

Report for: Cabinet - 21 October 2025

Item number: 11

Title Contract award for Demolition of Northolt and Stapleford wing blocks, Contract Award for Phase 2 (Tangmere) of the new homes programme and land appropriation.

Report authorised by : Jess Crowe, Corporate Director of Culture, Strategy and Communities

Lead Officer: David Sherrington, Head of Estate Renewal

Ward(s) affected: West Green

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1 The Broadwater Farm Estate Renewal Programme will deliver comprehensive change to the estate. Plans include the construction of over 300 new homes, the retrofit of over 800 existing homes and a socio-economic programme to support local residents.
- 1.2 This report seeks Cabinet approval to award two contracts for works as part of the Broadwater Farm redevelopment works on the site edged red on the plan at Appendix 1 and also seeks to appropriate land to facilitate the carrying out of these works.
- 1.3 One contract is for the construction of 139 new build homes on the estate on the former site of the Tangmere block. This is phase two of the new build contract, with phase one having been approved by Cabinet in October 2024.
- 1.4 The development for phase two of works edged blue on the plan at Appendix 1 ("second phase works") comprises 24 one-bedroom flats, 54 two bedroom flats, 38 three bedroom and 23 four -bedroom homes with 10% being fully accessible to wheelchair users. It also includes 5 retail/workspace units. The rent levels of the new homes will be in line with the rent policy agreed by Cabinet in December 2021. Through this policy former residents who decide to return under the right to return policy have their rents set at existing rents on Broadwater Farm +10%.
- 1.5 The second contract is for the demolition of the Northolt and Stapleford wing blocks. The area of the works are edged blue on the plan at Appendix 2 ("demolition works for phases three and four"). The demolition of these blocks

will facilitate the final phases (phases 3 and 4) of the new build programme which are due to start in 2028.

- 1.6 To facilitate the carrying out of the new build and the demolition works the Council must appropriate the land for the correct statutory purpose under Section 122 (1) of the Local Government Act 1972.
- 1.7 This report also seeks approval to appropriate the land edged blue on the plan at Appendix 1 and the land edged blue at Appendix 2 currently held in housing for planning purposes.

2. Cabinet Member Introduction

- 2.1 I am pleased to present to Cabinet this report which represents another major milestone in our plans to transform the Broadwater Farm estate. Through this next phase of the development, the Council will build 139 high quality new homes, 61 of which will be three bed or above, providing much needed additional family accommodation in the borough. These homes are in addition to the 40 new homes currently onsite and due for completion in May of next year. While this development work is underway, further demolition work, required for the last phases of new homes development, will get underway. The careful deconstruction of Northolt and Stapleford blocks will be undertaken by specialist contractors ensuring the safety of local residents is paramount at every stage.
- 2.2 As part of the development work, we will be re-erecting the 20 metre high grade II listed mosaic which was carefully removed from the former Tangmere building following it's listed status in 2023. Over the last two years the mosaic has been painstakingly restored by specialists and once installed, it will take pride of place in the heart of the estate overlooking a new public square. The mosaic will be sighted close to where it was originally installed by the community almost 40 years ago.
- 2.3 All of this work has been developed in close consultation with residents who continue to influence our work on the estate through regular community outreach and engagement. of this development work are mitigated and this work will continue in the years ahead.

3. It is recommended that Cabinet:

- 3.1 Pursuant to contract standing order (CSO) 2.01.C, approves the appointment of the contractor outlined in the exempt report to undertake phase two of the new build programme to provide a total of 139 Council rented homes and retail/workspaces units at Ground Floor (to shell and core) for a total contract sum as set out in the exempt report.
- 3.2 Approves the appropriation of the land edged blue on the plan at Appendix 1 and the land edged blue on the plan at Appendix 2 from housing purposes to planning purposes under Section 122 of the Local Government Act 1972 as it is no longer required for the purpose which it is currently held, and for the

purpose of carrying out the second phase works and the demolition works for phases three and four as approved by planning permission reference HGY/2022/0823 and detailed further in this report.

