

MINUTES OF MEETING Cabinet HELD ON Tuesday, 17th October, 2023, 6.30pm to 8.28pm.

PRESENT:

Councillors: Peray Ahmet (Chair), Mike Hakata, Emily Arkell, Zena Brabazon, Dana Carlin, Seema Chandwani, Lucia das Neves, Ruth Gordon, Adam Jogee and Sarah Williams

ALSO ATTENDING: Cllr Connor, Cllr White.

28. FILMING AT MEETINGS

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

29. APOLOGIES

There were no apologies for absence.

30. URGENT BUSINESS

There were no items of urgent business.

31. DECLARATIONS OF INTEREST

There were no declarations of interest.

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

There were no representations received in relation to the exempt papers.

33. MINUTES

RESOLVED

To approve the minutes of the Cabinet meeting held on the 19th of September 2023.

34. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE

There were no matters referred to Cabinet from Overview and Scrutiny Committee.

35. DEPUTATIONS/PETITIONS/QUESTIONS

There were no deputations, petitions or questions received.

36. LGA CORPORATE PEER CHALLENGE - RESPONSE TO RECOMMENDATIONS

The Leader of the Council introduced the report which set out the findings of the corporate peer review which had taken place in May 2023. All Councils were given the opportunity to have one of these reviews every 4-5 years as part of a local government-led approach to improvement and mutual support. This review involved senior officers from Councils across the country, led by Althea Loderick, Chief Executive at Southwark Council and a lead Councillor peer, Cllr Sir Steve Houghton, Leader at Barnsley Metropolitan Council.

The peer review had been asked to consider the Council's relationships with residents and communities, alongside the Council's approach to 'getting the basics right'. Both of these were key elements of the Haringey Deal and would be critical to future success.

The Leader expressed that she was really proud of the positive nature of the report and feedback from the peer team. However, there was no room for complacency and the wider financial climate would bring challenges which the review findings would be helpful in taking the Council forward with.

The Leader of the Council continued to speak about having a longer-term vision for the borough, over a 10-year period, which involved implementing all aspects of the Haringey Deal.

It was noted that the peer review team would support evaluation of progress against the action plan next year.

The Leader of the Council and Cabinet welcomed the report and positive comments and would respond to the actions identified.

In response to questions from Cllr Connor, the following information was provided.

- In relation to the new participation framework and scrutiny involvement, the actions were predominantly corporately focused. However, the Assistant Director for Strategy, Communications and Collaboration agreed to take forward an Overview and Scrutiny discussion on this new framework.
- With regards to having scrutiny oversight of the capital programme and access to information, this was provided for in the scrutiny budget process and scrutiny members would have appropriate access with the usual caveats in place regarding commercially sensitive information. Where this exempt information could not be shared, reasons would be provided.
- It was clarified that the actions listed in appendix 2 reflected the required collective ownership of the Council in responding to the review and Cabinet Members were assigned to take forward actions irrespective of portfolio areas

and to ensure that there was parity in allocations. This would be reviewed and updated as the action plan progressed.

RESOLVED

- 1.1. To endorse the action plan as set out in Appendix B, which responds to each of nine recommendations from the Corporate Peer Challenge report.

Reasons for decision

There is an expectation that all Councils undertaking a Corporate Peer Challenge will commit to publishing the feedback report and produce an action plan, which responds to the recommendations in the report.

The recommendations are important in helping the Council improve, including building stronger relationships with the residents and communities in Haringey and provide better, more efficient services.

The action plan sets out what the Council is doing to respond to these recommendations, including specific actions, when they will be delivered, and who will be responsible for delivering them.

Alternative options considered.

The option not to respond to the Peer Challenge recommendations with a formal report was considered. The decision has been made that it would be better to publish the report, and the Council's response to it, so that the Council can be held to account on its improvement plans.

37. TRANSLATION AND INTERPRETATION POLICY

The Leader of the Council introduced the report, which sought approval of the Translation and Interpretation Policy.

The Leader outlined that this report met the commitment in the Haringey Deal to have open, collaborative and inclusive conversations with residents; ensuring that residents and families that struggle with English had the right to confidential and independent access to services.

The Council recognised that there were thousands of residents who wanted to learn or improve their English and there was a further commitment to expand ESOL (English for Speakers of Other Languages) classes in Haringey.

The attached policy and guidance also set out where digital translation could be used when appropriate to access more professional support. For example, where there were high-risk and complex issues.

In response to questions from Cllr Hakata, the following information was noted.

- There was strong community engagement with representatives of the main community languages, and this provided confidence that the policy objectives would be met.
- The engagement process allowed valuable information to be obtained about the practical ways that communities accessed and used technology. This would also inform how the Council considers inclusion.

RESOLVED

To note and approve the Translation and Interpretation Policy attached at Appendix 1 which will come into effect from the 25/10/2023.

Reasons for decision

Haringey Council is committed to providing a high-quality public service, improving equity of access and outcomes, and proactively removing the barriers residents may experience when interacting with the Council. High-quality translation and interpretation are critical to meeting these commitments to residents who are not confident English speakers.

The Council does not currently have a translation and interpretation policy, and the lack of one may cause inconsistent decision-making around the use of translation and interpretation. This may negatively impact the access, experience and outcomes of residents using our services who are not confident English speakers who make up 7% of Haringey's population (19,000 residents). Additionally, the lack of a policy may result in missed opportunities for officers to effectively address resident concerns on the first interaction.

The policy will improve the quality and consistency of translation and interpretation across the Council and support officers to proactively remove the language barriers that residents encounter. The aspiration is that this will improve resident experience and outcomes of our services.

This policy will also play a critical role in advancing the Haringey Deal particularly the commitments of:

- Knowing our communities - developing a better understanding of who our residents are, their strengths and needs, and how we can best work with them.
- Getting the basics right – ensuring residents' everyday interactions with the Council are easy, effective and supportive.
- Working harder to hear the voices that are too often overlooked.

