

# **MINUTES OF MEETING Cabinet HELD ON Tuesday, 19th January, 2021, 6.30pm**

## **PRESENT:**

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

**ALSO ATTENDING: Cllr Ogiehor**

### **398. FILMING AT MEETINGS**

The Leader referred to the notice of filming at meetings and the meeting noted this information.

### **399. APOLOGIES**

There were no apologies for absence.

### **400. URGENT BUSINESS**

There were no items of urgent business.

### **401. DECLARATIONS OF INTEREST**

Councillor Bull declared an interest in respect of item 11 on the agenda – Housing Asset Management Strategy – as he was a Homes for Haringey leaseholder.

Councillor Chandwani declared an interest in respect of item 11 on the agenda – Housing Asset Management Strategy – as she was a Homes for Haringey leaseholder.

Both Councillor Bull and Councillor Chandwani indicated that they would not vote in respect of this item.

Councillor Ibrahim declared a personal interest in respect of items 14 and 22 on the agenda – Major Works: Noel Park (tenanted properties) as she had a relative who was a tenant of Farrant Avenue. Councillor Ibrahim advised that she leave the meeting for the consideration of this item.

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

None.

**403. MINUTES**

**RESOLVED**

That the minutes of the Cabinet meeting held on 8 December 2020 be approved as an accurate record of the meeting.

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

None.

**405. DEPUTATIONS/PETITIONS/QUESTIONS**

None received.

**406. EXPANSION OF FREE SCHOOL MEALS ELIGIBILITY**

The Deputy Leader and Cabinet Member for Children, Education and Families was pleased to introduce the report which sought approval to an expansion of eligibility for free school meals to defined groups of primary school pupils who were not currently eligible for free school meals from Summer Term 2021.

The Deputy Leader spoke about the underlying principle of creating fair access to food and how this new policy would help 800 children per day have a free school meal. The Deputy Leader emphasised that this provision was even more important at this time with the pandemic and families impacted by loss of employment and having to make unfair choices between paying bills and buying food.

The importance of healthy nutrition for supporting learning was highlighted as well as the importance of making an investment in children's future, in the borough, whilst tackling poverty and inequality.

In response to a question from Cllr Ogiehor, it was noted that the composition of food parcels was created by the government and schools were asked to follow this guidance. The Council were very clear on having provision of free school meal vouchers to provide families with a choice of foods. Therefore, the type of issues expected recently with the oddly assembled parcels would not be encountered.

**RESOLVED**

To agree:

1.The implementation of an expanded Free School Meals (FSM) offer for the following priority groups of children:

- (i) Children aged 7-10 in families who live in temporary accommodation, Council housing, or social housing and claim Universal Credit or legacy benefits but who are not currently eligible for FSM.

- (ii) Children aged 7-10 in families who claim Discretionary Housing Payments (DHP) to help cover housing costs while experiencing financial hardship who are not currently eligible for FSM.
  - (iii) Children aged 7-10 in families with no recourse to public funds.
  - (iv) Children whose parent(s) may temporarily find themselves in financial need.
2. The expanded FSM provision for the period April 2021 to April 2023 in accordance with MTFS 2021/2026.
  3. The discretionary FSM fund for schools, as set out at para.6.15.
  4. That the above recommendations are subject to Full Council approval of the annual budget for 2021/2022 and MTFS 2021/2026.
  5. The period of the expanded FSM provision be subject to review and evaluation, the findings of which will be brought back to Cabinet for a further decision prior to budget setting in April 2023.

### **Reasons for decision**

This proposal expands free school meal eligibility to approximately an additional 650 children between the ages of 7 and 10. These children live in families who are structurally disadvantaged as a result of high housing costs, low incomes, and gaps in the benefits system. They are:

- Children aged 7-10 in families who live in temporary accommodation, Council housing, or social housing and claim Universal Credit or legacy benefits but who are not currently eligible for FSM.
- Children aged 7-10 in families who claim Discretionary Housing Payments (DHP) to help cover housing costs while experiencing financial hardship who are not currently eligible for FSM.
- Children aged 7-10 in families with no recourse to public funds.

The discretionary element will fund an additional 25,000 meals over the course of the school year which would be over and above those benefiting from the expanded eligibility criteria described above. This would be sufficient for an average of 140 pupils per day. It is likely that these will be hot meals in school rather than vouchers.

Taken together, the expanded eligibility and the discretionary fund can be expected to support 790 children per day.

