

Haringey Council

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

Decision Maker (Post Title)	David Joyce, Director for Placemaking & Housing
Subject of the decision	Approval for award of Contract under Contract Standing Order ('CSO') 9.07.1 (c) and issue of Letter of Intent ('LOI') for 'Employer's Agent and Quantity Surveyor Services for Your Bruce Grove Infill Sites' as permitted under CSO 9.07.3.
Date of decision	11.07.2023
Decision	<ul style="list-style-type: none"> i) For the Director of Placemaking & Housing to award the Contract for the 'Employer's Agent and Quantity Surveyor Services' for RIBA Stages 1-7 to 'Airey Miller Limited'. The sum of the Contract, including contingency is £288,652.36. ii) For the Director for Placemaking and Housing to issue a LOI to 'Airey Miller Limited' for the value of 100k.
Reasons for the decision	<p>To appoint a firm with project management, contract administration and cost consultancy expertise to act as Employer's Agent and Quantity Surveyor pursuant to the delivery of Your Bruce Grove's Infill Sites. The project will improve and develop a series of interconnected streets and spaces in Bruce Grove Town Centre, with the aim of 'thickening' Tottenham High Road by establishing the back streets as safe, welcoming, and lively spaces where local communities socialise, shop and work and where the Council will deliver its own high-quality homes and workspace.</p> <p>The decision is being taken to allow progression of the Your Bruce Grove projects to deliver on the Future High Street Fund programme.</p>

	<p>The LOI is required, in view of LBH Legal capacity, to ensure no delays to the commission and commencement of work as soon as possible.</p>
<p>Details of any alternative options considered and rejected by the officer when making the decision</p>	<p>An alternative option would be not to proceed with the commission, but this is not recommended as this would not support the delivery of infill sites in Bruce Grove Town Centre, which forms a fundamental part of the Tottenham High Road Strategy and Regeneration Programme.</p> <p>The preferred approach is to enter into Contract with Airey Miller following a tender process under the LCP Professional Services DPS Portal, representing best value to the Council.</p>
<p><u>Conflicts of interest – Executive decisions</u></p> <p>Details of any conflict of interest declared by a Cabinet Member who is consulted by the officer which relates to the decision and details of dispensation granted by the Council’s Head of Paid Service</p>	<p>N/A</p>
<p><u>Conflicts of interest – Non executive decisions</u></p> <p>Where the decision is taken under an express delegation e.g., by a Committee, the name of any Member who declared a conflict of interest in relation to this matter at the committee meeting,</p>	<p>N/A</p>
<p>Title of any document(s), including reports, considered by the officer and relevant to the above decision or where only part of the report is relevant to the above decision, that part)</p> <p>These documents need to be attached to the copy of this record/statement kept by the Authority but must not be published if they contain exempt information</p>	<ol style="list-style-type: none"> 1. Cabinet Decision – Tottenham HSF Grant Agreement 2. Your Bruce Grove - EA/QS 1 - Summary 3. Your Bruce Grove - EA/QS 2 - Project Vision 4. Your Bruce Grove - EA/QS 3 - Project Brief

<p>Reasons for exemption with reference to categories of exemption specified overleaf, or</p> <p>Reason why decision is confidential (see overleaf)</p> <p>Note: decisions containing exempt or confidential information falling within the categories specified overleaf are not required to be published.</p>	
<p>Signature of Decision Maker</p>	
<p>Name of Decision Maker</p>	<p>David Joyce</p>
<p>Does the decision need to be published?</p> <p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	

Exempt Information

Local Government Act 1972 Schedule 12A

Part 1: Descriptions of Exempt Information

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any person (including the authority holding that information).
4. Information relating to any consultations or negotiations or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes -

- (a) To give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) To make an order or direction under any enactment.

7. Information relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

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

Confidential Decisions

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

Decision Making Report

Report for: David Joyce, Director of Placemaking & Housing

Title: Approval for award of Contract under Contract Standing Order ('CSO') 9.07.1 (c) and issue a Letter of Intent ('LOI') for 'Employer's Agent and Quantity Surveyor Services for Your Bruce Grove'

Report

authorised by: Peter O'Brien, Assistant Director for Regeneration and Economic Development

