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## **THE CABINET**

**Wednesday, 24th April, 2019 at 7.15 pm in the Conference Room,  
Civic Centre, Silver Street, Enfield, EN1 3XA**

### **Membership:**

Councillors : Nesil Caliskan (Leader of the Council), Daniel Anderson (Deputy Leader of the Council), Yasemin Brett (Cabinet Member Public Health), Alev Cazimoglu (Cabinet Member for Health & Social Care), Achilleas Georgiou (Cabinet Member for Children's Services), Mary Maguire (Cabinet Member for Finance & Procurement), Dino Lemonides (Cabinet Member for Housing), Guney Dogan (Cabinet Member for Environment), Ahmet Oykener (Cabinet Member for Property and Assets) and Nneka Keazor (Cabinet Member for Community Safety & Cohesion)

### **Associate Cabinet Members**

Note: The Associate Cabinet Member posts are non-executive, with no voting rights at Cabinet. Associate Cabinet Members are accountable to Cabinet and are invited to attend Cabinet meetings.

Dinah Barry (Associate Cabinet Member – Non Voting), George Savva MBE (Associate Cabinet Member – Non Voting) and Ahmet Hasan (Associate Cabinet Member – Non Voting)

### **NOTE: CONDUCT AT MEETINGS OF THE CABINET**

Members of the public and representatives of the press are entitled to attend meetings of the Cabinet and to remain and hear discussions on matters within Part 1 of the agenda which is the public part of the meeting. They are not however, entitled to participate in any discussions.

## AGENDA – PART 1

### 1. APOLOGIES FOR ABSENCE

### 2. DECLARATIONS OF INTEREST

Members of the Cabinet are invited to identify any disclosable pecuniary, other pecuniary or non pecuniary interests relevant to items on the agenda.

### 3. DEPUTATIONS

To note, that no requests for deputations have been received for presentation to this Cabinet meeting.

### 4. QUARTERLY CORPORATE PERFORMANCE REPORT (Pages 1 - 24)

A report from the Executive Director - Resources is attached. (Non key)  
(Report No.211)  
(7.20 – 7.30 pm)

### 5. CUSTOM BUILD PROGRAMME IN ENFIELD – SITES DISPOSAL (Pages 25 - 38)

A report from the Executive Director - Place is attached. (Report No.215, agenda part two also refers) **(Key decision – reference number 4613)**  
(Report No.212)  
(7.30 – 7.40 pm)

### 6. MERIDIAN WATER – MERIDIAN ONE DEVELOPER PROCUREMENT (Pages 39 - 74)

A report from the Executive Director – Place is attached. (Report No.216, agenda part two also refers) **(Key decision – reference number 4864)**  
(Report No.213)  
(7.40 – 7.50 pm)

### 7. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 75 - 78)

Attached for information is a provisional list of items scheduled for future Cabinet meetings.

### 8. MINUTES (Pages 79 - 90)

To confirm the minutes of the previous meeting of the Cabinet held on 12 March 2019.

### 9. MINUTES OF LOCAL PLAN CABINET SUB-COMMITTEE (Pages 91 - 98)

To receive, for information, the minutes of a meeting of the Local Plan Cabinet Sub-Committee held on 26 March 2019.

**10. MINUTES OF SHAREHOLDER BOARD (Pages 99 - 104)**

To receive, for information, the minutes of a meeting of the Shareholder Board held on 2 April 2019.

**11. DATE OF NEXT MEETING**

To note that this is the last scheduled meeting of Cabinet in the current municipal year. The Council's calendar of meetings for the new municipal year is due to be agreed at the Annual Council meeting in May 2019.

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

To consider passing a resolution under Section 100(A) of the Local Government Act 1972 excluding the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).  
(Members are asked to refer to the part two agenda).

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MUNICIPAL YEAR 2018/2019 REPORT NO. **211****MEETING TITLE AND DATE:**Cabinet – 24<sup>th</sup> April 2019**REPORT OF:**

Executive Director Resources

Contact officer and telephone number:

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<b>Agenda – Part: 1</b>	<b>Item: 4</b>
<b>Subject: Quarterly Corporate Performance Report</b>	
<b>Wards: All Non Key</b>	
<b>Cabinet Member consulted: Cllr Daniel Anderson</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 In the current challenging financial environment, there is value in demonstrating that, in many areas, Council performance in delivering key priorities is being maintained and/or improved. It is also important that the Council understands and effectively addresses underperformance.
- 1.2 This is the quarterly report on the new Corporate Performance Scorecard that reflects the Council priorities as outlined in the new Council Business Plan. The report attached at Appendix 1 shows the Quarter 3 performance for 2018/19 and compares it to the Council's performance in Q3 17/18.
- 1.3 Appendix 2 focuses on a selection of priority measures where performance is currently off target and or direction of travel is negative. For each measure an action plan with delivery timeframes has been provided to demonstrate what is being done in each service area to address underperformance. This is a live document, which will be updated as progress is made.

**2. RECOMMENDATIONS**

That Cabinet notes, for information only, the progress being made towards achieving the identified key priorities for Enfield.

### **3. BACKGROUND**

- 3.1 In the continuing challenging local government financial environment, it is important that the Council continues to monitor its performance to ensure that the level and quality of service and value for money is maintained and where possible improved. It is also essential to understand and take appropriate action in areas where performance is deteriorating. This may include delivering alternative interventions to address underperformance, or making a case to central government and other public bodies if the situation is beyond the control of the Council.
- 3.2 The Corporate Performance Scorecard has been developed to demonstrate progress towards achieving the Council's aims and key priorities as set out in the Council Business Plan. The performance measures are grouped under the Council's new strategic aims of the People and the place and Our Guiding principles. A number of financial health measures are also included. The scorecard is reviewed annually and targets are set based on local demand and available resources.
- 3.3 Performance is reported quarterly to the Executive Management Team and Cabinet. Following the Cabinet meeting the performance tables are published on the Council's website.

### **4. PERFORMANCE**

- 4.1 This is the latest quarterly report on the Corporate Performance Scorecard that reflects Council priorities. The report attached at Appendix 1 shows the Quarter 3 performance for 2018/19 and compares it to the Council's performance at the end of Q3 2017/18. The report includes performance data relating to a number of statutory data returns that are supplied to central government. Where appropriate, explanatory comments are provided in the column next to the performance information.
- 4.2 Appendix 2 focuses in more detail on areas that have been highlighted as being areas of concern given longer term trends. This report analyses closer the performance and trend data and sets out actions being taken to address underperformance in those areas.
- 4.3 **Financial Indicators**  
This section provides an overview of the Council's financial health.
- 4.4 **Priority Indicators**  
The scorecard groups performance indicators under the Council's strategic aims as set out in the new Corporate Plan. Where a target has been set, performance is rated as green if it is on or exceeding the target; amber where the target has been narrowly missed, but is still on track; and red where performance is below the target set for the year.

The notes cover a number of areas and may include explanation of how the indicators are calculated, commentary on progress towards achieving the targets, trends over time and national comparisons.

**5. ALTERNATIVE OPTIONS CONSIDERED**

Not to report regularly on the Council's performance. This would make it difficult to assess progress made on achieving the Council's main priorities and to demonstrate the value for money being provided by council services.

**6. REASONS FOR RECOMMENDATIONS**

To update Cabinet on the progress made against all key priority performance indicators for the Council.

**7. COMMENTS OF OTHER DEPARTMENTS**

**7.1 Financial Implications**

The cost of producing the quarterly reports will be met from existing resources.

**7.2 Legal Implications**

There is no statutory duty to report regularly to Cabinet on the Council's performance, however under the Local Government Act 1999 a best value authority has a statutory duty to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness. Regular reports on the Council's performance assist in demonstrating best value.

**7.3 Property Implications**

None.

**8. KEY RISKS**

Robust performance management helps identify areas of risk in service delivery and ensure that council resources are used effectively and that the Council's good reputation is maintained.

**9. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

**a. Good Homes in well-connected neighbourhoods**

The scorecard includes indicators that measure the Council's progress in providing good homes and reducing temporary accommodation across the Borough.

**b. Sustain strong and healthy communities**

The scorecard includes indicators that assess how the Council's actions are contributing to strengthening communities, reducing crime and improving health outcomes for residents.

**c. Build our local economy to create a thriving place**

The scorecard includes indicators that aim to support business growth, increase numbers of people in employment, protect and sustain Enfield's environment and support Enfield's voluntary and community sector.

**10. EQUALITIES IMPACT IMPLICATIONS**

Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. We need to consider the needs of these diverse groups when designing and changing services or budgets so that our decisions do not unduly or disproportionately affect access by some groups more than others.

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment/analysis is not relevant or proportionate for the corporate performance report.

**11. PERFORMANCE MANAGEMENT IMPLICATIONS**

Robust performance management provides the Council with accurate data and ensures that service delivery is meeting local needs and priorities.

**12. PUBLIC HEALTH IMPLICATIONS**

The scorecard includes a number of health and wellbeing indicators that aim to address the key health inequalities in Enfield.

**Background Papers**

None



# EMT Review: 2018-19 Performance Review

Report Author: Joanne Stacey  
Generated on: 18 February 2019



1. Resource Management: Budget Monitor		
Financial Indicator	Key Highlights	Status
FR&CS 100 Income & Expenditure Position – Year end forecast variances	Year-end variances of £4.1m overspend have been forecast to date in relation to General Fund net controllable expenditure. Departments are developing actions to mitigate the pressure to offset identified pressures.	
FR&CS 101 Capital Position – Year end forecast variances	The overall expenditure for the approved programme, at year end is projected to be £189m, £89M being reprofiled into future years. The projection consists of General Fund £108m, HRA £76m and Enfield Companies loan drawdown £5m, for 2018/19	
FR&CS 102 Income & Expenditure Position – HRA	The HRA is projecting a £0.027m overspend at year-end outturn against budget.	
FR&CS 103 Income & Expenditure Position – DSG	The DSG is forecasting a £0.848m underspend at year-end outturn against budget. Though this is an improved position the cumulative deficit is £0.639m and therefore overall status remains at Amber.	
FR&CS 104 Cash Investments: Borrowing & Cash Flow	The current profile of cash investments continues to be in accordance with the Council's approved strategy for prioritising security of funds over rate of return.	
FR&CS 105 Balance Sheet – General Fund balances year end projections	The outturn projection for General Fund balances will meet the Council's Medium Term Financial Strategy target based on the use of uncommitted reserves to meet one-off overspends in 2018/19.	
FR&CS 106 Progress to Achieving Savings MTFP (Current Year)	Savings monitoring has identified a total of £10.2m that have been risk rated as undeliverable and a further £7.1m that are at risk of delivery. These are reflected in the reported overspend for December 2018.	

## 2. Good Homes in Well Connected Neighbourhoods

### (a) Planning

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
NI157a BV109a % MAJOR applications determined within target  <b>Major Application; an application for 10 dwellings or more; residential application on sites of 0.5 hectares +; or an application for offices, general industrial, storage, distribution or shops where the floor space exceeds 1000sqm</b>	71.4%	0%	100%	66.7%	62.5%	88%	88%	Oct: 0/1; Nov: 1/1; Dec: 4/6; Q3: 5/8; YTD: 15/21 Due to the small number of major applications, monthly performance can be disproportionately influenced by single decisions. Regular monitoring is undertaken to ensure performance on major applications is maximised. We continue to experience a high turnover of staff at the senior and planning officer level. The combination has placed additional pressures on the service and high caseloads for officers, with consequences for the ability to hit performance targets. Note: The target for 2017/18 was 85% this was increased to 88% for 2018/19 following EMT decision to aim for the London average.
NI157b BV109b % MINOR applications determined within target  <b>Minor Applications: Applications for between 1 and 9 dwellings; a site area of less than 0.5 hectares; floor space to be built is less than 1,000 square meters or where the site area is less than 1 hectare.</b>	81%	78.9%	75.5%	62.2%	72.9%	85%	85%	Oct: 45/57; Nov: 40/53; Dec: 28/47; Q3: 113/155; YTD: 340/489 Note: The target for 2017/18 was 80% this was increased to 85% for 2018/19 following EMT decision to aim for the London average.
NI157c BV109c % OTHER applications determined within target  <b>Other Applications: Householder Developments, Advertisements, Enforcement activity, Regulation 3 and 4 consents</b>	84.9%	77.1%	85.5%	86.1%	82.9%	89%	89%	Oct: 91/118; Nov: 94/110; Dec: 105/122; Q3: 290/350; YTD: 777/980 Note: The target for 2017/18 was 80% this was increased to 85% for 2018/19 following EMT decision to aim for the London average.
ENV247 % 2 year rolling MAJOR applications determined within target	77.3%	81%	81.8%	81.4%	81.4%	86%	86%	48 of 59 major planning applications determined within the last 24 months were processed within 13 weeks. Note: Target increased from 75% in 2017/18 to 86% 2018/19 following EMT decision to aim for the London average. Government threshold target for special measures' for the speed of major development 'is currently 60%.
ENV247a % 2 year rolling MINOR applications determined within target	81.7%	80.4%	80.6%	76.5%	79.9%	85%	85%	1,253 of 1,568 minor applications determined within the last 24 months were processed within 8 weeks. Note: Target increased from 70% in 2017/18 to 85% 2018/19 following EMT decision to aim for the London average.
ENV247b % 2 year rolling MINOR & OTHER applications determined within target	84.1%	83%	83.1%	82.8%	82.8%	85%	85%	3,589 of 4,332 minor and other applications determined within the last 24 months were processed within 8 weeks. Note: Target increased from 70% in 2017/18 to 85% 2018/19 following EMT decision to aim for the London average. Government threshold target for special measures' for the speed of non-major is 70%.
ENV319 # Undetermined applications validated over 6 months ago		N/A			327			Value reflects the position on the last day of the quarter. Includes all applications validated on or after 01/04/2015 to date.

<b>(b) Housing</b>								
Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
NI156i Number of households living in temporary accommodation	3314	3421	3407	3392	3392	3049	3049	A reduction of 32 on the last quarter, and an Increase of 78 on the same period last year. Since April 2018 there have been 573 households moved out of TA, and 914 moved into TA.
AUD FC003 Recovery of Council properties that have been unlawfully used, including those fraudulently obtained, sublet, or abandoned (Council and TA properties)	65	67	76	79	79	75	100	This consisted of 53 council properties and 26 temporary accommodation. 14 up on Q3 in 2017/18 and 36 up on Q3 in 2016/17.
SGB144b Families with children in Bed and Breakfast accommodation for more than 6 weeks, excluding those pending review	8				2	0	0	2 Families in B&B over 6 weeks have since been moved on

<b>(c) Council Homes</b>								
Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
HO002b Council Homes - Current Tenants: Total Arrears	£2,397,298	£2,380,122	£2,335,876	£2,539,461	£2,539,461	£2,550,000	£2,600,000	Target to restrict arrears increase to below £2.6m by March 2019 (increase due to universal credit roll out). Target set for arrears to increase by no more than £16,660 per month
TP150 Contractor monitoring by Council Housing of responsive repairs completed by agreed target date - (YTD)	94.5%	94.1%	93.9%	94.2%	94.2%	98%	98%	Data outturns are inclusive of all term contractor repairs that were raised in April 2018 (and completed by the end of December 2018). A total of 17,359 responsive repairs were completed in time from a total of 18,424 repairs completed.
TP123 Overall satisfaction with repairs service provided by Council Homes	97.7%	98.3%	98.3%	98.4%	98.4%	90%	90%	<b>Percentages displayed in months represent cumulative year to date (YTD):</b> 1852 out of 1883 (98.4%) surveys returned in respect of works orders issued (period April 2018 to December 2018 inc) indicated their satisfaction with the responsive repair service. <b>Monthly Snapshot for December 2018:</b> 99.0% (191 of 193)

### 3. Build our Local Economy to Create a Thriving Place

#### (a) Education & Training

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
SCS117 % of 16-17 year olds not in education, employment or training (NEET) or not known (NK) (new Sept 2016)	7.4%	32.4%	11.2%	6.6%	6.6%	7%		December NEETs in Enfield was 1.2%, which is level with the same period last year. London was 1.6% and England 2.6%. Enfield is showing better results than both. Not Knowns in Enfield was 4.2% and is better than the same period last year Dec at 6.2%. London is 4.2% and England 3.8%. Participation increased year on year to 93.8% from 91.5% last year Total Number of NEET : 101

#### (b) Safeguarding Children

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
LAC18 (PAFCH39) Children looked after (CLA) per 10000 population age under 18	41.7	42.7	43.7	43.1	43.1	60	60	363 CLA as at the end of December- a slight reduction from last month (368). 38 Children with a disability. U18 population 84,211.
NI060A Percentage of C&F Assessments for children's social care that were authorised within 45 working days of their commencement	63.2%	78.1%	76.4%	74.6%	74.6%	80.0%	80.0%	Assessment timescales have reduced in the last quarter due to significant pressures in the assessment service in relation to an increase in the number of cases open across the service which increased to 911 in early November and continued to be 900+ in December. Post-Christmas this number has decreased to 722.  There has been proactive work to address overdue assessments which have steadily reduced from a figure of 294 in mid-December to 149 as of the 25th January 2019. Practice work has also taken place to address high caseloads which now averages between 18-23 children which will support completion of assessments in timescale going forward  Since the 1st April 2018, 2488 out of 3335 completed assessments have been authorised within 45 working days of the assessment start date. The average duration for those authorised was 38.5 days. The percentage of assessments completed by the Social Worker within 35 working days was 57.5%, the November figure was 57.8%; the average duration for completion was 34.9 days (34.6 last month).
NI065 Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time - in the past two years	11.2%	5.9%	6.2%	6.1%	6.1%	8.0%	8.0%	Of the 360 children who became subject to a Child Protection plan during the past 12 months, 31 had been on a previous Child protection plan in the past two years and 51 (14.2%) have had a previous CPP at some point.
SG11 (CS20) No of children on the CP Plan per 10000 children	28.7	32.5	33.2	34.5	34.5	43	43	This indicator counts children who had a previous child protection plan in the past two years. Of the 364 children who became subject to a Child Protection plan during the past 12 months, 22 had been on a previous Child protection plan in the past two years and 52 (14.4%) have had a previous CPP at some point.

**(c) Libraries, Arts & Culture**

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
ENV317 Participation in Council Led Arts Activities		N/A			74,350	66,404	132,808	Millfield Arts Centre, 28,250 Dugdale Centre 15,300 Forty Hall 28,400 Salisbury House 2400 TOTAL 74,350
LM04 Enfield Library Visits	333,374				331,939	300,000	1,200,000	
LM07.021 Enfield Town Library and Community Libraries (Issues & Renewals)	57577				54224	56500	226000	Although performance slightly short of target in Quarter 3. Year to date from start of April 2018 still ahead of target (173,394 issues against target of 169,500 for first three quarters combined)
LM07.022 Edmonton Green Library and Community (Issues & Renewals)	34174				35711	28500	114000	
LM07.023 Palmers Green Library and Community Libraries (Issues & Renewals)	48894				43609	45000	180000	Although performance slightly short of target in Quarter 3. Year to date from start of April 2018 still ahead of target (137,149 issues against target of 135,000 for first three quarters combined)
LM07.024 Ordnance Unity Centre Library and Community Libraries (Issues & Renewals)	15504				16826	16875	67500	Although performance slightly short of target in Quarter 3. Year to date from start of April 2018 still ahead of target (51,189 issues against target of 50,635 for first three quarters combined)

**(d) Physical Activity**

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
ENV318 Satisfaction with Leisure Centre Users					84.17%	76.5%	77%	Target is 77% for the year in monthly increments.
LC001 Sports Development Sessions - Young People Attendances	18,909			9456	21,466	18,000	60,533	An increase of 2,557 on the same time last year
LC002 Sports Development Sessions - Adult Attendances	31,454			14,668	34,797	30,000	47,862	An increase of 3,343 on the same time last year

## 4. Sustain Strong and Healthy Communities

### (a) Adult Social Care

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
PAF-AO/D40s Number of clients reviewed in the year (of clients receiving any long term service)	55.95%	45.75%	50.99%	54.97%	54.97%	60.00%	80.00%	2,371 Reviews completed out of 4,313 LT Service Users (55%). This is broadly consistent with last years performance despite there being an additional 200+ service users over the last 2 years.
NI130s(%LTSs) Percentage of Current Social Care Clients accessing Long Term Support (LTS) who receive Self Directed Support	100%	100%	100%	100%	100%	99.5%	99.5%	100% of clients (2829) were in receipt of a Personal Budget or Direct Payment. Please note that this is taken as a snapshot in time.
NI130s(LTS-DP%) Percentage of current clients with Long Term Support (LTS) receiving a Direct Payment	58.00%	60.96%	61.47%	61.81%	61.81%	61.00%	61.00%	Performance is slightly off target for this measure. However, it should be noted that we are one of the highest performing LAs in the country for this indicator and our target is designed to stretch us further
NI131 (F10) Delayed transfers of care (days): Profile within Each Quarter	1404	477	847	1171	847	930	5570	The annual target of 5,570 represents a 3.75% reduction on last years performance of 5,787
NI131 (F11) Delayed Transfer of Care - Days Delayed (SOCIAL CARE Delays): Profile within Each Quarter	357	101	237	317	317	236	1,416	Although just off target at November, we actually remain on target for our overall DTOC numbers
NI132 BV195 Timeliness of social care assessment (all adults)	84.4%	89.4%	88.2%	88.8%	88.8%	90.0%	90.0%	Performance around this measure has improved since April and we are close to achieving the target
NI135 Carers receiving needs assessment or review and a specific carer's service, or advice and information (Including Carers Centre)	31.90%	25.86%	32.58%	33.64%	33.64%	36.00%	48.00%	Although slightly off target, 33.64% (December 2018), this actually represents an increase on the same period last year, when we were at 31.90% (December 2017).
NI145 Adults with learning disabilities in settled accommodation	81.7%	84.6%	85.0%	85.7%	85.7%	81.0%	81.0%	
NI146(A) Number of adult learning disabled clients receiving LTS in paid employment	132	144	144	144	144	148	150	There is a target to increase this to 150 by March 2019 from a 2017/18 target of 140 and we are confident we will achieve this. From Q2 2017/18 this measure includes professional Support Clients
NI149 % of adults receiving secondary mental health services in settled accommodation (percentage)	83.8%	85.5%	83.6%	84.0%	84.0%	85.0%	85.0%	Adults receiving secondary mental health services in settled accommodation -732, Those who have received secondary mental health services: 871 (84.0%)
NI150 No of Adults receiving secondary mental health services in employment	6.0%	7.1%	6.7%	6.3%	6.3%	6.0%	6.0%	Total number of adults who have received secondary mental health services in paid employment (i.e. those recorded as 'employed') at the time of their most recent assessment/formal review: 55  Total adults who have received secondary mental health services at this point of the financial year: 871 ( <b>6.31%</b> )
PAF-AO/C72 New Admissions to supported permanent Residential and Nursing Care (65+) per 100,000 population over 65	390.7	281.0	335.8	370.1	370.1	377.0	502.6	This figure represents 162 admissions at the end of December against a target of 165 or less. This also compares with 171 admissions at the same period last year.
PAF-AO/C73 New Admissions to Residential and Nursing Care 18-64 (per 100,000 population).	3.90	4.87	5.85	5.85	5.85	4.39	5.85	This represents 12 admissions against a target of 9. It should be noted that the majority of the admissions were for individuals aged 60 or over. (Cumulative target)