The additional FSM support approach recommended in this report has been built into the 2021/26 MTFS plans for the next two financial years. The financial section below describes the budget provision made. The Council's position in future years will be reviewed before the end of the two-year period as part of the Council's business planning and budget/MTFS setting. This will take account of the Council's financial position; the experience gained and learnings from the review and evaluation of the impact of the policy; and any changes to the national policy landscape in relation to the level of support for an expanded national provision of free school meals.

### **Alternative options considered.**

Do Nothing

The Council would not take steps to expand free school meal eligibility for children in Haringey primary schools. This would curtail the possibility of achieving the policy objective. It would mean that the Council would not meet the Borough Plan commitment referenced at para.6.7.

#### Universal Free School Meals at Key Stage 2

The national arrangement is that government provides funding to schools for them to provide free school meals based on an eligibility criteria. While there has been some exceptional additional funding for local authorities via the Winter Grants scheme grant, which has allowed this Council to fund some additional meals support in school holidays during this covid affected period, local authorities are not specifically funded to support free school meals, but expanded free school meals are important for our borough because of the disadvantages we face. Because of this and despite the funding pressure on the Council, it is putting in more money for the expansion of the free school meals provision.

### **407. UPDATE ON THE COUNCIL'S HOUSING DELIVERY PROGRAMME**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval for the addition of three new sites of Council-owned land to the housing delivery programme, and to the progress made to date on delivering new Council homes for Council rent.

The Cabinet Member advised Members that ,as of the start of 2021, construction was underway on 343 Council homes, and the Council were on course to have 1000 on site by 2022. The Housing Revenue Account business plan made provision for 3088 homes by 2030, with 1600 Council homes at Council rent by 2025.

In response to a question from Councillor Ogiehor, it was confirmed that the current forecast was that 220 homes would be completed and habitable by March 2022.

Officers responded to questions from the Cabinet:

- From a standing start position, there were now 26 members of staff in the Housing Delivery Team, and the team would expand to meet the demand for delivering Council housing.
- 1000 completions would be reached by May/June 2024 and the latest by 2025 based on current forecasts.
- On track to deliver 1600 completions by 2025
- The starts on homes will be 1000 by March 2022 across 70 sites with a start in every ward.
- There were a number of different factors which had impacted the delivery due to the Covid-19 pandemic. The main concern was the Health and Safety of all staff during the pandemic, so work had been carried out to ensure that works in the pipeline could still be delivered without putting anyone at risk.
- Sustainable building programme to continue into the future.
- Edith Road would be delivered as a zero-carbon scheme. Zero-carbon principles would be used across the board when designing schemes and whilst not every development would be zero-carbon, measures would be taken to mitigate any impact.

## **RESOLVED**

1. To agree to add three new sites of Council-owned land to the housing delivery programme in order that their feasibility and capacity for the delivery of new Council homes can be determined, as set out in paragraphs 6.39 to 6.47.
2. To note the progress made to date on delivering new Council homes for Council rent, as set out in part 6.
3. To notes the impact to date of the Covid-19 crisis on the housing delivery programme, as set out in paragraphs 6.8 to 6.15, and future risks to the programme associated both with the pandemic and the exit from the European Union, as set out in paragraphs 6.55 – 6.75.

### **Reasons for decision**

The Borough Plan commits to delivering 1,000 Council homes at Council rents by 2022 as the first step in a new era of Council homebuilding.

Adding new sites to the programme ensures that the Council is building up a pipeline of new sites to deliver a long-term sustainable housing programme.

### **Alternative options considered.**

#### Not to add new sites to the programme

This option was rejected because identifying new sites on which to continue building homes is necessary to deliver a new era of Council homebuilding.

## **408. HOUSING ASSET MANAGEMENT STRATEGY**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval to a 5-year housing asset management strategy. This document set out set out the Council's plans for investing £360m in Council homes over the next 5 years. This investment would enable all Council tenant's homes to meet Decent Home's standards, ensure the safety of residents living in Council homes, complying with the required and emerging building safety requirements, as well as help deliver the Council's carbon reduction targets through plans for energy efficiency in Council housing stock.

The Cabinet Member continued to outline the mechanisms being put in place to achieve the objectives of the strategy as well as increased customer focus as well and increased oversight and scrutiny of performance in delivery of the improvement works.

[ Cllrs Chandwani and Bull did not vote on this item as they had declared an interest at item 4.]

## **RESOLVED**

To approve the updated Asset Management Strategy 2020 to 2025. (Attached at Appendix 1 of the report.)

