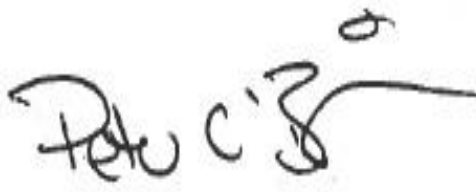


Haringey Council
Written Statement/Record of a decision made by an officer under delegated authority

Decision Maker (Post Title)	Assistant Director for Regeneration & Economic Development
Subject of the decision	Reopening the High Street Safely: Request for Waiver of Contract Standing Order (CSO) 8.03 (requirement to tender) under CSO 10.01 (b) in order to award contract to We Made That to deliver project.
Date of decision	22 June 2020
Decision	<p>For the Assistant Director for Regeneration to:</p> <ul style="list-style-type: none"> (i) approve the sum up to £49,999 for services to support delivery of the Reopening High Streets fund project. (ii) award We Made That consultancy services in accordance with paragraph 6.22, to carry out the design of temporary street and public realm interventions in town centres to promote safe access and to support the financial health and viability of businesses during the Covid-19 crisis. (iii) approve the waiver of the usual requirement for tendering under Contract Standing Order (CSO) 8.03 as allowed under CSO 10.01)b) in order to enable the decisions in (i) and (ii) above
Reasons for the decision	<p>We Made That are considered to be the only practice who could deliver the project on time in accordance with the critical urgency of ensuing safe access to town centres within the timescales of the 'lockdown' easing programme.</p> <p>We Made That have been working with Haringey since 2018 as the design lead for a number of different public realm and high streets projects. Their current local knowledge of our town centre issues in both Wood Green and Tottenham and their relationships with the council, partners and businesses in these areas, based on current council contracts in these areas, makes them uniquely placed to deliver this work.</p> <p>More broadly, they have the experience and knowledge in delivering high quality urban spaces.</p>

	<p>We can ensure value for money by linking rates provided for this contract against those that have been tendered and approved for other contracts being delivered in Wood Green and Tottenham.</p> <p>The waiver also permits approval of services, within the limit of the approved budget, to other providers (within Council standing order requirements).</p> <p>As such, a waiver of tendering is being sought on the basis that the circumstances are considered to be genuinely exceptional under CSO 10.01.2(d)(iii).</p>
<p>Details of any alternative options considered and rejected by the officer when making the decision</p>	<p>Deliver in accordance with the standing orders.</p> <p>If a standard procurement route were applied with a tender process, it would be several weeks before design could start to be developed which would significantly delay the programme and could potentially increase the risk for visitors to town centres and businesses in relation to health and safety requirements related to CV19.</p>
<p><u>Conflicts of interest – Executive decisions</u></p> <p>Details of any conflict of interest declared by a Cabinet Member who is consulted by the officer which relates to the decision and details of dispensation granted by the Council's Head of Paid Service</p>	<p>None</p>
<p><u>Conflicts of interest – Non executive decisions</u></p> <p>Where the decision is taken under an express delegation e.g. by a Committee, the name of any Member who declared a conflict of interest in relation to this matter at the committee meeting,</p>	<p>None</p>
<p>Title of any document(s), including reports, considered by the officer and relevant to the above decision or where only part of the report is relevant to the above decision, that part)</p> <p>These documents need to be attached to the copy of this record/statement kept by the Authority but must not be published if they contain exempt information</p>	<p>Decision Making Report attached</p>
<p>Reasons for exemption with reference to categories of exemption specified overleaf or</p> <p>Reason why decision is confidential (see overleaf)</p> <p>Decisions containing exempt or confidential information falling within the</p>	<p>None</p>

categories specified overleaf are not required to be published.	
Signature of Decision Maker	 23/06/2020
Name of Decision Maker	Peter O'Brien
Does the decision need to be published: Yes <input checked="checked" type="checkbox"/> No <input type="checkbox"/>	

Exempt Information

Local Government Act 1972 Schedule 12A

Part 1: Descriptions of Exempt Information

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any person (including the authority holding that information).
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes -
 - (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) To make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Note: It is insufficient to simply identify a category of exemption, you must also conduct a public interest test on the basis specified in the Act as follows:
Information falling within categories 1-7 is exempt if and so long as in all the circumstances of the case the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Confidential Decisions

1. The decision contains information provided by a Government department on a non-disclosure basis
2. There is a Court order against disclosure

DECISION MAKING REPORT

Report for: Assistant Director of Regeneration

Item number: n/a

Title: Reopening the High Street Safely: Request for Waiver of Contract Standing Order (CSO) 8.03 (requirement to tender) under CSO 10.01(b) and award contract to We Made That.