Alternative options considered.

Not to develop a new translation and interpretation policy. This was rejected because while it is not a statutory document, effective translation and interpretation are critical to removing barriers, improving equity and meeting the following commitments in the Haringey Deal: getting the basics right and working harder to hear voices that are too often overlooked.

38. SCHOOL STREETS – ADAPTIVE WOOD GREEN (ST PAUL’S RC AND ALEXANDRA PRIMARY)

The Cabinet Member for Climate Action, Environment, and Transport and Deputy Leader of the Council introduced the report, which sought agreement to determine whether St Paul’s RC Primary School Street (SS32) and Alexandra Primary and Heartlands High School Street (SS31) should be implemented. This particular scheme aligned with the adaptive programme in Wood Green, which included sustainable travel and promoted liveability principles in the area.

It was noted that this scheme incorporated public realm and footway improvements as well as biodiversity enhancements and climate mitigations.

In response to questions from Cllr das Neves and Cllr Connor, the following information was provided:

- The strong feedback was that once school street schemes were in place, they were supported in the local area. A crucial element of ensuring success was engagement with schools, teachers, parents and stakeholders and this would be maintained.
- Appendix A contained a map, which showed the proximity of respondents to the school, and residents and stakeholders close to the school street had indicated support for the scheme.
- In relation to measuring success of the schemes, this would be through sensor monitoring of traffic in and around the school street. Anecdotal evidence showed that some small schemes could have a displacement of cars and where the Council could; it would look to extend the scheme to mitigate these types of issues. Overall, there was positive feedback on the implementation of the schemes and there would be annual surveys completed with school staff and pupils to maintain communication and update the scheme if needed.
- The Council were seeking changes in the mode of travel to school and would not look to be increasing the number of exemption categories. There was the key need to improve safety, which a reduction in car usage supported.
- The reference at recommendation 3.2 was referred to and it was clarified that this was a publishing error and a rogue reference number. The resolution was correct and paragraph number correct.
- In reference to paragraph 6.34 and the negotiations with the police on the proximity of the school street to the zebra crossing and their base depot, this was ongoing and likely to continue in the coming months.

RESOLVED

1. To note and consider all feedback, including objections to the proposed traffic management orders, given during the 2023 consultation, as set out in Appendix A of this report.

2. To agree that the Council shall exercise its discretion to not cause a public inquiry to be called (see paragraph 6.36)
3. To approve the introduction of a new School Street (SS32) project adjacent to St Paul's RC primary school in Bradley Road as shown in Appendix B of this report.
4. To note that the proposed School Street (SS31) project adjacent to Alexandra Primary and Heartlands High School in Western Road, as shown in Appendix C, is paused whilst further attempts are made to resolve an unwithdrawn objection.
5. To authorise the Head of Highways and Parking to make all necessary traffic management orders (TMOs) and install any necessary highway infrastructure and works necessary to give effect to the School Street design set out in Appendix B of this report.

REASONS FOR DECISION

The overall reason for proceeding with the proposed School Street is in summary as follows: School Streets are a key priority for the Council, as set out within the School Street Plan¹, the Walking and Cycling Action Plan² and the Corporate Delivery Plan 2022-2024³. See further sections 7, 8 and 9 below.

The reason for recommendation 3.1 and 4 is to ensure compliance with the Regulations⁴ whereby the order making authority must consider all unwithdrawn objections before making an order.

The reasons for recommendation 2 are set out at paragraphs 6.36 and, in summary; the reasons for recommendation 3 are as follows:

- To improve the health of children by increasing active travel, reducing road danger and improving air quality near the school gate.
- The school is supportive of the proposal; and
- The proposals contribute towards the strategic objectives of the Council.

The reason for recommendation 5 is to enable implementation of the School Street.

ALTERNATIVE OPTIONS CONSIDERED

Do nothing.

This option was rejected as not delivering School Streets would not meet the objectives set out in the Corporate Delivery Plan, the Transport Strategy, the Climate Change Action Plan, the Walking and Cycling Action Plan and the School Street Plan.

Implement SS31 Alexandra Primary and Heartlands High School Street

¹ <https://www.minutes.haringey.gov.uk/ieIssueDetails.aspx?IIId=83410&PlanId=0&Opt=3#A175755>

² <https://www.haringey.gov.uk/parking-roads-and-travel/roads-and-streets/haringey-streets-people/haringey-s-adopted-walking-and-cycling-action-plan>

³ www.haringey.gov.uk/sites/haringeygovuk/files/final_corporate_delivery_plan.pdf

⁴ [The Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

This option was rejected as the Metropolitan Police Service (MPS) have objected to the project on the grounds that it will impact their operational base located in Western Road. The Council will continue to work with the MPS in an attempt to resolve that objection.

39. SCHOOL STREETS - ADAPTIVE WOOD GREEN (NOEL PARK PRIMARY)

The Cabinet Member for Climate Action, Environment, and Transport and Deputy Leader of the Council introduced the report which sought agreement to determine whether Noel Park Primary School Street should be implemented.

It was noted that the Noel Park Primary School Street was part of the Adaptive Wood Green programme, an effort to improve air quality, promote active travel, enhance ecology and biodiversity, and upgrade public spaces. The Noel Park project included multiple enhancements to the public realm and traffic safety measures such as rain gardens, widened footways at crossings, reduced crossing distances, cycle stands at the school entrance, accessibility improvements, and renewed paving, aiming to create a much more comfortable and liveable place to live, learn, work and play.

RESOLVED

1. To consider all feedback, including objections to the proposed traffic management order, given during the 2023 consultation, as set out in Appendix A of this report.
2. To agree that the Council shall exercise its discretion to not cause a public inquiry to be called.(see paragraph 10.5)
3. To approve the introduction of a new School Street (SS33) adjacent to Noel Park Primary School as shown in Appendix B of this report.
4. To authorise the Head of Highways and Parking to make all necessary traffic management orders (TMOs) and install any necessary highway infrastructure and works necessary to give effect to the School Street design set out in Appendix B of this report.