### **Reasons for decision**

The existing Asset Management Strategy for the Council's housing stock was produced in 2018 and requires updating. This is to ensure that it reflects current Council priorities and is aligned to the 10-year Financial Plan approved by Cabinet in February 2020.

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

The option of not updating the Asset Management Strategy was considered and rejected. This is because the current strategy is no longer able to set the strategic framework for making decisions regarding investment in the Council's housing stock. The updated strategy will provide the necessary guidance for implementing plans to meet the Decent Homes Standard and ensure the health and safety of residents living in Council owned homes.

#### **409. PARKS AND LEISURE DPS RENEWAL**

The Cabinet Member for Climate Change and Sustainability introduced the report which sought approval to renew the Dynamic Purchasing System (DPS) for Parks and Leisure for a period of seven years from 29 January 2021.

The DPS was an approved list of suppliers registered on a categorised computerised system through which suppliers were offered the opportunity to bid against other suppliers for the work on offer. In a normal year, 375 procurements were made, with 98% to SME's. The renewal of the DPS would help to support the Council's Community Wealth Building agenda.

Officers responded to questions from Councillor Ogiehor:

- Of the £2.4m of expenditure across the Park and Leisure category in 2019/20, 98% was spent with SMEs (65% in London (26% North London) and a further 9% of which was in borough).
- Currently, the Council were drawing up a list of potential suppliers in the borough with the aim of significantly increasing the amount of money that stays in the borough.
- Businesses were able to join the DPS at any time, so local companies could be encouraged to join to bid for contracts at any point in the seven years. There was a process to complete in order for a supplier to become accredited and they would need to sign up to taking forward certain specifications for works and meet required terms and conditions.
- It was a requirement of the new DPS that all suppliers pay the London Living Wage.
- In terms of sustainability there was a need to produce certain processes and procedures and information to sign up to the terms of the sustainability code and further information on this could be supplied to Cllr Ogiehor outside of the meeting.

#### **RESOLVED**

1. To approve, pursuant to CSO 9.04.1 (a Dynamic Purchasing System (DPS) may be used to carry out procurements in accordance with Regulation 34 of the Public

Contract Regulations) and CSO 9.07.1 e) (The award of any contract valued £500,000 (five hundred thousand pounds) or more is a 'key decision'), to renew the DPS for Parks and Leisure for a period of seven years from 29 January 2021.

2. To award a DPS for the Parks and Leisure provision in the value of £20m over the seven-year term.

### **Reasons for decision**

The Dynamic Purchasing System (DPS) is a supplier e-sourcing tool and a compliant route to market under the Public Contract Regulations, which enables suppliers to enrol, accredit and be approved to bid for Council contracts.

The Council's overall spend for Parks and Leisure over the past financial year was in the region of £2.4m. Renewing these DPSs will not incur any additional license fees, as the Council already holds an enterprise license.

The DPS provides a compliant route to market for Parks and Leisure, which ensures transparency in the procurement process, equal treatment of suppliers and ensures that the requirements of both the Public Contract Regulations 2015 and the Council's Contract Standing Orders (CSO) can be met.

The use of the existing DPS represents good value for money for the commissioning of these services. The DPS has enabled the service to commission works 19.06% below the average market rate for the service.

Purchasing outside of a DPS would require a resource intensive approach, whereby each requirement would be commissioned separately and would require suppliers to go through the accreditation checks for each opportunity. Previously framework agreements were used but these excluded many local SMEs from meeting the criteria to qualify under a framework. In addition, a framework does not allow for suppliers to join at any time and prevents new start-ups and entrants from accessing Council contracts during the term of the framework.

A DPS is beneficial in that; it enables supply chain expansion as suppliers can join at any time during its lifetime, unlike a traditional framework where only suppliers at inception remain within it until expiry. This means that the supply chain can be renewed and replenished throughout its term, which lends itself to more competition and therefore better value for the Council and its users.

The DPS is an efficient route to market for both the Council and the supply chain; importantly it enables access to Council opportunities for SMEs. Of the £2.4m of expenditure across the Park and Leisure category in 2019/20, 98% was spent with SMEs (65% in London (26% North London) and a further 9% of which was in borough). In addition, our top three suppliers, by spend, although not based in the borough employ staff who live in the borough and buy materials from suppliers based in Haringey. Once suppliers are accredited, they can apply for multiple contract opportunities and do not need to undertake separate tender processes for the services they are accredited for. This is particularly important, as resource intensive tender processes may duplicate effort and are often barriers to entry for small and

medium sized enterprises. Therefore, the DPS is seen as the best route for the Council to grow the Haringey supplier base within these categories.