<b>(b) Public Health</b>								
Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
DAAT-001 NDTMS Partnership Successful Completion Rate (%) for all Drug users in treatment (aged 18+), excluding alcohol-only users:	17.5%	18.5%			18.5%	20.0%	20.0%	Successful treatment completions over the last two quarters has seen a slight decrease in performance relating to the number of non-opiate patients being discharged from treatment. This has been addressed through quarterly contract review meetings, a detailed action plan has been implemented by the Provider to address the decrease in successful completions across all cohorts as well as to increase numbers into treatment. This included an audit of current patient caseloads from engagement to treatment as well as time in treatment and a full audit of third-party referrals
PH002c New Baby Reviews completed (10-14 days after birth)	98%	98%					92%	Performance remains above the London average. Quarter 2 the most recent data when performance at 98% against target of 92%
PH002o Proportion of Young People exiting treatment in a planned way of all treatment exits	83%	85%					77%	Quarter 2 the most recent data when performance at 85% against target of 77%
PH002r Number of children receiving Fluoride Varnish	3,697				3,145	3,896	5,500	To date 4,564 children have been offered the fluoride varnish. This would suggest the provider is on track to achieve target of 5,500.
PH003h % of Enfield residents' attendance which were at Enfield Sexual Health Clinics	68%	66%						

<b>(c) Waste, Recycling and Cleanliness</b>								
Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
NI191 Residual Waste Per Household (kg)	306.3 kg per h/h Q2 YTD		N/A		320.4kg Q2 YTD	290kg per h/h	580 kg per h/h	<b>Q2 DATA PROVISIONAL - FULL VALIDATION AWAITED</b> (still to be verified by Environment Agency) Q2 data shows 14.1 kg more being collected per household than the same time last year. Q3 data not yet available - provisional data due end April 2019. Q2 position for last 5 years shown below: 2018/19: 320.4 kg (+14.1 kg or 4.6%) 2017/18: 306.3 kg (+1.7 kg or 1.7%) 2016/17: 304.6 kg (-19 kg or -5.9%) 2015/16: 323.6 kg (+7.1 kg or 2.2%) 2014/15: 316.5 kg (+7.9 kg or 2.6%)
NI192 % of household waste sent for reuse, recycling and composting	38.7% Q2 YTD		N/A		36.1% Q2 YTD	40%	40%	<b>Q2 DATA PROVISIONAL - FULL VALIDATION AWAITED</b> (still to be verified by Environment Agency) Q2 data shows 2.6% less household waste being sent for reuse, recycling and composting than the same time last year. Q3 data not yet available - provisional data due end April 2019. Q2 YTD position for last 5 years shown below: 2018/19: 36.1% (-6.7%) 2017/18: 38.7% (-1.5%) 2016/17: 39.3% (+2.3%) 2015/16: 38.4% (-6.8%) 2014/15: 41.2% (zero increase/decrease)
PR002 # of customer reported street scene issues (inc. litter issues, bins, dog fouling, graffiti, leaves/weeds, fly posting, road sweeping)	303	66	144	65	275			<b>275</b> issues reported as at Q3 2018/19 compared to 303 during Q3 2017/18.

(d) Community Safety

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
CS-SSCB009 Burglary - Residential Offences	684	235	272	223	730		2,209	Residential Burglary has increased in Quarter 3 by 6.7%, compared to the same time last year. At the end of September 2018 reports are at the same level as this time last year.
CS-SSCB010 Domestic Abuse Incidents	1,396	440	472	524	1,436		5,840	In Quarter 3 Domestic Abuse Incidents have increased by 2.9% compared to the same time in 2017 after seeing decreases in the first 2 quarters of 2017-18.
CS-SSCB011 Domestic Abuse Violence With Injury Offences	261	82	86	99	267		937	Domestic Abuse Violence with Injury has increased by 3.4% in Quarter 3, compared to the same time last year. The highest number of offences were in December 2018.
CS-SSCB012 Serious Youth Violence	87	20	43	20	83		392	Although Serious Youth Violence is down in the 3rd quarter of the year compared with 2017, the trend overall is up and the full year figures to December 2018 show that SYV has increased by 1.9% and London has experienced a decrease of 5.4% in the same period - year to December 2018.
CS-SSCB013 Anti Social Behaviour Calls	2,178	970	786	541	2,297		9,086	Anti social Behaviour calls increased for the first time in 2017-18 by 5.5% in Quarter 3 compared to the same time last year. This was the first increase of the year 2017/18.
CS-SSCB014 Hate Crime Overall Total	95	47	54	25	126		471	Hate crime offences increased for the first time in 2017-18 by 35.5% in Quarter 3 compared to the same time last year. This may have been affected by the Hate Crime Week in October 2018 which could have encouraged more hate crime reports.
CS-SSCB015 Non Domestic Abuse Violence with Injury Offences	453	126	151	111	388		1,661	
CS-SSCB016 Violence against the Person Offences	2,001	715	763	722	2,200		7,798	Violence Against the Person offences (includes non-violent injury offences such as Harassment) have increased by 9.8% in Quarter 3, compared to the same time last year. Following the same pattern in 2017 offences were highest in October, November and December 2018 after a peak in July.
SGB500 Number of knife crime offences YTD		37	61	39	137			
SGB501 Number of knife possession offences YTD		20	15	14	49			Knife possession offences have increased for the first time in 2017-18 so far by 25.6% in Quarter 3, an increase of 10 offences compared to the same time last year.
YOU NI 043.2 Number of Young People sentenced at Court that are given a Custodial sentence in the Month	5	1	3	1	5		36	10% represents 1 Custodial Sentences in the month of December 2018 from 10 sentences.



## 5. Communicate with You

### (a) Customer Experience

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
CE 007 Customer Satisfaction: Webchat	81.0%	84.0%	83.0%	81.0%	84.0%	80.0%	80.0%	Improvements in Performance up from Q2 78%
GWH 002 Gateway Telephones - Answer Rate	87.47%	89.33%	89.15%	90.37%	89.62%	88%	88%	Improvements in Performance up from Q2 86%
GWH 003 Gateway Telephones - Average Wait Time	00h 02m 35s	00h 02m 50s	00h 03m 04s	00h 02m 27s	00h 02m 47s	00h 03m 00s		Average wait times have reduced between Q2 and Q3 by 1 minute Q2 3 mins 40 sec
GWH 014b Customer Services: % of Calls Answered Within 5 Minutes	92.9%	95.4%	90.7%	89.9%	89.9%	97%	97%	We have the ongoing factors: - Attrition resulting in low staffing figures - No back filling of vacancies – as we are restructuring - Cross training in preparation for Scale 5 restructuring.

### (b) Corporate Measures

#### (a) Complaints, MEQs, FOIs

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
COMP 01a All Departments - Complaints closed within 10 days	60.16%		N/A		62.81%	92%	92%	Improvements in Performance up from Q2 55.95% Quarter 3: 76 of 121 (62.8%) inside target for all Departments YTD: 168/282 (59.6%) total does not complaints recorded under statutory scheme for Children's Services and Adult Social Care
FOI 01a All Departments - FOIs answered within 20 days	65.04%		N/A		79.22%	100%	100%	Improvements in Performance up from Q2 63.47% Q3: 305 of 385 (79.2%) inside timescale for all Departments YTD: 782/ 1111 (70.4%)
MEQ 01a All Departments - MEQs closed within 8 days	71.68%		N/A		80.31%	95%	95%	Improvements in Performance up from Q2 65.88% Quarter 3: 1,309 of 1,630 (80.3%) inside target for all Departments YTD: 3482/4707 (74%)

**(b) Sickness Absence**

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
BV012a Average Sick Days - Council Staff (rolling 4 quarters)	8.90				9.07	7.96	7.96	Analysis has been undertaken to provide greater understanding and intelligence around sickness absence. This will also assist with the development of future strategies to reduce sickness absence
BV012b Average Sick Days: SHORT TERM ABSENCE - Council Staff (rolling 4 quarters)	3.25				3.35	2.80	2.80	
BV012c Average Sick Days: LONG TERM ABSENCE - Council Staff (rolling 4 quarters)	5.65				5.76	5.16	5.16	
HR0008a Average Sick Days per FTE - Chief Executive's	1.50	1.00	0.31	0.53	1.84	1.98	7.96	
HR0008bb Average Sick Days per FTE - Resources		0.70	0.76	0.64	2.10	1.98	7.96	
HR0008cc Average Sick Days per FTE - People		0.67	0.75	0.56	1.98	1.98	7.96	
HR0008dd Average Sick Days per FTE - Place		0.92	1.32	0.85	3.09	1.98	7.96	Monthly target: 0.66. Value and target for Place reflect YTD from May 2018 when new departmental structure was introduced.

**(c) Payment of Council Invoices**

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
INV004 Invoices Council Overall: Invoices Paid within 30 days		93.9%	95.24%	95.91%	94.97%	95%	95%	Quarter 3: 16,029 of 16,878 inside target (95%) Year to Date: 52189/54901 (95.1%)
INV004 CEX CEX Group: Invoices Paid within 30 days		90.12%	98.1%	92.55%	93.48%	95%	95%	Quarter 3: 459 of 491 inside target (93.5%) Year to Date: 1290/1379 (93.6%)
INV004 PEOP People Group: Invoices Paid within 30 days		94.18%	95.37%	96.23%	95.24%	95%	95%	Quarter 3: 11,268 of 11,831 inside target (95.2%) Year to Date: 35708/37506 (95.2%)
INV004 PLACE Place Group: Invoices Paid within 30 days		89.7%	92.4%	94.4%	92%	95%	95%	Quarter 3: 2,080 of 2,262 inside target (92%) Year to Date: 6828/7381 (92.5%)
INV004 RES Resources Group: Invoices Paid within 30 days		97.05%	96.91%	96.46%	96.86%	95%	95%	Quarter 3: 2,222 of 2,294 inside target (96.9%) Year to Date: 8363/8635 (96.9%)

## 6. Work with You

### Borough Information

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
PH003v NHS Indicator - A&E Attendance: % where less than 4 hours from arrival to admission, transfer or discharge			N/A		87.3%			Quarter 3 2018/19 : 87.3% (40,463 attendance seen within 4 hours; 46,374 attendances)
RLCPI 0012 Employment rate in Enfield - working age Population	68.9%		N/A		68.7% Q2		73.0%	68.7% is the latest figure available and covers the period to Sept 2018 for those aged 16-64. Employment rate for London - 74.5%. The unemployment rate for Enfield is 5.9% compared to 5.1% for London

## 7. Work Smartly For You

### [a] Council Tax and Business Rates

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
BV009 % of Council Tax collected (in year collection) Combined	81.68%	64.45%	73.17%	81.71%	81.71%	81.68%	95.00%	End of December collection rate 81.71% 125,557,676 collected / 153,664,540 net debit). Current target of 81.68% represents actual collection rate at December 2017
BV010 % of Business Rates collected (in year collection)	83.39%	65.41%	74.3%	83.71%	83.71%	83.39%	98.9%	End December 2018 collection rate 83.71% (£103,161,614 collected / £123,240,923 net debit). Current target of 83.39% represents actual collection rate at Dec'17

### [b] Benefits Processing & Support

Indicator	Q3 2017/18	Oct 2018	Nov 2018	Dec 2018	Q3 2018/19		Annual Target 2018/19	Notes
	Value	Value	Value	Value	Value	Target		
BV079b(i) % of Housing Benefit Overpayments recovered.	76.81%	87.28%	87.04%	83.77%	83.77%	80.00%	80.00%	December 2018: £5,326,571 recovered of £6,358,877 overpayments identified (83.8%).
FCRCP32 Processing New claims - Housing Benefit (average calendar days - cumulative)	22.76	23.14	22.86	22.53	22.53	23	23	7608 new Claims 194959 days Average 25.63
FCRCP33 Processing Times for Benefit Change in Circumstances (average number of calendar days) Cumulative YTD	4.79	6.47	6.6	6.68	6.68	7	7	01.04.18 - 31.12.18: 63,978 new Claims 427,344 days Average 6.68

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**Appendix 2**

**Performance Review: Planning Application Profile: Major, Minor and Others**

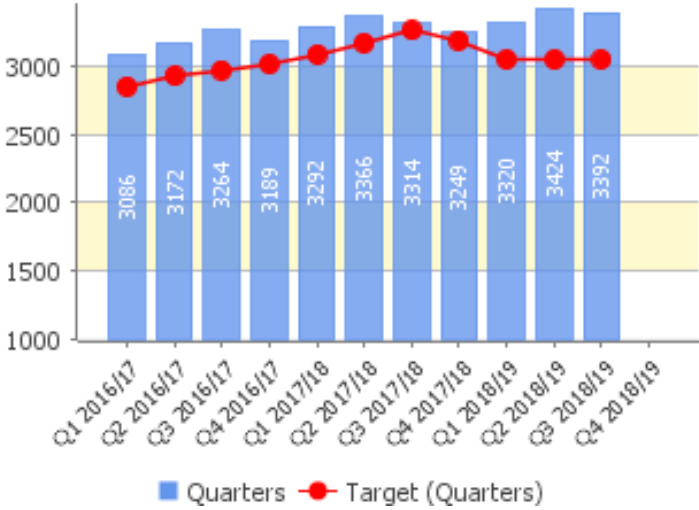
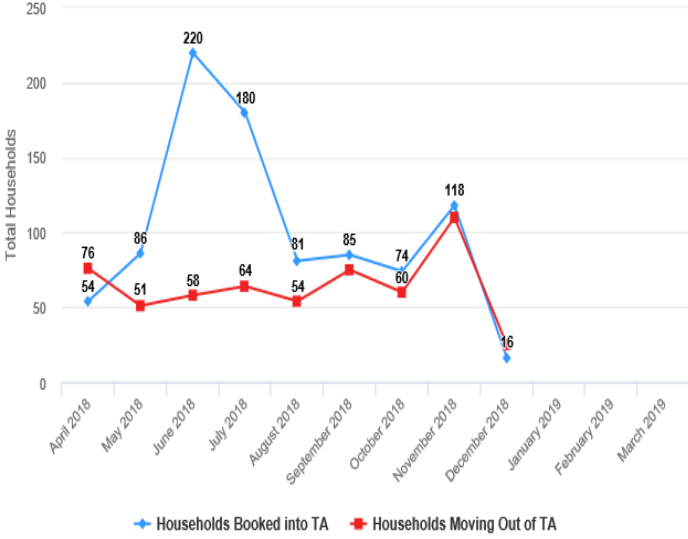
Generated on 07 March 2019



Three Year Trend	Action Plan																																							
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	<p>management to deliver more efficient use of resources and ensure office time is focused on processing of planning applications. Includes revamp duty officers service, availability of duty phone, improved web content</p> <ul style="list-style-type: none"><li>• Further work being undertaken to review Benchmarking data and to understand trend and Enfield position against our statistical neighbours.</li></ul> <p><b>Definitions;</b></p> <p><b>Major Application;</b> an application for 10 dwellings or more; residential application on sites of 0.5 hectares +; or an application for offices, general industrial, storage, distribution or shops where the floor space exceeds 1000sqm</p> <p><b>Minor Applications:</b> Applications for between 1 and 9 dwellings; a site area of less than 0.5 hectares; floor space to be built is less than 1,000 square meters or where the site area is less than 1 hectare.</p> <p><b>Other Applications:</b> Householder Developments, Advertisements, Enforcement activity, Regulation 3 and 4 consents</p>
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**Performance Review: Homelessness**  
**Lead Director: Executive Director Place**

Three Year Trend	Action Plan																																																																														
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The Number of households living in TA is up 78 on the same period last year, with demand for temporary accommodation in the borough continuing. Since April 2018 we successfully moved out of TA 573 households, but in the same period 914 households have moved into TA placing a continual pressure on the service. 48% of the new tenants are from Lone parent families with children. 75% of tenants have at least one child under 17 Of the 573 that have moved out of TA, 44% were due to cessation of duty, 21% due to home finders and 31% Social Housing lets with 3% moving to Housing Gateway. In the first quarter of this financial year Enfield recorded the 2<sup>nd</sup> highest number of Homelessness approaches in London at 852, behind Southwark (991). The London average during this period was around 387, the England average was 179.</p> <p data-bbox="847 927 1497 1055">The main reason for loss of home recorded at the initial approach stage was due to termination of short-term tenancy (40%), followed by Family or Friends being no longer willing or able to accommodate (29%).</p> <p data-bbox="847 1061 1497 1503">The biggest proportion of homeless approaches in Enfield shows people coming from the ‘private rented’ sector. This accounts for nearly half of all cases of homelessness. Landlords and agents are evicting low income and benefit dependent private tenants because they want guaranteed rents. The challenges of Universal Credit, tenancy checks and Tax Reforms including a reduction in mortgage interest relief are causing landlords to withdraw from the market or move into the less risky Nightly Paid Temporary Accommodation market. Enfield is competing with other London boroughs placing homeless households in the borough who are offering higher financial incentives for securing private lets to prevent homelessness or use as TA.</p> <p data-bbox="847 1532 1497 1653">One of the challenges is that the new statutory HCLIC data return does not effectively capture all prevention data and work is ongoing across London to establish a process to collect this.</p> <p data-bbox="847 1682 1059 1711"><b>Positive outcomes:</b></p> <ul data-bbox="847 1718 1497 2063" style="list-style-type: none"> <li>• 304 priority need households prevented from going into TA through tenancy sustainment, mediation and advocacy between April – Dec 2018.</li> <li>• Another 233 priority need households were recorded as delayed from going into TA for between 1 week - 5 months.</li> <li>• 211 Homefinder Private Rented Scheme tenancies set up for preventing homelessness and the use of nightly paid accommodation between April – Dec 2018.</li> <li>• 168 households moved from TA since April 2019 through the ‘Move on’ to PRS project</li> </ul>
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- 16 households moved into Housing Gateway properties
  - 67 Households moved into refurbished Decant properties used as private lets since November 2018.
- Next steps and Additional Plans for Reducing the Use of TA towards our long term aim of its eradication**
- Undertaking wider research in partnership with a Think Tank to be appointed. This will surface the specific issues that affect us in Enfield in relation to other boroughs and allow us to come up with policy recommendations including influencing for change in practice for example through the GLA, LGA etc. We anticipate having the conclusions from this research at the beginning of July. This research will be informed by our own intelligence.
  - Understanding and building on the Housing Gateway model of delivery.
  - Continue to train the new staff and develop competencies in preventing homelessness leading to 100 extra preventions per annum.
  - Successful £750K Private Sector Access funding for rent in advance and deposits – 250 to 300 Move-On/Preventions as per grant conditions
  - Fast Track Homefinder applications where applicants have found their own affordable private sector homes - 120 extra preventions pa
  - Strengthen interventions for defending possession proceedings and court-based representations schemes – 70 extra preventions pa
  - Strengthen partnership work with partners, including Enfield CAB, Children’s Services and landlords to help reduce demand for homelessness and prevention services including 50 extra preventions pa.



