

MINUTES OF MEETING Cabinet HELD ON Tuesday, 12th March, 2024, 6.30pm – 8.01pm

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 Cawley- Harrison, Cllr White and Cllr Worrell - Online

109. FILMING AT MEETINGS

The Leader of the Council referred to the filming of meetings notice and members noted this information.

110. APOLOGIES

There were no apologies for absence

111. URGENT BUSINESS

There were no items of urgent business.

112. DECLARATIONS OF INTEREST

Cllr das Neves declared an interest in accordance with paragraph 6.1 of Section A, Member Code of Conduct, in relation to items 20 and 27, Community Asset Policy, and would recuse herself from the meeting when these items were considered.

Cllr Chandwani declared an interest in accordance with Section A of the Member Code of Conduct and paragraph 4.1. This was noted to be a disclosable pecuniary interest in items 20 and 27 and she would recuse herself for these items in accordance with paragraph 4.2 of the code.

Cllr Hakata and Cllr Jogee declared personal, non-prejudicial, interests in item 13, Flood Management Plan.

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

None

114. MINUTES

RESOLVED

1. To approve as a correct record the minutes of the Cabinet meeting held on the 6 February 2024.
2. To approve minor amendment to the minutes of the 7th of November 2023.

115. DEPUTATIONS/PETITIONS/QUESTIONS

None

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

This was set out at item 117.

117. RESPONSE TO THE SCRUTINY REVIEW - LANDLORD LICENSING IN THE PRIVATE RENTED SECTOR - NON KEY

The Leader invited the Chair of the Housing, Planning and Development Scrutiny Panel to introduce her Scrutiny review report on Landlord Licensing in the Private Rented Sector.

The meeting noted that the recommendations reflected strong support for the work of the Council's private sector housing team and a desire to see its capacity and impact grow with an even greater emphasis on how the Council can support private renters.

Cllr Worrell was pleased that most of the recommendations had been accepted and continued to focus her presentation on responding to the recommendations that had not been accepted or partially agreed.

- Although it was noted that Stroud, Green and Hornsey wards, at the time of evidence gathering, were not able to meet the same criteria that the east of the borough met for the selective scheme, it was still felt that the evidence base in these wards and possibly others should be revisited. In particular, the criteria for poor property conditions or antisocial behaviour. Therefore, it was felt that a separate scheme could be created so that more households could benefit from a landlord licencing scheme and further hoped that this could be taken forward in the future.
- In relation to response to recommendations two and six, further information was sought about the Council's legal interpretation of the use of resources being limited to enforcement of compliance with the scheme and whether the Council could assist tenants to pursue rent repayment orders similar to other Council's use resources for this purpose. Also, lobbying the government for there to be more flexibility, which the Panel have also recommended.
- On the response to recommendation three, Cllr Worrell welcomed the refreshed and updated private sector housing team web pages and queried

why the response stopped short of adopting a private renters charter and asked that this be reconsidered given the positive message to renters and advocacy organisations about our priorities.

- With regards to private renters engaging with housing needs offices if they are deemed at risk of homelessness, Cllr Worrell, on behalf of the Scrutiny Panel, felt that tenancy relations officers could help deescalate challenging situations for private renters at an earlier stage and would wish to know more about why this role was felt to achieve limited outcomes and why the current approach was favoured.
- On the responses to recommendation seven, in relation to waiting times for inspections, further consideration was asked to be given to the current level of resource as more staff could result in more fee income and enforcement activity to fund the work.
- Referring to the response to recommendation 8, the importance of having genuinely random spot cheques on properties before a licence was granted, and not just on those suspected as being non-compliant. The reasoning for the recommendation was further outlined and explained that this could drive up standards as a whole before people come to apply for a licence or during the process if there is a perceived possibility that any property could first be inspected.
- Referring to the response to recommendation 12, Cllr Worrell welcomed some more information about the web pages content and particularly the anonymous reporting function. There was also a need to ensure that tenants' rights were being regularly promoted via the Council's communications channels.

Cllr Worrell concluded by remarking positively about the Council's increased focus on private renters in Haringey and scrutiny were keen to continue working with Cabinet to make this as effective as possible.

The Cabinet Member for Housing Services, Private Renters and Planning responded as follows:

- Cabinet had accepted the vast majority of the recommendations and recommendation 1 would be something that was looked into in the next cycle of selective property licensing review. There may be a misunderstanding between the inspections which the Council carried out which were at random but were not in person.
- Recommendation 2, regarding the provision of support for tenants around rent repayment orders, had been agreed, but the Council was hoping to procure a partnering arrangement with one of the advocacy organisations who would support tenants with their rent repayment orders. Part of the legislation was that tenants were able to claim back the rent repayment orders. The Council felt that within the licensing fee, it was something that worth the expense. Most of the advocacy services operated akin to a 'no win no fee' system. It was still important to be able to refer tenants to the advocacy service and being able to

track how particular tenants had progressed through the rent repayment order. They would also then be able to take rent repayment order claims on behalf of the local authority. Cases where there was Universal Credit being paid as rent would be taken on as well.

- The web pages had been updated since the original scrutiny review and were continually under review and updates are ongoing. There was a new format, a renter's page and a specific landlord's page. There are also generic pages. An attempt had been made to link to the voluntary sector or third-party organisations to provide advice and guidance where possible. They were also in line with gov.uk web pages wherever possible, so the advice was consistent.
- In relation to the inspection programs, the Council performed random spot checks, The IT system put in place since 2019 allowed the Council to highlight a series of random addresses and ask landlords to supply, for example, up-to-date energy performance certificates, gas certificates or electrical safety certificates. This was also an objective within the actual selective property licensing scheme.
- The random spot checks were done as part of physical inspections, some of these were complaint led or they were ones where when the application was received by the licence applicant or if there were concerns over the information that had been provided as part of that application. It was noted that rather than just issuing the licence, the Council would arrange to visit the property so that it could be matched against the application. Quite often, those licences would then be issued with a specific schedule of works that the landlord had to carry out as part of the licensing process with a date and time given.
- The random spot checks were specifically written in as part of the objectives of the selective property licensing scheme as a requirement of the Department for Levelling Up.
- There had been problems with recruitment. The Council had since recruited three more Compliance Inspecting Officers and was on track to complete all of the compliance inspections prior to the existing scheme ending so all the properties would have had an inspection. The Council managed 246 compliance inspections last month which was an improvement compared to previous years.
- The Council were also looking at how it could recruit more Compliance Officers by doing in-house training. There were also two apprenticeship posts to train for Environmental Health Officer positions.
- There had been a backlog of inspections due to the coronavirus period and this was subsequently followed by recruitment issues. However, if the new team was put in place as expected, there should be a good team in place for compliance inspection processes.

- The web pages were still a work in progress and their importance as a communications channel recognised as the private rented sector was an important type of accommodation partly because 40% of residents lived in the private rented sector.

RESOLVED

1. To consider the recommendations agreed by the Overview and Scrutiny Committee attached at Appendix 1.
2. To agree the response to these recommendations attached at Appendix 2.

Reasons for decision

Under the agreed terms of reference, the Overview and Scrutiny Committee (OSC) can assist the Council and the Cabinet in its budgetary and policy framework through conducting in-depth analysis of local policy issues and can make recommendations for service development or improvement.