A DPS enables the Council, to undertake time efficient tender processes, which facilitates speed of award and service delivery. We currently undertake around 375 individual procurements each year in these categories. The DPS streamlines the Council's procurement/commissioning, contract management and finance processes, which can be undertaken under the one system.

Importantly, renewing the DPS will have minimal impact on the existing supply chain as suppliers will only need to confirm there is no change in their qualification status except for their financial standing, which will be reviewed again. This will provide Officers an opportunity to devise any additional questions and amend the category structure to further support emergent purchasing strategies over the coming years.

Moreover, awarding this DPS aligns with agreed procurement & commissioning strategies, including payment of LLW and allow more SME's to join the DPS.

Strategic Procurement will support the replenishment of the Parks and Leisure supply chain by stimulating the market by conducting suitable market engagements to identify, enrol and accredit suitable economic operators through the renewal process in time for commencement on 29th January 2021.

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

##### Do Nothing

This option would require the Council to seek alternate procurement arrangements incurring significant additional costs and resource effort to facilitate procuring over 375 requirements per year, each needing the supplier to re-present accreditation requirements, that will then need to be evaluated.

##### Establish a framework for Parks and Leisure

This option was discounted in preference to the use of a DPS for commissioning these services. This is primarily due to the restrictions applied to the duration of a framework and the limitation of suppliers only being able to be admitted at the point of establishment of the framework. In comparison to a framework, a DPS enables an unlimited number of suppliers to join at any time; provided they meet the accreditation and enrolment criteria. The call off process from a framework is much more administratively intensive than that of a DPS.

#### **410. CONTRACT EXTENSION ON CHILDREN AND YOUNG PEOPLE'S SUBSTANCE MISUSE SERVICES CONTRACT (CYPS) TO ALLOW FOR NEW CONTRACT TO START 1ST DECEMBER 2021**

The Cabinet Member for Adults and Health introduced the report which sought agreement under Contract Standing (CSO) 10.02.1 (b), for the extension and variation of the contract held by Humankind for the Children, Young People and Families Substance Misuse to enable an 8-month extension of the contract to 30th November 2021.

The Cabinet Member expressed that most young people in Haringey lived lives free of substance misuse. However, if a child or young person developed a problem it was important that they and their family had access to specialist young people and family focused support.

It was noted that the current service, Insight Platform, played a central role in identifying substance misuse problems early. For those identified with a problem it provided a whole family service. Its universal level outreach service provided impressive outcomes for young people leaving the service.

The Cabinet noted the procedural procurement reasons for the proposal to extend the current service. The Cabinet Member emphasised the importance of the service remaining in place to create stability for vulnerable families and continuity for young people.

Following questions from Councillor Ogiehor and Cllr Hearn, the following information was provided:

- The inspection of the provider in 2017 had been positive and it was likely that further visits had not been taken forward by the CQC as this was not a priority organisation for them to focus on.
- The number of re- referrals were small and would likely be part of the recovery process for the young person. However, the numbers would be provided for inclusion in the minutes.
- The provider had not been collating data on the sexual orientation and disability and this had been rectified with training provided by the Council. This would allow data returns on all protected characteristics to be provided to Public Health England as it was a mandatory requirement.

## **RESOLVED**

To agree to the extension and variation of the contract with Humankind Charity for the provision of Children, Young People and Families Substance Misuse services – as allowed under Contract Standing Order 10.2.1 (b) for a period of up to 8 months from 1st April to 30th November 2021 at a maximum value of £190,000 The total cost over the life of the contract is therefore, £760,000.

## **Reasons for decision**

In March 2020 Cabinet agreed extension and variation of the existing contract, to bring its end date in line with the completion of the Innovation Fund Project for Children of Alcohol Dependent Parents (CADP). The CADP for which the Council receives external grant funding, is due to end on the 31st of March 2021. CADP is logistically being delivered within the service we are seeking to extend.

It is proposed that Cabinet extend the current contract for 8 months to allow sufficient and reasonable timeframe to prepare documentation and service provider submissions.

### **Alternative options considered.**

The Council is not mandated to provide this service. It could decide to no longer commission this service for its residents. However, there is high demand for this service and no alternative project /programme to refer children, young people, and families into. The commissioning of this service is in line with the Council's intention to ensure every child thrives.

The Council could decide not to extend the contract for the 8 months period. However, given the impact of a second wave of the pandemic during winter months, it is unlikely that the market would be able to respond to a tender before March 2021. Providers of these types of services are themselves facing staffing issues, are having to find new ways of working with residents and are dealing with complex safeguarding issues.