- 3.3 Approves the use of the Council's powers under Section 203 of the Housing and Planning Act 2016 to override easements and other third-party rights and interests relating to the land edged blue at Appendix 1 and the land edged blue at Appendix 2 for works approved under planning permission reference HGY/2022/0823.
- 3.4 Delegates to the Corporate Director of Culture, Strategy and Communities, in consultation with the Corporate Director of Finance and Resources, authority to make payments of compensation as a result of any valid claims of third-party rights affected by the second phase works and the demolition works for phases three and four of the Broadwater Farm new homes programme and payable as a result of recommendation 3.3, within the existing scheme of delegation.
- 3.5 Approves the appropriation of the land edged blue on the plan at Appendix 1 from planning purposes back to housing purposes under Section 122 of the Local Government Act 1972, on completion of the second phase of works.
- 3.6 To consider the results of the engagement and consultation carried out in respect of the second phase works set out in 6.37-6.43 of the report.
- 3.7 Pursuant to contract standing order (CSO) 2.01.C, approves the appointment of EXEMPT to undertake demolition works to the Northolt and Stapleford wing blocks as part of the enabling works for future phases of the new build programme (phases 3 and 4).

4. Reasons for decision

- 4.1 The Council is currently committed to an ambitious programme of estate renewal on the Broadwater Farm estate. Through the programme the council has committed to delivering almost 300 new build homes and the retrofit of existing council homes. This work is supported by extensive engagement and community development. In March 2022, residents overwhelmingly supported the Council's proposals through a resident ballot. Through these decisions the Council is delivering on the commitments made to residents through that ballot.
- 4.2 The red lined scheme agreed through the ballot received planning permission in December 2022 and since then the Council has progressed delivery of the scheme.
- 4.3 The new build programme has been divided into four phases for delivery purposes. Phase one (the old Moselle school site) is onsite currently and was approved by Cabinet in October 2024. Phase two is the former Tangmere site and is a subject of this report. Phases three and four are the former Northolt and Stapleford North wing block sites. The demolition of the blocks to facilitate phases 3 and 4 is a subject of this report.

5. Alternative options considered

- 5.1 The Council could have adopted a different procurement strategy for works on the estate including procuring all new homes works in one package. The Council did initially take this approach for the new homes programme, but it was unsuccessful and the procurement was abandoned.
- 5.2 The Council could have decided not to progress with the regeneration programme. This would have been contrary to existing cabinet decisions following the outcome of the ballot in 2022.
- 5.3 The Council could have combined the new build works and demolition works into one procurement exercise. This option was discounted as the demolition of large panel system buildings is specialist work and the Council needed assurance that contractor was competent to complete the works set out. The new build contractor would have sub-contracted this work which would have added cost to the overall programme.

6. Background information

Broadwater Farm Improvement programme

- 6.1 Seven years ago the Council took the decision to demolish two blocks (Tangmere and Northolt) on the Broadwater Farm estate following the identification of serious structural issues. This decision followed a consultation pursuant to Section 105 of the Housing Act 1985 (Section 105 consultation). Following this decision, the Stapleford North Wing block was included in the Broadwater Farm estate renewal programme. Again this decision followed a consultation pursuant to Section 105 of the Housing Act 1985 (Section 105 consultation)
- 6.2 Since this decision, the Council has worked in partnership with residents to develop ambitious proposals to regenerate the whole estate with planned works including the delivery of over 300 new homes, retrofitted existing homes and improvements to the public realm.
- 6.3 From the beginning residents have been integral to the proposals developed. They have worked alongside architects and officers to develop designs that will provide seriously needed family sized homes, improvements to green and open spaces and upgrades to existing homes. The work received strong support from residents through a ballot where 85% voted yes to the proposals. Broadwater Farm residents and those that have moved off the estate are prioritised for the new homes when they are ready.
- 6.4 While this report deals with the second phase of new homes and further demolition works, regeneration work has already started and has been subject to previous cabinet decisions. To date the council has:
 - Upgraded kitchens and bathrooms to more than 250 homes
 - Installed a £20m district heating system estate wide