The Committee may:

- (a) Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas.
- (b) Conduct research to assist in specific investigations. This may involve surveys, focus groups, public meetings and/or site visits.
- (c) Make reports and recommendations, on issues affecting the authority's area, or its inhabitants, to Full Council, its committees or Sub-Committees, the Executive, or to other appropriate external bodies.

The Housing, Planning & Development Scrutiny Panel agreed to review and scrutinise the Council's approach to licensing in the private rented sector, in order to understand how effective this was. On 28th November 2022, the committee agreed the terms of reference for this project. Evidence gathering to fulfil this review took place between February and September 2023.

On 27th November 2023, the committee agreed a set of recommendations on service development or improvement in respect of landlord licensing, private renters and general matters relating to the private rented sector, for the consideration of Cabinet. (appendix 2)

Alternative options considered.

None.

- 118. CONSIDER THE EVIDENCE AND OUTCOME OF CONSULTATION AND WHETHER TO DESIGNATE AN ADDITIONAL LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION (HMO'S) 2024 -2029**

The Cabinet Member for Housing Services, Private Renters and Planning introduced the report which updated the Cabinet on the key findings of the statutory consultation for a proposed new additional licensing scheme for HMO accommodation. The report further sought a decision from Cabinet to consider whether to authorise the designation of the whole of Haringey borough as subject to additional HMO licensing (when considering the consultation outcomes, evidence, and prescribed criteria within Part 2 of the Housing Act 2004).

In response to questions from Cllr Luke Cawley – Harrison the following information was provided:

- The Council had a two-pronged approach to inspecting premises that were potentially unlicensed or premises the Council believed should be licensed. This was through considering the originally completed evidence base for the scheme that used information was taken from different Council held records and also information from Experian records. The information was overlaid, and it gave the Council an opportunity to identify properties that were likely to have high turnover of occupation. The address list was then compared with addresses of licences that had been received. Door-to-checks were done after the coronavirus crisis. The time during the crisis was used to write to property owners identify property owners to inform them that they may have a HMO that was not licensed with the local authority. The Council also continued to use intelligence from different sources, and they can be health professionals, the internal service officers or waste officers (who were good identifiers of HMO accommodation).
- The process of sending warning letters was no longer an option and the Council was now pursuing landlords for failing to license (once evidence of this had been obtained). Landlords also got a reduced licence period for being a non-compliant landlord. This allowed the Council to review their properties and their licence applications within one or two years. Part of the penalty was that they paid for the relicensing within a shorter period of time.
- Noted that over the last two years, the Council had been issuing civil penalty notices for landlords who had failed to license. The Council was continuing with that process. The process was evidence based, so tenants who did not want to provide the Council with witness statements or would not be part of the process, it became more difficult in evidencing that a property had been operating as a house of multiple occupation. It was also very easy for people to say they were living as one family.
- With newly appointed and more experienced officers now having been appointed, the team was growing and had recently completed a round of recruitment, there were officers who had experience in doing their own licensing scheme. This would help on build on the Council's enforcement activity.
- The Council was working more closely with the Police, Waste and Antisocial Behaviour officers to try and target and prove that certain properties were operating either as selective, but mainly as multiple occupation properties.

- The consultation results were disappointing in relation to the private rented sector. The Council got more owner / occupiers willing to participate than private rented sector tenants.
- Tenants were asked to participate when the Council was undertaking the compliance inspections. Leaflets, the use of a QR code and other methods were offered.
- This would be the fourth additional HMO licensing scheme that the Council had taken, so it was possible that the consultation was too close to the selective licensing consultation and residents, particularly private rented sector tenants, felt that they had already participated.
- One of the benefits of having an additional HMO licensing scheme was that the Council could start to better understand where the HMOs were in the borough and the condition of those properties as compliance inspections were performed.
- The base evidence was used to show what the Council already knew about the known HMO population. This had not existed in the past. The selective property licensing scheme had started to highlight properties with landlords who thought they might get away from having to license under the additional scheme.

RESOLVED

1. To consider the evidence that a significant proportion of the HMOs (that will be subject to the proposed designation) are being managed sufficiently ineffectively as to give rise, or likely to give rise, to problems either for those occupying the HMOs or for members of the public as detailed in Appendix 3.
2. To consider the outcome of the consultation and the Council's consideration of those findings as in Appendices 4 and 5.
3. To consider the Council's strategic approach linking the proposed additional HMO licensing scheme with the Council's wider strategic approach to the private rented sector as set out in paragraph 7 to 8 in this report.
4. To approve the designation for all wards within Haringey borough, as delineated in the map at Appendix 1 and as set out in the Draft Designation Notice (Appendix 2) as subject to additional HMO licensing pursuant to Part 2 of the Housing Act 2004, which is expected to come into force on 17 June 2024.
5. To approve the proposed licence conditions applying to any HMO licence at Appendix 6.
6. To approve the proposed fee structure for any HMO licence applications made to the Council at Appendix 7.

7. To approve that the “policy on determining the appropriate level of civil penalty for offences under the Housing Act 2004” which was approved by Cabinet in February 2019, shall continue in force and shall also apply for the duration of the new scheme unless amended or a replacement policy is adopted prior to 16 June 2029.
8. To authorise the Director for Environment and Resident Experience, following consultation with the Cabinet Member for Housing Services, Private Renters and Planning, to:
 - (i) Ensure compliance in all respects with all relevant procedures and formalities applicable to the authorisation of such schemes.
 - (ii) Keep the proposed scheme under review during the designation lifetime and agree any minor changes to the proposed implementation and delivery, including administration, fees and conditions and give all necessary statutory notifications.
 - (iii) Ensure that all statutory notifications are carried out in the prescribed manner for the designation and to take all necessary steps to provide for the operational delivery of any licensing schemes agreed by Cabinet.

Reasons for decision

The current borough wide additional HMO licensing scheme is due to end on 26th May 2024.

The majority of the HMO accommodation in our borough is occupied by less than 5 persons and therefore falls under the additional HMO licensing criteria. Additional HMO licences accounted for 65% (3140) of the total number of HMO properties, licensed by the Council between 2019 and August 2023.

Evidence concludes that a significant proportion of these HMOs continue to be managed ineffectively across the borough, resulting in problems for either those occupying the HMOs or for members of the public. Complaints made by tenants and others to Haringey Council regarding poor property conditions and inadequate property management are a direct indicator of low quality and poorly managed HMOs. The Council recorded 492 complaints from tenants and others linked to HMOs over a 5-year period (April 2018 – March 2023). Of those complaints 265 have been linked to Additional HMOs.

Additional HMO licensing requires HMO managers to comply with licence conditions and HMO Management Regulations. These include space standards, repairing obligations, fire precautions and testing, waste, and tenancy management. (Appendix 6 contains the proposed additional HMO licence conditions).

Not having the further powers provided by this type of licensing scheme, would mean the Council having only limited options available to protect private tenants and ensure landlords behave responsibly. As the scheme is financed by the licence fee income it can deliver interventions on a greater scale and more economically.

Renewing the additional HMO licensing scheme across our borough, will ensure that the health, safety, and welfare of the tenants that occupy this type of HMO remains protected.

Alternative options considered.

Do nothing and rely on a reactive complaint's procedure. Doing nothing is not considered a viable option due to the significant scale of poor housing conditions and the poor management of HMOs in the borough as outlined in the evidence report in Appendix.

