

# **MINUTES OF MEETING Cabinet HELD ON Thursday, 22nd July, 2021, 6.30 - 7.55 pm**

## **PRESENT:**

**Councillors: Peray Ahmet (Chair), Mike Hakata, John Bevan, Zena Brabazon, Seema Chandwani, Julie Davies, Isidoros Diakides and Ruth Gordon**

### **576. FILMING AT MEETINGS**

The Chair referred to the information as set out in the agenda and advised that the meeting was being filmed.

### **577. APOLOGIES**

Apologies for absence were received from Councillor das Neves.

### **578. URGENT BUSINESS**

There were no items of urgent business.

### **579. DECLARATIONS OF INTEREST**

Councillor Chandwani advised that as she was a Haringey Leaseholder, she would recuse herself from the meeting for the consideration of items 10 and 13.

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

There were no representations made.

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

None received.

### **582. DEPUTATIONS/PETITIONS/QUESTIONS**

None received.

### **583. BOROUGH PLAN UPDATE AND FAIRNESS COMMISSION RESPONSE**

The Leader introduced the report which provided an update on the Borough Plan and sought approval in regard to the council's approach to implementing the Fairness Commission recommendations.

Cabinet Members and Officers responded to questions from Councillor Barnes:

- The Council was committed to the provision of clean air on school streets. An extensive LTN and air quality monitoring programme would be implemented in order to maximise the quality of air in the borough.
- A 'good economy recovery plan' had been published which set out how investment would be made in local businesses and jobs.
- Homes for Haringey had an extensive transformation programme for properties in poor conditions and were working in consultation with tenants and leaseholders. Work was also taking place with Housing Associations to improve conditions in properties owned by these organisations.

### **RESOLVED that Cabinet**

1. Note the Borough Plan Update Report at Appendix A and agree that the next full Borough Plan should now be prepared for adoption in the financial year 2022/23.
2. Note the Covid-19 Community Impact Assessment at Appendix B and agree that this, alongside other data insight projects, should inform our ongoing response to Covid-19 and preparations for our next Borough Plan.
3. Accept the findings of the Fairness Commission; note progress in implementing the recommendations; and agree that the council should continue to implement these recommendations as explained in the report in Appendix C.

### **Reasons for decision**

The Borough Plan 2019-2023 was adopted in February 2019. The Cabinet Report stated that the Plan should be seen as 'a living document'. In December 2020, Cabinet agreed that officials should 'refresh' and consult upon an updated Borough Plan 2019-2023.

Officers have reviewed the Borough Plan and presented an Update Report at Appendix A. Due to changes in circumstances since the Recovery and Renewal Report, including another wave of the Covid-19 pandemic, continued uncertainty about the pandemic's impact on the borough and the limited time left in the Borough Plan cycle, and with a new Cabinet now in place, it is no longer deemed beneficial to undertake a full refresh of the Plan. Instead, Cabinet is asked to agree that this Update Report should continue to inform the Council's delivery of our current programme as well as the development of a full new Borough Plan over the next 18 months to be adopted in the financial year 2022/23.

The Fairness Commission ('the Commission') was launched in July 2018 and made a series of recommendations in February 2020 to address inequality in the borough.

Cabinet received an update report in March 2021 on our progress in implementing these recommendations. The Council's Borough Plan Update Report at Appendix A now explains the lessons we have learned around equality and fairness during the pandemic and Appendix C sets out in full technical detail the progress the Council has made so far in implementing the recommendations of the Commission.

Cabinet is now asked formally to accept the findings of the Fairness Commission and agree that the council should continue to implement these recommendations as explained in Appendix C. Not every recommendation can be accepted in full for practical reasons. Where this is the case, alternative options are being explored.

### **Alternative options considered**

#### Publish and consult upon a refreshed Borough Plan

It would be possible to refresh the Borough Plan 2019-2023 in full and consult as originally envisaged. However, given the continued uncertainty caused by the long-tail of the Covid pandemic, and the limited time left on the current Borough Plan cycle, this is no longer deemed feasible or desirable. The Borough Plan Update Report and the Council's delivery planning and Performance Monitoring processes (explained in paragraph 6.4) will achieve the necessary purpose.

#### Not accept the findings or recommendations of the Fairness Commission

It would be possible not to accept the findings or recommendations of the Fairness Commission. However, this would run counter to the council's strategic objectives. The Commission was launched to better understand the causes of unfairness in our borough and to reconsider the actions that we could take to counter this. The evidence and findings are robust and have already informed a number of our significant organisational agendas and should continue to do so going forward.

## **584. HARINGEY EDUCATION PARTNERSHIP CONTRACT EXTENSION**

The Cabinet Member for Early Years, Children and Families introduced the report which sought approval to extend Haringey Council's contract with Haringey Education Partnership (HEP) to deliver school improvement services for three years from 1<sup>st</sup> September 2021 to 31<sup>st</sup> August 2024.