- Sensitively rehoused all secure tenants from the Tangmere and Northolt blocks (one secure tenant remains in Stapleford North)
- Agreed and completed buy backs of all leaseholders in the Tangmere, Northolt and Stapleford blocks
- Delivered improvements to the site accommodation for front line estates operatives
- Upgraded CCTV to a state-of-the-art estate wide Estate Watch
- Installed two zebra crossings to improve safety for school children
- Demolished the Tangmere block and old Moselle school
- Upgraded lighting across the estate's under-crofts
- Completed a £5.5m project for fire safety replacing all front doors and communal doors on existing homes
- Commenced a £3.5m project for external and communal works on existing homes.
- Completed a package of enabling works to support the future construction work
- Let the contract for phase one of the new homes programme which is currently onsite.
- Completed a contract to refurbish the estate-based leisure facility and office accommodation on the first floor.

6.5 Alongside construction work, the Council has ambitious programmes around community development, socio-economic work and improvements to the core council service. Through the socio-economic programme the Council is providing:

- A weekly hot food kitchen and holistic hub that attracts more than 60 – 70 residents every week
- A weekly food bank for residents which supports over 120 families and individuals
- Activities for young people including your bike programme, dance, cricket, arts and crafts.
- A weekly job club which has supported over 50 residents into employment
- A corporate volunteering programme, which has seen over 200 volunteers supporting the local community.
- A weekly digital access hub for residents
- A series of events which focuses on fostering inclusivity, preserving heritage, and promoting social cohesion.
- Additional leisure and community provision in the community centre
- health check-ups and wellbeing sessions
- financial support to residents to start three community terrace gardens

6.6 Alongside our socio-economic work, the project team work to enhance the day-to-day experience of residents living on the estate. Work includes:

- A weekly repairs surgery
- Regular door knocking so that a member of Council staff knocks on every door on the estate at least twice every year to discuss issues

- Deep cleaning across the estate
- Closer working relationships with ASB teams and local police teams
- Improved repairs diagnosis and response times
- Quarterly estate walkabouts with residents

Former residents of blocks being demolished

- 6.7 Secure tenants and resident leaseholders who have moved from Tangmere, Northolt and Stapleford North under the Broadwater Farm Rehousing and Payments Policy (approved in 2018) retain the Right to Return to the new council homes once complete.
- 6.8 The rehousing team are now in contact with former residents to gauge interest in Phase one of the new homes programme. Any homes not let to former residents will be offered through the Neighbourhood Moves Scheme. Residents interested in returning who did not secure a home in phase one will be contacted ahead of the completion of phase two in 2028.

Resident Ballot

- 6.9 A ballot of eligible residents was held in early 2022 in line with GLA policy and 85% of residents who voted were in favour of the scheme. The proposals within this report are in line with the commitments made through the ballot aside from the proposals around the Wellbeing hub. More information about the changes relating to the Wellbeing hub are detailed in this report.

Design and Planning history

- 6.10 Since planning was achieved, construction costs have significantly increased which in turn led to the total cost of works on Broadwater to exceed the agreed budget. In addition to cost pressures, building regulations have changed which needed to be reflected in an updated design.
- 6.11 The design team have therefore reviewed the Tangmere design and made a number of changes to improve the building's efficiency and ensure compliance with the latest building regulations. Through these changes we have been able to increase the number of new homes delivered by eight and reduced the cost of the overall scheme by circa £5m.
- 6.12 The mix of accommodation to be provided on the Tangmere site across 2 blocks of flats and including a terrace of townhouses is as follows:

BWF New Homes Tangmere phase	
Type of Home (flats unless otherwise stated)	Number of homes
1B2P	24
2B3P	16

2B4P Town House	3
2B4P	35
3B4P	11
3B5P	13
3B6P	14
4B5P Town House	3
4B6P Town House	11
4B7P	5
4B8P	4
Total number of homes	139

- 6.13 In addition to design changes to improve efficiency and compliance, a number of other changes are proposed for this phase of the development.