**Performance Review: Complaints, FOI's and MEQ's**

**Lead Director: Director of Law and Governance**

Three Year Trend	Action Plan																											
<p><b>All Departments - Complaints closed within 10 days</b></p> <table border="1"> <caption>All Departments - Complaints closed within 10 days</caption> <thead> <tr> <th>Quarter</th> <th>Actual (%)</th> <th>Target (%)</th> </tr> </thead> <tbody> <tr><td>Q1 2017/18</td><td>70%</td><td>90%</td></tr> <tr><td>Q2 2017/18</td><td>54.74%</td><td>90%</td></tr> <tr><td>Q3 2017/18</td><td>60.16%</td><td>90%</td></tr> <tr><td>Q4 2017/18</td><td>62.83%</td><td>90%</td></tr> <tr><td>Q1 2018/19</td><td>58.44%</td><td>90%</td></tr> <tr><td>Q2 2018/19</td><td>55.95%</td><td>90%</td></tr> <tr><td>Q3 2018/19</td><td>62.81%</td><td>90%</td></tr> <tr><td>Q4 2018/19</td><td>62.81%</td><td>90%</td></tr> </tbody> </table>	Quarter	Actual (%)	Target (%)	Q1 2017/18	70%	90%	Q2 2017/18	54.74%	90%	Q3 2017/18	60.16%	90%	Q4 2017/18	62.83%	90%	Q1 2018/19	58.44%	90%	Q2 2018/19	55.95%	90%	Q3 2018/19	62.81%	90%	Q4 2018/19	62.81%	90%	<p>Targets are monitored weekly with departments. The escalation process that was introduced highlights to Senior Officers areas where action needs to be taken urgently. Regular liaison with departments has increased, all of which have resulted in a positive improvement in performance. Processes will continue to be reviewed and improved to ensure the system works well.</p> <ul style="list-style-type: none"> <li>Work is ongoing with Depts to encourage the use of Power BI Live Dashboard, which will help to highlight cases that are approaching deadlines. This will allow remedial action to be undertaken to support improvements in performance and bring back on target by Q4.</li> </ul>
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	Q1			Q2			Q3		
<b>Formal Complaints (Excludes pre-complaints and final stage)</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>
Chief Executive	7	6	85.7	4	2	50.0	3	3	100.0
Council Housing	21	9	42.9	27	4	14.8	34	13	38.2
Resources	23	12	52.1	24	18	75.0	33	27	81.8
People (Corporate)	7	7	100.0	5	4	80.0	2	1	50.0
People (Statutory Adult social care)	12	12	100.0	19	19	100.0	9	9	100.0
People (Statutory Children social care)	10	10	100.0	9	8	88.9	7	6	85.7
Place	12	8	66.7	24	19	79.2	36	25	69.4
Coordinated	7	3	42.9	0			13	7	53.8
<b>TOTAL for all complaints</b>	<b>99</b>	<b>67</b>	<b>67.7</b>	<b>112</b>	<b>74</b>	<b>66.1</b>	<b>137</b>	<b>91</b>	<b>66.4</b>
	Q1			Q2			Q3		
<b>FOIs</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>
Chief Executive	38	30	78.9	28	22	78.6	33	30	90.9
Council Housing	19	14	73.7	12	5	41.7	17	15	88.2
Resources	74	45	60.8	96	54	56.3	69	45	65.2
People	59	40	67.8	69	37	53.6	77	56	72.7
Place	81	63	77.8	125	105	84.0	130	122	93.8
Coordinated	69	40	58.0	56	22	39.3	59	37	62.7
<b>Total for all FOIs</b>	<b>340</b>	<b>232</b>	<b>68.2</b>	<b>386</b>	<b>245</b>	<b>63.5</b>	<b>385</b>	<b>305</b>	<b>79.2</b>

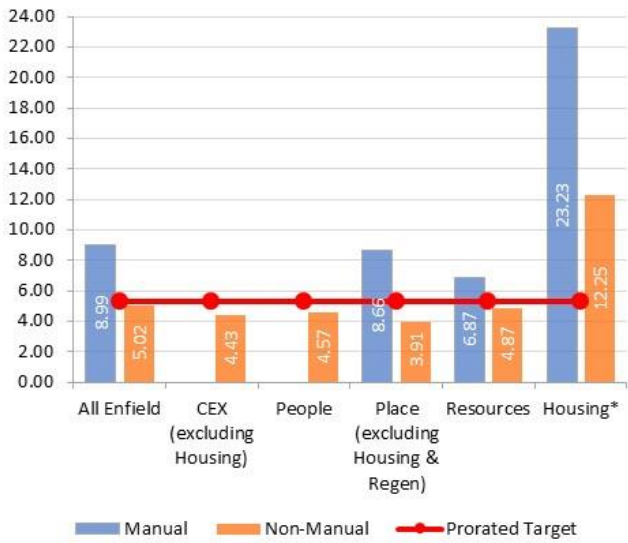
	Q1			Q2			Q3		
<b>MEQs</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>	<b>Total</b>	<b>In Time</b>	<b>%</b>
Chief Executive	80	73	91.2	54	36	66.7	58	46	79.3
Council Housing	153	113	73.9	239	75	31.4	134	63	47.0
Resources	290	202	69.7	293	207	70.6	251	186	74.1
People	50	28	56.0	51	35	68.6	57	44	77.2
Place	753	662	87.9	706	595	84.3	954	843	88.4
Coordinated	227	16	40.1	181	56	30.9	176	127	72.3
<b>Total for all MEQs</b>	<b>1553</b>	<b>1094</b>	<b>70.4</b>	<b>1524</b>	<b>1004</b>	<b>65.9</b>	<b>1630</b>	<b>1309</b>	<b>80.3</b>

## Performance Review: Sickness Absence

	Improvement Plan																																																																																																
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It should be noted however that it is difficult to make direct correlation to other Local Authorities sickness data due to differing in- sources and outsourcing of services. The following activities are taking place to address these areas of underperformance and improve levels of sickness by the end of the year.</p> </div> <div data-bbox="837 663 1505 909"> <p>HR are currently undertaking a review of the sickness absence strategy; which will balance employee welfare with service delivery needs, this was presented to EMT who agreed to re-establish sickness management boards for each department and requested a proposal to support mental health and wellbeing.</p> </div> <ul data-bbox="837 949 1505 1832" style="list-style-type: none"> <li>• Analysis has been undertaken to provide greater understanding and intelligence around sickness absence. This will also assist with the development of future strategies to reduce sickness absence.</li> <li>• A breakdown on manual/non-manual workers has been produced for 18/19 year to date. For all Departments (excluding the Housing services), the sickness levels for non-manual workers are within target, whilst the sickness levels for manual workers exceed target. Housing has significantly high levels of sickness absence for both non-manual and manual workers and resources are being targeted on this area.</li> <li>• HR are continuing to routinely review long term sickness cases and are working with managers to ensure the case is proactively managed.</li> <li>• Sickness absence boards have been set up for each department to review trends within each department and service and ensure sickness absence is being proactively managed.</li> </ul>
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**Improvement Plan**

Average Sick Days: Manual and Non-Manual Staff by Department (May to December 2018)



\* From November 2018 Housing moved to Place and was renamed Housing & Regeneration - now includes Housing, People Assessment and Housing Development & Estate Renewal

- Services with high levels of sickness absence are being targeted for additional support including additional 'Managing Absence & Attendance' training sessions and support to manage sickness absence cases.
- Additional promotion is on-going for the Council's Counselling and Physio service to support staff and managers.
- Annual flu vaccinations provided and proactively promoted.
- Work is being done to identify additional support and guidance for staff suffering with mental health, anxiety and depression. Training has been provided (and is on-going) to support managers in this area.

**MUNICIPAL YEAR 2018/2019 REPORT NO. 212**

**MEETING TITLE AND DATE:**

**Cabinet – 24 April 2019**

**REPORT OF:**

Executive Director Place

Director of Housing and  
Regeneration

<b>Agenda – Part: 1</b>	<b>Item: 5</b>
<b>Subject: Custom Build Programme in Enfield – Sites Disposal</b>	
<b>Wards: All</b>	
<b>Key Decision No:4613</b>	
<b>Cabinet Member consulted: Cllr Lemonides – Cabinet Member for Housing Cllr Caliskan – Leader of the Council</b>	

Contact officer and telephone number:

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Cidi Greenaway; ext. 8296; email [cidi.greenaway@enfield.gov.uk](mailto:cidi.greenaway@enfield.gov.uk)

**1. EXECUTIVE SUMMARY**

- 1.1 The proposed Enfield Custom Build Homes Scheme is a pilot scheme funded by the GLA which enables the development of difficult garage and car parking sites into homes that can be self-finished by local first-time buyers at a market discount.
- 1.2 Through the scheme the Council partners with a non-for-profit developer to assemble and sell land for homes, pending planning obtained by the developer.
- 1.3 An innovative approach to new housing, the scheme will help unlock the opportunity of homeownership to residents who are currently locked out of the market, and that want an active involvement in the design and specification of their home.
- 1.4 This report seeks approval to the disposal of the sites identified for the delivery of the Custom Build Homes Scheme in Enfield. Disposal of these sites was approved in 2016 (KD4200), as part of the Small Sites Housing Programme (KD3920).
- 1.5 A new cabinet approval is required to agree a change from a leasehold model to a full sale model, as a result of a change in government policy since the original model was proposed.

## **2. RECOMMENDATIONS**

- 2.1. The disposal of the sites listed in this report on a freehold basis to Naked House Community Builders (CIC); based on affordable housing site valuations; with appropriate agreements and restrictive covenants to enable affordable custom build development of the sites.
- 2.2. Delegate to the Director of Housing and Regeneration, in consultation with the Cabinet member for Housing, the authority to add or adjust the list of sites for participation in the scheme.
- 2.3. Appropriation of the sites agreed with Naked House for Planning purposes, subject to the Developer entering into an indemnity to cover the Council's costs.
- 2.4. Delegate authority to the Director of Law and Governance to seek the Secretary of State's consent for the disposal of the sites.
- 2.5. Delegate authority to the Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing, to finalise the eligibility policy for Custom Build Homes which aligns with the Council's Draft Intermediate Housing Policy.
- 2.6. Delegate to the Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing; and the Director of Law and Governance, authority to finalise the commercial terms including the final disposal price to enable the disposals to be completed.

## **3. BACKGROUND**

- 3.1 In June 2016, a Cabinet report (KD 4200) approved the original mechanism set out for the delivery of this pilot scheme. The report proposed the use of long leases to enable the Council to receive an income stream from ground rents charged on the leases.
- 3.2 In December 2017, the Government announced its intention to ban ground rents for both flats and houses; and to ban the sale of leasehold houses. The Cabinet is consequently, being asked to dispose of the sites by transferring the freehold to a non-for-profit developer, Naked House Community Builders with the value of the sites restricted to enable the development of affordable housing making the final housing product affordable for purchasers.
- 3.3 The purchaser would in turn buy either a 250-year sub-lease (for a flat) or freehold (for a house), with restrictive covenants from Naked House as detailed in the Heads of Terms, attached at appendix 1, in Part 2.

- 3.4 The structure of the transaction is as detailed in the Heads of Terms (appendix 1, Part 2).
- 3.5 Naked House shall sell completed units to Enfield residents and people working in Enfield in accordance with the Council's Draft Intermediate Housing Policy.
- 3.6 In the main Naked House will build houses, but there will be a small number of flats if viable on one of the sites; in a range of 1-3 beds units.

#### Wider Planning and Political Context

- 3.7 The Self-build and Custom Housebuilding Act 2015 placed a requirement on local authorities to keep a register of individuals and associations who are seeking to acquire serviced plots of land in the authority's area.<sup>1</sup>
- 3.8 The Housing and Planning Act 2016 introduced the 'Right to Build' with effect from 31 October 2016. From 1 April 2016, Local Authorities in England are required to keep a register of aspiring self and custom-build developers to help Councils plan for future housing and land use.

#### Local Context - Increasing housing supply on Council owned land

- 3.9 Enfield's 2018 corporate plan sets out a goal to increase the supply of affordable housing in the borough.
- 3.10 Officers have been exploring means of bringing forward housing development to boost the supply of homes on some of the smaller sites in the borough, that have been declared surplus assets, without Council investment, or having to increase the in-house resource.
- 3.11 The Council has also joined the GLA funded Local Self Build Register, a pan-London register that has been set up to support the process of communication between self-builders and local authorities, so that accurate data on self-build demand can feed into local policies and projects. As of 31<sup>st</sup> October 2017, there were 210 individuals and 4 groups on the Council's Custom Build and Self-Build register.
- 3.12 KD 4200 approved a recommended strategy and mechanism for enabling the development of affordable custom build & self-build housing in Enfield on smaller scale Council owned sites. In taking a proactive role, the Council sets an example to other public landowners in bringing forward underutilised land to increase the supply of new housing while increasing the diversity of housing products.

#### Local Context Building Affordable Homes for Local Residents

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<sup>1</sup> A 'serviced plot of land' means a plot that has access to a public highway and connections for electricity, water and waste water

- 3.13 Custom build is an additional source of new housing supply which can provide attractive, good quality and affordable housing.
- 3.14 A large proportion of young people in London are locked out of home ownership due to an affordability crisis, while there is also a niche market for a housing product which allows greater flexibility for residents in determining the internal layout and specification. The custom build product is a more affordable, bespoke home ownership product aimed at first time buyers.
- 3.15 The proposed Enfield custom build scheme is developer-led with self-finishing options given to the purchaser. Rather than the much more internally specified living spaces that are provided in most new build developments, this more basic product will drive down costs for prospective homeowners and give residents far greater choice and creative freedom, in the internal fit out and specification of their home, which they can do in their own time, as and when they can afford it.
- 3.16 Furthermore, the homes will be sold at a discount to a market price and be affordable to local residents to purchase. The scheme aims to sell the homes at approximately 70% of market value, so that buyers will pay no more than one third of their household income on the mortgage.
- 3.17 This will be enshrined in the Project Agreement and Land Covenant as already is in Naked House's funding agreement with the GLA. Table 1 shows a worked example on affordability for a 1 – 2 bed property. A couple with a combined income of £60k can afford a 3-bed property at a discounted price of £310,000 representing 70% of the open market value.

Table 1. Indicative worked examples on affordability

Unit size	Unit Open Market Value	Naked House Discounted Sale Price	Sale Price as % of OMV	Target Salary Range	Housing costs as a % of Gross Salary
58 SQM N21	£ 287,000	£ 225,000	78%	£36,000 - £45,000	29%
58 SQM EN3	£ 260,000	£ 206,000	79%	£35,000 - £40,000	29%

#### Selection of Naked House

- 3.18 The partnership between Enfield Council and Naked House began in 2015, when Naked House was approached by LBE officials to collaborate on a joint entry between Enfield Council, Naked House Community Builders (CIC), and Pitman Tozer Architects into the New London Architecture National Competition in October 2015.
- 3.19 Naked House was selected by the GLA for the delivery of Custom Build homes in Enfield based on their submission 'Making More with Less: Unlocking Leftover Land for Generation Rent', which was named as one of ten winners; and their subsequent proposal, presented to the GLA at City Hall on 30th November 2015.
- 3.20 The GLA also supported Naked House with funding agreed in principle.



- 3.21 Because of the strong GLA support, Naked House was placed in the unique position of being the only organisation that could deliver this pilot scheme. There are currently no other providers and funders in the market for this pilot scheme.
- 3.22 The sites under consideration are currently held within the HRA. The legal implications of the transaction with Naked House is provided at paragraph 6.2.

#### Structure of the Transaction

- 3.23 The finalisation of the Heads of Terms for the Project Agreement in respect of the first tranche (Numbers 1 – 6 in Table 2) of the Freehold disposal terms are being asked to be delegated to Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing; and the Director of Law and Governance.
- 3.24 Each site and the nature of the development will be considered on its merits. A draft Heads of Terms is attached at Appendix 1 (part 2).

#### Site Values

- 3.25 The Council's External Valuers "Savills" have been instructed to carry out valuations for the sites and their indicative valuations for each of the sites are set out at Appendix 1(part 2). The proposal is to dispose of the sites based on affordable housing site values. For the purposes of comparison, they have also produced open market site values assuming the sites were to be disposed of for private housing rather than affordable housing.
- 3.26 Savills will carry out a further final valuation on the basis of affordable housing site values on the date the planning permission is granted, and the relevant judicial review period expired (the **Valuation Date**), taking into account discount sale values and targeted local incomes. The consideration to be payable within 10 working days of the earlier of the sale of the last completed unit upon the relevant site or by the long stop date of the Project Agreement (i.e. 4 years), whichever is earlier.
- 3.27 The proposal is that the parties enter into an Agreement which is conditional on funding, planning, title, land appropriation and vacant possession at nil consideration. Naked House will draw down an adequate number of sites (up to a maximum of 7 sites for the first tranche), to enable them to deliver the required minimum of 22 units (a condition attached to their GLA grant); subject to satisfaction of the conditions.
- 3.28 Once a site has been selected for draw down and the conditions have been satisfied within a 2-year period (subject to a long stop date extendable in the event of delays in the planning and design process) the Council will transfer the Freehold to Naked House. The Council may terminate the Project Agreement at any time if Naked House either becomes insolvent or commit a substantial

breach of the Project Agreement obligations which either cannot be rectified or is not rectified within a reasonable time following notice from the Council.

- 3.29 The terms are subject to contract, and other Council approvals, sites being agreed with Naked House and subject to advice on best consideration and state aid.

Proposed sites to be developed and criteria for further sites

- 3.30 KD 4200 identified and authorised the inclusion of a number of sites. The report identified that there were many smaller scale sites particularly in the east of the borough which due to their relative size and the associated costs/benefits in developing them, are not economical for the Council to deliver through the Small Housing Sites Programme;<sup>2</sup> and in any case would not be an efficient use of resources due to the level of work involved or financial constraints.
- 3.31 Table 2 below list the sites identified for disposal under the custom build scheme, as approved by KD4200.

<b>Table 2: Schedule of initial sites for Custom Build (subject to due diligence &amp; feasibility).</b>		
	<b>Site Address</b>	<b>Postcode</b>
1	Ingersoll Road Garages (1-16)	EN3 5PU
2	Clarence Road Garages (73-107) and land.	EN3 4BL
3	Kennedy Avenue Garages (1-20)	N3 4PB
4	The Brightside Garages & Car Park (former Garages 1-14, and Garages 14-19)	EN3 5DY
5	Berkeley Gardens Garages (1-23)	N21 2PD
6	Bowood Road Garages (1-22)	EN3 7LL
7	The Sunny Road Garages (1-7)	EN3 5EF
8	Ordnance Road Garages (1-26)	EN3 6BN
9	Raynton Road Garages (1-14)	EN3 6BP

<sup>2</sup> The small housing sites programme is a pipeline of sites mainly dilapidated and underused garages and car parks; and infill sites, on HRA land which have the potential for contributing to the housing supply with the aim of maximising affordable housing across the programme through cross subsidy from private sale homes. The sites are being delivered in phases/tranches to take into account resource constraints.

10	Ferndale Road Garages	EN3 6DH
11	Ramney Drive Garages	EN3 6DU
12	Ashton Road Garages (26-30)	EN3 6DG
13	Land at Redlands Road & Leys Road West	EN3 5HW
14	Chiltern Dene Garages (1-10)	EN2 7HH
15	Stoneleigh Avenue Garages (10-11)	EN1 4HU
16	Ingersoll Road Garages (1-16)	EN3 5PU

- 3.38 Further due diligence will be undertaken by the Developer on these sites and any subsequent sites that are identified and included in the programme. The majority of the sites that are proposed to be included are garage sites which the Council owns and is able to terminate license agreements to ensure vacant possession.<sup>3</sup>

#### Project Agreement

- 3.39 The Developer will initially sign the Project Agreement. Under the Project Agreement the transfer of the freehold of the land will be conditional on funding, planning and title, land appropriation and vacant possession. The Council's role will be to assist with land appropriation and obtaining vacant possession but not funding or planning or development costs.
- 3.40 The Developer would take on the role of managing the registers/eligibility and assisting the persons and groups with all of the planning, design and development work and liaison with prospective custom build homeowners through to completion of the homes.
- 3.41 The costs of professional fees and engagement will be met by the Developer and individuals and groups that take up the offer of a custom-build opportunity. The scheme presents the Council with minimal financial obligation.
- 3.42 The Council however will need to use its powers to facilitate the development of these sites, for example where there are access rights, restrictive covenants or parcels of unregistered land, by the appropriation of the land.
- 3.43 The performance of the Developer and the project will be carefully monitored by the Council, working closely with the GLA, who are the main Lender on the project.

#### Eligibility for custom-build homes

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<sup>3</sup> 16 sites have listed on the table for ease of swapping where third party issues cannot be resolved or are too expensive to resolve.

- 3.44 A draft eligibility and selection criteria that prioritises Enfield residents and people working in Enfield has been developed. This report is asking Cabinet to delegate authority to the Director of Housing and Regeneration, in consultation with the Cabinet Member for Housing, to finalise the eligibility policy for Custom Build Homes which aligns with the Council's Intermediate Housing Strategy.

#### **4. ALTERNATIVE OPTIONS CONSIDERED**

##### Do nothing

- 4.1. This option has been considered and discounted. It is now a legal requirement to maintain a register for custom build and self-build opportunities. There is currently a demand for self-build and custom build housing with over 200 applicants on the register as at September 2018. This scheme offers the Council and interested residents a genuine alternative affordable housing product.
- 4.2. Furthermore, the Council can no longer retain or maintain these underutilised and untidy garage sites in the Borough.

##### Disposal of the sites at full market value on the open market

- 4.3. This option has been considered. The Council's External Registered Valuers have estimated the likely market value of the capital receipts from disposal of these sites. Whilst the value of the capital receipts is reasonable for private housing, it will not deliver the Council's custom build affordable housing objectives for these sites.

##### Direct Development of the sites for new housing by the Council

- 4.4. Council as direct developer of these sites has been considered. However, given the relative level of risk and return on investment for these sites, they are not considered to be economically viable considering the number of other sites which are coming forward as part of Phase 2 of Small Housing Sites Programme.

##### Work with Housing Gateway or Enfield Innovations to deliver the scheme

- 4.5. This option was considered but it was identified that both organisations do not have the expertise for delivering affordable custom build homes. The rationale for the option recommended is to provide an affordable new build housing offer at discounted market sale; to increase the diversity of housing products available and to deliver an option that had strong GLA support. Naked House was selected by the GLA and comes with in principle GLA funding and support.

##### Bring the sites back into use as garages or parking areas

- 4.6. This option has been considered and discounted given the acute need for additional affordable homes in the borough. Also, the refurbishment or new build of garages; or the creation of parking areas will not bring sufficient income to the Council.

## 5. REASONS FOR RECOMMENDATIONS

- 5.1 To meet the requirements of the National Planning Policy Framework which requires local authorities to identify suitable opportunities for both custom build and self-build.
- 5.2 To meet the requirements of the Housing and Planning Act 2016 which introduced the 'Right to Build' with effect from 31 October 2016.
- 5.3 As mentioned in paragraph 3.14, a large proportion of young people in the borough are locked out of home ownership due to an affordability crisis. In addition, there is a niche market for a housing product which allows greater flexibility for residents in determining the internal layout and specification of their homes.
- 5.4 The proposed scheme will provide additional affordable home. It will help unlock the opportunity of homeownership to residents which are currently locked out of the market, and a demographic that wants an active involvement in the design and specification of their home.
- 5.5 The scheme has the potential to support local employment; contribute to skills development for the custom build homeowners; increase the diversity of housing products available; with minimal financial costs to the Council.
- 5.6 Above all, the scheme will deliver the most efficient use of the identified sites, representing best value and;
- 5.7 has a strong GLA support who are the main funders.

### Indicative Timeline

Event	Indicative date
Cabinet Approval	April 2019
Sign Project Agreement	July 2019
Due Diligence and Land Transaction	September 2019

## 6. COMMENTS FROM OTHER DEPARTMENTS

### 6.1 Financial Implications

See Part 2

### 6.2 Legal Implications

- 6.2.1 The Self-build and Custom Housebuilding Act places a duty on certain public authorities (including London Boroughs) to keep registers of individuals and associations of individuals who wish to acquire serviced plots of land in order to bring forward self-build and custom housebuilding projects. A “serviced” plot of land in this context means one which will satisfy specified requirements about utilities and other matters. Councils must publicise the registers and have regard to them in carrying out their planning and other functions and when disposing of any land.
- 6.2.2 Where the Council procures works, supplies or services in connection with the proposals contained in this Report (for example, the selection of the Developer), it must comply with UK/EU procurement legislation where applicable, and the Council’s Contract Procedure Rules. On the face of it, the contracts to be entered into by the Council will be freeholds, which are interests in land, and should therefore, fall outside the Procurement Regulations 2015 (“the Regulations”), provided that there is no positive obligation on the developer to build out. The final transfers which are developed from the broad Heads of Terms, must maintain the ability to fall into the category of ‘interests in land’ under the Regulations, and it would be prudent therefore to check this is still so when the final draft of the transfers are produced.
- 6.2.3 When compiling and operating the registers, the Council must be guided in all its actions by the principles of equal treatment, transparency and non-discrimination - which in the event of any challenge to its admissions to the register, and/or operation of the register, should then enable it to present a suitable defence to any such challenge. In addition, all legal agreements must be in a form approved by the Director of Law and Governance.
- 6.2.4 The Council has powers to appropriate land for planning purposes if the land is no longer required for the purpose for which it is currently held. In reaching this decision, the Council must consider the public need within the area for the existing use. In this instance, the land is currently held for housing purposes but is now required for development for planning purposes.
- 6.2.5 Section 203 of the Housing and Planning Act 2016 allows works to be carried out on land appropriated for planning purposes as long as those works are in accordance with planning permission, even though those works may interfere with an interest or right affecting the land or involve a breach of a restriction on the use of the land. Compensation is payable where loss is suffered as a result of interference with any such rights.
- 6.2.6 Section 233 Town and Country Planning Act 1990 requires land which has been appropriated for planning purposes to be sold with consideration which is the best to be reasonably obtained. Otherwise consent of the Secretary of State is required. The covering circular to the LGA general consent at paragraph 13 makes it clear that the general consent does not extend to disposals of land under section 233 and therefore it will be necessary to approach the Secretary of State in order to obtain an individual consent. Given the enthusiasm for improving the supply of housing in London, this should not be problematic.