In response to a question from Councillor Barnes, the Cabinet Member explained that the report outlined which schools were a member of the HEP. The schools which were not members were in academy chains and had their own arrangements for support.

### **RESOLVED that Cabinet**

1. Approve the extension of the Haringey Education Partnership contract for three years from 1<sup>st</sup> September 2021 to 31<sup>st</sup> August 2024 with a total contract value of £2.118m as allowed under Contract Standing Order 10.01.1(b).

### **Reasons for decision**

In 2017, the Council began working in partnership with schools across the borough to develop detailed proposals for a schools led school improvement company, known as the Haringey Education Partnership (HEP), to drive school improvement from 1st September 2018. Haringey Education Partnership work in close collaboration and partnership with the Council to build on the existing strengths of schools in Haringey. The model is aimed at creating an exceptional school system with a higher proportion of outstanding schools and continuing to tackle attainment gaps within and across schools in the borough.

The Council entered into a three-year contract with Haringey Education Partnership to deliver the Council's ongoing statutory and strategic school improvement functions from September 2018. This contract expires on 31<sup>st</sup> August 2021 and requires a decision to renew the contract to continue to the services provided by HEP in the next three academic years. HEP's new three year contract will provide strategic and operational certainty for the Council (in delivering its statutory and strategic functions) and schools in the borough.

### **Alternative options considered**

The contract is not extended and the Council insources its own school improvement service. The council is not resourced and structured to provide the existing level of service as the HEP. If the Council were to insource the service it would need to provide the statutory school improvement services within the allocated DSG.

The Council outsources its statutory and strategic functions for school improvement to a private contractor. This would run counter to the Council's preferred approach to service delivery. Any external provider would have no existing connection to the borough and have to establish relationships with Haringey schools from scratch. They would also need to raise significant income from Haringey schools to be sustainable and generate an operating profit.

## **585. AUTHORITY TO COMMENCE CONSULTATION WITH RESIDENTS ON THE COUNCIL'S PROPOSAL TO BRING HOMES FOR HARINGEY (HFH) BACK IN-HOUSE**

*Councillor Chandwani left the meeting for the consideration of this item.*

The Cabinet Member for Employment, Skills and Community Services introduced the report which set out a proposal to insource Homes for Haringey and sought approval for a resident consultation process to inform a future decision. The Cabinet Member added that this was the next step in removing barriers to ALMOs. Tenants were last consulted in 2017, and it was planned to carry out a thorough consultation with maximum access and engagement with residents. A final decision was due to be considered by Cabinet in December 2021.

The Cabinet Member and Director for Housing, Regeneration and Planning responded to questions from Councillor Barnes:

- It wasn't currently known which services were duplicated across the Local Authority and Homes for Haringey, but these would be identified as the consultation process evolved.

- The consultation with residents would be as wide as possible to take in as many views as possible.
- There was no intention of slowing down the pace of Council house building. The building programme was the biggest house building plan of any London borough.

### **RESOLVED that Cabinet**

1. Approve the consultation with tenants and leaseholders the proposal to insource Homes For Haringey.
2. Approve the consultation processes set out in paragraph 6.11 of the report.
3. Note complementary proposals to establish a cross-party Member working group, as set out in paragraph 6.14, and two regular resident participation meetings, a Housing Sounding Board and a Resident Housing Forum, as set out in paragraph 6.15. This is to further engage with all stakeholders on the proposal.

### **Reasons for decision**

The proposal to bring HfH back in-house is rooted in four key rationales:

- Robust governance – accountability to the regulator and residents.
- Value for money – efficiency and quality of services.
- Integrated services – housing as part of a wider customer service offer.
- Improvement – enhancing organisational transformation to deliver better outcomes.

These objectives are explored in further detail in the four following paragraphs.

#### **Robust Governance**

The rationales for bringing HfH back in-house to ensure robust governance are based on the following:

- The Council is the legally liable landlord for its 20,000 tenants and leaseholders;
- As a Registered Provider, the Council is accountable directly to the Regulator of Social Housing and the regulation of local authority landlords is now being strengthened;
- The Council is the “accountable person” for building safety under the new post-Grenfell regulations now progressing through parliament;
- The Social Housing White Paper 2020 seeks a stronger local voice for residents in both building safety and housing management and maintenance services;
- Direct delivery in-house will streamline and strengthen governance and accountability structures to meet the changing regulatory climate.

#### **Value for Money**

The rationales for bringing HfH back in-house to deliver VFM are based on the following:

- Efficiency savings may be anticipated by eliminating areas of duplication and potentially revising existing back-office service level agreements;
- Corporate services supporting the HfH Board and subgroups will no longer be needed;
- Client-side monitoring resources in the Council can be repurposed;
- Some HfH functions may be integrated with Council functions to deliver added value;
- Any efficiency savings to the HRA can be reinvested in resident services or add value by funding capital investment in estate improvements and new homes.