Removal of the wellbeing hub within phase two

- 6.14 The original proposals for phase 2 included a wellbeing hub in the ground floor of the development, which would provide additional office accommodation and a consulting room for a GP.

The Council is replacing the proposed Wellbeing Hub in the Ground floor of the new development with three additional three-bedroom flats.

The rationale for the removal of the well-being hub is as follows:

- The insourcing of the existing Community Centre from Fusion allows the Council to offer more community services from the existing Community Centre on the estate.
- A corporate asset review has identified that no further office accommodation is required. In addition, office space in the existing Broadwater Farm Community Centre has been refurbished with additional capacity for existing housing and placemaking services.
- A review of existing spaces on the estate has identified a facility on the estate which can be booked by residents in the Manston block.
- A review of GP service being provided by the Integrated Care Board has indicated that health services can be better provided from existing practices near the estate than via the existing satellite provision. Following a consultation with all affected patients of the existing satellite provision, the Integrated Care Board (ICB) has relocated the GP based in the estate's Medical Practice to the main Lawrence House practice on Philip Lane, ten minutes away by foot.

The removal of the well-being hub was a deviation from the commitment made in the original ballot and Council has sought and gained approval for the change via the Greater London Authority.

Erection of the Grade II listed mosaic mural

- 6.15 The original proposals for phase 2 did not include the erection of the Grade II listed mural, removed from the old Tangmere block when it was demolished.

Following a design review, the Council is proposing to install the Grade II listed mosaic mural on one of the new blocks in phase 2. Costs to re-erect the mural are within the proposed contract sum for the works.

The original planning application identified the façade of Hawkinge for the mosaics new location. However, integrating the work into the new building was identified as easier to achieve technically and more cost effective as the structural requirements of the new block could be designed to support the 40 tonne structure. It also means the mosaic is being re-erected close to its original location. The mosaic will be visible from the new public square allowing it to be enjoyed by local residents.

- 6.16 A Non-material amendment (NMA) (HGY/2025/1799) was submitted to the Local Planning Authority capturing all proposed changes to the scheme. The submission followed extensive engagement with the LPA.

Procurement and tender process – new homes

- 6.17 The opportunity was tendered using the Council's London Construction Programme framework Lot 1.4. Soft market testing was undertaken in December 2024 with the 7 contractors on the relevant lot. Of the 7 contractors, 4 expressed an interest to tender.
- 6.18 The tender was weighted 50% quality; 10% social value; 40% price. The single stage Invitation to Tender (ITT) was issued in March 2025 with a return date of June 2025. Of those 4 contractors on the lot, three decided to submit a tender to complete the works. Following a request from the tendering contractors a one week extension was granted.
- 6.19 Mid-tender clarification interviews were held with contractors and post-tender meetings were held with all contractors who responded to the invitation.
- 6.20 Three compliant tender returns were received and the quality submission was assessed by LBH officers and the Project Manager from the Council's appointed Employers Agent/Project Manager (Alban LLP). A moderation meeting was held to agree the final quality scores, which were then combined with the pricing and social value evaluations to determine the order of the bidders.
- 6.21 Airey Miller, the Council's appointed cost consultant, and Alban, sought and obtained clarifications from the tenderers to eliminate risk items and to allow for any unpriced items to be included.
- 6.22 Airey Miller LLP, the Project's cost consultant, undertook the tender price evaluation and Alban provided the final tender evaluation report, combining the quality, price and social value scoring. The outcome of the evaluation can be found in the exempt report.

- 6.23 A programme of works will be finalised with the winning contractor once appointed. The programme for the winning contractor included within the tender submission indicated that initial site setup will commence in early 2026 with the full build process commencing during 2026. The build is likely to conclude in the summer of 2028.

