

This report has an exempt section including information regarding the companies involved in procurement.

**Report for:** Cabinet Member Signing (Cabinet Member for Housing and Regeneration)

**Title:** Independent Tenant and Leaseholder Advisor (ITLA) Framework - Procurement for Selection of Consultants

**Report authorised by :** Helen Fisher, Director of Regeneration

**Lead Officer:** Matthew Maple, Regeneration Project Officer, 020 8489 2821, matthew.maple@haringey.gov.uk

**Ward(s) affected:** All

**Report for Key/**

**Non Key Decision:** Key: significant in terms of its effects on communities living or working in an area comprising two or more wards or electoral divisions in the area of the local authority.

**1. Describe the issue under consideration**

- 1.1 The ITLA Framework will provide a sustainable and consistent approach to securing the services of Tenant and Leasehold Advisors in relation to estate regeneration programmes across Haringey. The services that ITLAs provide are vital to the delivery of the council's corporate regeneration objectives in ensuring that there is effective and productive engagement with communities, ensuring that they are part of the process of improvements to their area as a key part of a successful regeneration process.

**2 Introduction**

- 2.1 The vision of the council is for extensive new opportunities to be realised in relation to health, education, safety, employment, business and providing new homes. This is being delivered through the bold regeneration programme set out by the council, but it will only be successfully realised if we properly engage with the people in our communities who will be part of this regeneration, so they can realise their hopes and aspirations and benefit from the improvements.
- 2.2 Independent Tenant and Leaseholder Advisory Services provide a vital role in providing an independent source of advice and information that is trusted by the community and challenges the council to excel in its delivery of its programmes. Their role extends from providing an independent representative voice for whole communities to supporting and advising specific groups and individuals to ensure that their rights and opportunities arising from the regeneration are protected during the process. The GLA describes an ITLA's role as "advising tenants on

their rights, supporting residents in negotiating with the landlord, and helping residents 'skill up' and be involved in the process of selecting development partners". It encourages local authorities to use "independent capacity-building and advocacy support for residents in order to help to build trust and ultimately support a better project" (Homes for Londoners, Draft Good Practice Guide to Estate Regeneration, GLA, Dec 2016). DCLG also support a proactive approach to use of an "independent third party to facilitate the engagement" (Estate Regeneration National Strategy Resident Engagement and Protection., DCLG, Dec 2016)

2.3 ITLA's have already been used successfully in Haringey, with the ITLA for Love Lane, providing outputs such as a housing repairs audit, Residents Charter and Design Guide and management of the Residents Procurement Panel. ITLAs procured through this framework will be expected to undertake activities including but not restricted to the following stages of a regeneration process:-

- Resident Consultation and communication
- Training and community capacity building
- Stock condition surveys
- Decanting tenants
- Leaseholder buy backs
- Procurement of Developer Partners
- Outline/Detailed Planning Applications
- Compulsory Purchase Orders
- Site Clearance and demolition / Monitoring developer/RSL performance during the construction stage

2.4 This framework will provide the consistency and quality of advice regarding housing options, rights and design options that communities need and are seeking throughout the delivery of the regeneration projects across Haringey.

### **3. Recommendations**

- 3.1 The Cabinet Member is recommended to agree the following recommendations:-
- (i) Approve the appointment of an Independent Tenant and Leaseholder Advisory Services framework for a four year period, in accordance with paragraph 6.12, for use in supporting regeneration and housing projects across Haringey, consisting of the following companies:-
    - a) Microfish Communications Ltd
    - b) PPCR Associates Limited
    - c) Newman Francis Limited
    - d) Source Partnership Consulting Limited

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

- 4.1 The council's vision for regeneration includes new and improved housing alongside other measures including better local town centres; enterprise, employment and training; transport; health; education; community safety; and environmental improvements. Growth is essential not only to meet the needs of residents but also to put the council itself on a more sustainable footing for the long term.
- 4.2 Estate regeneration is playing a key part in this change, working in partnership with developers and investors, notably through the Haringey Development Vehicle, which will be responsible for the regeneration of key sites in Wood Green and Northumberland Park Estate amongst its portfolio of sites, and the preferred partner for the High Road West development.
- 4.3 The Council believes that people are at the heart of successful regeneration and wants to work together with residents to ensure that the community are involved in decisions and services which affect their area as it considers that it is 'the right thing to do' as well being in line with best practice.
- 4.4 Support for residents has been undertaken in partnership with the Independent Tenant and Leaseholder Advisors employed in each of the regeneration areas with the High Road West contract due to be renewed and the Northumberland Park contract expiring in January 2018. However, the extent of the work required to be undertaken by the ITLA and the potential for additional projects to come on stream is now considered too great to rely on procurement through an ad hoc process. Requiring officers to undertake a full procurement exercise each time an ITLA is required would create significant duplication and be contrary to the Council's commitment to ensure value for money principles are adhered to. A framework with a simplified mini tender component is also likely to encourage more providers to come forward, as demonstrated by four providers submitting applications for the framework compared to two when the Northumberland Park invitation to tender was issued.
- 4.5 The Council is now looking to undertake a more formal procurement which will provide long term sustainability for the role, and provide greater stability to residents and Council officers alike.
- 4.6 ITLA frameworks have been used successfully in other boroughs and are considered to meet the needs in Haringey, providing a range of good quality ITLA practitioners, giving the council and its residents the capacity and scope to select the appropriate partner for each and every regeneration and housing area that would benefit from this intervention.