### **6.3 Property Implications**

- 6.3.1 The Council will need to obtain statutory consent for disposal and also appropriate the sites in order to mitigate third-party issues and reduce the risk of not being able to develop on the sites.
- 6.3.2 The proposal to dispose of the sites is to be tied to a planning consent that will determine the proposed size and tenure mix to be delivered on each of the sites for “affordable custom build housing”. A re-valuation of the sites will be carried on the date the planning permission is granted.
- 6.3.3 The proposal will enable the delivery of the affordable custom housing units by way of a freehold disposal to Naked House Community Builders (CIC), on the basis of covenants that ensure they remain as affordable housing.
- 6.3.4 In order to ensure that the units developed on the sites are affordable, and remain affordable housing, covenants to this effect will be included in the sale. Consequently, the affordable housing site disposals values are estimated to be in the region of 40% to 60% below the market value compared to the open market values, as advised by the External Registered Valuers (Savills), subject to their final valuation report, and capital receipts will not be receivable until the units are sold to purchasers.
- 6.3.5 To ensure delivery of the custom build affordable housing element a Project Agreement will need to be completed with the developer before transfer of the sites. Performance of the developer will be carefully monitored under the agreement.

## 7. KEY RISKS

Key Risk	Action to Mitigate
Risk of project failure	<p>Naked House has qualified and experienced staff with the ability to manage the proposed scheme. Key persons to the success of the project include:</p> <ul style="list-style-type: none"> <li>• Two full-time Directors to oversee the scheme</li> <li>• One full time Project Manager</li> <li>• Naked House has contracted independent consultants with high level expertise to conduct other aspects of the project including:</li> <li>• An Employers Agent to manage the contract with the chosen contractor and to undertake QS and clerk of works roles</li> <li>• A team of legal, Finance, Risk Management and Business advisors</li> </ul> <p>There will be funder step-in rights in the event of default. The freehold transfer of each Site will contain buy back provisions in favour of the Council giving the Council the right (subject to funder step-in rights) to require Naked House to transfer the freehold back to the Council at nil consideration if a) Naked</p>

	House has not commenced works on site within 6 months following completion of the transfer or b) construct the units within 2 years of completion of the transfer, subject to extension. The buy back rights will fall away once the units upon each Site reach practical completion and the Council has been provided with a practical completion certificate in respect of the same.
Risk to Council Asset	Under the proposed Heads of Terms, the Council will only transfer the freehold interest in each Site to Naked House when all the conditions under the Project Agreement, applicable to that Site have been satisfied. Each Site transfer will include a restrictive covenant to use the land only for the provision of affordable housing and associated ancillary uses.
Site Risk	Naked House will carry out site surveys, ground reports, environmental reports and similar items; and if a site is discovered to be contaminated, the consideration agreed upon will be adjusted to take into account the cost of decontaminating the site. The Council will use reasonable endeavours to satisfy the vacant possession/land appropriation condition for each Site.
Market Risk	The scheme is about providing housing for local people. It is led by demand rather than profit. The Council already has 210 individuals and groups on its Custom and Self Build Register. The target market is already available and growing.
Finance Risk	The GLA Finance department and housing and land team have reviewed Naked House's model, accounts and business plan. They have assessed their financial commercial standing, in order for them to become a GLA Investment Partner and are satisfied that the funding is appropriate. The GLA are the majority funder for this project and are confident that the funding package put in place with the other lenders will complement the freehold arrangements between Naked House and LBE to ensure the project is delivered.
Planning Risk	Under the Project Agreement, the transfer of the freehold of each Site will be conditional on funding, planning and title, land appropriation and vacant possession.
Project Agreement Management Risk	The contract with the developer will include robust performance management arrangements to ensure that the development is delivered according to the agreed standards and timescales. LBE officers will manage the Project Agreement through monthly performance management meetings with Naked House.



## **8. IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

### **8.1 Good homes in well-connected neighbourhoods**

The Council's Housing vision is to increase the supply of well-managed, good quality and affordable homes; promote housing choices; and build strong neighbourhoods. Housing continues to be both a great cause and manifestation of inequality as London is gripped by an affordability crisis. Enabling the development of otherwise redundant or underutilised sites and putting in place a process to enable development for custom and self-build households at discounted market sale can help unlock the opportunity of homeownership to a demographic which is currently locked out of the market, and a demographic that wants an active involvement in the design and specification of their home as aforementioned.

### **8.2 Sustain strong and healthy communities**

The proposal seeks to listen to the needs of people who want to have more control in the design and specification of their new custom build homes. The capacity to bring some diversity to the design, delivery, governance and ongoing stewardship of a place, is increased, contributing to a stronger community

### **8.3 Build our local economy to create a thriving place**

The proposal seeks to bring economic improvement to underutilised sites in the borough, which can generate revenue for the Council, while providing employment opportunities during construction. In terms of creating a thriving place, custom build and self-finishing projects can benefit sustainable development due to the capacity of 'early adopters' to build new intentional communities that puts social and environmental values at the heart of the project. Through self-finishing, there is the capacity of these 'early adopters' to bring about a critical mass of sustainable behaviours and patterns of consumption to achieve lifestyles with lower environmental impact, thus creating a thriving community.

## **9. EQUALITIES IMPACT IMPLICATIONS**

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report on Site Disposal. However, it should be noted that projects or work stream deriving from this may be subject to a separate Equalities Impact Assessment i.e. the allocations process of the new homes. Therefore, any projects or work stream will be assessed independently on its need to undertake an EQIA to ensure that the council meets the Public Sector Duty of the Equality Act 2010.

## **10. PERFORMANCE AND DATA IMPLICATIONS**

The contract with the developer includes robust performance management arrangements to ensure that the development is delivered according to the agreed standards and timescales.

**11. HEALTH AND SAFETY IMPLICATIONS**

The Council through its development partner will ensure that the development of the sites, in particular construction work is carried out in compliance with the relevant Health and Safety and CDM regulations.

**12. HR IMPLICATIONS**

There are no notable HR implications arising from this report.

**13. PUBLIC HEALTH IMPLICATIONS**

Housing is a fundamental determinant of health. Good quality homes are associated with higher life expectancies and better health. All of the homes will be designed, and the developer will work with the homeowners to ensure compliance with Building Regulations.

**Background Papers:**

Cabinet Report – KD 4200 (previously published)

Cabinet Report – KD 3920 (previously published)

**Appendices:**

Appendix 1 – Summary of Naked House’s Offer & Heads of Terms (attached in Part 2)

**MUNICIPAL YEAR 2018/2019 REPORT NO. 213****MEETING TITLE AND DATE:**

Cabinet 24th April 2019

**REPORT OF:**

Executive Director Place

Contact officer and telephone number:

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E mail: [peter.george@enfield.gov.uk](mailto:peter.george@enfield.gov.uk)**Agenda – Part: 1****Item: 6****Subject: Meridian Water – Meridian One Developer Procurement****Wards: Upper Edmonton  
Key Decision No: 4864****Cabinet Member consulted: Cllr Nesil Caliskan****1. EXECUTIVE SUMMARY**

- 1.1 Following the withdrawal of Barratts and PCPD as Meridian Water master developer in October 2017 and July 2018 respectively, the Council considered its approach to Meridian Water.
- 1.2 On 25<sup>th</sup> July 2018 Cabinet made the decision to bring forward three early sites from the Meridian Water project for development (KD4033). The first of these three sites is Phase 1 at Willoughby Lane (known as Meridian One) which already has the benefit of an outline planning consent for 725 residential units and where substantial remediation and enabling works have been carried out. Cabinet approved the procurement of developers to deliver Meridian One using the London Development Panel (“LDP2 Framework”).
- 1.3 As such, a procurement process to secure a development partner to develop the site was launched on 27<sup>th</sup> September 2018. The process as set out by the LDP2 Framework has been diligently followed.
- 1.4 The project team has been robustly supported and advised by the Council’s procurement and in-house legal teams as well as the Council’s external professional team including Trowers and Hamlins (legal), Lambert Smith Hampton (commercial and property) and Ernst and Young (finance). Stace have also assisted with cost, programme, project management and construction risk advice.
- 1.5 Four bidders were selected to go through to the detailed mini-competition stage and the final bids have been evaluated and scored by the Council’s evaluation panel.
- 1.6 The results of this evaluation are detailed in this report and a recommendation is made to Cabinet to enter into a Development Agreement with the highest scoring bidder to develop the site in accordance with the terms of the procurement.

**1. EXECUTIVE SUMMARY...continued**

- 1.7 The development agreement will result in a minimum of 725 homes being completed by 2025. The development agreement allows the bidder to submit a planning application for part of the site to increase the number of homes.
- 1.8 Bidders were asked to make four offers incorporating two different levels of affordable housing with and without the Council retaining 75 affordable rent units from within the scheme at nil cost. The responses are detailed here and a recommendation given as to which option of housing mix is accepted.
- 1.9 How Bidder A develops the site and organise their team is important to the Council and so they will be expected to comply with the Construction Charter.
- 1.10 The tender documentation requires the successful bidder to use Energetik to supply all heat requirements.
- 1.11 In order to discharge the Remediation Works Condition the Council must relocate the existing gas Pressure Reducing Station and IP gas Main. This report details the options for this and recommends the subsequent purchase of the National Grid land on which the existing Pressure Reducing Station sits.

**2. RECOMMENDATIONS**

Cabinet is recommended to:

- 2.1 Approve the selection of Bidder A as the Preferred Developer and authorise the Programme Director – Meridian Water (in consultation with the Director - Law and Governance and the Director - Finance) to enter in to a Development Agreement and ancillary documents for Meridian One.
- 2.2 Prior to signing the Development Agreement authorise the Executive Director of Place (in consultation with the Director - Law and Governance and the Director - Finance) as far as is permitted to enter into discussions with Bidder A to secure up to 50% affordable housing with the Council retaining at least 75 affordable rented units on the site.
- 2.3 That at the conclusion of the discussions referred to above, authority is delegated to the Leader (in consultation with the Executive Director - Place, the Director - Law and Governance and the Director - Finance) to confirm the level of affordable housing for inclusion in the Development Agreement which must fall within a range of 35%-50% in addition to the Council retaining at least 75 affordable rented units.
- 2.4 Subject to the above negotiations being concluded and valuation advice being finalised to delegate authority to: -
  - 2.4.1 The Cabinet Member for Finance to approve the valuation of the retained affordable rented units to be appropriated to the Housing Revenue Account and the necessary accounting adjustments between the General Fund and the Housing Revenue Account ; and
  - 2.4.2 The Cabinet Member for Housing to approve the appropriation of the retained affordable rented units to the Housing Revenue Account.

**2. RECOMMENDATIONS...continued**

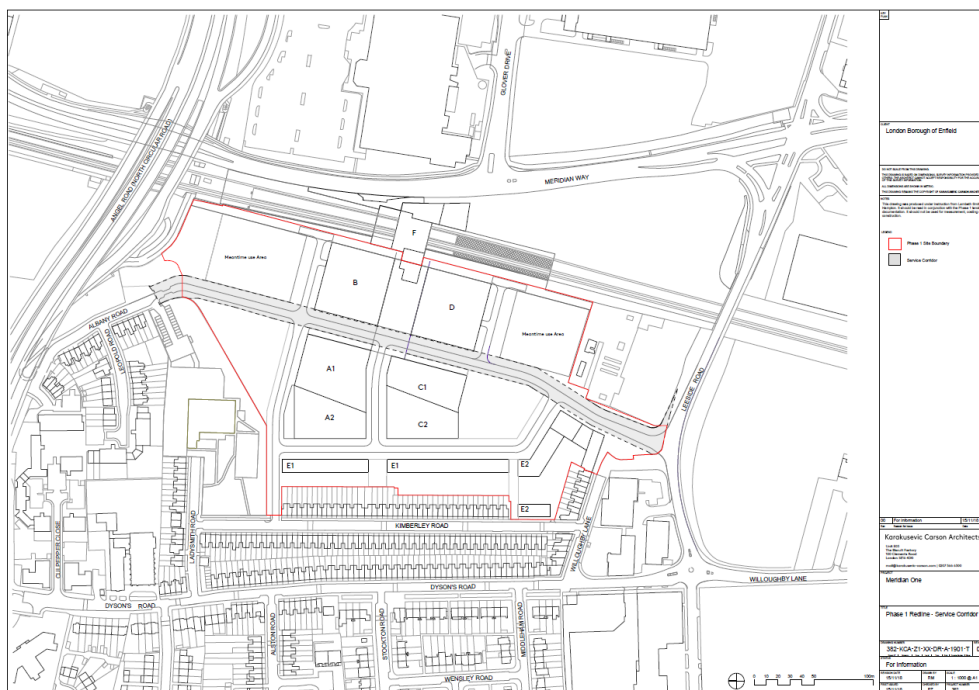
- 2.5 Approve the addition, subject to the agreement of the Preferred Developer, of an option in the Development Agreement for the Council to buy-back any remaining unsold residential units prior to the Developer marketing them overseas which they are only permitted to do 12 months after the completion of the homes.
- 2.6 In the event that the Developer discharges the Planning Condition but the Council fails to discharge any of its Conditions Precedent by the long stop date, and the Development Agreement is consequently terminated, approve the payment by the Council to the Developer a fair value for the intellectual property rights of any work conducted by the developer related to the reserved matters planning consent.
- 2.7 Approve the Council underwriting any potential Carbon Off-Setting costs under the terms of any planning consent for all future phases as detailed in this report until such time as Energetik connects to the low-carbon supply.
- 2.8 Delegate authority to the Executive Director of Place, in consultation with the Director of Law and Governance, to enter into a purchase agreement for the Pressure Reduction Station (PRS) land from National Grid on the terms set out in this report subject to a satisfactory Red Book valuation and business case.

### 3. BACKGROUND

#### 3.1 Developer Procurement Process

##### 3.1.1 GLA LDP2 Framework

3.1.2 On 25<sup>th</sup> July 2018 Cabinet approved the procurement of a developer to deliver Meridian One at Willoughby Lane via the GLA's LDP2 Framework which was launched in September 2018. Meridian One has been the first scheme to use the LDP2 Framework and this has continued to strengthen the relationship between LB Enfield and the GLA.



*Meridian One location and boundary*

3.1.3 The LDP2 Framework contains 29 panel members and requires those using the LDP2 Framework to follow a strict process set out by the GLA and use a specific set of documentation including a form of development agreement and headlease. Whilst some amendments to these documents are acceptable in order to reflect the specifics of each scheme, material or wholesale changes to the structure cannot be made as the LDP2 Framework has already been procured on the basis of these terms.

3.1.4 The Council's legal team and their external legal advisors, Trowers and Hamlins, reviewed the suite of documents and confirmed that they were suitable for this procurement with some project specific amendments.

### **3.2 Launch, EOI and Sifting Brief responses**

- 3.2.1 A launch event was held at the offices of Lambert Smith Hampton on 27th September 2018. As required by the LDP2 Framework, all panel members were invited and around 100 people attended representing 24 potential bidders.
- 3.2.2 The Expression of Interest invitation was sent out, again to all bidders as required. A total of 17 panel members responded positively expressing interest in being part of the process.
- 3.2.3 Again, as required by the LDP2 Framework process, the Sifting Brief was sent out to all 17 panel members who expressed an interest. This was sent on 10th October 2018 with responses requested by 26th October. A Sifting Brief is backwards-looking, asking potential bidders to detail relevant experience and track record. It also requires financial information from the panel members to ensure they are sufficiently robust to undertake the project. This allows the Council's bid team to select a short list of panel members who will be taken forward to the mini-competition stage. The Sifting Brief for Meridian One stated that four bidders would be taken forward to the next stage.
- 3.2.4 The Council received 10 Sifting Brief responses and a panel of evaluators carried out a robust scoring exercise, supported by the Council's professional team including Lambert Smith Hampton, Ernst and Young and Trowers and Hamblins. The four highest scoring bidders were selected from the 10 responses to go forward to the next stage.

### **3.3 Selection of short list and mini-competition process**

- 3.3.1 The four organisations invited to bid in the mini competition stage are referred to in this Part 1 report as:
- Bidder A
  - Bidder B
  - Bidder C
  - Bidder D
- 3.3.2 All bidders who responded to the Sifting Brief were informed of the results on 19th November and the full ITT package was sent out to the shortlisted bidders on 23rd November followed by four individual bidder briefing sessions held on 26th November at the offices of Lambert Smith Hampton.
- 3.3.3 The ITT package included:
- The ITT document itself
  - A legal pack including the development agreement, building lease, head lease and Energetik documents

- A Developer's Brief including technical information about the site, details of the planning consent and the Place Brief

3.3.4 Bidders were initially given 10 weeks to respond, including the two-week Christmas period. However, this was extended for a further two weeks such that bids were to be submitted on 15th February 2019.

3.3.5 During the bid period a series of bidder clarification meetings were offered to each bidder as follows:

- 2 x legal and financial clarification meetings, 1 in December and 1 in January
- 2 x quality and design clarification meetings, 1 in December and 1 in January

3.3.6 All bidders attended all meetings except Bidder C who attended only 1 legal and financial meeting and 1 quality and design meeting.

3.3.7 The Council's team noted all clarification questions raised at these meetings and maintained a clarification schedule where written responses were provided and issued to bidders. Bidders were also invited to submit other written clarifications through the London Tenders Portal, and these were added to the schedule and the responses issued to bidders.

3.3.8 Bids were to be submitted via the London Tenders Portal by 5pm on Friday 15th February 2019. The portal closed at this time so that no late bids could be accepted.

3.3.9 All four bids were submitted before the deadline.

### **3.4 Scoring and Evaluation**

3.4.1 Each bid was initially checked for compliance with the Pass/Fail Criteria which were:

- 1) Meeting the stated Scheme Requirements –
  - provision of a minimum of 300 residential homes in Phase 1a
  - provision of at least 25% affordable housing (by unit)
  - provision of retail, community and leisure units of 2,300 sqm within the scheme to be built by the Developer and passed back to the Council at nil cost with the benefit of a collateral warranty
  - completion by the Developer of site infrastructure works including roads, cycle-ways and footpaths, utility works above and below ground, surface water drainage works, public open space and children's play areas



- provision of and maintenance by the Developer of a tree nursery in accordance with the detailed specification available in the Place Brief
- provision by the Developer of temporary landscaping for Phase 1b during development of Phase 1a
- completion by the Developer of off-site highways works and the ecological corridor works as defined in the existing planning permission

## 2) Meeting the stated Minimum Design Requirements –

Residential	No social or affordable rented housing to be provided at a storey level no higher than the 8 <sup>th</sup> floor with no more than 50 units off an entrance
	All residential units are to comply with Lifetime Homes
	Unit sizes should meet as a minimum the space standards in the London Housing Design Guide
	10% of all new units must be wheelchair accessible
	No more than 10% of north facing units to be single aspect on each and every site which is subject to a detailed planning/reserve matter application
	A minimum of 80% of ground floor non-residential uses to have no less than 4.5m high ceiling heights (inclusive of servicing) on each and every site which is subject to a detailed planning/reserve matter application
	No ground floor residential homes to have floor to ceiling heights of less than 2.8m (excluding servicing)
	The majority of single aspect units to be 1 bed apartments and/or studios
	Affordable housing and private housing to be built to achieve a tenure blind approach
Design, place-making and construction detail	A minimum of 200 new trees inclusive of 60% semi- mature, excluding tree nursery
	All planning applications to be prepared in partnership with the Council
	Inclusion of a water feature (i.e. fountain, pond, water rill)
Environmental sustainability	All residential units are to achieve a minimum of Level 4 of the Code for Sustainable Homes (or equivalent to)
	Connects all buildings to the Lee Valley Heat Network, in compliance with the Project Technical Specification, as soon as the Network is operational
	Integrates cycle lanes into the development

## 3) Agreeing the Overseas Marketing Restriction –

- Overseas marketing will be restricted until 12 months following practical completion of each phase

- 3.4.2 Any submission which failed on any of these criteria would not be assessed. All four bids passed these criteria and were therefore put through to the formal evaluation process.
- 3.4.3 Bids were then evaluated in accordance with the evaluation criteria set out in the tender documents, i.e. quality (40%), affordable housing offer (15%), financial offer (40%) and legal (5%) (see below for more detail;).
- 3.4.4 Evaluators were chosen for each question based on their expertise in relation to the matter in question and were assisted by reports prepared by the Council's external advisers.
- 3.4.5 Evaluators scored bids individually and then individual scores for each question were moderated with oversight from officers from Procurement and Legal Services and advisers from Trowers & Hamlin LLP.
- 3.4.6 Bidders' scores from each section were then combined to give a total score for each bidder out of 100. Under the terms of the procurement process, only the Bidder with the highest score can be selected for award of the contract. If the Council does not want to select the highest scoring Bidder, then it must terminate the procurement process without selecting any Bidder.
- 3.4.7 The Council reserved the right to reject and exclude from further consideration any tender submission which scored less than:
- 6 out of 12 against any criterion within the Quality section
  - 7 out of 12 against any criterion within the 'Robustness of Business Plan and Financial Assumptions' areas; and/or
  - 5 out of 12 in the Legal section
- 3.4.8 This allowed the Council to reject a bid with a wholly unsuitable element which could not be accepted and removed the risk that such a bid might be strong in all other aspects therefore mathematically producing the highest score and forcing the Council to either accept it or terminate the entire procurement process.
- 3.4.9 The scoring weightings were as follows:

**Quality Section – 40% of total score**

<b>Criteria</b>	<b>Weighting</b>
<b>Design</b>	
Deliver the development to achieve 'park life on your doorstep' Place	15%
Deliver the development to achieve 'your place to make and create'	15%
Deliver the development to achieve 'mixing uses – animating streets'	15%
<b>Marketing</b>	
Acceptance of restriction on overseas marketing until twelve months after PC of each phase	Pass/Fail
Marketing strategy, indicating how it will target and maximise the chances of local (Enfield) residents to acquire units, optimising sales/lettings receipts and absorption rates. To cover both Market sale and any Build to	15%
<b>Project Management and Programme</b>	
<b>Project Management</b> Method statement clearly identifying the key roles and responsibilities of the project consultancy team and explaining how the project will be managed from commencement to completion of the development works.	5%
<b>Programme</b> Pre-construction, construction and expected sales/lettings programmes including key milestone and longstop dates, timescales, the critical path and preferred approach to phasing	10%
<b>Risk Management</b>	
Identifying the main risks in each of the key phases of the project. Detailing the risk owner and clearly describing the mitigating action.	5%
<b>Social Value &amp; Community</b>	
Benefit to local residents, supporting the Council's commitment to promote the economic, social and environmental well-being of the community. Confirming commitment to an Employment and Skills Strategy; explaining how social value and diversity will be promoted	10%
<b>Estate Management</b>	
<ul style="list-style-type: none"> <li>• effective and consistent management service provided</li> <li>• levels of service charge</li> <li>• charging structure ensures fair proportion of service charge between occupiers</li> </ul>	10%
<b>Total</b>	<b>100%</b>

**Affordable Housing Offer – 15% of total score**

Criteria	Scoring Mechanism
<p>Affordable housing provision as part of Option 3 in relation to quantum and tenure split.</p> <p>The number of both shared ownership and affordable rent units should each be at least the number within the Option 1 bid.</p>	<p>Bidder Score =</p> <p>[Number of Bidder's Affordable or Social Rented Units] x 2</p> <p>+</p> <p>[Number of Bidder's Intermediate Units]</p> <p>The proposal which generates the highest score will gain the maximum points (100%). All other bids will be adjusted pro rata.</p> <p>For example, if the highest bidder's score is 616 then a bidder who scores 437 will score <math>100 \div 616 * 437 = 70.94\%</math></p>

**Financial Offer – 40% of total score**

Criteria	Scoring Mechanism	Weighting
<b>Financial Offer</b>		
<p><b>Option 1</b> 25% affordable housing by unit and in accordance with the terms of the planning permission</p> <p><b>Option 2</b> As above but the 75 Affordable Rented units are delivered back to the Council at nil cost</p> <p><b>Option 3</b> Minimum affordable housing of 35% and a maximum of 50%, each by unit. The number of shared ownership and of affordable rented units each to be at least the number included within Option 1</p> <p><b>Option 4</b> As above but the 75 Affordable Rented units required under the existing Section 106 agreement are delivered back to the Council at nil cost</p>	<p><b>The land premium offered for Options 1 and 3 only is evaluated as follows.</b></p> <p>1. For Option 1, the Bid which generates the highest net land premium will score the maximum points weighting. All other bids will be adjusted pro rata.</p> <p>Score = [Bidder's land premium ÷ Highest land premium] x 42.5%.</p> <p>2. For Option 3, the Bid which generates the highest net land premium will score the maximum points weighting. All other bids will be adjusted pro rata.</p> <p>Score = [Bidder's land premium ÷ Highest land premium] x 42.5%.</p> <p>Scores for Option 1 and Option 3 will be added together to produce the final score in this section for each Bidder</p>	85%
<b>Robustness of Business Plan and Financial Assumptions</b>		
<p>Provision of development appraisal to support the land premium offer for each Option, clearly stating all assumptions and inputs / outputs including supporting market and cost commentary and cost plan.</p> <p>Phase 1a block layout floor plans clearly defining the unit layouts and proposed affordable housing configuration.</p> <p>Proposals in connection with the identification of an RP (if appropriate) and how best value will be assured.</p>		5%
Finance Proposal showing the proposed source of external finance and the split of internal and external finance.		10%
<b>Total</b>		100%

**Legal – 5% of total score**

Criteria	Weighting
<b>Acceptability of proposed amendments to legal documentation</b>	
<p>Marked-up Development Agreement identifying in full all amendments required.</p> <p>The assessment will consider:</p> <ul style="list-style-type: none"> <li>• the extent to which the proposals depart from the draft legal documentation;</li> <li>• the extent to which the proposals transfer risk to the Council;</li> <li>• the extent to which the proposals are detrimental to the Council;</li> <li>• the extent to which the proposal balances the allocation of risk to the Council with the Council's potential reward;</li> <li>• whether the draft legal documentation is consistent with the technical, financial and commercial proposals.</li> </ul>	100%

3.4.10 The scoring therefore rated each bidder according to the totality of their bid including a weighted score for their Option 1 and Option 3 land values. The scoring therefore selected a winning bidder but did not force a decision as to which of the four Options the Council should choose from that bidder.

3.4.11 Cabinet is therefore approving selection of a Preferred Developer with whom to work and this Preferred Developer can only be the winning bidder who scored the highest as described above. If Cabinet does not decide to select this bidder, then the only other option open to it is to terminate the procurement process with no Preferred Developer selected.

3.4.12 If Cabinet does decide to select the winning bidder as Preferred Developer, then a second decision must be made as to which Option offered by that bidder is to be progressed.

### **3.5 Results**

3.5.1 The results of the evaluation were as follows, in final ranking order:

<b>Bidder</b>	<b>Total (100%)</b>
Bidder A	81.2%
Bidder B	63.6%
Bidder C	42.8%
Bidder D	36.3%

- 3.5.2 Recommendation for Selection of Preferred Developer
- 3.5.3 As shown above, Bidder A has comfortably scored the highest of all four bidders. Not only were their financial offers for all Options significantly higher than any other bidder, they also scored the highest in the Quality, Financial Robustness and Legal sections.
- 3.5.4 The full extent of their offer to the Council for each of the four options is detailed in the Part 2 report.
- 3.5.5 In all Options, the offer also includes:
- 835sqm of ground floor retail space (or workspace if the Council chooses to change the planning use class on completion) to shell and core specification
  - 750sqm of leisure space to shell and core specification
  - 600sqm of community space to shell and core specification
  - At least 200 trees in two tree nurseries on-site
  - Connection to Energetik
  - A mix of tenures including 213 build to rent
- 3.5.6 The Council also has the right to approve the reserved matters application before it can be submitted by the Developer to the Planning Authority.
- 3.5.7 The Council has the further right to approve the Developer's Registered Provider partner prior to it being appointed, such approval specifically taking into account its management KPIs and any requirements as to the terms of any disposal to it.
- 3.5.8 Bidder A made limited amendments to the legal documentation and scored highest in terms of the impact of the amendments made – i.e. their amendments transferred the least risk and were the least detrimental to the Council of all bidders.
- 3.5.9 Trowers & Hamlins LLP provided a summary of the main changes to the development documents proposed by Bidder A. Evaluators did not consider that the proposed amendments transferred significant risk to the Council.
- 3.5.10 Further discussion on some of these items may however be advantageous prior to signing the Development Agreement and the Council will be advised by both Trowers and Hamlins and the Council's in-house legal team to ensure the best terms possible are achieved and that any such discussions are in line with what is permissible under the LDP2 Framework.
- 3.5.11 It is therefore recommended that Cabinet approve the selection of Bidder A to be the Council's development partner to deliver Meridian One as described and detailed in their tender submission document.

### **3.6 Summary of Qualitative Offer**

3.6.1 A summary of the Preferred Developer's offer in the Quality section is included at Appendix A.

### **3.7 Choice of Option**

3.7.1 Bidder A has made four offers to the Council, all of which it has confirmed are open for acceptance.

3.7.2 As required, Option 1 is based on only the minimum planning requirements of at least 25% affordable housing by unit and 35% by habitable room. Bidder A states that the reason for the slightly higher number of affordable units in their offer is that this is the minimum required to meet all the unit mix requirements under the existing S106 agreement and also deliver 35% affordable habitable rooms.

3.7.3 As the Council wishes to maximise the delivery of affordable housing and the land price offer for this option is less than that offered for Option 3 it would not appear to be in the Council's interests to choose this option.

3.7.4 The remaining decision, therefore, is between Option 3 and Option 4 – i.e. both providing the higher 35% affordable units and 40.8% affordable habitable rooms.

3.7.5 Officers have worked with the Council's professional advisors and the Council's own Finance team to assess the pros and cons of choosing Option 4 such that 75 of the affordable rented units are transferred back to the Council on completion at nil cost and these can be found in the part 2 report.

3.7.6 Bidders were invited to submit an Option 3 comprising between 35% and 50% affordable housing by unit. Bidder A and Bidder C both submitted an Option 3 based on 35% while Bidder B and Bidder D each submitted an Option 3 based on 50%. Following the receipt of all bids, both Bidder A and Bidder C were asked to provide an indicative land price for 50% affordable housing by unit. Under the terms of the procurement process this offer could not be scored, however it was requested out of interest as the Council is interested in maximising the delivery of Affordable Housing where possible.

3.7.7 Bidder A responded to the request and the details can be found in the Part 2 report. Once appointed as Preferred Developer, it would be possible for the Council to discuss the options for accepting this offer with Bidder A.

3.7.8 An assessment of the affordability of the shared ownership units offered by Bidder A can be found in Appendix 1 of the Part 2 report.



### **3.8 Next Steps**

- 3.8.1 Completion of Development Agreement with Preferred Developer
- 3.8.2 If Cabinet approve the selection of Bidder A as Preferred Developer then the next step is to sign the Development Agreement and all ancillary documents and for Bidder A to commence work on the reserved matters application.
- 3.8.3 Bidder A has submitted marked up legal documents for which they have Board approval to enter into, without any further negotiation, subject to sign off of the issues identified in the following paragraphs.
- 3.8.4 The development agreement will need to govern the agreed level of affordable housing, the council retaining affordable rented homes and the arrangements for Bidder A pursuing an alternative planning application to increase the number of homes on site.

### **3.9 Other Steps for the Council**

- 3.9.1 As well as completing the Development Agreement, the Council has a number of other decisions which need to be taken over the course of the next few months as follows:
- How to spend the Community Chest contribution received from the developer
  - Its asset management and lettings strategy for the ground floor non-residential units which are being provided back to the Council as detailed above
  - Its strategy for best use of the Community Centre and leisure facilities which are being provided back to the Council as detailed above. It is intended that this will include a health centre
  - Various approvals are required from the Council in connection with the Development Agreement, such as approval of the reserved matters application

- 3.9.2 Officers will be working with the Council's professional team on these actions and, where appropriate, will bring recommendations back to Members.

### **3.10 Conditions Precedent**

- 3.10.1 The Development Agreement includes four Conditions Precedent which must be discharged prior to the agreement going unconditional.
- 3.10.2 One of these, the Planning Condition, is the developer's responsibility and requires it to gain full reserved matters approval for the whole scheme in line with the existing outline consent.

3.10.3 The three other Conditions are the Council's responsibility as follows.

### **3.11 Station Condition**

3.11.1 There are three elements to this Condition:

- the entering into a deed of easement to permit access to the public across the railway line at the Meridian Water station in order to satisfy condition 81 of the Outline Permission;
- the provision of the train service as set out in Condition 81 of the Outline Permission;
- the completion of the land transfers between LB Enfield and Network Rail

### **3.12 Remediation Works Condition**

3.12.1 There are four elements to this condition:

- completion of the remediation of the Willoughby Lane site to the specification attached to the Development Agreement (note: this is intended to be the same as it included within the tender for the remediation contractor);
- a Remediation Warranty is provided to the Developer;
- the entering into of a deed of release to release the easements and restrictive covenants related to the IP gas Main currently running through the site;
- the entering into a deed of easement to grant the necessary rights and easements for the new gas mains

3.12.2 Bidder A has been provided with the programme and phasing details for the work required to discharge this condition and have indicated in their programme that they do not currently need to start work prior to the full completion of the works in order to meet their milestones and programme commitments.

3.12.3 However, there is a risk that discharge of the Remediation Condition may be delayed due to reliance on third parties. In order to mitigate this risk, the Council's construction team have identified significant areas of the Meridian One site which can be made available to the Developer at any time after the end of 2019 independently of whether or not the PRS and IP gas Main have been relocated - including the area where Bidder A intends to commence construction, being Block E1.

3.12.4 The Council will therefore work with Bidder A to ensure that their start on-site can take place as currently programmed even in the event that discharge of the Remediation Condition is delayed.

### **3.13 Vacant Possession Condition**

3.13.1 This condition simply requires that the Council give the Developer vacant possession of the site free of occupation or any other property interest enjoyed by any third party other than utility providers.

3.13.2 This condition is unlikely to cause a problem as the site is already vacant apart from the remediation contractors and as such this condition will be monitored along with the Remediation Works Condition as detailed above.

### **3.14 Planning Condition – Developer Obligation**

3.14.1 The Planning Condition requires the Developer to secure a satisfactory, reserved matters planning consent for the whole Meridian One scheme in line with the existing outline consent.

3.14.2 It is recommended that Cabinet approve that in the event the Developer discharges the Planning Condition but the Council fails to discharge any of its Conditions (detailed above) by the long stop date, and the Development Agreement is therefore terminated, then the Council pays to the Developer a fair value for the intellectual property rights of any work related to the reserved matters planning consent. This is not an indemnity; however, it is recognised that such fair value should be a good approximation to the reasonable costs incurred by the Developer in securing such consent.

3.14.3 In addition to pursuing a reserve matters planning consent for the whole of Phase 1 the Council also expects the developer to prepare a full planning application for Phase 1b of the site to increase the density on the site above the existing consent for 725 homes.

### **3.15 Energetik**

3.15.1 The Council requires that the developer for Meridian One and the developers for all other phases of Meridian Water use the Energetik network to provide heat to all residential and commercial units on the scheme. The Energetik standard legal pack was included within the Meridian One tender package and has been agreed to by Bidder A.

3.15.2 There are three risks involved in this strategy for the Council as detailed in the Part 2 report.

### **3.16 Other Matters**

### **3.16.1 Council buy-back of units prior to marketing overseas**

3.16.2 The Development Agreement places a restriction on the Developer marketing any units for sale outside of the UK until at least 12 months after practical completion of the scheme.

3.16.3 Bidder A has not referred to any overseas marketing in their tender response, even as mitigation of a market slowdown, and therefore it is not certain that they would market outside of the UK at all. However, should they choose to do so, they would have the ability 12 months after practical completion of the scheme and the Council would not have any recourse to prevent it.

3.16.4 In order to allow the Council some control over whether units are marketed to overseas buyers it is recommended that Cabinet approve the inclusion of an option for the Council to buy any unsold units prior to the Developer implementing any such marketing.

### **3.17 Private Rented Homes**

3.17.1 Bidder A proposes the inclusion of a number of private rented homes within the development. Council officers will discuss with Bidder A how these homes will be marketed with a view to seeking agreement for priority to be given to people already working or living in the Borough.

### **3.18 Phase 1B Planning Application**

3.18.1 Whilst Bidder A is required to obtain a Reserve Matter Application in accordance with the existing Outline Planning Consent for 300 homes there is the opportunity for a new planning application to be submitted in relation to the balance of the land. A new planning application would provide an opportunity to increase the number of homes on the site.

### **3.19 Post-Completion Works**

3.19.1 Regardless of how carefully any Client team prepares for a large and complex scheme such as Meridian One, particularly when it is breaking new ground and striving for outcomes as ambitious as Meridian Water's, it is inevitable that certain requirements will only become evident after practical completion.

3.19.2 Examples may include additional play facilities, taking advantage of technological advances etc.

3.19.3 It is therefore recommended that Cabinet approve the use of an amount of the funds from the land value secured from Bidder A for such post-completion works as detailed in the Part 2 report. This money will not however be available for expenditure on items that are the responsibility of the developer.

### **3.20 Category A fit-out of Council non-residential assets**

3.20.1 The Council will receive the following Council Assets back from the developer on practical completion of the scheme in addition to the cash payments as detailed above in Section 3.1.6 above:

- 835sqm of ground floor retail space (or workspace if the Council chooses to change the planning use class on completion)
- 750sqm of leisure space
- 600sqm of community space

3.20.2 Within the Developer's land value, these units are being completed to a shell and core finish only. Before they can be let to occupiers, they will need to be fitted out to at least a Category A fit-out specification – this will include items such as finished walls and ceilings, flooring, toilets, basic mechanical and electrical services and fire/smoke detection.

3.20.3 There is a great deal of work for the Council to do in order to provide a detailed specification for this specification and it will depend to a very large degree on the type and nature of the occupiers it intends to target. The target market for the ground floor uses is intended to be a mix of independent retailers and makers/creators. However, until the scheme is much closer to completion it will be difficult to have any certainty about exactly who the occupiers are.

3.20.4 The Development Agreement therefore provides for the Council to set a specification at a later date and the Developer to cost it and, once the costs have been agreed, carry out the works on the Council's behalf. The costs would be netted off the remaining land value left to pay on completion.

3.20.5 As there will be a mix of uses, and therefore a mix of fit-out costs, it is recommended that Cabinet approve the use of an agreed amount of the funds from the land value secured from Bidder A for such fit-out works as detailed in the part 2 report.

### **3.21 Ground floor B1 Uses**

3.21.1 The existing planning consent for Meridian One allows a range of planning uses in the A category, i.e. retail.

3.21.2 Since the planning consent was granted there has been a continuation of the challenges faced by retailers in today's market and it is recognised that it will become increasingly difficult for a new and untested location such as Meridian One to secure retail lettings for some years until it has become more established.

3.21.3 The Vision Booklet for Meridian Water has also been finalised and published since the planning consent was granted and firmly establishes three place-making principles for the scheme, the second

of which is 'Your Place to Make and Create'. Work has therefore continued on the potential to use much of the ground floor space across the whole of Meridian Water as workshops and studios for makers and creators.

3.21.4 As such, it is intended that once the Meridian One scheme has been completed, a change of use is secured for the ground floor units to introduce the flexibility for inclusion of B1 uses.

### **3.22 Option for Council to buy PRS units**

3.22.1 The Development Agreement allows the Council to opt to purchase a core within a building for use as private rental units to be rent at market value.

3.22.2 Such a core can only be selected by the Council if it does not contain any affordable units.

3.22.3 The Council must inform the developer of such intent prior to the Development Agreement going unconditional and the price and terms of the purchase are to be agreed between the parties. Any decision to proceed will be authorised via a Portfolio Decision Report.

## **4 ALTERNATIVE OPTIONS CONSIDERED**

### **4.1 End current procurement and re-procure**

4.1.1 The bid from Bidder A is acceptable and is on terms which are relatively unchanged from the Council's tender documents.

4.1.2 A new procurement would result in a significant delay to when new homes can be completed and occupied by approximately one year.

4.1.3 A re-procurement would also reduce the confidence the market has in Meridian Water and cast doubt on the Council's commitment to awarding a contract after any future procurement. The response to another procurement is therefore likely to be very limited and weak and would impact the response to other future phase procurements.

4.1.4 For further details please see the Part 2 report.

### **4.2 End current procurement and Council self-deliver**

4.2.1 The bid from Bidder A is acceptable and is on terms which are relatively unchanged from the Council's tender documents. Bidder A is also offering a fixed land value with all construction and market risk being borne by them and not the Council.

4.2.2 Bidder A are also an experienced and well-respected developer who have a track record of successfully delivering viable schemes.

4.2.3 Ending the procurement and self-delivering could reduce the confidence the market has in Meridian Water and cast doubt on the Council's commitment to awarding any future contracts on other phases.

4.2.4 Self-delivering would also delay the delivery of first homes by an unquantifiable length of time as the Council has not yet secured the knowledge, resource or skills to embark on such an endeavour.

4.2.5 Self-delivery also exposes the Council to all construction and market risk at a time when such risks are very high due to the current political and economic uncertainty around Brexit.

4.2.6 For further details please see the Part 2 report.

### **4.3 End current procurement and sell land**

4.3.1 The Council would lose all control over what was built on the land other than through their role as Local Planning Authority. The Council would also lose the opportunity to secure income-producing Council Assets.

4.3.2 With the ELAAP not yet being adopted, the LPA's ability to influence any proposed development, in particular commercial or industrial development, on this site would be limited.

4.3.3 For further details please see the Part 2 report.

## **5 REASONS FOR RECOMMENDATIONS**

5.1 Recommendation to enter into Development Agreement with Bidder A on the terms offered:

- Acceptable land value offered
- Timely delivery of homes
- Quality design of housing and social infrastructure in line with Meridian Water vision
- Setting benchmark for continued development of Meridian Water, maintaining market confidence in the Council and the scheme

## **6 COMMENTS FROM OTHER DEPARTMENTS**

### **6.1 Financial Implications**

6.1.1 See Part 2 report.

6.1.2 Financial due diligence was performed as part of the procurement process on all bidders. Ernest and Young have also worked with the Project and Finance team to provide expert advice during the

procurement process. The preferred developer has gone through a rigorous process to ensure their economic and financial standing is sound, which is based on information submitted and what is currently available in the public domain. Based on this information, there are no existing concerns with their financial health, and based on the information available, there are no concerns regarding their financial capacity to deliver the project.

- 6.1.3 Recommendation 2.2 and 2.3 refer to the Council retaining the affordable rented units. Based on initial modelling, using the generic assumption used for the Council's other Estate renewal schemes, owning the units in the HRA is the preferred option. However, prior to a final decision, further work will be undertaken by the Council to confirm this is the best ownership option for the 75 affordable units. This will include further investigation of the option of transferring the homes to Housing Gateway Limited (HGL).
- 6.1.4 Alternatives to the HRA holding the homes are for the developer to retain them and partner with a Registered provider, this would result in the Council receiving a higher land price.
- 6.1.5 Any deal agreed with the developer will have stamp duty land tax (SDLT) and VAT implications. The tax implications have the potential to be significant and onerous for both the developer and the Council, if the agreement is not structured in a tax efficient way. The Council is currently taking tax advice from Ernest and Young to understand all the implications to ensure the most tax efficient option is adopted
- 6.1.6 If the Council decides not to retain the 75 affordable units within the HRA or in a manner which is eligible for utilising the £7.5m grant, the funding will need to be reallocated to another qualifying affordable housing scheme that will start on site by 2021. The Council has an agreed allocation of £7.5m for this scheme with the GLA, and there are currently no immediate alternatives schemes the grant can be used against.
- 6.1.7 This development will bring 725 new properties to the borough, which will provide additional high-quality housing for residents, generate increased revenues to the Council through council tax, and allow for temporary accommodation savings to be made as a result of the increased supply of affordable rented units.
- 6.1.8 The most expensive form of temporary accommodation is Temporary Nightly Paid Accommodation (TNPA) or Bed and Breakfast (B&B). There are currently 2000 households placed under these types of accommodation. Were an additional 75 units to become available to these households the council would reduce its TNPA costs.
- 6.1.9 Having 725 new properties in the borough attracting an average of £1.6k (based on 2019/20 rates) in council tax, would generate circa



£1.16m of additional revenue to the Council each year. The Council would retain 80% of this amounting to £928k, with the remaining amount going to the GLA. This does not account for any exemptions or discounts that may be attached to any of the properties.