Procurement and tender process – demolition works

- 6.24 The opportunity was tendered via the Council's Dynamic Purchasing system due to the specialist nature of the works. The tender was weighted 50% price, 40% quality and 10% social value.
- 6.25 12 contractors were invited to bid via the DPS via the Minor Works Lot and using the Demolition-Capital works category. Five contractors returned tender submissions. Final clarifications were completed once the tenders has been returned. Ridge and Partners LLP, the Council's Project Managers and Cost Consultants for the work, undertook the tender price evaluation and the Haringey team, with support from Ridge Partners, undertook the quality evaluation. The outcome of the overall evaluation can be found in the exempt report.
- 6.26 A programme of works will be finalised with the winning contractor following the award of contract, although it is anticipated that works will be completed by the end of 2026. There is one resident remaining in the Stapleford North block whom the council will support to move before the commencement of works. Further information on this issue can be found in the exempt report.

Construction Management Plan

- 6.27 To ensure the successful delivery of the Broadwater Farm programme, and to minimise disruption to residents, there is a live construction logistics plan. All contractors working on the estate are required to submit construction management plans which are then coordinated through an estate wide construction logistics plan.
- 6.28 Throughout the delivery stage, a Construction Management Officer will be in place to ensure proper co-ordination and the minimisation of disruption between sites and other programmes that will be on site at the same time. As part of the overall project a school crossing patrol officer (SCPO) has been employed to improve safety on Adams Road and two new zebra crossings have been installed on Adams Road to improve road safety as part of the wider works on the public realm.

Risk Management

- 6.29 The Invitations to Tender (ITTs) for both procurements required each contractor to set out a comprehensive tender stage risk assessment and framework for risk management. This risk assessments will be reviewed and finalised as part of the project mobilisation and will be monitored monthly by the project team.

Social Value

- 6.30 10% of the evaluation criteria for both procurement processes was based on a social value submission which was assessed by the Social Value Portal, the council's agreed methodology for assessing and monitoring social value.

The Broadwater Farm project team includes a Socio-Economic Manager who will be responsible for overseeing the delivery of the social value commitments and reporting outputs to residents and stakeholders. On the first phase of works the contractor has exceeded their commitments. To date three local people have been employed onsite, surpassing the target within the tender. Career sessions have been delivered to local children at the Willow School and a significant donation has been made to our Christmas campaign which will be centred on the estate.

Finance and value for money

- 6.31 Financial provision for both the new homes programme and demolition works are included within the Housing Revenue Account business plan. Forecasts for the programme costs are updated annually as part of the business planning cycle.
- 6.32 In respect of this contract award for new homes, the project cost consultant has confirmed the tendered price reflects value for money and is comparable with similar schemes within the Council's development programme. Extensive clarifications through the tender process and post tender engagement with each tenderer has further improved the robustness of the tendered sums.
- 6.33 Further information on finance and value for money is included in the exempt section for both projects.

Communications and engagement

- 6.34 The Broadwater Farm team has engagement and communications officers supporting the programme. Over 600 residents receive updates on the programme via the programmes common place site. Further communications and engagement will be planned to support both the new build and demolition programmes in line with the programme. This will involve door knocking, drop in sessions, and liaison with the Residents' Association and other key stakeholders including the local school.

Future phases of work

- 6.35 Beyond Phase 2 there are a further 123 homes to be delivered in future phases. Designs for these homes are currently at RIBA 3 and the design team is currently reviewing the designs to identify potential building efficiencies and compliance with new legislation. Further cabinet reports will be brought forward once design and procurement work has completed.

- 6.36 In addition to new build work, additional investment is being delivered to existing homes. A package of improvement works is currently onsite valued at £3.5m.

