



## London Borough of Enfield

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<b>Report Title:</b>	Energy Efficiency Investment in Council Homes
<b>Report to:</b>	Strategic Director of Housing and Regeneration – Joanne Drew
<b>Date of Report:</b>	21 <sup>st</sup> March 2024
<b>Cabinet Members:</b>	Cllr Savva – Cabinet Member for Social Housing
<b>Directors:</b>	Strategic Director of Housing and Regeneration: Joanne Drew
<b>Report Author:</b>	Service Director Homes: Andrew Cotton
<b>Ward(s) affected:</b>	Borough-wide/All
<b>Key Decision Number</b>	KD5726
<b>Classification:</b>	Part 1 & 2 (Para 3)
<b>Reason for exemption</b>	Information relating to the financial or business affairs of any particular person (including the authority holding that information).

## **Purpose of Report**

1. To obtain approval to accept grant funding, enter into relevant agreements within the funding body and enter into a relevant works contracts to deliver associated works as described in the confidential appendix.

## **Recommendations**

- I. That approval be given to accept £3,459,517 grant funding - Social Housing Decarbonisation Fund Wave 2.2, (administered by the Department of Energy Security and Net Zero – DESNZ) to improve the energy efficiency to 267 council homes.
- II. That approval be given to enter into the relevant agreements with funding bodies associated with the grant funding.
- III. Subject to the confirmation of grant will be received, that approval be given to enter into the first of several works contracts to delivery the associated works - “Stage 3 – Scale Up” of the Innovation Partnership Agreement contract with “Contractor A” Whole House Retrofit
- IV. That approval be given for the total budget of £8m associated with the first of several works programmes, inclusive of grant funding and council match funding.

## **Background and Options**

2. The Council has previously published a Climate change action plan which commits to decarbonise the Council’s Housing stock. The Housing Revenue Account (HRA) Capital Programme is focused on investment in our housing stock to ensure the Council continues its delivery of Warmer Homes, as committed to in the Good Growth Strategy agreed in 2020 which prioritised investment in existing homes.
3. The Council submitted an application to the Social Housing Decarbonisation Fund Wave 2.2, (administered by the Department of Energy Security and Net Zero – DESNZ), and received a notification of the application being successful on 18<sup>th</sup> March 2024. The grant funding arrangements require the council to enter into the Grant Funding Agreement by the 9<sup>th</sup> of April. Entering into this agreement is required to ensure release of the funding.
4. The planned energy efficiency programme associated with this grant funding will improve the warmth of up to 267 homes is beneficial to residents within these homes.
5. The proposed works contract has been procured in compliance with the public contract regulations, using a restricted route run by Transport for London (TFL), with the support of the Greater London Authority (GLA) and

Turner and Townsend on behalf of Enfield and 6 other local authorities under the Mayor of London's Retrofit Accelerator – Homes programme Reference No. 2020/S 220-541823.

### **Preferred Option and Reasons for Preferred Option**

6. Consideration was given to delivering energy efficiency works with the councils resources over a longer programme.
7. Due to the investment requirement to improve the energy efficiency of council homes it has been decided to proactively apply for external funding to ensure investment in homes can be accelerated and energy efficiency improvements are made in line with the council housing asset management strategy.

### **Relevance to Council Plans and Strategies**

8. The contract will support the following objectives from the Council Plan:
  - a. **More and better homes:** the programme will improve the quality and safety of existing homes and therefore positively impact on the wellbeing and quality of life for our residents.
  - b. **Strong, healthy and safe communities:** improving the existing homes where people desire to live will help to create and maintain healthy and confident communities.
  - c. **An economy that works for everyone:** ensuring residents can fully participate in activities within their neighbourhood.

### **Financial Implications**

9. See part 2.

### **Legal Implications**

10. The Council has the power under section 1(1) Localism Act 2011 to do anything individuals generally may do providing it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power as recommended in this report. The Council has the power to alter, repair or improve its housing stock in accordance with section 9 of the Housing Act 1985. Under section 11 of the Landlord & Tenant Act 1985 the Council has repairing obligations in respect of properties which are occupied by its tenants and these obligations cover structure, the exterior including drains, gutters, external pipes, installations in homes including water, gas, electricity and sanitation. Further, under section 111 Local Government Act 1972 local authorities may do anything, including incurring expenditure or borrowing which is calculated to facilitate or is conducive or incidental to the discharge of their functions. The recommendations in this report are in accordance with these powers. If the project does not involve leaseholders

and/or financial contributions to the works by Council tenants, the statutory duty under Section 20 of the Landlord and Tenant Act 1985 will not apply.