### **Integrated Services**

The rationales for bringing HfH back in-house to integrate services are based on the following:

- An integrated management structure within the Council can facilitate a faster and more responsive decision-making process across the housing service, including the new build delivery programme;
- Service improvement resources will be strengthened and focused by bringing the Housing Client team and HfH Business Improvement team together;
- Bringing Housing Demand services back in-house will enable closer alignment with the Council's social care and housing-related support services as well as Haringey Connects;
- Integrated services will be more responsive to external demands (such as those within the charter for social housing residents: social housing white paper) and customer requirements, due to the direct strategic and operational control and direction of the services, with clear lines of accountability to elected Members;
- A range of other service integration opportunities can be explored where appropriate including with Environment and Neighbourhoods; Customers, Transformation and Resources; Housing, Regeneration and Planning; etc.

### **Improvement**

The rationales for bringing HfH back in-house to improve service delivery are based on the following:

- Closer alignment between the existing HfH transformation programme and the Council's transformation programme, in particular in terms of use of technology and office spaces.
- Strengthened resident voice including co-production will lead to increased customer satisfaction.

### **Consultation approach**

The rationales for the proposed consultation approach are as follows:

- The Council's existing corporate commitment to resident consultation sets out clear principles and requirements, based on the definition that "consultation is a process of dialogue that helps lead to a decision".
- This includes communicating the purpose of the proposal, providing information about how the proposal will affect people, seeking their views and communicating the results of the consultation and the decision.
- In addition, there is legislation and Government guidance to be considered when consulting on bringing HfH back in-house.
- The detailed legal requirements in this case are set out in section 8 below.
- In summary, the consultation should include all Council tenants and leaseholders and be no less extensive than the 2017 consultation process undertaken when the HfH management agreement was extended.

### **Alternative options considered**

As explained in the legal comments, there is not an option to proceed to a decision on insourcing Homes For Haringey without consulting residents first. In any case, the Council is already committed to resident consultation over decisions of this significance (see the Haringey Consultation Charter).

Where the Council has a clear proposal and set of rationales to bring services in-house, it is considered sufficient to consult on this proposal and no alternatives. There is no legal requirement to consult on a range of different options, even though there are a range of different possible approaches to organising and procuring housing management and maintenance services (e.g. transfer ownership to a housing association; transfer management to a housing association; procure a private sector managing agent; bring services in-house; continue with HfH) and these alternatives will be included in the report to Cabinet for decision following consultation on the insourcing proposal.

### **586. INSOURCING OF TRAVEL BUDDIES TO SUPPORT SEN YOUNG PEOPLE**

The Cabinet Member for Early Years, Children and Families introduced the report which reported on work carried out to evaluate the Council's travel buddy service and sought approval for the creation of an inhouse team in line with the Council's Insourcing Policy. This had been a long journey in reforming SEN travel, and the in-house service would provide 62 support staff for young people every day. All members of staff would be employed directly by the Council.

The Cabinet Member responded the questions from the Cabinet:

- The staff employed by the service were mainly local people who had previously been employed on zero-hour contracts without the benefits of proper employment.
- Paragraph 7.3 of the report outlined how the service would improve active travel – by encouraging people to walk or use public transport where possible.

**RESOLVED**

1. That Cabinet approves the insourcing of the Council's travel buddies service from the current interim DPS arrangement brought about by the withdrawal of services from the previous provider.
2. That the service be brought inhouse before September 1<sup>st</sup> 2021 to coincide with the new academic year.

**Reasons for decision:**

The Haringey special educational needs and disability (SEND) School Transport Service provides an important service to children, young people, and their families. One important part of this service is our travel buddy team who are responsible for accompanying children with special educational needs to their place of learning with the goal of promoting independent travel.

Until June 2020, the travel buddy service was facilitated by an external provider. Due to emerging concerns about COVID, and the future viability of the service, at that time of the UK's first national lockdown the provider informed the Council that they no longer wished to continue providing the service.

In order to preserve the service and to provide continuity for affected children, Haringey promptly committed to keeping all our 62 travel buddies employed via an interim framework facilitated by Procurement colleagues under a Dynamic Purchasing System (DPS) arrangement.

It was acknowledged from the outset that this DPS arrangement would be a temporary measure while a full commissioning review of suitable options for the future travel buddy service was undertaken. That commissioning process was subsequently carried out in line with the measures set out in the Council's Insourcing Policy.

Haringey's Insourcing Policy was approved and adopted by Cabinet in October 2019. The Insourcing Policy includes a commitment to a structured approach to support sustained progress on this agenda by:

- making it easier for us to work collaboratively with our communities in the design and delivery of public services which reflect what they need, recognising that service delivery is a core element of our relationship with residents.
- strengthening our organisational sustainability and resilience, by further developing the skills and knowledge of our workforce; and our organisational capacity and infrastructure.
- increasing the numbers of locally employed people who will benefit from the excellent terms and conditions we offer as an employer.
- opening services to increased scrutiny and accountability to drive improved outcomes; and,

- squeezing the maximum financial and social value from each pound spent.

