and below ground. Lead and cast iron should be replaced on a like-for-like basis, although in certain cases where theft, vandalism or maintenance access is exceptionally problematic, there may be a case for using appropriate substitute materials.

Digging trenches for drains and soakways in archaeologically sensitive areas should be supervised (and possibly done) by archaeologists, and a grant can be offered towards such costs.

Installing proprietary electric heating tapes in gutters and rainwater heads where access is difficult and weather conditions are particularly severe, or where especially valuable building fabric or contents may be at risk from the guttering and rainwater disposal systems falling.

Providing overflows and weirs to rainwater disposal systems so that, in case of blockage, water is visibly shed away from the building.

Snowboards in gutters tend to decay and cause further problems, and these cannot be funded.

**Walls**  
Necessary repairs to external walls, including work to their structure, surfaces, decorative elements on the wall surface, and wall-coverings or claddings.

**Windows and doors**  
Repairing or replacing elements set in walls, such as panels, windows and doors, including their frames, glazing, ironmongery and other fittings.

**External features**  
Repairing or replacing, where necessary, existing external features, such as balconies, canopies, bargeboards and shutters, where these contribute to the special architectural or historic interest of the building.

*Grants cannot be offered for speculative restoration (see section 3.6).*

**Damp**  
Measures to manage rising or penetrating damp, if this is directly damaging the fabric or contents of a historic building, including providing surface water drainage, lowering external ground levels (where this would not be archaeologically or structurally damaging), and improved ventilation, if this is essential. Old buildings need to breathe, and keeping vapour-permeable traditional plaster is preferable to replastering in relatively impermeable cement-based plasters.

*Providing a damp-proof course simply because the existing structure was built without one does not qualify for a grant. Experience has shown that providing damp-proof courses and membranes in historic structures has often transferred damp problems to other areas of the building.*

**Decoration**  
Decoration does not qualify for a grant unless it is necessary to make good after decorations have been disturbed as part of other work that has been funded by the partnership.

**Cleaning**  
Grants must not be offered for cleaning for purely cosmetic reasons. Cleaning qualifies for a grant only if there is so much dirt on a structure that it must be removed in order to assess the need for and scope of repairs, or if chemicals in the surface build-up are damaging the fabric.

Cleaning brickwork or stonework for these reasons is rarely necessary. Unless appropriate methods are chosen and the work is carried out, with extreme care, by specialist conservation contractors under adequate supervision, it can cause long-term damage. It may also detract from, rather than add to, the appearance



of a building. Cleaning should always be followed by any necessary conservation of the cleaned surfaces.

**Pigeon deterrents**

Non-electric physical barriers to prevent a build-up of damaging pigeon droppings, where these can be provided in a visually acceptable way and without using chemicals.

**Reinstating architectural features**

The reinstatement of architectural details must be carried out only if the building is otherwise in good repair (or will be repaired as part of the scheme). The objective is to reinstate (in whole or part) elements of the exterior fabric of buildings that are essential to their design and character and that contribute to the character of the building and the conservation area, provided the reinstatement is to the original size, pattern, detail and material. This can include decorative ironwork, such as balconies, canopies and railings; ornamental masonry, including architectural sculpture, stucco and other applied finishes; and details and joinery to historic patterns.

The reinstatement of shop fronts to the original design (based on evidence), or to a design that is appropriate to the period and location, can also be considered for a grant.

Generally eligible work relating to special architectural features will form part of a more comprehensive repair proposal, or be included in a specific 'architectural features' scheme.

Work to the public realm  
**Grants for environmental enhancement work must be approved and offered directly by English Heritage.**

However, environmental proposals, including highway management schemes, for the conservation area should be included in the Delivery Plan at the start of the scheme, whether or not funding is being sought from the partnership scheme.

In this category, priority should be given first to the repair of historic surfaces and features. Next in priority are schemes involving the reinstatement of the surfaces of a street or space in matching materials. Only in exceptional cases should funding be offered towards new works of resurfacing streets or spaces in appropriate materials, and then only for works that respect the configuration of existing streets and pavements.

Other environmental improvements, which might qualify for a grant, include the installation of appropriate street lighting and street furniture, where it has to be specifically made for the street; permanent landscaping; and the costs of removal of unsightly clutter on buildings and other eyecores which are detrimental to the appearance of the conservation area.