REASONS FOR DECISION

The overall reason for proceeding with the proposed School Street is in summary as follows: School Streets are a key priority for the Council, as set out within the School Street Plan⁵, the Walking and Cycling Action Plan⁶ and the Corporate Delivery Plan 2022-2024⁷. See further sections 7, 8 and 9 below.

⁵ <https://www.minutes.haringey.gov.uk/ieIssueDetails.aspx?IIId=83410&PlanId=0&Opt=3#AI75755>

⁶ <https://www.haringey.gov.uk/parking-roads-and-travel/roads-and-streets/haringey-streets-people/haringey-s-adopted-walking-and-cycling-action-plan>

⁷ www.haringey.gov.uk/sites/haringeygovuk/files/final_corporate_delivery_plan.pdf

The reason for recommendation 1 is to ensure compliance with the Regulations⁸ whereby the order making authority must consider all unwithdrawn objections before making an order.

The reasons for recommendation 3 are set out at paragraphs 6.30 and, in summary, the reasons for recommendation 3 are as follows:

To improve the health of children by increasing active travel, reducing road danger and improving air quality near the school gate.

- The school is supportive of the proposal; and
- The proposals contribute towards the strategic objectives of the Council.

The reason for recommendation 5 is to enable implementation of the School Street.

ALTERNATIVE OPTIONS CONSIDERED

Do nothing.

This option was rejected as not delivering this School Street would not meet the objectives set out in the Corporate Delivery Plan, the Transport Strategy, the Climate Change Action Plan, the Walking and Cycling Action Plan and the School Street Plan.

40. INCREASE CONTRACT VALUE FOR SUPPLY OF AGENCY STAFF

The Cabinet Member for Finance and Local Investment introduced the report which sought approval of increase of up to £20,000,000 for the duration of the contract for agency staff spend. This increase was to ensure that the Council could continue to provide short term agency / interim workers and support the permanent agency supply chain where required. As described in the report, the number of agency workers in Haringey had accelerated recently and the assumptions made at the beginning of this contract underestimated the cost required for the duration. This decision would extend the funding of the contract.

The Cabinet Member described that all directorates were working to ensure that there was a solid reason for every agency worker employed at the Council, and that there was an end date for their employment. Also, that no new workers would be recruited without prior consideration of all alternative options. The reduction in the numbers of agency workers would be monitored corporately once a month. The Cabinet Member for Finance and Local Investment would be meeting with officers every quarter to ensure that the reduction targets were being met. This focus would be supported by a new workforce strategy that would be coming to Cabinet shortly, which would revise Council policies around recruitment and retention. The Council valued the hard work of all current agency staff and hoped that where possible these employees would join on a permanent basis.

⁸ [The Local Authorities' Traffic Orders \(Procedure\) \(England and Wales\) Regulations 1996](#)

In response to questions from Cllr das Neves, Cllr Hakata and Cllr Connor, the following information was provided.

- That the agency staff were needed to cover certain circumstances of employment need. This included: interim positions, completing a specific project, and to cover a specific trained skills set to meet a service or project need. It was acknowledged that the Council had a higher number of agency staff than benchmarked local authorities. The Council's aim was to have a permanent workforce and for agency staff to be embedded in the Council workforce.
- In relation to reducing spend on agency staff, directors were adding in end dates for discontinuation of agency staff contracts. The number of agency staff was monitored on a monthly basis, but it was difficult to leave vacancies as there was a shortage in certain areas of the Council which if not filled would be impacting on service delivery. It was noted that other boroughs were also facing similar issues.
- The Director for Culture, Strategy and Engagement advised that the challenges of recruiting to sector specific roles was not unique to Haringey, and London Councils and other agencies were facilitating initiatives for different roles to mitigate Councils competing with each other to recruit to these roles. There were different initiatives to participate in for different sectors and the Council was exploring a number of them.
- The figure in the contract increase was to cover the salaries of agency workers and enable the Council to continue to manage the agency workers until the end of the contract term.
- With regards to competing with other boroughs' pay scales and terms and conditions, there was a national pay structure for local government staff but there could be differences in job evaluations and we are also competing with the private sector where pay is often higher. The aim of the imminent report on workforce planning was to identify the jobs that would be needed in the future and how these would be effectively recruited to through a combination of recruitment activities and development roles. This would involve promoting the employer brand and setting out the advantages of working for a local authority.

RESOLVED

1. In accordance with the Council's Contract Standing Order (CSO) 10.02.1 (b) Cabinet to approve the variation to increase the value of the Matrix contract; and
2. To approve an increase of up to £20,000,000 for the duration of the contract. This increase is to ensure that the Council can continue to provide short term agency / interim workers and support the permanent agency supply chain where required.
3. Notwithstanding 3.2, the Chief Executive be required to submit a progress report to the Leader of the Council no later than 1st June 2024 detailing any variations from the targets set. At this point, the Leader of the Council may require further reductions in agency spending.

4. The contract duration is four years, from 26 July 2021 to 18 July 2025.

Reasons for decision

The initial contract value of £108,000,000 agreed by Cabinet on 20 November 2020 and a 1st variation for £1,495,090 for the provision of the permanent recruitment supply agreed in 2021 was estimated based on the previous three years.

This estimate could not have accounted for the unprecedented events of the past few years, including: Covid and the large number of additional agency workers as a result of the Covid testing programme, job market challenges, Brexit, and the higher-than-expected annual pay increases. We are anticipating a further potential increase in Housing to work on the improvement programme. None of these higher costs and additional spend were accounted for in the original contract estimate.

In 2022, the Council migrated several off-contract interim workers on the Local Government Recruitment Partnership (LGRP) framework to Matrix as well as other agency suppliers, which reduced overall costs. However, it increased the value of spend through the Matrix contract, contributing further to the increased rate at which the overall contract value was being used up.

