

# **MINUTES OF THE MEETING OF THE CABINET HELD ON TUESDAY, 26TH JUNE, 2018, 6.30pm**

## **PRESENT:**

**Councillors: Joseph Ejiofor (Chair), Emine Ibrahim (Vice-Chair), Peray Ahmet, Patrick Berryman, Mark Blake, Zena Brabazon, Kirsten Hearn and Noah Tucker.**

**Also in attendance: Councillors Morris, Barnes, Demir, Bevan, das Nevas and Bull.**

### **1. FILMING AT MEETINGS**

The Leader referred to agenda item 1, as shown on the agenda in respect of filming at the meeting and Members noted this information.

### **2. APOLOGIES**

There were apologies for absence from Councillor Adje and Councillor Weston.

### **3. URGENT BUSINESS**

There are no items of urgent business. There was a letter from Leigh Day Solicitors relating to agenda item 8, Blocks on the Broadwater Farm estate which had been distributed to the Cabinet as requested together with a response to the issues raised.

### **4. DECLARATIONS OF INTEREST**

There was a personal interest declared by Councillor Hearn in relation to item 11, Osborne Grove Options Appraisal. The Nursing Home was situated in her ward.

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

There were no representations relating to items on the exempt part of the agenda.

### **6. MINUTES**

The minutes of the meeting held on the 6<sup>th</sup> of March 2018 were agreed as an accurate record of the meeting.

## 7. DEPUTATIONS/PETITIONS/QUESTIONS

A deputation had been received from Mr Jacob Secker, representing the Broadwater Farm Residents Association, in relation to item eight "Blocks on Broadwater Farm".

Mr Secker spoke as the secretary of the Broadwater Farm Resident's Association and long-standing resident of Broadwater Farm. He began by referencing a legal letter sent to the Cabinet, which also set out the concerns to be expressed in the deputation. Mr Secker strongly contested the proposed action of urgently rehousing tenants and leaseholders in Tangmere block, prior to a consultation. He expressed the view that residents had lived with the safety issue for a considerable number of years.

Mr Secker continued to express the following views:

- That the key driver of the decision to decant Tangmere residents was the October deadline, was the fact that Cadent was due to switch off the gas supply. Jacob Secker contended that the October deadline was unrealistic and that a temporary boiler needed to be provided so that those Tangmere residents who could not be re-housed by then could get heating and hot water after gas was removed from inside the block. The similar circumstances of the Ledbury estate were referred to and Southwark's decision to provide temporary boilers.
- There was concern that not all residents in Tangmere could be re-housed by October.
- It was not acceptable to move tenants/leaseholders to bed and breakfast accommodation, and rehousing would need to be the form of flat-to-flat or flat to a house.
- He proposed a 14 day consultation for Tangmere residents on the policy concerning immediate rehousing which should include an option of the installation of a temporary boiler
- The Southwark Council decant approach was advocated with residents of Tangmere block and Northolt Block having access to the proper choice based lettings scheme which would provide a choice of properties for residents being rehoused.
- The report was not clear on the right of return for both Northolt and Tangmere and Mr Secker reiterated that residents would want to have the choice of returning to newly built homes on the estate.
- Overcrowded households should still be rehoused in accommodation that is more appropriate and then be allowed to return to the estate or stay in their new housing if this is their choice. They should also be included in the consultation.
- Disputed the Council putting forward a preference in the consultation for demolition and felt that it was more appropriate to offer residents a ballot.
- Mr Secker also wanted written guarantees reflecting that there would be funding available to replace the homes one for one as Council tenancies at

exactly the same rent as today, should a decision on demolition be taken forward.

The Leader invited Cabinet Members to put forward questions to the deputation party. In response, the following was noted.

- The deputation felt that there was more time needed to decant and it was for the Council to determine this timeline, by consulting and meeting needs assessment requirements. Although, the deputation did not want the decant to go on for a long period, they felt that the October deadline was too short. The Association had been made aware of potential issues with the blocks but it had only realised that a choice of move on accommodation would be denied to tenants when reading the Cabinet report and residents being advised by Homes for Haringey housing officers last week.
- The deputation party could only offer their own experience of the proposed decant notification and dealings with Homes for Haringey as a Resident Association, and generally felt that it did not reduce anxiety about issues. In addition, the proposed move in accommodation seemed to indicate a potential chaotic situation with the process not set out in a clear manner. The deputation reiterated that residents did not want to move to bed and breakfast accommodation as a result of the urgency of the situation.
- In relation to the engagement, undertaken with residents following the publication of the report at agenda item 8, this had been through a letter and visit from Homes for Haringey representatives.
- The Cabinet Member for Corporate Services and Insourcing further emphasised that the Council housing was proposed to be replaced with like for like Council housing and questioned the Southwark example provided by the deputation.
- The deputation questioned the funding source if a decision is taken to rebuild the homes.
- The deputation wanted written guarantees that funding would go to Council housing with the same tenure and rent levels. They contended that the Council should not be consulting on demolition, if there was no funding guarantee.

The Leader reiterated that the report was intended to provide a positive stance on what the Council can do for residents and provide options. Therefore, was important to consider the report from this viewpoint.

The Monitoring Officer confirmed that Cabinet had received a letter from Leigh Day Solicitors, which Cabinet was invited to read together with the response.

The Cabinet Member for Housing and Estate Renewal responded to the issues raised in the deputation and underlined that the safety of residents and all tenants was of paramount importance. A number of steps to reduce the risks had already been taken in Tangmere and this included replacing all gas cookers with electric cookers and installing gas interrupter valves, which will switch off the gas if a leak is detected.

These measures were taken quickly and had substantially reduced the risk. However, as Tangmere and Northolt had also failed the lower structural test, these mitigations alone were not enough to ensure residents were safe in the longer term. The Cabinet Member explained that the Council were consulting residents on next steps.

In relation to the question on whether the blocks are refurbished or strengthened and providing a ballot on this, the Council were currently exploring the legal issues involved with this offering.