Land and appropriation

- 6.37 The land edged blue on the plan at Appendix 1 for the second phase works and the land edged blue on the plan at Appendix 2 for demolition works for phases three and four, is currently held for housing. In order to carry out these works, the land must be appropriated for planning purposes pursuant to Section 122 of the Local Government Act 1972. It will then be held by the Council under the statutory provisions of Part 9 of the Town and Country Planning Act. The practical consequences (by virtue of Section 237 of the Town and Country Planning Act 1990, as amended by Schedule 9 of the Planning Act 2008) is that demolition, erect, construction or carrying out of any maintenance of any building or work on the land and subsequent use of the land is authorised under those planning powers, if the works are done in accordance with a planning permission, even if they interfere with third party rights.
- 6.38 Appropriating the site for planning purposes allows the Council to use its powers under Section 203 of the Housing and Planning Act 2016 (“HPA 2016”) to override easements and other third-party rights and interests infringed upon by the works. This may include a claim to a right to light or interest in land which entitles a potential claimant to enjoy such rights over the development site. Any interference with such right may entitle the claimant to seek an injunction preventing the development from proceeding or seek damages for the value of the right lost because of the interference. The Council recognises the potential right of such third parties and will pay compensation where a legal basis for a genuine claim is established.
- 6.39 It is not considered that any potential infringement of third-party rights would amount to a breach of human rights, specifically the right to private and family life. Section 203 of the Housing and Planning Act 2016 prevents third parties from seeking an injunction for such a breach, instead, the affected right is converted into a right to compensation under Section 204 of the Act.
- 6.40 Following the public consultation events, there has not been any evidence presented of potential claims that any third-party rights would be infringed by the proposed development.
- 6.41 Regarding the potential compensation for the loss of third-party rights of access and/or enjoyment, the necessary checks have been undertaken against neighbouring properties. These checks confirm that no easements or third-party rights or claims exist in relation to the site. Furthermore, no neighbouring properties have come forward asserting any breach of easements or third-party rights or interests.
- 6.42 In light of these circumstances, it is considered unlikely that any claims will arise. However, the level of compensation cannot be quantified unless and until a claim is made. Accordingly, the risk of compensation being payable is low and is not expected to be significant.

7. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes

- 7.1 The scheme is part of the Council's broader Housing Delivery Programme and will play a role in achieving the outcomes under the 'Homes for the Future' theme in the Corporate Delivery Plan (CDP) which runs from April 2024 to March 2026. In particular, it supports the targeted outcome of 'Building high quality, sustainable homes' and 'building new council homes'. The council is also committed to delivering 'Reliable, customer-focused resident housing services' and to 'Implementing the new consumer standards across our services to meet our obligations under the new social housing regulation regime'.
- 7.2 The scheme will support housing growth in a key regeneration area and will make a meaningful contribution to the Council's annual target of 1,592 homes including affordable homes. The provision of 38 three-bedroom and 28 four-bedroom homes will help to address the acute need for larger affordable homes.
- 7.3 The scheme will contribute to the 'Responding to the Climate Emergency' theme in the CDP, in particular the ambition for a zero carbon and climate resilient Haringey, by achieving net zero emissions on the new homes programme on Broadwater Farm. It will also support Haringey's Climate Change Action Plan – which sets out how and why the borough will become net zero carbon by 2041.
- 7.4 The scheme will support social value and placemaking in a key regeneration area (Broadwater Farm) under the CDP theme 'Place and Economy'. The Social Value commitments made by contractors will deliver measurable and impactful training, employment and social opportunities. The Broadwater Farm improvement programme - 302 new homes, public realm improvements, refurbished homes, improved service delivery, embedded co-production approach, 250 homes demolished will help to deliver the placemaking ambitions of the BWF community.

8. Carbon and Climate Change

- 8.1 The energy strategy for the Broadwater Farm development has been developed in line with the energy policies of the London Plan and of the London Borough of Haringey Local Plan policies. Broadwater Farm is expected to meet the minimum 35% CO₂ reduction from on-site measures as required by the London Plan policy. Remaining carbon emissions to reach the zero-carbon target will be offset by an 'over-provision' of new low carbon heating to serve existing dwellings served by the upgraded energy centre.
- 8.2 The key sustainable design and construction measures incorporated in the new homes scheme are set out below:

- The inclusion of low carbon and renewable technologies through the specifying of air source heat pumps (or alternatively through connection to the Edmonton Energy from Waste centre) and photovoltaics.
- The promotion of sustainable forms of transport through the provision of 592 cycle spaces across the whole new development.
- An increase in the urban greening factor of the estate by providing more community parks, play areas, balconies and terraces and the protection of natural features of ecological value and the improvement of biodiversity on site through on-site landscaping as far as possible.
- Reducing surface water run-off from site through the incorporation of permeable paving and underground attenuation tanks and incorporating large areas of green roofs to enhance the biodiversity and also further reduce surface water run-off.
- The specification of water efficient fittings to limit water consumption to dwellings to 105 litres/person/day.
- Efficient design of the proposed massing, openings and internal layouts so that spaces benefit from abundant daylight and sunlight levels, whilst overheating and impacts to neighbouring buildings are minimised together with specification of high-performance fabric and glazing to minimise heat losses and insulated pipework and efficient lighting to minimise heat generated internally.
- Minimising on-site NOx emissions and fossil-fuel combustion by specifying low NOx boilers as well as effective pollution management and control.
- The development is not expected to cause any significant adverse effects to air, noise, land, or watercourses.

9. Statutory Officers comments (Director of Finance (procurement), Director of Legal and Governance, Equalities)

9.1 Finance

The scheme is planned to deliver 139 homes, with the total capital cost fully provided for within the Housing Revenue Account's (HRA) financial plan. This includes all construction, professional fees and associated development costs.

Additional demolition costs required to progress phases 3 and 4 of the development have also been accounted for within the HRA.

Further finance comments are provided in the exempt report.

9.2 Procurement

Strategic Procurement (SP) note that this report relates to the approval of two awards to two suppliers to work on the Broadwater Farm Estate

Two separate opportunities were launched via the LCP's Framework and Dynamic Purchasing System (DPS)

- The new homes procurement was tendered via the Major Works Housing Framework, and this is in line with CSO 7.02 and Regulation 33 of the Public Contract Regulations
- The demolition works procurement was tendered via the DPS (demolition category) and this is in line with Contract Standing Order (CSO) 9.04.1(b) and Regulation 34 of the Public Contract Regulations.

The Tenderers' bid submissions for both procurements were evaluated in accordance with the scoring methodology contained within the published Invitation to Tender documents.

Strategic Procurement supports the recommendation to approve both awards in accordance with CSO 2.01(C).

9.3 **Director of Legal and Governance** (Monitoring Officer)

The Director of Legal and Governance has been consulted in the preparation of this report.

Both the new homes and the demolition contracts are governed by the Public Contracts Regulations 2015 (the Regulations), the procurement legislation in force at the time the tenders were undertaken.

The new homes contract was tendered via the Council's London Construction Programme Framework Agreement. Use of a framework agreement is an approved process under the Regulations (Reg 33) and is also provided for in the Council's Contract Standing Orders (CSOs) (CSO 7.02).

The demolition contract was tendered via the Council's Dynamic Purchasing System (DPS). Use of a DPS is an approved process under the Regulations (Reg 34). It is also provided for in the Council's CSOs (CSO 8.01).

The Cabinet has power to approve both awards of contract under CSO 2.01 (c) (contracts valued at £500,000 or more).

The award of the contracts is a Key Decision and, as such, needs to comply with the Council's governance processes in respect of Key Decisions including publication in the Forward Plan.

Appropriation under Section 122 of the Local Government Act 1972

Recommendation 3.2 seeks to appropriate the land edged blue on the plan at Appendix 1 (second phase works), and the land edged blue at Appendix 2 (demolition works for phases three and four) currently held for housing. In order to carry out the development under the planning permission, the development site is required to be appropriated from housing purposes to planning purposes under Section 122 of the Local Government Act 1972 ("Section 122 LGA

1972”), which will allow the Council to utilise its powers under Section 203 of the Housing and Planning Act 2016 at Recommendation 3.3.

Section 122 LGA 1972 provides that the Council may appropriate for any purpose for which the Council is authorised by any statute to acquire land by agreement any land which belongs to it and is no longer required for the purpose for which it is held immediately before the appropriation.

The key procedural points are as follows:

- a) The land must already belong to the council
- b) The land must no longer be required for the purpose for which it is currently appropriated; and
- c) The purpose for which the Council is appropriating must be authorised by statute

Section 122 LGA 1972 provides that the Council may not appropriate land constituting or forming part of an ‘open space’ or land forming part of a common (unless it is common or fuel or field garden allotment of less than 250 square yards unless they first advertise their intention to do so under the section).

