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THE CABINET

**Wednesday, 10th July, 2013 at 8.15 pm in the Conference Room,
Civic Centre, Silver Street, Enfield, EN1 3XA**

Membership:

Councillors : Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Chris Bond (Cabinet Member for Environment), Bambos Charalambous (Cabinet Member for Culture, Leisure, Youth and Localism), Del Goddard (Cabinet Member for Business and Regeneration), Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health), Donald McGowan (Cabinet Member for Adult Services, Care and Health), Ayfer Orhan (Cabinet Member for Children & Young People), Ahmet Oykenen (Cabinet Member for Housing) and Andrew Stafford (Cabinet Member for Finance and Property)

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. DECLARATION OF INTERESTS**

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

DECISION ITEMS

3. URGENT ITEMS

The Chairman will consider the admission of any reports (listed on the agenda but circulated late) which have not been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012.

Note: The above requirements state that agendas and reports should be circulated at least 5 clear working days in advance of meetings.

4. DEPUTATIONS AND PETITIONS

To note that no requests for deputations (with or without petitions) have been received for presentation to this Cabinet meeting.

5. ITEMS TO BE REFERRED TO THE COUNCIL

To confirm that there are no items to be referred to full Council.

6. ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY PANEL/SCRUTINY PANELS (Pages 1 - 12)

6.1 Reference from the Crime and Safety and Strong Communities Scrutiny Panel – Metal Theft

A report from the Crime and Safety and Strong Communities Scrutiny Panel is attached. This identifies a number of recommendations following the scrutiny review into metal theft in Enfield. (Non key)

(Report No.21)
(8.20 – 8.30 pm)

7. REVENUE OUTTURN 2012/13 AND 2014/15 BUDGET AND FINANCIAL OUTLOOK

A report from the Director of Finance, Resources and Customer Services **will be circulated as soon as possible**. This will set out the overall Council General Fund and Housing Revenue Account outturn position for 2012/13 and will provide an update on the 2014/15 budget. **(Key decision – reference number 3731)**

(Report No.22)
(8.30 – 8.35 pm)
To Follow

8. CAPITAL OUTTURN 2012/13 (Pages 13 - 28)

A report from the Director of Finance, Resources and Customer Services is attached. This informs Members of the capital investment undertaken in 2012/13, and the way in which it has been funded. **(Key decision – reference number 3732)**

(Report No.23)
(8.35 – 8.40 pm)

9. QUARTERLY CORPORATE PERFORMANCE REPORT (Pages 29 - 46)

A report from the Chief Executive is attached. This presents the third quarterly report on the Corporate Performance Scorecard. **(Key decision – reference number 3715)**

(Report No.24)
(8.40 – 8.45 pm)

10. ALLEGED CONSTRUCTION INDUSTRY BLACKLISTING (Pages 47 - 50)

A report from the Director of Finance, Resources and Customer Services is attached. This highlights the practice of “blacklisting” which has allegedly been used by construction companies to restrict the employment opportunities for workers in the industry based on their affiliation to trade unions. **(Key decision – reference number 3742)**

(Report No.25)
(8.45 – 8.50 pm)

11. BARNET, ENFIELD AND HARINGEY (BEH) CLINICAL STRATEGY

A report from the Director of Health, Housing and Adult Social Care **will be circulated as soon as possible**. This will set the context for local health services and appraises Cabinet of the outcomes of work undertaken across the Council to date. (Non key)

(Report No.26)
(8.50 – 8.55 pm)
To Follow

12. ALMA PHASE 1 (ACADEMY STREET) DEVELOPMENT - COMPULSORY PURCHASE ORDER (Pages 51 - 76)

A report from the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services is attached. This recommends the making of the Academy Street CPO to enable the acquisition of the third party land required to deliver the Academy Street development. (Report No.33, agenda part two also refers) **(Key decision – reference number 3694)**

(Report No.27)
(8.55 – 9.00 pm)

13. TENDER FOR THE PROVISION OF HOUSING RELATED FLOATING SUPPORT (Pages 77 - 84)

A report from the Director of Health, Housing and Adult Social Care is attached. This sets out the process and result of the tender for three Housing Related Floating Support contracts and makes recommendations for the award of contracts. (Report No.30, agenda part two also refers). **(Key decision – reference number 3724)**

(Report No.28)
(9.00 – 9.05 pm)

14. RE-PROVISION PROJECT - NEXT STEPS (Pages 85 - 88)

A report from the Director of Health, Housing and Adult Social Care is attached. This proposes a way forward in terms of the next steps in the development and delivery of the re-provision project. (Report No.31, agenda part two also refers) **(Key decision – reference number 3593)**

(Report No.29)
(9.05 – 9.10 pm)

15. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 89 - 92)

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

16. NOTICE OF KEY DECISION LIST

Members are asked to consider any forthcoming key decisions for inclusion on the Council's Notice of Key Decision List.

Note: the next Notice of Key Decision List is due to be published on 30 July 2013, this will be effective from 1 September 2013.

17. MINUTES (Pages 93 - 104)

To confirm the minutes of the previous meeting of the Cabinet held on 19 June 2013.

18. MINUTES OF ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6 JUNE 2013 (Pages 105 - 112)

To receive, for information, the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 6 June 2013.

19. MINUTES OF POLICY CABINET SUB-COMMITTEE - 17 JUNE 2013
(Pages 113 - 116)

To receive, for information, the minutes of a meeting of the Policy Cabinet Sub-Committee held on 17 June 2013.

INFORMATION ITEMS

20. ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

There are no written updates to be received at this meeting.

21. DATE OF NEXT MEETING

To note that the next meeting of the Cabinet is scheduled to take place on Wednesday 18 September 2013 at 8.15pm.

CONFIDENTIAL ITEMS

22. EXCLUSION OF THE PRESS AND PUBLIC

To consider passing a resolution under Section 100A(4) 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 2 agenda)

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MUNICIPAL YEAR 2013/2014 REPORT NO. 21

MEETING TITLE AND DATE:

**Crime & Safety & Strong
Communities Scrutiny
Panel 18th April 2013
CMB: 4th June 2013
Cabinet: 10 July 2013**

**REPORT OF: Crime &
Safety & Strong
Communities Scrutiny
Panel**

Agenda – Part: 1	Item: 6.1
Subject: Metal theft	
Cabinet Member consulted: N/A	

Contact officer and telephone number: Mike Ahuja 020 8379 5044

E mail: mike.ahuja@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report identifies a number of recommendations following the scrutiny review into metal theft in Enfield.
- 1.2 The Council has suffered significant financial losses due to metal theft from parks and of gullies.
- 1.3 This is a national issue due to the large increase in prices of metal driven by global economies and increased demand. No metals are immune to being stolen, but a combination of value, demand, quantity, uses and ease of theft makes some metals more prone to being targeted than others.
- 1.4 A Local Government Association survey undertaken in February 2012 covering England and Wales found that 7 out of 10 councils had suffered metal theft.
- 1.5 Both the police and scrap metal dealers have highlighted the difficulty in identifying stolen metals.
- 1.6 A new Scrap Metal Dealers Act 2013 received Royal Assent on the 28th February 2013. It is designed to bring reform to the industry and providing a key element in the fight against metal theft. The Home Office is responsible for the Act's implementation. The anticipated date for this is October 2013; guidance and regulations will follow in due course.

2 RECOMMENDATIONS

Cabinet is asked to consider the report and approve recommendations 2.1, 2.3,2.5, 2.6,2.7 and 2.8. Please note that recommendations 2.2 and 2.4 will be forwarded to the Metropolitan Police:

Prevention

- 2.1 When a new application for registration is received from an address where there is already a registration in place under a different surname; the system should automatically flag this as a potential issue for investigation.
- 2.2 Local police should undertake training on metal theft in the same manner as the British Transport Police. Currently this training is provided by Metal & Waste Recycling Limited.
- 2.3 Council should consider replacing existing metal at the end of its lifetime or when stolen with an alternative material, particularly in areas with low public or council footprint.

Enforcement

- 2.4 Prompt response requested from the police when scrap metal dealers phone to report a suspicious transaction.
- 2.5 The Council request that consideration is given by the Home Office for a new crime classification for metal theft and for this to be made a national requirement. This is to allow metal theft to be recorded as part of the standard report rather than being a searchable crime. (subject to approval by English Heritage in areas with a conservation status). In addition the three Enfield MP's be asked to formally support this request.

Other

- 2.6 Consideration is given to publishing an annual report on scrap metal dealers and itinerants flagging up examples of good and bad practice.
- 2.7 During the winter period metal mechanical and grass cutting equipment not in use by parks should be stored in a more secure location.
- 2.8 The Council consider collecting white goods for free. The Council should consider using an incentive to encourage residents to use the Council to pick up white goods. This service should provide a date and time for collection to ensure that the goods are collected by the council.

- 2.9 Note the following recommendation has gone to the Cabinet Members for Environment and Community Wellbeing and Public Health for an immediate response:

Until the charges for the new Licensing scheme are in place the Panel would recommend that the Council examine how it can be more robust in the current registration process and where possible a charging mechanism should be introduced for enhanced services within the registration scheme prior to implementation of the Act. This could contain training for those wishing to register to cover their responsibilities under current legislation and under the new Act. This could also include an explanation of the Council's responsibilities and enforcement activities and provide an ID badge confirming registration details for display in vehicle or on site. The charge should be made using a cashless system mirroring the amendment to the Scrap Metal Dealers Act.

3. **BACKGROUND**

Rationale for the review

- 3.1 At the Annual planning meeting of the Crime & Safety & Strong Communities Scrutiny Panel a review of Metal Theft was agreed and a working group was formed (comprising Cllrs: Mike Rye, Lee Chamberlain, Simon Maynard and, Co-optee Brian Waters).
- 3.2 The issue of metal theft is of great concern to both the community, businesses, individuals and the Council and is a big issue both locally and nationally.
- 3.3 A Local Government association survey undertaken in February 2012 covering England and Wales found that 7 out of 10 councils had suffered metal theft. The most commonly taken items were gully/manhole/drainage covers and roofing materials. The number of metal theft offences in the UK has doubled over the last 5 years.
- 3.4 The Association of Chief Police Officers have estimated that the cost of metal theft is more than £770 million every year as thieves target the transport system, parks, schools , hospital and places of worship.
- 3.5 The prices of metal has risen considerably driven by global economies and increased demand. No metals are immune to being stolen, but a combination of value, demand, quantity, uses and ease of theft makes some metals more prone to being targeted than others. Copper and Lead are the most targeted.

Issues

- 3.6 The group learnt that it is very difficult for both the police and scrap metal dealers to identify stolen metal.
- 3.7 Should a case go to court it is very hard for the genuine owner of the metal to confirm beyond any doubt that the metal is theirs.

Enforcement

- 3.8 There is no specific offence of metal theft, which means incidents involving metal theft cannot be separately identified within standard police datasets. Consequently there are no precise estimates of all types of metal theft nationwide (including at a local level).
- 3.9 A new crime classification for metal theft would have to be instigated by the Home Office and made a national requirement. The MPS currently have flags that relate to metal theft in the crime reporting system which are searchable and in addition the analyst within Operation Ferrous London regional intelligence unit has developed a more extensive search.
- 3.10 *The Council request that consideration is given by the Home Office for a new crime classification for metal theft and for this to be made a national requirement. This is to allow metal theft to be recorded as*

part of the standard report rather than being a searchable crime. In addition the three Enfield MP's be asked to formally support this request. Recommendation 2.5

Prevention

- 3.11 The cost to the council is significant with over £300,000 spent on metal replacement in 2010/11 on highways and over £24,000 on replacement of items stolen from Parks. This figure does not include the damage often caused by flooding when pipes are stolen from places such as changing rooms.

Council should consider replacing existing metal at the end of its lifetime or when stolen with an alternative material, particularly in areas with low public or council footprint (subject to approval by English Heritage in areas with a conservation status). Recommendation 2.3

- 3.12 The working group attempted to organise a meeting with all scrap metal dealers and itinerants. They noted that 8 letters were returned gone away involving 8 names but only 2 addresses. No itinerants made themselves available.

When a new application is received from an address where there is already a registration in place under a different surname; the system should automatically flag this as a potential issue for investigation Recommendation 2.1

Actions- meetings and visits

- 3.13 The working group have met on 4 occasions and received information from the Community Safety Unit and met with officers from Environmental Crime, Licensing, Highways, Parks and the Metropolitan Police to collect evidence on the issue.

Visit to Scrap Metal Dealer

- 3.14 The working group visited Metal and Waste Recycling in Kenninghall Road, meeting with its Director. This is the 3rd largest scrap metal dealer in the UK and a major employer in Enfield employing more than 88 people on site and dealing with 500 subcontractors. Their Head Office is in Edmonton and they have a further 15 sites across the UK.

- 3.15 There is a high turnover of metal from the site, with the site being completely cleared and refilled on a monthly basis. They have a turnover of £350 million. They are currently the sole contractor for the MOD and for the old BT cable.

- 3.16 The group heard at the visit of how metal theft affects scrap metal dealers and the challenges this crime causes. Scrap metal dealers themselves are highly susceptible to theft from their sites and this site pay £55k per month in security fees. Staff safety was also a cause of concern for them. He cited examples of staff being attacked and threatened.

- 3.17 The metal is often received in broken down form with no identifying marks and it is not possible to tell whether or not it is stolen
- 3.18 The group heard that even if all metal was marked with smart water it would be unlikely to be detected by dealers. The metal often arrives in a skip and it is not viable to hand scan every single metal item. Current marking does not confirm whether or not an item is stolen or who owns it just that it is marked. There are many legal reasons why marked metals maybe offered as scrap.
- 3.19 The Director of Metal and Waste Recycling raised an issue of when thieves try to sell them metal which appeared to be stolen and the lack of response from the Police. An example was given of copper cable when the police were called. The thieves managed to take the cable to an industrial estate and cut it up into segments without any police intervention.
Prompt response requested from the police when scrap metal dealers phone to report suspicious transaction Recommendation 2.4
- 3.20 A further issue can be that even if a case goes to court it is very hard for the genuine owner to confirm beyond any doubt that the metal is theirs.
- 3.21 The Director of Metal and Waste Recycling advised that he runs afternoon training sessions on a monthly basis for British Transport Police.

4. Findings

- 4.1 This section of the report provides a summary of the findings by the working group.
- 4.2 As there is no specific offence of metal theft, little information is recorded on either suspects or offending patterns.
- 4.3 At the time of this report there are currently 11 registered scrap metal dealers, 60 itinerants and 590 registered waste carriers registered in Enfield.
- 4.4 The difference between a Metal Dealer and an Itinerant Metal Dealer is that the Metal Dealer operates from specific premises where metal is taken to and from and stored. The Itinerant Metal Dealer disposes of the articles and does not have a store of their own nor do they use another's store. Where a person carries on business as a Metal Dealer and also as an Itinerant Metal Dealer they shall require a licence for each activity.
- 4.5 Over the last 10 years the type of Registration has changed dramatically. Since April 2011 only itinerants have registered, a large

number have registered between April and December 2011 often with multiple names registered at the same address.

- 4.6 Under the Scrap Metal Dealers Act 1964 all scrap metal dealers and itinerants must register with the Council. Registration does not require any decision to be made or any permission to be given. The applicant must complete and sign an application providing at least one proof of address. The Metropolitan Police Service also visit to confirm that they are actually residing at the address. If the address is confirmed the Council must register the applicant. There is currently no charge for this service.
- 4.7 The responsibilities under the 1964 Act are as follows. The Police investigate theft and identify stolen metal. Councils are responsible for maintaining a register of dealers in their locality; ensuring that dealers comply with their responsibilities under the Act; providing leadership in tackling the issue. The Environment Agency is responsible for issuing environmental permits and monitoring sites for pollution. Dealers in scrap metal are responsible for notifying authorities of their operation and keeping adequate records of transactions to fulfil the act.
- 4.8 From the Register it is apparent that multiple names are often registered at the same address. The working group were advised that this is an issue and if offences are committed in these situations they usually include in addition to metal theft, benefit fraud and electricity abstraction. Individuals often move around the country committing offences at each location.
- 4.9 It is believed that in the main the metal is exported before being recycled. Where metal is sold in the UK people will travel great distances to get the best prices.
- 4.10 The Police advised that they have a lack of expertise in this area and often refer to their colleagues in the British Transport Police for guidance.
Local police should undertake training on metal theft in the same way as the British Transport Police. Currently this training is provided by Metal & Waste Recycling Limited. Recommendation 2.2
- 4.11 The Council were collecting white goods for free. Although there is a 5 day turnaround for this service. However from April 2013, a charge will be made for this service. The cost will be £20 for each collection with a maximum of 3 items per collection.
- 4.12 When a resident contacts the Customer Service Section to arrange this service, it is suggested to them that they use 123Recycle for free who operate who operate in many London Boroughs including Enfield. The call can either be redirected or the resident given the freephone number.

- 4.13 Should the resident request that the Council collect the item then this will be arranged.

The Council should continue to collect white goods for free and consider using an incentive to encourage residents to use the Council to pick up white goods. This service should provide a date and time for collection to ensure that the goods are collected by the council. Recommendation 2.8

- 4.14 Parks are extremely vulnerable to theft. Machinery has been taken from lock ups in parks. Locked facilities have been broken into overnight with further damage caused from flooding as water left on when pipes stolen. The working group was advised that Parks equipment is stored on site all year round.

During the winter period metal mechanical and grass cutting equipment not in use by parks should be stored in a more secure location. Recommendation 2.7

- 4.15 Some examples of enforcement operations undertaken include inspections of both scrap metal dealers and itinerants, and Stop and Search patrols for waste carriers of metal.

- 4.16 The working group would like to see good practice encouraged amongst scrap metal dealers and itinerants and poor practices highlighted.