Bringing travel buddies inhouse will lead to a new operating model and potential future alignments with existing teams within the SEN service. The Council will have more control over the new inhouse service and will be able to manage staff to the same standards as other colleagues within the Children's Services directorate.

As part of the proposed transition process, it was recognised that any decision to bring Travel Buddies inhouse would be a significant change for staff who were self-employed under the previous external provider and maintain that status under the DPS arrangement. In order to ensure a collaborative approach and successful co-production of an improved inhouse operating model, the SEND service and project team undertook a thorough and meaningful consultation with Travel buddies over a six-week period in November and December of 2020.

The consultation took the form of group consultation and individual conversations with all 62 travel buddies to set out the rationale behind the insource and to get their opinions on how we move forward with the service. The results of a confidential online survey were overwhelmingly positive in favour of a move towards an insource with 92% of respondees confirming that they wished to transfer to direct employment with Haringey.

Haringey's approach to Community Wealth Building puts an emphasis on the Council using all its available levers to build the prosperity of local people and communities economically, through employment, and socially, with an emphasis on those who are working in lower-paid employment.

A future inhouse service represents a significant improvement in the social value calculator contained in the Enabling Framework set out in Appendix 1. Over 80% of the current travel buddy workforce live in the borough and the remainder live in neighbouring boroughs. Rather than paying substantial management costs and fees to an external travel provider, we will invest in locally based staff whilst allowing them to benefit from Haringey's excellent terms and conditions.

The inhouse service is achievable at a lower operating cost than the previous external spend.

The financial breakdown of the inhouse service, including the new full time equivalent management post, is set out in Table 1 below.

**Table 1: Financial Cost for inhouse Travel Buddies Service**

<b>Item</b>	<b>Value</b>
Total cost per year per Travel Buddy inc. on-cost (SC1 pro-rata)	£8,960
Number of travel buddies	62
Total staff cost per academic year	£555,120
Total Annual Travel Allowance	£60,784
Assistant Travel Buddy Coordinator (inc. on-costs)	£25,137
<b>Total Service Cost (per academic year)</b>	<b>£641,041</b>

This compares to the previous external spend of £664,810, which includes £233,890 of additional management and administrative fees.

The SEND transport budget is informed by demand for children who meet criteria to access support with transport. This budget has been under pressure over recent years resulting in an overspend. The SEND transport budget in 2019/20 was £4.08m and the spend totalled £5.30m. In 2020/21 the budget was £3.80m and the spend was £4.30m.

Lower expenditure within 2020-21 is attributed to reduced transport requirements as a result of schools and colleges being closed due to the coronavirus pandemic. The travel buddy service was maintained wherever possible but a number of children were in the clinically and extremely vulnerable group (CEV) therefore unable to access provision on site due to shielding.

The SEND transport budget has been allocated growth in 2021/22 to meet the pressures in the service, resulting in a total budget of £4.6m. The inhouse model detailed above has added benefits of service improvement, improved experience for families, opportunity for further innovation and cross directorate working and should lead to a reduction of the SEND Transport budget overspend, longer term.

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

**Maintain existing service externally** – this option does not deliver in terms of the Council's Insourcing Policy objectives. Third party provision of travel buddies does not provide a sufficient level of control to ensure that it is managed in line with Haringey's rigorous safeguarding standards. Market conditions do not provide significant assurances about LLW employment for travel buddies and did not deliver

on either the affordability or the social value calculator contained within the Enabling Framework set out in Appendix 1.

**Service Provision through Voluntary and Community Sector (VCS)** – Various options have been explored in which part of the service was brought in-house, whilst other elements continued to be provided through third-party provision within both the commercial and the VCS sector. These options are set out in more detail in Appendix 1 and were not progressed because they did not provide sufficient assurances over the cohesive management and control of the service. A VCS option was discounted after initial investigation into the local market where a provider with the required capacity and child protection assurances could not be found.

## **587. COUNCIL TAX REDUCTION SCHEME (CTRS) ADMINISTRATION**

The Cabinet Member for Customer Service, Welfare and the Public Realm introduced the report which summarised the process and content of proposed potential changes to the administration and policy of the Haringey Council Tax Reduction Scheme to be introduced in 2022/2023. The report also set out a series of options to amend the current scheme, with a preferred option recommended, and the timescales for consultation processes to be undertaken should any changes be sought. The proposed changes would simplify Council Tax documents and make the process more transparent.

The Cabinet Member responded to questions from Councillor Barnes:

- The service had been reviewing letters sent out to residents and were looking to take on board a range of languages to translate documents into. A suggestion was to include a small box at the top of every letter with a short, translated summary in the five most commonly spoken languages in the Borough, with an offer of a full translation of the letter.