The Chief Executive and the Corporate Leadership Team are taking quick and decisive action to control and reduce agency spend, as detailed in 5.3 below. The development of a new workforce strategy to replace the existing one, which has run from 2019-23 and delivered a number of improvements in our HR service, is paramount for solving this issue on a sustainable basis. As an organisation with a large and diverse workforce delivering services in a wide range of disciplines, the Council needs to develop a range of workforce planning approaches that address the different challenges that exist in different service areas. These need to sit under an overall strategy to attract people with the right skills, values and attributes to want to work for us on a permanent basis, demonstrating commitment to the borough and enabling the Council to invest in developing its staff and services for the long term.

The work to develop this strategy is under way and will be reported to Cabinet in due course. We are currently carrying out a staff survey and will be engaging with staff networks, managers and trade unions to inform the strategy.

However, whilst the Council will always seek to reduce the reliance on agency staff, there will remain a continuing requirement to plug skills gaps, address market and recruitment challenges which often pertain across the whole local government sector and ensure the continuation of essential services. The Council needs to therefore ensure that it can continue to acquire the right skills to serve our residents while securing the maximum value for money possible. Extending the value of the existing contract ensures the achievement of that objective.

The spend of the current contract value of £109,495,090, inclusive of the 1st variation; if at last year's run rate, is expected to be reached in early 2024. The contract runs

until July 2025. Directorates will need to materially reduce spend in accordance with their forecasts as, even with the value increase recommended in this report and the expected reduction in run rate as per Directorate forecasts, Officers project that the contract value will be exceeded shortly before the contract end date.

Alternative options considered.

Not to extend the contract value. This would mean the Council could not continue to use agency workers without services procuring each worker individually on the open market. This would substantially increase costs and reduce corporate control and monitoring. This option was discounted on that basis.

Re-procure a different contract. This would result in unnecessary work and considerable disruption to Council services. A new contract for provision of temporary, interim and permanent recruitment will be procured in 2024/25 and will include consideration of an insourced solution. This option was discounted on this basis.

41. COUNCIL HOUSING DELIVERY PROGRAMME: PROGRESS UPDATE AND DECISIONS ON SITES IN THE PROGRAMME

The Cabinet Member for Council House building, Placemaking, and Local Economy presented the report which provided a detailed overview of the Council's progress towards the Corporate Delivery Plan target to deliver 3,000 Council homes for Council rent by 2031. It focused on the progress since Cabinet were last updated on the programme and requested a number of decisions.

The Cabinet Member expressed that building work had started on more than 2,000 new Council homes in the last five years. The Council were on track to finish and let 3,000 new homes by 2031.

The Cabinet Member further outlined that the new homes, the Council was delivering, were built to the highest standards of sustainability and energy efficiency. Placemaking was central to the Council's approach, and the new homes were bringing real improvements to their areas - including through new facilities and green spaces that contributed greater biodiversity into the city. The Council were designing these new homes to meet the individual needs of a wide range of people.

The Cabinet placed on record their appreciation and thanks to the Director for Placemaking and Housing, the Assistant Director for Housing and the Housing Delivery Team for their continued work and significant commitment to the Housing delivery programme. This had been nationally recognised with an award from Inside Housing for the best Housing Delivery Team of the year.

Cabinet was asked to approve the use of Right to Buy receipts towards seven new Council homes at Crawley Road, to agree budgets for homes already delivered at Harvey House and Finsbury Road, and to remove three unsuitable sites from the programme.

7.35pm - Due to a significant fault in the sound system affecting the live stream of the meeting and limiting participation of officers joining the meeting online, the Chair Adjourned the meeting

The meeting restarted at 7.45pm.

In response to questions from Cllr Hakata and Cllr Connor, the following was noted:

- Overall, the programme was moving towards a target of 35% three-bedroom homes and 10% with four or more bedrooms. This demonstrated how the Council building programme would provide real benefits to residents awaiting Council homes and also those that were living in severely crowded accommodation.
- The Council were building homes sustainably and to last. They were accessing innovations which provided value for money and met high end needs in the borough.
- All schemes would be built following planning permission, and the Council was confident that it could deliver 3000 homes. In addition, the Council had a spend envelope for housing delivery which was being monitored and adhered to.

Following consideration of exempt information at item 23 and agreement of the exempt recommendations,

RESOLVED

1. To approve the removal of 3 sites from the programme: Land adjacent to 82 Muswell Hill Place, Stokley Court and Eade Road. Reasons for this are individual and set out in detail in the report.
2. To note the post-completion reports for the new Council homes at Errol Cour (500 White Hart Lane), 27 Harvey House and 43 Finsbury Road, including financial information included in the Exempt Part B report.
3. To approve the retrospective, overspend on 27 Harvey House and 43 Finsbury Road of £38,857 and £29,013 respectively.
4. To approve the use of retained Right to Buy (RtB) receipts as capital subsidy to support the delivery of seven new Council Rent homes at Crawley Road as detailed in paragraphs 6.31-6.34, to the total value detailed in the Exempt Part B report.
5. To note the continued success of the programme, the achievements to date against targets, and the forecast performance.

Reasons for decisions

The Corporate Delivery Plan (2022-24) commits to delivering 3,000 new Council homes by 2031 and the suite of decisions contained in this report support this commitment through both site/project-specific decisions and proposed updates to

procedures and processes. These decisions ensure that the Council continues to build up a pipeline of new sites to deliver a long-term sustainable Housing Delivery programme.

Alternative options considered.

This paper is an update paper, and alternative options have been considered only for recommendations which are for approval rather than for note.

In regard to 3.1.1, the alternative option is that the sites remain in the programme. This would mean that more appropriate alternative future options for the sites would not be explored, which would result in a continued spend on project proposals for these sites that are currently identified as either unviable or unsuitable. For this reason, we have not proposed pursuing this alternative option.

In regard to 3.1.3, the schemes at Harvey House and Finsbury Road have been completed, and the overspend is being retrospectively approved. Therefore, no alternative can be considered, and these costs are contained within the current HRA business plan.