Consideration is given to publishing an annual report on scrap metal dealers and itinerants flagging up examples of good and bad practice. Recommendation 2.6

5. Consultations on finding and recommendations

This has occurred with the following:

- Metropolitan Police (Acting Borough Commander)
- Acting Head of Community Safety
- Head of Regulatory Services
- Highways
- Parks and Open Spaces
- Director of Environment
- Councillor Bond
- Councillor Hamilton

6. Legislation

- 6.1 The current legislation in this area is the 1964 Scrap Metal Dealers Act. This requires councils to maintain a register of persons trading in their area as scrap metal dealers. Failure to register attracts a fine of £1,000 and registration must occur every 3 years. Dealers must:

- Inform the local council of their operation
- Maintain a book with details of metal received, processed or despatched
- Record the description and weight of the metal

- Record the name and address of the person providing the metal
 - Record the registration of the delivery vehicle
- 6.2 In December 2012 a cashless system was introduced. It became an offence for anyone to buy scrap metal for cash or by any form of payment other than a crossed cheque or electronic money transfer under the Scrap Metal Dealers Act, amended by the Legal Aid, Sentencing and Punishment of Offenders Act. The interim recommendation is around a charge for registration to mirror this cashless system that requires the dealer/itinerant to provide bank details.
- 6.3 A new The Scrap Metal Dealers Act 2013 has been prioritised and received Royal Assent on the 28th February 2013. It is designed to bring reform to the industry and providing a key element in the fight against metal theft.
- 6.4 The Act builds on measures already taken by the government, including enhanced enforcement activity through the National Metal Theft Taskforce, design solutions to improve traceability of stolen metal and earlier legislative measures in the Legal Aid, Sentencing and Punishment of Offenders Act 2012 to ban the purchase of scrap metal with cash.
- 6.5 The Act replaces the outdated Scrap Metal Dealers Act 1964 with a more robust, fee-raising license scheme administered by local authorities. Features include the power for local authorities to refuse and revoke a licence; giving courts the power to close unlicensed dealers; requiring dealers to verify sellers' identity and creating a single publically available national register of licence holders maintained by the Environment Agency. The Act maintains the offence of purchasing scrap metal with cash that came into force in December but removes the exemptions for itinerant collectors and brings motor salvage operators within the definition of a scrap metal dealer for the first time.
- 6.6 The Home Office is responsible for the Act's implementation. This is anticipated in October 2013; guidance will follow the implementation.
- 6.7 The working group welcome the change in Legislation and look forward to its full implementation.
7. The working group would like to express thanks to all officers from the Council and the Metropolitan Police who gave their time and expertise to the review and to John Rice from Metal & Waste Recycling Ltd
8. **ALTERNATIVE OPTIONS CONSIDERED**
None.

9. REASONS FOR RECOMMENDATIONS

To support the 'Strong Communities' commitment from the Council's manifesto.

Provide strong community leadership and work in partnership with others to ensure Enfield is a safe and healthy place to live.

10. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

10.1 Financial Implications

Any costs arising from implementing the recommendations in this report, will need to be met within existing resources.

10.2 Legal Implications

10.2.1 This report sets out a recommendation that the council be more robust in the current registration process and consider introducing a charging mechanism for an enhanced registration scheme prior to implementation of the new Scrap Metal Dealers Act 2013 (the new Act) which was given Royal Assent on 28th February 2013.

10.2.2 The new Act repeals the Scrap Metal Act 1964 and introduces a rigorous new local-authority administered licensing system comparable to the alcohol and gambling licensing regimes and administered by councils. The commencement date of the new Act is not known but it is expected to come into force towards the end of the year.

10.2.3 A number of different charging provisions have been considered to enable the Council to adopt a charge for registration prior to the new Act coming into force. Under S1 of the Scrap Metal Dealers Act 1964 the Council is obliged to maintain a register of persons carrying on business in the borough as scrap metal dealers. The consequence of failing to register is that a dealer would be guilty of a criminal offence therefore it is implied that we cannot charge for this.

10.2.4 The council is precluded from using the general power of competence in the Localism Act 2011 to charge for registration. There are limits placed on use of the general power of competence and it cannot be used to charge for services which the council is obliged to provide by statute.

10.2.5 S93 of the Local Government Act 2003 covers charging for discretionary services if the recipient of the service has agreed to its provision. Although a service that a local authority has a duty to provide is not a discretionary service (and will not benefit from a s93 charging power), an enhancement to a mandatory service, resulting in a higher standard of service, may be considered discretionary. In this situation the Council can rely on s93 to charge for the enhanced element of the service. Any income should not exceed the costs of provision.

10.2.6 Para 11 of the ODPM guidance states that '*Services that an authority is mandated or has a duty to provide are not discretionary services and will not benefit from the new power at s93 of the 2003 Act. However additions or enhancements to such mandatory services above the level or standard than an authority has a duty to provide may be discretionary services*'.

10.2.7 The enhancement of the registration system for scrap metal dealers appears to satisfy the well-being criteria. It therefore seems, in principle at least, that the council can use s93 to charge for an enhanced element of registration. Careful consideration will need to be given to the detail of any such scheme to ensure that the council has a sufficiently robust case for using s93 and minimise any risk in doing so. The council could seek to ensure that the enhanced elements of registration mirror the provisions set out in the new Act to substantiate its case.

10.3 Property Implications

10.3.1 Property Services acts as the Council's landlord and as such carries responsibility for the property portfolio together with the landlord's maintenance responsibilities especially within leased properties. The Royal Assent given to Scrap Metal Dealers Act 2013 is welcomed as a means to deter theft of metal from Council properties together with the associated cost of the damage caused and resultant repairs.

10.3.2 Since 1st September 2012 it has been a criminal offence to squat in residential properties which has led to a greater threat of squatting to commercial and operational properties. There is now concern that commercial and operational property that become vacant will be at a greater risk of squatting and metal theft.

10.3.3 With the introduction of cashless transactions this should make metal theft less attractive and lucrative and the recent legislation will hopefully act as a deterrent.

10.3.4 As a result of the current high value of metal any repairs carried out as landlord responsibility should be undertaken in materials other than metal, where possible, to deter theft and damage.

10.3.5 Where properties are deemed to be vulnerable, especially those that are vacant, it will be necessary to consider plans for additional robust security measures, which may incur additional cost, in order to protect the Council's property interests and also to maintain as far as possible the value of the investment portfolio.

11. KEY RISKS

The issue of metal theft has become a significant risk in recent years and includes not only financial loss (e.g. damage to property) but also operational issues such as the disruption caused.

This report sets out some of the initiatives to help mitigate these risks, however further additional measures may need to be considered."

12. IMPACT ON COUNCIL PRIORITIES

a. Fairness for All

None.

b. Growth and Sustainability

Reducing the opportunities for metal theft and the activities of itinerant metal dealers will prevent damage and/or loss of Council and residents' property.

c. Strong Communities

Implementing the recommendation will reduce opportunities for criminal activity and contribute to making Enfield a safe and healthy place to live.

13. EQUALITIES IMPACT IMPLICATIONS

It is not relevant or proportionate to undertake an equality impact assessment/analysis of recommendations to reduce metal theft.

14. PERFORMANCE MANAGEMENT IMPLICATIONS

Establishing a system to monitor the progress and outcomes of the recommendations will enable the success of the recommendations to be measured.

15. PUBLIC HEALTH IMPLICATIONS

None

Background Papers

None

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MUNICIPAL YEAR 2013/14 REPORT NO. 23**MEETING TITLE AND DATE:**

Cabinet 10th July 2013

REPORT OF:Director of Finance, Resources &
Customer Services**Contact:**Richard Tyler (Tel:0208 379 4732)
Ann Freeman (Tel:0208 379 3002)

AGENDA - PART 1	ITEM 8
SUBJECT – Capital Outturn 2012/13	
Cabinet Member consulted: Councillor Andrew Stafford	

1. EXECUTIVE SUMMARY

- 1.1** The purpose of this report is to inform Members of the capital investment undertaken in 2012/13, and the way in which it has been funded. The report also includes the outturn position for the Prudential Indicators.
- 1.2** The report shows that in 2012/13 the Council's capital expenditure amounted to £127.0m compared with the latest programme of £148.7m. The resulting favourable variance of £21.7m is comprised of £11.9m Housing projects and £9.8 of General Fund projects. This is mainly due to re-profiling of schemes where the resources will be carried forward to 2013/14.
- 1.3** Details of the service achievements and an analysis of the variations are contained in the report and Appendix 1.

2. RECOMMENDATIONS

- 2.1** That the achievements and improved outcomes resulting from the Council's investments in capital projects are noted.
- 2.2** That the funding of the Council's capital expenditure as set out in this report be agreed (paragraph 5.2).
- 2.3** That the outturn for the Council's prudential indicators be noted (section 6).

3. BACKGROUND

- 3.1** The Council's capital programme for 2012/13 to 2014/15 was agreed by Council on February 2012. The capital programme has been monitored on a quarterly basis and quarterly reports have been considered by Cabinet in September 2012, November 2012 and March 2013. This outturn report represents the 4th quarterly monitoring report for 2012/13 and a summary for the year.

4. PRINCIPAL ACHIEVEMENTS AND OUTCOMES

- 4.1** Overall the Council spent some £127.074m on capital projects in 2012/13 compared with the latest programme of £148.733m. The principal achievements resulting from capital investment in 2012/13 are summarised below.

4.2 SCHOOLS AND CHILDREN'S SERVICES

In 2012/13 the main priority was again to ensure that sufficient accommodation was planned and/or secured to meet the continuing and further increasing demand for primary school places. A total of 1,045 new primary places were opened (595 permanent and 450 one off).

The principal achievements were as follows:

- Following extensive statutory consultation with schools and residents in Autumn Term 2012, the schemes were progressed under the Primary Expansion Programme (PEP) to deliver accommodation for a complete additional seven forms of entry at Garfield, George Spicer, Grange Park, Highfield, Prince of Wales and Worcesters Primary Schools together with the provision 420 primary places at Edmonton County School (Bury Campus). As part of the PEP, a scheme was also been formulated for a new modular building at Chesterfield Primary School to mitigate the affect of bulge classes already admitted. Because of a combination of issues relating to the expansion and remodelling of Garfield School on its present site, Cabinet agreed an alternative strategy to rebuild the School completely but the School will take the extra pupils in September 2013 for its expansion. The majority of the scheme at Grange Park School has not progressed beyond the designs for the planning application but the single reception classroom will be delivered for September 2013 to enable the school to take its extra pupils for the expansion.
- The completion of the major expansion schemes at Cuckoo Hall, Eversley, Firs Farm, Honilands, Merryhills, St Michael's and Suffolks Primary Schools, the major modernisation project at Churchfield Primary School and the new classroom block at Capel Manor Primary School.
- The provision of further additional primary classes through modular buildings at Houndsfield and Worcesters Primary Schools completed for occupation in Autumn Term 2013.

- Additional primary classes opened in September 2013 following building projects at Bowes, Bowes at Edmonton, Chesterfield, De Bohun, George Spicer (Kimberley Gardens), Grange Park, Hazelwood, Lavender, Oakthorpe, Prince of Wales and Raynham Primary Schools and at Oasis Academy Hadley. Building improvements were also completed to facilitate the arrangements for bulge classes already admitted to Freezywater St George's and St George's Catholic Primary Schools.
- Proposals were progressed on the lease for the continued use of St John's Church premises to accommodate St Matthew's Primary (Edmonton Annex) and tenders invited for additional temporary classrooms for Autumn Term 2013.
- The completion of the new extension at Russet House School to provide additional and improved accommodation for children with autism spectrum.
- The completion of the extension and refurbishment of Cheviots Children's Centre.
- The completion of the refurbishment of 24 Cyprus Road as a learning resource for West Lea School to accommodate young people with learning difficulties and disabilities and the commencement of a second phase of building improvements.
- The completion of the refurbishment and extension of Craig Park Centre for the My Place scheme.

.Academies and Free Schools

The new Oasis Academy Hadley opened on the South Street Ponders End Campus in January 2013. Agreement was reached with The Ark John Keats Academy to use their former premises in Bell Lane as an all age school.

4.3 REGENERATION, LEISURE AND CULTURE

Regeneration

- The Regeneration Capital Programme established under Place Shaping in 2007/08 came with the expectation that capital spend would increase in line with delivery of master planning in our priority areas. This work has progressed over the past year, and continues to move forward, with progress in the delivery of Ponders End, New Southgate, Meridian Water and Edmonton Green regeneration areas. A Master Plan is in preparation for Edmonton Green, which+ will set out future development opportunities within a spatial planning framework.
- In Ponders End, work is progressing to deliver the High Street Regeneration Scheme (now known as the Electric Quarter). £4.685m has been allocated from the capital programme for land assembly and professional fees to bring forward this scheme.
- Progress on South Street during 2012/13 has seen completion of the new piazza square fronting the Oasis Hadley Academy. Continuing progress with public realm works will continue in 2013/14 and will be delivered with

consideration of the Alma Housing Development. The project includes public realm improvements to improve safety and access along South Street and improve the Ponders End Station concourse, with a focus on working with partners to improve the Station Facility.

- Ponders End Waterfront continues to make progress with agreement from the community on the way forward so that this area becomes a destination as part of the wider Lee Valley Regional Park. Progress during the 2013-14 year will be on the delivery of South Meadow to increase biodiversity whilst providing learning opportunities and access to a pleasant open space.
- Following the successful first phase of 'Take the High Road' with the delivery of safety improvements to the Redbrick Estate, Phase 2 is well underway following further consultation with residents and the Neighborhood Panel. The first stage of was completed and included a wide range of improvements to the High Road Open Space. The new features incorporated in the 'park' comprise an under-8's play area, large bird's nest swing for all ages, an outdoor gym, basketball goal and football area. Completely renewed pathways are now lit and all grassed areas have been renewed or seeded for new meadow areas. The total cost of these works is £180k.
- The next major phase of the Rays Road project has progressed substantially. A contract was awarded for the complete removal of contaminated materials from the site and was well advanced by the end of the financial year, at a cost of £735k. Upon completion of decontamination works, detailed designs for new open space will be finalised and presented to residents during an open day event on the site. The next phase of works will commence in September, starting with the new footpath link from Montagu Road to Angel Road Station. Other elements of the work planned for next year include an outdoor gym, community garden, and free-run course. The improved open space which will benefit local residents and contribute to the development of Meridian Water.
- The Green Towers refurbishment completed in August 2012 with new roofing, cladding, flooring and electrics completed. This new community facility with launched in October 2012 and bookings have steadily increased over the remainder of the year. Additional safety works were completed by March 2013. The remaining amount is retention - Defects Liability ends in August 2013.
- The former Edmonton Town Hall clock was installed on the Green in November 2012, with a launch event in March 2013. The funding for this project was partly supported by Outer London Fund 1, with the remainder funded from the capital programme.

Leisure & Culture

- The QEII stadium restoration works are complete. The stadium was occupied by Enfield Town FC in November 2011 and the club gained promotion in May 2012 having only lost once at its new home. The athletics track is used by various athletics groups and by schools and is currently available for free of charge open public sessions three times each week. Lord Coe opened the athletics track when refurbishment works were completed and an official opening event for the entire facility took place in September 2012 following the completion of all the building works.

- The repair and restoration of Forty Hall with joint funding from the Heritage Lottery Fund is complete and the house is now open to the public. Final accounts are now being established. The retention payment has been delayed in being paid as the builder and the Council's Quantity Surveys have disagreed on a number of issues. The CCTV installation has been delayed due to planning discussions. The development of Thomas Hardy House First Floor as a business centre, museum and conference centre was opened on time and within budget and is now operational. Retention and final accounts will be concluded this during 2013-14.
- The Leisure Centre Capital Development Programme is nearing completion with Albany, Southbury and Southgate all completed. The final project is Edmonton Leisure Centre which will be completed in 13-14. The impact of these changes has meant a significant increase in those taking part in sport and physical activity at the Councils Leisure Centres.

Heritage & Design

- The Southgate Circus project was completed in summer 2012. The public realm improvements involved de-cluttering of the street scene, new paving, soft landscaping and new lighting to enhance the public realm around the iconic Grade II listed Underground Station and Southgate town centre.
- Phases 1 and 2 of the regeneration scheme for the Crescent, Edmonton were completed during the year. The project involves the repair and enhancement of the front elevation of this prominent Georgian terrace to the north of Edmonton Green, together with new iron railings along the front and improvements to the south of the properties. The project is being delivered in partnership with Newlon Housing Trust. Phases 1 and 2 saw the reconstruction of Bounces Lane to the rear and completion of relevant consents, building contracts and grant agreements with Newlon and other private property owners. Works to the front of the properties are scheduled to commence in summer 2013.
- A Stage 1 funding application was submitted to the Heritage Lottery Fund in October 2012 for a grant of £4.1m towards the restoration of Broomfield House as a heritage and learning centre for the community. The bid was prepared jointly by the Council, the Broomfield House Trust and Friends of Broomfield Park and was given strong support by HLF London which recommended approval to the HLF National Board. The National Board decided not to support the bid and the application was refused. Following a feedback meeting with the HLF, a professional fundraiser is now being appointed to advise the Council and Friends on potential funding sources.

4.4 ENVIRONMENT AND STREET SCENE

Highway Services

- Resurfaced/reconstructed 18.1km of carriageways which included the use of recycled road materials on 5km, saving approximately 450 tonnes of CO₂
- Resurfaced/recycled 3.12km of Principal roads and renewed in excess of 9km of footways
- Implemented street scene improvement schemes such as Fore Street and maintenance schemes to structures, watercourses and drainage e.g. Albury Mews, Salmons Brook bank stabilisation, and Mollison Avenue and Meridian Way highway drainage.
- Implemented a major footway improvement and traffic safety scheme in South Street to serve a new academy.
- Planted a total of 574 new highway trees utilising funding from capital, the RELEAF Grant and Enfield Residents Priority Fund.
- Turkey Street Station Gateway and Holmesdale Gateway schemes substantially completed on site.
- A programme of trimming and dimming on street lighting throughout the borough to enable the PFI service provider to provide flexibility on the brightness level and operating times of streetlights in order to achieve long term savings in energy usage and costs being implemented.

Traffic & Transportation

- Delivered a range of traffic improvement and safety schemes in accordance with Enfield's Local Implementation Plan, including Principal road renewal, five 20mph zones serving several schools, 11km Greenway routes, the introduction of four CPZs, and the accessibility of sixty bus routes.
- Successfully bid and won funding for a major scheme in Ponders End area to be delivered over the next three years.

Parks

- Installation of five new Parks playgrounds across the borough, one BMX track and a new play space at Hadley Wood Open Space
- Introduction and construction of the mausoleum & burial chamber interment facility in Edmonton Cemetery
- Statutory reservoir improvements in Parks
- Refurbishment of infrastructures in various Parks (e.g. Enfield Playing Fields, Craig Park and Pymmes Park)
- Improvements to allotments infrastructure.