In reference, to the Council putting forward a preferred option, the fact remained that the blocks had failed safety tests. The preferred option should be considered as an expression of a view. A decision would not be made until later in the year on the future of the two blocks in Broadwater Farm. The Cabinet Member's view was that it was important to be open and transparent with residents.

The Cabinet Member for Housing and Estate Renewal gave a political commitment to provide residents in the blocks with like for like replacement homes, should a decision on demolition be taken forward. The Cabinet Member further welcomed the challenge on this issue.

In relation to the financial cost of the options of strengthening or demolition, the Cabinet Member provided assurance that this was not a financial decision but a decision about aspirations for tenants.

The temporary boiler solution proposed by the deputation did not solve issues. Residents in Tangmere would remain unsafe as the block still needs strengthening and the Council would be ultimately funding a solution, which did not make the building safe. The safety of residents was the main issue. Notwithstanding, the deadline set by Cadent, it would be a dereliction of the Council's duties to not decant Tangmere.

The Council would respond quickly to residents about their rehousing concerns and the Cabinet Member would be setting out, in item 8, the updated rehousing offer for Tangmere residents.

## **8. BLOCKS ON THE BROADWATER FARM ESTATE**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval to immediately re-house residents in Tangmere block, for safety reasons and also sought approval to consult with the residents of Tangmere and

Northolt blocks on whether to carry out the required strengthening works or whether to demolish the blocks and rebuild the Council homes on the estate. These actions were required following structural surveys, which concluded that these blocks did not meet key structural criteria. The report further expressed the Council's preferred option in the consultation, which was to demolish the blocks.

The Cabinet Member expressed the Council's commitment to safe decent and affordable homes for everyone and having understood the structural issues with these two blocks needed to guarantee the safety of residents. This was in keeping with the Council's overall responsibility as a landlord. There was the possibility strengthening the blocks to a habitable standard. However, this should not be the standard and there was a political commitment to offer tenants far more than habitability and the Council were committed to expressing a view on what it felt tenants deserved. The Cabinet was clear that there was no decision being taken immediately on the demolition or strengthening options and would continue to listen to residents on Broadwater Farm.

The Cabinet Member outlined that a decision of this scale, to demolish people's homes, was not one that could be taken lightly. The decision on the future of these blocks would not be taken now. The Council were committing to consult residents in Northolt and Tangmere.

The Cabinet Member continued to provide assurance that residents would be central to this process throughout and their views fully taken into account before taking any final decision either to demolish the blocks or to strengthen, and on the approach to rehousing.

The Cabinet Member for Housing and Estate Renewal advised the meeting that residents should have as much choice over where they live as possible and proposed to Cabinet that the Council go further for Tangmere tenants, and also give them 'Band A' priority on the housing register, even after they've moved from the block. This would give them priority to bid for other Council homes that fall vacant, so they can move again if they wish. Under this amendment, residents in Tangmere, if required, would be able to continue to bid and still have a right to return to the estate whatever the outcome of the future decision on the blocks i.e. strengthening or re-building.

The Cabinet Member proposed that the above commitment be reflected in the Rehousing Policies that would apply to the residents of Tangmere and further proposed that Cabinet agree an additional recommendation to delegate authority to the Director of Housing, Regeneration and Planning, in consultation with the Cabinet Member, to amend the Tangmere Rehousing Priority Scheme and the proposed Rehousing Policy to reflect the above commitment.

The Cabinet Member for Housing and Estate Renewal continued to respond to questions from Cabinet Members and the following information was noted:

- The difficult situation with rehousing was understood, but if the process was completed properly and speedily, the residents could continue to bid to find a home suitable to their needs. Under the proposed amendments, to the re-housing policies, residents could continue to bid to find a home suitable to their needs. This was above what Council's usually offered so the choices around housing were available. The choices further allowed the Council to ensure that tenants were safe by the end of October and ensured tenants were still able to bid for properties that meet their expectations.
- Since March 2018, when the engineering reports regarding Tangmere and Northolt Blocks had been received, Homes for Haringey had been holding as many vacant properties as possible. There were a potential 89 households in Tangmere to be re-housed and currently 84 vacant Council homes so there was nearly enough properties already. Not all the interviews with tenants had been completed and there was still a few to do. However, Homes for Haringey were checking that there was a good match, through in - depth interviews with residents, of vacant homes to meet the needs of the residents.
- Bed and Breakfast accommodation was only provided when there was no warning of homelessness and affected a small minority of people in the borough. Homes for Haringey were confident of not resorting to bed and breakfast accommodation to temporarily house residents.
- Noted that an overcrowded family, which had moved to a property to meet their needs, would also get an appropriate property to meet their needs if a decision was made to rebuild the homes and the household exercised their Right to Return.
- Noted that the amendment to the rehousing policy meant that if a resident chose to accept a property that met their needs and found they wanted to stay in that property, on permanent basis, this could be accommodated; or they could return to the estate; or they could bid for a property elsewhere on a permanent basis.
- Even before the section105 consultation starts, there would be engagement with residents to provide re-assurance about the re-housing process and to support residents to move safely to accommodation to meet their needs. Homes for Haringey had already been meeting with residents to ensure tenants are re-assured and safely moved to accommodation that meets their need.
- All households in Tangmere would receive support from a specific Homes for Haringey officer throughout the rehousing process. This officer would work with the household to understand their housing needs, their preferences for where their new property is located and provide support on the options.

- There had already been a significant amount of work completed in understanding of the level and type of engagement with communities. This will continue in parallel with the section 105 consultation. Homes for Haringey were keen to make sure there was equal access to information and were discussing the same issue with all residents in the two blocks. The Homes for Haringey Director for Operations also indicated that there was a dedicated engagement team in place for Tangmere residents. Work was also underway to appoint an ITLA [Independent Tenant and Leaseholder Adviser] to advise Northolt and Tangmere residents.
- The Council and Homes for Haringey would be supporting families as they move and through the formal process of consultation, whereby the views of residents of both blocks will be taken forward. The formal process was only part of the work, and the Council was keen to ensure the engagement is fully integrated so residents feel they are speaking to same officers about both current support and the future of the blocks.