In regard to 3.1.4, the option of not using RtB receipts was considered, but would not make best use of the Council's time limited reserve of RtB funds to support the delivery of an otherwise unsubsidised project. In order to ensure best use of our available RtB receipts, this option was rejected.

42. AWARD OF NEW FIRE SAFETY CONSULTANCY

The Cabinet Member for Housing Services, Private Renters and Planning introduced the report which sought approval for the award of a new call-off contract for the provision of Fire Safety Consultancy services to the Council, for 4 years from November 2023 to November 2027.

The Cabinet Member outlined that the Council required the support of specialist fire safety services to deliver Fire Safety programmes. These programmes were critical to the safety of residents, supporting Haringey in recovering its compliance position in line with commitments to the Regulator for Social Housing.

It was noted that the Council's commitment to the Regulator following the Council's self-referral required a high level of competency and consistency in delivering fire safety risk assessments, surveys and works inspections. Quality was therefore prioritised over lowest price, when evaluating the consultants' submissions.

The Cabinet Member outlined that the Council could not allow this service to fail due to lack of resources, whether in or outsourced. By ensuring there was a suitable longer-term external supplier in place, the Council would be able to demonstrate commitment to learning from a collaborative approach with the Regulator for Social Housing and, as far as possible, ensure the safety of residents and prevent any further non-compliance.

In addition to supporting the in-house team, the report confirmed the commitment to recruit to the current vacancies so that, as much as possible, this work can be undertaken by directly employed personnel in future.

Following questions from Cllr Connor, the following information was noted:

- With regards to fire and safety inspection breaches identified by the Housing Regulator, there have been over 1000 assessments completed and the Council was on course to meet the required protection targets by March 2024.
- The principal decision was to have an in-house team for delivering fire safety compliance. However, given the specialist nature of this role, there would always need to be specialist help enlisted and to further help reduce the number of visits required.

Following consideration of the exempt information at item 24 and agreement of the exempt recommendations,

RESOLVED

1. To note that following the completion of tender evaluations, Contractor A (who is identified in the Exempt part of this report), emerged as the highest-ranking bidder, having achieved the highest combined score for quality and price, and
2. To approve the award of a call-off contract to Contractor A to a maximum value of £4.0m over 4 years.

Reasons for decision

In order to deliver the Fire Safety programmes, which includes Fire Risk Assessments, Surveys, Specifications and Schedules of Works, Reports and Quality Assurance, Haringey Council requires the support of specialist fire safety services, including risk assessments, door inspections, project management, surveying, cost management, and quality assurance from 'Competent Persons'.

The contract is awarded based on a call-off arrangement. This means that only works instructed at any time under the contract will incur costs which will be charged in accordance with the tendered schedule of rates. The rates have been compared to wider market rates to ensure they reflect value for money. We will continue to proactively recruit to our in-house team and deliver as much as possible in-house to reduce the need for reliance on these external consultants and thereby ensure we are able to deliver the programme in budget.

The previous contract for this work was put in place in January 2022 as a direct award under the Southeast Consortium's Fire Safety Consultancy Framework and has since expired. There is an interim arrangement in place until the end of October, to provide support to the in-house team, until this contract can be awarded.

This contract is to deliver programmes of safety inspections and surveys, critical to the safety of residents, supporting Haringey in recovering its compliance position in line

with its commitments to the Regulator for Social Housing. Award of this contract is required whilst we continue to recruit to vacancies within our team of Fire Risk Assessors and Surveyors and undertake further assessment as to what other aspects can be delivered in-house, e.g., fire door inspections on high-rise blocks could be undertaken by our Building Safety Managers following suitable training and certification.

Wherever possible subject to appropriate competencies, we will take on more of this work in house. However, due to the competitive nature of the current market, we currently have two interim surveyors covering 2 permanent posts and two in-house risk assessors out of 4. However, we have recently appointed Building Safety Managers and undertaken a further round of interviews for Risk Assessors and Surveyors and are looking to appoint a third permanent risk assessor to one of the vacant posts.

Even when the team is fully resourced, there will always be a need to rely upon additional consultancy services to support the in-house team through peaks in workload and gaps in skills and resources. There is also an ever-increasing regulatory framework for fire safety, and we will be delivering a significantly increased fire safety works programme over the next 4 years.

As we continue delivering fire safety programmes, this contract offers continuity and the necessary competent resource availability to support the in-house team in the delivery of the essential life-safety programmes.

The contract represents value for money due to it having been competitively tendered through the Haringey's London Construction Programme, Dynamic Purchasing System (DPS) for Minor Works and has been assessed in comparison, with other housing provider costs. The preferred bidder's commitments to developing costed Schedules of Works at no additional cost will support the procurement of contractors to carry out remedial works. This ensures sufficient budgets are assigned for fire safety remedial projects, prices received from delivery partners are value for money and allows Haringey to develop future maintenance and repair contracts with associated budgets.

The contract supports the ongoing delivery of major fire safety inspection and delivery programmes to comply with the Fire Safety Act, the Building Safety Act and subsequent secondary legislation being introduced in the form of Regulations. Such projects include Borough-wide fire safety and fire door replacement Works, Fire Risk Assessments, Bin-chute upgrades, Loft compartmentation and Fire Door inspections.

Alternative options considered.

Do nothing. This would leave the residents subject to living in buildings where there could be fire safety issues that go unrecorded and unremedied if we do not undertake Fire Risk Assessments and improvement works. In addition, the Council would not be compliant with both the Regulatory Reform (Fire Safety Order) 2005 and the Fire Safety Act 2021 and its subsequent secondary regulations.

Undertake all the work in-house. This option is not viable due to the current lack of specialist skills available in the market for Haringey to recruit.

Extend/vary the current contract. This has been varied by 50% once and to do so again would only provide a further short-term solution.