To do nothing would mean relying on a reactive property inspection programme, which depends heavily upon complaints being made by tenants as the means of identifying poor HMO standards. Without HMO licensing, our human resources to do this as well as powers to achieve compliance would be limited. Doing nothing would also mean an inability to continue to work in the way that has been established through having the existing additional HMO licensing regime. The amount of operational partnership working that we are developing would also reduce.

Do nothing and rely on the use of Part 1 of the Housing Act 2004. The Council could rely on the enforcement powers listed in Part 1 of the Housing Act 2004 alone. Those powers include issuing Improvement Notices, Hazard Awareness Notices or Prohibition Orders to improve living conditions or remove hazards, among other things. This formal action however is slow, with appeal provisions against most types of notices served, which can significantly delay the time period for compliance. In addition, the Council's powers under Part 1 do not enable it to regulate the management of property as licensing schemes do. The Part 1 provisions are currently available to the Council but despite our best efforts to exercise these powers they have not provided the necessary large-scale improvements in the sector. All the above options are time consuming, resource intensive and not feasible on a large scale.

Voluntary Regulation. The Council could rely on voluntary accreditation schemes such as the London Landlord Accreditation Scheme (LLAS) or landlord membership organisations, such as the National Residential Landlords Association (NRLA). These can help to support and improve a professional approach by landlords, and we have encouraged this by promoting voluntary regulation through voluntary accreditation schemes, but this does not give the Council any additional powers to ensure compliance. In addition, voluntary regulation is not likely to capture non-compliant or poor landlords.

Planned Government Reform. The government has announced that they want to provide more protection for private tenants and national registration for landlords. However, the details of any legal reforms affecting private rented housing are still unknown and without a clear timetable.

Opting for a smaller designation within the borough. The data analysis and evidence gathering (Appendix 3) has highlighted that HMOs exist across all wards in Haringey. It also indicates that there are varying levels of compliance across all wards in

Haringey. There is no current evidence to suggest that where compliance has been achieved, it has been maintained. We also know that there are likely to be un-licensed HMO properties remaining within some wards that should have been licensed under the Council's current scheme. At present it is therefore proposed that HMO licensing continues to be required borough wide.

119. 2023/24 FINANCE UPDATE QUARTER 3

The Cabinet Member for Finance and Local investment introduced the report which set out the position at Quarter 3 (Period 9) of the 2023/24 financial year including General Fund (GF) Revenue, Capital, Housing Revenue Account (HRA) and Dedicated Schools Grant (DSG) budgets. The report focused on significant budget variances including those arising from the forecast non-achievement of approved MTFS savings.

In response to questions from Cllr Cawley- Harrison, the following was noted:

- The Director for Placemaking and Housing would provide a written response on the reasons for the significant increase in debt write offs for rents in the HRA showing for quarter 3. This was highlighted as previous quarterly updates had shown lower increases.
- In relation to voids, the trajectory was facing downwards. There were some fluctuations especially as new housing coming in that needed to be let. Overall, the Council was confident that it had dealt with a large backlog and had a close monitoring eye on the underlying new voids coming into the system.
- In relation to Tottenham Hotspur and the paying for the litter and clean-up, it should be noted that this was only an issue with football matches. For the non-football major events there had been payments to cover the cost. There were regular meetings between the Council and Tottenham Hotspur to consider this issue and negotiate a solution. Negotiations were still ongoing and good progress being made and an update could be provided to Cabinet in the coming months.

RESOLVED

1. To note the forecast total revenue outturn variance for the General Fund of £20.8m comprising £18.0m base budget and £2.8m (savings delivery challenges) and note that Directors are working on actions to bring the forecast down further before the end of the year. (Section 6, Table 1, Table 2 and Appendices 1 & 3). Note the net DSG forecast of £2.5m overspend. (Section 6 and Appendix 1).
2. To note the net Housing Revenue Account (HRA) forecast is £3.1m lower than the budgeted surplus. (Section 6 and Appendices 1 and 2).

3. To note the forecast GF and HRA Capital expenditure of £287.3m in 2023/24 (including enabling budgets) which equates to 58% of the revised capital budget (Section 8 and Appendix 4).
4. To note the debt write-offs approved in Quarter 3 2023/24 (Appendix 7a).
5. To approve the revenue budget virements and receipt of grants as set out in Appendix 6.
6. Approve the proposed capital virements and receipt of grants as set out in Appendix 6.
7. To note the impact of the historic funding of Private Finance Initiative (PFI) related capital works and the implications for the PFI reserve balances as set out in Sections 8.3 – 8.5 of the report.
8. To delegate to the s151 officer authority to finalise future payments to academy schools covered by the PFI suspension agreement to cover the period from starting their academy status to the end of the PFI suspension agreement should it be determined that a liability exists (Section 8.5); and
9. To authorise the s151 officer, prior to making such payments, to enter into satisfactory agreement(s) with the Academy Trust(s) and/or the Academy schools for the purpose of regulating the use of such monies; and to note that some or all such sums paid to schools may be in excess of £500k.

Reasons for decision

A strong financial management framework, including oversight by Members and senior management, is an essential part of delivering the Council's priorities and statutory duties. This is made more critically important than ever because of the uncertainties surrounding the wider economic outlook.

Alternative options considered

The report of the management of the Council's financial resources is a key part of the role of the Director of Finance (Section 151 Officer) in helping members to exercise their role and no other options have therefore been considered.

120. CORPORATE PERFORMANCE UPDATE - NON KEY

The Leader of the Council provided an update on corporate performance, which built upon the Cabinet's previous review of the Corporate Delivery Plan from January 2023 that implemented manifesto objectives. The performance update highlighted key challenges, progress to date, and future direction to put into effect the vision for a fairer, greener Haringey.

Despite a challenging economic environment, the report highlighted some genuine progress across all 8 themes of the Corporate Delivery Plan. Work was underway to develop the next corporate delivery plan, and this would come to Cabinet in June 2024.

The Leader was pleased to announce the Council's award as the Borough of Culture for 2027, and thanked officers for their significant work on this successful bid.

The following information was provided in response to questions from Cllr Cawley-Harrison.

- Recycling rates across North London had dropped and this was also attributed partly to issues with the NLWA waste disposal contract, which was being addressed. Other factors, across London such as changes in resident's working patterns and packaging trends, had also contributed to the drop in rates. The Council were being judged on weight of recycling not quantity also impacting the figures.
- Efforts were underway to compile recycling Action Plan, which would be informed by last year's engagement exercise, which had garnered 27,000 responses from across the borough to understand how to improve recycling. Significant changes had been made in terms of food waste collection, especially around estates, to enhance recycling options. These initiatives were also being pursued by the North London Waste Authority. Additionally, work was underway to facilitate recycling of small electrical waste items, including batteries, through curb side collections and designated locations such as libraries, which have seen increased usage since their launch. These endeavours were anticipated to have a positive impact on recycling rates in the future.
- New government codes concerning complaint handling were expected to come into effect on April 1st, 2024. These regulations were anticipated to provide an entirely restructured the approach to handling complaints, and all local authorities nationwide would need to follow the same structure. There had been an offer to share improvement plans for complaints with the Overview and Scrutiny Committee and these could also be shared with Cllr Cawley – Harrison.
- Clarification was provided for the drop in performance relating to inclusive ways for residents to participate in and influence decisions that matter to them, noting that there were two RAG ratings in the document, one for activities and another for outcomes. Specifically, regarding the relaunch of the Citizens Panel, it was intentionally delayed in order to prioritise other elements of the Haringey Deal and participation agenda. Additionally, it aimed to establish firm foundations and assess the suitability of the citizens panel approach. The launch of the new Haringay engagement hub was prioritised as a one-stop-shop for consultation and engagement activities. The decrease in the rating for this aspect was due to missing the timeline set for the Citizens Panel relaunch by the end of

December, as the update was provided in January. This specific decrease did not reflect the overall participation and engagement agenda, where there are positive developments across various projects.