Lead Officer: Stefan Krupski, Regeneration Manager

Ward(s) affected: Bruce Castle, Tottenham Central, Tottenham Hale

Report for Key/

Non-Key Decision: Non-key decision

1. Describe the issue under consideration

- 1.2 Your Bruce Grove (formerly Bruce Grove Streets and Spaces) is the coming together of four discrete projects stemming from the Strategy for Tottenham High Road, the Bruce Grove Conservation Area Appraisal and Management Guidelines.
- 1.3 The overarching objective of the project is to 'thicken' Tottenham High Road and establish the side and back streets as safe, welcoming, and lively spaces where local communities feel comfortable to socialise, shop and work and where the Council can deliver its own high-quality homes and workspace. In line with the Council's Community Wealth Building agenda, the project aims to embed social value through the procurement and delivery process and through outputs of the streets, spaces, and buildings upon its completion.
- 1.4 Your Bruce Grove will be delivered through FHSF funding with LBH Tottenham High Road Strategy (THRS) and SME Workspace Intensification match funding. GLA Affordable Housing Grant will be sought for the delivery of housing.
- 1.5 The Council have undertaken a competitive procurement process to seek a suitably qualified and experienced firm to deliver 'Employer's Agent and Quantity Surveyor Services' for RIBA Stages 1-7 for the Infill Sites. Cost consultancy will be procured separately by the Highways team for the Public realm improvements and Holcombe Market extension.
- 1.6 The Invitation to Tender attracted seven bids, all of which were from suitably qualified EA and QS firms. Scoring is based on the Most Economically Advantageous Tender (MEAT) i.e., mixture of price and quality based on 70% Quality and 30% Price. Airey Miller were awarded the highest overall result with a weighted score of 81.8% and lowest price overall.

1.7 This report is a request for approval to award a Professional Services Contract for the above commission as allowed under CSO 9.07.1 (c) and to issue a LOI to the consultant as allowed under CSO 9.07.3.

2. Recommendations

4.1 Following a competitive tender process, for the Director of Placemaking & Housing to award the Contract (CSO 9.07.1 (c)) for 'Employer's Agent and Quantity Surveyor Services for Your Bruce Grove Infill Sites' RIBA Stages 1 – 7 to 'Airey Miller Limited'. The sum of the Contract is £288,652.36, excluding VAT.

4.2 For the Director of Placemaking and Housing to issue a LOI to 'Airey Miller Limited' as allowed under CSO 9.07.3 for the value of 100k.

3. Reasons for decision

3.1 To appoint a firm with expertise in project management, contract administration and cost consultancy to act as Employer's Agent and Quantity Surveyor pursuant to the delivery of Your Bruce Grove Infill Sites.

3.2 Your Bruce Grove forms a fundamental part of the Tottenham High Road Regeneration Programme, which seeks to unlock Tottenham's vast potential and support the Council's wider commitment to addressing socio-economic inequality through excellent places, new housing, workspace, and infrastructure that fosters inclusion and improves outcomes for all.

3.3 The project will improve and develop the public realm in Bruce Grove Town Centre, expand the existing Holcombe Market and deliver high-quality affordable homes and workspace.

3.4 The project will be delivered with the community at its heart via a robust and innovative Engagement Strategy promoting accessibility and inclusion. The appointment of the design team will maximise opportunities for building community capacity, and long-term sense of pride and ownership, including via socio-economic and environmental Social Value initiatives focused on improving skills and employment opportunities for local residents.

3.5 The decision is being taken to allow progression of the Your Bruce Grove project to meet Future High Street Fund and Heritage Action Zone funding commitments.

3.6 The LOI is required, in view of LBH Legal capacity, to ensure no delays to the commission and commencement of work as soon as possible.

4. Alternative options considered

- 4.1 The procurement was carried out under the LCP Professional Services DPS Portal representing best value to the Council.
- 4.2 An alternative option would be not to proceed with the commission, but this not recommended as this would not support the delivery of infill sites in Bruce Grove Town Centre, which forms a fundamental part of the Tottenham High Road Regeneration Programme.

5. Background information

Strategic Context

- 5.1 Investment in Bruce Grove is guided by the Council's Tottenham High Road Strategy (2019). The Strategy's vision for Bruce Grove Town Centre is for it to be 'identifiable as a bustling urban village that extends to spaces behind the High Road, where the growing number of local small and independent businesses, as well as large operators, have spaces to flourish; the diverse local community feel comfortable to shop, proud to work, keen to socialise, and take pride in welcoming visitors.'

