

# **MINUTES OF MEETING Cabinet HELD ON Tuesday, 16th March, 2021, 6.30 - 9.55 pm**

## **PRESENT:**

**Councillors: Joseph Ejiofor (Chair), Kaushika Amin (Deputy Chair), Charles Adje, Mark Blake, Gideon Bull, Seema Chandwani, Kirsten Hearn, Emine Ibrahim, Sarah James and Matt White**

## **ALSO ATTENDING:**

### **484. FILMING AT MEETINGS**

The Leader informed all present that the meeting was to be streamed live on the Council's website.

### **485. APOLOGIES**

Councillor White informed the Leader that he would need to leave the meeting at 7pm to attend another meeting of the Council that he was a Member of, and would return to the Cabinet meeting as soon as he could.

### **486. URGENT BUSINESS**

None.

### **487. DECLARATIONS OF INTEREST**

In relation to item 14, both Councillors Bull and Chandwani advised that they were Haringey leaseholders however, as the decision did not relate to either of their home addresses it would not prevent them taking part in the decision.

### **488. NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS**

None received.

### **489. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE**

None received.

*The Chair varied the order of the agenda to consider agenda items 11 and 13 to allow Councillor White to step out of the Cabinet meeting at 7pm.*

#### **490. EXTENSION OF THE OHMS MANAGED SERVICE**

The Cabinet Member for Planning and Corporate Services introduced the report which sought approval of an extension for up to six months of the Council's contract with Northgate Public Services (UK) Ltd (NPS) for the provision of the Opening Housing Management System (OHMS) Managed Service, which was due to expire on 31 March 2021. The Cabinet Member explained that the extension to the contract was necessary to ensure continuity of service while a replacement housing management system was implemented and ready to use. The new system was due to be in place by March 2021 but had been delayed due to Covid and it was now expected to be in place by April/May 2021.

##### **RESOLVED to**

1. Approve, in accordance with Contract Standing Order (CSO) 10.02.1(b), an extension of the contract with Northgate Public Services (UK) Ltd for the provision of the legacy OHMS Managed Service for a period of up to a further 6 months until 30/9/21, at an additional cost £130,426.20 for the maximum 6 month period and an overall cost for the full life of the contract of £629,864.28.

##### **Reasons for decision**

A decision is required to agree the extension of this service as the Council requires a functioning Housing Management IT solution until the new NPS Housing Management solution goes live, after the implementation and migration phases, sometime between April and June 2021. The final go live date depends on having a fully tested system and staff trained to use it. The extension is being sought for an additional 3 months to September as a contingency in case the project is affected by the emergence of any further Covid-19 variants or increased infection rates within staff either in the Council or supplier.

##### **Alternative options considered**

No other option was considered as the OHMS system is proprietary to NPS and no other provider can offer a managed service or provide maintenance of the software solution.

A new solution has already been procured via an open tender and a contract was awarded by Cabinet in June 2019.

The proposed contract extension is to support the current service until the new solution goes live.

#### **491. MICROSOFT ENTERPRISE AGREEMENT**

The Cabinet Member for Planning and Corporate Services introduced the report which sought approval for the award of a contract for the provision of the Council's Microsoft (MS) licence subscriptions, through a MS Enterprise Agreement, to a MS Licensing

Solution Partner (LSP) for a 4 year term from 01/05/2021 to 30/04/2025. The Cabinet Member advised that there was a price increase associated with the award which was explained by the supplier as being associated with exchange fluctuations and a cost of living increase. The prices only change every three years and so reflect cost changes over that period. The prices that the Council were paying were the lowest available in the public sector as the Council was entitled to the British Government deal on contact prices, as negotiated by Crown Commercial Services, with Microsoft.

In response to a question from Councillor Cawley-Harrison, the Cabinet Member advised that there were no plans currently to move to any other provider, not least because any potential savings from a different provider would far outweigh the cost and inconvenience of switching from the current provider.

Further to considering exempt information at item 25,

### **RESOLVED to**

1. Approve the contract award to the supplier identified within the exempt report (paragraph 1) for a MS Licensing Solution Partner, for the provision of MS license subscriptions, for Haringey Council and Homes for Haringey, for a term of 4-years from 01/05/2021 to 30/04/2025, at a contract value of up to £4,500,000.00.
2. Note that a further report would be brought to Cabinet with a business case and funding for the approval of additional functionality licenses MS 365 E5 referred to in Paragraphs 6.13. to 6.15. of this report.

### **Reasons for decision**

Haringey Council and Homes for Haringey's current MS Enterprise Agreement contract, for the provision of all MS software and technology subscriptions, expires on 30/04/2021, with no option to extend. Without a new contract in place, the council will no longer be able to use any of its MS subscriptions to deliver essential services within the borough.

MS products and services affected should a new contract not be awarded.

- MS Servers, Active Directory, Windows 10 Laptops (including remote working), MS Office Applications, Office 365 (Outlook, One Note, Teams, Collaboration, SharePoint, Security), email on mobile phones, hosting of any application or database system
- Build and security patch management
- External services provided to the council

MS software is in strategic alignment to the Council's Digital Roadmap and is a key enabler in delivering essential services to our citizens. Operating without a MS

Enterprise Agreement in place would be unmanageable as the council requires active subscriptions to use all applications and services listed above, as well as ensuring all MS products are licensed in a compliant and legal way.

### **Alternative options considered**

**No action** – Do not award a contract and allow the existing service to end (do not re-commission). Not an option as the council would no longer be able to deliver essential services to our citizens and be non-compliant in terms of software license agreements. Critical systems would be impacted as a direct consequence and we would be unsupported by MS and be unable to deliver security updates, leaving the council vulnerable.

**Non-MS software** - The council has a major investment in MS technologies which align to the Council's Digital Roadmap, moving to another platform, e.g., Google or Open Source, would require major rework of not only IT systems, but also business operational processes, and would be a major disruptor for the council. Delivering a new operating platform would take more than a year and has significant risks associated with the implementation. While non-MS software is technically an option, typically the reality is that moving away from MS is not being adopted by other councils.

**Tender for a new service without the new MoU discount** – The option to undertaking an open tender was rejected. This route offers no advantage over procurement via the CCS framework and would not allow us to access the new MoU discounts, therefore pay a higher cost per licence and extend the timeframe for the procurement process.

**Purchase from a framework agreement with the new MoU discount** – This is the recommended route to market, completing a competitive procurement tender using the PS discount pricing for the new contract award.

## **492. DEPUTATIONS/PETITIONS/QUESTIONS**

Mr Oliveri spoke on behalf of the Tottenham Business group and on behalf of businesses in Peacock Industrial Estate in Tottenham N17. He felt that this decision on High Road West was an opportunity for the Council and its partners to fully hear the voice of the traders and demonstrate respect to the businesses in their role as landowners. The traders wanted to reiterate that they had rights as business owners and they felt that they had been constantly disregarded and conveyed the predicament that they had been placed in with the regeneration of the High Road West area which, in their view, was placing pressure and uncertainty in the area.

They referred to the Council's messaging on the High Road West regeneration proposals and the timing of this and questioned the benefits of the regeneration to be realised. They referred to recent correspondence between the Council and

businesses in the area and contended that 70 to 80% of businesses in the development plans, were excluded and referred to the existing potential for local community wealth building activities, such as local jobs and training opportunities. They questioned the strategy of the Council in seeking regeneration for the area and felt that there were already businesses in place to provide for this.

Mr Oliveri spoke about the wider contribution of businesses in the Peacock Estate to essential services needed in the pandemic crisis. They were able to provide support as they had long term established relationships and experience in the local area. The businesses would continue to defend their rights as owners of freehold properties and would maintain this position, contributing to a successful area.

The Cabinet Member for Growth and Local Investment commented that the Council were committed to working with local businesses to establish their individual needs and to find a relocation solution which works for them and to keep as many businesses in High Road West and the surrounding area. There was a genuine commitment to finding solutions for each business based on their individual needs and preferences. The Cabinet Member would look into the concerns expressed on engagement and consider this further with officer colleagues. The Cabinet Member highlighted that the pandemic had caused difficulties with engagement and spoke about the hosting of online business events in the coming days and hoped the deputation and business colleagues in the Peacock Industrial Estate could attend and engage on the plans for the High Road West scheme.