- 4.7 The tender process was undertaken under EU regulations, advertised through the Official Journal of the EU, with officers contacting an extensive range of interested organisations to ensure a good response. Four organisations responded and demonstrated their capabilities through strong responses to the tender requirements and questions, and it is therefore proposed to promote all four to the framework.
- 4.8 This decision does not commit the council to any expenditure nor are there any obligations to use any of the providers listed on the framework. Budgets for ITLA services will be allocated in relation to each individual project, approved through a separate tender and approval process. The Council will look into suitable arrangements for clienting and funding ITLA posts for projects in the HDV.

## **5. Alternative options considered**

### **CONTINUE TO APPOINT ITLA'S FOR INDIVIDUAL PROJECTS**

- 5.1 As regeneration projects of the size undertaken in Haringey are anticipated to take many years to undertake, the services required to provide consistent and continual independent advice to tenants and leaseholders has been found to breach the threshold for EU procurement. Given the extensive requirements needed to meet EU regulations, it was not seen as economical or feasible in relation to time constraints to do this. Providing a framework allows the council to appoint an ITLA in a relatively short space of time so that residents' needs and aspirations can be properly incorporated into the regeneration programme.

### **DISPENSE WITH ITLA SERVICES**

- 5.2 Professional and experienced Independent Tenant and Leaseholder Advisory services are vital to promoting trust between the council and a community who are part of a regeneration process, ensuring that complex issues can be related to residents and they can properly engage with the development of the scheme. Their use in estate regeneration schemes is encouraged by both DCLG and GLA as indicated above and are generally recognised as representing best practice in engaging with local people during the regeneration process. To dispense with the services of an ITLA could potentially undermine the delivery of regeneration schemes. The Estate Renewal, Rehousing and Payments Policy (ERRPP) is currently being consulted on to include an amendment which provides Housing Association tenants with the same rights as Council tenants. This increases the likelihood of ITLA services being required as the Council is supporting regeneration which impacts on Housing Association properties.

## **6. Background information**

- 6.1 The borough has high levels of deprivation with twelve of Haringey's nineteen wards within the most deprived 20% in England, located predominantly in the east of the borough.

6.2 The Council has high ambitions for the borough which includes the development of a minimum of 10,000 new homes and thousands of new jobs to be delivered by 2025 but also a clear objective to enhance opportunities for people in Tottenham, with the commitment that 'by the age of twenty, a child born in Tottenham today will have a quality of life and access to the same level of opportunity that is equal to the best in London'.

6.3 The recently adopted Haringey Housing Strategy highlights the priority that the borough places in the impact of developing homes and communities:-

*We believe that housing is fundamentally about people and communities, not just bricks and mortar. We want to make sure that our residents have access to high quality homes that will support them in leading happy and fulfilling lives. Whether renting or buying, there is clear evidence that the quality of your home affects your health, children's attainment at school and the quality of family relationships. To help our children to have the best start in life and our adults to fulfil their ambitions, it is crucial that our residents have access to high quality homes at prices they can afford.*

6.4 The borough has 28,000 homes across around 100 estates of varying sizes and types. Many of these estates are in the east of the borough, including large estates such as Broadwater Farm and the Northumberland Park Estates in Tottenham.

6.5 With an estimated median household income of around £35,400 and with an average two bed flat price of £440,947, home ownership is out of reach for many of Haringey's existing residents without lower cost home ownership options, such as shared ownership. Private rent levels are also rising sharply in Haringey with the average weekly rent for a two bedroom property in June 2016 at £430 a week.

6.6 In addition to increasing costs, there is also a need to address the quality of the stock both within the social sector and in the private market. Although 97% of all properties in the borough have central heating, there are concerns about the energy efficiency of private sector properties; 11.9% of Haringey's population is in fuel poverty.

6.7 The SHMA identified an affordable housing requirement of 11,757 homes over the period 2011- 2026, which equates to 59% of the total housing requirement of 20,172 homes of all tenures over the same period. This clearly demonstrates the current shortfall of housing in the borough.

6.8 Based on this need, the scale of change required is substantial and has led to a programme of substantial intervention across the borough. Estate regeneration is a key part in this change, both through the HDV and other schemes such as High Road West.

6.9 The Council identified High Road West and Northumberland Park as the first key sites for estate renewal. The Council has also identified a number of additional housing sites which are likely to be considered for estate renewal as referred to in the HDV Cabinet Report (Oct 2015). List of potential sites identified across all categories of the HDV include the following.