11. The aggregate value of this opportunity is estimated to be above the relevant threshold for works contracts for the Public Contracts Regulations 2015 to apply to this procurement exercise, and therefore the procurement of "Contractor A" must be conducted in accordance with the PCR and the Council's Contract Procedure Rules (including the requirement to obtain sufficient security). The contract entered into with "Contractor A" will need to be sealed by the Council on account of its value.
12. Any grant funding agreement(s) which the Council is required to enter into to secure such grant funding for this project will likely be part of the grantor's wider programme and, as such, it is unlikely that there will be any scope to deviate from the grantor's grant funding terms, and the Council will be required to demonstrate compliance with such terms to secure initial and further funding. Analysis of the nature of the grant(s) will also be required to ensure compliance with the Subsidy Control Act 2022, if applicable. Grant funding agreement(s) entered into by the Council will need to be sealed.

### **Equalities Implications**

13. An Equality Impact Assessment has been undertaken and appended to this report.
14. The works will be delivered boroughwide to various homes, improving safety and will benefit residents irrespective of the protected characteristics of the residents.
15. The successful contractor will be required to ensure all operatives will be fully briefed in line with the council's safeguarding policy. The terms and conditions of the contract will require adherence with the Equalities Act and contractors will be required to share their Equality Diversity and Inclusion policy to assure the council of their recruitment policies.
16. Engagement with residents will be undertaken by the Contractor in accordance with their processes for resident engagement and liaison.

### **Environmental and Climate Change Implications**

17. The HRA
18. The delivery of these works improves the energy efficiency of homes and contributes to reducing scope 3 carbon emissions from the council's operations, by reducing the energy demand of these homes, in line with the Climate Action Plan targets and supporting the Council's commitment to be a carbon neutral organisation by 2030, while also reducing fuel poverty in the borough
19. This contract is part of a framework agreement procured by Transport for London (TFL), in line with their policies both Work Related Road Risk and the TFL Ethical Sourcing Policy are included as contractor obligations in the

contract and aligns to the councils Sustainable and Ethical Procurement Policy.

### **Public Health Implications**

20. The works will improve the living conditions of those residents that receive works. This aligns with the provisions of the Enfield Joint Health and Wellbeing Strategy, which refers to the importance of housing quality as a determinant of health.
21. Climate change has been described as the greatest public health challenge of the 21st century and an existential threat. Efforts to mitigate this threat are welcomed.

### **Safeguarding Implications**

22. The works will require Contractors to enter resident's homes and therefore the Contract Documents require Disclosure & Barring Services (DBS) and adherence with the Council's Safeguarding Policy.
23. In addition to the above the Contractor is required to provide a Resident Liaison function whose role is to ensure that residents needs are reflected in the processes adopted by the Contractors. Evaluation of the Contractors offer in this area are a component of the qualitative evaluation.

### **Procurement Implications**

24. It is required that any procurement to implement above recommendation will be undertaken in accordance with the Council's Contract Procedure Rules (CPR's) and the Public Contracts Regulations (2015). Proposed procurement projects to be taken through the Council's Procurement Assurance Process. Therefore, a Gate 2 (Procurement Strategy) Report shall be presented for endorsement prior to procurement launch.
25. At the end of the sourcing process, authority to award the contract will be sought in line with the CPR's and Council's Governance. Gateway 3 Contract Award report to be endorsed at the Council's Procurement Assurance Group. The Service Area shall ensure this procurement activity takes place via the Council's e-Tendering portal and will be promoted to the Council's Contract Register, and the upload the executed contracts/agreements.
26. All awarded projects must be promoted to Contracts Finder to comply with the Government's transparency requirements. Contact [Procurement.Support@enfield.gov.uk](mailto:Procurement.Support@enfield.gov.uk) for any support.
27. If the contracts will be over £100,000 the CPR's state that the contract must have a nominated contract owner in the Council's e-Tendering portal.
28. If the contracts will be over £500,000 the CPR's state that the contract must have a nominated Contract Manager in the Council's e-Tendering portal and there must be evidence of contract management, including, operations,

commercial, financial checks (supplier resilience) and regular risk assessment uploaded into the Council's e-Tendering portal.

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**Appendices:** Appendix 1: Restricted Appendix (Confidential)  
Appendix 2: Equality Impact Assessment

### **Background Papers**

PL21.004 o - Approved – Energiesprong  
[Signing of the Innovation Partnership Contract and agreement to the appointment of Osborne as the Solution Provider and the delivery mechanism of the proposed Energiesprong Retrofit Project. This is for 36 Council properties in a BEIS Whole House Retrofit \(WHR\) project funded via the National Retrofit Accelerator Scheme](#)

Part 2 Report & Restricted appendix

Housing Revenue Account HRA Budget and Rent Setting 2024-25  
[Housing Revenue Account HRA Budget and Rent Setting 2024-25](#)