Report authorised by: Matt Maple, Regeneration Manager

Lead Officer: Bruna Varante, Support Urban Design Officer

Ward(s) affected: Crouch End, Noel Park and Tottenham Hale

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

1. Describe the issue under consideration

1.1. This report is seeking authority to:

1.1.1. agree a budget for services to carry out designs for temporary street and public interventions in three town centre locations in Haringey through the appointment of designers, "We Made That" and thereby to promote safe access and to support businesses' financial health and viability during the Covid-19 crisis.

2. Cabinet Member Introduction

2.1. n/a

3. Recommendations

For the Assistant Director for Regeneration to:

- (i) approve the sum up to £49,999 for services to support delivery of the Reopening High Streets fund project.
- (ii) award We Made That consultancy services in accordance with paragraph 6.22, to carry out the design of temporary street and public realm interventions in town centres to promote safe access and to support the financial health and viability of businesses during the Covid-19 crisis.

- (iii) approve the waiver of the usual requirement for tendering under Contract Standing Order (CSO) 8.03 as allowed under CSO 10.01)b) in order to enable the decisions in (i) and (ii) above

4. Reasons for Decision

- 4.1. We Made That are considered to be the only practice who could deliver the project on time in accordance with the critical urgency of ensuing safe access to town centres within the timescales of the 'lockdown' easing programme.
- 4.2. We Made That have been working with Haringey since 2018 as the design lead for a number of different public realm and high streets projects. Their current local knowledge of our town centre issues in both Wood Green and Tottenham and their relationships with the council, partners and businesses in these areas, based on current council contracts in these areas, makes them uniquely placed to deliver this work.
- 4.3. More broadly, they have the experience and knowledge in delivering high quality urban spaces.
- 4.4. We can ensure value for money by linking rates provided for this contract against those that have been tendered and approved for other contracts being delivered in Wood Green and Tottenham.
- 4.5. The waiver also permits approval of services, within the limit of the approved budget, to other providers (within Council standing order requirements).
- 4.6. As such, a waiver of tendering is being sought on the basis that the circumstances are considered to be genuinely exceptional under CSO 10.01.2(d)(iii).
- 4.7. As such, a waiver of tendering is being sought on the basis that in the circumstances are considered to be genuinely exceptional under CSO 10.01.2(d)(iii).
- 4.8. The project will be funded by, and in accordance with the requirements of the Reopening High Streets Safely funding (ERDF), which supports temporary interventions between 1st June 2020 and 31st March 2021.

5. Alternative options considered

OPTION 1: PROCURE A DESIGNER IN ACCORDANCE WITH THE STANDING ORDER REQUIREMENTS

- 5.1. If a standard procurement route were applied with a tender process it would be several weeks before the designs could commence, and this would be highly detrimental to the programme. Also, if a new designer were to be appointed, additional timeframes for it to familiarise with the project would be necessary which would also be detrimental to the programme.

OPTION 2: DO NOT APPOINT A DESIGNER

- 5.2. The requirements of designing effective and creative interventions which will achieve the difficult balance of attracting people back to town centres while maintaining health and safety regulation related to the CV19 crisis, requires the support of a skilled and experienced team. The skills provided by We Made That are not available in the council and are important in promoting a successful and effective range of measures.

OPTION 3: APPOINT WE MADE THAT IN ACCORDANCE WITH A WAIVER AS DESCRIBED IN THIS REPORT

- 5.3. The skills provided by We Made That will ensure that a high standard is employed in creating attractive interventions that are successful and cost effective in maintaining safe access for residents and visitors to town centres in Haringey. This will provide cost effective use of the time-limited sum allocated to Haringey Council in achieving this objective.
- 5.4. Option 3 is therefore the option outlined in this decision paper.

6. Background information

- 6.1. The Covid 19 has had a dramatic and largely detrimental impact on residents and businesses in the borough. Residents have suffered from financial hardship due to lack of access to their place of employment and lack of access to services, which causes health and other issues, while most businesses have been unable to operate which has put great pressure on their financial positions.
- 6.2. The borough has fewer jobs than the statistical neighbour and London averages, and between 2012 and 2017 the jobs market has grown at a slower rate, with jobs density in the borough being the 4th lowest in London.
- 6.3. It is therefore imperative that efforts are made to restore the ability of businesses and town centres to open and operate whilst also worth considering additional outcomes which would be good to maintain in the longer-term, such as interventions that can enhance community cohesion as well as improved air quality due to reduced vehicle traffic movement.