43. USE OF HOTEL ACCOMMODATION TO MEET HOMELESSNESS NEED

The Cabinet Member for Housing Services, Private Renters and Planning introduced the report which sought approval for the Council to enter into arrangements with hotels to meet the pressure for providing emergency accommodation. The report also highlighted the additional spend incurred in order to meet these statutory requirements and provided information on the arrangements entered into.

The Cabinet Member outlined the context that boroughs were reporting an increase in new temporary accommodation placements (up by 22%), a resulting increase in the number of households living in temporary accommodation and a 375% increase in the number of households living in B&B accommodation (1,674 families across London).

The reduction in availability of affordable private sector lets had affected the Council's ability to move families who were facing homelessness to alternative settled accommodation rather than into temporary accommodation. Boroughs were attempting to find accommodation in a market that was broken and could no longer meet the housing needs of those who need accommodation most.

The Cabinet Member continued to outline that although the additional award of Homelessness Prevention Grant had allowed the Council to reduce the impact of the costs of B&B on the budget, this ad-hoc one-off payment did not reflect the scale of the challenge faced or provide any financial stability going forward. Local authorities needed the funding and the power to provide the good quality, affordable, and stable housing Londoner's need.

In response to questions from Cllr Carlin, Cllr Brabazon and Cllr Connor, the following information was noted:

- That some providers did provide communal kitchens which was not ideal but an alternative to takeaways being the only choice.
- Agreed to provide Cllr Brabazon with a written response in relation to the mitigation actions being undertaken with registered social landlords to manage the number of households becoming homeless. It was noted that the Council did a lot of work with landlords by helping potential tenants provide a deposit.
- The cost of housing a person in hotel accommodation was £14,400 per annum. The cost of housing a person in a Council hostel was funded through access to benefits and temporary accommodation funding.

Further to considering the exempt information at item 25 and agreeing the exempt recommendations,

RESOLVED

1. To note the current pressures and reliance on the use of hotel accommodation to meet our statutory homelessness responsibilities, including the block-booked arrangements that we have entered into
2. To approve the Recommendation contained in the Exempt part of this report.
3. To authorise the use of the additional £2M of the recently awarded additional £2.1M Homelessness Prevention Grant to cover the increased budget pressures resulting from hotel use and supply pressures.
4. To approve the establishment of a Hotelier Framework, and delegate authority to the Head of Procurement to appoint hoteliers onto the framework in accordance with the Public Contract Regulations 2015.
5. To delegate authority to the Director of Adults, Health and Communities following consultation with the Lead Member for Housing Services, Private Renters and Planning, to award block contracts for hotel accommodation commissioned from the Hotelier Framework (referenced in 3.4 above), valued from £500,000 up to a maximum of £2m.
6. To note the development of the B&B Elimination Plan, which has been submitted to DLUHC, which contains a range of actions aimed at reducing and then eliminating our use of hotel accommodation by the end of the year.

Reasons for decisions

It is a legal requirement to provide interim accommodation to households who approach us for homelessness assistance if we have reason to believe they are homeless, eligible for assistance and in priority need, and to provide temporary accommodation to households once we have accepted a housing duty until we can end that duty with an offer of settled accommodation.

Establishing a Hotelier Framework enables the Council to have a compliant flexible procurement process to draw down hotel accommodation when required with fixed rates.

Delegating the award of suppliers on the framework to the Head of Procurement enables the Council to establish the framework and commence using it at the earliest opportunity.

Establishing the Hotelier Framework does not in itself financially commit the Council to awarding contracts. The award of contracts for each individual placement will be in accordance with the Council's Contract Standing Orders.

Delegating authority to the Director of Adults, Health and Communities following consultation with the Lead Member for Housing Services, Private Renters and Planning, to award contracts valued from £500,000 up to a maximum of £2m, allows the service to respond quickly in emergency/unforeseen situations, whereby the Council may need to secure large block booking arrangements. Hoteliers generally require upfront payments for bookings and therefore the Council needs to be able to respond swiftly to ensure the relevant accommodation can be secured in a timely manner.

The report seeks to highlight the use of hotel accommodation to meet this requirement, and the implications of this.

Alternative options considered.

The option of doing nothing is not feasible as it is unlawful to leave families who are owed a duty without accommodation.

A series of mitigating actions are planned to reduce the use of hotel accommodation throughout the year but at this stage we have a continued need to use hotel accommodation to meet our statutory responsibilities.

The impact on the general fund can be mitigated through the use of additional Homelessness Prevention Grant (£2.19M), which was recently awarded by DLUHC. However, the situation will need to be closely monitored as failure to deliver the actions in the B&B Elimination Plan will mean that the cost of the use of hotels will continue to rise and place additional financial pressure on the Council.

44. AWARD OF CONSTRUCTION CONTRACT FOR DELIVERY OF NEW COUNCIL HOMES AT EDITH ROAD

The Cabinet Member for Council House Building, Placemaking, and Local Economy introduced the report and sought approval to the appointment of contractor A to complete the delivery of the new Council homes on a former vacant/car park site at Land opposite 16 Park Road/Edith Road N11.

Works had started on site with the previous contractor in September 2021; however, following lack of progress and repeated underperformance by the appointed contractor, the Council terminated its contract in March 2023. Subsequently, the appointment for a new contractor to complete the development had been underway.

In response to questions from Cllr Connor, the following was noted.

- Significant efforts had been made to performance manage the contract with the previous contractor and the Council had stepped in when it was apparent that the contractor was not able to continue to fulfil the requirement of the contract and complete the works. The overall nature of any contractual agreement did not safeguard any party when a contractor became insolvent. It was noted that this was a small scheme in the delivery programme and savings made on other schemes mitigated the impact on the housing delivery programme.
- The Director for Placemaking and Housing agreed to provide Cllr Connor with the financial information concerning how much had been paid to the previous contractor, the time and money spent managing the contract, and the loss to the Council because of the contractor becoming insolvent.
- It was noted that this particular provider also had other contracts in the housing delivery sector and had underbid for contracts during Covid and subsequently found that they were not able to deliver the programmes of works.