In response to a question on ways of engaging with businesses, the deputation expressed that essentially the businesses were happy with their existing freehold properties and the locations were key part of the businesses. This point had been made to the Council over many years and the businesses felt that they were not being listened to in this regard.

The Leader of the Council allowed Cllr Gordon, Chair of the Housing and Regeneration Scrutiny Panel to put forward a question relating to alternative locations offered to the Peacock Industrial Estate. The deputation replied that the Shaftsbury Road site was not comparable to their existing site and was offered on different terms. The Leader of the Council interjected with a clarification that the Council's intention was to purchase the Shaftsbury Road property to offer those businesses, that required a freehold, this opportunity and the site was 650 yards away from their current location. The Leader of the Council reiterated that this was about finding the best possible solution for each business, following the signing of the Development Agreement for the High Road West Scheme several years ago.

The Leader of the Council emphasised that the decision before Cabinet was not related to the businesses in the short or medium term but concerning the non-secure tenants that had been living in temporary accommodation on the Love Lane estate for a number of years and who desired a permanent Council tenancy at council rent. The Council had reached a position where they were able to offer this.

The Leader continued to respond to the deputation and was aware that there were a number of individual businesses and that each had their own different priority. The Council did want to find a bespoke response and solution for each individual business.

The Leader spoke about the need to build Council homes. The High Road West scheme was agreed over three years ago. However, moving forward with the scheme would help address housing barriers and housing inequality in North Tottenham, bringing forward substantial benefits to the area, including 2600 vital new homes, new community facilities and open spaces with substantial employment opportunities. The scheme would also deliver a programme that supported local people to develop their skills and have confidence to access sustainable jobs across the Tottenham area.

The Leader expressed that the Council did not want to destroy businesses that were already there but to work with them. The majority of businesses, including the businesses on the Peacock Industrial Estate, were in the later phases of the development and would not need to move for a number of years. In the meantime, the Council were looking for suitable accommodation for businesses in the nearby facilities such as the Shaftsbury Road property. The Council would spend the time to understand each individual business's need and aspirations to deliver bespoke solutions to each individual business.

The Council were also looking into simplifying the options to these key issues, i.e. if a freehold was held, seeking to address this with a similar solution such as the Shaftsbury Road property or alternative opportunities nearby. The Council was clear that, whatever the outcomes, the businesses would be compensated as set out in its High Road West Business Charter.

The Leader further refuted the allegations of discrimination outlined in the deputation submission. He advised that the Council were strongly committed to discharging its responsibilities under the Equalities Act 2010 and the public sector equality duty that is placed upon the Council which was reflected in the detailed equality impact assessment that had been produced as part of this process, including an updated assessment for this decision. This was built upon previous EQIA's completed in 2014, 2017 and 2020.

The Leader highlighted that one of the key functions of the EQIA was to eliminate unlawful discrimination, harassment, and victimisation. There was a need to consider the High Road West proposals in their totality and look at the overall benefits for all Haringey residents. These assessments advised that the scheme would have a longer term positive impact on individuals across a range of protected characteristics, including race. This was due to the scheme including 2600 homes which would tackle the demand for housing which was a principle issue for BAME communities across London. The scheme would provide employment and training opportunities for residents, including people who lived in and around the scheme, providing healthier and better life chances.

The Leader advised that the Council recognised there would be short term disruption caused by the development, including to the relocation of businesses. However, there were a number of mitigation measures that would be put in place to minimise this impact. This would include a focus on engaging businesses, in line with the High Road West Business Charter, and support them through this regeneration process, ensuring that all businesses remained viable, and relocation is a short distance.

There would be continual consideration of equalities information as the scheme progresses, allowing mitigations to be put in place and the Council rejected the assertions that decision made so far were based on the grounds of ethnicity.

The Leader concluded by outlining that the decision being taken forward was seeking to address the housing crisis and facilitating the building of 500 social homes, an increase of 355 on the number originally proposed. This would further create an opportunity for almost 200 households in temporary accommodation to be offered a home on the Love Lane Estate with a secure Council tenancy at Council rent. The Leader felt that this was an outcome to be proud of and the council would continue to engage with local businesses and come forward with solutions for their specific requirements in future.

The Leader thanked Mr Oliveri for his representations.

The Leader varied the agenda to consider the report on High Road West – conditional approval of GLA funding at item 12.

#### **493. HIGH ROAD WEST - CONDITIONAL APPROVAL OF GLA FUNDING**

The Cabinet Member for Finance and Strategic Regeneration introduced the report which sought approval of a GLA funding package, which totalled £91,512,000 and consisted of £70,312,000 of Affordable Housing Grant and £21,200,000 of Mayor's Land Fund. This funding was required to start the delivery of the first phases of the High Road West Scheme and the delivery of the 500 social rented homes.

This report further sought approval for the Council to acquire the additional social rented homes the Scheme will deliver, which would allow the Council to meet a long-held ambition, expressed by residents, that these homes, like the 145 replacement homes already secured under the Development Agreement, are owned and managed by the Council.

In addition, the report sought approvals with regards to the contractual arrangements required as a result of the decisions being made in the report that would permit the Council to deliver the Scheme in the event of a supportive ballot. The report also recommended updating an existing delegated authority regarding the level of spend on acquisition of properties required to deliver the Scheme, in accordance with the land assembly budget in the Capital programme agreed by Council in March 2021.

The Cabinet Member continued to outline the opportunity the scheme provided in supporting the Council's objective of equality, regardless of background, providing increased affordable housing from 145 homes to 500, access to training, employment, community living, with increased green spaces.

The Cabinet Member responded to questions from Councillors Chandwani, Gordon, Brabazon, Cawley-Harrison and Amin:

- Improvements to the scheme over the last 3 years included: the increased number of social rented homes from 145 to 500, changes to the commercial

space and location of jobs, added improvements to the park and new public square and options in relation to the location of the Library and Learning Centre.

- The 297 homes on the Love Lane Estate referred to, included a number of leasehold properties and so they were not all Council homes. There was a reduction from 212 existing Council homes to 145 new Council homes in the original proposals for High Road West. The GLA funding will ensure the Council can increase the number of Council homes delivered by the scheme from 145 to 500.
- The Council and Lendlease recognised the importance of tackling climate change. Lendlease had set targets in aligning with the 1.5 Paris targets and aimed for net zero carbon by 2025. The Council did not have the figures on the carbon emissions to be released in the demolition of the Love Lane Estate, at this stage of the scheme, and were working towards compiling this information.
- The new council owned social homes would meet the Housing Strategy mix, there would be 55 one bedroom properties, 225 two bedroom properties, 165 three bedroom homes, and 55 four bedroom homes.
- Responding to further questions on secure tenancies and why the residents in temporary accommodation were not having the security of secure tenancies offered ahead of the ballot, it was explained that it is only through the delivery of the Scheme and the 500 Council homes that the offer of a secure home to eligible non-secure tenants in temporary accommodation could be made. This increase in Council homes would allow for the rehousing of secure and eligible non-secure tenants on Love Lane Estate into secure homes in the Scheme, as well as provide a substantial number of homes for other households on the council's waiting list who were living off the estate.
- In relation to the continuing viability of the scheme, this had been rigorously assessed very recently by the GLA as part of the recent bid process. This process had shown that the scheme is viable with GLA funding and this is why this Cabinet is seeking acceptance of the funds. The funding contracts safeguard the funding and ensures it will be spent as set out in the contracts.
- With regards to the impact of the pandemic on how increase in housing density is assessed and considered as suitable living accommodation. The Leader emphasised that people wanted a secure home at Council rents in order to bring up their families, rather than a temporary home, or emergency homes. A key aim of the administration had been to amend this scheme to make it more viable for providing secure Council homes. These type of issues would also be considered as part of the Planning decision process.
- In light of having building control regulations with more conditions and constraint on new developments, the specification for the new homes will take into account of the latest fire regulations. Additionally, the wider issues, related to fire safety, would be picked up in the during the Planning process.