In applying the requirements (a) – (c) of Section 122 LGA 1972 set out above:

- a) the site is Council owned land;
- b) the site is no longer required for housing purposes; and
- c) the Council is seeking to appropriate the land for the statutory purpose of planning.

The site does not contain open space.

By appropriating the land for planning purposes under Section 122 of the LGA 1972, the Council is therefore able to engage the powers contained in Section 203 of the Housing and Planning Act 2016.

Section 203 of Housing and Planning Act 2016

Section 203 states a person may carry out building or maintenance work even if it involves (a) Interfering with a relevant right or interest (b) breaching a restriction as to use of land. This applies to building work where: -

- a) there is planning consent,
- b) the work is on land for the purpose for which the land was vested, acquired or appropriated for planning purposes under section s.246(1) of the Town and Country Act 1990;
- c) the authority could acquire the land compulsorily for the purpose of the building work.

This Applying the requirements of Section 203 above,

- a) detailed planning permission was granted for the full scheme in December 2022;
- b) it is recommended at 3.2 of this report that the land be appropriated for planning purposes under the Section 122 of the LGA 1972;

- c) this requires that the Council acquire the land compulsorily for the purposes of the building work. Section 226(1) of the Town and Country Planning Act 1990 contains the compulsory purchase powers of the Council which *'the authority think that the acquisition will facilitate the carrying out the development, re-development on or in relation to the land' or 'required for a purpose which is necessary to achieve the proper planning of an area in which the land is situated'*. This requirement is satisfied as the Council considers that the development will lead to an improvement in the economic, social or environmental wellbeing of the area, as outlined in this report.

Under Section 204 of the Housing and Planning Act 2016, any third-party rights interfered with by the proposed development are converted into rights to compensation. Recommendation 3.4 seeks delegated authority to approve and make such compensation payments where applicable.

At Recommendation 3.5 the Council will be seeking to appropriate the land edged blue on the plan at Appendix 1 site being the second phase works, following practical completion back into the HRA. Recommendation 3.5 may take place under Section 122 of the Local Government Act 1972 as it will no longer be required for its current purpose, in this case, planning, and will be appropriated back into housing, to be held in the HRA.

9.4 Equality

- 9.41 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 protected characteristics and people who do not.
 - Foster good relations between people who share those characteristics and people who do not
- 9.42 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.
- 9.43 Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.
- 9.44 This seeks approval to award a building contract to demolish Northolt and Stapleford North and construct 139 social rented homes and 5 retail/workspace units on the former Tangmere Site as the second phase of the Broadwater Farm new homes Improvement Programme.
- 9.45 This is likely to have a positive impact on residents with the right to return and other BWF residents with priority under the council's rehousing policy for estate regeneration. This will also benefit individuals in temporary accommodation as

well as those who are vulnerable to homelessness. Data held by the council suggests that women, young people, people from a range of ethnic backgrounds and those from a lower socioeconomic background 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 have an increased vulnerability to homelessness, as detailed in the Equalities Impact Assessment of the council's Homelessness Strategy. As such, it is reasonable to anticipate a positive impact on residents with these protected characteristics. It should be noted that there are expected to be no negative equalities impact resulting from this decision.

- 9.46 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 impact.

10. Use of Appendices

Exempt report

Appendix 1 – A plan of the Tangmere development Site (“second phase works”)

Appendix 2 – A plan of Northolt and Stapleford wing blocks (“demolition works for phases three and four”)

Appendix 3 - Tender evaluation report – new homes (EXEMPT)

Appendix 4 - Tender recommendation report – new homes (EXEMPT)

Appendix 5 – Tender report – demolition (EXEMPT)

Appendix 6 – Tangmere site new homes visuals.

Appendix 7 – summary of scheme Net Present Value (NPV) (EXEMPT)

11. Background papers

[Cabinet approval for Broadwater Farm designs and improvements](#)

[Cabinet approval for Phase one new homes on Broadwater Farm](#)

11.1 None