Waste Services

- Full implementation of the borough wide wheeled bin project in 2012/13, resulting in further diversion savings, improved recycling performance and resident satisfaction.
- A successful funding bid from the DCLG's Weekly Collection Support Scheme, enabling capital investments on new vehicles and waste containers to enhance recycling in estates in the next two years

- The new purpose built Environment depot is near completion and the relocation is planned for July 2013.

Environmental Protection

- Installation of eighty new alleygates, providing a cleaner and safer environment for residents

Community Safety

- CCTV cameras were installed at various locations enabling increased coverage of Enfield and providing assistance to the Metropolitan Police incident management and evidence production. These provide positive impacts on improving safety, deterring criminals and reducing anti-social behaviours.

Building Improvement Programme

- A number of improvements have been made to the Council's property portfolio during 12/13 to ensure that corporate buildings and their surroundings are fit for purpose. These include the installation of new boilers at various premises and other refurbishment works which secure the long term condition of the buildings and will potentially result in the reduction in carbon emissions
- Major refurbishment work for the 10th floor of Civic Centre is underway to bring it back in to use. This is a pilot for other potential improvement works to the building as part of the Civic options programme.

4.5 CORPORATE

Corporate IT Work Plan

Investment is being made at present to ensure that the ICT infrastructure underpins the transformational and business improvement sought by the Council.

Self service kiosks have been installed at the Civic Centre, John Wilkes House, Edmonton library, and Enfield Highway library. This has increased the options for customers to pay their bills, with longer access hours, and greater convenience.

Corporate Property

In compliance with the Equality Act 2010 (former Disability Discrimination Act 1995), a new lift and a disabled toilet facility were installed at the Civic Centre and Wheatsheaf Hall respectively.

4.6 HEALTH AND ADULT SOCIAL CARE

Replace New options Day centre for Learning difficulty clients

The New options project is progressing well, following Cabinet approval to proceed on the College Farm site. Planning permission was obtained in March 2013 for the demolition of the existing three residential properties on the site

and for a single storey new build facility. Detailed design work has been undertaken, demolition is scheduled for August 2013, with construction of the new build due to commence in October 2013, subject to appointment of a contractor. The scheduled completion date is the Summer of 2014.

Reprovision of Adult social Care facilities on the Elizabeth House site

The rapidly changing financial, market and social care environment over the recent period has had a profound impact on procurement of the Reprovision Project and similar services. The Council has sought to procure the service twice without success. The needs assessment identified continued clear need for the development, along with a requirement to replace existing Local Authority Homes. A report is going to Cabinet on the 10th July to outline the range of options and recommend the Council to commission the construction separate to the contract for care.

4.7 HOUSING: NON-HRA

Community Housing Programme

Private Sector Housing made a total of 356 Disabled Facilities Grants (DFG) payments in 2012/13 of which 163 were for completed works, totalling £1,364m. These Grants are to adapt privately owned property so that Enfield service users are able to remain safely and independently in their own homes.

Private Sector Housing completed 31 Discretionary Grants (for Small Works Assistance, Decent Homes Grants and Safe Homes Grants) to private residents. This has helped those that are elderly, vulnerable or on benefits to carry out necessary repairs to their properties which otherwise would leave them living in property that would not meet the Decent Homes Standard.

Under funding from the North London Sub Region, Private Sector Housing have been able to offer additional Decent Homes Grants to Enfield residents where there is a vulnerable person living in a privately owned property and have a Category 1 Hazards (this is serious defects under the Health and Housing Rating System). This project is for £750,000 over a two year period of which we have completed 169 grants with approximately a further 24 in the system (awaiting either to be assessed/approved/completed). This funding is to target 196 units and we are still taking in referrals.

Affordable Housing Programme – 2012/13

Development Team completed the acquisition and refurbishment of 23 Princes Avenue N13 now a council owned property which has been offered to a Ladderswood decant. Additionally along with our RSL partners London & Quadrant HT successfully delivered 5 x 3 Bedroom properties converting temporary accommodation to permanent accommodation for families living in expensive temporary accommodation.

The programme additionally acquired 2x1bed flats also 167/167a South Street to support the Alma decant programme. We will be improving these properties in 2013/2014 ready for occupation.

4.8 HOUSING- HRA

Works to Stock:

In 2012/13 the budget for HRA Works to Stock was £42.347m, of which £33.142m was spent on works to improve Enfield's Housing Stock, while the balance of £9.205m was fully committed and will be spent in 2013/14. The Decent Homes grant allocation of £18m was fully utilised. The expenditure in 2012/13 included:

- £19.809m (including £18.000m of GLA Decent Homes Grant) was spent on making 1,809 properties decent, delivering 768 kitchens, 828 bathrooms, 714 central heating systems, 894 windows, 1,102 doors, 544 rewires, 717 roof works and 411 instances of structural works.
- £13.333m was spent on Landlord Obligation Works, including £3.210m on the Lifts Replacement Programme, £1.973m on Aids & Adaptations, £0.693m on Fire Precautions, £1.260m on Water Safety works, £1.743m on the Estate Improvements, £0.351m on Security (for the fitting door entry systems and related works), and £0.202m on Environmental Improvements.
- Enfield Homes received its ALMO two-star status from the HCA in 2009/10, and was awarded an initial £64m for the first three years of its Decent Homes Programme. A further allocation of grant funding amounting to £44.610m has been awarded for the period 2012 to 2015.
- Actual funding received so far is as follows:
 - 2009/10 - £14.5m HCA Approval
 - 2010/11 - £34.0m HCA Approval
 - 2011/12 - £14.0m HCA Approval
 - 2012/13 - £18.0m GLA Decent Homes Grant Allocation
 - Total to 31 March 2013 - £80.5m
- The funding for 2013/14 has been confirmed at £12.0m, while 2014/15 has been confirmed as £14.610m, subject to performance.
- Responsibility for the Decent Homes is now with the Greater London Authority (GLA), with Decent Homes funding having become a grant since 2012/13, paid quarterly in arrears, against an agreed profile of quarterly targets for expenditure and homes made decent.

5. FINANCIAL OVERVIEW

- 5.1** The table below shows the capital expenditure incurred in 2012/13 compared to the approved programme reported to the end of December 2012. The re-profiling of original capital budgets throughout the year will impact on the 2013/14 total budget.

	2012/13 Quarter 3 £'000	Update s £'000	Latest - Adjusted Quarter 3 £'000	2012/13 Outturn £'000	Re- profile £'000	Under / (Over) Spend £'000
General Fund						
Schools & Children's Services	56,639	(1,823)	54,816	48,558	6,258	0
Environment	21,247	1,578	22,825	22,386	552	(114)
Regeneration, Leisure & Culture	8,686	(6)	8,680	7,861	848	(29)
Housing, Health & Adult Social Care	3,530	(140)	3,390	2,985	488	(83)
Corporate	1,695	812	2,507	1,358	1,127	22
Contingency	2,135	0	2,135	0		2,135
Sub-total	93,932	421	94,353	83,148	9,273	1,932
Schools Devolved / Leases	5,971	0	5,971	7,394	0	(1,423)
Total General Fund	99,903	421	100,324	90,542	9,273	509
Housing Revenue Account	48,409	0	48,409	36,532	11,877	0
Total Capital Expenditure	148,312	421	148,733	127,074	21,150	509

The principal outturn variances by programme are shown in more detail in **Appendix 1**. The Quarter 1 monitor in the new financial year will include details of re-profiling from 2012/13. The latest 2013/14 programme, including re-profiling, will be reviewed as part of the budget process to ensure all schemes are affordable with the Medium Term Financial Plan and meet corporate priorities.

5.2 The capital spend was financed as set out in the following table:

Source of Funding	£'000
Prudential Borrowing	19,106
Capital Grants and Contributions	79,919
Capital Receipts	11,401
Direct Revenue Contributions	3,410
Major Repairs Allowance	13,158
Schools Long Term Lease Liabilities	80
Total funding required to finance capital expenditure	127,074

Prudential borrowing is funded from within the overall Council budget under the prudential code framework.

6. PRUDENTIAL INDICATORS

6.1 In setting the budget for 2012/13, the Council also set certain prudential indicators to monitor the affordability and prudence of its capital programme. The outturn position for these indicators is reported below.

6.2 The table below shows the capital expenditure for the year split between the Housing Revenue Account and General Fund services. The indicator is shown compared with the most recent previously reported position on Quarter 3 report. The reasons for the variations between the original programme and the December monitor have been reported to Cabinet through the year as part of

the regular monitoring process. The reasons for the variations to the outturn have been discussed in detail above.

Capital Expenditure	Prudential Indicator	Outturn 2012/13
	£'000	£'000
General Fund (including Devolved Schools)	99,903	90,542
Housing Revenue Account	48,409	36,532
Total	148,312	127,074

- 6.3 The Capital Financing Requirement reflects the Council's underlying need to borrow to fund its capital programme. It has been necessary to make a number of technical adjustments to the Capital Financing Requirement indicator as a result of PFI assets and associated liabilities now being recognised on the Council's balance sheet. The movement between the outturn and the last reported position is generally as a result of the net re-profiling of capital schemes into future years and the use of additional revenue resources to fund the capital programme.

Capital Financing Requirement	Prudential Indicator	Outturn
	£'000	£'000
General Fund	294,724	259,286
Housing Revenue Account	157,728	157,728
Total	452,452	417,014

- 6.4 The external debt shows the authority's borrowing position compared with the authorised maximum limit and operational limit approved by Council. The authority is well within these limits which provide the scope to take advantage of low cost borrowing opportunities if they arise and are advantageous to the Council.

External Debt 2012/13	Authorised Borrowing Limit £m	Operational Borrowing Limit £m	Outturn £m
Prudential Indicator	500	450	294

7 REASONS FOR RECOMMENDATIONS

To inform members of the final position on capital expenditure and financing for the year.

8 COMMENTS OF THE DIRECTOR OF FINANCE RESOURCES & CUSTOMER SERVICES

- 8.1 **Financial implications:** These are contained in the body of the report.

- 8.2 Legal Implications:** Under the Local Government Act 2003 the Council has a duty to report on its capital expenditure and financing arrangements. This report assists in the discharge of that duty.
- 8.3 Risk management Implications:** The Capital programme is monitored on a quarterly basis to cabinet and any variations are reported when identified. There are risks involved in the delivery of projects on time particularly where large amounts of re-profiling have been identified in the report. These projects will be closely monitored in the new financial year to ensure there is no loss in service delivery.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1** The Council is committed to Fairness for all to apply throughout all work and decisions made. The Council serves the whole borough fairly, tackling inequality through the provision of excellent services for all, targeted to meet the needs of each area. The Council will listen to and understand the needs of all its communities.
- 9.3** Financial monitoring and reporting is important in ensuring resources are used to deliver equitable services to all members of the community.

10. IMPACT ON COUNCIL PRIORITIES

10.1 Fairness for All

The Capital programme is designed to address the values set out within the Council's priorities. All projects are considered in the context of these priorities.

10.2 Growth and Sustainability

The Capital programme is designed to address the values set out within the Council's priorities. All projects are considered in the context of these priorities.

10.3 Strong Communities

The Capital programme is designed to address the values set out within the Council's priorities. All projects are considered in the context of these priorities.

Capital Programme Outturn Position 2012-13

Programmes		Latest Budget 2012/13 £'000	2012/13 Outturn £'000	Re-profiling £'000	Under / (Over) Spend £'000	Reasons for significant variances
SCHOOLS & CHILDREN'S SERVICES						
Schools Access Initiative	12	(4)		12	4	
Targeted Capital - Special Needs	1,963	1,753		210		£110k relates to schemes at West Lea and Russet House which are nearly completed but have slipped into 2013/14, whilst the remaining £100k is due to the delay in identifying a suitable site for the new Pupil Referral Unit.
Children's Centres	0	19			(19)	
Targeted Capital - School Meals Programme	528	406		122		There are 3 schemes which will run over into 2013/14 therefore the remaining budgets will be slipped to cover the remaining costs.
Schools Condition Funding (Roofs/Windows etc)	319	302		34	(17)	
New Opportunities for PE & Sport in Schools	13	1		0	12	
City Learning Centres	17	10		7	0	
Basic Need - Primary School Places Sept 2012	25,587	22,156		3,431	0	There are 11 major schemes where progress was slower than expected against the budget profile or the reconciliation of the contractors final account are still awaited. This re-profiling will be carried forward into 2013/14.
Basic Need - Primary School Places Sept 2013 onwards	1,277	0		1,278	(1)	There was no adverse impact to the September 2012 pupil intake as a result of any delays. Progress on all projects was longer than anticipated mainly due to the time required to fully incorporate the curriculum needs of schools within the briefing process together with the very detailed requirements arising from the planning process. There will be no adverse affect on the number of new places to be opened in September 2013. The underspend will be carried forward into 2013/14 to fund these major projects.
Primary Schools – Incl Churchfield Modernisation	1,982	1,956		9	17	
Secondary Schools – Oasis Hadley Academy	19,784	18,690		1,102	(8)	It was originally proposed that the scheme would finish in August 2012. However due to a longer than expected construction period, the project did not complete until December 2012. The contractor altered the programme of works in order to accommodate the delays. Students transferred to the new academy in January 2013. The underspend will be carried forward into 2013/14 to fund the outstanding contractor's final accounts.
Special Schools	10	0			10	
Fire Precaution Works (5 school sites)	65	70		(5)	0	
Non School Schemes	3,259	3,199		58	2	Craig Park Youth Centre & Cheviots Children's Centre renovation works.
SCHOOLS & CHILDREN'S SERVICES	54,816	48,558		6,258	0	
Devolved Schools Capital	5,971	7,314			(1,343)	This the capital expenditure incurred directly by schools. It is funded by specific capital grants and the schools own resources. The overspend is contained within the overall funding for schools
School Leases	0	80			(80)	
SCHOOLS & CHILDREN'S SERVICES TOTAL EXPENDITURE INCLUDING DEVOLVED ENVIRONMENT	60,787	55,952		6,258	(1,423)	
TFL - Completion of 2011-12 Schemes	60	108			(48)	
TFL 12/13 - Corridors, Neighbourhoods & Supporting Measures	2,923	2,900			23	
TFL 12/13 – Principle Road Renewal	1,030	1,028			2	
TFL Future years	1,128	1,128		0		
Highways & Street Scene 12/13	8,050	7,910		137	3	<ul style="list-style-type: none"> • £59k for the renewal of Turkey Street and the replacement of partial footway - delayed due to poor weather condition • £17.5k for the replacement of Bury Street parapet and Fore Street culvert - delayed to 2013/14 due to lead in time for components • £25.4k for the renewal of safety fencing - Fabricated components held in reserve and works have been programmed to start on site for May 2013 • £10.3k Rights of Way - site work at Stag Hill footbridge not fully completed at year-end • The remaining sum relates mainly to the Minor Highway Improvements Programme - schemes deferred due to highway network restrictions but will be completed in Q1 of 2013/14.

Capital Programme Outturn Position 2012-13

Programmes	Latest Budget		2012/13 Outturn £'000	Re- profiling £'000	Under / (Over) Spend £'000	Reasons for significant variances
	2012/13 £'000	2012/13 £'000				
Trimming & Dimming	1,926	1,926		(0)		
South Street - Footway Improvements	1,516	1,607		(91)		
Highways & Street Scene Other	568	512		65	(20)	
Environmental Protection	285	160		125		£70k relates to the delay in the acquisition of the new Graffiti Street Washing Equipment, and £55k due to the delay in the implementation of some alleyway schemes as a result of longer consultation periods than anticipated.
Community Safety	1,117	1,020		112	(15)	
Waste & Recycling	1,154	1,154		0	0	
Parks	1,235	1,096		92	47	£39k relates to the acquisition of a parks machine (MUPE) which has been delayed until 13/14 due to further clarifications required on the specification £18k The improvement to Pymmes Park Offices, Toilets and CCTV installation are at its final stage and will to be completed in early 13/14 £47k relates to Edmonton Cemetery Mausoleum & burial chamber Interment Facility. The asset is valued at £104k of which £47k will become due in the future as individual chambers are sold and so the variance is a cashflow difference and not a real underspend.
Vehicle Replacement Programme	531	498		33	0	
Depots	118	182		(64)		
Parking	44	34			10	
Building Improvement Programme	1,123	1,087		153	(116)	
REFIT	27	37		(10)		
ENVIRONMENT TOTAL EXPENDITURE	22,825	22,386		552	(114)	
REGENERATION LEISURE & CULTURE						
Ponders End - (GAF) Growth Area fund	13	10		3		
Ponders End (High St / South Street / OLF2)	980	861		226	(107)	The overspend is mainly relates to the Ponders End Park scheme. The works were commissioned by Environment dept , work was carried out in 11/12 but the final settlement in 12/13 turned out to be more than the original agreement due to the acceleration of works to complete the scheme on time and the cost to lay the granite paving.
New Southgate	69	161		(92)		
Meridian Water (Roads/Bridges, Rays Rd & Infrastructure)	40	52		(12)		
Edmonton Green Projects – inc Green Towers refurb	834	780		54		
Conservation & Design Projects	194	171		23		
Industrial Estates (Meridian Bus Park & Harbet Rd Phase 3)	116	0		116	0	DAR being written to transfer monies to Environment on Harbet Road for area CCTV project to protect a part of the industrial estate. Meridian Business Park Scheme - Legal Agreement being revised with Meridian Business Park Association and this scheme will be incorporated into Ponders End area regeneration
Building Improvements Programme	87	0		87		
O2/1 Stadium	101	101		(0)		
Leisure Centres (inc Albany & Southgate)	4,420	4,536		(116)	1	A number of Risks outside the remit of the original project came to fruition, these costs were covered from revenue expenditure and capital savings against the Millfield Theatre Project.
Cultural services	1,826	1,188		561	78	With regard to Forty Hall final accounts are now being established, the retention payment has been delayed as the builder and the Councils Quantity Surveys have disagreed on a number of issues. CCTV installation has been delay due to planning discussions. With regard to the development of Thomas Hardy House First Floor it was opened on time and is now operational. Retention and final accounts will be concluded in 2013 -14.
REGENERATION LEISURE & CULTURE TOTAL EXPENDITURE	8,680	7,861		848	(29)	