- With regards to businesses receiving comparable right of return as part of the High Road West project as residents, there were different arrangements in place for businesses. The Council had started dialogue with business representatives and this would continue, and the Scheme includes opportunities for existing businesses to relocate into the new commercial space. There was however a need to consider individual businesses circumstances as some were freeholders that did not want to return as a leaseholder.
- With regards to the question on social tenants seeing a rent increase in new homes by 50% and whether an increase in rents was a requirement of the GLA funding agreement, it was noted that the new homes were calculated using a government set national formula which took into consideration local property values, local incomes and the size of the house. The Council's vision was to continue to charge fair and equitable Council rents. A sustainable community was part of community wealth building objectives. The Council did not want to be in a position to charge high rents and housing programmes in Haringey were designed to provide reasonable and affordable rents to tenants. Councillor Cawley – Harrison indicated that a further detailed response to this question was required and would put forward the question in writing to the Cabinet Member for a written response.
- It was noted that social and affordable rents would be set at Haringey level.
- Responding to a query on the quality and security of housing in the development, the homes would be of the highest quality and safe and secure not just for residents but everyone in the community.

Further to considering the exempt information at item 24,

## **RESOLVED**

1. To note that the funding from the GLA referred to in this report were subject to a successful ballot of the residents on the Love Lane estate favouring the proposed development;
2. To agree to the Council accepting a sum of £70,312,000 in Affordable Housing Grant and entering into a Funding Agreement with the GLA in respect of that sum, based on the heads of terms summarised in Appendix 1 (included in the exempt report) including terms that permit the transfer of that funding into the Scheme as described in paragraphs 6.12-6.14 of the report;
3. To agree to the Council accepting a sum of £21,200,000 from the Mayor's Land Fund and entering into the Funding Agreement with the GLA in respect of that sum based on the heads of terms summarised in Appendix 2 (included in the exempt report) and described at paragraphs 6.15-6.18 of the report;
4. To give delegated authority to the Director of Housing, Regeneration and Planning, in consultation with the Director of Finance after consultation with the Cabinet Member for Finance and Strategic Regeneration to agree the final Funding Agreements set out in recommendations '2' and '3' above, in order to

deliver the scheme including the increased number of social rent homes as set out in recommendation '8' and '9';

5. To agree to pay the Affordable Housing Grant amount of £70,312,000 received from the GLA to Lendlease (High Road West) Limited in relation to the development costs relating to the affordable housing, and for the Council to enter into a funding agreement with Lendlease based on the terms set out in paragraphs 6.12 and Appendix 3 (included in the exempt report) of the report, and give delegated authority to the Director of Housing, Regeneration and Planning, in consultation with the Director of Finance after consultation with the Cabinet Member for Finance and Strategic Regeneration to agree the final terms and the final agreement with Lendlease;
6. To agree to the Council providing Lendlease (High Road West) Limited with a loan in the sum of £21.2m (in accordance with the drawdown profile and other relevant terms of the Mayor's Land Fund agreement with the GLA) and based on the terms described in paragraphs and the Loan Terms Sheet 6.15-6.20 and Appendix 4 (included in the exempt report) of this report and give delegated authority to the Director of Finance in consultation with the Director of Housing, Regeneration and Planning, after consultation with the Cabinet Member for Finance and Strategic Regeneration to agree the final terms of the loan agreement, 'pass through' agreement and any other necessary agreements;
7. To give delegated authority to Director of Housing, Regeneration and Planning, in consultation with the Director of Finance and after consultation with the Cabinet Member for Finance and Strategic Regeneration to update the contractual arrangements with Lendlease to give effect to the decisions set out in this report;
8. Following recommendations '1' to '4' above being approved (noting the condition of a positive ballot as a condition of the funding), agree to the Council acquiring for housing purposes the additional 355 social rented homes to be delivered in the High Road West Scheme, for the sum set out in the exempt report (plus associated purchase costs such as stamp duty land tax) and based on the terms set out in paragraphs 6.24 and Appendix 5 (included in the exempt report) and agree that the payment profile for the 191 replacement units already agreed to be acquired in the Development Agreement shall be the same as for the additional 355 social rented units ; and
9. To give delegated authority to the Director of Housing, Regeneration and Planning in consultation with the Director of Finance after consultation with the Cabinet Member for Finance and Strategic Regeneration to agree the final terms and the final agreement for the purchase agreement in relation to the Council's acquisition of the additional homes;
10. To agree to update the delegated authority given in recommendation 2 of the High Road West Cabinet Report and agreed by Cabinet on 6th March 2018 as follows:

To agree the acquisition of all third party land interests within the boundary of the High Road West Blue Line Plan attached to the Cabinet Report of 6 March 2018 (other than any compulsory acquisitions), be acquired by private treaty by the Council pursuant to the terms of the Compulsory Purchase Order Indemnity Agreement (“CPOIA”) dated 20 December 2017, to facilitate the High Road West Regeneration Scheme and give delegated authority to the Director of Housing, Regeneration and Planning and Director of Finance to agree the final price (including the land price, costs, compensation and fees) to be paid for each third party land interests provided that the total sum to be spent on these acquisitions shall not exceed the sum included in paragraph 6.32 of the report.

## **Reasons for decision**

### Accepting the GLA funding package

The GLA funding provides the Council with the means to be able to progress the scheme as proposed in this report, and take this unique opportunity to tackle the entrenched social and economic barriers that residents face in North Tottenham and deliver on the benefits the community have said they want such as good quality affordable homes, jobs and training and new and improved community and leisure facilities. It would represent a significant step forward in progressing the Council’s and the community’s ambition to ensure that north Tottenham is a fairer, healthier place where all our residents can thrive.

### Acquisition of social rented homes

The Council’s Borough Plan Priority 1 “Housing”, is for a “safe, stable and affordable home for everyone, whatever their circumstances” and states that an increasing supply of council housing is one of the most important things the council can do, “because for many people, a council home offers the only real chance of putting roots in Haringey in a stable, good-quality home”. The Council has established its own council house building programme to support this objective. This programme seeks to secure council owned housing by a range of methods including; acquiring homes, acquiring stalled sites and building council housing. The High Road West Scheme represents an important contribution to the Council priority by delivering 500 social rent homes for acquisition by the Council.

The Council had previously agreed to acquire 191 replacement homes to be delivered under the High Road West Scheme (145 social rented units and 46 shared equity units). Acquiring the additional 355 social rented homes and delivering a total of 500 council homes as part of the High Road West Scheme would support the pace of delivery of this objective. It would also deliver much needed council homes in an area where there is great need.

North Tottenham is home to a large proportion of families with children; making up 51% of households in the area, compared to 35% borough wide; and with 32.0% of children living in poverty, more than 50% higher than the London average. But there is a deficit of family housing, with fewer than 14% of council owned properties in Haringey providing three or more bedrooms. Overcrowding is particularly acute in Tottenham, with the Children’s Commissioner and Public Health England both

highlighting the negative impacts this has on physical and mental health, particularly for children and young people, an issue that has been exacerbated during the Covid crisis.

The delivery of 500 new council owned social rented homes through the Scheme, offers a chance to address this by increasing the number of council owned social rented homes in the area and ensuring the mix of the new homes reflects the needs of residents who will be moving into them. Eligible residents living on the Love Lane Estate will be offered a council home which meets their needs. Residents on the Housing register, who are waiting for a new home, can be offered one of the c.200-250 homes available beyond those committed to residents on the Love Lane Estate, which also meets the needs of the wider community in the area, part of the council's commitment to deliver a new generation of council homes for local people. For many residents, the offer of a secure council tenancy in a home has been long awaited and will offer them much needed stability, that will help them to take better advantage of their opportunities in their careers, family and community activities.