Reopening High Streets Safely

- 6.4. Haringey has been granted £239,933 as part of the 'Reopening High Streets Safely' funding. A maximum of 4% of this can be used as administration costs (£9,597).
- 6.5. Part of the funding is for short-term, small-scale physical interventions to help with social distancing and movement around town centres. An initial sum of £100,000 has been identified with contingency retained for future pressures and requirements during the funding period.
- 6.6. Funding is eligible for spend between 1st June 2020 and 31st March 2021. The works should be of a temporary nature (non-capital expenditure), meaning that they should not be in situ more than 12 months and can't be granted directly to businesses. This funding comes on top of the Government's package of support for business and workers during the Covid-19 crisis.

Approach and complementary projects

- 6.7. Due to time constraints, a phased strategy is being considered to ensure measures will be in place as quickly as possible.
- 6.8. This project will be delivered in parallel to other Council projects such as:
- 6.8.1. Short-term urgent pavement measures: a number of locations were identified by the Haringey Highways team to have the pavement temporarily extended through the use of temporary safety barriers near areas where are more likely to have congregation of people such as food shops and post offices.
 - 6.8.2. Haringey's Transport Planning & Highways Response to Covid 19: Haringey Transport Planning in consultation with Highways teams have recently submitted a bid to Transport for London (TfL) which aims to secure funding to deliver pavement widening areas and to accelerate the delivery of cycle infrastructure and Low Traffic Neighbourhoods measures.
 - 6.8.3. The Wood Green Business Improvement District contribution (BID): The BID is also investing in temporary measures to promote and advertise social distancing measures.

Approach and Types of Interventions

- 6.9. Due to the uncertain nature of the coronavirus and the consequent uncertainties regarding the policy and guidance response, it is important to promote an agile approach to the use of funding. Therefore, three locations have been selected and defined based on the criteria below:
- (i) Queuing – management of individual and coinciding queues
 - (ii) Movement – e.g. one-way systems / lanes
 - (iii) Deliveries
 - (iv) Information about masks, cleaning, etc
 - (v) Business promotion information (e.g. how to access goods more easily / available leisure destinations)
 - (vi) Travel information
- 6.10. This project is limited to temporary adaptations to public spaces such as signage, street markings and barriers arranged to support and enable social distancing measures when shops reopen so local economies can be managed successfully and safely. The project will not include longer-term measures such as permanent pavement widening, cycle infrastructure or seating areas.

Locations

- 6.12 Three locations have been designated for interventions:
- (i) Wood Green: "Spouters Corner"
 - (ii) Tottenham: "Holcombe Market"
 - (iii) Crouch End: Broadway
- 6.13 All proposals will be subject to further engagement with officers, Members and businesses.

Wood Green (Spouter's Corner)

- 6.13 The site will need to manage pedestrian activity related to queuing for Wood Green Station as well as activity related to the shops and leisure venues in this location. Leisure activities are due to open at different times, with the restaurants permitting take away and deliveries. It is envisaged that this site will focus on a queue management system which accommodates the various different users and activities. These should be functional on a seasonal basis, i.e. use of lighting or luminous features should be considered (here and for the other areas).

Tottenham (Holcombe Market)

- 6.14 The market area itself is highly constrained, and as with any popular market, includes lots of closely high levels of multidirectional movement. The area around it has pressures around some of the activities, including a bank ('Santander') and post office on the High Road, and parking area to the east of the market. The area does benefit from spaces at the western (High Road) and eastern (Stoneleigh Road) ends but any use of these spaces will need to be considered in relation to other activities in these areas.

Crouch End

- 6.15 Crouch End has the highest peak footfall count town centre outside Wood Green and Tottenham and is intended to provide an example of managing pedestrian flows in similar town centres across the borough. It is anticipated that locations across Crouch End will be selected in consultation with officers and businesses, including locations at each 'ends' of the town centre and individual locations representing 'pinch points' across the town centre such as busy entrance ways.