Capital Programme Outturn Position 2012-13

Programmes	Latest Budget 2012/13 £'000	2012/13 Outturn £'000	Re- profiling £'000	Under / (Over) Spend £'000	Reasons for significant variances
HEALTH, HOUSING AND ADULT SOCIAL CARE					
Extension to Formont Day Centre	20	21		(1)	
St Andrews Court & Elizabeth House	53	103	(9)	(41)	
Refurbishment/Remodelling of 12/12a Claverings	28	21		7	
Industrial Estate					
Fireproof lift at Park Ave (MH clients)	70	0	70		
Replace New Options Day Centre for LD Clients	106	119	(13)		
Welfare Adaptations					
Care First - Integration and Upgrade	51	0		50	
Disabled Facilities Grant (£1.151m grant funded)	1,450	1,365	10		
Sub Regional Housing Grants	636	771		(135)	
Housing Assistance Grants	150	103		47	
Affordable Housing	796	463	345	(12)	
HEALTH, HOUSING AND ADULT SOCIAL CARE	3,390	2,985	488	(83)	
TOTAL EXPENDITURE					
CORPORATE					
Residents Priority Fund	1,532	458	1,039	35	This outturn position has been fully reported to the ERPF Cabinet Sub-Committee.
Disability Programme (DDA)	115	20	95		
IT Workplan	313	301	12	(0)	
Feasibility D&M	0	12		(12)	
Joint Service Centre - Ordinance Rd	547	566	(19)		
CORPORATE SCHEMES	2,507	1,358	1,127	22	
Corporate Capital Contingency	2,135			2,135	
GRAND TOTAL GENERAL FUND PROGRAMME	100,324	90,543	9,273	509	
Works to Stock - Decent Homes	27,385	19,809	7,576		This budget for 2012/13 was fully committed, with the balance of £7.576m representing the commitment of projects started in 2012/13 that will complete in 2013/14.
Works to Stock - General works	14,962	13,333	1,629		This budget for 2012/13 was fully committed, with the balance of £1.629m representing the commitment of projects started in 2012/13 that will complete in 2013/14.
Community Halls	862	678	184		The final cost has come in at less than latest budget, but with additional cost of around £42,000 due in 2013/14 to meet the costs of unplanned roofing works.
Buybacks	4,700	4,724	(24)		
Grants to Vacate	500	390	110		
Leaseholder contributions	0	(2,402)	2,402		£58k processed in 2013/14.
HOUSING REVENUE ACCOUNT TOTAL	48,409	36,532	11,877	0	
EXPENDITURE					
GRAND TOTAL CAPITAL PROGRAMME	148,733	127,074	21,150	509	

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MUNICIPAL YEAR 2013/2014 REPORT NO. 24**MEETING TITLE AND DATE:**Cabinet – 10th July 2013**REPORT OF:**

Chief Executive

Contact officer and telephone number:

Alison Trew 020 8379 3186

E mail: alison.trew@enfield.gov.uk**Agenda – Part: 1****Item: 9****Subject: Quarterly Corporate Performance Report****Wards: All****Key Decision No: 3715****Cabinet Member consulted:****Cllr A. Georgiou****1. EXECUTIVE SUMMARY**

- 1.1 Prior to the 2010 General Election and the subsequent abolition of the National Indicator Set and Local Area Agreements, Cabinet received regular monitoring reports on key performance measures relating to nationally set targets and local priorities. In 2011/12 updates on performance were included as part of the monthly Cabinet Revenue Monitoring Reports.
- 1.2 In the current difficult financial circumstances, there is value in demonstrating that, in many areas, Council performance is being maintained and/or improved.
- 1.3 This is the third quarterly report on the Corporate Performance Scorecard that reflects Council priorities and local resources, demand etc. The report attached at Appendix 1 shows the latest available performance data at the end of the fourth quarter of 2012/13.

2. RECOMMENDATIONS

- 2.1 That Cabinet notes progress made towards delivering the identified key priority indicators for Enfield.

3. BACKGROUND

- 3.1 Prior to the 2010 General Election and the subsequent abolition of the National Indicator Set and Local Area Agreements, Cabinet received regular monitoring reports on key performance measures relating to nationally set targets and local priorities. In 2011/12 updates on performance were included as part of the monthly Cabinet Revenue Monitoring Reports.
- 3.2 In the current difficult financial circumstances, there is value in demonstrating that, in many areas, Council performance is being maintained and/or improved. It is also important to understand why targets are not being met and whether there are further interventions that the Council can make to ameliorate the situation, or, if it is out of the Council's control, how the Council can make a case to central Government and other public bodies.
- 3.3 Therefore the Corporate Performance Scorecard has been updated and targets set that reflect Council priorities and local resources, demand etc. The indicators are grouped under the Council's three strategic aims, Fairness for All, Growth and Sustainability and Strong Communities. The scorecard also includes a number of financial health measures.

4. PERFORMANCE

- 4.1 The attached report contains the latest available performance data at the end of the fourth quarter of 2012/13. The tables also show performance against the London average where this is available. Where appropriate, explanatory comments are provided next to the performance information.

4.2 Financial Indicators

This section provides an overview of the Council's financial health. The first three indicators give the income and expenditure position, the next two provide an update on the Council's balance sheet and the final two indicators show the cash flow position.

4.3 Priority Indicators

The Priority Indicators scorecard groups performance indicators under the Council's three strategic aims, Fairness for All, Growth and Sustainability and Strong Communities.

Where a target has been set, performance is rated at green if it is on or exceeding the target; amber if there are concerns that the target may not be achieved by the end of the year; and red when the current levels of performance mean that the target is unlikely to be achieved.

76 performance indicators being reported, of which 74 have targets set. Of these 46 (62.2%) are at green; 14 (18.9%) are at amber; and 14 (18.9%) are at red.

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 THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND 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

a. Fairness for All

The scorecard includes indicators that measure the Council's progress in reducing inequalities across the Borough.

b. Growth and Sustainability

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.

c. Strong Communities

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

10. EQUALITIES IMPACT IMPLICATIONS

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. From 2013/14, when the health reforms come into effect, further public health indicators will be added to the scorecard.

Background Papers

None.

CMB Review - Financial Indicators Q4 (Protect)

Generated on: 19 June 2013



Area of Review	Key Highlights	Risk Rating - Mar 2013
Income & Expenditure Position - Year end forecast variances	Year end forecast variances of £622k underspend have been identified as at February 2013. These budget variances have been managed closely to ensure timely appropriate action is taken in order that overspending departments fall within budget at the end of the financial year. Reduced income levels were also closely monitored as part of this exercise	✔
Income & Expenditure Position - Budget Profiling	A greater focus on budget profiling across all departmental budgets was applied in order to better reflect predicted net spending patterns throughout the year.	✔
Income & Expenditure Position - HRA	The HRA is projecting an underspend of £271k for 2012/13. The forecast takes account of the fact that in the current year there has been a significant increase in repair and maintenance costs. Similar increased costs are being experienced in neighbouring boroughs and are as a result of continued wet weather conditions in 2012/13.	✔
Balance Sheet - Cash Investment	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.	✔
Balance Sheet - General Fund balances year end projections	The year end projections for General Fund balances are in line with the Council's Medium Term Financial Strategy target levels.	✔
Cash Flow - Cash balances and Cashflow Forecast	The Council's cash balances and cashflow forecast for the year (including borrowing) will ensure sufficient funds are available to cover planned capital and revenue commitments when they fall due.	✔
Cash Flow - Interest Receipts Forecasts	Interest receipts forecast for the year are on target with budget.	✔

CMB Review - Priority Indicators Quarter 4

(1) Fairness for All

(a) Housing and Homelessness

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Homeless Acceptances	268	551	400	March 2013	11/19	446.4 Ave for 19	The increase in homeless acceptances was largely due to difficulty in acquiring private rented properties for potentially homeless households through the Homefinder scheme. The number of these tenancies set up declined from 49 per month in 2011/12 to only 34 per month this year. Those not rehoused through the Homefinders scheme are accepted as homeless and placed into temporary accommodation. The number of homeless applications made dropped quite sharply at the end of the year partly as a result of strong communication messages that the legal link between homelessness and acquiring a social housing tenancy has now ended. In addition a more robust casework management structure has been adopted.	Yes
Private Sector Housing: Empty Homes Brought Back into Use	43	45	45	March 2013			Private sector empty properties continue to be brought back into use through a combination of grants, enforcement action (Compulsory Purchase Orders), and advice / encouragement.	Yes
Number of households living in temporary accommodation	1956	2143	1900	March 2013	19/24	1206 Ave for 24	Lettings of social housing to households in temporary accommodation fell far short of anticipated hampering efforts to reduce numbers. More significant was the year long difficulty in procuring private rented properties for potentially homeless households because of reduced supply and increased demand from other local authorities, other agencies and working households. A longer term property procurement strategy is being developed in order to acquire sufficient private sector tenancies.	Yes
% of urgent repairs reported to Enfield Homes & completed within Government 'Right to Repair' time limits	99.32%	99.48%	98.85%	March 2013			Mar 13: Performance has achieved target (99.48% against a target of 98.85%) with 13,940 works orders completed in time out of 14,013 total completed. [Enfield Homes - EOY March 13]	Yes
Overall satisfaction with repairs service provided by Enfield Homes	96.19%	95.64%	97.00%	March 2013			Mar 13: 3,380 of a total of 3,534 (95.64%) surveys returned have indicated overall satisfaction, marginally below target (97%) [Enfield Homes - EOY March 13]	Yes

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Rent collected by Enfield Homes as a proportion of rent due (excluding rent arrears)	100.31%	99.69%	100.10%	March 2013			March 13: As anticipated, full year performance has been negatively impacted by cycle of monthly direct debit payment during March and the resultant outturn of 99.69% is below target and marginally outside top quartile. A cash income file featuring payments received in March was not processed due to a postings failure. This income of over £16,900 cannot be posted into Northgate for 2012-13 and instead will feature in 2013-14. Had the error not have occurred the true collection rate would have been lifted to 99.72% (top quartile) [Enfield Homes - EOY March 13]	Yes
Rent arrears of current tenants, as managed by Enfield Homes	2.94%	2.98%	2.94%	March 2013			March 13: Performance at 2.98% to end of March is marginally outside target (2.94%) and has been impacted by the issue set out in HO0002 Rent Collection (above). [Enfield Homes - EOY March 13]	yes

(b) Educational Attainment

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Achievement of at least 78 points across the Early Years Foundation Stage with at least 6 in each of the scales in Personal Social and Emotional Development and Communication, Language and Literacy	60.0%	60.0%	55.3%	2011/12	30/32	64.6%	National average is 65%. Enfield continues to improve year on year. We have seen a 3% point improvement on 2010-11 performance and a 21% improvement over the past 5 years. Girls perform better than boys. In Enfield Pupils whose first language is English (67%) perform better than the National average (65%). Pupils whose Language is other than English (53%) is below the national average (56%).	Yes
Achievement at level 4 or above in both English and Maths at Key Stage 2	80.0%	80.0%	76.0%	2011/12	22/32	82%	Enfield is better than the England average of 79%. Enfield has continued to improve. There has been a 6% improvement on last years results and a 12% increase over the last 5 years. The % of pupils making expected progress at KS2 in both English and Maths are: English :91% and Maths 89%. These are both above national average. London: 62.3% England: 59.0	Yes
Achievement of 5 or more A*- C grades at GCSE or equivalent including English and Maths	55.5%	55.5%	62.0%	2011/12	30/32	62.6%	The percentage of pupils achieving 5A*-C including English and maths fell in 2012, these results were clearly affected by the changes to the grade boundaries, however there is still an improving trend over the last six years also Enfield has a higher proportion of disadvantaged pupils to National figures but 43% of this cohort in Enfield achieved 5+ A*-C inc English and Maths compared to 39% nationally.	Yes

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Achievement of a Level 2 qualification by the age of 19	86.00%	86.00%	80.00%	2011/12	15/32	80.9%	London Average: 86% England Average: 84% Enfield is equal to London average and better than the national average.	Yes
Achievement of a Level 3 qualification by the age of 19	64.00%	64.00%	57.00%	2011/12	16/32	58.2%	London Average: 61% England Average: 55% Enfield is performing better than both London and England	TBC
Looked after children achieving 5 A*-C GCSEs (or equivalent) at Key Stage 4 (including English and mathematics)	22.7%	22.7%	20.0%	2011/12			The Health and Education Access and Resource Team continually monitor this closely. This figure of 22.7% is calculated by Enfield LA and not the Department of Education (DFE). The reason for this is the DFE only publish figures if the cohort numbers equal 10 or over, for confidentiality reasons. Enfields number of Looked After Children cohort, achieving 5A*-C, is less than 10 hence this is our local calculation for those who had been in care for 12 months on 31.3.12 (The Definition used by the DfE).	Yes
Achievement gap between pupils eligible for free school meals and their peers achieving the expected level at Key Stages 2	13.00%	13.00%	17.00%	2011/12	14/31	13.1%	Enfield continues to improve the achievement gap between pupils eligible for free school meals(FSM) and their peers. Narrowing the gap, in the performance tables indicates there is a 13% gap between pupils eligible for FSM and those pupils not eligible for FSM. Pupils eligible for FSM achieving the expected level at KS2 is 72% Pupils not eligible for FSM achieving expected level at KS2 is 85%	
Achievement gap between pupils eligible for free school meals and their peers achieving the expected level at Key Stages 4	20.20%	20.20%	23.60%	2011/12	20/32	18.3%	Enfield continues to reduce the achievement gap between pupils eligible for free school meals and their peers. We have seen a 2.4% improvement between pupils eligible for free school meals and all other pupils. Pupils Known to be eligible for free school meals: 40.4%. All other pupils: 60.2%.	
The Special Educational Needs (SEN)/non-SEN gap – achieving Key Stage 2 English and Maths threshold	40.98%	40.98%	53.00%	2011/12	11/32	42.4%	England SEN/Non SEN Gap: 81.5% London SEN/Non SEN Gap: 81.3% The Gap between Pupils with SEN including statement and Pupils with No SEN continues to reduce and has so for the last 3 years. This years performance is the best for 7 years. Pupils with SEN inc Statement : 50.98% Pupils with No SEN: 90%	
The Special Educational Needs (SEN)/non-SEN gap – achieving 5 A*- C GCSE inc. English and Maths	47.98%	47.98%	44.00%	2011/12	21/32	33%	England SEN/Non SEN Gap: 64.4% London SEN/Non SEN Gap : 68.2% The SEN/Non SEN Gap has narrowed from last year and is our best performance for 3 years. The Gap has reduced by 5.4% from last year. Pupils with SEN inc Statement : 21.81% Pupils with no identified SEN : 69.8%	

(c) Adult Social Care									
Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website	
Percentage of All Social Care Clients receiving Self Directed Support	61.34%	79.11%	84.00%	March 2013	5/25	56.8% Ave for 25	At the end of Mar 13, 5577 clients had received self directed support during the financial year. This is below the target of 84%. The target represents total clients with services that can transfer to a personal budget.	Yes	
Delayed transfers of care (measures the impact of hospital services (acute and non-acute) and community-based care in facilitating timely and appropriate discharge from all hospitals for all adults	5.80	5.74	5.00	March 2013	5/11	7.5 Ave for 11	Performance of 5.74 is the initial outturn but will improve, as erroneous data was input into this data collection which has since been amended. NHS England publish amended figures 6 months after original publication therefore the final figure will be available in October.	Yes	
Timeliness of social care assessment (all adults)	78.2%	89.6%	87.0%	March 2013			Target achieved	Yes	
Carers receiving needs assessment or review and a specific carer's service, or advice and information	47.55%	46.89%	50.00%	March 2013	4/18	22.5% Ave for 18	At the end March 13 the number of carers receiving a carer's service as a percentage of all clients receiving a community based service is 46.9%. This is 3215 carers receiving a carers service or information and advice following an assessment or review. The target for the year was 50%.	Yes	
Number of adult learning disabled clients known to CASSRs in paid employment	140	146	140	2012/13	1/11		Provisional outturn is 75 clients receiving secondary Mental Health services were in paid employment at the end of February 12/13. 12/13 target is 83. Awaiting final published figures as part of the MH Trust minimum data set.	Yes	
No of Adults receiving secondary mental health services in employment	107	75	83	March 2013				Yes	
Number of clients reviewed in the year (Of clients receiving any service)	82.1%	82.7%	82.0%	March 2013			Target achieved	Yes	

(d) Safeguarding Children									
Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website	

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Percentage of initial assessments for children's social care carried out within 10 working days of referral	85.5%	80.8%	85.0%	March 2013	n/a	n/a	1831/2267 = 80.8% of Initial Assessments completed within 10 working days. Performance for this indicator remains below target; however, within our comparator local authorities (numbering eleven), we have the highest completion rate of Initial Assessments. This indicator will become defunct during the year (as will the Core Assessment indicator) when the new single assessment is introduced. In the meantime, we are keeping the target for the present indicator at a high level as this is an area that we believe still needs improvement. This is being reinforced through the Operational Management Group and through objective setting for Managers.	Yes
Percentage of core assessments for children's social care that were carried out within 35 working days of their commencement	83.8%	83.0%	83.0%	March 2013	5/20	74.4% Ave for 20	1001/1206 (83%) Core Assessments completed within 35 working days as at the end of March 2013. Within our comparator local authorities, we have the second highest rate of timely completion - only three local authorities, as published by the DfE end of year 2011/12. (Hillingdon, Sutton and Enfield) achieve more than 80% timely completion	Yes
Stability of placements of looked after children: number of moves. (The% of children looked after at 31 March with three or more placements during the year)	11.7%	12.3%	12.0%	March 2013	12/14	8.7% Ave for 14	A total of 37 children had 3 or more placement moves during the year. The Placement panel closely monitor all Placement moves of all Looked After Children throughout the year. It is recognised that older YP move more frequently than younger LAC; of the current cohort, 49% (18 YP) are aged between 15-17 years old. The method of calculation for this indicator is very prescriptive and states that even a very short period when a child is missing from placement must be recorded as a placement change and counted in this indicator, if these were not included the figure would decrease slightly. Placements continue to be scrutinised regularly by the Senior Management Team for appropriateness and stability through the placement panel process.	TBC
Stability of placements of looked after children: length of placement	66.7%	59.8%	65.0%	March 2013	10/14	67.3% Ave for 14	52 out of 87 children looked after for more than 2.5 years had been in their current placement for over 2 years. A number of young people have turned 16 years and so are no longer counted in this indicator despite remaining in stable placements. The children failing to achieve this indicator reflect the increasing complexity of our cases. All placements are monitored closely for stability by the Senior Management team through the Placement panel process. Stability Meetings are held to stabilise and maintain placements and Disruption Meetings are held whenever a placement breaks down. This assists in identifying why the placement broke down and helps to inform the requirements of the next placement. The CAMHS In Step programme has been expanded and now supports all in-house foster carers and the Access to Resources commissioning team (ART) are also constantly involved in identifying new provision to meet the increasing complexity of some of our children.	TBC

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time - in the past two years	6.3%	6.7%	6.0%	March 2013	4/23	11.7% Ave for 23	This indicator now counts children who had a previous child protection plan in the past two years. Of the 273 children who became subject to a Child Protection plan during the past 12 months, 46 had previously been on a Child Protection plan and 17 had been on a Child protection plan in the past two years. It is nationally recognised that a performance lower than 10% is very good. Enfield is both below 10% and better than the London average.	Yes
Percentage of child protection cases which were reviewed within required timescales	100.0%	98.7%	100.0%	March 2013	13/20	98.1% ave for 20	The percentage of child protection cases which were reviewed within the required timescale is 98.7%. This is due to a child protection review conference (two siblings) being missed by one day in September. The service has addressed this and have since met a 100% monthly target. We are confident that we will be meeting our 100% targets from September as we have done consistently since 2008. Enfield is better than the London average.	Yes
Percentage of referrals to children's social care going on to initial assessment	89.7%	84.2%	85.0%	March 2013	5/18	73.8% Ave for 18	2267 Referrals to childrens social care went on to become Initial Assessments out of a total 2690 referrals for the year	Yes
Care leavers in education, employment or training	76.2%	70.9%	75.0%	Q4 2012/13	3/16	67.1% Ave for 16	22/31 care leavers are in Education Employment and Training. Performance has decreased this quarter. This indicator is based on a small cohort and small changes therefore have a significant impact on performance. Of the 9 care leavers not in Education, Employment and Training, two were in prison and one other had recently given birth. Enfields Performance is better than the London average.	Yes

(e) Sport and Culture

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Sports Development Sessions - Young People Attendances		102,257	60,034	2012/13			Figures from Olympic and Paralympic activities reflect the over achievement of target.	Yes
Sports Development Sessions - Adult Attendances	27,065	32,699	32,598	2012/13				Yes
Leisure Centre - Young People attendances	643,392	768,936	601,671	Q4 2012/13			Refurbished facilities at Southgate, Southbury and Albany Leisure centres have helped to increase attendances.	