The Homes for Haringey Director of Operations further explained that over the last two weeks, the Housing team had been engaging with residents in both blocks to explain the situation. There was a dedicated team working with Tangmere residents to explore housing options and understanding if properties are to be taken on a temporary basis or longer term. This activity was also about understanding long-term impact on families that were being moved so putting in place actions to minimise disruption as soon as possible or putting tools in place to support the families with a move.

The Council and Homes for Haringey were already developing consultation activities, in preparation for the Cabinet decisions on section 105 consultation, and planning ahead, being mindful of summer holidays.

There were further questions put forward by non-Cabinet Members and the following information was noted:

- As far as the Cabinet Member was aware, Broadwater Farm was the only estate in the borough with large panel system blocks. Appropriate safety checks had been conducted on all other HfH blocks in the Borough and there were no other safety issues.
- In relation to understanding how this unsafe position had been reached, for Northolt and Tangmere blocks, it would be important to consider the available documentation. Also to explore the learning, post Ronan Point, and consider the information the Council had had and understand why, so many years later, and this unsafe situation had become known. Part of the estate had been built prior to the Ronan Point incident and some after. The Cabinet Member would consider the options for investigating how this situation had occurred. It was

important to keep in mind that there would likely be limited available information on this. The recent structural reports for the 2 blocks were available online.

- In relation to purchasing properties, the Council had received a commitment for support in buying street properties to alleviate the re- housing situation in Broadwater Farm. This funding had been confirmed in writing and the Council were exploring purchasing properties to contribute to the re- housing effort.
- With regards to empty private homes, the Council was always interested in bringing them back into use subject to available resources. This was not a potential source of immediate help but kept under review and the Council were always open to using this option to increase available housing.
- In relation to the suggestion to demolish the Enterprise Centre, adjacent to Tangmere block, assurance was provided of consultation with Councillors as they were key part of the discussions, but ultimately the Cabinet were not yet deciding on demolition, at this meeting.
- With regard to concerns about existing residents on the housing waiting list and the longer term impact on Love Lane residents, who would also be part of future rehousing activity, there could not be comment on this situation. There was no decision being taken on the master plan for Love lane at the meeting, and there was not a decision being taken on demolition at this meeting.
- The Cabinet Member emphasised that other blocks on Broadwater Farm had passed the lower impact test. All piped gas was being removed and district heating system extended and upgraded on the estate blocks so they were not affected in the same way as Northolt and Tangmere blocks.
- The issue on a ballot had been responded to in the deputation response as outlined above.

## **RESOLVED**

1. To agree to commence temporarily rehousing residents from Tangmere immediately, because:
  - (a) Tangmere has failed both the 34 kN/m<sup>2</sup> and the 17 kN/m<sup>2</sup> structural tests which means there is a risk of progressive collapse from an explosion caused by piped gas or from an explosion from a lower impact event such as a vehicle strike or bottled gas explosion, and

- (b) Piped gas will be removed from the block at the end of October 2018 and as such there will be no supply of heating and hot water to the block after this date, and
- (c) It is necessary to rehouse residents temporarily even if a decision is made to strengthen Tangmere.

2.

- (a) To agree that officers should consult with the residents of Tangmere and Northolt as set out in paragraphs 6.42 and 6.43 on whether to carry out the required strengthening works or whether to demolish the blocks and rebuild the Council homes on the estate;
- (b) To agree that the Council has preferred option in the consultation will be to demolish the blocks due to the significant cost of the works needed to address the health and safety issues identified;

- 3 To delegate authority to the Director of Housing, Regeneration and Planning to buy back leasehold properties in Tangmere on a voluntary basis;
- 4. To approve the Tangmere Leasehold Offer set out in section 6.67 – 6.73, including (i) the offer of equity loans to Tangmere leaseholders from the date this decision comes in to force, and (ii) the offer of temporary accommodation to leaseholders to assist them in moving out of Tangmere by agreement before they find their own, longer-term accommodation, and (iii) paying the cost of such temporary accommodation where appropriate depending on the circumstances of each case;
- 5. To approve the Tangmere Rehousing Priority Scheme for secure tenants attached at Appendix 1, which will apply to the rehousing recommended in recommendation 1 and approves (i) paying all or part of the cost of temporary accommodation for secure tenants where it is not possible for the Council to offer a Council or Housing Association property at the point where they need to move for health and safety reasons, as appropriate depending on the circumstances of each case and (ii) paying all or part of the difference between the tenant's current Council rent and the rent of the alternative accommodation they are offered, as appropriate depending on the circumstances of each case;
- 6. To delegate authority to the Director of Housing, Regeneration and Planning to commence the rehousing of residents in Northolt on health and safety grounds if the position regarding the safety of the block changes before Cabinet makes a decision about the future of the block. In the event that the Director takes such a decision the references to Tangmere in recommendations 3, 4 and 5 above shall also apply to Northolt;

7.

- (a) To agree that officers should consult with residents on the proposed Broadwater Farm Rehousing and Payments Policy, attached at Appendix 2 and detailed at paragraph 6.74 – 6.97;
  - (b) To note that the proposed policy is drafted so that it could apply in all the scenarios being consulted on i.e. whether to strengthen either or both blocks or whether to demolish either or both blocks and rebuild the homes on the estate;
  - (c) To agree that officers should consult with residents of Tangmere and Northolt on the proposed Broadwater Local Lettings Plan, attached at Appendix 2 and detailed at paragraph 6.98-6.99;
8. To agree that a report should be brought to Cabinet after the summer following the consultations, recommending a decision on the futures of Tangmere and Northolt, and to approve a Rehousing and Payments Policy;
  9. To note that any residents who are temporarily rehoused before final decisions are made on the future of Tangmere and Northolt will benefit from the Rehousing and Payments Policy that is approved by Cabinet later this year. The proposed Rehousing and Payments Policy includes a Right to Return to Broadwater Farm for any tenant who needs to move as a result of the structural issues identified; either to their own flat (if their block is to be strengthened) or (for tenants) elsewhere on the estate or to newly built homes on the estate, if a decision is made to demolish the blocks and rebuild; and
  10. To note that the HRA capital costs associated with the above recommendations will be funded from the existing £11.5m capital provision, and that the revenue implications to both the HRA and General Fund associated with the above recommendations will be subject to further reporting in the budget monitoring report.
  11. To delegate authority to the Director of Housing, Regeneration and Planning, in consultation with the Cabinet Member for Housing and Estate Renewal, to amend the Tangmere Rehousing Priority Scheme and the proposed Rehousing Policy to reflect the commitments made by the Cabinet Member in the meeting. In particular granting to Tangmere tenants 'Band A' priority under the Council's Allocations Policy after they have moved out of the block to allow them to move on.

