

**Report for:** Cabinet Member for Housing and Planning (Deputy Leader)

**Item number:** 6

**Title:**  
**Report** BWF - FRA Programme Variation

**Authorised by:** Jess Crowe – Corporate Director for Culture, Strategy & 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. In line with Contract Standing Order (CSO) 0.08, 2.01(d) and 18.03, this report seeks approval from the Cabinet Member for Housing and Planning (Deputy Leader) to vary the BWF – Fire Risk Assessment and Protective Coatings contract, increasing the contract sum by a further £690k to deliver the works set out in the report. The revised total contract sum would be £5.94m.
- 1.2. The additional works are detailed in Appendix A – Exempt Report and will be carried out to all eight blocks within the existing BWF – Fire Risk Assessment and Protective Coatings contract. The additional works are required to ensure the programme achieves full compliance with current Fire and Building Safety Regulations
- 1.3. Carrying out these works will provide crucial benefits, including ensuring compliance with the Building Safety Act, fulfilling legal duties to protect occupants from fire hazards, implementing effective fire prevention and control measures, and preventing the spread of fire and smoke. These works will enhance occupant safety, provide peace of mind, and reduce the risk of severe incidents by identifying and rectifying potential fire risks within a building.

### **2. Cabinet Member introduction**

- 2.1. Not applicable

### **3. Recommendations**

**It is recommended that:**

- 3.1. The Cabinet Member for Housing Services, Private Renters, and Planning:
- 3.2. Pursuant to (CSO) 0.08, 2.01(d) and 18.03 approves the variation of the BWF – Fire Risk Assessment and Protective Coatings contract in the sum of £5.25m and authorises an increase in the contract sum by a further £690k to deliver the works set out in the report. The revised contract value will be £5.94m. Approval also

required to expend the contingency sum in Appendix A – Exempt Report and extend the contract programme.

- 3.3. Agrees the total costs and scope of works contained within Appendix A - Exempt Report.

#### **4. Reasons for decision**

- 4.1. The BWF – Fire Risk Assessment and Protective Coatings Contract was developed following a series of fire risk assessments, which identified essential fire safety works to 8 blocks on the estate. The works are required to ensure that our residential buildings meet current fire safety legislation and adequately resist the spread of fire throughout the communal areas and provide a protected means of escape to allow the safe evacuation of residents and safe access by the fire brigade.

The project commenced November 2023. During the works, the project team identified and agreed that additional works are required to ensure the project meets current fire safety regulations.

The additional works were not identified at tender stage; however, they are considered essential for compliance and include the following:

- Replacement of all windows, including spandrel panels to the communal stairwell of Kenley, a 17-storey residential block
- Installation of enhanced emergency lighting across all wing blocks
- Provision of additional fire-rated doors on external balconies
- Upgraded wayfinding and fire safety signage
- Implementation of essential fire safety features and surface finishes across all eight blocks on the Estate
- Additional works to complete the programme as detailed in the table in Appendix A – Exempt Report

The above measures will ensure compliance with current building and fire safety across the estate.

- 4.2. Subject to approval of the additional budget allocation, the Broadwater Farm (BWF) – Fire Risk Assessment (FRA) Programme will proceed towards full completion. The current programme anticipates a final project sign-off and end of defects period by March 2026.

Completing these works will ensure that the eight blocks currently included in the programme achieve full compliance with the existing Fire and Building Safety Regulations.

While the Broadwater Farm Estate comprises ten blocks in total, it is acknowledged that Rochford and Martlesham are not covered under this scope.

These two blocks will instead benefit from upgrade works under the separate Pilot Refurbishment Programme.

## **5. Alternative options considered**

- 5.1 **Do nothing** – Doing nothing is not an option as we need to comply with current fire safety regulations to ensure the safety of our residents and visitors to the 8 blocks on the Broadwater Farm Estate. Also, bringing forward elements of the major works programme will improve the overall condition of the communal parts, and enhance the quality of life for residents on the estate.

The only option available is to extend the current contract sum and programme to enable the existing contractor to continue with the additional works to ensure the essential fire safety features are incorporated into the programme.