6.1.10 The development includes approximately 25,000 square foot of commercial and leisure space, which could generate circa £195k a year through business rates. This does not include any exemptions or discounts any occupiers may be entitled to.

6.1.11 The additional properties and households will also lead to extra demand on Council delivered services, resulting in increased costs. Currently there is not enough information to estimate the cost of providing any additional services that may be required.

Additional financial implications are provided in part 2 of this report.

## **6.2 Legal Implications**

Dated 21st March 2019

*MD*

6.2.1 Officers have been advised throughout the procurement process outlined in this report by officers from the Council's Legal Services department and by Trowers & Hamblins LLP.

6.2.2. Section 1 of the Localism Act 2011 provides the Council with the power to do anything an individual may do, subject to a number of limitations. This is referred to as the "general power of competence". A local authority may exercise the general power of competence for its own purpose, for a commercial purpose and/or for the benefit of others.

6.2.3 In conducting the procurement of a developer for Meridian One, the Council must comply with all requirements of its Constitution, Contract Procedure Rules ("CPRs") and the Public Contracts Regulations 2015 ("Regulations"), both of which permit the call-off from an existing framework if the framework terms permit. The resulting call-off contract must be based on the framework terms and the Council must ensure that it follows the rules of the framework. Officers have confirmed that they are satisfied that the LDP2 Framework terms have been complied with.

6.2.4 Throughout the engagement of the preferred developer, the Council must comply with its obligations of obtaining best value, under the Local Government Act 1999.

6.2.5 Any property transactions entered into by the Council as a consequence of the subject matter of this report must comply with the Council's Property Procedure Rules.

6.2.6 All legal agreements arising from the matters described in this report must be approved in advance of contract commencement by Legal Services on behalf of the Director of Law and Governance.

6.2.7 See Part 2 Report

### **6.3 Property Implications**

6.3.1 The procurement process will result in the Council entering into a Conditional Development Agreement which imposes obligations on the Council as detailed in this report. When all conditions have been satisfied a 21-year Building Lease will be granted to enable development of the site followed by a long leasehold interest granted on completion of the scheme. The Council will retain the freehold interest.

The land premium is paid in three tranches at commencement of construction, 12 months after commencement and the earliest of 36 months after commencement of on practical completion.

The premium has to be paid in full before grant of the long lease and is therefore highly secure.

6.3.2 The bidders made their land offers in competition and the highest offer is higher than the Council's estimated land receipts.

For these reasons Officers are satisfied that the Council have met their statutory obligation to secure best consideration within the terms of the Local Government Act 1972 and have followed the Property Procedure Rules.

6.3.3 By the terms of the Development Agreement the selected Developer will hand back to the Council the retail, leisure and community accommodation and this will need to be properly managed through the Council's own property resources (within the Strategic Property Services Team) and procedures. The addition of these assets to the Council's portfolio will require additional staff resource to manage the assets and budget to pay for their maintenance including future Corporate Landlord compliance, as well as other holding costs such as business rates, insurance, utilities, security etc. which will need to be funded from revenue. It is expected that income received from these assets will be top-sliced to fund the revenue costs of their regular management and maintenance, via a service charge, and that a sinking-fund will need to be created to pay for less frequently required renovation/upgrading works over a longer time period (e.g. 10yrs post construction). However, during implementation and any initial rent-free periods, the cost of this commercial asset management requirement will need to be directly funded by the Council.

- 6.3.4 The Meridian Water Team will need to collaborate closely with Strategic Property Services team and the successful bidder to establish a comprehensive approach to estate management within the development scheme, that complies with the Council's Corporate Landlord policy. The lease terms and structure, types of uses, exact locations and fit-out quality of the commercial units to be handed back to the Council must be agreed by Strategic Property Services. There will need to be an appropriate construction budget allowance granted from the Meridian Water Programme budget to cover necessary fit-out of the assets that are being returned to LBE as "shell and core" only, to ensure they are in a lettable state and attractive to the market.
- 6.3.5 An appropriate asset acceptance handover process will need to be agreed between the developer and the Council as landlord, to ensure that the commercial assets are fit-for-purpose and in a lettable state prior to their transfer.
- 6.3.6 The Estate Management element of the contract with the selected bidder will require input from Strategic Property Services to ensure a comprehensive and sustainable approach is put in place to cover the initial and long-term management and maintenance of the estate e.g. mixed-use blocks and public realm. Governance structures (e.g. relationships between the developer, the Council, an estate management company, residential tenants, commercial tenants, facilities management), roles/responsibilities, budgetary (e.g. service charges) and legislative issues will all need to be made clear and agreed prior to handover of the assets from the developer to the Council (the Landlord).
- 6.3.7 The financial asset value of this accommodation is dealt with separately in this report.
- 6.3.8 As part of the transaction the Council are receiving a payment to fund the management costs of Ladysmith Park and this will represent a saving on the FM budget for that space.
- 6.3.9 The acquisition of the existing gas Pressure Reducing Station site and the re-provision of a replacement facility on land in Council ownership is considered under a separate report, for which specific property implications have been provided.
- 6.3.10 The power of acquisition of land is provided by the Local Government Act 1972 and the land transaction is necessary to enable the Council to meet the Remediation Condition in the Development Agreement. The site is then expected to be included in the development proposals for Phase 4 of the wider Meridian Water scheme and future disposal will be by way of long lease/s at best consideration in accordance with section 123 of the Act. The Council intend to retain ownership of the freehold interest in all land within the scheme.

6.3.11 Other than as mentioned in this section, the work included in the scope of this report does not appear, at this stage, to have any direct property implications for the Councils other property assets. However, any indirect implications or unintended consequences will need to be reported at a later stage.

6.3.12 The Council's core strategy is to promote housing development at Meridian Water and at Willoughby Lane in particular and land acquisition and this funding of work in progress in the short term is considered to support the strategy of housing development at the earliest time.

## 6.4 Procurement Implications

6.4.1 The Councils' Contract Procedure Rules (CPRs) permit the use of a framework call-off as a means of tendering from an existing framework if the framework terms permit (CPR 4.0). The resulting call-off contract must be based on the framework terms and the Council must ensure that it follows the rules set out by the framework.

6.4.2 The procurement was a call-off from the GLA London Development Panel Framework (LDP2 MD2068). The project was mini-tendered in accordance with the guidelines provided by the GLA, who operate the framework, this comprised the issue of an Expression of Interest followed by a Sifting Brief to shortlist the potential bidders with the tender being issued to the shortlisted bidders. Both the Sifting Brief and the tender were issued and returned through the London Tenders Portal.

6.4.3 The evaluations of all returns were carried out in a fair and transparent manner. The Council has complied with the LDP2 Framework terms in this procurement. The P&C Hub were involved in the procurement and the process was carried out in a fair and transparent manner.

## 7 KEY RISKS

- **Risk:** Extended period of negotiation entered into by Bidder A before signing development agreement
- **Effect:** Delay in commencing on-site, potential for terms to become less favourable to the Council
- **Mitigation:** Bidder A have submitted a binding offer in their tender response with Board approval to enter into the documents with the Council in the form submitted. They have identified only two areas which require further agreement those being their review of the remediation contractor's appointment and agreement on tax structuring, ie VAT and SDLT. For further details please see the Part 2 report.

- **Risk:** Market softens leading to Bidder A attempting to renegotiate terms
- **Effect:** Potential delay or reduction in land value
- **Mitigation:** Development Agreement allows Phase 1B to be delayed in the event that there is a UK recession, otherwise the Council has the contractual right to enforce the delivery of the programme and land offer
  
- **Risk:** Bidder A go insolvent prior to completion of build or are unable to fund to completion
- **Effect:** Delay to completion whilst Council secures step-in and appoints a new developer to take over the build
- **Mitigation:** All bidders have been subjected to robust financial evaluations by Ernst and Young and William Lickorish. The Development Agreement requires the developer to continually monitor its financial position and advise the Council of any material changes. The Council has step-in rights to the Development Agreement in the event of insolvency or default. The parent company of Bidder A are providing a parent company guarantee and is a substantial organisation. For further details please see the Part 2 report.
  
- **Risk:** Market Slowdown clause triggered
- **Effect:** Delay in delivering units and/or reduction in land value
- **Mitigation:** Phase 1A must contain at least 300 units and is not subject to any market slowdown clause. Only Phase 1B can be subject to a Market Slowdown scenario. For further details please see the Part 2 report.

For further risks, please see Part 2 report.

## **8 IMPACT ON COUNCIL PRIORITIES – CREATING A LIFETIME OF OPPORTUNITIES IN ENFIELD**

### **8.1 Good homes in well-connected neighbourhoods**

- The Meridian Water scheme aims to provide a well-connected neighbourhood through improvements in both road and rail networks increasing the frequency of services as well as reducing travel times. The scheme will be built in accordance with a very robust design code ensuring high quality of design and build with a range of tenures. Meridian One will deliver the first housing within Meridian Water and will play an important role in connecting the new neighbourhood with the existing community. The site is adjacent to Angel Edmonton and will provide a pleasant connection between the neighbourhoods and new Meridian Water Station.

## **8.2 Sustain strong and healthy communities**

- The Meridian Water regeneration scheme aims to provide robust social infrastructure providing opportunities for the local community to partake in healthy lifestyle choices with access to leisure centres, a cycle network and access to high quality public open spaces. Meridian One will provide new community and leisure space and facilities to enable greater community cohesion. The facilities will include a health and wellbeing centre to promote healthy lifestyles and provide a space for community groups to come together.

## **8.3 Build our local economy to create a thriving place**

- The Meridian Water regeneration scheme aims to bring economic growth, support inward investment, create new jobs and build a strong and sustainable future for the local community. Meridian One will provide commercial ground floor space including retail (and workspace if the Council chooses to change planning use after completion) to create a new local destination. The development will be aligned with the three pillars of placemaking for Meridian Water, including 'Mixing uses; animating streets. This will ensure that the area is a lively place to complement and strengthen the local economy. The proximity to the station and attractive public realm will encourage people to visit and enjoy the area.

## **9 EQUALITIES IMPACT IMPLICATIONS**

- Local authorities have a responsibility to meet the Public Sector Duty of the Equality Act 2010. The Act gives people the right not to be treated less favourably because of any of the protected characteristics. We need to consider the needs of these diverse groups when designing and changing services or budgets so that our decisions do not unduly or disproportionately affect access by some groups more than others.
- Equality and diversity considerations will continue to be integrated into the development and delivery work for Meridian Water to make sure they are embedded in the decision-making process and to avoid costly design changes.
- Corporate advice has been sought regarding equalities and whilst there are no Equalities implications in agreeing the recommendations outlined in this report, it is recommended that as part of the review of the Meridian Water Project, the Meridian Water EQIA be reviewed and updated to embed Equalities and Diversity in the future procurement, design and delivery of the project. In addition to this it should be noted that any contracts

awarded should include a duty on the successful applicant to assist us with meeting our obligations under the Equalities Act 2010.

## **10 PERFORMANCE AND DATA IMPLICATIONS**

- Corporate advice has been sought in regard to performance and data implications and an agreement has been reached that no performance/data indicators would be affected.

## **11 PUBLIC HEALTH IMPLICATIONS**

- There are no direct public health implications from the selection of a developer for Meridian Water. However, the Meridian Water programme is likely to positively impact on population health in a number of ways; it will provide housing (including affordable housing) which is fundamental to health and it will be a sustainable development and seek to minimise and mitigate its effects upon the environment thereby reducing impact upon climate change, itself described as the greatest threat to public health in the 21st century.
- Further, Meridian Water is being designed so that it will integrate healthy lifestyles into everyday life; active transport will help to increase and maintain levels of physical activity (associated with reducing the risk of all long-term conditions by 20-40%), retail outlets will be encouraged to sell healthy food (associated with a reduced risk of obesity and several cancer) and reduced smoking (the greatest cause of premature death in the UK, responsible for more deaths than the next 5 causes combined).

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## APPENDIX A – SUMMARY OF BIDDER A'S QUALITATIVE SUBMISSION

- Design – set out by reference to the Meridian Water 3 pillars of place-making
  - Meridian One to be a neighbourhood nestled within a parkland with open spaces, play spaces, tree nurseries and tree-lined streets
  - Integration of the project seamlessly with the landscape
  - Central north-south spine with the series of open and green spaces that will feature alongside it
  - The feeling of parkland will be accentuated by the embedded green features in the architecture of the buildings as well as green podia, front gardens and micro-parks surrounding the edges of the site will help accentuate the feeling of parkland
  - Central to the landscaping strategy is education, health and wellbeing and employment opportunities
  - Priority to be given to walking and cycling, minimizing the on-street parking spaces
  - Part ecological strategy is to work together with The Conservation Volunteers to bring social value with training and workplace opportunities and build on their experience of the Green Gym and the Greenwich Meantime Nursery
  - Local residents to use communal gardens and orchards and enjoy the various specimen trees as well as native and wetland species
  - Water will be a key element throughout the scheme. Station Square to contain formal water gardens that will encourage people to engage while parks will provide wetlands that function as flood attenuation ponds linked together with naturalized sustainable urban drainage and various types of playful elements The good design of the blocks and residential aspect will safeguard streets and public spaces and will encourage local residents to enjoy the public realm
  - Meridian One to be a vibrant and engaging place for people to live, work and visit, providing a mix of retail, food and drink and leisure uses and apart from the daily convenience such as grocery shops and bakeries there will be flexible performance spaces for the residents and groups to use
  - Local activities curated around seasonal, monthly and weekly themes from food markets and theatres to sport and wellbeing activities
  - During the initial phase of the construction in plots A and B a temporary community centre to be established with local start ups and studios
  - Local residents to be able to make plant boxes in the tree nurseries for their balconies and participate in art projects for the public realm
  - Quatro, a specialist stakeholder engagement consultant, will work on ensuring all groups, even the hard-to-reach, will be represented and a range of different engagement events will be organised to allow local residents to influence the 'look and feel' of the development
  - Meridian App, developed in partnership with Amazon Web Services, to help aid community engagement
  - Establish a construction working group with a ward member and local residents to help the community engage with the project during construction
  - Affordable tenures to include affordable-rented, shared ownership and intermediate rent
  - Built to Rent units offered
  - Scheme to be delivered on a tenure-blind basis

- Marketing Strategy
  - Unqualified acceptance of the Council's restriction on overseas marketing
  - Usual range of estate agency services under a known local brand together with several specific proposals which gives confidence that marketing will be effective and achieve the local emphasis, including :
    - Marketing and brand to be based around the 3 pillars theme
    - Marketing advice available specific to private, affordable and rented tenures online & by telephone to assist local residents who may not be familiar with choices within a mixed tenure scheme
    - Availability of a Deposit Saving Scheme
    - Local launches including local community events, for example a Christmas event for Block C
  - Estimate a private sales rate which is within the parameters which the Council have considered to be reasonable in the wider scheme.
  
- Project Management and Programme
  - A strong internal team has been put forward, stable and unchanged from that specified in the Sifting Brief showing ongoing commitment to the project
  - Oversight at Regional Director level
  - Named and nationally recognised professional team including Hawkins and Browne, HTA Design, CBRE and WSP
  - Programme summary (assumes Development Agreement entered into by 3<sup>rd</sup> June 2019) :
    - Target for submission of reserved matter application in December 2019 with approval in May 2020
    - Target start on-site November 2020 (compared with an October 2020 start on-site in the Council's own master programme prepared by Stace)
    - Target delivery of first homes May 2022
    - Target completion of Phase 1A April 2023
    - Target completion of Phase 1B January 2025 (in accordance with the Council's own master programme prepared by Stace)
    - Total programme of 219 weeks (confirmed by Stace as reasonable)
  
- Risk Management
  - Standard risk management processes
  - A risk log has been submitted which was considered by the evaluators to be robust and comprehensive
  
- Social Value and Community

The element has been split into discrete areas each with KPIs as below :

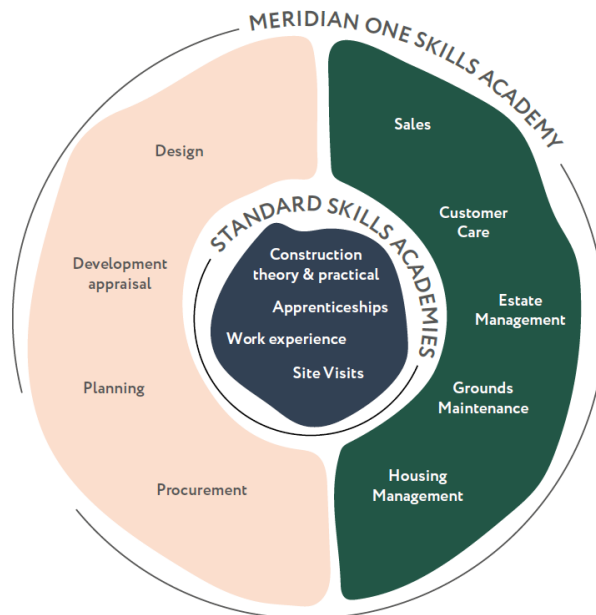
*Social Cohesion :*

- Use of Amazon Web Services to realise digital aspects of the social value proposition

- Working with The Conservation Volunteers (TCV) in open spaces to bring forward a 'Green Gym', reach vulnerable sectors and promote social interaction
- Working with Vibration Group to deliver a vibrant mix of uses, affordable workspace and programme of activities
- Opportunity for community to influence scheme design
- KPIs offered :
  - Engagement strategy targeting hard-to-reach groups
  - Number of community initiatives and programmes facilitated promoting coming together including targeting specific groups measured
  - Deliver on designing-out crime strategy
  - Integrate affordable housing to suit different members of the community
  - Agree and deliver on a minimum % of Public Realm managed through local volunteers measurable through volunteer hours
  - Impact on night-time economy measurable through number of night-time events for social activity delivered in partnership with Vibration Group

*Economic Inclusion :*

- Setting up the Meridian Skills Academy, addressing local barriers to education, delivering training and skills for all sectors of society, celebrating the diversity of Enfield and focusing on economic and social inclusion
- Custom Build Programme delivering training through the Meridian Skills Academy
- Barclays Eagles Lab Business Support and Digital Training – outreach providing support to start-ups and digital training
- Working with the local supply chain and local workforce
- Digital inclusion through the roll-out of the new Meridian App, using Amazon Web Services infrastructure, providing the opportunity for residents to engage directly with community engagement and estate management companies
- KPIs offered :
  - All opportunities promoted to under-represented groups. Agreed employment targets for women and BME groups
  - Provide entrepreneurial make and create space with associated training to ensure longevity of non-residential uses
  - Minimum 20% local labour and agreed % spend with local suppliers Set target on employment opportunities through operational uses
  - SMEs in Enfield given opportunity to bid for work
  - Provide 2wks x 200 apprentice / work placement positions throughout construction
  - Provide 45-55 days x 200 industry placement positions
  - Provide 1 x apprenticeship per 10 FTE



*Health and Well-Being :*

- Work with the Tottenham Hotspur Foundation on multi-use sports pitches and programme of activities in meanwhile and operational phases, targeting childhood obesity and improving physical activity
- Provision of bicycles to add to the Enfield cycle hire scheme, green streets and carefully designed wayfinding to encourage walking and cycling
- Use of Meridian App to create a gamified community-wide log of activities, exercise and fitness skills
- KPI's :
  - High quality ecological enhancements working with volunteers locally for their maintenance
  - Longer-term goal to forge a long-term cloud-services technical partnership to develop and implement Proof of Concepts (POCs) in health, welfare, and the gamification of community-wide exercise and fitness
  - Improve physical activity and reduce health inequality through programme developed with local community

*Environmental Well-Being :*

- Active involvement with management and maintenance of site parks and green spaces in partnership with TCV
- Tree nursery improving ecology and providing plants for the entire development
- Accessible and inclusive design and landscaping that promotes active play, walking, cycling and public transport
- Meridian One to be Considerate Contractors Ultra Site
- KPI's :
  - Deliver at least minimum area of open and doorstep play space to meet local need
  - Deliver on proposed cycle and walking routes
  - High quality building design and performance minimising fuel bills
  - Reduce CO<sup>2</sup> emissions and improve air quality
  - Increase biodiversity measurable in ecological enhancements per sqm

Confirmation of commitment to an Employment and Skills strategy with the aim of :

- Enabling the local community to access better quality jobs
- Addressing the skills gap
- Creating different routes to education and skills
- Assisting disadvantaged and under-represented individuals
- Providing opportunities for local diverse communities
- Through use of an Employment and Skills Academy delivering employment, training, mentoring and engagement with local

communities at an on-site hub with classrooms and practical working space

- Working with local colleges to promote and offer the government's flagship new T-level
- Open Doors events providing local young people with the chance to see a construction site first hand
- Providing affordable workspace and business training support sowing the seeds for a future diverse and inclusive micro economy

○ Estate Management

- Creation of an effective block management and interim estate management structure pending transfer to the wider Council controlled Estate Management Company
- Initiatives for maintaining the long term quality of the built environment, including :
  - Community Engagement Company with resident directors that will oversee set up of the block management services and the interim arrangements for managing public realm and open space. The initial lead resourcing will be provided by the Developer
  - Tenure blind provision of estate services
  - Engagement of local Conservation Volunteers to provide resources and create local pride in the environment
  - Block Management procedures to include on line access to request repair & maintenance services and a link to community updates
- Initial estimate for service charge equivalent to £2.86 per square foot which compares favourably with other service charge estimates

## THE CABINET

### Draft list of Items for future Cabinet Meetings (NOTE: The items listed below are subject to change.)

<b>MUNICIPAL YEAR 2019/2020</b>
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<b>JUNE 2019</b>
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- 1. Meridian Water Compulsory Purchase Order (CPO)** Sarah Cary