## **Reasons for decision**

The Council has identified risks in a number of blocks on Broadwater Farm. Surveys have identified structural issues in the estate's medium-rise blocks, which means they do not meet the required standards to use piped gas and there is a risk of progressive collapse in the event of a gas explosion. The reports also identified that two blocks – Tangmere and Northolt – have failed a lower test, which means that there is a risk of progressive collapse from a lower impact event such as a vehicle strike or bottled gas

explosion. These risks have been mitigated through the introduction of measures set out in section six of this report, including:

- In the blocks with piped gas, the replacement of gas cookers with electric cookers and the installation of gas interrupter valves, which will switch off the gas if a leak is detected
- In the blocks, which have also failed the lower test, a 24-hour concierge and a programme of home visits to reduce the risk that items such as bottled gas are taken into the building.

In the case of Tangmere and Northolt, which have failed the lower test, significant strengthening works, are required to address the problems identified and make the buildings safe for long-term habitation. Based on estimates received by Homes for Haringey, the costs of strengthening works would have a significant impact on the Housing Revenue Account's position. The Council is therefore proposing to consult residents on whether it should strengthen or demolish the blocks, with its preferred option being to rehouse residents, demolish the blocks and rebuild the Council homes on the estate. The results of the consultation will be presented to Cabinet later this year to inform a decision on the future of both blocks.

### **Tangmere Rehousing**

A decision is required now regarding the occupation of Tangmere, as the piped gas supply to Tangmere is – in common with all blocks on the estate which currently have piped gas – due to be switched off by the end of October 2018. This date has been set by the gas supplier, Cadent, who have indicated that this date for switching the gas off cannot be moved. This report recommends that Cabinet approve the Tangmere Rehousing Priority Scheme, which will apply pending a decision being made by Cabinet later this year on the future of both blocks. This scheme will give Tangmere tenants priority for Council homes, which become vacant. The urgent nature of the rehousing means that the Council may need to issue notices seeking possession under Ground 10, Schedule 2 of the Housing Act 1985 in order to regain possession of the homes. When relying on Ground 10, the Council is required to provide suitable alternative accommodation to the tenant.

### **Northolt**

As Northolt does not have piped gas, the October deadline does not apply and there is no need to rehouse residents at this point, but if strengthening works are carried out to the block residents would need to be rehoused temporarily to allow the works to take place. Recommendation 3.5 seeks delegated authority to the Director of Housing, Regeneration and planning to commence the rehousing of residents in Northolt if the position regarding the safety of the block changes before Cabinet makes a decision about the future of the block. For the reasons set out in section six of this report, the Council has preferred option in the consultation with Northolt residents will be to demolish Northolt and rebuild the Council homes on the estate.

### **Rehousing Approach**

The Council does not have a rehousing policy, which applies in scenarios such as this one – where residents urgently need to be rehoused due to a building requiring major structural repairs, or possible demolition due to the expense of repairs. Therefore, a proposed policy will be consulted on over the summer, and presented to Cabinet later this year for approval.

### **Alternative options considered**

#### **Tangmere Rehousing**

The option of leaving residents living in Tangmere beyond October was discounted due to the October 2018 deadline for the gas to be switched off, which means that by this date residents must either be rehoused, or an alternative source of heat and hot water provided. If the rehousing process were not started imminently, there would be insufficient time to rehouse residents from Tangmere before the end of October. Homes for Haringey, who have been liaising with the gas provider Cadent, asked whether the October deadline could be extended, but Cadent have indicated that they are not willing to move the deadline because of the increased demand for gas in the winter months, which increases the risk of a gas explosion.

The Council considered but discounted the option of providing temporary heating to Tangmere, as it plans to with the medium-rise blocks before they are connected to the renewed district heating system. This is because, unlike the medium-rise blocks, an alternative source of heating and hot water alone would not resolve the problem as Tangmere would still need to be strengthened to make it safe in the long-term. The cost of providing heat and hot water to Tangmere through temporary boilers would be approximately £1.3m, as new pipework, heat interface units and temporary boilers would need to be installed to the block. If a Cabinet decision were made later this year to carry out strengthening works to Tangmere, some of this new infrastructure would need to be removed to allow the strengthening works to take place.

Furthermore, if Cabinet decides later this year that strengthening works should be carried out to Tangmere, residents of Tangmere would still need to be temporarily rehoused to allow these works to take place.

### **Consultation on preferred option**

The Council could consult residents on a preferred option to carry out the strengthening works, or consult without expressing a preferred option. However, the impact of the costs of the strengthening works as set out in this report would have a major impact on the position of the Housing Revenue Account. This would mean that investment in other Council homes and estates would need to be re-profiled. The Council has preferred option for both blocks is therefore to demolish the blocks and rebuild the homes on the estate.

## **9. PURCHASE OF 13 - 24 TANGMERE HOUSE**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval to the Council purchasing 12 properties on the Tangmere block on the Broadwater Farm Estate from Newlon Housing Trust. This was in light of the need

to rehouse Tangmere residents for health and safety reasons, and the fact that, from October, Tangmere will not have heating or hot water facilities, it was practical for the Council to have ownership of as many units on Tangmere as possible.