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Number of all Library visits Actual and Electronic	2,688,829	2,914,683	2,400,000	Q4 2012/13			This indicator show the cumulated number of physical visits to Enfield libraries plus online access to our services. As more services, for example reservations, renewals, online reference databases, are accessible 24/7 online this aspect of our service is growing. The data for physical visits comes from people counters installed in libraries and online data comes via Google analytics and from online database suppliers. What actions we are taking to improve performance: Each year we set branch targets and task branch staff with increasing usage by providing activities in libraries and telling people about our online services. The 2013-14 target is set at a 3% increase on the actual for 2012-13	Yes
Number of Arts activities for Children and Young people	3,362	7,566	3,000	Q4 2012/13			TOTAL - 7566 Millfield Arts Centre - 3119 (Final Figures) Dugdale Centre - 155 (Final Figures) Forty Hall & Estate - 3838 (Final Figures) Events - 350 (Final Figures) Salisbury House - 104 (Final Figures) Target set at 3,000 for 2012/13 due to the following reasons: 1. Dugdale Centre was relaunched as an arts centre and as a centre for business use in November 2011, therefore in the year 2012-13 it was in its first season of trading as an arts centre and business venue. 2. Forty Hall was closed for full refurbishment during 2011-12 for 12 months. The Hall reopened to the public as a historic house with new services for arts and heritage activities, events and education, and for business and private hire events. The relaunch event was on 30th June 2012, therefore in 2012-13 the Hall was in its new season for trading and therefore only open for 3/4 of that year.	Yes
Engagement in the Arts (People taking part in all arts at local level)	141,323	184,302	170,000	Q4 2012/13			TOTAL 184,302 Millfield Arts Centre - 110,002 (Final Figures) Dugdale Centre - 15,831 (Final Figures) Forty Hall & Estate - 28,533 (Final Figures) Events - 24,544 (Final Figures) Salisbury House - 5392 (Final Figures)	Yes
CYP Participation in Positive Activities (To measure and drive improved performance around the participation of young people in positive activities.)	81,103	102,262	80,000	Q4 2012/13			TOTAL 102,262 Millfield Arts Centre - 71,844 (Final Figures) Dugdale Centre - 10,873 (Final Figures) Forty Hall & Estate - 7,060 (Final Figures) Events - 11,645 (Final Figures) Salisbury House - 840 (Final Figures)	

(f) Income Collection, Debt Recovery and Benefit Processing

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
% of Council Tax collected (in year collection)	95.80%	95.90%	95.90%	March 2013	17/26	82.6% Ave for 26	Good collection rate despite economic climate	Yes
% of Business Rates collected (in year collection)	98.60%	98.70%	98.70%	March 2013	20/25	86.0% Ave for 25	Good collection despite economic climate and some businesses in financial difficulty	Yes
% of Housing Benefit Overpayments recovered.	73.30%	77.35%	72.00%	March 2013				
Total Social Housing properties recovered from being sub let	50	30	50	Q4 2012/13			The original target for 2012/13 was based solely on the housing investigation resource focussing on the recovery of properties. During the year, several complex cases arose including one which presented the opportunity for prosecuting a tenant for sub-letting. A decision was made to complete this prosecution resulting in only the second successful conviction of its type in London. This resulted in positive publicity for the Council as well as an increased deterrent for those currently (or thinking about) committing tenancy fraud. Due to the deliberate diversion of resources to this prosecution, a reduced number of properties were recovered during that year.	
Processing Times for New Housing/Council Tax Benefit claims (average number of calendar days)	23.63	21.18	23	March 2013	17/32	24.4	Due to previous success, and as a key priority area, the Council has, in addition to external Government funding, committed more resources to tackle tenancy fraud within the Borough. This will result in more properties being recovered and made available for those in genuine need.	Yes
Processing Times for Benefit Change in Circumstances (average number of calendar days)	7.42	7.2	9	March 2013	14/32	12.1	Excellent performance – in a year of unprecedented change we have bettered the previous year's performance. Excellent performance – in a year of unprecedented change we have bettered the previous year's performance.	Yes

(2) Growth & Sustainability

(a) Employment & Worklessness

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
16 to 18 year olds who are not in education, employment or training (NEET)	4.20%	4.10%	5.50%	March 2013	15/22	4.8% Ave for 22	England Av: 5.8% London Av: 4.7% The end of year figure is calculated by taking an average of the 3 months submissions for November - January. The 3 month average and thus the final reported figure for the 2012-2013 year to the DFE is 4.2%. This is against a target of 5.5%. This matches the excellent submission for last year where 4.2% was also recorded. The latest data for March shows NEETS at 4.1%. This is a reduction from last month where NEETS were 4.4%. There were 397 NEET young people in March 2013	Yes
JobCentrePlus indicator monitored by LB Enfield: Employment rate in Enfield: Working age population (age 16 to 64)	64.6%	64.9%	68.9%	Q4 2012/13	n/a	n/a	64.9% represents 127,000 people in employment (71,500 male and 55,500 female), against a working age population of 204,500. Data is for four quarter period to end of Dec 2012. To date 1049 new jobs have been created by businesses in the borough, as monitored by Enfield Council. 161 locations have provided these positions, 285 from business support services, 141 from retail, 125 from transport services and 92 from health and social care. Target set against London Average Source: official labour market information, provided by the Office for National Statistics (www.nomisweb.co.uk) Last update 04/06/13	Yes

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Percentage of all valid planning applications that are registered within 5 days of receipt	29.8%	53.4%	70.0%	2012/13			Following the introduction of an action plan, performance improved in Feb & March 2013 to exceed 79%. April - May average further improved to 82%	Yes
Processing of planning applications: Minor applications processed within 8 weeks	59.44%	56.91%	65.00%	2012/13	22/24	68.6% Ave for 24	The performance improved in the final quarter of 2012-13 (63%), but was still short of the 65% target. An action plan has been put in place to improve the timeliness of decisions. The 2013-14 target has been set at 70% and performance in April and May 2013 has continued to improve, averaging over 78%.	Yes
Processing of planning applications: Other applications processed within 8 weeks	85.55%	73.88%	80.00%	2012/13	21/25	80.3% Ave for 25	The performance improved in the final quarter of 2012-13 (85%). An action plan has been put in place to improve the timeliness of decisions. The 2013-14 target has been set at 80% and performance in April and May 2013 has continued to improve, averaging over 90%.	Yes

(c) Waste, Recycling & Cleanliness

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Residual household waste per household	609.09kg/hh	450.90kg/hhd	456.00kg/hhd	Q3 2012/13	No Q3 data	377.4 14 LAs	Quarterly targets are set based upon previous annual trends towards meeting the end of year target of 590kg per household. Apr-Dec 2012 performance of 450.9kg/hh is 5kg within the target threshold and represents a 20kg/hh reduction on the equivalent period in 2011.	Yes
Percentage of household waste sent for reuse, recycling and composting	35.30%	40.11%	38.00%	2012/13	No Q3 data	35.2% 17 LAs	The Q3 performance of 37.64% is our highest recorded to date for the period between Oct and Dec. Although the lowest recycling rate of the year tends to be recorded in quarter 4, it is still estimated that an end of year recycling rate of 39% for 2012-13 is possible.	Yes
Percentage of inspected land that has an unacceptable level of litter	7.0%	3.2%	5.0%	2012/13	10/23	5.4% Ave for 23	The performance for the final survey of 2012-13 was 2%, ensuring that the annual performance was well within the 5% target.	Yes
Percentage of inspected land that has an unacceptable level of detritus	9.0%	6.1%	7.0%	2012/13	11/22	6.9% Ave for 22	The performance for the final survey of 2012-13 was 5%, ensuring that the annual performance was nearly 1% better than the target.	
Percentage of inspected land that has an unacceptable level of graffiti	2.0%	1.8%	2.0%	2012/13	12/22	4.2% Ave for 22	The performance for the final survey of 2012-13 was 1.3%, ensuring that the annual performance was within the 2% target.	Yes
Percentage of inspected land that has an unacceptable level of fly-posting	1.0%	.3%	1.0%	2012/13	9/21	1.6% Ave for 21	This performance equates to only 3 out of 900 inspected locations having an unacceptable level of flyposting	Yes

(d) Environmental Protection

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Reduce the sales rate of age restricted products	7.9%	9.1%	7.5%	2012/13			In 2012/13, 2 out of 22 tests resulted in non compliance. Of the two tests carried out between January and March 2013, one was non compliant (alcohol). The only other non compliance was in November (cigarettes)	Yes

(3) Strong Communities

(a) Crime Rates

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Violence with Injury	1,661	1,705	1,661	March 2013			The 1,705 violence with injury offences in 2012-13 represents a 2.9% increase on the same period in 2011-12. The Metropolitan Police overall has seen a 5.6% fall over this same period. Youth Violence and Violence against women and girls are two clear priorities for the Safer & Stronger Communities Board and there is a variety of work underway to tackle this, including our Gangs Call-in sessions and research into the issues of girls and gangs.	Yes
Community Safety - Total Offences	22,923	22,493	22,923	March 2013			Total crime fell by 2.0% this financial year in comparison to the same period in 2011-12. Over the same period, the Metropolitan Police has seen a 5.5% decrease	Yes
Serious acquisitive crime rate - number of crimes	7848	7520	7848	March 2013	21/32		There has been a 4.2% reduction in acquisitive crime offences for this financial year in comparison to the same period in 2011-12, which is due to decreases in motor vehicle crime and robbery offences. Over the same period, the Metropolitan Police has seen an 8.3% fall.	Yes
Repeat incidents of domestic violence	17.6%	19.4%		Q4 2012/13	n/a	n/a	Our aim is to work with victims of domestic violence (DV) in order to reduce their chances of repeat victimisation. Working in partnership with other key agencies such as the Police and NHS, we have a range of processes to help us achieve this, including a regular DV presence in the new multi-agency SPOE (Single Point Of Entry). We have seen an increased number of DV cases in 2012-13, which is likely to reflect both improved reporting and confidence as well as a North London pilot undertaken this year identifying younger DV victims ahead of the changes to legislation which reduced this to 16 as of April 2013.	Yes

(b) Health & Well Being

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Partnership Successful Completion Rate (%) for all Drug users in treatment (over 18 years of age), excluding primary alcohol users;	7.6%	17.4%	14.82%	March 2013			DAAT performance is exceeding the monthly trajectory. This is based on a year end target of 14.82% of successful completions. This is in line with the England average.	Yes
Numbers in Effective Treatment - All Drug Users (over 18 years of age), excluding primary alcohol users	732	1,025	1,017	January 2013			Please note that Oct to January is local data and has not been validated by NDTMS (National Drug Treatment Monitoring System). The baseline in March was 732 clients and the year end target is 1068. This is a 46% target increase in the numbers of drug users in effective treatment. Current performance is exceeding the monthly trajectory target	Yes

Indicator	2011/12	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Obesity in primary school age children in Reception	13.3%	13.3%	12.0%	2011/12	29/32	10.7%	Partnership work to prevent obesity before children reach Reception age includes North Middlesex midwives and health trainers identifying pregnant women who are overweight and want support in attaining a healthier lifestyle. 12 breastfeeding helpers were trained and provide support to women at a range of childrens centres across the borough. There are plans to train a further 24 during 2013 - this ensures babies get a healthy start to life and supports women in losing weight. Training has been provided to children's centre staff to provide healthy eating and physical activity sessions for families and children (aged 0-4); there are sessions provided across the borough and these are being evaluated & tailored to encourage further use by local residents.	Yes
Obesity in primary school age children in Year 6	24.40%	24.40%	26.00%	2011/12	22/32	22.3%	This last academic year, all parents were provided with the children's height & weight measurements following weighing and measuring at school (the national child measurement programme measures children in reception and year 6). Offers of support were made via the health trainer service for families of children who were overweight or obese. A range of promotional activities have taken place and are planned, both universally across the borough and targeted to those groups with the highest risks of overweight and obesity. Enfield 24.4% and is ranked joint 22/32 in London. This is a very positive improvement of 8 places on last year.	Yes
Public Health - 4 week smoking quitters	1,531	957	950	Q3 2012/13			Annual target is 1572 quitters, majority of quitters coming in Q4. Q4 data is due 17th June	Yes
Public Health - NHS Health Checks-offered (cumulative)	4.9%	15.4%	20%	Q4 2012/13			The numbers of health checks offered in Q1-Q4 was 12746 against a target of 15900. The denominator is 79400, this is the eligible population (an estimate number provided by the DoH of people on disease registers).	
Public Health - NHS Health Checks-received (cumulative)	1.7%	6.93%	6.93%	Q4 2012/13			There have been 5503 health checks received against a target of 5500. The denominator is 79400, this is the eligible population (an estimate number provided by the DoH of people on disease registers)	

(c) Customer Contact

Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website
Percentage of calls answered by the Council's Customer Services Centre, (Telephone Number 020 8379 1000)		91.1%	95%	March 2013			Figure shown is for March. Year performance = 93.4% 33438 calls answered out of 36691 calls received. This included Council Tax main billing period and peak time for telephone enquiries.	Yes

(d) Council Corporate Indicators									
Indicator	2011/12 Value	Current Value	Current Target	Last Update	London Rank	London Average	Notes	Data on LBE website	
Average Sick Days - Corporate Staff (rolling 4 quarters)	8.61	8.43	8	Q4 2012/13			Data represents sickness absence for the period from 01.04.2013 to 31.03.2013 Corporate: 29,283.10 days lost/3472 average FTE = 8.43 average days	Yes	
Average Sick Days - School Personnel (rolling 4 quarters)	5.47	6.86		Q4 2012/13			Data represents sickness absence for the period from 1.4.2012 to 31.03.2013 Schools: 34,059.6 days lost/4,964 average FTE = 6.86 average days No target is set for sickness absence in Schools. Schools have their own absence management processes in place outside of the Council's Corporate process		
Council's Property Disposals programme	£12,500,000	£10,400,000	£6,500,000	Q4 2012/13			Actual disposals achieved for 2012/13 of £10,400,000 resulted in a 60% increase over the target sales figure of £6,500,000. This figure was achieved via 14 transactions of surplus or underperforming assets. This work builds on the previous years success with over £22m of sales having taken place over the last 24 months.		
% Electronic BACS transactions to suppliers	96.8%	97%	95%	Q4 2012/13			The vast majority of our suppliers are now paid by BAC transfer.		
Internal Audit Programme - % on schedule	97%	97%	95%	Q4 2012/13			The Internal Audit team performed really well in 2012/13, delivering 97% of the Internal Audit Plan to draft report stage by 31 March 2013.		
High Priority (severity 1) I.T. incidents resolved within 2 hours	99.86%	99.06%	95%	Q4 2012/13			SLA continues to be achieved and exceeded for incident resolution. This measurement has always been met throughout the contract term. Incident numbers can fluctuate due to seasonal variations and implementation of projects.		
% of invoices paid within 30 days for all Departments	94%	97.13%	95%	2012/13	3/16	91.8% Ave for 16	97.13% invoices within 30 days represents 109,300 invoices of 112,527 received. 82.5% of invoices were paid within 10 days	Yes	

MUNICIPAL YEAR 2013/2014 REPORT NO. 25

MEETING TITLE AND DATE:
Cabinet 10 July 2013

REPORT OF:
Director of Finance,
Resources and Customer
Services

Agenda – Part: 1	Item: 10
Subject: Alleged Construction Industry Blacklisting	
Wards: All	
Key Decision No: 3742	
Cabinet Member consulted: Cllr Andrew Stafford	

Contact officer and telephone number:

David Levy 0208 379 3212

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1. EXECUTIVE SUMMARY

This report highlights the practice of 'blacklisting' which has allegedly been used by construction companies to restrict the employment opportunities for workers in the industry based on their affiliation to trade unions.

The report sets out Enfield's proposed responses to these allegations and highlights the Borough's ongoing commitment to the creation of well-paid jobs for local people. It also highlights Enfield's commitment to Fairness for All, and the provision of job opportunities for everyone. The Council will not tolerate illegal employment practices, and has set out in this report the steps it will take to minimise the risk of such situations arising in the future.