### **RESOLVED that Cabinet**

1. Agree to consult on the following changes to the existing Council Tax Reduction Scheme:
  - i) Simplifying the claims process by adding a new channel for residents on Universal Credit to claim council tax reduction automatically as set out in paragraph 4.3.1
  - ii) Stabilising entitlement for residents by simplifying what happens when a resident's income changes by a small amount during the financial year as set out in paragraph 4.3.2
  - iii) Simplifying the scheme by changing the way that council tax support can be backdated to allow more time for residents to claim as set out in paragraph 4.3.3

- iv) Simplifying the scheme through improved transparency by publishing a revised statement of the scheme written in plain English as set out in paragraph 6.17
2. Note that, following consultation with the Greater London Authority (“GLA”) and having considered the GLA’s response:
- i) A draft CTRS will be published;
  - ii) A consultation on that draft CTRS will be carried out with persons likely to have an interest in its operation; and
  - iii) The findings of the consultation and an Equalities Impact Assessment will inform the final CTRS, which will be put to members to consider at full Council in December 2021.
3. Note that care leavers are especially vulnerable to debt and the Council will review and improve the communication of the existing relief scheme and review, simplify, and improve the claim process and its administration.

### **Reasons for decision**

The Council Tax Reduction Scheme (CTRS) is a way the Council can redistribute the financial burden on Council Taxpayers and provide additional support to those in need.

It is important that the CTRS is simple and easy to claim to maximise uptake and reduce the burden on our residents. A scheme that is easy to access can help residents to minimise debt, assist household budgeting, and increase the ability to pay council tax.

The proposed amendments to the rules for working age claimants would have the following benefits:

**Simplifying the claims process.** The proposed change is to add an additional way for residents to claim council tax support automatically when they start receiving Universal Credit. This would have a positive effect because it would simplify claiming for most residents and reduce the difficulty and anxiety for residents who claim Universal Credit. It would also make sure as many people as possible claim the support to which they are entitled.

**Stabilising entitlement for residents.** The proposed change is to simplify what happens when a resident’s income changes by a small amount. This would have a positive effect because constant changes in a council tax bill can make household budgeting difficult for residents as well as imposing a significant and costly administrative burden on the council. As explained in paragraph 6.12 to 6.14, most residents would receive the same support as now with 6% receiving a slightly smaller amount of support and 6% receiving a slightly higher amount of support. On balance, it is considered that the significant benefit to residents of making the scheme more accessible and reducing the number of bills merits these changes.

**Simplifying the scheme.** The main proposed change is to extend the period an award of CTRS can be backdated from six months to twelve months. It is also proposed to simplify the scheme by publishing a revised version written in plain English. The current regulations are complex and run to 214 pages. Simplifying the language so that it is easier to understand for residents will help to improve transparency and uptake.

These changes predominantly relate to ways to simplify the administration of the scheme and maximise uptake. The Council is not seeking to reduce the generosity of the current scheme or to reduce the maximum entitlement awarded since 2019.

The affordability to the Council of the CTRS scheme continues to be an important consideration, balanced with the need to support as many residents as possible. The changes will reduce the number of transactions that the Council must administer.

The Council is obliged to consider whether to revise or replace its CTRS each year. However, it is not obliged to revise or replace it. If any revision or replacement is to be made, the Council must follow the consultation process set out in the legislation and the decision must be made by Full Council. To give the Council sufficient time to implement any changes, Full Council should formally agree the proposals in December.

### **Alternative options considered**

There are a range of ways that the Council could alter its CTRS. The Council updated its CTRS policy in 2019/2020 which included providing more financial support to working age claimants with children. The Council is not seeking to reduce the generosity of the current scheme or to reduce the maximum entitlement awarded since 2019. Instead, the Council has explored a variety of options to make the scheme simpler to administer and to assist in reaching everyone who is entitled to support.

### **No change to the existing CTRS**

This is not recommended because amending the scheme will help residents to access the support to which they are entitled, improve their experience, and reduce the administrative burden on the Council.

### **Do not simplify the claims process.**

This is not recommended because simplifying the claims process to introduce an automatic claims channel for those on Universal Credit will improve uptake of council tax support and improve the experience for residents. It will also improve access to the scheme for those for whom, for a variety of reasons, such as digital exclusion or language barriers, may struggle to access it.

### **Do not simplify the scheme by reducing backdating restrictions**

It would be possible to not simplify the scheme by changing backdating rules. However, reducing backdating restrictions is likely to improve resident's experiences, reduce complaints and appeals, and remove barriers to the take-up of the scheme.

**588. AWARD OF CONTRACT FOR HOMES FOR HARINGEY NOEL PARK PODS REPLACEMENT AND MAJOR WORKS PHASE 2**

*Councillor Chandwani 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 Ltd "Engie", to carry out external major works on Noel Park estate for phase 2, a variation to the original contract award value and for the issue of a letter of intent to Engie, this will be for an amount up to, but not exceeding £1,012,644 which would enable detailed design work to be undertaken in advance of the contract being finalised.

The Leader advised that there was a typo in recommendation 3.1 of the report in that the value of the increase was £5,115,697 and not £5,116,697 as published in the papers.