Following consideration of exempt information at item 19,

## **RESOLVED**

1. To agree to the purchase of 12 leasehold properties (and shown edged red on the plan attached included as part of the original lease – Appendix 1) listed below from Newlon

- Flat 13, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 14, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 15, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 16, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 17, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 18, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 19, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 20, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 21, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 22, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 23, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB
- Flat 24, Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB

### **Reasons for decision**

In February 2018, the Council identified that Tangmere was not suitable to have piped gas supplies as it failed a specific test for blocks built using a large panel system. This meant that in the event of a gas leak and gas explosion the block was at risk of progressive collapse. As a result, a number of temporary mitigation measures are currently being implemented until a decision on the long-term future of this block can be made.

Tangmere has failed a further test, which means that the block is at risk of progressive collapse in the event of an explosion linked to a bottled gas (LPG) or oxygen cylinder, or from the impact created by a vehicle strike. In order to meet building regulations, it will now need significant strengthening works.

A report being considered by Cabinet at its meeting on 26 June 2018 recommends that residents in Tangmere be rehoused for the reasons set out above. A final decision about the future option for Tangmere is expected later in 2018. If strengthening works are to be carried out then it is highly likely that Tangmere will have to be decanted on a temporary basis to allow the works to be carried out. If

these properties were already in Council ownership, they could be kept void to speed up any decant process, which would be advantageous to the Council.

Should it prove not possible or viable for the Council to carry out the strengthening works on Tangmere, and a decision is made to demolish Tangmere ahead of new homes being built, the Council will need to purchase leasehold properties in the block.

The recommendation to purchase 13-24 Tangmere, Willan Road, Broadwater, Farm Estate N17 6LB is based on valuation advice from GL Hearn that considers the sum negotiated on purchase price to represent good value for money for the Council.

To secure the properties for the agreed price a decision is required from Cabinet.

### **Alternative options considered**

The only alternative option considered was not to proceed with the purchase of the subject properties. This option was rejected. The purchase price agreed has been achieved through an exhaustive process of negotiation with Newlon to achieve best value for the Council.

## **10. PURCHASE OF 103 - 105 KENLEY TOWER**

The Cabinet Member for Housing and Estate Renewal introduced the report which sought approval to the purchasing of three properties Kenley block on the Broadwater Farm Estate from Newlon Housing Trust. Residents of the Northolt and Tangmere blocks on the estate are due to be rehoused for health and safety reasons. The Council owning the Kenley properties, will allow more of the Northolt and Tangmere residents to be rehoused on Broadwater Farm, which will mean the rehousing process will be less disruptive to them.

Following consideration of exempt information at item 20,

### **RESOLVED**

1. To agree the purchase for housing purposes the properties known as 103,104 and 105 Kenley House, Gloucester Road, Broadwater Farm Estate, N17 6GZ, and all of which are shown edged red on the plan attached included as part of the original lease – Appendix 1; and
2. That the acquisitions will be as per the Heads of Terms attached in an exempt Appendix.

### **Reasons for decision**

The purchase of the property will help the Council meet housing needs in Haringey. The properties will be used to rehouse households from the Tangmere and Northolt blocks.

The recommendation to purchase 103-105 Kenley House, Gloucester Road, Broadwater Farm Estate, N17 6GZ is based on valuation advice from GL Hearn that considers the sum negotiated on purchase price to represent good value for money for the Council.

To secure the property for the agreed price a Cabinet decision is required.

### **Alternative options considered**

The only alternative option considered was not to proceed with the purchase of the subject properties. This option was rejected, as the properties are able to service all running costs and debt servicing costs over 30 years. The purchase price agreed has been achieved through an exhaustive process of negotiation with the owner to achieve best value for the Council. The properties will only require a small financial outlay to bring them back up to a 'Homes for Haringey Letting Standard'.

## **11. OSBORNE GROVE OPTIONS APPRAISAL**

### Deputation 2 - Michelle Rodda - Osborne Grove – Agenda Item 11.

Michelle Rodda addressed the Cabinet on behalf of the residents, relatives and community participants in the co-design group on Osborne Grove. The report and recommendations were not endorsed. The deputation was concerned that the option preferred by the co – design group had already been discounted in the report.

The deputation continued to make the following requests:

- A feasibility study that includes a revised option 3 for Osborne Grove to have a 32-bed home with a combined use of long term and intermediate care funded by the CCG to alleviate bed blocking.
- Re—establishment of the joint improvement steering group, including CCG membership, to support Osborne Grove achieving a 'good' CQC rating this would enable the embargo to be lifted.
- Amendment of the recommendations to include feasibility report on revised option 3 which includes keeping the 7 residents in situ and improving standards, lifting the embargo and working with the CCG to provide intermediate care and explore other options.

The deputation contested the content of the report and outlined the following:

- The future of the 7 residents that were remaining on site was not fully set out.

- Potential privatisation of the enlarged site
- Reference to paragraph 7.20, which advises that the direct provision is not sustainable.

The deputation had visited an 'outstanding' care home to understand the difference between the provision at Osborne Grove. The physical features of the home had been very similar and the main difference was the better governance procedures in place.

The joint improvement steering group was set up in early 2017 following the CQC inspection and now required a new task. This group could analyse the criticisms from the CQC report to understand the actions that were required to move the home from "requires improvement" to a "good" rating. There was expertise to call on and the deputation felt that, with 3 months of concerted work, this could be achieved. In addition, the Council could seek funding from the CCG to support the improvements.

The deputation recommended the Council wait a further 5 years before expanding the provision at Osborne Grove. The deputation suggested initially running a pilot scheme for the Nursing home to allow focus on quality before expansion.

The deputation advised that Homes with nursing beds above 32 had issues; therefore, it was prudent to initially take a smaller scale provision forward before expanding.

The deputation opposed the discounting of option 3 as although the feasibility may suggest a smaller number of beds, this option was favoured by the co –design group and should be added to the options.

The deputation concluded by urging Cabinet to listen to what the community wants and revise the recommendations to include option 3 without amendment. They advised moving the 7 residents to a wing, to allow negotiation on the site.