Project Delivery Approach

- 5.2 Interventions identified through the Tottenham High Road Strategy and Bruce Grove Conservation Area Appraisal and Management Guidelines formed the basis of a Vision Study for Your Bruce Grove's constituent projects, carried out by We Made That in 2020. This work supported the bid submissions for the FHSF.
- 5.3 In 2022 Curl la Tourelle Head Architects (CLTH) were appointed as Strategic Architect for RIBA 0-1 to review and build upon the existing material to provide a revised RIBA Stage 1 Feasibility Study, supported by an Engagement Strategy prepared and implemented by Newman Francis. RIBA 1 is ongoing, and the Stage 1 report is expected to complete at the end of the Summer 2023. The Council will appoint separate design teams for RIBA Stages 2-7 for each project: public realm improvements & market expansion, and infill sites redevelopment.
- 5.4 This commission is to provide employer's agent and quantity surveyor services for RIBA Stages 1-7, which will include a review of the Stage 1 work currently ongoing. Services will continue with the newly appointed design teams for RIBA Stages 2-7, which are anticipated to be appointed in Autumn 2023. The work under this commission, which will be throughout design and delivery of the Your Bruce Grove infill sites, is estimated to be completed in March 2027.

Tender Process and Evaluation

- 5.5 The tender was based on a 70% Quality and 30% Price split. The evaluation criteria were set out in the ITT. 73 firms were invited to tender via the DPS portal.
- 5.6 Seven tenders were returned. The evaluation panel comprised:
 - Stefan Krupski – Regeneration Manager, South Tottenham
 - Katsura Leslie – Principal Regeneration Officer, South Tottenham

- Caroline Toogood – Housing Development Navigator
- Rupinder Chahal – Moderator, Senior Procurement Officer

5.7 A summary of the tender evaluation is provided below:

Tenderer	Quality Score (70%)	Price Score (30%)	Weighted Score %	Rank
Airey Miller	51.80	30.00	81.80	1
Appleyard & Trew	40.60	11.29	51.89	6
Calford Seaden	44.80	20.04	64.84	4
Playle & Partners	40.60	26.30	66.90	3
Potter Raper	26.60	12.66	39.26	7
Stace	58.80	21.00	79.80	2
Pellings	46.20	16.91	63.11	5

5.8 Airey Miller received the highest total score of 81.80%. Their team comprises experts in quantity surveying, employer’s agents, and technical design support. Additional support is also available where required including fire engineers, information management and resident liaison. The team has a strong understanding of constrained infill sites and delivery of high-quality mixed-use schemes, as demonstrated through the tender and have previously worked with Haringey on Broadwater Farm.

5.9 Airey Miller has a dedicated resource who will develop a Haringey specific environmental and social value offer, managing, monitoring, and delivering this through the lifespan of the project.

5.10 Airey Miller will be awarded a Professional Services Contract.

6. Contribution to strategic outcomes

6.1 The recommendation in this report to award the contract is key to supporting the delivery of the regeneration objectives for Tottenham as set out in the Strategy for Tottenham High Road (2021-29).

6.2 Your Bruce Grove contributes to the following Corporate Delivery Plan objectives in particular:

Theme: Resident experience, participation, and collaboration

- High Level Outcome 2: Inclusive Public Participation - More residents participate in formal council decision-making processes, such as voting in local elections, as well as in new forms of public engagement and consultation. The council will play a facilitatory role in making this easier and more attractive to residents, including by removing barriers to participation, especially for seldom heard groups.
- High Level Outcome 3: Enabling Community Collaboration - More residents participate and interact with community and peer-led activities and organisations. The

council make this easier and more attractive to residents, where we can, recognising the role that civil society plays in community resilience and cohesion.

- High Level Outcome 4: Developing Young Voice - Young people are meaningfully involved in all the ways in which the wider public has an influence in how the borough is run. The council will play a facilitatory role in making this easier and more attractive, recognising that young people as a cohort have been historically under-represented in decision making.

Theme: Responding to the Climate Emergency

- High Level Outcome 1: A Greener and Climate Resilient Haringey - Haringey is a borough whose public realm and transport infrastructure is suitable for a changing climate.
- High Level Outcome 2: A Just Transition - The transition to a low carbon economy is just, equitable and benefits everyone.
- High Level Outcome 3: A Low Carbon Place - Haringey is a borough where the built environment supports carbon reduction and climate adaptation.

Theme: Homes for the Future

- High Level Outcome 1: Homes for the Future - Everyone has a home that is safe, sustainable, stable, and affordable.

Theme: Safer Borough

- High Level Outcome: A Safer Borough - A borough where all residents and visitors feel safe and are safe.

Theme: Culturally Rich Borough

- High Level Outcome 1: Haringey will be a place where arts, culture and heritage is fostered, celebrated, and valued, and is woven through everything the council does.