## **6. Background**

- 6.1. At the 21 September 2023 Cabinet, it was agreed to award a £3.5m contract for the BWF - Fire Risk Assessment and Specialist Coatings Contract. The objective of the contract is to ensure all 8 residential blocks on the estate meet current fire safety regulations. It was also agreed subject to approval - to expend all or part of a contingency sum in the amount shown in Appendix A – Exempt Report.

The works under the Broadwater Farm (BWF) Refurbishment Programme formally commenced in November 2023, with a scheduled completion date of November 2024. This timeline was set to conclude with an end of defects period extending to November 2025. The contract was formally varied in August 2024 following Cabinet approval to revise the contract sum to £5.25 million. This variation also revised the completion date to December 2025. It is important to note, however, that this extension did not encompass the end of the defects liability period.

- 6.2. During the works, the project team identified and agreed that additional essential works are required to ensure the project meets current fire safety regulations.
- 6.3. The additional works covered by this request to increase the contract sum were not identified at the tender stage but have since been deemed essential for compliance with current fire safety regulations. The principal item within the additional scope involves the full replacement of all windows and associated spandrel panels within the single staircase core of Kenley, the 17-storey residential block.
- 6.4. Further supplementary works required under this variation are detailed in Section 4.1. These works collectively contribute to compliance with current fire safety regulations.
- 6.5. The project benefits from the involvement of a multi-disciplinary consultant, serving as the appointed cost consultant. Their role includes the review and evaluation of proposed costs associated with additional works under this programme.

The cost consultant has assessed the contract variation and cost from the main contractor and determined that the proposed increase contract sum of £690k for the additional works is appropriate, reflecting both the nature of the works and prevailing market conditions. The cost consultant will continue to monitor costs throughout the project duration, with a view to identifying potential efficiencies. Where achievable, such efficiencies will be incorporated into the programme to enhance value and deliver cost-effective outcomes

- 6.6. The breakdown of costs for each additional item of work is shown in Appendix A - Exempt Report.
- 6.7. The spend profile for the extended contract sum will be as follows. The sums will be spent in 25/26 and 26/27 financial years:

Broadwater Farm Estate - FRA Programme Spend Profile		
25/26	26/27	Total
£672,750.00	£17,250.00	<b>£690,000.00</b>

- 6.8. The additional £690k to increase the value of the BWF - FRA and Specialist Coatings Programme will be funded from the budget allocated for the Broadwater Farm Refurbishment Programme. This budget will fund the entire cost for delivering the programme in the sum of £5.94m.
- 6.9. The project spend to-date is shown in Appendix A - Exempt Report.
- 6.10. Subject to approval by Cabinet Member for Housing and Planning (Deputy Leader), the appointed contractor and multi-disciplinary consultant will be notified that the contract and programme has been extended, and they can commence the additional works to progress and complete the BWF – Fire Risk Assessment and Protective Coatings contract. Extending the contract sum will also extend the target end of defects period to March 2026.
- 6.11. As some of the works will be chargeable to leaseholders, leasehold consultation was undertaken prior to the award of contract and was concluded in line with the requirements of Section 20 of the Landlord and Tenants Act 1985.

Leasehold Services has advised that the additional works are in line with the original scope of works and Section 20 Notices. Therefore, no further consultation is required, however discussions will be ongoing to ensure that where works fall outside the original scope, leaseholders will be served with a notice as required to comply with the requirements of the Section 20 of the Landlord and Tenants Act 1985.

### **Consultation**

- 6.11 In line with the principles of the Haringey Deal and the Council's commitment to inclusive community involvement, stakeholders—particularly residents impacted by the programme—were actively engaged in the design process. A series of engagement sessions were held, providing residents the opportunity to meet with

the Lead Architect and main contractor to collaboratively select wall and door colours for their blocks.

- 6.12 Feedback from these sessions was incorporated into a set of communications that shared the final design proposals and selected colour schemes for each of the eight blocks on the Broadwater Farm Estate. This approach ensured that residents' preferences were reflected in the refurbishment, fostering a sense of ownership and pride in their living environment.