Further to considering, the exempt information set out at item 26,

RESOLVED

1. To approve pursuant to the Council's Contract Standing Orders (CSO) 9.07.01d, the appointment of Contractor A (named in the exempt part of the report) to undertake building works to complete the provision of eight Council rented homes at land opposite 16 Park Road/Edith Road for a total contract sum of £2,404,164; and approves the on costs and client contingency sum set out in 6.31 of the exempt part of the report (Appendix 2).
2. To approve the issuance of a letter of intent up to a maximum value of £240,416 being no more than 10% of the contract sum.

Reasons for decisions

On 3 December 2019 Cabinet included the land opposite 16 Park Road/Edith Road N11 into the Council's housing delivery programme. This scheme was subsequently granted planning consent and a works contractor was appointed to build the scheme in November 2021. However, due to lack of progress, underperformance and entry in to a Company Voluntary Arrangement by the Contractor, the Council terminated the contract and took back possession of the site and partially constructed building. A tender process was initiated in late spring 2023 to appoint a new contractor to complete the development. In this case a Performance Bond is in place against which a full Claim will be made in accordance with legal advice and Claims protocols.

The Council seeks to performance manage all Contractors by continual vigilance by the Council's Project Manager and the oversight of both Employer's Agent and Clerk of Works to every New Homes Build Project.

This continuous monitoring, allied to frequent Site Meetings and both formal and unannounced Site inspections, ensures that the Council is able to obtain value for money on all New Homes Projects by reducing waste on Site in terms of time, materials and labour costs, and works collaboratively with our appointed Contractors to build sustainable partnership working, which enables problems to be solved in a manner that ensures the best and most cost effective outcomes for the Council and our future Tenants.

This partnership working relies on trust and transparency on both sides of the working relationship and, regrettably, this was not an approach adopted by the previous Contractor who chose not to openly identify their corporate problems and instead mistakenly relied on the Council lacking proper professional diligence.

This working practice was quickly identified by the Council Team, including the external and independent Employer's Agent and Clerk of Works and despite more frequent Site meetings and discussions at Director level with the Contractor, their

poor performance led, ultimately, to their abandonment of the Site in mid – Construction, followed, shortly afterwards, by their entry in to a Company Voluntary Arrangement (CVA). A CVA is used when a limited company is insolvent, it can use a CVA to pay creditors over a fixed period.

The Council always seeks to determine a Contractor Company's financial health by due diligence at the time of entry into the Contract, hence the reason for Contract terminations to be a, very rarely used, last resort. In this case the financial checks were satisfactory at the date of the Contract, but the extraordinary levels of labour and materials inflation experienced in 2021 and 2022 as a consequence of Brexit and the War in Ukraine, had an extremely adverse effect on the finances of the Contractor in this case and the Council, having taken independent legal advice, was forced to adopt this very unusual step.

Contractor A has been selected via a formal tender process to undertake these works. The competitive nature of the Tender and the evaluation of the Tender returns (more particularly described below) has involved Council Officers in additional due diligence and detailed technical clarification to ensure that best value for money can be demonstrated and achieved and, if approved, Contractor A will be subject to the continuous monitoring and performance assessment described above until the new homes have been delivered and occupied.

The Council's New Homes Employer's Requirements have two principal objectives: 1. To ensure that the next generation of Council Housing is built to the highest standards of design, engineering and specification and 2. That the new Homes will be as fuel efficient as possible and will be readily capable of economically viable maintenance throughout their lifespan of not less than 80 years. These are the tests to which all Contractors are put, and the Strategic Procurement Team have been vigilant in ensuring that all of the compliant Tenderers for this Project were subject to these tests of quality and performance which are scored separately and rank equally with the price mechanism against which each Bid is evaluated.

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

Alternative options considered.

It would be possible not to appoint a contractor to complete the development of this site for the Council. However, this option was rejected as it would leave a partially constructed building on the site and blight the area, furthermore, it does not support the Council's commitment to deliver a new generation of 3000 Council homes by 2032.

Additionally, a failure to complete the partially constructed development would lead to a further burden of cost being placed on the Council's Temporary Accommodation portfolio and supporting Services and would have potential for some reputational damage to the Council. This was not considered to be a viable, value for money option for the Council which can, by the appointment of Contractor A, continue to deliver a high-quality Scheme at a competitive cost.

The re-tender was procured via a competitive tender through the West Works Dynamic Purchasing System (Category 2), using JCT Design & Build 2016 with amendments, the recommended route for a contract of this value. An alternative option would have been to do a direct appointment, but this option was rejected due to the estimated contract value of the scheme and to give opportunities for local small to medium size contractors to submit a tender.

45. AWARD OF CONSTRUCTION CONTRACT FOR DELIVERY OF NEW COUNCIL HOMES AT 318A WHITE HART LANE

The Cabinet Member for Council House Building, Placemaking, and Local Economy introduced the report which sought approval, to complete the delivery of six new homes for London Affordable Rent on Council Land adjacent to 318A White Hart Lane, N17. The scheme would provide six new homes towards Haringey's pledge to build 3000 Council homes by 2031. Detailed planning permission was granted on 21 September 2020. Works started on site on September 2021. However, following repeated underperformance and entry into a Creditors Voluntary Arrangement by the appointed contractor, Cosmur Construction Ltd, the Council terminated the contract in April 2023. Subsequently, the process to appoint a new contractor to complete the development had been underway since late Spring.

Cabinet was asked to approve the appointment of contractor A to complete the building of these new Council homes.

Following consideration of exempt information at item 28,

RESOLVED

1. To approve pursuant to the Council's Contract Standing Orders (CSO) 9.07.01d, the appointment of Contractor A (named in the exempt part of the report) to undertake building works to complete the provision of six London Affordable Rents at land adjacent to 318 White Hart Lane for the contract sum of £1,811,630.00.
2. To approve the works contingency sum, and an increase in the total scheme costs, as set out in Appendix 2, in *particular paragraph 7.1.1, Statutory finance comments*.
3. To approve a letter of intent up to a maximum value of £181,163 being no more than 10% of the contract sum.