The homes will be delivered as part of a healthy and sustainable neighbourhood which recognises the need for these to be part of a mix of employment, community and leisure activities, responding to the identified needs of the local community regarding issues such as health, financial security, community cohesion and personal safety and in particular, a step change improvement in the quality of homes for local residents. Alongside a £500k package to support for existing local businesses and funding to support new local business start-ups, a variety of commercial uses and employment activities will be delivered including retail, business and leisure space, which will help to support the town centre and support good business growth in the area. A range of types and levels of employment will be created which will include requirements for targets to be met in relation to employment of local people and people from 'protected characteristic' groups. This will be complemented by a focussed training programme, funded as part of the £10m socio-economic programme, that will help local people to access higher paid jobs in the local and wider London area and develop a sustainable career path, supporting existing successful programmes in the area and optimising the new opportunities provided, such as through the new Library and Learning Centre and community hub at the Grange.

### Contractual arrangements

It was always envisaged that the Scheme would require public funding. The funding package that has been secured from the GLA, totalling £91,512,000, which has faced extensive competition from other similar schemes across London, and will replace the Housing Zone funding.

The Affordable Housing Grant and the Mayor's Land Fund will provide the necessary public funding required to kick-start the delivery of the High Road West Scheme and provide certainty over the delivery of the 500 social rented homes. Whilst this funding is conditional on a successful ballot outcome, the council needs to ensure that the necessary contractual and financial arrangements are in place to receive this funding, and that these are aligned with the contractual arrangements with Lendlease to deliver the Scheme.

## **Alternative options considered**

### Receipt of Funding

An alternative option would be not to accept the funding. This option was not considered as it would not deliver on the benefit of the additional social rent homes that would meet the ambitions of the council and the clear objectives of the Borough Plan. The Scheme offers a unique opportunity for the Council to secure the largest number of council homes built through one scheme in the borough for decades and to opt not to do so would be a substantial lost opportunity.

### Do not acquire the additional social housing units

The Council has considered not acquiring the additional social rented homes and allowing an alternative Registered Provider to do so. This option would mean that the Council would not need to acquire the additional units.

However, this option would mean that the rents may not be set at council rents or target rents, which could mean an increase in rents for our residents. It also does not support the Council's Borough Plan objectives of increasing the number of Council owned homes in the borough, at council rents. It would mean a loss of the opportunity to diversify its stock and ensure that more homes of family size are delivered to meet the needs of residents in North Tottenham, as set out in paragraph 4.5 above.

It has been clear through previous consultation and engagement on the Love Lane Estate that there is a very strong preference for the Council to continue to be the landlord of the new social rented homes delivered through the High Road West Scheme. Not acquiring these units, would mean we would not be able to meet residents' clear aspirations.

## **494. TOTTENHAM FUTURE HIGH STREETS FUND GRANT AGREEMENT**

The Cabinet Member for Finance and Strategic Regeneration introduced the report which sought approval to accept an offer of £10,019,646 capital grant from the Ministry for Housing, Communities and Local Growth's (MHCLG) Future High Streets Fund (FHSF) Programme, and to subsequently enter into a Memorandum of Understanding with MHCLG. The Cabinet Member referred on the introduction of the Strategy for Tottenham High Road (2019-29) to Cabinet two years ago which highlighted the pressure to adapt for a digital age and for the Council to intervene in order to future proof town centres and reflected on the context of this last year and the relevance of the strategy at this current time.

The Cabinet Member responded to questions from Councillors Brabazon, Cawley-Harrison, Gordon and Hakata (via Councillor Brabazon):

- Further information could be provided on the amended business case once stakeholders had engaged with officers.
- A written response would be provided to provide information in relation to who the external co-funders were and the level of funding received.

- Gourley Triangle was at very early planning stages and had been identified as a site for change. There were a significant number of leaseholder interests, and any potential acquisitions would remain confidential until further assessments were made. It had always been part of the overall high road strategy. It would not be possible to provide a lot of detail on the plans for Gourley Triangle until preliminary discussions had taken place with relevant stakeholders.
- All remodelling plans would be carried out in conjunction with residents and businesses.

The Leader added that when ideas and proposals were developed, Members would be kept up to date via briefings to ensure that they were engaged in the process.

## **RESOLVED to**

1. Approve the receipt of a FHSF grant of £10,019,646 from MHCLG to deliver the Tottenham High Road FHSF programme.
2. Provide Delegated Authority to the Director of Housing, Regeneration and Planning, after consultation with the Director of Finance and the Cabinet Member for Strategic Finance and Regeneration, to enter a Memorandum of Understanding with MHCLG for the funding.

## **Reasons for decision**

In February 2019, Cabinet adopted the 'Strategy for Tottenham High Road 2019-2029' ('The Strategy') to guide the next stages of investments. It identifies a series of visions, aims and objectives for the High Road and its town centres, and outlines a range of projects and interventions to respond to the needs of all sectors of the local community, helping to transform the High Road. The Council believes it has a key role to play – working with local partners – to provide stewardship of the High Road as it goes through a period of change. Support from central government is a major opportunity for the issues Tottenham faces to be supported strategically by addressing the entrenched challenges the area faces.

The Strategy is the guiding framework from the Council's perspective that defines the issues and proposed responses. The Strategy's aim is to provide clear direction of growth, investment in infrastructure and provide a stimulus for change. There is a strong alignment between the Strategy and the objectives of the Future High Streets Fund, making this opportunity timely for comprehensive and necessary intervention in Tottenham.

The Strategy for Tottenham High Road and parallel strategic drivers (both financial and non-financial) referenced within the programme are already endorsed and awaiting delivery, albeit only 'unlocked' once match funding is secured. The recommendations in this report result in significant new resources coming into the council allowing it to implement a number of key projects that form part of the wider Strategy.

## **Alternative options considered**

### **Option 1: 'Do Nothing'**

This option would be for the Council to not accept the FHSF grant funding offer from MHCLG. No activity is expected under this option beyond existing commitments, under the Strategy for Tottenham High Road. It will not provide an overarching and complementary package of investment that will respond to the structural challenges faced by Tottenham High Road and will be significantly constrained by the level of existing public sector commitments.

### **Option 2: 'Recommended Option'**

This option is to accept the FHSF grant funding from MHCLG based on the updated Business Case submission and revised programme. This programme provides the greatest balance between projects that support the objectives of the Strategy for Tottenham High Road and the available FHSF funding envelope. All projects included in the programme are dependent on public sector funding and would not come forward without support from FHSF and/or the Council. The investments will result in a combination of change of use / dependent development and wider improvements that will enhance perceptions of the area, reduce crime, improve safety and enhance footfall and dwell time.

*Councillor White advised that he had returned to the meeting during the item, but did not vote as he was not present for the whole item.*

## **495. BRIEFING NOTE PROVIDING INFORMATION REGARDING THE AWARD OF THE CONSTRUCTION WORKS FOR CANNING CRESCENT REFURBISHMENT WORKS**

The Cabinet Member for Adults and Health introduced the report which provided an update on the progress of the scheme to bring together a range of mental health services in a single approach at the Canning Crescent Centre, in partnership with the NHS and local voluntary sector. The proposal entailed the full refurbishment of the building to create a number of self-contained short stay rooms for crisis and respite, a recovery college, a café and an evening and weekends crisis centre. The Cabinet Member advised that a Leader's Signing was due to take place on 30 March 2021 for the award of the construction contract.

In response to a question from Councillor Cawley-Harrison, the Cabinet Member agreed to provide a written note summarising the options which were not pursued.

**RESOLVED** to note the progress of the scheme.

### **Reasons for decision**

No decision required.

### **Alternative options considered**

Not applicable.

## **496. ENERGIESPRONG RETROFIT PILOT PROJECT PROGRESSION**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval to undertake an Energiesprong pilot project on 51 Council-owned and tenanted properties on the Orlit properties (Tunnel Gardens) or White Hart Lane ward (centred around Rivulet Road and/or sheltered accommodation bungalows) or Coldfall Estate (near Hill Road), and to accept the Business, Energy and Industrial Strategy (BEIS) funding to deliver the pilot. The pilot aimed to retrofit homes to be net zero energy.