RESOLVED

To note the high-level progress made against the delivery of the commitments as set out in the Corporate Delivery Plan as at the end of December 2023.

Reasons for decision

Not applicable

Alternative options considered.

Not reporting: This would not allow us to track progress against outcomes that we are committed to in our Corporate Delivery Plan as outlined in section 7

121. FLOOD WATER MANAGEMENT INVESTMENT PLAN

The Cabinet Member for Resident Services and Tackling Inequality introduced the report which sought approval for the Council's flood water management schemes and programmes to be delivered across the borough in the next financial year (2024/25).

Following questions from Cllr Hakata, Cllr Brabazon and Cllr Cawley – Harrison the following information was noted:

- That Haringey had some of the most intensive SuDS implementation among the London boroughs, and in relation to planning system prioritising and supporting SuDS, it was noted that planning efforts were aimed at strengthening and updating policies to align with the latest Council policies and regional initiatives. The Planning team played a pivotal role in ensuring that new developments did not exacerbate flooding but instead contributed to improving drainage systems.
- With regards to progress in multi-agency collaboration, particularly with Thames Water, there was noted to be improved relations with Thames Water, addressing bursts in Crouch Hill and issues in Muswell Hill. Their proactive involvement before implementing SuDS schemes aided in flood mitigation. There was confidence in developing relationships to ensure collaboration despite competition among boroughs for Thames Water's attention. There were partnerships with the GLA and the Environmental Agency, which supported SuDS projects. There was focus was on improving relations with local businesses to mitigate flood damage.
- On the Turnpike Lane potential SuDS scheme, this was at an early stage of development and noted the frequent need for drain cleaning necessitated

considering engineering solutions. Noted that one option was to utilise Ducketts Common to address the issues naturally, acting as a soakaway without compromising its status as a park. Efforts were underway to assess the feasibility of this approach, collaborating with TfL, the Environmental Agency, and businesses to determine the potential scheme.

- The focus of grant funding for SuDS schemes, for the next 10 years, was informed by Section 19 reports in both the East and West of the borough. With awareness of issues such as culverted waterways, the funding opportunities sought were to best address these challenges. Regarding the Highways SuDS scheme and residents' potential involvement, the suitability of the space was crucial and involved technical considerations. For example, on Turnpike Lane, adding more gullies had had a positive impact on managing water flow. Noted that different roads in the same area might have required different solutions, indicating that a SuDS scheme might not always have been the sole solution.

RESOLVED

1. To approve the Flood Water Management Investment Plan for the 2024/25 financial year as set out in the attached Appendix 1.
2. To delegate decisions relating to flood water management scheme design and implementation to the Head of Highways and Parking subject to any decisions which are key decisions being taken by Cabinet.
3. To authorise the Head of Highways and Parking to (a) carry out any required consultation in accordance with Appendix 2; and, having had due regard to all consultation responses submitted as part of the statutory consultation process, and having considered whether the Council should cause a public inquiry to be held, (b) to make any necessary traffic management orders, to give effect to the schemes identified in Appendix 1, subject to any decisions regarding the making of traffic orders which constitute key decisions shall be taken by Cabinet.

Reasons for Decision

The FWMIP sets out the Council's flood water management and highways drainage resilience projects for the coming financial year and how these projects align with the Council's strategic objectives.

This report provides detail of the funding arrangements, seeks authority to proceed with the development and delivery of these projects. Some of those projects detailed in this report will be subject to appropriate consultation in accordance with Appendix 2.

Alternative options considered.

No other alternative options were considered as the Council has a statutory obligation to maintain the public highway network which includes keeping it reasonably clear of surface water. In addition, the Council, as the borough's Lead Local Flood Authority, is responsible for taking the lead in managing flood risk from surface water, groundwater, and in some instances culverted watercourses. This

2024/25 investment plan has been informed by the Council's Local Flood Risk Management Strategy, Highways Asset Management Strategy, and Highways Asset Plans. The proposed projects are those that have been identified as our priorities to further reduce the risk of future flooding in the borough.

The funding for the proposed projects comes from Council resources approved by the Cabinet as part of the capital and revenue programmes of work and excludes any external grants or contributions that the Council may receive throughout the year.

122. PLANNING SERVICE PEER CHALLENGE REPORT & ACTION PLAN - NON KEY

The Cabinet Member for Housing Services, Private Renters, and Planning introduced the report which set out the Council's response to the recommendations from the Planning Service Peer Challenge that took place in October 2023, looking at the Planning service functions.

The following information was provided in response to questions from Cllr Hakata and Cllr Cawley – Harrison.

- In relation to the integration of the new approach for the Haringey Deal into the service, the peer review found that while officers were aware of the Haringey Deal, further embedding was needed. The Council had received awards for engagement on the local plan, indicating good awareness of the Haringey Deal but more work was required for full integration. Efforts had already begun to implement the Haringey Deal comprehensively.
- The need for examination of the distribution of CIL to ensure that this was accessed by the community as this was a manifesto commitment involving participatory budgeting.
- Regarding publishing the Local Plan and the 2025 deadline set by the government, there was no specific penalty associated with missing the deadline and there was a necessity to adapt the Local Plan to the upcoming planning system reforms by the government. The importance of being responsive to these reforms and ensuring that the Local Plan remained future-proof was highlighted. The action plan outlined the steps to expedite this progress.
- With regards to performance metrics, such as response time, there had been a slight decline, reflecting a national trend of planning application backlogs in several authorities. This issue had been recognised nationally by the government and efforts were being made to address it. The Council had successfully secured special funding of £75,000 to tackle the backlog, in line with recommendations from the peer review. The target was set to complete the backlog by April or May, indicating that the issue would soon be resolved, and performance figures would return to previous levels.

RESOLVED

1. To note that Strategic Planning Committee at its meeting on Monday 19 February 2024 agreed to refer this report and appended documents to Cabinet with the recommendation to endorse the Peer Challenge report and approve the Action Plan.
2. To endorse the recommendations in the Peer Challenge report (Appendix A) and approve its publication on the Council's website.
3. To approve the Action Plan (Appendix B) which responds to each of the 10 recommendations in the Planning Service Peer Challenge report.

Reasons for decision

There is an expectation that all Councils undertaking a Planning Service Peer Challenge will publish the feedback report and produce an action plan which responds to the recommendations in the report.

Implementing those recommendations are important as it will help the Planning Service improve, including building stronger relationships with the residents, businesses and partners in Haringey and provide a better, more efficient service.

The Action Plan (Appendix B) sets out what the Council's Planning Service intends to do in response 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. That option was not considered appropriate as publishing the peer team's report, and the Council's response to it, ensures that the Council is transparent in respect of its improvement plans for the Planning Service.

123. PARKING INVESTMENT PLAN

The Cabinet Member for Tackling Inequality and Resident Service introduced the report which set out the capital investment plan for 2024/25 for the areas covered in this report. It was noted that there may be changes to the schemes identified as priorities or funding allocations change. The draft funding arrangements and associated schemes or programmes were provided in Appendix 1.

