

Report for: Cabinet Member Signing

Item number: 4

Title: Re-procurement of construction works delivering new housing schemes at: Cornwall Road N15 5BN and Morley Avenue N22 6NT

Report authorised by : Robbie Erbmman, Assistant Director Housing

Lead Officer: Ishen Stewart-Dowding, Senior Housing Delivery Project Manager

Ward(s) affected: St Ann's and Noel Park

Report for Key/Non Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1. This report seeks approval from the Cabinet Member for Housing and Planning to approve the appointment of the recommended contractor to complete construction works of the schemes known as Cornwall Road N15 and Morley Avenue N22.

2. Recommendations

- 2.1. The Cabinet Member for Housing and Planning is recommended to:
- 2.1.1. Approve the appointment of Contractor A, identified in the exempt part of the report, to undertake construction works to complete the schemes known as Cornwall Road N15 and Morley Avenue N22.
- 2.1.2. Approve the total scheme costs set out in the exempt part of the report.
- 2.1.3. Approve to delegate to the Assistant Director of Housing authority to sign off any instructions that may be required to be discharged from the contingencies we are seeking approval for in this report.

3. Reasons for decision

- 3.1. Construction contracts were awarded to Contractor X for the separate developments known as Cornwall Road N15 and Morley Avenue N22, approved by Cabinet Member signings in July 2021 and July 2023.
- 3.2. Contractor X entered liquidation in December 2024. Please refer to the exempt part of report for further details.
- 3.3. The Council secured both sites and released a competitive procurement opportunity on the Haringey Dynamic Purchasing System using the JCT Intermediate Building Contract 2016.
- 3.4. Contractor A has been identified by a formal tender process to undertake these completion works.
- 3.5. The two sites will contribute to our commitment to build 3,000 new high-quality council homes by 2031.

4. Alternative options considered

- 4.1. The Council could choose not to complete the construction of these developments and either demolish the structures or sell the partially completed sites on the open market. This option was rejected as it does not support the Council's commitment to delivering a new generation of Council homes and would present a significant financial loss against investment to date.

5. Background information

- 5.1. Please see Section 8 of this report for links to the background documents for the Cornwall Road N15 and Morley Avenue N22 developments which provide detail on the site context, design, engagement and consultation and statutory comments.

6. Statutory Officers comments

6.1. Finance

- 6.1.1. The cost to complete these schemes is provided for in the recently approved HRA capital programme budget and included in the medium-term financial strategy (MTFS).
- 6.1.2. Further finance comments are provided in the 'Exempt report' attached.

6.2. Procurement

- 6.2.1. Award Approval: Strategic procurement recommends approving an award to Contractor A (details in the exempt section) for construction works at Cornwall Road N15 and Morley Avenue N22.
- 6.2.2. Competitive Tender Process: A competitive tender was conducted via the LCP's DPS for Minor Works. The strategy was inclusive, treating projects separately to allow SMEs to bid, while also enabling the possibility of awarding a single supplier to enhance efficiency through applied learning across projects, benefiting the council.
- 6.2.3. Compliance: The procurement process adheres to Contract Standing Order (CSO) 9.04.1(b) and Regulation 34 of the Public Contracts Regulations.
- 6.2.4. Value for Money: Aspires tender was the most competitive, demonstrating value for money in both commercial and technical aspects.
- 6.2.5. Cost Certainty: Aspires tender provided better cost certainty with no provisional costs, reducing financial risks for the council.
- 6.2.6. Recommendation: SP supports the recommendation to approve the award in accordance with CSO 9.07.1(d).

6.3. Legal

- 6.3.1. The Assistant Director for Legal and Governance (Monitoring Officer) was consulted in the preparation of this report.
- 6.3.2. The report indicates and Strategic Procurement has confirmed that the contract in the report was procured via the LCP's DPS for Minor Works and this is in line with Regulation 34 of the Public Contracts Regulations 2015 as well as the Council's Contract Standing Order (CSO) 9.04.1(b).

- 6.3.3. Pursuant to the Council's Contract Standing Order (CSO) 9.07.1(d) Cabinet has power to approve the award of a contract where the value of the contract is £500,000 or more.
- 6.3.4. Further to paragraph 6.3.3 above and the provisions of the Council's CSO 16.02, the Leader may allocate a decision reserved for Cabinet to the Cabinet Member having the relevant portfolio responsibilities and as such the recommendation in paragraph 2 of the report to seek Cabinet Member's approval is in line with the provisions of the Council's CSO provided that such a decision has been allocated to the Cabinet Member by the Leader.
- 6.3.5. Further to paragraph 6.3.3 and 6.3.4 above, the recommendation in paragraph 2.1.3 of the report to delegate to the Assistant Director of Housing authority to sign off any instructions that may be required to be discharged from the contingencies are in line with law. Cabinet has power under the Local Government Act 2000 to delegate the discharge of any of its functions to an officer (S.9E (Discharge of Functions)).
- 6.3.6. The Assistant Director for Legal and Governance (Monitoring Officer) sees no legal reasons preventing the approval of the recommendations in the report.

6.4. **Equality**

- 6.4.1. The council has a Public Sector Equality Duty (PSED) 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 those protected characteristics and people who do not
 - Foster good relations between people who share those characteristics and people who do not.
- 6.4.2. 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.
- 6.4.3. The proposed decision relates to build completion works on the sites known as Cornwall Road N15 and Morley Avenue N22.
- 6.4.4. The decision will increase the supply of Council rented homes to local residents. This is likely to have a positive impact on individuals in temporary accommodation as well as those who are vulnerable to homelessness. Data held by the council suggests that women, young people, and BAME communities are over-represented among those living in temporary accommodation. Furthermore, individuals with these protected characteristics, as well as those who identify as LGBTQ+ and individuals with disabilities are known to be vulnerable to homelessness.
- 6.4.5. It is further noted that some of the new homes are fully accessible for wheelchair users which will benefit residents with certain disabilities. As such, it

is reasonable to anticipate a positive impact on residents with these protected characteristics.

- 6.4.6. As an organisation carrying out a public function on behalf of a public body, the Contractor, will be obliged to have due regard for the need to achieve the three aims of the Public Sector Equality Duty as stated above. Appropriate contract management arrangements will be established to ensure that the delivery of the major works does not result in any preventable or disproportionate inequality.
tbc

7. Use of Appendices

- 7.1. Appendix 1 – Exempt financial report
7.2. Appendix 2 - Exempt tender cost report

8. Background papers

- 8.1. [14/07/2021 - Cabinet Member Signing \(4\) Approval of appropriation of land and construction contract at Stainby Road car park and Cornwall Road](#)
- 8.2. [APPROVAL OF APPROPRIATION OF LAND AND CONSTRUCTION, Cabinet Member Signing
Wednesday, 14th July, 2021 11.00 am](#)
- 8.3. [NEW CONTRACTUAL ARRANGEMENT WITH AN EXISTING CONSTRUCTION COMPANY CONTRACTED WITH THE COUNCIL, Cabinet Member Signing
Wednesday, 26th July, 2023 2.30 pm](#)