The deputation group welcomed their membership of the co – design group but the option that was omitted was useful for nursing care continuing. They felt that the first priority order should be service design and design of the building be a secondary factor. They recommended that option 3, in the alternative options considered section of the report, having a feasibility study completed and questioned how the Council can run 64 beds, if a 32-bed pilot could not be agreed.

The Cabinet Member for Adults and Health responded to the deputation and emphasised that the co -design process was a genuine process and establishing the group was part of building that trust. There had only been an opportunity to hold one meeting of the co-design group before Cabinet due to the need to address the outstanding decision on closure of the Home.

The three main key points of the report were: Home will be retained for the current residents there, the site would be retained for nursing care and there was no outsourcing to the private sector.

The Cabinet Member provided assurances that the co-design group would be meeting on a monthly basis. This was a broad group with a number of stakeholders. The Council would continue the conversation and report back in the autumn with a preferred option.

All the options contained in the report were for the seven residents to remain in the home with appropriate safeguards in place. The Council had an intermediate care offer and the key capacity gap for Haringey and across North Central London was nursing care, particularly for people with dementia. The Council need to increase the availability of nursing care beds not reduce them, over the medium term.

The Cabinet Member expressed that, in the scenario where the Council were able at worst to maintain the current number of nursing care beds and at best to increase them, it would consider models where some units in an expanded OGNH would be available for intermediate or rehabilitative care. The Cabinet Member agreed that this was a strong model but only where it did not compromise the number of nursing care beds available for local residents.

The Cabinet Member further outlined that the Council was required to have a wider consideration of all residents of all its residents in the round, both presently and into the future. There was a rare opportunity to expand and improve the offer at OGNH, without detriment to the existing residents. The Council had not ruled out any configurations within the Home which was why it had commissioned a feasibility study of what is possible on the site, which this will include the options for nursing care, intermediate/rehabilitative care and day care on the site. However, these options could not be considered unless an agreement was reached to consider an expanded Home, as they were not possible without expanding the footprint of the current building on the site.

The Council had agreed to consult formally on any emerging preferred option after the period of feasibility had been concluded.

The Director for Adults and Health advised that the Joint Improvement Board had responded in taking forward the closure process, but there had been no reduction in efforts and intensity to improve quality issues at the Home. The CCG continued to support staff at Osborne Grove. Quality assurance nurses worked alongside staff and external audits were in place. Therefore, in no way had the emphasis on improvement been reduced since December.

The Assistant Director for Commissioning added that the options appraisal was drawing from a range of factors including premises design, quality and service model design, and demand capacity, to meet the requirements of co design. The co – design group would contribute to a range of feasibility options that will be looked at, and this was not a decision but a launch of those feasibility processes which was a positive development.

The Cabinet Member commented that the previous co – design group meeting had discussed health representation, and they have been invited with officers also taking forward ongoing discussions with the CCG on nursing care.

The Leader thanked the deputation for putting forward their views and asked the Cabinet Member for Adults and Health to introduce the report.

The Cabinet Member for Adults and Health introduced the report, which set out the future of Osborne Grove Nursing Home. The report was proposing to retain and

expand the Home to meet the needs of older people in the borough, exploring in depth two high-level options through detailed feasibility studies. The Council were committed to continuing to work closely with partners and stakeholders through a co-design process to develop an approach, which is affordable, sustainable and flexible enough to address current and future capacity challenges.

The Cabinet Member advised that a meeting had taken place of the co- design group and the Council were taking engagement with this group seriously. The existing residents would remain on the site and the Council would continue to develop a high quality provision.

Cabinet placed on record their appreciation to the families and campaigners who had campaigned to keep this facility open. It was important to note that the Council would be developing the facility and not taking forward closure.

Clarification was provided in relation to paragraphs 7.6 and 7.10 and the meeting was advised that the trade unions were in favour of this provision continuing with a direct delivery .The Cabinet Member for Corporate Services and Insourcing welcomed the proposed direct delivery with public sector partners and examining if other local authorities can run this facility with the Council.

The Cabinet Member for Environment commented that it was very helpful to involve the public sector as their ideologies meet the Council's aspirations. The options further allowed families to participate in complex plans. Clarification was sought on whether the provision could be smaller.

Cabinet Member responded to questions and provided the following information:

- Clarification that delivery of the services would not be in the private sector and the Trade Unions were part of the co-design group and will attend the meetings.
- The Cabinet Member agreed to add in more opportunities for families do attend the co- design group meetings.
- The Cabinet Member welcomed advice from the Cabinet Member for Environment on the appropriate voluntary sector partner groups to include in the co-design meetings and further advised that an open care model was being explored.
- With regards to the placement of the 7 residents, as outlined in the Cabinet paper, their ability to remain in the Home will be subject to risk assessments to ensure that this continues to be in their best interest and will support their continued wellbeing during the course of any work.

- The Assistant Director for Commissioning advised Cllr Morris, that a range of costs had been looked at according to potential future running costs. The increase in running costs were because these would involve providing super numerari staff.
- In terms of future provision, the services were analysing the needs of different client groups and working with North Central boroughs on examining data trends with needs analysis a constant theme across that. It was currently noted that nursing care specifically related to dementia had more demand. However, other areas of demand were also recognised and would be considered i.e. prevalence of people with learning disabilities that are living longer that need specific support.
- Initial discussion with CQC was based on risk assessment and any decision on the Home would be based on best interest of the residents, and based on the scenarios in front of them at the time.