The Cabinet Member and Joe Baker, Head of Carbon Management, responded to questions from Councillors Bull and Cawley-Harrison:

- The criteria for assessing properties was set out at paragraph 6.6 of the report.
- Officers would confirm with Homes for Haringey on whether there were any sheltered accommodation bungalows on Rivulet Road.
- The level of Comfort Charge was yet to be decided.
- The installations were designed to prevent air circulation issues and damp, however, the properties would be monitored to ensure that these issues did not occur.
- The service was working with the GLA on how the scheme could be rolled out for leaseholders.

**RESOLVED to**

1. Approve the undertaking of an Energiesprong pilot project on Option A, the Orlit tenanted properties on Blake Road, Durnsford Road, Tunnel Gardens and Park Grove N11. Or, in the event that structural surveys identify substantial remedial works are required, to undertake the pilot project on Option B, 51 tenanted properties located in White Hart Lane Ward (centered around Rivulet Road and/or sheltered accommodation bungalows) or Option C 51 tenanted properties on the Coldfall Estate (around Hill Road).
2. Note that the decision on which option proceeds as the pilot project will be made by the Director of Housing, Regeneration and Planning in consultation with the Cabinet Member for Housing and Estate Renewal.
3. Accept £1.6m funding from the BEIS Social Housing Decarbonisation Fund (SHDF) Demonstrator to part fund this whole house retrofit project.
4. Approve the procurement of a contractor through the innovation partnership procedure to be carried out with the GLA to deliver an Energiesprong pilot project on Option A, the Orlit tenanted properties on Blake Road, Durnsford Road, Tunnel Gardens and Park Grove N11. Or, in the event that structural surveys identify substantial remedial works are required, to undertake the pilot project on Option B, 51 tenanted properties located in White Hart Lane Ward (centered around Rivulet Road and/or sheltered accommodation bungalows) or Option C 51 tenanted properties on the Coldfall Estate (around Hill Road). The



value of the contract will be less than the agreed maximum price of £4.3m and this will be funded from the £1.6m BEIS award and £2.7m from the HRA Capital.

5. Agree to design and consult with tenants on the Energiesprong model and Comfort Charge.
6. Note that the decision whether or not to proceed with Energiesprong pilot, including the Comfort Charge value, and implementation process will be determined by the Cabinet Member for Housing and Estate Renewal.

### **Reasons for decision**

The Council is required to tackle and fund the energy efficiency of its housing stock to meet zero carbon commitments, alongside future legislation requirements. The Energiesprong approach could provide more benefits to residents than could normally be afforded as it allows retrofit costs to be paid back to the Council or private financing company through energy and maintenance savings over a 30-year period.

The UK Government offer of funding to support this pilot shows strategic buy-in and will reduce the financial ask on the Council's own funding. This benefit can then be passed on to tenants of the chosen properties. Should Cabinet decide to proceed with the Energiesprong project and claim the funding capital delivery costs could reduce from £4,335,000 to £2,817,750. However this comes with a requirement to complete the project by 31 December 2021 and will require an award of contract during the pre-election period.

### **Alternative options considered**

*Undertake conventional energy retrofit programmes ie a package of measures, carried out in phases*

Installing energy saving components individually is time consuming and causes increased and repeated disruption for tenants. Some of these (such as internal wall insulation) require decanting. Energiesprong is a novel approach to 'whole house' retrofit. Whilst its cost is currently higher than the more usual incremental insulation upgrades it creates a net zero energy home in one step, which avoids later spending on a decarbonised heat system and also avoids potential spending on further efficiency measures in the future. Repeat visits to properties to carry out multiple energy efficiency projects is therefore not sustainable or suitable for all homes. Where this can be avoided this should be, for ease of delivery on the tenant and project management. The properties best suited for Energiesprong are those with a simple design.

*Undertake conventional energy retrofit programmes ie a package of measures, all at the same time*

Energiesprong is procured to deliver a 'design, build and guarantee' contract against the Energiesprong Performance Specification which guarantees the retrofit delivers

predicted energy savings. Monitoring equipment is included within the installation which monitors energy use, humidity, air quality and comfort levels on a daily basis throughout the lifetime of the retrofit. Each property must achieve the performance outputs and maintenance costs predicted in the design stage or financial penalties can be placed on the contractor for up to 10 years after the installation. A conventional retrofit does not offer such certainty around the outcome or paybacks that will be achieved. Often a set of measures have interdependencies, for example the air ventilation system will need to work in conjunction with the air source heat pump (the heating system). If one fails it can impact on the operational performance and the guarantee of the other. Undertaking multiple contracts of multiple measures will require increased resources for contractual management and performance.

Energiesprong installations can be achieved without decanting residents. Roof units, modulated heating systems and prefabricated wall panels including windows and doors can all be manufactured off site making installations faster and reducing the impact on residents. The properties identified are simple in design, and are ideal for the Energiesprong approach.

#### *Deliver the project on another estate*

The Orlit properties have poor thermal energy performance. The units also suffer from internal damp through condensation brought on by cold bridging. The estate has been identified as in need of investment to get the properties up to the required standard.

Other estates have been considered and reviewed. The Orlit properties were chosen due to the simplicity of the design, and the need to invest in the estate to improve the quality of living. However further investigation into the structural integrity of these properties is required. Visual structural surveys are therefore in process. Should these surveys indicate that substantial spend is required to remedy structural faults it is proposed that the pilot project is undertaken on 51 properties in White Hart Lane ward or the Coldfall Estate. These areas include properties with a simple architectural design which fits with the Energiesprong model. These areas have been identified on the basis that external works are required and the properties have EPC ratings of E, F and D.

#### *To not include a Comfort Charge*

Due to the scale of funding required to deliver energy efficient projects across the whole of the Council's Housing Estate, it is vital that the model of delivery is financially sustainable. If the Council did not introduce a Comfort Charge and capture some of the energy savings secured by tenants who live in super insulated properties then the funding agreed for energy efficiency measures may not stretch across the whole portfolio. This may introduce inequality between properties, as although tenants may pay the same rent, they may have significant differences in their energy bills which would not be fair for tenants. The Housing Revenue Account (HRA) is paid into by all tenants and the benefits of any spend from it should be as equitable as it can be, benefiting as many as it can. The Comfort Charge will help refund the costs of the measures delivered by the Council through the HRA, and enable the Council to deliver

further carbon reduction and energy efficiency projects across the wider Council Housing Estate.

*Do Nothing*

The Council has a commitment to become a zero carbon borough by 2041. Accepting the funding from BEIS would allow a net zero energy retrofit to be trialled at a significantly reduced cost.

*Delay*

The Council could wait until November 2023 when it is expected that a national framework will be available for Energiesprong and the gross maximum price for an Energiesprong installation is expected to have fallen by around 35%. However there is no financial benefit to this approach as Government subsidies are unlikely to be available once the economic price point has been reached. There is also the risk that Energiesprong will be dismissed as energy plans for the whole Council housing portfolio are being designed and conventional retrofits commence on estates which would have offered better results from an Energiesprong installation.

On the Orlit properties the Council would still be required to undertake upgrade works on the properties to ensure that they achieve the Council's housing standards.

*Note – Councillor Chandwani did not vote on the recommendations as she had lost connection during the discussion of the report.*

**497. ADDITIONAL CONTRACT COSTS FOR THE HOMES FOR HARINGEY EXTERNAL CAPITAL INVESTMENT PROGRAMME FOR YEAR 2 (2019/20)**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval for additional costs for additional works and variations under the existing building contract as approved by Cabinet in October 2019. Since the approval of the contract further detailed surveys had been commissioned to ensure that the works being delivered aligned with the current asset and energy strategies. This led to additional works being identified which would ensure that 1393 homes met the Decent Homes Standard.

The Cabinet Member and Judith Page, Executive Director for Property (Homes for Haringey), responded to questions from Councillor Cawley-Harrison:

- There were no Council housing blocks with unsafe cladding.
- Homes for Haringey were currently carrying out testing with manufacturers on doors to ensure that safety standards were met. This had resulted in a delay in supplying replacement doors, but the process should be completed in the next few weeks.