*Works solely to comply with the Disability Discrimination Act do not qualify for a grant. Nevertheless, all major environmental enhancement projects need to take account of the Act. Within each project, there should be provision to make streets and spaces fully accessible.*

**3.5 Other costs that you can give grant for**

Grants offered through partnership schemes will normally represent a fixed financial contribution towards the overall costs of the project, including related costs such as professional fees and VAT. Where eligible and ineligible works are combined in a single project, a grant must be offered towards the cost of eligible work only. In such cases, the contribution towards the related costs listed below will normally be calculated in proportion to the works that qualify for a grant.

**Professional fees**

Where a grant is offered for repair works costing £20,000 or more in total, the grant recipient must employ a competent professional with relevant specialist conservation knowledge, ability or experience (from April 2006 we will consider lowering this financial threshold). He or she will analyse the site, plan and specify the work, and inspect and certify the work while it is in progress and after it is completed.

This professional must be a conservation-accredited architect or a RICS' conservation-accredited building surveyor.

The professional adviser appointed by the grant recipient must provide a service appropriate to the nature and scale of the project. The service should include, where applicable:

- preparing a thorough survey of the structure(s) or site and its condition, including survey drawings and plans;
- research, analysis and archaeological investigation of the fabric likely to be affected;

- preparing a detailed specification and drawings for the urgent and necessary repairs, or recording of the fabric;
- providing a list of competent contractors able to carry out the work to a high standard;
- getting competitive tenders and providing a tender report;
- arranging a contract for the works;
- regular inspections and valuations of the work on site until it is completed;
- full contact with the local authority on the technical details of both the application and the work for which a grant has been awarded.

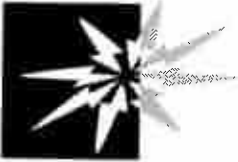
Applicants for partnership scheme grants should make sure that, when they appoint their professional adviser, they include all the requirements set out above.

We consider the competitive tendering of professional fees on price and quality to be best practice. Where an applicant has already appointed their professional adviser before applying for a grant, you must set an upper limit for fees when working out the total costs that will qualify for a grant.

You should use the fee scale in the RIBA's 'A Client's Guide to Engaging an Architect or other similar recognised fee scales as a guide to the maximum allowances for fees for any work that qualifies for a grant. This fee allowance will form part of the total project costs that you can consider for a grant.

In cases where it is agreed that more than one consultant is needed, you should calculate the grant on the basis of





**Haringey** Council

**APPENDIX C**

**TOTTENHAM HIGH ROAD Partnership Schemes in Conservation Areas  
(PSiCA) – PHOTOGRAPHS**

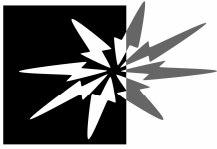
*467-477 Tottenham High Road (west-side)*



*482-488a Tottenham High Road (east-side)*







Haringey Council

Agenda item:

**[No.]****Procurement Committee****On 12<sup>th</sup> January 2010**Report Title: **Preparation for Personalisation – Carers Contracts – Waiver**Report of: **The Director of Adult, Culture & Community Services**

Signed:

Contact Officer : Margaret Allen, Assistant Director, Safeguarding and Strategic Services

Tel: 020 8489 3719

Email: [Margaret.allen@haringey.gov.uk](mailto:Margaret.allen@haringey.gov.uk)Wards(s) affected: **All**Report for: **Key Decision****1. Purpose of the report**

- 1.1 To seek Members approval to waive the requirement to tender as allowed under 7.03 (d) on the grounds that it is in the Council's overall interest.
- 1.2 Should the waiver be agreed that the contracts are awarded by the Director of Adult Culture and Community Services, as allowed under CSO11.02 to the:
- The Black and Minority Ethnic Carers Support Services (BMECSS)
  - The Asian Carers Support Group (ACSG)
  - The Mental Health Carers Support Association (MHCSA)

**2. Introduction by Cabinet Member (if necessary)**

- 2.1 The Personalisation Agenda represents a significant change for adult social care, including how we work with informal carers. One of the key changes that is now being considered is how the Council will be procuring and contracting for services in the future. This is being managed through the Transforming Social Care Programme Board, chaired by the Cabinet Member for Adult Social Care and Well-being.

The funding for these contracts is from the Area Based Grant, and is performance managed through the Haringey Strategic Partnership, to ensure good outcomes are delivered and value for money is achieved.

The new contracts proposed in this report will ensure stability of three key services for informal carers in Haringey, and will support the delivery of the emerging Personalisation Agenda, which gives residents far greater choice and control over the resources used to provide care.

For these reasons, I agree with and support the award of new contracts detailed in this report.