Theme Placemaking and Economy

- High Level Outcome 1 Towards an Inclusive Economy - Haringey has a thriving and fair economy from which everyone benefits, supported by a community wealth building approach..
- High Level Outcome 2: High Streets, Town Centres & Businesses - Haringey's economy has resilient high streets & town centres at its heart, and businesses are supported to start and grow..
- High Level Outcome 3 Employment & Skills - Haringey residents can easily access education and skills training. Support will be targeted at those furthest from the labour market, helping residents into growth sectors, with a focus on obtaining Good Work.

- High Level Outcome 4: Leveraging Social Value - The council maximises direct benefits to residents from its assets, investment, and changes in the built environment.
- High Level Outcome 5: Placemaking - Regeneration with social and economic renewal at its heart; focussed where need and/or opportunity is greatest, and which are shaped by and reflect the people that live there.

7. Statutory Officers comments

7.1 Finance Comments

The full cost of this proposal has been factored into the current capital programme plan for financial year 2023/24 under capital scheme reference number – 457 – Future High Street Project.

7.2 Procurement

Strategic Procurement (SP) note that this report relates to the approval of Employer's Agent and Quantity Surveyor Services for Your Bruce Grove Infill Sites

SP note the recommendations in this report which are in line with Contract Standing Order clause 7.0.1. (b).

Pursuant to CSO 9.04 and Regulation 34 of the Public Contracts Regulations 2015, tenderers were invited to Tender through the London Construction Programme, Dynamic Purchasing System for Professional Services (Determining and Listing quantities in Construction, Category).

The Council received seven compliant tenders which required further clarifications to achieve the final price.

SP note that tender returns were evaluated independently by a Quality Panel and the Price element of the Tender was evaluated separately. Airey Miller have scored the highest in quality and price overall as set out in section 5.7 of this report.

SP note the recommendations within this report and see no reason not to award this Contract to Airey Miller for the value outlined within this report.

7.3 Legal

The Head of Legal and Governance (Monitoring Officer) note the recommendations made in this report and that this report relates to the appointment of Employer's Agent and Quantity Surveyor Services for Your Bruce Grove Infill Sites and for the approval of the LOI in respect of this appointment.

The Head of Legal and Governance also note the comments made from Procurement confirming that the tender process was carried out in accordance with CSO 9.04 and Regulation 34 of the Public Contracts Regulations 2015.

Pursuant to CSO 9.07.1 (c) a Director or an Assistant Director has authority to award a contract valued less than £500,000. The sum of the Contract sought in this report is £288,652.36.

Pursuant to CSO 9.07.3 a Director or Assistant Director may approve the issuance of an LOI (for an amount not exceeding £100,000 or 10% of the total contract price) pending the issuance and execution of a formal contract provided that they are satisfied that it is in the Council's best interest in the particular circumstances. It is noted that the report seeks the approval of an LOI for £100,000.

The Head of Legal and Governance confirms that there are no legal reasons preventing the Director of Placemaking and Housing from approving the recommendations made in this report.

7.4 Equalities

The council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex, and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

The EqIA for the overarching strategic framework behind Your Bruce Grove, 'A Strategy for Tottenham High Road', found that the strategy would have positive impacts on people with protected characteristics, including through:

- Improvements to the physical realm increasing safety and health, with benefits for BAME groups and disabled people;
- Developing employment opportunities, with benefits for BAME people, young people; and

- Opportunities to reflect local culture through commercial, community and creative projects, with benefits for BAME groups, young and old people

The decision to appoint an Employer's Agent and Quantity Surveyor for Your Bruce Grove would have a neutral equalities impact as it is an enabling service to allow the wider project to be delivered and does not create any tangible impact on any groups with protected characteristics.

8. Use of Appendices

1. [Cabinet Decision – Tottenham HSF Grant Agreement](#)
2. [Your Bruce Grove - EA/QS 1 - Summary](#)
3. [Your Bruce Grove - EA/QS 2 - Project Vision](#)
4. [Your Bruce Grove - EA/QS 3 - Project Brief](#)

9. Local Government (Access to Information) Act 1985

Not applicable

Important Additional Guidance on Accessibility

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

Categories of Exemption

Exempt information means information falling within the following categories:

Part 1

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

Part 2

Qualifications to the above exempt information:

(a) Information falling within paragraph 3 above is not exempt information under that paragraph if it is required under – (a) the Companies Act 1985 (b) the Friendly Societies Act 1974 (c) The Friendly Societies Act 1992 (d) The Industrial and Provident Societies Acts 1965 – 1978 (e) the Building Societies Act 1986 (f) The Charities Act 1993.

(b) Information is not exempt information if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.

(c) Information which – (i) falls within any of paragraphs 1-7 above; and (ii) is not prevented from being exempt under (a) or (b) above is exempt information if so long as, in the opinion of the Monitoring Officer, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.