2. RECOMMENDATIONS

Cabinet is recommended to

- a) Condemn the alleged practice of blacklisting by construction companies.
- b) Supports the national union campaign by not allowing tenders from companies who subscribe to the use of unlawful construction industry blacklists from the date of this Cabinet decision.
- c) Agree to the amendment of the Council's procurement documentation for future construction projects, which will request bidders to confirm that they do not subscribe to the use of unlawful construction industry 'blacklists' and exclude tenderers who refuse to do so.
- d) Encourage other publicly funded organisations to adopt the same approach in their procurement practices.

3. BACKGROUND

A number of construction companies have been challenged about allegations of supporting the existence of and subscribing to unlawful construction industry 'blacklists', which detail covertly gathered information on construction trade unionism, militant tendencies, trouble making, etc. Blacklisting is an unacceptable practice and cannot be condoned. Various unions including GMB, Unite and Unison are leading a national campaign aimed at forcing those who have been involved in blacklisting to apologise to those who have been affected by it.

It is alleged that the construction industry blacklist was collated by the Consulting Association (a private consultancy) and was then provided at a cost to construction companies as they sought to recruit/avoid new workers. Action was taken against the Consulting Association for misuse of data under the Data Protection Act..

4. ALTERNATIVE OPTIONS CONSIDERED

Not applicable.

5. REASONS FOR RECOMMENDATIONS

Owing to the concentration of construction activity in and around large cities, many of those alleged to have been discriminated against live in the country's major cities, and this practice may have disadvantaged residents of Enfield.

Given the potential impact on residents of the area, this Council –

- (a) Deplores the use of unlawful blacklisting;
- (b) Supports the national union campaign by not allowing tenders from companies who subscribe to the use of unlawful construction industry blacklists from the date of this Cabinet decision;
- (c) Agrees to the amendment of the Council's procurement documentation for future construction projects, which will request bidders to confirm that they do not subscribe to the use of unlawful construction industry 'blacklists' and exclude tenderers who refuse to do so.
- d) Encourages other publicly funded organisations to adopt the same approach in their procurement practices.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

There are no financial implications arising directly from agreeing the recommendations in this report.

6.2 Legal Implications

- 6.2.1 The Employment Relations Act 1999 (Blacklists) Regulations 2010 (“the Regulations”) generally prohibit the compilation, use, sale or supply of prohibited lists.
- 6.2.2 A prohibited list is a list which
- (a) contains details of persons who are or have been members of trade unions or persons who are taking part or have taken part in the activities of trade unions, and
 - (b) is compiled with a view to being used by employers or employment agencies for the purposes of discrimination in relation to recruitment or in relation to the treatment of workers.
- 6.2.3 Blacklists containing details of trade unions members and activists whose purpose is to discriminate against workers on grounds of trade union membership or activities, would be regarded as a prohibited list. The Regulations gives rights to persons to complain to an employment tribunal if such person has been refused employment or employment agency services or has been subjected to a detriment for a reason related to a blacklist. The Regulations make such conduct unlawful, however, apart from a prosecution under the Data Protection Act of 1998, there is no other legislation in force making such unlawful action a criminal offence.
- 6.2.3 Regulation 23(4) of the Public Contract Regulations 2006 implements Article 45(2) of the Public Sector Procurement Directive (2004/18/EC) and gives contracting Authorities a discretionary right to debar contractors that meet any of the requirements set out in Article 45(2). One such discretionary right is if the contractor is guilty of grave misconduct (a serious wrongful, improper or unlawful conduct) in the course of its business profession proven by any means which the contracting authority can demonstrate.
- 6.2.4 The Council can therefore consider adding elements to the Councils procurement documents requesting confirmation from bidders as to their use of such unlawful construction industry blacklists. Any such additions to the Councils procurement documents will need to be in a form approved by the Assistant Directors of Legal and Procurement.

6.3 Property Implications

None

7. KEY RISKS

Amending the Council's procurement documentation as detailed in the report should significantly reduce the risk of engaging companies that use blacklists.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Approval of the recommendations will ensure that trade union members are not discriminated against in terms of employment opportunities

9. EQUALITIES IMPACT IMPLICATIONS

If approved, the recommendations will positively impact on discriminatory practices. This will result on positive benefits for all Enfield residents who are union members looking for employment in the construction industry. For this reason, it is not deemed relevant or proportionate to carry out an equality impact assessment/analysis.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

There are no performance management implications arising directly from agreeing the recommendations in this report.

11. PUBLIC HEALTH IMPLICATIONS

This proposal will help ensure that health and safety considerations are not overlooked on construction projects which will contribute to minimising public health issues on major schemes.

Background Papers

None

MUNICIPAL YEAR 2013/2014 REPORT NO. **27**

MEETING TITLE AND DATE:

Cabinet – 10 July 2013

JOINT REPORT OF:

Ray James, Director of Health, Housing and Adult Social Care and James Rolfe, Director of Finance, Resources & Customer Services

Agenda - Part: 1	Item: 12
Subject: Alma Phase 1 (Academy Street) Development - Compulsory Purchase Order	
Wards: Ponders End	
Cabinet Member consulted: Cllr Oykener	
Cabinet Member consulted: Cllr Stafford	

Contact officer and telephone number:

Peter George (x3318) / Nick Fletcher (x1781)

Email: nick.fletcher@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 The purpose of the report is to recommend to Cabinet the making of the Academy Street CPO to enable the acquisition of the third party land required to deliver the Academy Street development. This is required as a contingency measure should the Council fail to reach a negotiated settlement with the third party landowners.
- 1.2 The development is of strategic importance to the Council because the new homes will be used to re-house residents from the Alma Estate which is subject to a major regeneration initiative. These homes will be the first new council homes built in the Borough in over forty years.
- 1.3 This report contains the relevant documentation required to make the Academy Street CPO 2013.

2. RECOMMENDATIONS

- 2.1 Cabinet is requested to note the draft statement of reasons attached to this report which sets out the justification for making the Academy Street CPO 2013 in relation to the red-line land shown at **Appendix 1**.
- 2.2 Cabinet is requested to note the indicative timeline for the CPO process for the Academy Street CPO 2013 attached to this report as at **Appendix 3**.
- 2.3 Cabinet delegates authority to the Director of Health, Housing and Adult Social Care in consultation with the Director of Finance, Resources and Customer Services:

- a) To publish the draft London Borough of Enfield (Academy Street) Compulsory Purchase Order 2013, to seek confirmation of the Secretary of State and if confirmed, implement the Order.
- b) To modify the draft Statement of Reasons, attached as **Appendix 4**, the Order Plan and effect any other procedural requirements including (but not limited to) the publication and service of all notices and the presentation of the Council's case at any public inquiry;
- c) To acquire any interests in land within the Order area by agreement and the making of payments equivalent to statutory compensation and the provision of property or services in lieu of compensation, in contemplation of the Order being made.
- d) If and when the Order is confirmed then to acquire by compulsion and make payments of statutory compensation, if voluntary agreements cannot be reached.

3. BACKGROUND

- 3.1 The Academy Street site is a 0.6 hectare site in Ponders End the majority of which is owned by the Council and is sited adjacent to the new Oasis Hadley Academy School. In July 2012, Cabinet approved the development of the site for a 100% affordable residential scheme to re-house Alma Estate residents affected by the regeneration.
- 3.2 The site has been temporarily referred to as Academy Street due to the adjacency of the new Academy School. Following discussions with the Alma Residents Association it is proposed, subject to the outcome of the consultation exercise, to formally rename the new street Dujardin Mews after the decorated Enfield Olympian Charlotte Dujardin.
- 3.3 The Council appointed Karakusevic Carson Architects and Maccreanor Lavington Architects in autumn 2012 to design a mews street on the site. On behalf of the Council, the design team worked up detailed proposals and submitted a detailed planning application for 38 new homes, which was approved at Planning Committee on May 24th 2013.
- 3.4 The intention is to provide 19 Council rented properties for existing Alma secure tenants, and 19 shared-equity properties which will be made available to Alma resident leaseholders. These new affordable homes are essential to enable the successful rehousing of Alma Estate residents.
- 3.5 Colleagues from across the Council including Development & Estate Renewal, Urban Design, Traffic & Transportation, Development

Management, Planning Policy, Neighbourhood Regeneration and also Enfield Homes, were involved in formulating the design proposals and a design representative from the GLA gave advice throughout the process and was supportive of the approach taken and outcome of the scheme proposal. Specialist technical advice from quantity surveyors and engineers was provided from consultants on behalf of the Council and the appointed design team, which informed the decision making process and outcome of the proposal.

- 3.6 The design team presented their draft proposals at a resident consultation event on 11th December at Ponders End Youth Centre. This event was well attended by Alma residents and of the 48 questionnaires that were returned, 90% were in favour of the site being used for new housing. There were no objections to the proposals from any residents including those living adjacent to the site on Falcon Crescent.
- 3.7 The procurement of a house-builder has commenced, with five shortlisted firms being invited to tender during the first week of July 2013. The preferred house-builder is expected to be appointed in September 2013, with a start on site currently programmed for November 2013. A construction programme of twelve months is currently anticipated.
- 3.8 The CPO is specifically required in relation to two third party owned land interests:
 - The carriageway running through Gardiner Close
 - The public right of way on the western edge of the Academy Street site
- 3.9 The third party land has been highlight in the red-line plan appended at **Appendix 1**.
- 3.10 Development of the Academy Street site has always been on the premise that the Council can agree both permanent vehicular access for prospective residents and temporary construction vehicle access along Gardiner Close, which runs through the Robbins Hall site to the immediate south west of the Academy Street site.
- 3.11 The Council is negotiating with representatives of Viridian, the landowner of the Robbins Hall site, and negotiations are on-going. The Council is seeking to acquire the freehold of the carriageway (Land shown edged and hatched red on the Plan at Appendix 1 or alternatively a right of access over the carriageway to enable vehicular access into the Academy Street site.
- 3.12 The Council is also negotiating with those adjoining owners and third parties who have a registered interest in the land over which the public right of way exists (Land shown edged and cross hatched red on the

Plan at Appendix 1). The intention is to incorporate the land over which the public right of way exists and to relocate the public right of way along the new road constructed on Academy Street or via Nelson Road and Gardiner Close. An order for the extinguishment of the right of way will be sought by the Council either under section 32 of the Acquisition of Land Act 1981 or sections 251 or 258 of the Town and Country Planning Act 1990 in order to enable this and the land will need to be appropriated for planning purposes to extinguish third party rights.

- 3.13 The CPO of the section of the public right of way is part of the scheme which has achieved planning consent; this land was required to make a scheme with properties on both side of a street acceptable in planning terms. The reasons are set out in full in the attached Statement of Reasons.
- 3.14 In accordance with CPO best practice, the Council will continue to endeavour to reach a negotiated settlement with all third party land-owners with an interest in the land within the CPO red-line boundary; CPO powers, once obtained, will only be used where a negotiated settlement cannot be reached. The Academy Street CPO 2013 will affect those interests within the red line attached in **Appendix 1** of this Part 1 report.
- 3.15 The Academy Street CPO 2013 is being made pursuant to section 226(1)(a) of the 1990 Town and Country Planning Act which authorises the Council to acquire land compulsorily subject to following the procedures laid down by the Acquisition of Land Act 1981.

Land which is the Subject of the Academy Street CPO 2013

- 3.16 The land to be included in the CPO includes:
- All land included in the red line drawing attached to this report (**Appendix 1**)

Description of the proposed Academy Street development

- 3.17 Ponders End is a priority regeneration area for the Council and the Alma Estate Regeneration Programme is the flagship estate renewal scheme for the borough. The Academy Street development plays an important role within this programme.
- 3.18 The Academy Street development will include some of the first new Council homes in approximately forty years. Planning permission was granted for a total of 38 new homes, of which the tenure will be split equally between Council rented properties and shared equity properties. These new homes are exclusive for Alma Estate residents and will assist in the decanting of Council tenants, and re-housing of resident leaseholders.

- 3.19 The bedroom mix for the scheme can be broken down as follows:
- 6 x 1 bedroom units
 - 8 x 2 bedroom units
 - 20 x 3 bedroom units
 - 4 x 4 bedroom units
- 3.20 The development meets the requirements of the Council's Core Strategy in providing new family homes and the homes will be built to Code for Sustainable Homes Level 4, except for 4 units which will be built up to Code for Sustainable Homes Level 5 (the first homes in the Borough to achieve Code for Sustainable Homes Level 5).
- 3.21 The Council has taken an approach to the development that emphasises design quality, by ensuring that the detailed design specification is ready before the tendering stage, and novating the architects to work with the build contractor. Being the first new Council homes in decades, and one of the first new developments in Ponders End for some time, this scheme will set the benchmark for quality housing in the area.

Purpose and Justification for seeking to compulsorily acquire the Legal interests in the Academy Street development boundary

- 3.22 Compulsory purchase of the legal interests of the third party landowners will enable the development of the site to provide new homes, which will re-house tenants and leaseholders affected by the Alma Estate Regeneration and ease the pressure on the Council to get vacant possession of Phase 1 of the regeneration programme for the new developer partner to commence works on site on schedule.

Planning Position

- 3.23 As described above, the scheme has achieved a full detailed planning consent.
- 3.24 The London Borough of Enfield's Core Strategy was adopted at Cabinet in November 2010. The Core Strategy explains that the development of the key opportunity sites in Ponders End and particularly the former gasholder site within the South Street area is a Council priority.
- 3.25 The North East Enfield Area Action Plan (NEEAAP) is currently being drafted and the Academy Street site is proposed for new housing within the document.

Human Rights

- 3.26 The Council, as a public body, is under a duty to consider whether the exercise of its powers interacts with rights protected by the European Convention on Human Rights. Section 6 of the Human Rights Act

1998 prohibits public authorities from acting in a way, which is incompatible with those rights. Please refer to the attached Statement of Reasons for further detail.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 An alternative option considered is for the Council not to make a CPO for Academy Street 2013. Without CPO powers the Council cannot guarantee that the requisite land can be assembled to enable the consented scheme to be delivered.

5. REASONS FOR RECOMMENDATIONS

- 5.1 To provide the Council with a legal option to ensure that vehicular access can be secured to enable the development to take place and that a key pedestrian route is adopted and integrated within the scheme to ensure much needed new homes can be delivered.
- 5.2 The Council cannot guarantee delivery of the planning consented development without CPO powers. These new homes are needed to enable the delivery of the Alma Regeneration Programme.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

- 6.1.1 The cost of developing the Academy Street site is factored into the latest HRA Business Plan. The cost is profiled into the current financial year and 2014/15. The HRA Business Plan also includes income and costs associated with managing 19 Council rented properties, income from shared equity and HCA grant income.
- 6.1.2 It is anticipated that the costs of obtaining a CPO on the Academy Street site will be funded from the HRA general balances.

6.2 Legal Implications

- 6.2.1 Under section 226 (1) (a) of the Town and Country Planning Act 1990 a local authority has a general power to make a compulsory acquisition of any land in their area in order to facilitate the carrying out of development, redevelopment or improvement in relation to the land.
- 6.2.2 In order to exercise the s.226 powers the local authority must be satisfied that the proposed development/improvement is likely to contribute towards any of the following objects, namely the

promotion or improvement of the economic or social or environmental well-being of their area.

6.2.3 For the purposes of the CPO it is immaterial by whom the redevelopment is to be carried out, i.e. the Council does not need to undertake the development itself.

6.2.4 The making of the CPO must be in accordance with the Council's Property Procedure Rules.

6.3 Property Implications

6.3.1 The making of the CPO will support the on-going negotiations with the owners of the land that the Council is seeking to acquire and the rights over that land that we are seeking to extinguish.

6.3.2 Any acquisition of property interests by the Council must be in accordance with the Council's Property Procedure Rules and be approved by the Assistant Director of Finance, Resources and Customer Services (Property Services).

7. KEY RISKS

7.1 This is included in Part 2 of the report.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

8.1.1 The Alma Estate Regeneration Programme contributes to this aim by tackling inequality and access to social housing by providing new homes. The Academy Street development makes up part of this programme.

8.2 Growth and Sustainability

8.2.1 The Alma Estate Regeneration Programme contributes to this priority by building strong and sustainable futures for our residents. The scheme is the one of the first steps towards delivering the planned regeneration of the Ponders End Priority Area, and housing growth, as set out in the NEEAAP and the Core Strategy.

8.3 Strong Communities

8.3.1 The community plays a central role in driving forward change and regeneration in the local area to create a stronger community in the Ponders End area.

9. EQUALITIES IMPACT IMPLICATIONS

9.1 An equalities impact assessment is in place for the Alma project.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1 This report does not recommend a change of service of implementation of new practices and therefore Performance Management Implications are not applicable.