Further to considering exempt information at item 26,

**RESOLVED**

1. That pursuant to Contract Standing Order CSO 9.07.1(d) Cabinet approves additional costs and variations to Programme A, B and C within the Major Works year 2 project. This is set out in paragraph 6.17 of the report.
2. To approve the additional professional fees of £373,965 that represents 7.55% of the contract sum. This is in line with agreed terms in the contract. These fees are highlighted in the table referenced in paragraph 6.17.
3. To note that the original total contract sums for the project approved to date is £17,853,402.
4. To note that the total revised contract sums for the project will be £23,180,545.

### **Reasons for decision**

The year 2 major works project is part of Homes for Haringey's investment into the homes of the residents of Haringey Council to improve the living conditions across the borough and increase decency in the housing stock.

Cabinet agreed in February 2018 to appoint Ridge and Partners LLP as Homes for Haringey's multidisciplinary construction related consultant. Future projects under consideration will be project managed, designed and cost managed by Homes for Haringey and Ridge.

The year 2 major works were approved by Cabinet in October 2019 and mobilised in January 2020.

Due to Covid-19, Homes for Haringey closed all non-essential works between March and July 2020.

Following the remobilisation, Ridge identified additional works across the programme. Homes for Haringey requested a full survey take place across the year 2 projects and the creation of a full cost report.

A review of the works included within the programme, showed a failure to identify all elements of the work upfront in order to achieve a holistic delivery and to complete all the works required to each property.

Ridge submitted the additional cost report in November 2020, identifying that a further £5m would be required to holistically deliver the year 2 project.

In addition to the above, Homes for Haringey carried out the annual fire risk assessments within communal areas. As a result of these, further works were identified to reduce the risk of fire spread and improve fire safety measures. Therefore, Homes for Haringey recommends the following be included within the three external packages of works:

- Automatic fire detection works.
- Fire safety works.
- Roof space compartmentation works.

The costs are included in Part A, Exempt information.

Approval is also required for the additional costs for extension of time to deliver the works. The extension of time has been incurred as a result of the suspension of works on site between March 2020 and June 2020, in line with the government's Covid-19 guidelines.

This claim for extension of time costs is currently being assessed and the full amount is unlikely to be agreed. The costs are included in Part A, Exempt information.

Further approval is also required for the extension of time to carry out all additional works proposed across the three programmes. The costs are included in Part A, Exempt information.

#### **Alternative options considered.**

Consideration was given to removing the additional work from the contract, but this was not recommended. It is more cost efficient to undertake these works during the year 2 project, removing the additional cost associated with mobilising new contracts. In addition, the holistic delivery model is less disruptive to residents because Homes for Haringey can complete all the works in one project. This will remove the need to hold intrusive works across multiple years.

Additional considerations for not conducting the additional works would result in the properties still having decent homes failures and potentially non-compliant elements. An increased repair and revenue expense would also be expected over the next few years and a decreased value in the Council's stock. Taking the holistic approach also assists with minimal disruptions to our residents.

#### **498. APPROVAL OF CONSTRUCTION CONTRACT AND LAND APPROPRIATION AT LEALAND ROAD N15**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval to deliver three new Council homes for Council rent on Council land, consisting of two three-bedroom flats and one two-bedroom flat which was fully accessible for wheelchair users.

Robbie Erbmman, Assistant Director for Housing, responded to questions from Councillor Cawley-Harrison:

- The Council had taken forward zero-carbon homes at Edith Road.
- Designing properties to good carbon standard also provided a good standard of design and comfort.

Further to considering exempt information at item 27,

#### **RESOLVED to**

1. Approve the appointment of contractor A to undertake building works to

provide a total of three Council rented homes at Lealand Road for a total contract sum of EXEMPT; and approves the client contingency sum set out in the exempt part of the report.

2. Approve the appropriation of the land at Lealand Road highlighted in the red line boundary plan attached at Appendix 1 of the report from housing purposes to planning purposes under Section 122 of the Local Government Act 1972 as it is no longer required for the purpose which it is currently held, and for the purpose of carrying out development as set out in paragraphs 6.1 to 6.21 of this report.
3. Approve the use of the Council's powers under Section 203 of the Housing and Planning Act 2016 to override easements and other rights of neighbouring properties infringed upon by the Lealand Road development, under planning permission Ref: HGY/2020/2353.
4. Delegate to the Director of Housing, Regeneration and Planning, after consultation with the Director of Finance and the Cabinet Member for Housing and Estate Renewal, authority to make payments of compensation as a result of any infringement arising from the development and payable as a result of recommendation 3, within the existing scheme of delegation.
5. Approves the appropriation of the land at Lealand Road (edged red in the boundary plan attached at Appendix 1) from planning purposes back to housing purposes under Section 19 of the Housing Act 1985, after practical completion of the development.

### **Reasons for decisions**

On 3 December 2019 Cabinet included the land at Lealand Road into the Council's housing delivery programme. This scheme has subsequently been granted planning consent and is ready to progress to construction. This report therefore marks the third, and final, Member led decision to develop on this site.

Following a formal procurement process, a contractor has been identified to undertake these works.

### **Alternative options considered**

It would be possible not to appoint a contractor to develop this site for the Council. However, this option was rejected as it does not support the Council's commitment to deliver a new generation of Council homes.

This opportunity was procured via a competitive tender through the Dynamic Purchasing System (DPS), using JCT Design & Build 2016 with amendments, the recommended route for a contract of this value. An alternative option would have been to do a direct appointment, but this option was rejected due to the estimated contract value of the scheme and to give opportunities for local small to medium size contractors to submit a tender.

The Council could continue with the scheme without appropriating the Site for

planning purposes, but this would risk the proposed development being delayed or stopped by potential third-party claims. By utilising the powers under Section 203 of the Housing and Planning Act 2016 (HPA 2016), those who benefit from third party rights will not be able to seek an injunction since those rights or easements that are overridden are converted into a claim for compensation only. The Council recognises the potential rights of third parties and will pay compensation where a legal basis for such payments is established. The housing delivery team actively engaged with local residents about the development of this site as they proceeded through the feasibility and design stages and any comments or objections raised were taken into consideration by Planning Committee in reaching its decision.

#### **499. OSBORNE GROVE NURSING HOME REDEVELOPMENT – AWARD OF CONTRACT FOR ARCHITECT LED MULTI-DISCIPLINARY DESIGN SERVICES**

The Cabinet Member for Adults and Health introduced the report which sought approval to award a contract to provide construction related multi-disciplinary consultancy services for the development of Osborne Grove Nursing Home. The award of the contract marked the next phase in redeveloping the site at Osborne Grove to deliver a new nursing home, including provision for older residents and dedicated end of life provision for people with a history of homelessness, as well as community facilities to enhance the Council's offer to older residents in Haringey.

The Cabinet Member and Charlotte Pomery, Assistant Director for Commissioning, responded to questions from Councillor Cawley-Harrison:

- The primary concern was for the provision of services for Haringey residents, and decisions had not been made in relation to self-funders.
- Comparative costs of out of borough nursing home provision would be provided in writing.

Further to considering exempt information at item 28,

#### **RESOLVED to**

1. Approve an award of contract to Ingleton Wood LLP up to £2,185,257.25 (inclusive of surveys and contingency). This is based on delivering Multi-Disciplinary Services from RIBA Stage 2 to 6. Refer to Part B of this report for exempt information.

#### **Reasons for decision**

In July 2019 Cabinet approved a scheme that included the demolition of the existing buildings on site and the construction of a 70-bed nursing home. The minutes of this meeting included reference to the desire by Cabinet to also seek to maximise the use of the site.

A further feasibility study completed in March 2020 demonstrated that the land where the existing facility is provided, offered significant opportunity for development to not only meet the recognised demand for nursing care but also additional housing demand across the Borough.

There is not the skills or resources available in-house to deliver these works hence the requirement to appoint an external consultant for these services.

### **Alternative Options Considered**

In-house – delivering the role in-house was considered, however there is currently no resource within the Council that has the capacity along with the necessary experience, qualifications, and expertise to deliver this service.

The Dynamic Purchasing System was chosen to invite tenders above £160k as recommended by Strategic Procurement.