Engagement and Governance

- 6.16 Stakeholders (including officers, members and businesses) will be consulted throughout the project's development. More information will be provided once the programme is agreed with the appointed design designers.
- 6.17 The project will be monitored by the *Business Engagement Operational Group* with direction from the *Business and Economy GOLD Sub-Group*. Together these groups represent a number of Council departments, including: Highways, Licencing, Regeneration, Organisation Resilience, Strategic Property, Finance, and Economic Development.
- 6.18 Delivery of sites will be subject to engagement with the affected businesses.

Delivery and maintenance

- 6.19 Highways Team: the Regeneration team will work in partnership with Highways to deliver this project. The nature of this work will depend on the type of intervention developed by the appointed design designers.

- 6.20 Local artists: it is important that interventions within each town centre reflect the character of the areas. To ensure this we will be working with the local community to design the interventions.

Budget

- 6.21 Haringey has been granted £239,933 as part of the 'Reopening High Streets Safely' funding.
- 6.22 Of this sum, an initial budget of £100,000 is allocated for the fourth strand of the programme related to physical interventions. The value of the design and advisory services to be approved under this authority are anticipated to be around £15,000 to £20,000 (incl. VAT) but due to the uncertain nature of the requirements related to the Covid crisis, and the types of responses, an amount of up to £49,999 will be made available. Any spend, particularly where this rises above the estimated value will be based on clear and persuasive justification demonstrating need and effectiveness, and based on rates agreed at the outset of the project (and in line with their fees on comparative projects that We Made That are currently undertaking in the borough).
- 6.23 Through this report we seek approval for the AD to be able to authorise the expenditure related to this project within the procurement regulations subject to additional requirements.

Timescales

Appoint We Made That	June 2020
Project development, engagement and advisory role for ongoing projects	July/August 2020
Delivery Phase 1	August / September 2020
Delivery Phase 2	October 2020 to March 2021
Scheme completion	March 2021

7. Contribution to strategic outcomes

- 7.1. This project supports Priority 4 of Haringey's Borough Plan 2019-23, which sets out our commitment to support town centres:
- 7.1.1. Priority 13 - A growing economy and thriving local businesses, supported by a community wealth building approach.
- 7.1.2. Priority 16 - Regeneration with social and economic renewal at its heart, focused on Tottenham and Wood Green.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)
- 8.1. Procurement
- No comment needed below £50,000
- 8.2. Finance
- No comment needed below £50,000
- 8.3. Legal
- No comment needed below £50,000
- 8.4. Equality
n/a
9. Use of Appendices
- n/a
10. Local Government (Access to Information) Act 1985

Important Additional Guidance on Accessibility

- Documents must be available for Councillor Hearn at the **same time** as for all other Councillors
- The council's primary typeface, Helvetica, should be used for all reports and accompanying documents, size 12 preferred (Arial font is also acceptable)
- Text should be as plain as possible with no boxes around it, Microsoft Word is preferred, not PDF, and no abbreviations (such as Cllr.) and try to keep symbols to minimal use
- Roman numerals are not suitable for a person using a screen reader so please use normal paragraph numbering/ lettering and bullet points where necessary
- Reports should be written without images, however, where images are used, report authors must provide a text alternative in all cases (a short paragraph explaining what the graphs, table, pictures etc are showing). Detailed examples can be provided by contacting Natalie.layton@haringey.gov.uk
- Appendices -
 - All of the above applies for appendices and report authors should avoid including lengthy PDF documents as part of the report
 - In some cases an executive summary could be more appropriate if Councillor Hearn is on the committee
- Presentations – if Powerpoints are to be used then a Word version must be submitted in advance of the meeting (and at the same time it is made available to all other members)
- The Democratic Services Team will not accept reports which are not in an accessible format.

- In the rare event that a documents is not in a fully accessible format the report author must submit, by the same report deadline, an accessible version for Councillor Hearn (if she is on the relevant committee)
- Plain text documents should be saved with document names including “DATE TITLE COUNCILLOR HEARN PLAIN TEXT”

Categories of Exemption

Exempt information means information falling within the following categories:

Part 1

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information)
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes – (a) to give under any enactment a notice under or by virtue of which requirements are imposed upon a person; or (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Part 2

Qualifications to the above exempt information:

- a. Information falling within paragraph 3 above is not exempt information under that paragraph if it is required under – (a) the Companies Act 1985 (b) the Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Acts 1965 – 1978 (e) the Building Societies Act 1986 (f) The Charities Act 1993.
- b. Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
- c. Information which – (i) falls within any of paragraphs 1-7 above; and (ii) is not prevented from being exempt under (a) or (b) above is exempt information if and so long as, in the opinion of the Monitoring Officer, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.