This will seek agreement to a compulsory purchase order to enable strategic infrastructure for Meridian Water. **(Key decision – reference number 4832)**
- 2. Strategic Asset Management Plan** Sarah Cary

The Strategic Asset Management Plan will be designed to make sure that the property asset strategy is reflected in the decisions of all parts of the organisation. It sets down the ‘rules of behaviour’ for the organisation, as far as property decision-making is concerned, to ensure that the strategy can be implemented. **(Key decision – reference number 4806)**
- 3. Parking Strategy** Sarah Cary

This will review all of the car parks controlled in the Borough. **(Key decision – reference number 4818)**
- 4. Future of the Responsive Repairs Service** Sarah Cary

This will seek approval to the future delivery of the repairs service for council housing. **(Key decision – reference number 4868)**
- 5. Private Rented Sector** Sarah Cary

This will consider a review of the private rented sector in Enfield and measures to address the review. **(Key decision – reference number 4870)**
- 6. Infrastructure Programme** Fay Hammond

This will seek approval of an infrastructure rationalisation and investment programme. **(Key decision – reference number 4891)**
- 7. Consultation on Changes to the Council Tax Reduction Scheme** Fay Hammond

**(Key decision – reference number tbc)**

<b>JULY 2019</b>
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1.     **Housing Strategy** Sarah Cary

This strategy will set out how the council will deliver an ambitious new approach to housing and good growth in Enfield. **(Key decision – reference number 4841)**
2.     **Meridian Water Employment Strategy** Sarah Cary

This will seek approval to the employment strategy for Meridian Water. **(Key decision – reference number 4881)**
3.     **Meridian Water Financial Review** Sarah Cary

This will provide an update for Members. **(Key decision – reference number 4469)**
4.     **Medium Term Financial Strategy 2020/21 to 2029/30** Fay Hammond

**(Key decision – reference number tbc)**
5.     **Revenue Outturn Report 2018/19** Fay Hammond

**(Key decision – reference number tbc)**
6.     **Treasury Management Outturn Report 2018/19** Fay Hammond

**(Key decision – reference number tbc)**
7.     **Alma Regeneration Review** Sarah Cary

**(Key decision – reference number tbc)**
8.     **Preventing Homelessness Strategy** Sarah Cary

This will set out how the council will help to prevent homelessness. **(Key decision – reference number 4809)**
9.     **Joyce Avenue and Snells Park Estate Regeneration** Sarah Cary

This will update on progress with potential housing schemes in the Housing Zone Edmonton Futures. **(Key decision – reference number 4590)**
10.    **Quarterly Corporate Performance Report** Fay Hammond

This will present the quarterly corporate performance report. (Non key)



**11. Future Commissioning of the 0-19 Services** Tony Theodoulou

This will seek approval to the proposals for future commissioning arrangements for the 0-19 Service in Enfield. These commissioning arrangements will improve community health services for children and young people through a more flexible and integrated approach **(Key decision – reference number 4721)** *(Date to be confirmed)*

**12. Internal Audit Shared Service for Enfield and Waltham Forest Councils** Ian Davis

The London Boroughs of Enfield and Waltham Forest propose to develop a shared service for Internal Audit and Anti-Fraud. This will set out the preferred model for implementation and seek Member approval. **(Key decision – reference number 4824)**

**SEPTEMBER 2019**

**1. Compulsory Purchase Order for the Redevelopment of The Montagu Industrial Estate** Sarah Cary

This will seek approval of the Compulsory Purchase Order (CPO) and amended capital budget to cover the estimated CPO cost, demolition, remediation and on-going vacant property management as part of the Montagu Industrial Estate Redevelopment. **(Key decision – reference number 4873)**

**2. Quarterly Revenue Monitoring (including HRA) 2019/20 Quarter 1** Fay Hammond

**(Key decision – reference number tbc)**

**3. Quarterly Capital Monitoring 2019/20 Quarter 1** Fay Hammond

**(Key decision – reference number tbc)**

**4. Joint Health and Wellbeing Strategy** Tony Theodoulou

This joint strategy will set out how the local system will work together to improve the health and wellbeing of the local community and reduce health inequalities. **(Key decision – reference number 4852)**

**OCTOBER 2019**

**NOVEMBER 2019**

<b>DECEMBER 2019</b>
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<b>1.</b>	<b>Housing Allocations Scheme</b>	Sarah Cary
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The allocations scheme will set out who can apply for affordable and social rented housing in Enfield, how applications are assessed and how the Council sets the priorities for who is housed. It also sets out other housing options, including private rented sector, intermediate rent and shared ownership. **(Key decision – reference number 4682)**

<b>2.</b>	<b>Temporary Accommodation Placement Policy</b>	Sarah Cary
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This policy will explain how the Council will assist homeless households in finding accommodation. **(Key decision – reference number 4676)**

<b>TO BE ALLOCATED</b>
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<b>1.</b>	<b>Invest to Save in Solar Photovoltaics</b>	Fay Hammond
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This will seek consideration of the commercial investment opportunities for Enfield Council in solar photovoltaics. **(Key decision – reference number 4604)**

<b>2.</b>	<b>Travel Assistance Policy</b>	Tony Theodoulou
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This policy will set out how the Council will identify and support those children and young people who need travel assistance to their school or setting and, provide it in a consistent, transparent and fair way. **(Key decision – reference number 4851)**

<b>3.</b>	<b>ICT and Digital Strategy</b>	Fay Hammond
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This will seek approval of the ICT and Digital Strategy. **(Key decision – reference number 4680)**

<b>4.</b>	<b>Section 75 Agreement: Approval of Revisions for 2019/2020</b>	Tony Theodoulou
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This will seek approval to pool health and social care budget under a Section 75 Agreement. **(Key decision – reference number 4885)**

<b>5.</b>	<b>Update Strategy and Approach to Delivering Pupil Places</b>	Tony Theodoulou
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This will provide an update on the school places strategy. **(Key decision – reference number 4893)**

## CABINET - 12.3.2019

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON TUESDAY, 12 MARCH 2019****COUNCILLORS**

**PRESENT** Nesil Caliskan (Leader of the Council), Daniel Anderson (Deputy Leader of the Council), Yasemin Brett (Cabinet Member for Public Health), Achilleas Georgiou (Cabinet Member for Children's Services), Nneka Keazor (Cabinet Member for Community Safety and Cohesion), Dino Lemonides (Cabinet Member for Housing) and Mary Maguire (Cabinet Member for Finance and Procurement)

**Associate Cabinet Members (Non-Executive and Non-Voting):** Ahmet Hasan (Enfield North)

**ABSENT** Alev Cazimoglu (Cabinet Member for Health and Social Care), Guney Dogan (Cabinet Member for Environment) and Ahmet Oykener (Cabinet Member for Property and Assets), Dinah Barry (Associate Cabinet Member – Enfield West), George Savva (Associate Cabinet Member – Enfield South East)

**OFFICERS:** Ian Davis (Chief Executive), Tony Theodoulou (Executive Director People), Fay Hammond (Interim Executive Director Resources), Jeremy Chambers (Director of Law and Governance), Nicky Fiedler (Director - Commercial), Doug Wilkinson (Director of Environment & Operational Services), Steve Durbin (Data Protection Officer) and Andrew Golder (Press and New Media Manager) Jacqui Hurst (Secretary)

**Also Attending:** Councillor Derek Levy and Councillor Elaine Hayward

**1****APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care), Councillor Ahmet Oykener (Cabinet Member for Property and Assets), Councillor Guney Dogan (Cabinet Member for Environment), Councillor Dinah Barry (Associate Cabinet Member – Enfield West), and Councillor George Savva (Associate Cabinet Member – Enfield South East).

Apologies for lateness were received from Councillor Daniel Anderson (Deputy Leader) and Ian Davis (Chief Executive).

**2****DECLARATION OF INTERESTS**

**CABINET - 12.3.2019**

There were no declarations of interest in respect of any items listed on the agenda.

**3  
DEPUTATIONS**

NOTED that no requests for deputations had been received for presentation to this Cabinet meeting.

**4  
A REGIONAL ADOPTION AGENCY FOR NORTH LONDON**

Councillor Achilleas Georgiou (Cabinet Member for Children's Services) introduced the report of the Executive Director – People (No.185) seeking approval to formally join the Adopt London North Regional Adoption Agency.

NOTED

1. That this followed an initial report that had been considered by Cabinet in November 2016 when it had been agreed in principle to join a London Regional Adoption Agency subject to further detailed work, as set out in the report.
2. The proposal to create a Regional Adoption Agency (RAA) for “Adopt London North” combining the adoption services for the North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey and Islington. It was proposed that the London Borough of Islington would host the Regional Adoption Agency.
3. A decision to formally join the Adopt London North Regional Adoption Agency was now required; it was anticipated that the go live date would be 1 July 2019. All local authorities were expected to become part of a RAA by April 2020.
4. The detailed work which had been undertaken by the local authorities involved in developing the proposals going forward for Adopt London North RAA as set out in the report. The anticipated strategic benefits from the establishment of the RAA were highlighted and discussed.
5. The proposed staffing arrangements for the RAA. The impact on Enfield staff was explained in detail. Enfield would be transferring two members of staff to the RAA as set out in 3.8 of the report.
6. In response to questions raised by Members, Tony Theodoulou (Executive Director – People) provided further clarification on the detailed arrangements, including the following issues. It was explained that the responsible local authority would still be making the decision on whether a child under their responsibility was to be put forward for

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adoption. The RAA would then approve the adopters for the child. In summary, decisions relating to the child would remain with the responsible local authority and, the decisions on the prospective adopters would transfer to the RAA.

7. The Benefits Diagram, Service Schedule and Governance Chart outlined in Appendices 1, 2 and 3 of the report. Tony Theodoulou (Executive Director – People) would be a member of the Partnership Board. It had not yet been decided whether Councillors would also be members. This issue had been raised for further consideration and determination.
8. A detailed discussion took place on the proposed staffing arrangements, the impact on existing Enfield staff, and how the transfer of staff had been determined. Members were advised of the range of work currently undertaken and the areas of responsibility that would remain within Enfield.
9. The scope and vision of the new regional adoption agency as set out in section 3.2 of the report. Clarification was sought and assurances provided of the work undertaken and principles followed in seeking suitable adoption “matches” in relation to a child’s ethnicity. The processes undertaken were very thorough and detailed; decisions were always taken in the best interests of the child. The legal position in relation to adoption matches was outlined in Members. The RAA would enable the local authorities to pool their resources and number of prospective adopters available. Members were advised of the priority groups for adoption and noted the difficulties experienced in recruiting enough suitable adopters who were willing to adopt the children concerned.
10. In response to a question raised, assurances were provided of the thorough work and consideration given to ethnicity issues. However, it was noted that an element of external scrutiny could be considered and this matter would be fed back to the Partnership Board.
11. Members questioned whether the new arrangements would result in an improvement in waiting times. It was explained that Enfield and North London in general had been strong performers regarding adoption and, it was therefore anticipated that there would be limited improvements. There was no evidence base that a RAA would result in such improvements but was possible within RAAs covering areas where waiting times had previously required improvement.
12. That the RAA would have responsibility for inter-country adoption assessments and post approval and post order support.
13. The significant and valuable work undertaken by members of the Adoption Panel was highlighted and acknowledged. The Cabinet expressed their sincere thanks and appreciation to all those who had

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been a member of the Adoption Panel in previous years and currently; and, noted the importance of the role and the significant time commitment required.

**Alternative Options Considered:** NOTED, the alternative options that had been considered as set out in section 4 of the report and summarised below:

- Do nothing – this was not viable as the local authority could risk government intervention.
- Create a new model – there was not the time nor the funding to progress this option.
- Join another regional adoption agency – contact had been made with several other regional adoption agencies as set out in section 4 of the report.
- Creation of a new single entity – this was time consuming and costly and not a preferred option elsewhere with regional adoption agencies already live.

**DECISION:** Cabinet agreed to

1. Approve the service and financial model for Adopt London North Regional Adoption Agency.
2. Agree to join the Adopt London North Regional Adoption Agency.

**Reason:** The joining of a regional adoption agency was mandatory by April 2020 and if not progressed there was a risk of government intervention. There were operational benefits to Enfield staying in the consortium that outweigh any of the alternative options detailed in the report (section 5 of the report referred).

**(Key decision – reference number 4814)**

**5**

**EXTENSION OF THE INTEGRATED SEXUAL HEALTH COMMUNITY SERVICES CONTRACT**

Councillor Yasemin Brett (Cabinet Member for Public Health) introduced the report of the Executive Director – People (No.186) seeking approval to the extension of the Integrated Sexual Health Community Services Contract.

NOTED

1. That Report No.191 also referred as detailed in Minute No.14 below.
2. That in July 2015 the Cabinet had approved the award of contract for Integrated Sexual Health Community Services in Enfield to the North Middlesex University Hospital NHS Trust (NMUH) for an initial period of 3 years, 5 months, with options to apply two further extensions of 2 years to a maximum period of 7 years and 5 months. The contract was due to come to an end on 31 March 2019 and a further extension of 2

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years was sought to ensure stability in service provision. NMUH had agreed to reduce the value of the block arrangement by £200k per annum should the first 2 year extension to the contract be enacted, as detailed in the report. There would be no negative impact on service provision and it was anticipated that there would be increasing access of services to Enfield residents.

3. That the Council had a statutory duty to provide Integrated Sexual Health Services as part of its Public Health England requirements. This was a demand-led service.

**Alternative Options Considered:** NOTED, that alternative options would include re-tendering the service at the end of this initial contract period of 31 March 2019 or removing the block element of the contract by being fully compliant with a payment by results mechanism. As performance had continued to improve and North Middlesex University Hospital was offering to reduce the value of the block these options had been discounted.

**DECISION:** The Cabinet agreed to approve

1. The extension of the Integrated Sexual Health Community Services Contract with North Middlesex University Hospital for a further two years on a reduced block payment.
2. Delegation of authority to the Executive Director – People to extend the contract for a further two years in 2021 subject to satisfactory performance.

**Reason:** Extending the contract would be both a cost-saving for the London Borough of Enfield and provide certainty to the NHS provider for a further two years. It would afford efficiency gains for the Council addressing the steady growth of 13.5% and 7.5% in activity across year 1 and 2 respectively of this extension. North Middlesex University Hospital would be required to continue to increase in-borough activity for the GUM Service, leading to a reduction in out of borough activity thereby providing further efficiencies for the Council.

**(Key decision – reference number 4794)**

**6**

**UPDATE ON THE COUNCIL'S APPROACH TO FUNDING THE REMAINDER OF ENERGETIK'S BUSINESS PLAN**

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Director – Commercial (No.187) seeking agreement on the shareholder strategy and approval of the preferred funding route for the Company to take forward.

NOTED

1. That Report No.192 also referred, as detailed in Minute No.15 below.

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2. That this report set out the different funding options that had been explored and the reasons the alternative options had been discounted. It sought agreement on the shareholder strategy and approval of the preferred funding route for the Company to take forward. A further report would be presented to a future Cabinet meeting by Autumn 2019, to secure the second tranche of investment for Energetik's business plan and, to agree the final investment decision.

**Alternative Options Considered:** NOTED, that overall, doing nothing was not possible as energetic had current commitments to its existing customers and clients at its active and in development heat networks. A delayed decision to invest would mean significant cost increases to the Company to deliver its infrastructure due to the expiry of a fixed price agreement with its design and build contractor. In turn this reduced the potential retained earnings in the business and increased the amount of loans required.

**DECISION:** The Cabinet agreed to

1. Note the contents of the report.
2. Note that a further report would be submitted to Cabinet by Autumn 2019 to agree the actual investment decision once the outcomes of the preferred funding option had been approved and the due diligence on the updated Company Business Plan was complete.

**Reason:** As detailed in Report No.192, Minute No.15 below referred.  
**(Key decision – reference number 4859)**

**7**

**DATA PROTECTION OFFICER REPORT**

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Acting Director of Customer Experience and Change (No.188) on the Data Protection Officer report.

NOTED

1. That the report set out the Council's compliance with the new General Data Protection Regulations (GDPR) which became law on 25 May 2018. Members noted the data breaches outlined in the report and the actions that had been taken.
2. That there was a legal requirement to provide an annual report to the Cabinet.
3. In response to questions raised, it was noted that two training sessions had previously been held for Members, and that further sessions could be arranged if required. Members also felt that it would be helpful for



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appropriate information to be included on the Council's website for residents; and, for appropriate contact to be made with the Borough's voluntary sector to ensure that all concerned were clear on the requirements of the legislation, particularly in relation to advocacy cases.

4. The Council's Data Protection Officer would continue to provide training and raise awareness, understanding and compliance, as set out in the report.
5. The data breaches outlined in the report were noted and that Enfield appeared to be comparable with other local authorities. It was noted that there had not previously been a requirement to record such breaches and therefore comparisons could not be made with previous practice.
6. The requirements for reporting data breaches to the Data Protection Officer were set out in policy, there was a no blame policy within the Council to help ensure open reporting.
7. In response to questions raised, the Data Protection Officer clarified the processes followed in assessing the levels of risk and determining the appropriate action that needed to be taken when a data breach occurred. This would include an assessment of whether an individual could be harmed by the breach.
8. Members raised points of clarification regarding potential breaches and the appropriate actions to be taken. In conclusion, it was agreed that further training sessions would be provided to Members to continue to raise awareness and compliance.

**Alternative Options Considered:** NOTED, that the provision of an annual report was a required action by the law, and as such no alternative option had been considered.

**DECISION:** The Cabinet agreed to note the report.

**Reason:** The Data Protection Act 2018 adopted and adapted the Applied General Data Protection Regulation 2016/EU679 into UK Law. Article 38(3) of the General Data Protection Regulation required that "...The data protection officer shall directly report to the highest management level of the controller...". This report fulfilled this obligation and followed the guidance issued by the Article 29 Working Party on the role of the Data Protection Officer.

(Non key)

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Councillor Yasemin Brett (Cabinet Member for Public Health) introduced the report of the Director of Law and Governance (No.189) providing the final report of the Loneliness and Social Isolation Scrutiny Work stream.

**NOTED**

1. That the report summarised the findings of the scrutiny workstream, chaired by Councillor Derek Levy, to look at the issue of loneliness and social isolation in Enfield. The impact of loneliness and isolation on mental and physical health was widely acknowledged. It was a growing issue affecting all age groups. The workstream had focussed on finding low cost measures that the Council could take to tackle the issue. It was not just a public health issue, but one that cut across all departments.
2. That the workstream had found that one of the best ways of tackling loneliness was by bringing people together through shared activities and events. A sense of place, community and a feeling of belonging was very important to people's wellbeing. The report set out 11 recommendations with the officer responses to the recommendations provided in Appendix A of the report.
3. Councillor Brett invited Councillor Derek Levy, as Chair of the workstream, to address the Cabinet. The Chair's foreword to the report was highlighted to Members. Councillor Levy expressed his thanks and appreciation to Penelope Williams, Scrutiny and Governance Team, for her active participation and contributions to the workstream and report. Several points were highlighted by Councillor Levy including the following: this was a strategic issue that cut across departments and Council strategies. The local authority had an important role as an enabler and facilitator of others. The workstream had recommended low cost and no cost initiatives for consideration and action. Personal quotations had been included in the report, and the impact on a range of age groups and individuals highlighted. It was an important review that challenged the impact of future actions and strategies.
4. In response, the Cabinet acknowledged and recognised the detailed work that had been undertaken and that the information was now being considered as part of the Cabinet's collective decision-making processes on behalf of the Council as a whole.
5. That loneliness and social isolation affected all age groups. The importance of effective partnership working with other agencies including health provision, was highlighted.
6. Members expressed their thanks and appreciation to the workstream and acknowledged the wider issues of social isolation. An individual could still feel "alone" even when among other people. The potential negative impact of social media was also noted. There was a range of

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complex issues that could affect the health and wellbeing of individuals. This was a challenging long-term issue.

**Alternative Options Considered:** None.

**DECISION:** The Cabinet agreed to note the recommendations put forward in the review and noted the responses provided by Directors and Executive Directors as set out in Appendix A of the report.

**Reason:** The reasons for the recommendations were included in the report. (Non key)

**9**

**CABINET AGENDA PLANNING - FUTURE ITEMS**

NOTED, for information, the provisional list of items scheduled for future Cabinet meetings.

**10**

**MINUTES**

**AGREED**, that the minutes of the previous meeting of the Cabinet held on 13 February 2019 be confirmed and signed by the Chair as a correct record.

**11**

**MINUTES OF SHAREHOLDER BOARD - 29 JANUARY 2019**

NOTED, for information, the minutes of a meeting of the Shareholder Board held on 29 January 2019.

**12**

**DATE OF NEXT MEETING**

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 24 April 2019 at 7.15pm.

**13**

**EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the items listed on part two of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority

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holding that information) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**14**

**EXTENSION OF THE INTEGRATED SEXUAL HEALTH COMMUNITY SERVICES CONTRACT**

Councillor Yasemin Brett (Cabinet Member for Public Health) introduced the report of the Executive Director – People (No.191).

**NOTED**

1. That Report No.186 also referred, as detailed in Minute No.5 above.
2. The contractual and financial information set out in the report in support of the recommendations.

**Alternative Options Considered:** As detailed in Report No.186, Minute No.5 above referred.

**DECISION:** The Cabinet agreed to approve (as set out in Report No.186 and Minute No.5 above):

1. The extension of the Integrated Sexual Health Community Services Contract with the North Middlesex University Hospital for a further two years on a reduced block payment.
2. Delegation of authority to the Executive Director – People to extend the contract for a further two years in 2021.

**Reason:** As detailed in Report No.186, Minute No.5 above referred.  
**(Key decision – reference number 4794)**

**15**

**UPDATE ON THE COUNCIL'S APPROACH TO FUNDING THE REMAINDER OF ENERGETIK'S BUSINESS PLAN**

Councillor Nesil Caliskan (Leader of the Council) introduced the report of the Director – Commercial (No.192).

**NOTED**

1. That Report No.187 also referred, as set out in Minute No.6 above.
2. The summary of the progress so far; the current position; the preferred funding route; the next steps; and, timetable as set out in detail in section 3 of the report. Appendix 1 to the report set out the tranche 2 funding options.

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3. The impact of Meridian Water as set out in paragraph 3.9 of the report.
4. The proposed funding options were discussed in detail together with the anticipated timescales and potential future opportunities and developments for the Company.
5. The financial implications of the proposals were explained, as set out in the report.
6. That a further report would be presented to Cabinet by Autumn 2019 to agree the final investment decision.
7. The work that was being undertaken to develop Energetik's business plan and, the opportunities and challenges that existed in moving forward. Future funding opportunities were also discussed, as set out in the report.