11. PUBLIC HEALTH IMPLICATIONS

11.1 There are no public health implications to consider.

Background Papers

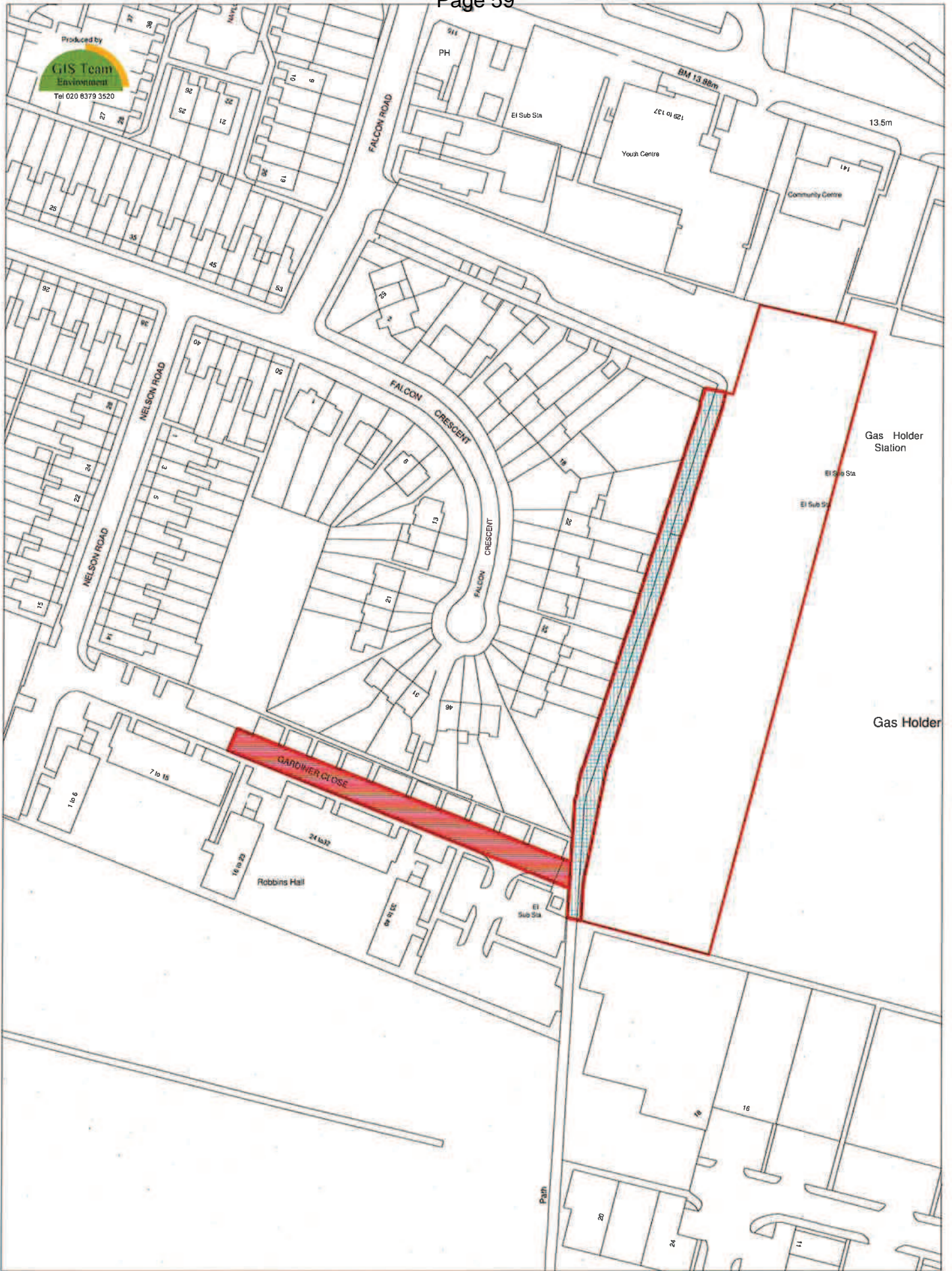
Appendix 1 – Academy Street CPO red-line




Appendix 2 – CPO Process flow-chart

Appendix 3 – Academy Street CPO timeline

Appendix 4 – Statement of Reasons

Produced by
GIS Team
Environment
Tel 020 8379 3520



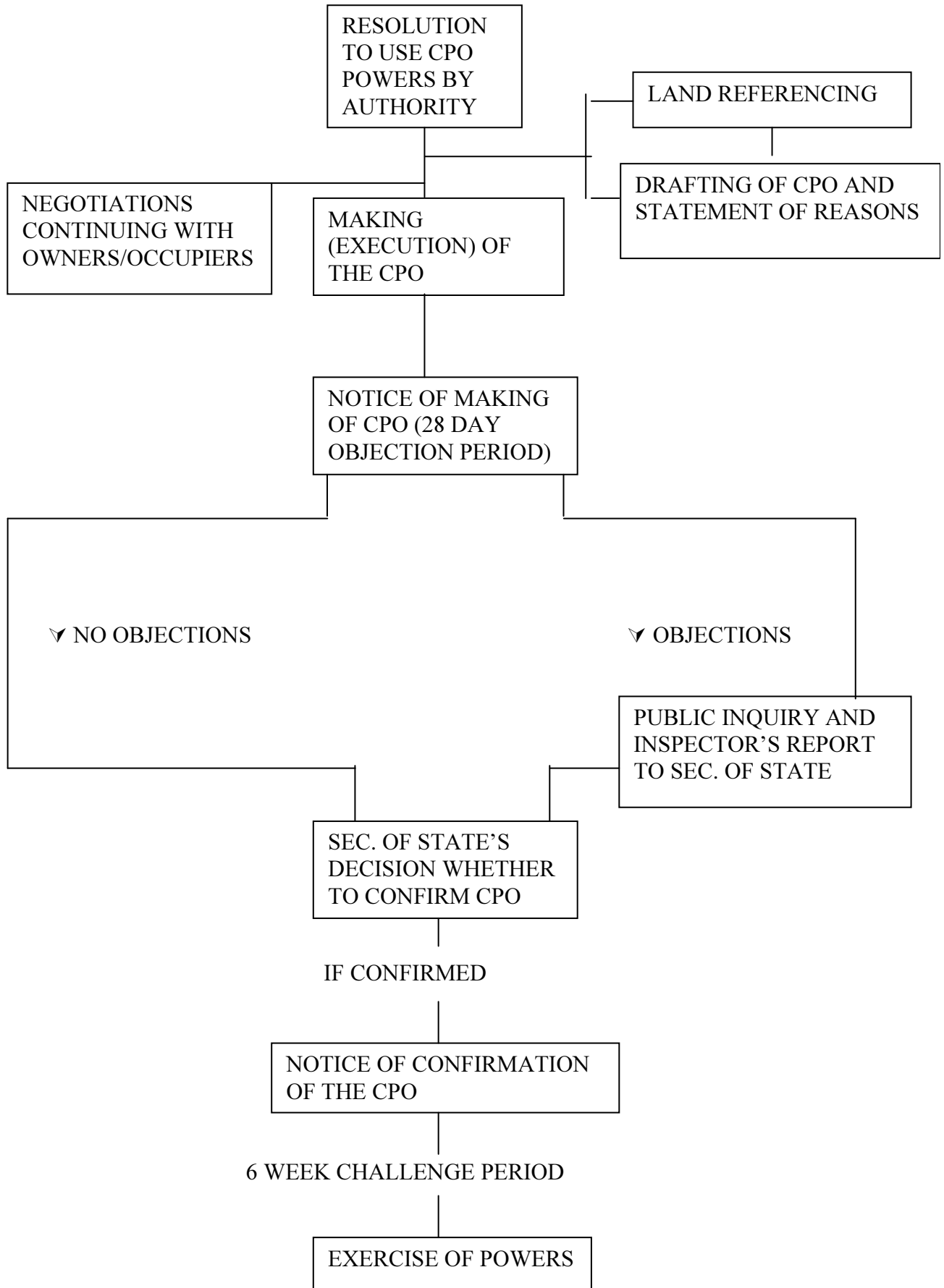
-  Academy Street Development Scheme Boundary (0.791Ha)
-  Public Right of Way (0.081 Ha)
-  Gardiner Close (0.061 Ha)



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APPENDIX 2 – CPO Process



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Academy Street CPO Timetable

No.	Milestone	Duration	Completion date
1.	Cabinet decision		10 th July 2013
2.	Seal Compulsory Purchase Order	2 weeks	29 th July 2013
3.	Submit CPO to the Secretary of State		1 st August 2013
4.	Serve notices on owners / occupiers		1 st August 2013
5.	End of objection period	21 days	23 rd August 2013
6.	Latest date for receiving notice of inquiry (if held)	5 weeks from expiry of objection period	28 th September 2013
7.	House-builder appointed		September 2013
8.	Latest date to hold inquiry	22 weeks from the date of notice of inquiry	29 th February 2014
9.	Confirmation of Order		
10.	Challenge of validity of the Order period	6 weeks from the date of confirmation	April – June 2013
11.	Completion of vacant possession – serving of Notice to Treat (i.e. to purchase land); and a 14 days' notice of possession	14 days	

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**ACADEMY STREET DEVELOPMENT:
COMPULSORY PURCHASE ORDER
DRAFT STATEMENT OF REASONS**

1. INTRODUCTION AND SUMMARY

- 1.1 The London Borough of Enfield (the Council) seeks an order under the Town and Country Planning Act 1990 (the Act) to use compulsory purchase powers to acquire third party land and access pursuant to a decision by Cabinet on the 10th July 2013 referred to in section 2 below (the Order Land) for the purposes of the Academy Street Development Scheme, near South Street, Ponders End, in the London Borough of Enfield.
- 1.2 The proposed order gives the Council the power to acquire the freehold interest of part of the land subject to the Order and to acquire a 'clean' title to the land of which it is already the freehold owner.
- 1.3 The Academy Street site is held for Housing purposes within the HRA portfolio.
- 1.4 In July 2012, Cabinet approved the Alma Estate Regeneration Programme which includes the Academy Street development (Key decision reference: 3510) that endorsed the development strategy for the scheme.
- 1.5 The Local Planning Authority recently granted detailed planning consent for the Academy Street development after a decision at Planning Committee, where local residents attended in support of the scheme.
- 1.6 The site for the proposed Academy Street Development is located in Ponders End in the north-east of the London Borough of Enfield. The North East Area Action Plan is in draft stage and sets out Council objectives for this site as part of the South Street Campus area and the wider regeneration of the area.
- 1.7 Ponders End is one of the Council's Regeneration Priority Areas. The Academy Street scheme is part of the Alma Estate Regeneration Programme which is located in this Regeneration Priority Area and is a project of key strategic importance to the Council, and established as a development opportunity by the Enfield Core Strategy, adopted in November 2010.
- 1.8 The development of this brownfield site will see a new mews street with 38 new homes, and high quality public realm. The vision is to create a truly attractive residential development that sets the benchmark for future development in this priority area.
- 1.9 The design team presented their draft proposals at a resident consultation event held on 11th December 2012 at Ponders End Youth Centre. This event was well attended by Alma residents and of the 48 questionnaires that were returned, 90% were in favour of the site being

developed for new housing. There were no objections to the proposals from any residents including those living adjacent to the site on Falcon Crescent, who were also invited to attend.

- 1.10 Letters have since been sent to residents on Falcon Crescent, whose rear gardens back onto the Public Right of Way that is subject to the Council's attempts to adopt and permanently divert through the new scheme and two positive responses to the Council's proposals have been received.
- 1.11 The Schedule to the proposed Order lists the third party interests. In addition it also lists other parties with a qualifying interest in the Order Land where known. Where beneficiaries of these interests have been identified they will be served with notice of the making of the Proposed Order. It is intended that, unless the land and access rights can be acquired by private negotiations, the Council shall acquire them under the Order if confirmed.
- 1.12 Following confirmation of the proposed order, the Council will execute a General Vesting Order Declaration, the result of which will be to vest the Order Land in the Council.
- 1.13 The Secretary of State recognises in Circular 06/04 (paragraph 24) that there are situations where it is appropriate to make a compulsory purchase order at the same time as seeking to purchase land by agreement.
"Given the amount of time which needs to be allowed to complete the compulsory purchase process, it may often be sensible for the acquiring authority to initiate the formal procedures in parallel with such negotiations. This will also help to make the seriousness of the authority's intention clear at the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations."
- 1.14 The Council has made, and is continuing to make reasonable attempts to acquire outstanding interests by private treaty and is pursuing the proposed order to ensure that the proposed development can proceed. Discussions will however continue with the owners of the relevant interests to seek to acquire the Order Properties by agreement with a view to limiting the number of interests which need to be compulsorily acquired.
- 1.15 The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 17 of circular 06/04) which justifies the overriding of private rights in the land sought to be acquired. It is considered that a clear and compelling case exists in this case.

2. Enabling Powers

- 2.1. The Order is made under Section 226(1)(a) of the Town and Country Planning Act 1990 (the Act), which confers power on the local authority to acquire land for planning purposes.
- 2.2. The Council thinks that the acquisition of the Order Land will facilitate the carrying out of development of new housing on the Academy Street site and bring significant community benefit and improvement on the Order Land.
- 2.3. The Council thinks that the proposed development is likely to contribute to achieving the improvement of the economic, social and environmental well-being of the area for which it has administrative responsibility.

3. DESCRIPTION OF THE SCHEME AND NEW RIGHTS

- 3.1 The Academy Street site is a Council owned site located in Ponders End, on the former National Grid owned site off South Street. In July 2012, Cabinet approved the development of the site for a 100% affordable housing scheme to re-house Alma Estate residents affected by the regeneration.
- 3.2 The site used to be part of the wider National Grid site that contained the large gasholders; and of which the majority has been redeveloped by Oasis Hadley for a new all through Academy school. The remaining land, which is approximately 0.5 hectares and owned by the London Borough of Enfield, has been earmarked for residential development by the Council in planning policy documents and as part of the Alma Estate Regeneration Programme. The full extent of the site subject to this CPO includes the proposed vehicular access along Gardiner Close and the Public Right of Way is approximately 0.6 hectares.
- 3.3 The development land is currently a cleared site. It comes with a number of constraints and the Council and their design team have had to find solutions to address these constraints in the design proposal.
- 3.4 The development of this site was always predicated on vehicular access coming from Gardiner Close. However, alternative options were explored by the design team including vehicular access coming from Falcon Road Spur to the North of the site but these were discounted due to both technical issues and due to road safety issues.
- 3.5 Following publication of the contract notice on 25th February 2013, the Council conducted a pre-qualification process to select potential Bidders ('Bidders') for the role of the Building Contractor. Subsequently the Council has entered into an OJEU Restricted Procedure tendering process with the five short listed Bidders. It is anticipated that the preferred Building Contractor will be appointed in September 2013 with start on site expected in November 2013.

4. THE PURPOSE OF THE PROPOSED ORDER AND THE NEED FOR CPO

- 4.1 Government guidance on the use of Compulsory Purchase Orders is provided in the Circular 06/04, which states that a CPO should only be made where there is a compelling case in the public interest.
- 4.2 The Council acts in an enabling role to ensure that housing development meets housing need in the Borough across all developments, but has a particular role in Estate Renewal projects when they are existing Council freehold owned sites, such as the Alma Estate (Core Strategy Core Policy 4).
- 4.3 This CPO will enable the site to be brought forward as a new residential scheme with thirty eight new affordable homes which is essential for the decant/re-housing of Alma Estate residents who are being forced to move by the regeneration scheme. It will address the current need for quality affordable and predominantly family sized housing. This development helps the Council ensure vacant possession of Phase 1 of the Alma Estate, particularly due to the existing strain on available tenanted properties, and reduces the risk to the Council of this deadline not being achieved.
- 4.4 The CPO is specifically required in relation to two third party owned land interests:
- The carriageway running through Gardiner Close
 - The public right of way on the western edge of the Academy Street site
- 4.5 Development of the Academy Street site has always been on the premise that the Council can agree both permanent vehicular access for prospective residents and temporary construction vehicle access along Gardiner Close, which runs through the Robbins Hall site to the immediate south west of the Academy Street site.
- 4.6 The Council is negotiating with representatives of Viridian, the landowner of the Robbins Hall site, and negotiations are on-going. The Council is seeking to acquire the freehold of the carriageway, or alternatively a right of access over the carriageway to enable vehicular access into the Academy Street site.
- 4.7 The Council is also negotiating with those adjoining owners and third parties who have a registered interest in the land over which the public right of way exists. The intention is to incorporate the land over which the public right of way exists and to relocate the public right of way along the new road constructed on Academy Street or via Nelson Road and Gardiner Close. An order for the extinguishment of the right of way

will be sought by the Council either under section 32 of the Acquisition of Land Act 1981 or sections 251 or 258 of the Town and Country Planning Act 1990 in order to enable this and the land will need to be appropriated for planning purposes to extinguish third party rights.

4.8 The CPO of the section of the public right of way is part of the scheme which has achieved planning consent; this land was required to make a scheme with properties on both side of a street acceptable in planning terms.

4.9 The Council's aspirations for the site are as follows:-

High quality of design
 Addressing deprivation
 Designing out crime
 Encouraging social mobility
 Environmentally sustainable
 All affordable housing
 A large percentage of family accommodation
 Reimbursement of future project costs and greatest benefit to the Council

Timescale for Delivery

Planning application submitted	March 2013
Planning permission Granted	May 2013
Cabinet approve preferred Building Contractor	September 2013
Start on site	November 2013
First units completed	May 2014
Entire scheme completed	November 2014

5. NEGOTIATIONS RECORD

5.1 The Council has been in talks with Viridian for over 1.5 years and has previously made an offer for the Robbins Hall site.

5.2 The Council has made contact with the third party interests in relation to the public right of way.

6. RELEVANT POLICY CONSIDERATIONS

National Planning Policy Framework (NPPF)

6.1 The overarching planning principle set out in the NPPF is “a presumption in favour of sustainable development” and reflects the provisions in the London Plan.

6.2 The Council is seeking “to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings”.

7. LONDON BOROUGH OF ENFIELD ADOPTED CORE STRATEGY

Core Policy 4 sets out the policy for New Housing and Housing Renewal in Enfield.

New Housing - The new Academy Street development will include approximately 38 all affordable (50% Council rented / 50% shared equity) residential properties which exceeds the Core Strategy requirements for tenure provision. The Academy Street Development is committed to excellence in design quality and sustainability in line with the Core Strategy. As a new housing development it takes account of the design and construction policies and sustainable design and construction guidance set out in the London Plan. The new homes will be built to Lifetime Homes standards and all will achieve at least Code for Sustainable Homes Level 4, with four achieving Code for Sustainable Homes Level 5.

Housing Renewal - The Alma Estate Regeneration Programme was identified in the Council's Estate Renewal Strategy which was undertaken to inform the future management and priorities for investment across the Council's own housing stock. The Academy Street is a key development as part of Phase 1 of the regeneration to enable the Council to meet deadlines for vacant possession.

Core Policy 5 sets out the policy for Housing Types. The Academy Street scheme broadly accords with the Core Strategy unit mix requirements, although it does provide a greater number of larger 3-bed plus units because in addition to policy considerations, the mix has also been influenced by the needs of the Alma Estate decant. The estate currently accommodates a significant number of 3-bed leasehold properties (113 in total), and the proposed 3 and 4-bed intermediate units will be offered to such leaseholders from the Alma Estate. Furthermore, many of the existing 1 and 2 bedroom properties within the estate are overcrowded, and therefore the provision of a significant number of 3 and 4-bed units within the Academy Street development will offer these families the opportunity to move into accommodation which better meets their needs.

Core Policy 9 supports area based policy interventions relating to the place shaping agenda which seek to tackle social disadvantage;

Core Policy 40 – North East Enfield

In the North East Enfield Area, there is scope to develop 1000 new homes. The focus for change and development, and hence the majority of these new homes, will be in Ponders End. In the middle (of Ponders End), along South Street, there are opportunities at the gasholder site on South Street, around Ponders End railway station, and at Alma Estate. This collection of sites is referred to as "Ponders End South Street Campus".