Do nothing – The option to retain a 32-bed dual registration residential/nursing home on the site was considered but rejected, primarily because it would not increase the registered nursing capacity within the borough and because it would not address a number of fundamental design issues with the current building which prevent it functioning effectively as a nursing home and which could not be fully addressed due to structural limitations of the building. A review of activity and demand in Haringey confirmed the need for increased nursing bed capacity in the area. There are currently 175 Haringey service users in receipt of nursing care and this figure is projected to grow to around 250 by 2022/23. On the supply side, there is only one nursing home in Haringey. It has not, therefore, been possible for local demand for nursing care to be met in borough for some time and Haringey purchases over 74% of its nursing care out of borough. Traditionally, Haringey's demand for nursing care would have been met by nursing homes in North Central London but increasingly, Haringey is having to look beyond the sub-region to meet this demand with 21% of nursing beds purchased out of North Central London at present. The reason that Haringey now purchases beds across a wider geographical area is that – despite the widely reported and increasing demand – the capacity in the marketplace for nursing and residential care is shrinking. For example, there were 56 nursing homes across North Central London (Barnet, Camden, Enfield, Haringey and Islington) in 2015 and now there are 49. A number of other providers are restricting access only to self-funders or reducing the proportion of Local Authority placements they are willing to accept. This means that the absolute capacity of nursing care beds available for Haringey to commission is decreasing. This is a national picture reflecting the fragility of this sector of the social care market, the uncertainty over future funding mechanisms and the challenge of delivering nursing care to frail, older people with complex needs. Therefore, the Council needs to actively intervene within the market to secure provision for the future.

### **500. AGREEMENT TO AWARD OF CONTRACT FOR UPPER TOLLINGTON AND VICARAGE FOOTBRIDGES REFURBISHMENT WORKS FOLLOWING A COMPETITIVE PROCUREMENT PROCESS**

The Cabinet Member for Climate Change, Equalities and Leisure introduced the report which sought approval for the award by Cabinet of the Parkland Walk Bridges refurbishment works contract for the repairs to the Vicarage and Upper Tollington footbridges.

The Cabinet Member and Mark Stevens, Assistant Director Direct Services, responded to questions from Councillor Cawley-Harrison:



- There had been some tree clearance along the Parkland Walk. Where there were trees within 5 metres of the bridges, these had been cleared for the work to be carried out. Other trees had also been removed to aid social distancing. All works had been carried out in conjunction with the Friends of Parkland Walk, trees officers and the biodiversity officer.
- Part of the Parkland Walk was within the borough of Islington, where there had been a severe cut back of trees.

Further to considering exempt information at item 29,

## **RESOLVED to**

1. Approve, in accordance with CSO 9.07.01(d), the award of the contract for the Upper Tollington and Vicarage footbridges refurbishment works to **Bidder 1** identified in the exempt report in the sum of £556,471.43 + VAT with provision to increase this sum, as necessary, by an amount not exceeding the risk and contingency allowance set out in the exempt Part B of this report.
2. Authorise the issue of a Letter of Intent (LOI) for the amount of £55,647, being 10% of the contract price.

## **Reasons for decision**

The appointment of the preferred bidder will enable the Council to deliver repairs to the bridges, minimising future maintenance of the structures and ensuring their continued use by residents and Parkland Walk users.

Officers have undertaken a tendering exercise to secure a contractor to deliver the Upper Tollington and Vicarage footbridges refurbishment works. Through this process, **Bidder 1** has scored the highest and has demonstrated that it should be awarded the contract.

In awarding the contract to **Bidder 1**, the Council is securing delivery of the Upper Tollington and Vicarage footbridges refurbishment works. It is the Council's intention for the works to be undertaken between April 2021 and September 2021.

## **Alternative options considered**

### Option 1: Do nothing

Pursuing this option would fail to address the essential repairs identified during the bridge inspection and assessment process. There are risks associated with not undertaking the repairs - a delay in addressing the issues will result in increased costs to address further deterioration through emergency works. This option is not recommended.

Option 2 Direct Award to Term Maintenance Contractor

This option was discounted since it was considered more cost effective to test the market by undertaking a competitive procurement process to secure the most economically advantageous tender to the Council.

Option 3 In-house delivery

This option was discounted as the Council currently does not have the requisite in-house resource and expertise to undertake the works.

Option 4 Postpone the repairs and re-tender the contract at a future date

The Council previously tendered for repair works to one of the bridges (Vicarage footbridge) in November 2019 and received one compliant tender submission. Following evaluation, it could not be demonstrated that the submission represented value for money. Feedback from suppliers at that time indicated that the scope of repair works was insufficient in volume for them to be able to submit a competitive tender. The Council subsequently added Upper Tollington Bridge to the scope and repackaged the tender documents. The tender was due to be issued in March 2020 but was postponed due to Lockdown 1.0. The condition of the bridges is deteriorating faster than was anticipated when the original bid for capital funding was submitted. Further postponement of the repair works carries risks to the Council; this option is therefore not recommended.

**501. VARIATION TO DISTRICT HEATING CONTRACT (BROADWATER FARM)**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval for additional works and variations to the contract with Engie Ltd to provide a new district heating system and home improvements on the Broadwater Farm estate.

The Cabinet Member and David Sherrington, Director of Broadwater Farm, (Homes for Haringey) responded to questions from Councillor Cawley-Harrison:

- A written response would be provided in relation to the carbon reduction that would be achieved as a result of the works.
- There were no recent instances of residents left without heating or hot water. However, if this were to occur at any stage of the works then residents would be provided with emergency heating.

Further to considering exempt information at item 30,

**RESOLVED to**

1. Approve the variation of the District Heating contract with Engie LTD of an additional £466,805, noting that the final amount to be paid in respect of £363,786 prolongation and, loss and expense, will be subject to approval by the

Director of Finance. More details of the variations required are set out in sections 6.8 to 6.11 of the report.

2. Delegate the approval of a maximum additional consultancy fees of £125,196.75 to the Director of HRP and Director of Finance, as this is subject to further justification and legal review. These are as set out in paragraph 6.12 of the report.
3. Approve the contingency sum as disclosed in the exempt report and related consultancy fees.
4. Agree not to seek to recharge leaseholders their proportion of the cost of these works.

### **Reasons for decision**

The works have progressed well and phase one of the original contract, the disconnection of gas boilers and construction of a temporary district heating system, was delivered on time avoiding a potential decant of nine blocks, despite a very challenging deadline.

The second phase has delivered a new district heating network and incorporated additional works, such as safety improvements and the installation of new kitchens and bathrooms, resulting in enhanced outcomes and reduced disruption for residents. The inclusion of these works resulted in significant savings by making use of the existing contractor relationship and achieving rapid mobilisation, less duplication and economies of scale. A full explanation and breakdown can be found in the previous cabinet report dated 8 October 2019 and further explanation is provided in Section 6 of the report.

The impact of COVID-19 on the project has been significant. Work was initially halted during the first national lockdown in March 2020 and following the lockdown, works could only proceed with significant changes to working practices, slowing progress and incurring additional costs. It was essential to establish safe systems of work to protect residents, site operatives and Council staff from the risks posed by the ongoing pandemic.

The additional measures implemented meant that less operatives could be accommodated in working spaces, thereby reducing productivity, and increasing the period required for the works. For example, only one person could work in a flat at any given time, whereas before several people would be working alongside each other. 'No-access' instances (to flats) also significantly increased, restricting the ability to carry out essential works in flats and leading to 'out of sequence' working. Additional PPE requirements also incurred additional costs. A detailed breakdown of the impact on costs can be found in Appendix A.

The current public health situation is still impacting the delivery of these works – challenges remain regarding the inability to access homes and the potential risks of

further cessation of works if tighter restrictions are introduced. A contingency sum of £EXEMPT has therefore been included in the contract variation amount to mitigate against the risk of further delays.

The additional contingency reflects an allowance considered to be appropriate for ongoing risk, including further 'no access' issues. The figure is based on analysis of the project costs to date the contractor is not party to this sum and it will only be expended if a contractual case can be made by the contractor. The figure provided in the exempt section should be considered a 'worst case'. Further explanation is provided in section 6 below.