## **RESOLVED**

1. To retain ownership of the OGNH site;
2. For the site be used for the provision of residential and nursing care;
3. The draft design principles on the future development of the site at paragraph 7.2 be adopted;
4. Options 1b (resident in situ and new build of 70 bedded unit) and 2b (resident in situ and expansion/rebuild to a 64 bedded unit) be taken forward as set out in paragraph 3.1.7 below;
5. The establishment of the OGNH Co-Design Reference Group be confirmed and to act in an advisory and consultative role on the future of the Home and as set out in paragraph 6.7. The Group to be Chaired by the Lead Member for Adult and Health and the membership to include Ward Councillors, family members of residents, Haringey HealthWatch, Chair of the Older People's Reference Group, Trade Union representatives, the Clinical Commissioning Group and Council officers.
6. That a design partner on the future residential and nursing care provision be procured;
7. Following procurement of the design partner, detailed design and feasibility work be undertaken with the active engagement of a range of stakeholders including the OGNH Co-Design Steering Group, partners, nursing care providers and officers, on Options 1b and 2b as set out at paragraph 7.5.1:

Option 1b: Maintaining a reduced-capacity service at Osborne Grove to allow the current residents (7) to remain and building a new 70-bed Nursing Home on site following demolition of the existing building; and

Option 2b: Maintaining a reduced-capacity service at Osborne Grove to allow the current residents (7) to remain and building an expanded 64-bed Nursing Home on site with the existing residents in situ.

The feasibility work to include the construction works to be undertaken, whether this can be undertaken with residents in situ, the risk to and likely impact on residents and whether and how residents can be safeguarded;

8. That the outcome of the detailed design and feasibility work (referred to in paragraph 3.1.7) be brought to Cabinet for a decision on the preferred option for consultation with residents and other stakeholders;
9. That the current provision at OGNH to remain open to existing residents only and who choose to remain; and
10. That officer's work proactively with partners in the NHS, with the care sector and with neighbouring local authorities to develop a sustainable partnership approach to future delivery of care at Osborne Grove.

### **Reasons for decision**

Osborne Grove Nursing Home is a 32-bedded nursing unit, with a day centre space, run directly by the Council. It is located on a site, owned by the Council, in Stroud Green, which has a sizeable garden and a large car park.

On 12<sup>th</sup> December 2017, the Cabinet made a decision to close the Home, following an extended period of consultation with residents, users, carers and other stakeholders. This was in the context of the seriousness of care quality issues raised through internal and external audits and inspections including those carried out by the Care Quality Commission, staff from the Brokerage and Quality Assurance Service of the Council and the Safeguarding and Quality Assurance function of the Clinical Commissioning Group (the CCG). An embargo, which can be placed on any care provider where there are concerns about the quality of care and it is not considered safe to place new residents, has been in existence since August 2016. This embargo on any new placements meant that numbers of residents in the Home have been falling since then and at the time of the December Cabinet paper there were only 17 residents in the Home. Following implementation of the closure decision and the planned and careful transfer of residents to new care homes, there are now only 7 residents living in the Home (down from 32 at full occupancy). In order for the Council to maintain its focus on quality of care, there are no plans to increase the number of residents or for the current embargo to be lifted.

A recent review of activity and demand in Haringey and across North Central London has confirmed the need for increased nursing bed capacity in the area. The site, owned by the Council, offers considerable potential for expansion of nursing care capacity, which would help to meet the increased demand for nursing care both in the

borough and in the wider sub-region. In the context of established and increasing demand, there is a pressing need to grow capacity across the whole of North Central London and capitalise on opportunities to do this wherever they appear. No longer can Haringey rely on excess capacity in NCL to meet its demand as the number of nursing home beds continues to fall and all boroughs in NCL are experiencing higher demand. Out of NCL, there is increasing cross-authority competition for beds, which creates an upward pressure on prices.

The options appraisal has been pursued in order to consider whether and how this potential should best be delivered. The decision to explore further two options is being presented following an options appraisal which has already taken into account the range of factors set out in section 6 and which has considered a number of options for the future of the site. This options appraisal is set out in section 7 of this report.

The proposed approach aims to develop a high quality provision to improve outcomes for residents through a model of nursing care, which is responsive to need. The existing site is demonstrably not fit for purpose with a number of design issues making the provision of high quality care particularly challenging for an increasingly frail resident population. The approach to quality will be developed to better address future demand, whilst also mitigating the quality of care issues that led to the previous decision to close the home under current management by the local authority.

The proposal to retain those of the current 7 residents who wish to remain in situ to do so reflects the current wishes of a number of stakeholders. Their ability to remain in the Home will be subject to risk assessments to ensure that this continues to be in their best interests and will support their continued wellbeing during the course of any works. The Care Quality Commission in their continued regular inspections of the Home will consider these risk assessments. Further consultation has been highlighted as necessary in light of the fact that the options currently being presented for further work are fundamentally different from the proposals initially consulted upon. It has therefore been considered fair that the residents and stakeholders be consulted on the preferred option following the outcome of the detailed design and feasibility work and before a final decision was made by Cabinet. Following the final decision on the preferred option, full consultation will be held with all residents and we will make clear through risk assessments that any decision will be made in the best interests of residents.

### **Alternative options considered**

The option to close the Home and not to revisit an options appraisal for future use of the site was identified but discarded early on as the Home is an asset of great value to local residents and to the Council.

A full options appraisal was considered to be the most effective way to explore all viable options in relation to the home post-closure and to seek Cabinet approval to start the next phase of implementing the preferred option.

## **12. 2017/18 PROVISIONAL FINANCIAL OUTTURN**

The Cabinet Member for Finance introduced the report, which advised that the General Fund revenue outturn variance for the year ending 2017/18, had improved by £5.4m to a small overspend position from the Quarter 3 report that was considered by Cabinet in March 2018. Noted the positive outturn in the budget but there were still many challenges in the budget, which would have to be tackled.

In response to questions from Cllr Morris noted:

- The overspend in key areas of the budget, Children and Adults, had been mitigated as the Council had capitalised revenue spend into capital spend. This was taken forward because of a change in legislation and other Councils were utilising this opportunity.
- There was not a plan to draw on reserves next year but this could not be ruled out. The Council would continue cost savings activities and efficiencies.
- Agreed Cllr Morris receive a written response on the current Housing Benefit debt figure and information on why the CCTV camera review had been delayed for a year. Further agreed that these responses are added to the minutes.