**3. State link(s) with Council Plan Priorities and actions and /or other Strategies:**

- 3.1 The Government's Personalisation Agenda will radically change the way in which services are provided to clients, including carers. These changes will almost certainly negate the need for Haringey to maintain contracts at the current level. It is also envisaged that the type of services required will change radically.
- 3.2 The Council is required to have significantly progressed on its implementation of the Personalisation Agenda by March 2011.

**4. Recommendation**

- 4.1 That Members agree to waive CSO's and the requirement to tender.
- 4.2 That the Director, in consultation with the Cabinet Member for Adult Social Care & Wellbeing award new contracts for up to fourteen (14) months duration.
- 4.3 That Members note that Officers will report back to Procurement Committee in December 2010 with an update.

## **5. Reason for recommendation(s)**

- 5.1 The government's personalisation agenda is now halfway through the three year period given to local authorities (1<sup>st</sup> April 2008 – 31<sup>st</sup> March 2011) to begin transforming adult social care services. Members are aware that the Department of Health has issued guidance to support the *Transformation of Social Care*. Significant progress is expected by 31<sup>st</sup> March 2011 in all local authority areas, with the DH expecting improvements to be evident between now and then. In October 2009, the DH issued '*Progress Measures for the delivery of Transforming Adult Social Care Services*', introducing milestones that each local authority must achieve by April 2010, October 2010 and April 2010.
- 5.2 Oversight of the funding for these services is managed through the Haringey Strategic Partnership's Performance Management Group – who ensure robust performance management arrangements (including value for money) are in place.
- 5.3 The way in which local authorities contract for services to adult social care users and carers is currently under review by the Council's Adult Culture and Community Services Directorate. In delivering Adult Social Care (including services to carers), the role of the Council will change, from a commissioner of services on behalf of residents, service users and their carers to one of ensuring the development of the market to be able to deliver services that service users and their carers will wish to purchase using their individual budgets. This transformation is expected to negate the need for Haringey Council to maintain the current level of block contracts
- 5.4 Agreement is sought from Members to agree to the waiver of the requirement to tender and if agreed that the Director of Adult Culture and Community Service award new contracts to the three Carers Organisations listed at the appendix to this report for a period of 14 months to no later than the 31<sup>st</sup> March 2011. Should Members agree to this waiver, this will ensure the three organisations described below have contractual arrangements in place in line with other adult social care contracts, allowing sufficient time to ensure a smooth transition to new style contracting arrangements, post March 2011.

## **6. Other options considered**

- 6.1 Other options have been considered, which involved undertaking competitive tender processes for short-term contracts to ensure supply of appropriate services until personalisation is finalised. However it is felt that to continue with the current contractors will be best value to the Council.

## **7. Summary**

- 7.1 Haringey Council are currently contracting with the Organisations mentioned below. The contracts are due to expire on the 31<sup>st</sup> January 2010. The contracts have all previously been extended and have no further extensions built into them. Due to the implementation of the Government's Personalisation Agenda it is viewed to be in the best interest of the Council to continue contracting with these Organisations at this time, so that these services can be remodelled as necessary and residents, service users and carers can be consulted with to inform future service direction.
- 7.2 The Commissioning Team in ACCS has developed a commissioning framework for personalisation, that sets out the principles by which services will be commissioned (and contracted for) in the future, and a Project Group established to manage a commissioning delivery plan that includes the following workstreams:
- User/carer engagement – working with third sector partners to consult as widely as possible with residents, users and carers to inform the models of service delivery and contracting arrangements in the future
  - Commissioning of domiciliary care (last reported to Procurement Committee in July 2009), which will also inform preferred model of contracting across other adult social care services, including services to carers.
  - Market research (including models of best practice in across other local authorities)
  - Market Development framework (will be ready in late December 2009)
  - Supplier engagement (started October 2009)
  - Overarching commissioning delivery plan (to be completed March 2010).
- 7.3 Under the commissioning of domiciliary care workstream, thinking is well advanced regards alternatives to block contracting, pointing to the advantages of developing a framework of individual purchasing, supported by robust quality monitoring, proactive brokerage and increased market development.
- 7.4 The funding for these services is from the Area Based Grant, which has been subjected to robust performance management arrangements through the HSP's Performance Management Group. The PMG has endorsed the continuation of funding for the required services and therefore Procurement Committee is asked to approve the Well-being Partnership Board recommendation that each of the current organisations have their funding agreed through steady state until no later than 31<sup>st</sup> March 2011.
- 7.5 Within this overall context it is recommended that the following carers organisations should continue with their existing service provision, therefore it is necessary to ask



Members to agree to waive the requirement to tender, whereby allowing the Director of Adult Culture & Community Services in consultation with the Lead Member for Adult Social Care and Well-being to award new contracts.