Additional costs have also been instructed on the contract to undertake essential safety works, including fire stopping, which would have delayed the main works if not addressed in a timely manner. Undertaking these works as part of the contract also resulted in time and cost savings as the works could be completed in sequence with the main contract.

For example fire stopping in some areas was undertaken where new connections to the district heating system identified areas where fire stopping was required.

As well as works costs, management and consultancy fees have increased. This includes a percentage increase in line with the contract costs and further additional fees associated with works to de-mobilise the site during the first lockdown, fees to re-mobilise works, fees to ensure Covid safe working practices consistent across all HfH capital works were adopted, and fees associated with significant levels of no-access and additional survey work.

### **Alternative Options Considered**

Officers considered the option of re-procuring the works under a new contract. This was discounted as it would lead to delays in the conclusion of the current works. This delay to the main contract would have increased costs by more than the additional amount in the variation of the contract. There would be an increased risk of quality being compromised and potential liability issues should any defects become apparent in the future.

The option of refusing the claims for an extension without terminating the contract has been considered. This is not likely to be contractually feasible, given the circumstances in which the additional costs have been incurred.

The option of a variation to the existing contract is therefore the preferred method of completing the works in the most expedient manner, at the lowest cost and whilst guaranteeing quality.

## **502. APPROVAL TO AWARD OF CONTRACT FOR THE STREET LIGHTING CENTRAL MANAGEMENT SYSTEM FOLLOWING A COMPETITIVE PROCUREMENT PROCESS**

The Cabinet Member for Transformation and Public Realm Investment introduced the report which sought approval for the award of a Street Lighting Central Management

System (CMS) contract. This investment was part of a wider investment in street lighting following the approval of the Street Lighting Investment Plan on 9 March 2021.

In response to questions from Councillor Cawley-Harrison, the Cabinet Member advised that there would be no drive to save money by switching off streetlights in any area. The Cabinet Member advised that comms would be provided to residents to explain how the street lighting system worked and how repairs would be dealt with, particularly where the responsibility was shared with UK Power Networks.

Further to considering exempt information at item 31,

**RESOLVED to**

1. Approve the award of a Street Lighting Central Management System Contract to **Bidder 1** identified in the exempt report in the maximum sum of **£2,347,750.00**, as permitted under CSO 9.07.01(d).

The CMS contract term shall be for a period of up to 5 years consisting of an initial term of two (2) years for a maximum contract sum of £1,697,250.00 with an option to extend for an additional three (3) years for a maximum contract sum of £650,500.

2. Authorise the issue of a Letter of Intent (LOI) for the amount of £201,450.00 being 10% of the contract price (excluding client third party discretionary funding).

**Reasons for decision**

The appointment of the preferred bidder will enable the Council to deliver additional savings in terms of reduced energy consumption and CO<sub>2</sub> emissions, together with reductions in ongoing maintenance costs.

Officers have undertaken a mini-competition tendering exercise to call off a contractor from an existing Yorkshire Purchasing Organisation (YPO) framework agreement to deliver the street lighting CMS. Through this process, **Bidder 1** has demonstrated that it should be awarded the contract.

In awarding the contract to **Bidder 1**, the Council is securing delivery of the street lighting CMS. The contract value also allows for additional spend on other lighting assets (such as those in parks and on housing estates) as resources allow.

**Programming** – For the installation and commissioning of the CMS, the programme end date (which is 31<sup>st</sup> March 2022) will tie in with the completion of the street lighting LED replacement programme. An objective of the installation of the CMS in tandem with the LED provision is to maximise on saving energy.

The key benefits once the CMS is installed and in operation are:

- Energy and operating cost reduction from:
  - Variable lighting (by dimming or raising the lighting levels), trimming of burning hours and part-night switching off for individual lights, groups of lights or the whole lighting system.
  - Accurate measurement of burning hours and energy consumption, only paying for what is used.
  - Reduced street lighting outages by the ability to monitor performance and predict failures.
  - Operating the lighting infrastructure in a dimmed or switched state, extending single component life.
- Carbon reduction from:
  - Reduced energy consumption realised by the change in operating profile, reducing CO<sub>2</sub> emissions and contributing to the asset owner's Carbon Reduction Commitment (CRC2) strategy.
  - Potential reduction in night scouting requirement, therefore yielding a reduction in carbon footprint captured from scouting vehicles.
- Tailored lighting policy from:

- The ability to employ variable lighting levels at an individual streetlight allowing specific lighting to suit the individual requirements of communities.
- A flexible approach, allowing remote changes to lighting policy without the need to visit site, reducing exposure to health and safety risk and labour costs.
- The ability to allow the CMS to directly react to external sources such as traffic counts, pedestrian movements, etc.

### **Alternative options considered.**

#### Option 1: Do nothing

Pursuing this option would fail to achieve the additional reduction in energy usage, operating costs and carbon that the Council is seeking to achieve. It would also fail to provide a tailored lighting policy (as per Section 4.5.3). Option not recommended.

#### Option 2 Direct Award to Term Maintenance Contractor

This option was discounted since it was considered more cost effective to undertake a procurement process to secure the most economically advantageous tender to the Council.

#### Option 3 In-house delivery

This option was discounted as the Council currently does not have the requisite in-house resource and expertise to deliver the work.

### **503. MINUTES OF OTHER BODIES**

**RESOLVED** to note the minutes of the Urgent Decision held on 3 March 2021.

### **504. SIGNIFICANT AND DELEGATED ACTIONS**

**RESOLVED**

To note the delegated decisions taken by Directors.

### **505. NEW ITEMS OF URGENT BUSINESS**

There were no such items.

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

Councillor Gordon requested that she be permitted to remain in the meeting for the consideration of the exempt information pertaining to item 12 of the agenda and advised that this request was made in her capacity as the Chair of the Housing and Regeneration Scrutiny Panel.

The Leader referred to Committee Standing Order 51 which indicated that the Chair's consent was required for any member of the Council to attend the exempt part of a meeting. The Leader advised that taking into consideration the content of the reports

in the exempt part of the meeting and in accordance with Committee Standing Order 64, Chair's prerogative on interpretation of standing orders, he would exclude non-Cabinet Members from the remainder of the meeting.

**RESOLVED** that the press and public be excluded from the meeting for the consideration of agenda items 24-32 as they contain exempt information as defined in Section 100a of the Local Government Act 1972; Paragraph 3 - information relating to the business or financial affairs of any particular person (including the authority holding that information), and Paragraph 5 – Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**507. HIGH ROAD WEST - CONDITIONAL APPROVAL OF GLA FUNDING - EXEMPT INFORMATION**

As per item 493.

**508. MICROSOFT ENTERPRISE AGREEMENT - EXEMPT INFORMATION**

As per item 491.

**509. ADDITIONAL CONTRACT COSTS FOR THE HOMES FOR HARINGEY EXTERNAL CAPITAL INVESTMENT PROGRAMME FOR YEAR 2 (2019/20)**

As per item 497.

**510. APPROVAL OF CONSTRUCTION CONTRACT AND LAND APPROPRIATION AT LEALAND ROAD N15 - EXEMPT**

As per item 498.

**511. OSBORNE GROVE NURSING HOME REDEVELOPMENT – AWARD OF CONTRACT FOR ARCHITECT LED MULTI-DISCIPLINARY DESIGN SERVICES - EXEMPT**

As per item 499.

**512. AGREEMENT TO AWARD OF CONTRACT FOR UPPER TOLLINGTON AND VICARAGE FOOTBRIDGES REFURBISHMENT WORKS FOLLOWING A COMPETITIVE PROCUREMENT PROCESS - EXEMPT**

As per item 500.

**513. VARIATION TO DISTRICT HEATING CONTRACT (BROADWATER FARM) - EXEMPT**

As per item 501.

**514. APPROVAL TO AWARD OF CONTRACT FOR THE STREET LIGHTING CENTRAL MANAGEMENT SYSTEM FOLLOWING A COMPETITIVE PROCUREMENT PROCESS - EXEMPT**



As per item 502.

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

There were no such items.

CHAIR: Councillor Joseph Ejiofor

Signed by Chair .....

Date .....