## **411. MAJOR WORKS: NOEL PARK (TENANTED PROPERTIES)**

*(Councillor Ibrahim left the meeting for the consideration of this item).*

The Leader introduced the report which sought approval for the award of a contract to Engie Regeneration Limited to carry out external major works on the Noel Park Estate.

The report set out the proposed works which would improve the housing conditions of the homes that had not yet benefitted from the Decent Homes programme on the Noel Park Estate and would include the replacement of the bathrooms, kitchens, windows, and roofs, and rewiring and safety works within the homes.

The work would be carried out in two phases. The recommendation in the report was to commence phase one of the works, which would involve renovations to the Council tenanted properties on the estate. Phase two would bring forward proposals to improve the condition of properties owned by leaseholders and in buildings containing both leaseholder owned and Council owned homes.

Officers responded to questions from Councillor Ogiehor:

- The professional fees for a larger housing project, such as this, were standard for this type of work and covered areas such as legal fees, project management and onsite clerk of works. The AD for Housing offered to provide a breakdown of the costs relating to the professional fees in writing to Cllr Ogiehor.
- There had been a lot of engagement with residents and it was made clear that this was now a good time to improve their homes. The level of responses did not impact on whether this was a good proposal to take forward.
- There were changes in circumstances over the years with these proposals, including a significant change in the removal of asbestos with increased costs to ensure safety. Previous proposals had included turning kitchens into bathrooms

and dining rooms into kitchens, but this was not taken forward as there would be a significant reduction in living space.

- The pilot project to remove 4 pods, completed in 2012, had not cost £25k per property as previously reported. When considering the detail of the overall costs, this had been £68k per property. Therefore, taking account of build cost inflation over the years, the building costs for this project, and the overall cost per Pod were in line with expected costs for works concerning modular extensions.
- New approach to the improvement works provided value for money and would update each property with new windows, roofs, and doors, as well as the modular extension.

Further to considering the exempt information at item 419,

## **RESOLVED**

1. Pursuant to the Council's Contract Standing Order (CSO) 9.07.1 (d), for Cabinet to approve the award of contract for Phase 1 of the works on the Noel Park Estate to Engie Regeneration Limited for the replacement of bathroom pod extensions including bathroom suites and associated works, construction of kitchen extensions, renewal of kitchens, roof replacement and repairs, window and door replacement, rewiring, boiler replacement and central heating installation works, fire protection works, brickwork and concrete repairs and external decoration to tenanted properties on the Noel Park Estate. This will be for the sum of £11,331,675. Phase 1 will include houses and purpose-built flats occupied by tenants only.
2. Pursuant to the Council's Contract Standing Order (CSO) 9.07.3, for Cabinet to approve the issue of a letter of intent for an amount of up to, but not exceeding, £1,133,167.50. This represents 10% of the contract sum.
3. For Cabinet to approve the total professional fees of £855,541.46, which represents 7.55% of the contract sum.
4. For Cabinet to note the total project cost of £12,187,216

## **Reasons for decision**

Homes for Haringey requires Cabinet approval to award the contract for the replacement of bathroom pod extensions including bathroom suites and associated works, construction of kitchen extensions, renewal of kitchens, roof replacement and repairs, window, and door replacement, rewiring, boiler replacement and central heating installation works, fire protection works, brickwork and concrete repairs and external decoration. This will enable the essential safety works to commence and for properties to be brought up to the Decent Homes Standard. This is following a tender process undertaken with Haringey Council's Procurement team via the London Construction Programme (LCP) framework and processes.

The tender process was carried out in accordance with the framework requirements that incorporate price and quality, when evaluating tenders, we review based on 60% quality and 40% price. Engie Regeneration Limited scored the highest in relation to these criteria in the associated Lot 3 (NH3) Housing, Lot 3 enables 8 contractors to

review and submit tender proposals ensuring we have value for money across the marketplace.

**Alternative options considered.**

An alternative option would be for Homes for Haringey to use third party industry frameworks or an OJEU compliant tender process to deliver the construction works on Noel Park Estate. Homes for Haringey sought support and advice from Haringey's Strategic Procurement team and determined the London Construction Programme Major Works LCP framework as being the optimum route to the market. This was due to the LCP framework being leasehold compliant, value for money and offering speed of access to quality checked contractors.

The Council undertook an analysis in February 2020 to compare the costs of a permanent modular built extension against a traditional brick-built extension.