The Leader made reference to paragraph 2.5 of the report and apologised to leaseholders for the quality of communication and engagement on the project and hoped that the revised proposals struck a balance of fairness to leaseholders and Council tenants.

The Leader and the Assistant Director for Housing responded to questions from the Cabinet and Councillor Barnes:

- All contract costs were fixed. The only way that costs would increase would be if more work was carried out.
- Officers were confident that the programme was sensible and that timescales would be met. However if there were any delays, these would be a matter of months and not years.
- In regard to paragraph 8.11 of the report, it was not accepted that the Council or HfH had failed to carry out necessary repairs and maintenance to ensure resident safety.
- In regard to roof repairs, it was anticipated that a good number would need to have works carried out. It made practical sense to carry out these works whilst the scaffolding was in situ, so surveys would be completed and approvals for works sought where required.
- The lifespan of the new PODs would be minimum 60 years.

Further to considering exempt information at item 20 it was,

**RESOLVED that Cabinet**

1. Approve a variation of the original Contract to Engie Regeneration Ltd by increasing the value from £16,342,419 to £21,458,116. This is an increase of

£5,115,697 to enable the completion of Phase 2 works in accordance with Contract Standing Order (CSO) 10.2.1 (b).

2. Note that of the original contract, £11,331,675 was approved for phase 1 by cabinet in January 2021.
3. Approve the award of contract for Phase 2 of the works on the Noel Park Estate to Engie Regeneration Ltd up to the value of £10,286,961, inclusive of fees (£160,520), for the replacement of bathroom pod extensions in accordance with Contract Standing Order (CSO) 9.07.1 (d). This includes bathroom suites and associated works, 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, where required and for works in leaseholder owned properties to be completed in line with work detailed in the section 20 notices.
4. Approve the issue of a letter of intent for an amount of up to, but not exceeding, £1,012,644. This represents 10% of the contract sum and will enable detailed design and planning work to be undertaken in advance of the contract being finalised.
5. Consider observations made by leaseholders in response to the Section 20 consultation with leaseholders regarding the scope of works and estimated charges, as set out in section 8.
6. Consider the results of consultation on the proposed offer to cap service charge payments as set out in section 9, to approve the proposed associated estimated expenditure as set out in the exempt report, and to note that Council officers will exercise discretion in reaching a final settlement where appropriate in individual cases.

### **Reasons for decision**

The properties identified in Noel Park Pods Replacement and Major Works Project Phase 2 need their bathroom pod extensions replaced. This includes bathroom suites and associated works, 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 be completed for all properties and for the rented, Council owned properties to be brought up to the Decent Homes Standard in line with the Borough Plan objective 3.

Homes for Haringey requires Cabinet approval for the award of this contract which is deemed to represent value for money. This is following a tender process undertaken with Haringey Council's Procurement team via the London Construction Programme (LCP) Major Works (MW14) framework.

A compliant tender process was carried out in accordance with the framework terms and conditions which incorporate price and quality. The evaluation process was based on 60% quality and 40% price. The recommended contractor Engie Regeneration Ltd

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.

At the first stage tender an estimate of £16.1m was submitted by Engie, following further surveys of the properties, adjustments had to be made to the programme (see 7.15 for details). Following the final surveys carried out on site in June 2020 the final contract proposal was put forward at approx. £21.048m. The main increase was the recommendation to replace all the existing main roof coverings to the properties in Gladstone Avenue and the need to remove the AIB asbestos panels prior to lifting the existing pod structure over the property.

In response to representations by leaseholders about the significant scale of estimated service charges relating to this contract, officers have prepared proposals to cap charges as a basis for a settlement with leaseholders. The detailed rationale for making settlement offers to leaseholders are set out in section 9.

### **Alternative options considered**

An alternative option would be for Homes for Haringey to use third party industry frameworks or a compliant tender process to deliver the construction works on the Noel Park Estate. Homes for Haringey sought support and advice from Haringey's Strategic Procurement team and determined the London Construction Programme (LCP) Major Works 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 demonstrated that excluding decanting costs, it would cost an additional £7,308 per property to install a traditional brick-built extension as opposed to modular extensions. The choice of traditional brick-built construction would also increase the related costs for all properties as the decant period could be circa 3 months, due to the requirement to decommission the bathrooms. The cost of decanting tenants would be borne by the project. However, leaseholders would have to make their own arrangements and 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. In such circumstances leaseholders may claim against the landlord for their costs and loss of income. 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 committing to effective consultation with the affected leaseholders, this should enable the delivery of phase 2.

Phase 2 is to be delivered as an addition to phase 1. All mobilisation works undertaken during phase 1 will be utilised for the delivery of phase 2 preventing additional associated costs. Although, phase 1 and 2 will be delivered by separate contracts, it is recommended that the works are conducted by the same contractor to ensure consistency, value for money and a high standard quality of works.