### **Risk Management**

- 6.13 Two key risks have been identified within the additional cost request for the Broadwater Farm Estate – Fire Risk Assessment (FRA) and Specialist Coatings Programme:

- **Cost Management**
- **Programme Delivery and Work Quality**

To mitigate cost-related risks, a dedicated cost consultant has been appointed. Their role is to rigorously review and approve the contractor's proposals for additional works and any associated costs, ensuring financial accountability and transparency.

Programme and quality risks have been addressed through the appointment of a qualified quality inspector. This inspector conducts daily site inspections to monitor and report on the standard of workmanship. In addition, they assess and report on health and safety compliance and overall programme progress, ensuring that delivery remains on track and that residents' safety is prioritised throughout the refurbishment.

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

- 7.1 This project actively supports the objectives of the Corporate Delivery Plan by delivering an improved resident experience and fostering success for all individuals affected by the programme.

The initiative has empowered residents of the eight blocks on the Broadwater Farm Estate to participate meaningfully in the decision-making process. For example, consultation meetings were organised to give residents direct access to the design team, enabling them to influence design choices, such as wall and door colours for their respective blocks.

By embedding resident engagement into the project's development, the team has fostered mutual trust and confidence through consistent, positive interactions. From addressing core needs to encouraging deeper involvement in Council-led decisions—particularly those with direct personal impact—this approach demonstrates a commitment to collaborative governance and inclusive service delivery.

## **8. Statutory Officers comments (Chief Finance Officer, Procurement, Legal and Equalities)**

### **8.1 Finance**

Provisions are included within the 2026/27 Broadwater Farm capital budget to accommodate the proposed £690k FRA contract extension. The additional costs can be met from within the approved capital programme allocation, with no requirement for further funding.

### **8.2 Strategic Procurement**

Strategic Procurement note that this report relates to the approval to vary the approved spend with the supplier for BWF – Fire Risk Assessment and Protective Coatings contract.

The purpose of this variation has arisen due to additional works that are required to ensure the programme achieves full compliance with current Fire and Building Safety Regulations.

The award of this contract was let under Public Contracts Regulations (PCR 2015) and this variation is in accordance with regulation 72 (1) (b) of PCR 2015.

SP support the recommendation to approve this variation in accordance with CSO's 18.03.1, 18.03.3, 0.08, & 2.01(d).

### **8.3 Legal**

Director of Legal and Governance (Monitoring Officer)

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

As the contract was let when the Public Contracts Regulations 2015 was in force, this is the legislation which governs the variation. The works are above the threshold where the modification rules set out in Reg 72 of the Public Contracts Regulations 2015 apply. Under Reg 72 (1) (b) a contract may be modified without following a procurement where the following conditions are met:

for additional works, services or supplies by the original contractor that have become necessary and were not included in the initial procurement, where a change of contractor—

(i) cannot be made for economic or technical reasons such as requirements of interchangeability or interoperability with existing equipment, services or installations procured under the initial procurement, and

(ii) would cause significant inconvenience or substantial duplication of costs for the contracting authority, provided that any increase in price does not exceed 50% of the value of the original contract;

The Council will need to publish a notice of the modification on the e-notification service in accordance with Reg 51,

As this variation is a Key Decision, approval would normally be by Cabinet in accordance with CSO 2.01 (d) (variations valued at £500,000 or more). In-between meetings of the Cabinet, the Leader may take any such decision or may allocate to the Cabinet Member with the relevant portfolio (CSO 0.08).

The extension does not involve any change in scope of works and hence no further s20 consultation is required.

The Director of Legal and Governance confirms that there are no legal reasons preventing the Cabinet Member for Housing and Planning from approving the recommendations in this report.

#### 8.4 Equality

This report seeks approval to extend an existing contract to enable additional works to be carried out on the BWF – FRA and Communal Decorations Programme to 8 blocks on the Broadwater Farm Estate.

Having reviewed the Council's Equality Impact Assessment (EQIA) guidance, the need for an EQIA is not considered necessary, as an assessment was carried out and included in Section 8.4 of the original Cabinet Report dated 21 September 2023.

### 9 Use of appendices

#### 9.0 Appendix A - Exempt Report