This is the primary alternative to the use of a modular solution. It demonstrates that excluding decant costs, it would cost an additional £7,308 per property to install a traditional brick-built extension as opposed to a modular construction. The choice of a traditional brick-built construction would also result in further increases in cost due to the extended time required to build a traditional brick-built extension. Resident leaseholders would potentially face additional costs as a need to vacate their property during the works due to the temporary removal of essential facilities, the bathroom could potentially be decommissioned for circa 3 months. Non-resident leaseholders may also incur loss of rental income as they would likely be required to vacate rented properties during the period of the works. Decanting residents, while necessary in some cases, does also cause disruption to the lives of the residents, especially those with school age children.

The pods are now beyond the end of their useful life. If the Council does not undertake the proposed works it will not be able to deliver the planned capital investment works to bring these properties up to the Decent Homes Standard, in accordance with the Asset Management Strategy 2020-25.

By delivering this project in two phases, we are able to start the works on the solely tenanted dwellings, while keeping our committed consultation with the affected leaseholders. Homes for Haringey will proceed with Phase 1 where the buildings are occupied by only Council tenants, whilst preparing Phase 2.

To maintain best value from each resource required to deliver this project, phase 2 will come for decision at a later date. If Phase 2 is agreed and awarded to Engie, the mobilisation works undertaken during phase 1 can be utilised preventing additional associated costs.

**412. EXTENSION OF HOUSING RELATED SUPPORT CONTRACTS-SINGLE HOMELESS- PATHWAY OF SHORT TERM SUPPORTED HOUSING**

(Cllr Ibrahim returned to the meeting for this item)

The Cabinet Member for Adults and Health outlined the Council's commitment to end street homelessness in the borough and ensuring vulnerable people have access to high quality supported accommodation to help rebuild their lives.

The Council currently commissioned and directly delivered a range of supported accommodation for single adults that provided person-centred and tailored support. The Cabinet Member recommended that these contracts should be extended, as set out in the report, to offer vulnerable residents' continuity and security while a new service model was co-designed and put in place in 2021.

In response to a question from Cllr Ogiehor , it was noted that there was a range of support in place for people on the single homeless pathway. The contract extensions allowed the Council to continue to work with the current providers. The Council recognised that no one agency could meet the varied needs of users of there was whole system approach being taken forward and awareness that support continued, once the vulnerable adult was moved to accommodation.

Further to considering the exempt information at item 420,

## **RESOLVED**

To approve, in accordance with Contract Standing Order (CSO) 10.02.1(b), the variation and extension of the following single homeless contracts for a period of up to 14 months as outlined below:

- (i) St Mungo's Community Housing Association Ltd for the Assessment and Engagement Service at a total additional cost of £508,908. The aggregated value of the contract over a period of 7 years and 2 months will be £3,764,269 including proposed extension.
- (ii) St Mungo's Community Housing Association Ltd for the provision of a Specialist Substance Misuse and Offender Service and Complex Needs Service at a total additional cost of £789,974. The aggregated value of the contract over a period of 6 years and 11 months will be £5,863,768 including proposed extension.
- (iii) St Mungo's Community Housing Association Ltd for the provision of Women's Complex Needs Service and Northumberland Park Pilot Service at a total additional cost of £322,979. The aggregated value of the contract over a period of 4 years and 2 months will be £997,879.00 including proposed extension.
- (iv) St Ignatius Housing Association Ltd for the provision of a Move Through Service at a total additional cost of £145,470 and a reduction of units from 57 to 50. The aggregated value of the contract over a period of 7 years and 2 months will be £1,203,492 including proposed extension.
- (v) Variation of contracts to include provision for the Councils to claw back funding from providers who do not fulfil the staffing requirement of their contract.

## **Reasons for decision**

It is in the Council's overall interest to agree to the extension of the current contracts whilst a tender process is completed. The current contracts were awarded for a period

of four years with option to extend for an additional two years until January 2021. An open tender process was planned early this year in order to and ensure new contracts would be put in place before the expiry of current contracts and a supplier engagement event held in March 2020. However, the tender process was delayed due to disruptions caused by Coronavirus (Covid-19) pandemic, as the existing resources were diverted to support vulnerable residents and ensure business continuity. Furthermore, the impact of the pandemic on homeless service providers and supported housing services led to a number of limitations to the supply market as providers focused their efforts on managing the situation which meant that a tender process would be onerous for bidders and would not be an efficient use of Council resources.

An award of the contract to St Mungo's and St Ignatius for up to 14 months is required to avoid disruption to the delivery of support and accommodation to vulnerable adults as well as extra time required to undergo virtual consultations and stakeholder feedback, which will inform the service specification of the Single Homeless Pathway contracts and address the needs and gaps identified in the last 12 months.