## **RESOLVED**

1. To note the provisional revenue and capital outturn for 2017/18 as detailed in the report;
2. To approve the capital carry forwards totalling £106m at Appendix 3;
3. To approve the appropriations to/from reserves at Appendix 4;
4. To approve a permanent capitalisation of £0.8m revenue expenditure and subsequent adjustment to revenue cash limits in 2018/19 as outlined in para 8.10.
5. To approve the budget virements as set out in Appendix 5.

## **Reasons for decisions**

A strong financial management framework, including oversight by Members and senior management, is an essential part of delivering the Council's priorities.

## **Alternative Option considered**

The report of the Council's outturn and management of the financial resources is a key part of the role of the Interim Director of Finance (Section 151 Officer) and no other options have therefore been considered.

**13. ESTABLISHMENT OF CABINET SUB COMMITTEES & CABINET MEMBER APPOINTMENTS FOR 2018/19 TO THE COMMUNITY SAFETY PARTNERSHIP (CSP) LHC AND SHARED DIGITAL JOINT COMMITTEE**

**RESOLVED that for the 2018/19 Municipal Year:**

Cabinet establish the Corporate Parenting Advisory Committee, and that the terms of reference for this sub -committee, attached at appendix A be noted;

Cabinet note the terms of reference for the Shared ICT and Digital joint Committee attached at appendix D;

The Community Safety Partnership membership and terms of reference attached at Appendix E be noted;

The changes to the LHC Constitution, set out in Appendix C, which now allows Cabinet to nominate 2 Members (one from the Cabinet and one other member) for a duration of four years be noted; and

Cabinet appoint the Members, indicated below, to serve on the Corporate Parenting Advisory Committee, and the LHC Joint Committee, Shared ICT and Digital Service Joint Committee and Community Safety Partnership:

Corporate Parenting Advisory Committee

Chaired by the Cabinet Member for Children Education and Families –  
Councillor Elin Weston

Cllr Amin

Cllr Gunes

Cllr Dogan

Cllr Mitchell

Cllr Chenot

Cllr Palmer

LHC

X2 – Cllr Berryman, Cabinet Member for Finance and one non Cabinet Member -  
Cllr John Bevan

Shared ICT and Digital Service Joint Committee.

Cabinet Member for Corporate Services and Insourcing

Cabinet Member for Finance

Cabinet Member for Strategic Regeneration

Community Safety Partnership

Cabinet Member for Communities, Safety and Engagement

Cabinet Member for Children, Education and Families

Councillor Ogiehor

**Reasons for decision**

To keep an overview of the Councillors statutory role as a corporate parent to children in care and young people leaving care.

The Council currently uses LHC frameworks as an efficient way of procuring technically complex products and services for its building refurbishment and maintenance programmes.

By becoming a Constituent Member of LHC the Council will benefit from:

- influencing the future direction of LHC including the identification of new products and services which could be beneficial to the Council. Increased learning of procurement practices and technical know-how for use by the Council's officers in carrying out its own procurement programmes.
- Share of the LHC annual surplus.

The LHC Committee agreed, in June 2016, to amend their constitution to allow members to nominate for a term of office of four years duration, from 2018, to coincide with the local Council elections. They agreed that the Joint Committee shall comprise two members from each of the Authorities. Each Authority's representatives on the Joint Committee shall be appointed by the Authority's executive, a member of the executive or a committee of the executive, as appropriate and be appointed to serve for a term of four years.

The LHC agreed that the Joint Committee shall elect a chairperson of the Joint Committee and a Vice Chairperson of the Joint Committee from among the members of the Joint Committee to serve for a term of four years.

Participation and membership of the Shared ICT and Digital Service Joint Committee will provide the Council with democratic oversight of the strategic delivery of the shared service.

Appointments from Cabinet are required to the Community Safety Partnership to reflect statutory duties and enable high level, accountable, strategic, oversight of issues relating community safety.

### **Alternative options considered**

The Constitution advises that all Advisory or Consultative Committees will continue in operation only until the first meeting of the Cabinet, in the next municipal year following their establishment, when they must be expressly renewed or they cease to exist. Therefore, the alternative option would be for the Corporate Parenting Advisory Committee to cease and this would mean that there is not a scheduled opportunity for members and officers to meet and discuss the wellbeing of children in care and to ensure that the Council is meeting its corporate parenting obligations. This Committee is different to the Children and Young People's Scrutiny Panel as it concentrates on Looked after Children and care leavers and reports directly to the Cabinet.

Haringey has been a member of the LHC, formerly the London Housing Consortium, for forty years. In February 2012 the Haringey Cabinet approved a recommendation to

remain in the LHC Joint Committee and leaving this consortium would affect accessing some shared procurement expertise and support on compliance.

Not appointing Cabinet Members to the Shared ICT and Digital Service Joint was the only other option but this would not allow the Council to provide democratic oversight of key decisions affecting the joint service.

The Community Safety Partnership is a statutory partnership body and therefore not appointing Cabinet Members to this body is not an option.

**14. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE**

None

**15. MINUTES OF OTHER BODIES**

**RESOLVED**

To note the minutes of the following Cabinet Member and Leader's signings:

- 26.02.18
- 09.03.18
- 13.03.18
- 15.03.18
- 16.03.18
- 19.03.18
- 19.03.18
- 26.03.18
- 06.04.18
- 19.04.18
- 19.04.18
- 20.04.18

**16. SIGNIFICANT AND DELEGATED ACTIONS**

**RESOLVED**

To note the significant and delegated actions taken by directors in March, April and May.

**17. NEW ITEMS OF URGENT BUSINESS**

None

**18. EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**

That the press and public be excluded from the remainder of the meeting as agenda items 19 and 20 contained exempt information as defined under paragraph 3 part 1 schedule 12A of the Local Government Act 1972.

**19. PURCHASE OF 13 - 24 TANGMERE HOUSE**

As per item 19.

**20. PURCHASE OF 103 - 105 KENLEY TOWER**

As per item 20.

**21. NEW ITEMS OF EXEMPT URGENT BUSINESS**

None

CHAIR: Councillor Joseph Ejiofor

Signed by Chair .....

Date .....