Cabinet welcomed the report, especially the work on the policy which involved work on reducing congestion, improving road safety and encouraging sustainable travel. This was a good foundation on which to build a kerbside strategy.

In response to questions from Cllr Cawley- Harrison the following information was provided.

- Table two of the agenda papers, contained information on the Alexandra Park event day CPZ and this was the indicative budget for the borough parking plan 2024/25.
- There was a lag between CPZ reviews and the outcomes. This was because the process needed to carefully consider responses and an example was provided of the review of the Wood Green CPZ that had been responded to by thousands of residents with differing views. When the staff received the data, they went through it as a quantitative and qualitative exercise. This also meant that officers had to go visit some of the areas to understand the issues referred to in the consultation responses.
- In relation to pavement parking, in the policy that was issued last spring, all 102 roads that had pavement parking on it had been taken into account and they were RAG (red, amber and green) rated. The green ones were completed easily, the amber rated ones would have technical issues and the red rated ones may not be progressed. The red and amber rated roads were risky, because if cars were put back onto the pavement, especially where there was a double decker bus route, then assumptions had to be made and work had to be done with TfL. There had been some forward progress as some pavement parking had been removed. However, some of the progress was taking more time.

RESOLVED

1. To agree the Parking Investment Plan for 2024/25 as set out in Appendix 1.
2. Subject to key decisions being determined by Cabinet, to authorise the Head of Highways and Parking to make decisions relating to scheme design and implementation in respect of the parking schemes set out in the Parking Investment Plan; and
 - To carry out consultations in accordance with the Parking Investment Plan Consultation attached as Appendix 2 to this report; and
 - To make traffic management orders and where there were objections received during the statutory consultations, consider those objections and whether to cause a public inquiry to be held, and consult with the Cabinet Member for Tackling Inequality and Resident Service prior to determining whether the traffic management orders shall be made.

Reasons for decisions

This report seeks approval for the 2024/25 Parking Investment Plan which sets out the priorities and funding levels for the coming year. The Council has a statutory obligation to manage its road network, and parking plays a key role in congestion reduction and improving road safety. It can also encourage healthier travel options, while making best use of limited kerb space.

Alternative options considered.

A 'do-nothing' option was considered and rejected as this would not allow the Council to deliver changes to parking controls necessary to meet Council policies, address resident and business concerns and requests. It would also not allow schemes approved in the 2023/24 Parking Investment Plan to be progressed to delivery in 2024/25.

124. HIGHWAYS AND STREET LIGHTING INVESTMENT PLAN

The Cabinet Member for Resident Services & Tackling Inequality introduced the report which made recommendations for investment in highway infrastructure in 2024/25 and particularly covered footways, carriageways, and street lighting assets as set out in Appendices 1 and 2 of this report. Those appendices also set out expected funding streams for 2024/25 for those various work streams.

In response to questions from Cllr Cawley- Harrison the following information was provided.

- With regards to adding more lighting to Oliver Tambo recreation ground, this was more complicated than putting it on streets, mainly because of animal rights regulations. There were more laws that needed to be observed in relation to it.
- The team had been working with contractors to try and replace the CMS nodes through the contract for some time. There had been issues with some of the replacements being faulty and there being a quality issue from the manufacturer which had delayed how quickly the problem could be resolved. Contractors were being held to account.
- The original timeline could not be met as planned. There had been an expectation to complete the light replacement programme by the end of March 2024 and Cabinet would be kept informed of the progress.

RESOLVED

1. To approve the Highways and Street Lighting Investment Plan for 2024/25 of £6.176m for highway assets as set out in Appendix 1 of this report.
2. To approve the Highways and Street Lighting Investment Plan which includes investment of £1m in lighting assets for 2024/25, as set out in Appendix 2 of this report.
3. To approve the update to the Highways Asset Management Strategy and the Street Lighting Strategy, as set out in Appendices 4 and 5 of this report.
4. To note the draft update to the Streetscape Design Guide as set out in Appendix 6 of this report and the associated consultation process, and delegates authority to the Director of Environment and Resident Experience,

following consultation with the Cabinet Member for Tackling Inequality and Resident Services, to approve the final document.

5. To delegate decisions relating to highways infrastructure asset maintenance schemes to the Head of Highways and Parking, subject to key decisions being reported to Cabinet.
6. To authorise the Head of Highways and Parking to (a) carry out any required consultation in accordance with Appendix 3; and, having had due regard to all consultation responses submitted as part of the statutory consultation process, and having considered whether the Council should cause a public inquiry to be held, (b) to make any necessary traffic management orders, to give effect to the schemes in Appendix 1 and 2, subject to key decisions being considered by Cabinet.

Reasons for Decision

This report sets out the 2024/25 investment in the Council's local highways infrastructure. It provides detail of the funding arrangements and seeks authority to proceed with the development and delivery of these projects, subject to appropriate consultation.

Alternative options considered.

No other options are considered. The Council has a statutory duty to maintain the public highways network.

125. ROAD DANGER REDUCTION INVESTMENT PLAN FOR 2024-25

The Cabinet Member for Resident Services & Tackling Inequality introduced the report which recommended investment in the road danger reduction programme for 2024/25 and identified the progress made against the Road Danger Reduction Action Plan approved in March 2022.

The following information was noted in response to questions from Cllr Cawley – Harrison.

- The data about deprivation and road safety had emanated from a Trust for London report. A link could be provided for this. However, the report should be read with caution as where there was population density there were more roads and higher rates of accidents.
- The Road Safety team and the Strategic Transport team consisted of the same officers. Joint projects, such as the introduction of a new cycle lane, would also be subject to road safety measures and vice versa.

- The report highlighted where the funding for Vision Zero was being spent and in areas where there were no immediate plans to implement a wider infrastructure.
- In relation to crash for cash incidents, it would not be appropriate to attribute the rise of the issues happening with power two wheelers with the crash for cash phenomenon. There was no evidence yet to connect the two occurrences. However, there had been an increase in collisions mainly due to more moped drivers and food delivery drivers in the borough. They did not have a Trade Union recognised union but had a grassroots level union which the Council engaged with. The Council was doing co-production work with some of the motorcyclist community. They were not as well established as cyclists but were present.
- The Council used the same collision data that the Greater London Authority (GLA) used, mainly taken from the Metropolitan Police. Unless it was reported, there was sometimes no way of knowing about an occurrence of an accident, so the data was taken cautiously. However, the data did show hotspot areas. There was no real way of completely recording this data accurately. The Council was looking at using different analytics software packages that looked at a whole range of different data sets, not just the killed and seriously injured statistics from the Police, but anything they could effectively use in order to use algorithms to help predict where accidents might occur. From the presentations seen so far, it looked very effective.
- In relation to two-wheel vehicles, powered or non-powered, it was one of the key ambitions around Vision Zero to put in additional protection, particularly where people were most vulnerable around those types of transportation. This was being addressed under the Road Danger Reduction Action Plan.

RESOLVED

1. To note the progress of the Road Danger Reduction Action Plan approved by Cabinet on 8 March 2022, as set out in Appendix A.
2. To approve the Road Danger Reduction Investment Plan for 2024/25, as set out in Appendix B, subject to Cabinet agreeing the carry forward of resources (as specified in paragraph 7.30 and 7.31).
3. To delegate decisions relating to scheme design and implementation to the Head of Highways and Parking subject to decisions being reported to Cabinet where a key decision.
4. To authorise the Head of Highways and Parking to carry out any required consultation in accordance with Appendix C and to make any necessary traffic orders, having had due regard to all consultation responses, to give effect to

the schemes in Appendix B, subject to key decisions being considered by Cabinet.