The total award of the FHSG funding of £322,979 in contracts with St Mungo's meets the Council's strategic commitment to deliver early intervention to people in crisis, preventing homelessness. The FHSG is a ring-fenced grant from Central Government, to be used for 'work to prevent or deal with homelessness'. Future funding allocations will be closely linked to boroughs ability to prevent homelessness at scale.

Given the above reasons, it is paramount to extend all seven (7) existing contracts to allow sufficient time to undertake a competitive procurement process. It will also allow time to smooth transition and mobilisation of contracts.

Performance has been evaluated as good throughout the contract period. Performance returns are completed and submitted on time and targets are met.

### **Alternative options considered.**

There is only a statutory requirement to provide housing for single homeless people where they are identified as vulnerable and in priority need under Section 189 of the Housing Act (1996 amended 2002). However, Haringey like all London boroughs recognises the human, social and economic costs associated with homelessness and the need to ensure that people are adequately supported to recover from it and prevent future instances. Therefore, it is not deemed in the best interests of homeless individuals or the Council to cease the current contracts for the provision of supported housing services.

Deliver the services in house – St Ignatius and St Mungo's have established agreements and leases with the current landlords. For the Council to take over existing leases and deliver the service in-house, we would need considerably more time to undergo due diligence and negotiations with the landlords, however with the planned redesign of the single homeless pathway insourcing is the preferred option for all services in the pathway and therefore will be robustly explored where it is advantageous for residents and the Council.

Procurement of new contracts was considered; however, this would not facilitate sufficient time to draw on recent service reviews to redesign the service and then engage with the market to identify best value and best practice.

#### **413. APPROVAL OF CONSTRUCTION CONTRACT AT SCALES ROAD N17**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval for the delivery of four new Council homes for Council rent, on Council land. To facilitate this development, Cabinet was asked to approve the use of the Council's powers to appropriate the land for planning purposes and to override any easements.

The approval of these four new homes, one of which would be fully accessible for wheelchair users, would result in a total of 359 new Council homes under construction across 15 sites in 11 wards by the end of February 2021.

Further to considering the exempt information at item 421,

#### **RESOLVED**

1. To approve the appointment of NFC Homes Limited to undertake the new build works to provide a total of four Council rented homes at Scales Road for a total contract sum of £841,813.00 and to approve the client contingency sum set out in the exempt part of the report.
2. To approve the appropriation of the land at Scales Road (edged red in the plans attached at Appendix 1) 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 6.22 of this report.
3. To 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 Scales Road development, under planning permission Ref: HGY/2020/1809.
4. To 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 the recommendation 3.1.3, within the existing scheme of delegation.
5. To approve the appropriation of the land at Scales Road (edged red in the plans 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 on 31 March 2022.

#### **Reasons for decision**

On 9 July 2019 Cabinet included the land at Scales Road in the Council's housing delivery programme. The development scheme has subsequently been granted planning consent and is ready to progress to construction. This report therefore marks the third, and final, Member decision to develop on this site.

Following a formal tender process, NFC Homes Limited has been identified to undertake these works.

The appropriation of the land at Scales Road ('the Site') for planning purposes is required as it will allow the Council to use the powers contained in Section 203 of the Housing and Planning Act 2016 ('HPA') to override easements and other rights of neighbouring properties. This will prevent injunctions that could delay or prevent the Council's proposed development. Section 203 HPA converts the right to seek an injunction into a right to compensation. Engagement with the community has not given rise to any suggestions that third-party rights would be infringed by the development; and it is believed that any potential infringement of third-party rights would not give rise to any breach of rights to private and family life. The Site will need to be appropriated back from planning purposes to housing purposes on completion of the development to enable the Council to use the land for housing and let four new Council homes at Council rent.

The new development at Scales Road will also allow the Council to secure the boundary of the Site and improve security for new and existing residents, alleviating the anti-social behaviour currently attracted to the Site by the dilapidated pram sheds.

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

It would be possible not to develop this Site for housing purposes. 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 direct appointment from the London Construction Programme (LCP) Major Works 2019 Framework Agreement, the recommended route for a contract of this value. An alternative option would have been to run a competitive tender from the LCP, but this option was rejected due to limited interest from the framework contractors.

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. For these reasons, this option was rejected.

The Council could decide not to appropriate the land for housing purposes upon practical completion of the building works. This option was rejected because it would prevent the Council from being able let these homes on secure tenancies at Council rent.