**Alternative Options Considered:** NOTED, the alternative options that had been considered as set out in section 4 of the report.

**DECISION:** The Cabinet agreed, in addition to the recommendations set out in the part one report (Report No.187, Minute No.6 above referred):

1. To approve that Officers pursue the recommended option with the preferred funding route. In outline, the preferred option for the council was as set out in recommendation 2.2, points a – e of the report (containing exempt information).
2. To note that subject to the decision above (recommendation 2.2 of the report), the other funding options would be discounted from further investigation at this time.

**Reason:** As set out in section 5 of the report.  
**(Key decision – reference number 4859)**

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## LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019

**MINUTES OF THE MEETING OF THE LOCAL PLAN CABINET SUB-COMMITTEE  
HELD ON TUESDAY, 26 MARCH 2019****COUNCILLORS****PRESENT** Dino Lemonides and Ahmet Oykenner (Chair)**ABSENT** Mary Maguire**OFFICERS:** May Hope (Local Plan Lead), Neeru Kareer (Head of Strategic Planning & Design - Interim), Harriet Bell (Heritage Officer) and John Zheng (Planning Policy Officer), Metin Halil (Secretary)**ALSO ATTENDING:** Councillor George Savva MBE (Associate Cabinet Member)  
Councillor Dinah Barry – (Associate Cabinet Member)  
Councillor Ahmet Hassan - (Associate Cabinet Member)  
Councillor Mahmut Aksanoglu**1****APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Mary Maguire  
Apologies for lateness were received from Councillors' Hassan and Savva.

**2****DECLARATION OF INTERESTS**

There were no declarations of interest.

**3****URGENT ITEMS**

There were no urgent items.

**4****ANNUAL MONITORING REPORT AND UPDATED HOUSING  
TRAJECTORY 2019**

The Sub Committee received a covering report and presentation slides.  
(Report No. 208)

**NOTED**

1. The Chair thanked officers, Neeru Kareer, May Hope, Harriet Bell and John Zheng, for their absolute hard work over the past few months with

**LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019**

regards to the draft new Local Plan consultation. Councillor Barry also mentioned that residents appreciated it and felt they were genuinely being asked for their views and were keen to take part. She also thanked officers for their hard work in this matter.

2. Neeru Kareer (Head of Strategic Planning & Design (Interim) clarified that the 2 items on the agenda are house-keeping reports, which is a requirement of the team. Due to a lack of resource, these reports should have been presented last year and as the new Local Plan is progressing now is an opportunity to bring all of the sections house-keeping up to date, starting with the Annual Monitoring Report. This is a high-level monitoring report of the plan making function, including the current plan and current policies. It was also an opportunity to be open and transparent about the Council's housing supply and housing completions. The report is seeking Cabinet Sub-Committee approval and endorsement, to bring the monitoring report into line for a 2-year reporting period.
3. John Zheng (Planning Policy Officer) presented a power point presentation, talking through the key points of both reports. The second report concerns the Council's future plan making programme which is termed the Local Development Scheme, a 3-year forward looking programme of what the Council will be doing in terms of producing planning documents.

The following points were highlighted:

- This was the Annual Monitoring report covering 2016 – 2018 financial years.
- The presentation slides covered the following headings and will be published alongside the minutes of this meeting:
  - a. Annual Monitoring Report 2016-18
  - b. Housing Trajectory – updated
  - c. Current snapshot of the Borough
  - d. Housing Completions between 2016-18
  - e. Schemes in the pipeline
  - f. Housing Trajectory overview
  - g. Other key Highlights

NOTED

1. The report covered not only Council led housing schemes but all housebuilding in the borough. For Council led projects, the following schemes are in progress to date:
  - a. Alma Estate – 163 homes under construction, with completion anticipated May-19
  - b. Electric Quarter – 21 new affordable homes and 40 market units completed
  - c. Ordnance Road – 15 units completed with 100% affordable provision.
  - d. Ladderswood Estate– Phase 1 40 units completed which includes 22 affordable units.



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2. The Council's small sites housing project are yet to be formally counted and will fall into this 19/20 reporting period , as completed owing to the reporting mechanism and criteria set by the GLA through the London Development database (LDD). There would therefore be another 100 plus properties coming from small sites developments with nearly 50% affordable units in this years return.
3. As detailed at page 50 of the report, the Housing Trajectory overview graph would look very different by next year, when the Annual Monitoring report (AMR) is presented, if a new London planning target come into effect. The draft new London Plan is currently going through an examination in public. Though the draft new London Plan is not expected to be adopted later in 2019, it is a material consideration in the planning decisions process and whilst proposed policies may be refined, there is a clear message of the importance of increasing housing supply, draft targets set out as 1,876 new homes per year. As such, the draft new London Plan is an important consideration for Enfield in its long-term spatial policy planning. .
4. The Council's housing trajectory shows a supply of housing sites, over the next five years and is made up of sites with full and outline planning permissions. It also includes a combination of allocated sites, which are supported by Area Action Plans (AAPs) and non-allocated sites, supported by Strategic Housing Land Availability Assessment studies (SHLAA) and council-led housing schemes through its estate renewal programme and regeneration programmes. So, the numbers within the graph, totalled from the spreadsheet show a reasonably confident projection of supply..
5. The housing trajectory graph detailed on page 50 of the report, shows the supply of housing sites over the next 5 years compared to the current London Plan target of 798 new homes per year.
6. As detailed on page 55 of the report, the housing pipeline details the GLA's London Development Database and shows that Enfield has approximately 3,241 homes in the pipeline. The committee requested that any delays to completion homes needs to reference, within the narrative, to show timings as to when completion of these homes will be i.e. year.
7. The Community Infrastructure Levy (CIL) was adopted, by the Council, in 2016. After a period of settling in, the charge figure would increase year on year. All the monies collected, minus administration fees, had all gone towards the infrastructure at the Meridian Water site, in particular, £500,000 towards the new station. Cycle Enfield receives a grant aid and through Section 106 collections. Therefore, education contributions and Cycle Enfield contributions come from the planning consents. The policy allowing for that collection has contributed towards the infrastructure. The Committee requested that it may be better to show in the report how much Section 106 monies have been collected and whether it has been spent. The team would be bringing a monitoring report on Section 106 and CIL to the next Planning Committee in April 2019

**LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019**

but were happy to bring this report to the next LPCSC meeting in April 2019, if required.

8. As detailed at page 23 (para 5.8) of the report, members asked if issues within Enfield's retail sector could be alleviated if CIL charging rates could be changed in some way. Officers clarified that in order to do that they would need to undertake a CIL review. This was on officers' agenda's as part of the new Local Plan. There could be incentives to encourage retailing if some financial burdens were removed and getting the right balance. However, the CIL only operates with 2 categories at present i.e. residential and commercial only. Officers would be looking at this further.
9. As detailed on page 3 (para 5.1) of the report, members sought clarity on the meaning of 'gross' and 'net' in terms of housing completions. Officers' clarified that gross is to say a planning permission for 10 houses would equate to a gross of 10 homes. When the 10 homes are built on the land which had 2 existing homes, that would be a net gain of 8 homes. So gross is approved with planning permission but there is a net of 8.
10. As detailed on page 4 (para 5.1) of the report, the student attainment figures referred to all schools in Enfield. Officers, would look at separating the attainment figures for Enfield Schools from LEA Schools.
11. The two tables detailed at the bottom of page 4 and the top of page 5, referring to the Mayor of London CIL and the LBE CIL quarterly breakdown would be amended to show complete titles for both.
12. As detailed on page 5 (para 5.4) of the report. Members asked for examples of new allocation sites for housing and if there had been any successes yet.
13. Appendix 1 of the report, details a complete breakdown of the Borough's ethnic diversity.
14. As detailed at page 29 – Core Policy 4, the Development Management team no longer use this policy to assess development schemes i.e. Lifetime Homes and Sustainable Homes. The new green deal was removed by the Government as it was not viable any longer and would need to be bought back. Building regulations had now taken over more of the standard base than planning policies. A lot of the sustainable standards within new construction now falls under Part M of Building Regulations. This means it is less of a burden on planning and more on the Building Regulations which tie the quality of construction to the sustainability of the eco friendliness of built construction. This is the reason why some of the old planning policies have been superseded by building regulations.
15. As detailed at page 35 – Core Policy 13, the committee sought clarity regarding the decrease in jobs within the borough since 2016 and how that compared to the rest of London and UK. Contributing factors discussed included:
  - Loss of employment space in the retail sector
  - Loss of B1 floor space which relates to high density employment.

**LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019**

The data was obtained from the Office of National Statistics (ONS). John Zheng would undertake some more research to see if there is a further breakdown available of the type of jobs being lost (including wage levels) and which sectors/areas (post codes) are being affected. To get a better understanding of these job losses and to perhaps get an action plan together, if needed.

**ACTION: John Zheng (Planning Policy Officer)**

16. As detailed at page 37 – Core Policy 16, the chart referred to residents in the borough who have attained those level of skills. As regards Council employment and whether foreign qualifications are translated into British qualifications or equivalent so as to have a better understanding, John Zheng will be looking into this to find out the background and will report back to the committee.

**ACTION: John Zheng (Planning Policy Officer)**

17. As detailed at page 38 of the report regarding loss of floor space for town centre use, this relates to where office floorspace is converted into residential. This information was obtained from the London Development Database where the team report to when there has been a conversion and loss of A1 use.

Given the shift in the way people shop, is more retail space required or is it adjusting itself to what is appropriate. Through the Local Plan preparation process the team will be undertaking more technical evidence-based work to identify what the need is. There may be a need for more or less retail space and those centres that may need expanding or consolidating can be identified.

Further discussion around empty shops, landlords not reducing rents for shops, online shopping contributing to the decline of retail centres and the use of Compulsory Purchase Powers (CPO) of the Council. Members recalled there was a Council initiative started about 3-4 years ago by the previous administration, regarding the CPO process for empty shops and the committee asked if this was still in place, what the procedure was for this and if there was anything to follow up. Neeru Kareer would look into this and get back to the Committee.

**ACTION - Neeru Kareer (Head of Strategic Planning & Design – Interim).**

18. As detailed at page 40 – Core Policy 22, the Committee questioned why waste was increasing and recycling was low in the borough. Was this reflected nationally. John Zheng would check with the Council's waste officers and report back to the committee.

**ACTION: John Zheng (Planning Policy Officer)**

19. As detailed at page 44 – Core Policy 32, at the time of publishing this report, John Zheng had e-mailed Environmental officers and has received air quality average statistics for the borough, back from them and would share this information with the Committee. However, in terms of river quality, chemical and biological data, Environmental officers did not have this information. John Zheng would double check with those officers if this information was available and why it had not been disclosed.

**ACTION: John Zheng (Planning Policy Officer)**

**LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019**

20. As detailed at page 45 – Core Policy 34, no data available regarding satisfaction of people with parks and play areas. John Zheng had spoken with the Park's department who confirmed that these surveys are no longer undertaken since it was shown on the previous monitoring report.
21. As detailed at page 46 – Core Policy 36, no updates to the Biodiversity policy since 2011/12. The Council did not have a biodiversity officer in place any longer. The role and funding was cut due to Council savings. The team could only report on information it could gather. Whilst the policy is in place, there are other areas of the Council that the team are dependent upon. The committee agreed that this was an issue. There had been an indication that 'Friends of the Park' were happy to monitor and gather this data. Neeru Kareer would raise this issue with the Parks department.  
**ACTION - Neeru Kareer (Head of Strategic Planning & Design – Interim).**

**Alternative Options Considered:** Noted the following alternative options which had been considered as set out section 6 of the report:

1. The alternative is not to revise and republish the existing AMR 2015/16 and Housing Trajectory 2016. However, this would put the Council at risk legally by way of providing out dated information to the public and challenged at public inquires on housing trajectory and five-year housing supply.
2. The alternative also sends out a negative message to residents, business, and the development industry that Council are not prepared to be transparent and report on accurate housing supply delivery.

**Decision:** The Local Plan Cabinet Sub-Committee agreed to:

1. Endorse the content of this report as evidence to support the new Local Plan and to demonstrate an up-to-date five-year housing supply.
2. Note the content of the Local Plan AMR and approve it for publication on the Council's website.

**Reasons for recommendations:**

1. The updated Annual Monitoring Report (AMR) is considered to set out a realistic picture of how council are performing against key planning policy indicators, addressing housing needs and supply. The current legislation and regulations require that the Council publishes up to date information to the public.

**LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019**

**5**

**LOCAL DEVELOPMENT SCHEME 2019 - 2022**

The Sub Committee received a covering report and presentation slides.  
(Report No. 209)

The following points were highlighted:

1. John Zheng (Planning Policy Officer) presented a power point presentation, talking through the key points of the report. The report concerns the Council's plan making programme which is termed the Local Development Scheme (LDS), which is a 3-year programme of what the Council will be doing in terms of producing planning documents.
2. The LDS:
  - a. supports the new Local Plan 2036 programme and timetable and supporting documents:
    - Edmonton Leaside Area Action Plan
    - North London Waste Plan
    - Heritage Strategy
  - b. Legislative requirement to provide an up to date LDS. The current LDS 2013-16 has now expired and needs to be renewed.
  - c. Responds positively to changing national and London wide planning agenda.
  - d. Programme for the next 3 years – the table within the power point presentation and timetable detailed at page 83 of the report summarises what is planned for the next 3 years. The dotted line of the graph shows what stage the team are at present for each of the programmes that are under way:
    - New Local Plan 2036 – Consultation on Issues and Options completed end of February 2019.
    - Edmonton Leaside AAP – currently at examination stage with a view to be adopted by early 2020.
    - North London Waste Plan – Is at Preferred Option stage. Consultation commenced in 2019 with a view to adoption by mid-2020.
    - Heritage Strategy – Consultation has been completed alongside the draft new Local Plan. comments are now being analysed, with a view to seeking adoption as SPD, in May/Jun-19 .

**Alternative options considered:** Noted the following alternative options which had been considered as set out in section 6 of the report:

1. The alternative is not to revise and republish the Council's LDS, leaving the 2013 published LDS timetable in place and resulting in the Council demonstrating non-delivery against the proposed programme. This is not advised, as there is now a requirement to review Local Plans every five years.

**LOCAL PLAN CABINET SUB-COMMITTEE - 26.3.2019**

2. The alternative also sends out a negative message to residents, business, and the development industry that we are not prepared to manage new challenges and opportunities facing the borough.

**DECISION:** The Local Plan Cabinet Sub-Committee agreed to:

1. approve the programme attached in Appendix 1 titled 'LDS 2019-2022' to this report to have immediate effect and agrees to its publication on the Council's website.

**Reasons for recommendations:**

1. The revised LDS is considered to set out a realistic programme for the remainder of the Plan preparation process and other associated documents in accordance with current legislation and regulations. Members should note that while realistic, the timetable is very ambitious and officers will need to increase pressure on partners to cooperate with the new timetable to incorporate the next round, of Local Plan consultation and carefully monitor the content and scale of representations received from the first stage of consultation.

**6**

**MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 24 October 2018 were agreed as a correct record.

**7**

**DATE OF FUTURE MEETINGS**

NOTED the dates agreed for future meetings of the committee:

Thursday 25 April 2019.

**Post Meeting Note:**

This meeting has now been cancelled.

**SHAREHOLDER BOARD - 2.4.2019****MINUTES OF THE MEETING OF THE SHAREHOLDER BOARD HELD ON TUESDAY, 2ND APRIL, 2019**

**MEMBERS:** Councillors Nesil Caliskan (Leader of the Council), Daniel Anderson (Deputy Leader of the Council), Alev Cazimoglu (Cabinet Member for Health & Social Care), Dino Lemonides (Cabinet Member for Housing), Mary Maguire (Cabinet Member for Finance & Procurement) and Ahmet Oykenner (Cabinet Member for Property and Assets)

**Officers:**

Ian Davis (Chief Executive), Jeremy Chambers (Director of Law and Governance), Matt Bowmer (Interim Director of Finance), Nicky Fiedler (Director – Commercial), Will Wraxhall (Commercial and Partnerships Manager), Jacqui Hurst (Secretary)

**Company Representatives:** Councillor Hass Yusuf and Marc Gadsby (Independence and Well Being Enfield), Councillor Sabri Ozaydin (Enfield Innovations Ltd.)

**Also Attending:** Councillor Ahmet Hasan

**1. APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**2. DECLARATION OF INTEREST**

There were no declarations of interest in respect of any item listed on the agenda.

Councillor Ahmet Oykenner (Cabinet Member for Property and Assets) advised Members that he would declare interests as and when necessary in relation to matters arising in relation to Independence and Wellbeing Ltd.

**3. ANNUAL REPORT TO CABINET**

Nicky Fiedler (Director - Commercial) introduced Report No.205 presenting the Annual Report to Cabinet.

NOTED

1. That the report detailed the Shareholder Board's work and achievements during the 2018-19 municipal year. The Board was required to provide a report to Cabinet in accordance with the approved terms of reference.

## SHAREHOLDER BOARD - 2.4.2019

2. The work that had been undertaken by the Shareholder Board in 2018/19 as set out in section 3 of the report. This work in summary had included: agreeing a job description for Councillors acting as company directors; receiving quarterly progress reports from the companies; clarified the position of leases and licences to be granted to trading companies; reviewed and amended the companies' reserved matters; considered the accounts and business plans of the companies.
3. The forward plan of the Shareholder Board as detailed in section 3 of the report and the proposals for future meetings and governance arrangements.
4. That the Shareholder Board and its terms of reference, as established and previously agreed by Cabinet, currently applied to Council wholly owned companies only. The current arrangements required matters arising from companies that were not wholly owned to be dealt with by Cabinet rather than the Board. It was therefore proposed that a recommendation be made to Cabinet to agree an amendment to the terms of reference of the Shareholder Board to enable the Board to deal with matters arising from all Council companies, including those that were not wholly owned.

**Alternative Options Considered:** None. The Board was required to provide an annual report to Cabinet

**DECISION:** The Shareholder Board agreed

1. To approve the report to be provided to Cabinet as per the Board's Terms of Reference.
2. To include a recommendation to Cabinet to agree an amendment to the terms of reference of the Board as set out in paragraph 4 above.

**Reason:** The Board was required to report to Cabinet as specified within the terms of reference.

(Non key)

#### 4. GROUP TAX RELIEF

Matt Bowmer (Interim Director of Finance) introduced the report of the Executive Director – Resources (No.206) setting out how the current company arrangements could be made more tax efficient.

NOTED

1. That Minute No.9 below also referred.



## SHAREHOLDER BOARD - 2.4.2019

2. That Councillor Nesil Caliskan (Leader of the Council) had been consulted on the report.
3. That Officers had sought advice from PWC to explore how the current company arrangements could be made more tax efficient. The advice had covered Group Tax Relief for Corporation Tax, Stamp Duty Land Tax, VAT and Limited Liability Partner structures, as outlined in the report.
4. That the Council could take benefit from Group Tax Relief, as set out in detail in the report. Matt Bowmer (Interim Director of Finance) explained in detail to Members how the tax arrangements could be applied to the companies, and the benefits for both the companies and the Council. This was an ongoing opportunity and could be applied in future years, but the position would need to be reviewed on a year by year basis to ensure that there were no unintended consequences for any of the companies.
5. In response to questions raised, the details set out in Appendix 1 of the report in relation to figures for Profit Before Tax and Taxable Profit were explained. Members noted the detailed work that was continuing, as set out in the report.
6. That there would be no detrimental effects on those companies who had made a profit, their success would not supplement those companies who had made a loss. There would be no impact on the business plans of the companies. The application of group tax relief was explained in detail and assurances provided of the proposals going forward.
7. That the Council and its companies would continue to fully comply with its tax requirements.

**Alternative Options Considered:** NOTED, that there were two key alternative options being: 1. To do nothing and; 2. To put in place a holding company over the four companies as the mechanism to offset profits and losses in the four companies and reduce the overall tax liability as considered in full in the part 2 appendix (Minute No.9 below refers).

**DECISION:** The Shareholder Board agreed to

1. The application of Tax Group Relief to be reviewed annually.
2. Instruct its companies to work with their tax advisers to apply the relief.
3. Instruct a cash payment to be made to the company(ies) giving up their loss.
4. Note the future work on VAT, Stamp Duty Land Tax and Limited Liability Partnerships.

## SHAREHOLDER BOARD - 2.4.2019

**Reason:** To ensure that the Council's companies operate in a tax efficient manner.

(Non key)

### 5. SHAREHOLDER BOARD WORK PLAN

Nicky Fiedler (Director - Commercial) introduced Report No.207 identifying the intended items and work for the Shareholder Board during the 2019-20 municipal year.

NOTED

1. That Appendix 1 to the report set out the proposed forward plan for 2019/2020 including formal meetings of the Shareholder Board and informal discussions. This would allow the Board to receive more timely information; take an active role in shaping company direction at an early stage; and, foster effective relationships with company directors, as detailed in the report.
2. That an amendment to the Board's terms of reference in respect of the number of formal meetings held within a municipal year would be required. This would be considered at the next formal meeting of the Board.
3. Members felt that the Board could benefit from further training and development on the detailed work undertaken by the Companies to allow Members to increase their understanding and knowledge of each of the Companies. In response, officers undertook to consider and include appropriate training and development within the work programme for 2019/2020.

**Alternative Options Considered:** None. The Board required a forward plan to maximise its effectiveness.

**DECISION:** The Shareholder Board agreed to approve the proposed work plan.

**Reason:** The forward plan included all known items which the Board would be required to decide during the year, as well as time for the Board to shape and influence the direction of companies and ensure they continue to meet Council priorities.

(Non key)

**SHAREHOLDER BOARD - 2.4.2019**

**6. MINUTES OF PREVIOUS MEETING**

**AGREED**, that the minutes of the previous meeting of the Shareholder Board held on 29 January 2019 be confirmed and signed by the Chair as a correct record.

**7. DATES OF FUTURE MEETINGS**

NOTED, that the dates of future meetings of the Shareholder Board would be agreed as part of the Council calendar of meetings for the new municipal year 2019/20.

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

**RESOLVED**, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the item listed on part two of the agenda on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information) of Part 1 of Schedule 12a (as amended by the Local Government (Access to Information) (Variation) Order 2006).

**9. GROUP TAX RELIEF**

NOTED, Appendix 2 (containing exempt information) in support of Report No.206 – Group Tax Relief as detailed in Minute No.4 above.

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