#### **589. THE ACQUISITION OF S106 RESIDENTIAL ACCOMMODATION IN TOTTENHAM HALE N17**

The Cabinet Member for House-Building, Place-Making and Development introduced the report which sought approval for the acquisition at pre-construction phase of 177 homes in six blocks at Hale Wharf in Tottenham Hale for housing purposes as Council homes at Council rent. If approved, the acquisition would provide high quality homes in a development which would not otherwise meet the need for socially rented homes, 27 of which would be wheelchair accessible.

The Cabinet Member and Officers responded to questions from the Cabinet and Councillor Barnes:

- If the decision was approved, it was anticipated that work would begin on site within six months.
- There may be opportunities to acquire further units in the future, but this was not the case at the moment. Any further acquisitions would require Cabinet approval.
- Value for Money would be achieved with the acquisition, and a substantial grant from the GLA would contribute to the budget for purchasing the units, which will be acquired within market value.

Further to considering exempt information at item 21 it was,

#### **RESOLVED that Cabinet**

1. Approve the acquisition of the long leasehold interests in six residential blocks in Hale Wharf Phase 2 from Waterside Place Limited Partnership for the Package Price and based on the Heads of Terms and Business Case as set out in Exempt Appendix 2. The blocks consist of 177 residential units contained within the S106 agreement for Hale Wharf Phase 2 which will be converted for use as Council homes at Council rent and also 14 private for sale units which will be retained by the developer.
2. Approve delegated authority to Director of Housing, Regeneration and Planning and after consultation with the Head of Legal and Governance (Monitoring Officer) and Cabinet Member for House-Building, Place-Making and Development to agree legal documentation and complete the transaction.

#### **Reasons for decision**

The acquisition of these residential units will allow the Council to secure the rapid delivery of another 177 new Council homes at Council rents.

There is an overwhelming need for social rented homes in Haringey. This acquisition will help the Council to meet that need by converting 143 shared ownership and 34 Affordable Rent properties in this development to 177 homes at Social Rent for rent to those on the Council's Housing Register who most need them.

The conversion of shared ownership homes to homes for Social Rent will also deliver an improved mix of genuinely affordable homes within the scheme as a whole and in Tottenham Hale more widely, better meeting the needs of local people.

The homes to be delivered are very well located and will be of an extremely high quality. Delivering them as Council homes would help to create an inclusive environment in a development that has adopted the Healthy Streets Approach to embed public health in public realm.

The acquisition is supported by the HRA Business Plan and by GLA grant funding.

### **Alternative options considered**

**Not to acquire the homes.** This option was rejected because it would represent a missed opportunity for the Council to:

- Secure 177 Shared Ownership and London Affordable Rent homes for conversion to use as Council rent tenancies.
- Avail of substantive GLA grant funding from the Building Homes for Londoners Programme.
- Assist in maintaining momentum and progress in the overall Tottenham Hale regeneration area.

## **590. MOBILE NETWORK SERVICES & EQUIPMENT CONTRACT EXTENSION**

The Cabinet Member for Customer Service, Welfare and the Public Realm introduced the report which sought approval under CSO 10.02.1 b), for the extension to the Mobile Network Services & Equipment contract awarded to EE Ltd.

Further to considering exempt information at item 22 it was

### **RESOLVED that Cabinet**

1. Approve the award of the final years extension, pursuant to Contract Standing Order 10.02.1(b), of the Mobile Network Services & Equipment contract, from 01/04/2021 to 31/03/2022, to EE Ltd. The estimated value of the final year is approx. £280,00.00, this will mean that the estimated total spend, over the four year life of the contract, will be approx. £814,000.00.

### **Reasons for decision**

The reason this extension is before Cabinet is to maintain the mobile contract for the Council into its final year, whilst a full tender process is being carried out.

We are seeking Key Decision approval from Cabinet to award the final year's term, as aggregated contract spend is over £500,000.00.

### **Alternative options considered**

There are 2 alternative options available:

**Retender** – not an option as we have no time to carry out the procurement. It would also take up to 6 months to replace the 4000 sim cards if a new provider were successful.

**No Action** – do not award a contract extension and allow the existing contract to end. This option has a high level of risk, the implications of not having a contract are:

- No longer covered by procurement framework terms and conditions
- Special tariff rates and discounts will revert to increased standard rates
- Possible disruption to mobile network services

### **591. ACQUISITION OF TWO PIECES OF LAND KNOWN AS 6-40 DUNFORD STREET, N15 5NQ AND LAND TO THE REAR OF 728 SEVEN SISTERS ROAD, N15 5NH IN SEVEN SISTERS, ST ANN'S WARD FOR GENERAL FUND PURPOSES**

The Cabinet Member for House-Building, Place-Making and Development introduced the report which sought approval for the acquisition of freehold interests known as 6-40 Durnford Street, N15 5NQ and Land to the Rear of 728 Seven Sisters Road, N15 5NH in Seven Sisters, using funding secured as part of MHCLG's Future High Streets Fund (FHSF) Programme.