7.6 The 3 Organisations are:

7.6.1 The Black & Minority Ethnic Carers Support Services

The aim of BMECSS is to provide short term breaks for carers from black and minority ethnic backgrounds, by providing home based respite services. The BMECSS are able to supply trained sitters for Asian, Chinese, Caribbean, Ethiopian, Greek Cypriot, Turkish Cypriot, Somali and Irish Carers. BMECSS offers culturally appropriate sitting services as well as advice, information and support to minority ethnic Carers residing in Haringey. The service at present is fully subscribed and currently holds a waiting list, so is much in demand. The Service has around 30 sitters who have access to NVQ training funded through the Single Regeneration Budget and the Learning Skills Council.

7.6.2 The Mental Health Carers Support Group

The MHCSG provide short-term breaks for carers of people with mental health needs. They provide an advocacy service for carers which include: confidential interviews, representation at care planning meetings, assistance with care assessments and registration, complaints, enquiries and welfare benefits claims. MHCSG also run a fortnightly carers support group at the Tynemouth Road Health Centre. The MHCSG's aim is to ensure that carers have access to a service which fully understands their specific needs and is committed to providing practical help and support, whilst raising mental health awareness in general.

7.6.3 Asian Carers Support Group

The ACSG was formed in 1998 to provide culturally appropriate support information and advocacy for Asian Carers within the Borough of Haringey. Their aim is to improve the quality of life for carers by: providing care and support for all ages, developing health and social care facilities and assisting with problems by the provision of interpretation, information, advice and advocacy. The ACSG also arrange social events and provide outreach services and support through regular group meetings. The ACSG role is significant in providing a platform for the Council to consult with carers, while identifying hidden carers and encouraging them to register with the Council in order to access appropriate services and support.

**8. Chief Financial Officer Comments**

8.1 This report asks Members to waive the requirement to tender. The maximum value of these three contracts would be £186,920. It is noted there is no variation in the cost of these contracts and the contract costs will continue to be met within the current budget provisions.

8.2 It is noted that these contracts are funded through the Area Based Grant, and that there has been a commitment through the HSP's Performance Management Group for funding to continue through to 31<sup>st</sup> March 2011

**9. Head of Legal Services Comments**

9.1 These contracts are not classified as priority services under the Public Contracts Regulations 2006 so there is no requirement to tender in Europe.

9.2 A waiver of the CSO requirement to tender is now being sought to facilitate the award of new fourteen (14) month contracts with the three (3) providers listed in this report.

9.3 The waiver is sought on the grounds set out in CSO 7.03 (d) i.e. that it is in the Council's overall interest.

9.4 CSO 7.2(a) empowers the Procurement Committee to grant a waiver of CSOs in respect of tendering.

9.5 If the Procurement Committee is minded to approve a waiver, the Director of Adults, Culture and Community Services Director will award the contracts under his delegated powers (see CSO 11.02).

9.6 The Head of Legal Services confirms that there are no legal reasons preventing the Procurement Committee from approving the recommendations in this report.

**10. Head of Procurement Comments**

10.1 Each of the 3 existing suppliers is reported to be performing well and providing much needed services.

10.2 The Governments Personalisation Agenda will radically change the way in which these services are provided in the future, beyond March 2011.

10.3 For a short contract period of up to 14 months it would not be in the Councils overall best interest to competitively tender these services, and the best value option is to award new contracts to the incumbent suppliers to avoid any risk of disruption to service delivery and to avoid unnecessary procurement costs for all concerned.

**11. Equalities & Community Cohesion Comments**

11.1 Current and future contracts require providers to comply with all relevant legislation.

11.2 The three carers organisations outlined in 7.6 above, provide a valuable service to black and minority ethnic groups and to vulnerable carers support people who use mental health services. There is limited other provision for these groups of carers in the borough.

**12. Consultation**

12.1 Consultation has been undertaken internally with the Director of Adult Culture and Community Services, AD Safeguarding and Strategic Services and AD Adult Services & Commissioning

**13. Service Financial Comments**

13.1 The value of the contracts is outlined in Appendix A. The contract values are not changing from the current levels, and the Directorate will continue to manage expenditure within current financial resources.

**14. Use of appendices /Tables and photographs**

14.1 Appendix A- List of contract values

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

15.1 List of background documents:

- Department of Health: Putting People First: A Shared Vision and commitment to the transformation of Adult Social Care, January 2008

These documents are available from Commissioning & Strategy, ACCS by contacting:

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