#### **414. APPROVAL OF CONSTRUCTION CONTRACT AT TUDOR CLOSE N6**

The Cabinet Member for Housing and Estate Renewal was pleased to introduce the report which sought approval to develop a new-build scheme in Highgate on Council land, at 1- 42 Tudor Close N6 5PR, to build a three-storey block of flats with six new homes at social housing rent, one of which will be fully accessible for wheelchair users.

The Cabinet Member outlined that this required appropriation of the site from housing purposes to planning purposes under Section 122 of the Local Government Act 1972 and referred Cabinet to the consultation carried under section 105 of the Housing Act 1985 and to the wider community engagement (as set out in paragraphs 6.5 to 6.25).

Further to considering the exempt information at item 422,

#### **RESOLVED**

1. To consider the responses both to the consultation carried out on this proposed scheme in line with section 105 of the Housing Act 1985 and to the wider community engagement (as set out in paragraphs 6.5 to 6.25).
2. To approve the appropriation of the site at Tudor Close (edged red on the plan attached at Appendix 1) 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, for the purpose of carrying out development as set out in part 6 of this report.
3. To 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 Tudor Close development, under planning permission Ref: HGY/2020/1460.
4. To 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 the recommendation 3.1.3, within the existing scheme of delegation.
5. To approve the appropriation of the site at Tudor Close (edged red on the 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 on 24 November 2022.
6. To approve the appointment of NFC Homes Limited to undertake the new build works to provide a total of six Council rented homes at Tudor Close for a total contract sum of £1,701,067.00 and to approve the client contingency sum set out in the exempt part of the report.

#### **Reasons for decisions**

Cabinet included the site at Tudor Close in the Council housing delivery programme on 13 November 2018 with the intention of directly delivering homes on the site. This

scheme has subsequently been granted planning consent and is ready to progress to construction.

The use of powers at section 122 of the Local Government Act 1972 (LGA) allowing the Council to utilise the powers at section 203 Housing and Planning Act 2016 (HPA) on the site would also overcome potentially enforceable third-party rights that may prevent the construction of the development. The power under section 203 HPA 2016 will instead convert those rights into a right for compensation for the loss of that right.

To appropriate the land from planning purposes for housing purposes on completion of the development will enable the Council to then offer these homes for rent thereby helping to meet the demand for affordable housing in the borough.

NFC Homes Limited has been identified to undertake these works by a formal procurement process.

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

It would be possible not to develop this site for housing purposes. This option was rejected as it would not support the Council's commitment to deliver a new generation of Council homes.

It would be possible to proceed to development without appropriation of the land as described 3.1.2 and 3.1.3. This option was rejected because it would risk the development being delayed in the event that neighbouring residents sought injunctions against it, and because our communities' need for Council homes is so urgent.

#### **415. MINUTES OF OTHER BODIES**

##### **RESOLVED**

To note the minutes of the following:

Corporate Parenting Advisory Committee 20 October 2020

Urgent Decision 17 December 2020

Urgent Decision 21 December 2020

Cabinet Signing 21 December 2020

#### **416. SIGNIFICANT AND DELEGATED ACTIONS**

##### **RESOLVED**

To note the delegated and significant actions taken by directors between November and December 2020.

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

There were no new items of urgent business.

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

**RESOLVED**

That the press and public be excluded from the remainder of the meeting as the items below contain exempt information as defined under paragraph 3 and 5, Part 1, schedule 12A of the Local Government Act:

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**419. EXEMPT - NOEL PARK PODS REPLACEMENTS & MAJOR WORKS PROJECT**

As per item 411 and the exempt minutes.

**420. EXTENSION OF HOUSING RELATED SUPPORT CONTRACTS-SINGLE HOMELESS- PATHWAY OF SHORT TERM SUPPORTED HOUSING - EXEMPT**

As per item 412 and the exempt minutes.

**421. EXEMPT - APPROVAL OF A CONSTRUCTION CONTRACT FOR NEW COUNCIL HOMES AT SCALES ROAD N17**

As per item 413 and the exempt minutes.

**422. EXEMPT - APPROVAL OF CONSTRUCTION CONTRACT AT TUDOR CLOSE N6**

As per item 414 and the exempt minutes.

**423. EXEMPT MINUTES**

**RESOLVED**

That the exempt minutes of the meeting held on 8 December 2020 be approved as an accurate record of the meeting.

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

There were no new items of exempt urgent business.

CHAIR: Councillor Joseph Ejiofor

Signed by Chair .....

Date .....