The Cabinet Member and the Director for Housing, Regeneration and Planning responded to questions from the Cabinet and Councillor Barnes:

- This report was to seek approval for the acquisition of properties – detailed proposals for the future of the properties would be provided in a future report.
- This was the start of a long process and it would be a minimum of 2-3 years before any work would begin on site in a phased development.
- The acquisition provided value for money in that it provided a valuable asset in terms of the commercial property portfolio.

Further to considering exempt information at item 23 it was

### **RESOLVED that Cabinet**

1. Note the Draft Masterplan Objectives outlined in Section 6.
2. Agrees to acquire for General Fund purposes "the Site" for a sum (as reported in Part B of the report) based on the draft Heads of Terms which are set out in Appendix 4 (in Part B of this report).

3. Note that the seller will take a lease back of the Site from the Council on acquisition for a period of 2 years (with break clause) as set out in the draft Heads of Terms in Appendix 4 (in Part B of this report).
4. Give delegated authority to The Director of Housing, Planning and Regeneration after consultation with the Cabinet Member for Finance and Transformation and the Cabinet Member for House Building, Placemaking and Development to agree the final heads of terms and the legal documentations for the acquisition.

### **Reasons for Decision**

The Gourley Triangle site is an important site allocation in the Tottenham Area Action Plan. It has long been identified as having the potential for renewal and placemaking given the quality of the current built environment. At its heart, the future of Gourley Triangle will aim to reflect employment and workspaces that meet the contemporary post-Covid economy. There is also potential to meet wider Council objectives of placemaking, delivering council homes and sustainability.

Due to complex and fragmented land ownership, it is considered that the Gourley Triangle site could not come forward without public sector intervention. The Council is able to lead this intervention by developing a coherent masterplan and land acquisition programme. This report sets out the draft key objectives informing the development of the masterplan and brings forward for decision the first land acquisition.

An opportunity has arisen to make an early acquisition of a critical land interest at the heart of the Gourley Triangle and adjacent to existing Council freehold interests. There are a number of 3<sup>rd</sup> party interests in the Gourley Triangle area and the proposed acquisition of “the Site” enables the Council to take the lead in land assembly of the Gourley Triangle. The Council has secured external funding from MHCLG’s ‘Future High Streets Fund’ to cover the cost of this acquisition.

The acquisition price and associated business case is based on an ‘existing use value’ approach and covers the fallback position of what would happen in the event the Council were unable to take a wider redevelopment forward.

### **Alternative Options Considered**

#### **Not acquiring The Site**

This option was rejected because the Site is central to achieving the Council’s strategic objectives for the wider Gourley Triangle site allocation as set out in the Tottenham Area Action Plan. There are further risks that the Site could be acquired by another third party, who may not be willing to work with the Council to secure those

outcomes. Additionally, the Council understands that the long-standing third party local business is actively constrained in its current site, and there is an important opportunity to facilitate their future growth through agreeing to purchase the Site at this time.

**Acquiring The Site at a later date**

This option was considered and rejected. There is a current opportunity to acquire and the vendor has indicated that they have a compelling business reason to dispose at this time. The risk is that the Site could be sold on were the Council not to take the opportunity to acquire from a willing vendor at this time. In this case the Council would need to, should it wish to redevelop the Gourley Triangle site in the future, seek to acquire the Site first by private treaty with the possibility of exercising its CPO powers as part of a land assembly exercise where that is not possible.

**592. MINUTES OF OTHER BODIES**

**RESOLVED**

To note the minutes of the Urgent Decision on 13 July 2021 and the Cabinet Member Signing on 14 July 2021.

**593. NEW ITEMS OF URGENT BUSINESS**

None.

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

**RESOLVED**

That the press and public be excluded from the meeting for the consideration of agenda items 20-25 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.

**595. EXEMPT - AWARD OF CONTRACT FOR HOMES FOR HARINGEY NOEL PARK PODS REPLACEMENT AND MAJOR WORKS PHASE 2**

The Cabinet noted the exempt information, and the resolutions were agreed as per minute 588.

**596. EXEMPT - THE ACQUISITION OF S106 RESIDENTIAL ACCOMMODATION IN TOTTENHAM HALE N17**

The Cabinet noted the exempt information, and the resolutions were agreed as per minute 589.

**597. EXEMPT - MOBILE NETWORK SERVICES & EQUIPMENT CONTRACT EXTENSION**

The Cabinet noted the exempt information, and the resolutions were agreed as per minute 590.

**598. EXEMPT - ACQUISITION OF TWO PIECES OF LAND KNOWN AS 6-40 DUNFORD STREET, N15 5NQ AND LAND TO THE REAR OF 728 SEVEN SISTERS ROAD, N15 5NH IN SEVEN SISTERS, ST ANN'S WARD FOR GENERAL FUND PURPOSES**

The Cabinet noted the exempt information, and the resolutions were agreed as per minute 591.

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

None.

CHAIR: Councillor Peray Ahmet

Signed by Chair .....

Date .....