Reasons for decision

The Council has a statutory duty under section 39 of the Road Traffic Act 1988 to prepare and carry out a programme of measures designed to promote road safety including “taking measures to prevent accidents”. It must also prepare and carry out a programme of measures designed to promote road safety.

This report recommends the investment for 2024/25, as well as setting out the Council’s progress against the March 2022 Action Plan.

Alternative options considered.

None. The authority has a statutory duty as set out in paragraph 4.1.

126. TO SEEK CABINET APPROVAL FOR THE COMMUNITY SAFETY STRATEGY AND HATE CRIME STRATEGY

The Cabinet Member for Community Safety and Cohesion presented the report which set out the outcome of the consultation on the Community Safety and Hate Crime Strategy requested approval to present the Community Safety Strategy to Full Council on 14th March 2024. There had been extensive consultation on the strategies and all members of the Council had a responsibility to make progress in the achieving the aims and objectives of the strategy.

In response to questions from Cllr Cawley- Harrison, the following was noted.

- In relation to gang violence, there were number of schemes and support provided by the Violence Reduction Unit who had taken an interest in Haringey partly because of the partnership approach that the Council had taken, but also a commitment from the Mayor of London to tackle many of the issues. It would be useful to provide the Council with another opportunity to be briefed in detail about what some of the work would entail. It was a priority to keep young people safe and have opportunities created for young people which the Cabinet Member for Children, Schools and Families was taking forward.
- In relation to reporting hate crime, it was important to get people to feel comfortable and safe and providing the vehicle for which they could safely report these crimes.
- The Police had signed up as co-signatories to the strategies, and would help facilitate meeting actions of the community safety strategy. This would involve continued conversations and documents and strategies like the ones outlined in the report provided a framework for partnership working , but they were also adaptable in a way in a way to ensure that they were relevant.
- The Council had sought the view of various seldom engaged communities. For example, multifaith, older people's groups and young people's groups. The Council approached the voluntary sector groups through the Bridge Renewal

- Trust as a way of getting some of the surveys out to the wider community, but the main focus of engagement was talking to people and getting their lived experience. That provided some rich data.
- Page 818 of the agenda papers provided a helpful picture of the number of people that were engaged with and the community outlets used to facilitate engagement.

RESOLVED

1. To take note of the contents of the evaluation report which provides an overview of the responses and the headline findings from the Community Safety and Hate Crime Strategy engagement consultations.
2. To recommend that Full Council approve the Community Safety Strategy as part of the Council's Policy Framework.
3. To approve the London Borough of Haringey's Hate Crime Strategy (2024-2027).
4. To delegate authority to the Assistant Director of Safer Stronger Communities, after consultation with the Cabinet Member for Community Safety and Cohesion to make any minor amendments to the documents and to agree and publish an annual action plan.
5. To notes that the Assistant Director of Safer Stronger Communities will bring a report to Cabinet to make any necessary amendments to the Hate Crime Strategy in the event that Full Council approves the Community Safety Strategy in a form that is incompatible with the Hate Crime Strategy as currently drafted.
6. To note that the Climate Community Safety and Culture scrutiny Panel have no changes to the Community safety strategy and recommend Cabinet note their comments set out below at paragraph 13 in accordance with Part four Section E paragraph 2.2 of the Council's Constitution.

Reasons for decision

The Crime and Disorder Act 1998, requires that the Council establish a Community Safety Strategy. As a collaborative document outlined in the Constitution and integrated into the Council's Policy Framework, the Crime and Disorder Reduction (community safety) Strategy, hereafter referred to as the "Community Safety Strategy," is reserved for ultimate approval by the full Council, subject to a recommendation made by the Cabinet. The co-creation of a Hate Crime Strategy for Haringey aligns seamlessly with the Council's unwavering commitment to a zero-tolerance stance against any manifestation of hate and discrimination. Additionally, the issue of hate crime has been incorporated as a prominent theme within Haringey's Corporate Delivery Plan for 2023-2024. The Community Safety Strategy will serve as the overarching framework encompassing key priorities in community safety, harmonised with vital Council strategies and action plans including the Corporate Delivery Plan for 2023-2024, the Young People at Risk strategy for 2019-2029, and the proposed Hate Crime Strategy for 2024-2027. Both the Hate Crime Strategy and the Community Safety Strategy are scheduled for publication in 2024.

Alternative options considered.

- Not developing a Community Safety Strategy is not an option, as it is a legal requirement as highlighted in 4.1.
- With regard to the development of the Hate Crime Strategy, the alternative option would be not to have a strategy. This is not recommended as it is recognised the most effective way to coordinate this work is to deliver an agreed set of ambitions under a structured partnership strategy with an adjoining annual action plan. In response to both strategies, without any agreed responsibility or monitoring by officers, including any formal Governance, would significantly increase the risk of the work dissipating and would not allow for the effective protection of victims.

127. THE REGULATION OF INVESTIGATORY POWERS ACT 2000 (RIPA) AND INVESTIGATORY POWERS ACT 2016: USE OF POWERS BY THE COUNCIL IN 2023

The Leader of the Council introduced the report which informed Cabinet about issues relevant to the use of investigatory powers under the Regulation of Investigatory Powers Act (RIPA) 2000.

RESOLVED

To note the use of RIPA by the Council.

Reasons for decision

The RIPA codes of practice state that members should review the Council's use of investigatory powers at least annually. Therefore, although the powers under RIPA have not been used in recent years, it is nevertheless important for members to be aware of the extent of usage.

Alternative options considered.

The alternative would be not to bring the information on usage of the powers to Cabinet. If the Council's use of investigatory powers was not noted, the Council would not be complying with the codes of practice and so this alternative has not been considered.

128. COMMUNITY ASSETS POLICY

Cllr das Neves and Cllr Chandwani left the meeting room.

The Cabinet Member for Culture, Communities & Leisure introduced the report which set out proposals to develop a new policy which will allow Council officers to determine subsidy levels on leases for Voluntary and Community Sector (VCS) organisations operating out of Council buildings.

In response to questions from Cllr Cawley- Harrison, the following information was noted.

- Regarding the engagement for the social value policy framework and particularly residents being involved in the development of this, in accordance with the Haringey Deal, the plan was to consult as widely as possible.
- An up-to-date list of leases for voluntary and community organisations operating out of Council buildings had been compiled and the details of that were contained in the exempt papers. The current listing situation was not ideal but the Council were working on compiling these up to dates lists which help manage the portfolio going forward in the future.

Following consideration of exempt information at item 27,

RESOLVED

1. To approve a process of engagement with the Voluntary and Community Sector (VCS), as set out in paragraph 4.5, to co-produce a social value policy framework to guide determinations as to how and when subsidies may be applied to leases held for Council properties by Voluntary and Community Sector (VCS) organisations, as set out in paragraphs 6.7 and 6.8.
2. To note and agree that Living Under One Sun and the Selby Centre should be treated separately in advance of a final policy, given the advanced status of these projects as set out in paragraph 4.7 of this report.
3. To note that a further Cabinet report will be delivered in late 2024, which will present a full policy on community assets for Cabinet approval.