(Clerks note - Appendix 2, Paragraph 1.6 of the Exempt report considered by Cabinet, contained an anomaly with the total scheme cost calculation. However, the correct figure was still included in the statutory comments at paragraph 7.1.1 of the exempt report and was considered by Cabinet when agreeing the recommendations)

Reasons for decisions

The land adjacent to 318a White Hart Lane was approved by Cabinet in July 2019 to be included in the Council's housing delivery programme. The scheme has subsequently been granted planning consent and a works contractor, Cosmur Construction Ltd, was appointed to build the scheme in July 2021. The project encountered a number of delays due to the Contractor's poor performance. The Council terminated the contract and took back possession of the site which currently has a partially constructed building. A tender process was initiated in late spring 2023 to appoint a new contractor to complete the development of the six London Affordable Rented homes.

The Council seeks to performance manage all Contractors by continual vigilance by the Council's Project Manager and the oversight of both Employer's Agent and Clerk of Works to every New Homes Build Project.

This continuous monitoring, allied to frequent Site Meetings and both formal and unannounced Site inspections, ensures that the Council is able to obtain value for money on all New Homes Projects by reducing waste on site in terms of time, materials and labour costs, and works collaboratively with our appointed Contractors to build sustainable partnership working, which enables problems to be solved in a manner that ensures the best and most cost effective outcomes for the Council and our future Tenants.

This partnership working relies on trust and transparency on both sides of the working relationship and, regrettably, this was not an approach adopted by the previous Contractor who chose not to openly identify their corporate problems and instead mistakenly relied on the Council lacking proper professional diligence.

This working practice was quickly identified by the Council Team, including the external and independent Employer's Agent and Clerk of Works and despite more frequent site meetings and discussions at Director level with the Contractor, their poor performance led, ultimately, to their abandonment of the site in mid – Construction, followed, shortly afterwards, by their entry into a Company Voluntary Arrangement (CVA). A CVA is used when a limited company is insolvent, it can use a CVA to pay creditors over a fixed period.

The Council always seeks to determine a Contractor Company's financial health by due diligence at the time of entry into the Contract, hence the reason for Contract terminations to be a, very rarely used, last resort. In this case the financial checks were satisfactory at the date of the Contract, but the extraordinary levels of labour and materials inflation experienced in 2021 and 2022 as a consequence of Brexit and the War in Ukraine, had an extremely adverse effect on the finances of the Contractor in this case and the Council, having taken independent legal advice, was forced to adopt this very unusual step.

Contractor A has been selected via a formal tender process to undertake these works. The competitive nature of the Tender and the evaluation of the Tender returns (more particularly described below) has involved Council Officers in additional due diligence and detailed technical clarification to ensure that best value for money can be demonstrated and achieved and, if approved, Contractor A will be subject to the continuous monitoring and performance assessment described above until the new homes have been delivered and occupied.

The Council's New Homes Employer's Requirements have two principal objectives: 1. To ensure that the next generation of Council Housing is built to the highest standards of design, engineering and specification and 2. That the new Homes will be as fuel efficient as possible and will be readily capable of economically viable maintenance throughout their lifespan of not less than 80 years. These are the tests to which all Contractors are put, and the Strategic Procurement Team have been vigilant in ensuring that all of the compliant Tenderers for this Project were subject to these tests of quality and performance which are scored separately and rank equally with the price mechanism against which each Bid is evaluated.

Alternative options considered.

It would be possible not to appoint a Contractor to complete the development of this site for the Council. However, this option was rejected because it would leave a partially constructed building on the site and would not support the Council's commitment to deliver a new generation of Council homes.

Additionally, a failure to complete the partially constructed development would lead to a further burden of cost being placed on the Council's Temporary Accommodation portfolio and supporting Services and would have potential for some reputational damage to the Council. This was not considered to be a viable, value for money option for the Council which can, by the appointment of Contractor A, continue to deliver a high- quality scheme at a competitive cost.

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 to offer up these homes for occupation as social housing, thereby not supporting the delivery of much needed affordable homes.

46. SIGNIFICANT AND DELEGATED ACTIONS

To note the delegated decisions taken by directors in September.

47. MINUTES OF OTHER BODIES

To note the minutes of the following:

Cabinet Member Signing

11 September 2023

14 September 2023

6 October 2023

Corporate Parenting Advisory Committee 12 July 2023

Urgent Decisions

12 September 2023

48. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

49. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the remainder of the meeting as items 23 to 27 contained exempt information as defined under paragraphs 3 and 5, Part 1, Schedule 12A of the Local Government Act 1972:

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.

50. EXEMPT - COUNCIL HOUSING DELIVERY PROGRAMME: PROGRESS UPDATE AND DECISIONS ON SITES IN THE PROGRAMME

Cabinet considered the exempt information and agreed the exempt recommendations.

51. EXEMPT AWARD OF NEW FIRE SAFETY CONSULTANCY

Cabinet considered the exempt information and agreed the exempt recommendations.

52. EXEMPT - USE OF HOTEL ACCOMMODATION TO MEET HOMELESSNESS NEED

Cabinet considered the exempt information and agreed the exempt recommendations.

53. EXEMPT - AWARD OF CONSTRUCTION CONTRACT FOR DELIVERY OF NEW COUNCIL HOMES AT EDITH ROAD

Cabinet considered the exempt information.

54. EXEMPT - AWARD OF CONSTRUCTION CONTRACT FOR DELIVERY OF NEW COUNCIL HOMES AT 318A WHITE HART LANE

Cabinet considered the exempt information.

55. NEW ITEMS OF EXEMPT URGENT BUSINESS

None.

CHAIR: Councillor Peray Ahmet

Signed by Chair

Date