- SA63 Broadwater Farm Area N17 (Tangmere Block)
- SA66 Leabank and Lemsford Close N15
- SA56 Park Grove ( inc Durnsford Road) N11
- SA54 Tunnel Gardens (inc Blake Road) N11
- SS3 Turner Avenue/ Brunel Walk N15
- TG3 Reynardson Court N17
- Demountables – Watts Close N15 /Barbara Hucklesbury N22

## **TENDER PROCESS**

6.10 The council issued an OJEU notice through the Council's Delta Portal, to invite tenders for the ITLA framework on 12<sup>th</sup> June 2017, with submission due on 17<sup>th</sup> July 2017. The procurement process followed the Open Procedure as Regulation 27 of the Public Contract Regulations 2015.

6.11 The tender consisted of a single stage process, including 'selection questions' and eleven qualitative questions, assessing the bidders against the broad range of required experience, skills and capabilities as described in the specification.

6.12 The Framework Agreement will be for four years with call offs related to this agreement expected to be for two years and not extending beyond the period of the framework (although the agreement allows this to happen if required). Call off can be by direct appointment but is likely to be conducted via a mini-competition amongst those Framework Suppliers capable of performing the Services, and will include the opportunity for residents' involvement as part of the decision making process. Each project will need to establish robust project management approaches and should be supported by monitoring and recording approaches, appropriate to that project and in accordance with the commitments made in bidders' responses.

6.13 Scoring was based on a 60% price criteria weighting, and 40% quality criteria weighting.

6.14 Four bids were received.

6.15 The scores of the bidders were as follows (bidder names included in exempt report).

Company	Price (weigh	Quality	(weighted)	Overall
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	ted)			
A	58	92.8	37.1	95.1
B	60	69.6	27.8	87.8
C	59	69.8	27.9	86.9
D	58	68.0	27.2	85.2

6.16 All bidders were considered to be of a high quality and the total number of submissions did not surpass the maximum number permitted, so officers are recommending that all bidders are included in the agreed framework.

## **7. Contribution to strategic outcomes**

7.1 The recommendations outlined in this report are key to supporting the Council in the delivery its corporate plan Priority 5: Create homes and communities where people choose to live and are able to thrive and Priority 4: Sustainable Housing, Growth and Employment Drive growth and employment from which everyone can benefit.

7.2 Delivery of the council's corporate objectives as described above can only be achieved through engagement with local communities, to deliver schemes like High Road West and regeneration through the HDV, such as regeneration of Wood Green and Northumberland Park. Appointment of capable and experienced ITLAs is critical in achieving this.

## **8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

### **8.1 Finance**

8.1.1 This report seeks Cabinet member agreement to set up an Independent Tenant and Leaseholder Advisory Services framework for a four year period, in accordance with paragraph 6.12, for use in supporting regeneration and housing projects across Haringey, consisting of the following companies:-

Microfish Communications Ltd  
PPCR Associates Limited  
Newman Francis Limited  
Source Partnership Consulting Limited

8.1.2 The four organisations above were selected following an Open Procedure as stated in Regulation 27 of the Public Contract Regulations 2015.

8.1.3 Costs are included in the exempt report.

8.1.4 All the contractors were considered to be of high quality and this was demonstrated in the price/quality scoring table in section 6.15.

8.1.5 There is no financial commitment at this stage. However, there will be mini competition before a contract is awarded from this framework if agreed.

8.1.6 The cost of this service will be funded from consultancy budget of the relevant project.

8.1.7 Finance has no concern over the setting up of an independent Tenant and Leasehold Advisory Services Framework in this instance.

## **8.2 Procurement**

8.2.1 Procurement agrees that due process was followed in setting up the framework and there is no reason preventing Cabinet member from approving the award.

## **8.3 Legal**

8.3.1 The Assistant Director of Corporate Governance notes the contents of the report.

8.3.2 The Assistant Director of Corporate Governance is not aware of any legal reason preventing Cabinet member from approving the recommendations in the report.

## **8.4 Equality**

8.4.1 The Council has a public sector equality duty (PSED) under the Equality Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- 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

8.4.2 This decision affects advice and information services for residents who are affected by estate regeneration, particularly at Love Lane and Northumberland Park housing estates. Those groups with protected characteristics under Equality Act 2010 and resident in the affected areas include more vulnerable groups such as older people and young people who often need more support to engage with services, and the large BAME communities resident across Tottenham.

8.4.3 However this decision should not represent a significant service change for residents from the existing provision, which has been in place for three years and is well embedded in the affected communities. It is intended to at least maintain the existing advice and information service to residents, if not improve it by ensuring access to the services of several providers who must meet high quality and cost standards under this framework.



8.4.4 The implementation of this framework is intended to improve the sustainability of the existing service for tenants affected by estate renewal and regeneration, ensuring they can continue to access advice and information about their rights as tenants and alternative affordable housing options. The Council will continue to evaluate the effectiveness of the framework and providers, to ensure that it is accessible and supportive for those residents and communities affected by the regeneration programmes.

## **9. Use of Appendices**

Part B Exempt Report

## **10. Local Government (Access to Information) Act 1985**

Not applicable