Reasons for Recommendations

The Council is proud of the support it provides to the Voluntary and Community Sector (VCS) to provide vital support to Haringey's communities, particularly the most vulnerable. We do this in a variety of ways, whether by commissioning them directly to provide services, building their capacity and sustainability through the work of the capacity building partner and bringing external funding into the borough, or by providing them with affordable premises for offices or other spaces from which to carry out their activities. This report sets out the principles for a new approach to provide greater clarity around how we manage and deliver this last type of support.

At the time of writing, there are a diversity of leases in the Council's VCS property portfolio. That includes leases from zero or peppercorn to something closer to market rent. Many of these leases have expired and there is no formal policy or framework for determining the basis on which VCS organisations should occupy Council-owned buildings, resulting in inconsistencies and a variety of historical arrangements and leading to the potential for accusations of unfairness of treatment, or at least a lack of transparency. This also leads to a lack of clarity regarding responsibilities for building maintenance, and a number of the properties are in a poor state of repair which needs to be addressed.

The Chris Buss authored Property Independent Review found, with respect to Voluntary and Community Sector leases, that the Council had failed to maintain ‘a proper landlord and tenant relationship that is ensuring that both parties (Landlord and tenant) had fulfilled their mutual obligations under the lease agreement.’ This report and its recommendations were accepted in full by Cabinet in April 2023. The recommendations, including recommendations related to the VCS sector, are being delivered through the Council’s Strategic Asset Management and Property Improvement Plan (SAMPIP). This was developed partly in response to the Chris Buss authored report.

The SAMPIP includes a Property Review Process. In accordance with this and our wider Property Governance procedures, all leases that have expired should go through this review process. 25 properties have been identified as Community Centres within the 88 VCS classified buildings. 23 of these Community Centres fall within the category of having expired leases, which are proposed to be prioritised through this policy when it is finalised.

Based on the experience of other Councils, we propose to develop a social value matrix which will enable VCS organisations to operate from our buildings with subsidised leases which will be determined by objective criteria. This matrix, the criteria it contains, and the way organisations will utilise it, will be developed in coming months through engagement with the VCS. We will undertake this engagement in collaboration with Public Voice and MIND in Haringey, our new VCS Strategic partner. The new policy will allow the VCS to continue to deliver socially impactful work in a way which also supports the Council’s corporate objectives as set out in the Haringey Deal and our Corporate Delivery Plan 2022-24 to build a fairer, greener Haringey.

The lease policy, once agreed, will additionally provide clarity to both VCS organisations and to the Council about where responsibility lies for building repairs and maintenance.

There are two organisations – The Selby Centre and Living Under One Sun – with whom the Council is at an advanced stage of entering into a long-term partnership based around area regeneration programmes with external funding streams and where there is a property lease arrangement involved. The Council will need to conclude agreements with these organisations in the next few months, and they are sufficiently unique as partnerships to warrant their own, bespoke, agreements that should not be considered as precedents for any subsequent leases.

The final policy will return to Cabinet in the autumn of 2024 for sign off when a full policy and approach has been developed alongside the VCS. That policy will also benefit from any learning achieved through early adopters of this process. The Council’s preferred approach is that an agreed subsidy will be subtracted from the rental invoice issued to organisations, and that this mechanism for the delivery of a subsidy will be worked up in detail with the VCS, working closely with Public Voice and MIND in Haringey, as the new capacity-building partner for the sector.

During engagement with the VCS Sector and Public Voice, the Council intends to identify an early adopter from the 23 organisations identified in the Council’s existing

VCS portfolio as occupying community centres with currently expired leases, to identify practical lessons to inform the final policy.

Alternative options considered

Do nothing. If the Council asked its Property and VCS team to manage the portfolio without a new policy, this would mean there would be no policy basis other than renewing the many lapsed leases at market rent for these properties which would be unaffordable for many VCS organisations. There would also be no policy rationale for letting Council properties to new VCS groups and could potentially leave the Council vulnerable to allegations of arbitrary, inconsistent, or preferential treatment of its different VCS tenants. This is not a viable alternative.

Circular Grant. An alternative methodology to applying a rental discount is for the organisation to be charged full market rent and for the Council to provide a grant in arrears for the value of the agreed level of subsidy, subject to the organisation delivering agreed outcomes under an SLA. The same social value calculation can be used as in the discounted lease approach. The circular grant method requires another part of the Council to have their own budget lines for these grants, or for part of the rent received to be attributed to those budget lines.

The circular grant approach is rejected on the basis that many organisations in the VCS sector will have insufficient cashflow to cover initial payments of market rent. There is also an organisational ambition to move away from circular grants, and a recognition that while it may be 'cleaner' from a property management point of view to adopt this approach, it requires significantly more administration and complexity of management for both the VCS and Council, which we need to minimise at a time when all budgets are under pressure.

129. PROCUREMENT OF THE COUNCIL ENERGY CONTRACTS - NON KEY

Cllr Chandwani and Cllr das Neves returned to the room.

The Cabinet Member for Finance and Local Investment introduced the report which sought approval from Cabinet to access LASER Framework Agreements and to use these to call off and procure contracts for the supply of electricity and gas to the Council for the four-year period - 1 April 2025 to 31 March 2029.

The following was noted in response to a question from Cllr Cawley Harrison:

Officers were looking at the business cases for increasing the solar portfolio onto all buildings. That would be based on roof space availability and the long-term plans for the Council. There was a case a few months ago about the solar panels on Hornsey Library not operating correctly, that had since been under review. An assessment of the solar panels across the portfolio was now being managed and maintained to ensure that they were operating. Officers were working towards the long-term maintenance of those systems to ensure that they were fully functional for the summer

period. In terms of the demand technology and building energy management systems, it was an ongoing programme that was currently being worked through.

Further to considering exempt information at item 28,

RESOLVED

1. To consider the outcome of consultation with leaseholders set out at paragraphs 6.44 to 6.51 of this report.
2. To approve that the Council enters into an access agreement with Kent County Council, trading as LASER so the Council can access framework agreements for Electricity (Flex 2024 – 2028, Framework Number: Y22009) and Gas (Flex 2024 – 2028 Framework Number: Y22008), as permitted under CSO 7.01 b) (selecting one or more contractors from a Framework).
3. To approve the award of an electricity supply contract under LASER framework agreement Y22009, to Npower Commercial Gas Limited (Npower) for the period of four years commencing on 1 April 2025 and expiring on 31 March 2029, with an estimated value of £36.68m in accordance with CSO 9.07.1 d) (Contracts value at £500,000 or more can only be awarded by Cabinet).
4. To approve the award of a gas supply contract under LASER framework agreement Y22008 to Corona Energy Retail 4 Ltd (Corona) for the period of four years commencing on 1 April 2025 and expiring on 31 March 2029, with an estimated value of £19.76m in accordance with 9.07.1 d) (Contracts value at £500,000 or more can only be awarded by Cabinet).
5. To approve the use of LASER's 'Price Certainty' energy buying strategy for both electricity and gas.
6. To approve the use of LASER's 'Procurement Only Service Option' (POSO) as opposed to the 'Fully Managed' (FM) service.
7. To agree that the annual and forthcoming year's estimated expenditure, will be reported to the Director of Finance and Cabinet Member for Finance. Where the estimated expenditure exceeds those stated in 3.3 and 3.4 above, Cabinet delegates the authority to the Director of Finance after consultation with the Cabinet Member for Finance, the approval to vary the contracts and increase the values to cover the additional expenditure within the original term of the contracts; and any expected spend above a 10% increase set out in this report, shall be reported to Cabinet.
8. To note that, in alignment with the Council's commitment to net zero by 2027, Haringey is engaged with London Councils' Renewable Power for London workstream. This aims to develop an opportunity for London Boroughs to purchase renewable electricity directly from a renewable energy generation asset such as a solar farm, through a collective Power Purchase Agreement (PPA). This opportunity may become available during the term of the electricity

contract and the terms of the LASER framework contract allows for electricity volume purchased through a PPA to be transferred-in (known as sleeving in).

Reasons for decision

The Council considers it necessary to enter into these two Contracts to provide an uninterrupted energy supply to the Council's buildings and services, including corporate buildings; streetlighting; housing communal areas, shared services, communal heating systems, hostels and non-domestic buildings; and schools that choose to opt-in. The Council needs to be able to supply electricity and gas to ensure Council services can operate; that common parts at residential properties have continuous service of lighting, lifts, security and electrical equipment; that residential shared heating systems continue to operate and that schools opting-in have continuous electricity and gas supply.

Energy prices have fluctuated significantly in recent years. To allow for any future fluctuations in prices, delegated authority is being sought to approve contract variations to allow for continuous supply of energy to the Council and its partners.

The decision is not a key decision in accordance with CSO 9.0.7.1 (f) that states "In accordance with Part 5 Section C of the Constitution, the award of spot contracts for care packages and contracts for the supply of energy to the Council are not "key decisions".

Alternative options considered.

Short term, spot buy (fixed duration, fixed price contracts) This is where the Council would buy short-term contracts for a fixed price over the time period, directly with suppliers. Although it is possible that lower prices could be achieved, the opposite is also true. This is a high-risk strategy and the Council would be significantly more exposed to the vagaries of the wholesale market (a price for the supply period is fixed on a single day). The Council also risks paying higher off1contract prices until appropriate new contract(s) are in place. The approach is not compliant with either Procurement Standing Orders (PSOs) or public procurement legislation. Further, the Pan Government Energy Project (now part of the Cabinet Office) recommendation is that all public sector organisations adopt aggregated, flexible and risk-managed energy procurement. This has been ruled out due to the risk of price volatility and lack of in-house expertise.

Procure the Council's energy by direct tender - This option would involve the Council running a standalone compliant tender process to secure contracts with the selected energy provider(s) (or via a broker see option 5.3). This approach is unlikely to produce the best results due to the relatively small scale of the Council's energy requirement compared to that of most large purchasing organisations. By contrast, a Public Sector Buying Organisation can obtain good wholesale prices through aggregating the demand of many public sector organisations. In addition, a direct tender would require us to engage additional resources (skilled energy traders and additional staff for contract management) and provide greater risk of exposure to energy price fluctuations. This option is therefore deemed unviable.

Procure through a Private Sector based provider - The Council would require a tender for a private sector Third Party Intermediary (TPI) to procure energy supply (as option 5.2 above), but it would need to be sure that we would be getting best value through a truly aggregated, flexible contract. Full price transparency of all costs, including TPI fees and any commission paid by suppliers to the TPI would be needed. By aggregating our volumes, the TPI could access the wholesale market on our behalf, but we may only receive prices based on the supplier's view of the market. A compliant tender process would be required to engage with such a provider with all the associated resource and time implications that would be entailed. Due to this level of complexity and lack of in-house resources to deliver this, this option has been ruled out.

Do nothing. Due to the value of the Council's annual electricity and gas spend, it is required to have a contract in place. If a contract is not put in place, the Council may default onto more expensive out of contract rates that would not provide value for money, so doing nothing is not an option.

130. REMINGTON ROAD - UPDATE ON THE CONSTRUCTION OF 46 NEW COUNCIL HOMES

The Cabinet Member for Council House building, Placemaking, and Local Economy introduced the report which sought approval of additional funds in accordance with Contract Standing Order (CSO) 10.02.1(b) to complete the construction of 46 new Council homes on land adjoining Remington Road and Pulford Road, N15 6SR ("Remington Road"). The total amount of additional funding sought was set out in Part B of this report.

Cllr Hakata Cabinet Member for Climate Action, Environment, and Transport welcomed the scheme which included 13 homes with 3 to 4 bedrooms and would address and aid any overcrowding issues.

Further to considering the exempt recommendations and exempt information at item 29,

RESOLVED

1. To approve a variation to the contract in respect of the additional expenditure, as set out in Part B, to ensure the completion of the construction of 46 new homes at Remington Road and thereby allowing the Council to take possession (Spring 2024) of these much need high quality homes.
2. To note the revised Total Scheme Cost as contained in Part B.
3. To note the homes at Remington Road will be let at London Affordable Rent.
4. To note the approval of these funds is in accordance with CSO 10.02.1(b).

5. To note the revised appraisal contained in Part B for the project which reflects the revised Total Scheme Cost and the homes being let to residents at London Affordable Rent.

Reasons for decision

The approval of additional funding will ensure the timely completion of the construction of 46 new Council homes at Remington Road. Once these works are completed, the Council can take possession of these homes which will help to address the overwhelming need for affordable homes within the Borough and the homes are expected to be well received by future residents.

The construction of the homes (and associated external areas) is now well advanced with completion anticipated for Spring 2024. During the construction works, a number of instructions were issued by the Employer's Agent and it is anticipated future instructions will now be necessary to ensure completion.

Furthermore, it is necessary the Council fulfils its contractual obligations under the terms of the building contract. Where additional works are necessary, the Employer's Agent is required to issue an instruction to the Contractor to undertake these works and, once the instruction is made, the Council is obligated to fund the costs associated with the additional works.

Alternative options considered

Do not seek additional funding. This option would result in the scheme not being completed as additional works could not be instructed without the necessary Funds being available to the Council to meet its contractual obligations. The Council would also face the risk of a claim for breach of contract as additional Funds are required to fund those instructions already issued by the Employer's Agent.

131. MINUTES OF OTHER BODIES

RESOLVED

To note the minutes of the following:

Cabinet Member Signings

1.02.2024

5.02.2024

06.02.2024

12.02.2024

29.02.2024

29.02.2024

132. SIGNIFICANT AND DELEGATED ACTIONS

RESOLVED

To note the delegated decisions taken by directors in February 2024.

133. NEW ITEMS OF URGENT BUSINESS

None

134. EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded from the remainder of the meeting as items 25 to 31 contain 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.

135. EXEMPT COMMUNITY ASSETS POLICY

Cllr das Neves and Cllr Chandwani recused themselves for this item. Cabinet considered the exempt information and agreed the recommendations as set out in item CAB128.

136. EXEMPT PROCUREMENT OF THE COUNCIL ENERGY CONTRACTS - NON KEY EXEMPT

Cabinet considered the exempt information and agreed the recommendations as set out at item CAB129.

137. EXEMPT REMINGTON ROAD - UPDATE ON THE CONSTRUCTION OF 46 NEW COUNCIL HOMES

Cabinet considered the exempt information and agreed the exempt recommendations and also continued to agree the recommendations as set out at CAB item 130.

138. EXEMPT - MINUTES

RESOLVED

To approve the exempt minutes of the meeting held on the 6th of February 2024.

139. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR: Councillor Peray Ahmet

Signed by Chair

Date