Core Policy 41 – Ponders End

The objectives of new development in Ponders End will be to create: Up to 1,000 new homes up to 2026, with a range of sizes and tenures, including affordable homes.

8. OTHER POLICIES**Community Strategy**

8.1

The Council's purpose in making the Order is to achieve the key community priorities as set out in the Council's Community Strategy:

8.2

The Council's vision for the borough is for a healthy, prosperous and cohesive society that is safe, clean and green.

8.3

The Council is committed to improving the quality of life through: Employment and Enterprise; Environment; Housing; Leisure and Culture

- The development will be promoted to produce the highest quality architectural and urban environment.
- *Improving health, housing and social care* - This will be achieved by the new development supplying higher quality social housing stock in line with the Decent Homes Standard, as defined by the Department for Communities and Local Government.
- *Safer and stronger Communities*
 - To implement a place-shaping approach to underpin the creation of a more prosperous borough
 - To enhance the health and vitality of town centres to meet the needs of the communities they serve
 - To increase the number of new businesses setting up and coming to the area and sustaining their development
 - To deliver the housing element of place shaping and achieve sustainable housing growth
 - To improve housing conditions and prevent homelessness

- To ensure that residents have the opportunity to live in a decent home they can afford
- To protect and improve the quality of built and open environment
- To promote sustainable development and support residents and businesses to preserve natural resources, become energy efficient, conserve water, reduce pollution and address the causes of global warming
- To increase biodiversity in order to provide a local distinctive natural identity
- To make Enfield a place which residents can identify with and feel proud of, and where people from different backgrounds feel valued and can develop positive relationships with their local community
- To promote social inclusion so that all sections of the community are able to access opportunities, services and improve their quality of life overview

9. HUMAN RIGHTS

- 9.1 The Council, as a public body, is under a duty to consider whether the exercise of its powers interacts with rights protected by the European Convention on Human Rights (the **Convention**). Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way, which is incompatible with those rights. Various Convention rights may be engaged in the process of making and considering the CPO, in particular those under Article 8 of the Convention and Article 1 of the First Protocol to the Convention.
- 9.2 Article 8(1) protects an individual's right to private and family life, home and correspondence. Interference with these interests can only be justified if it is done in accordance with the law and if it is necessary in the interests of national security, public safety or the economic well-being of the country.
- 9.3 Article 1 of the First Protocol provides that every natural or legal person is entitled to the peaceful enjoyment of his possessions, and that no one shall be deprived of those possessions except in the public interest and subject to the conditions provided for by law. Those with interests in the Order Land will be deprived of their property, if the Order is confirmed but this will be done in accordance with the law and in the public interest

- 9.4 The European Court of Human Rights has recognised in the context of Article 8 that "*regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole*". Any interference with Article 8 rights must be "*necessary in a democratic society*". In each case the interference with Convention rights must be proportionate. In pursuing a compulsory purchase order, the Council has to consider carefully the balance to be struck between individual rights and the wider public interest,.
- 9.5 The Council has been conscious of the need to strike a balance between the rights of the individual (including the owners of properties falling within the Order Lands) and the interests of the public. In the light of the significant public benefit that would arise from the redevelopment of the Order Lands, the Council has concluded that it would be appropriate to make the Order, and that the Order will not result in any unlawful interference with Convention rights. At all times, the Council has been aware that the Order Lands include homes, balancing this with the need to secure the regeneration of this area and the provision of new houses.
- 9.6 The opportunity has been given to landowners to make representations regarding the Council's policies that underpin the proposed Order. Objections can also be made to the Order, which will then have to be considered by the Secretary of State before he decides whether or not to confirm the Order. Those directly affected by the Order will also be entitled to compensation proportionate to any losses that they may incur as a result of the acquisition.

10. CONCLUSION

The Council is of the view that the part of Ponders End comprised in the Order Land, should be improved to the general benefit of all who live or visit the local area. In order to achieve this, action is required; necessitating the assembly of the Order Land to facilitate the proposed scheme should negotiation not result in an outcome that enables the satisfactory development of the site, according with the planning permission.

The proposed development is the product of an intensive pre-application process and represents an opportunity to unlock the potential of a key site within this area of Ponders End and deliver a number of significant environmental, economic and social benefits.

Specifically, the development will:

- Bring back into effective use an unused brownfield site, through the provision of a comprehensive residential development;

- Provide a substantial and meaningful contribution towards housing delivery within the Borough and enhance the overall land use mix within the locality;
- Provide a mix of housing tailored towards meeting the needs of those families vacating the existing Alma Estate;
- Deliver a high quality development that will enhance the overall sense of place through the creation of a coherent route and spaces that integrate the development into its surrounding;
- Deliver a high quality public realm of new links and spaces;
- Significantly enhance the ecological and biodiversity value of the site.
- Encourage the use of sustainable transport modes through enhancing the pedestrian and cycle network;
- Deliver an exemplar sustainable development that will minimise resource use, water and waste and maximise the use of natural systems; and
- Ensure that the environmental impacts of the proposals are minimised and mitigated.

The Council believes that the scheme it is promoting represents a positive step towards the following objectives:-

- (a) the promotion or improvement of the economic well-being of their area;
- (b) the promotion or improvement of the social well-being of their area;
- (c) the promotion or improvement of the environmental well-being of their area.

Having considered the relevant national policy guidance and Core Strategy Policies the Council is satisfied that there is a compelling public interest for compulsory powers to be sought in order to secure the proposed new development for the economic, social and environmental improvement of the area .The Council is therefore pursuing the compulsory purchase order and requests that the Secretary of State confirms the Order.

11. LIST OF DOCUMENTS TO WHICH THE COUNCIL MAY REFER

Part 1 – Academy Street: Compulsory Purchase Order Report – 10th July 2013

Part 1: Appendix 1 – Academy Street CPO red-line

Part 1: Appendix 2 – CPO Process flow-chart

Part 1: Appendix 3 – Academy Street CPO timeline

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MUNICIPAL YEAR 2013/2014 REPORT NO. 28

MEETING TITLE AND DATE:

Cabinet
10th July 2013

REPORT OF:

Ray James,
Director of Health,
Housing and Adult Social
Care

Agenda – Part: 1	Item: 13
Subject: Tender for the Provision of Housing Related Floating Support – Part One	
Wards: All Key Decision No: KD3724	
Cabinet Members consulted: Councillor Oykenner and Councillor McGowan	

Contact officer and telephone number:

Colin Mills, 020 8379 1456

E mail: colin.mills@enfield.gov.uk

1. EXECUTIVE SUMMARY

- 1.1 This report sets out the process and result of the tender for three Housing Related Floating Support contracts, and makes recommendations for the award of contracts, detailed in Part Two.
- 1.2 Enfield Council invited tenders for floating support services working with People with Mental Health Problems (130 clients) People with Learning Disabilities (40 clients) and a combined service working with People with Mainstream Housing Related support needs (125 clients) or Substance Misuse problems (42 clients).

2. RECOMMENDATIONS

- 2.1 That the contracts be awarded in line with the recommendations in Part Two of this report.

3. BACKGROUND

- 3.1 Enfield currently utilises seven Housing Related Floating Support services working with people with mental health problems, with learning disabilities, substance misuse problems, or who are at risk of losing their tenancy because of some other support need. These people include both those who have statutory needs, and those who do not meet the statutory criteria for Adult Social Care.
- 3.2 Housing Related Floating Support services work with vulnerable people living in their own homes in the community, supporting them with sustaining their tenancy through assistance on bills and budgets, on accessing healthcare, on social inclusion and promoting access to employment and education.
- 3.3 The services are preventative – they stop people losing their homes and they reduce need for more intensive input from social services. The services are also focussed on independence – they are time limited, and promote self-reliance, rather than continuing indefinitely. Expenditure on these services thus prevents both social and financial costs.
- 3.4 These services were originally funded by the ring-fenced Supporting People programme, which was mainstreamed into Adult Social Care funding in 2010.
- 3.5 As part of a programme of tendering contracts, a review of existing services found strong demand, and anticipated an increase in need as welfare reform changes take place, and as people struggle to find employment.
- 3.6 It was decided to consolidate existing provision into three contracts, covering Mental Health, Learning Disabilities, and a combined Mainstream and Substance Misuse Service. The Mainstream service can work with anyone who has housing related support needs.
- 3.7 This configuration of three contracts was designed so that Enfield was not restricting the market; small providers could apply, as could organisations that specialise in only one client group. This was reflected in the applications at Pre-Qualification Questionnaire stage which came from 27 organisations, of which 13 were specialist providers, and 14 were providers who work with several client groups. Applicants came evenly from private companies, RSLs, and charities.

- 3.8 At Pre-Qualification Questionnaire stage providers were scored on Quality and Technical ability (70%) and their organisation's overall financial viability (30%) – which relates to calculations of Gearing, Liquidity, Suitable Trading Limited and other financial assessments. Six submissions were invited to tender for each of the three separate lots.
- 3.9 Providers then submitted a response to the Invitation to Tender, which was scored as 60% on Quality and Technical Ability and 40% on the Price they proposed in response to the Service Specification and TUPE information.
- 3.10 The results of the tender evaluation, and the recommendations to award contracts, are included in Part Two of this report.
- 3.11 Providers are expected to work with clients who have multiple needs, bringing in additional resources where necessary to avoid clients falling in the gap between two services – for example where someone has a substance misuse problem and a learning difficulty.

4. ALTERNATIVE OPTIONS CONSIDERED

Not providing the services

- 4.1 Many of the people who receive Housing Related Floating Support have no other Council-funded support, and so withdrawal of these services for them would either increase likelihood of homelessness, or create demand on other existing services.
- 4.2 For those people who do meet the statutory criteria for Adult Social Care, withdrawal of Housing Related Floating Support would substantially increase their level of needs and put them at risk, requiring more expensive Social Services input.
- 4.3 The services include specialist and experienced staff who go out and meet people in their own homes; this is a unique resource not provided by drop-ins.
- 4.4 There would be a considerable financial impact on the council if evictions for rent arrears increased for Enfield Homes, RSLs, and private landlords, and if homelessness as a whole increased. These services work to prevent that from occurring.

Procuring a single larger service rather than three contracts

- 4.5 This would exclude smaller and specialist providers from the market. Although a consortium of separate providers has been successful in some areas, they work best where time and resources have been invested to help them develop. Therefore we have chosen to specify three contracts.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The recommendations have been made following a detailed Pre-qualification questionnaire, tender process and a thorough evaluation, using the expertise of a multi-disciplinary evaluation panel.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

6.1.1 The contracts to be awarded following the recent tender exercise will deliver savings of £370k per annum for the Council.

6.1.2 Funding for these services is available within the budget for Housing Related Support.

6.2 Legal Implications

6.2.1 Section 29 of the National Assistance Act 1948 gives a local authority the power to make arrangements for the welfare of persons with mental health problems of any description. Section (2B) (1) of the National Health Service Act 2006 places a duty on local authorities to take steps as it considers appropriate for improving the health of the people in its area. Section 111 of Local Government Act 1972 gives the Council the power to do anything which is coincidental to the discharge of its functions.

6.2.2 The services being procured are Part B services under the Public Contract Regulations 2006 therefore the full force of the regulations do not apply. The Council must still comply with the overriding EU principles of transparency, equality, proportionality and non-discrimination and the Council's contract procedure rules. From the content of this report it appears a proper procurement exercise has been carried out.

6.2.3 The contract should be in a form approved by the Assistant Director of Legal Services.

7. KEY RISKS

7.1 The new configuration of the services was based on modelling past client data. Future challenges and welfare reform may mean that the ideal balance between the sizes of services may change. This will be monitored by Enfield Council, and changes can be made where necessary.

- 7.2 The financial viability of providers is always a risk; this was tested through the PQQ process. Providers are being asked to budget for three years and are aware there will be no inflationary increase.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

- 8.1.1 The services are person-centred, preventative, and accessible to all who need them.
- 8.1.2 These services are essential for people in disadvantaged communities, providing proactive support and coaching for a population many of whom do not meet the statutory criteria for assistance from Social Services, but whose needs are more intensive and specialist than many voluntary agencies can deliver.
- 8.1.3 The services are proactive – they can meet people in their own homes, which facilitates working with people who may not be able to use traditional advice services.
- 8.1.4 The inclusion of a Mainstream service is designed to ensure that everyone who has Housing Related Support needs is able to access a service, not just those with diagnosed conditions.
- 8.1.5 The services will be for all adults with no upper limit, so they can work with older people in their own homes – this is a change from the previous Supporting People floating support contracts which had an upper age limit of 65.
- 8.1.6 By providing a time-limited service, which people can leave and come back to, the needs of many individuals can be supported over the course of a year, in comparison with an accommodation based support service which assists a few people for a longer period of time.

8.2 Growth and Sustainability

- 8.2.1 The services have a role in encouraging their clients around employment, training and education.
- 8.2.2 The existing services have also provided work opportunities for Social Work students and volunteers.

8.3 Strong Communities

- 8.3.1 The services promote community cohesion through sustaining tenancies, and through linking people into community activities and other services.
- 8.3.2 The services assist with the prevention of anti-social behaviour by working with clients to understand and keep to their tenancy agreements.
- 8.3.3 The services are focussed on developing independence, which inherently builds people's individual resilience, and thus builds a stronger community.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 The services work with a range of people with disabilities and other protected characteristics. Ongoing monitoring by Enfield Council will ensure that demand and utilisation is monitored to ensure fairness for all.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

No implications

11. HEALTH AND SAFETY IMPLICATIONS

- 11.1 The HHASC Procurement and Contracting Team will work with the successful providers to ensure that they have developed suitable Service Level Agreements with landlords, which among a range of issues will clarify how Anti-Social Behaviour will be addressed.

12. HR IMPLICATIONS

No Implications as all staff are employed by external providers.

13. PUBLIC HEALTH IMPLICATIONS

- 13.1 Housing Related Floating Support services impact positively on public health and wellbeing. Maintaining appropriate and accommodation is a key determinant of health. Services also work on other health-related factors such as income and social inclusion (both employment and voluntary activities), and directly on health issues by facilitating access to primary and secondary health services, and working with clients to support a healthier lifestyle (e.g. substance misuse treatment programs)

- 13.2 The existing services advertise in both primary and secondary health settings, and receive referrals from a wide range of health-related agencies.

Background Papers

None

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MUNICIPAL YEAR 2013/2014 REPORT NO. 29

MEETING TITLE AND DATE:

Cabinet - 10th July 2013

REPORT OF: Ray James

Director of Health, Housing &
Adult Social Care

Contact officer and telephone
number:

Pauline Kettless 0208 379 4725

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Agenda - Part: 1

Item: 14

Subject: Re-provision Project – Next Steps

Wards: All

Key Decision No: 3593

**Cabinet Member consulted: Councillor
McGowan**

1. EXECUTIVE SUMMARY

- 1.1 This report proposes a way forward in terms of Next Steps in the development and delivery of the Re-provision Project.
- 1.2 Financial information can be found in Part 2 report.

2. RECOMMENDATIONS

- 2.1 Cabinet is asked to agree the commissioning and building of a dual registered nursing and residential care home and then separately the procurement of the service delivery aspect of the project , additional recommendations are contained in the Part 2 report.

3. BACKGROUND

- 3.1 The Reprovision Project remit has been to re-organise and improve care provision to older people through the reprovision of two Local Authority run Care Homes (Coppice Wood Lodge and Bridge House) that currently fall below CQC standards, and to establish a high quality service within a single new purpose built, state of the art building. It has been planned that the new facility would provide care and accommodation for 70 plus older people with Dementia related need on the former Elizabeth House Site, 1 Old Road, EN3.
- 3.2 The rapidly changing financial and market environment over the past few years has had a profound impact on procurement of these and similar services.
- 3.3 The Council over the past two years has sought to procure the Reprovision Project twice without success. The tender package offered to bidders was based on a design, build, operate, maintain model (DBOM) whereby the provider would be expected to enter into a long-term service contract to deliver the care service and would have to fund, develop and equip a suitable dual-registered care home facility to provide it from, which would be located on a Council owned site.
- 3.4 It is clear that there are factors within the wider market that should be considered as part of the next steps decision making process including:
- Over the last two years two significant providers have experienced considerable problems.
 - Although the care home property market was until 2010 perceived as being stable in terms of prices, during 2011 prices fell by 3.3% and the market does not appear to have recovered
 - 2011 saw 750 care homes re-assigned by landlords to new providers due to financial challenges, with 31,000 service users involved
- 3.5 Need for the service has been established through needs assessment.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Potential Options

Options considered are contained within the Part 2 report.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The proposed way forward, supported by related recommendations for consideration has been identified as posing least risk and offers the most viable approach, given the current market situation.

6. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

6.1 Financial Implications

Are contained in Part 2 report.

6.2 Legal Implications

- 6.2.1 The Authority is the Social Services authority for the London Borough of Enfield, within the meaning of the Local Authority Social Services Act 1970, and has the responsibility as defined under the National Health Service and Community Care Act 1990 to provide community care services.
- 6.2.2 The Authority is empowered to procure the provision of building works and care services pursuant to Section 1 of the Local Government (Contracts) Act 1997, Section 29 of the National Assistance Act 1948, Section 45 of the Health Service and Public Health Act 1968 and the Localism Act 2011. The provision of a residential and nursing care home at Elizabeth House is in accordance with the above legislative powers.
- 6.2.3 The Council must also adhere to the Duty of Best Value and must consider this duty in the manner in which the works and the services are provided in accordance with the Local Government Act 1999.
- 6.2.4 The resultant contracts must be in a form approved by the Assistant Director of Legal Services.

6.3 Property Implications

Are contained in Part 2 report.

7. KEY RISKS

- 7.1 Key risks are identified in Part 2 report.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The tender processes will be conducted in accordance with both the Council's Contract Procedure Rules and EU procurement rules. Therefore the tender processes will be transparent and fair and encourage healthy competition within a specialist sector.

8.2 Growth and Sustainability

The new facility will offer potential work opportunities in an area of employment need in the Borough. It will contribute to the regeneration of the physical environment by the development of an attractive, quality building on a currently empty site.

8.3 Strong Communities

The new service will contribute to the community by providing a quality service to vulnerable older people in the borough, and support maintenance of family relationships, provide employment opportunity to borough residents and potentially be of benefit to other local businesses.

9. EQUALITIES IMPACT IMPLICATIONS

An Equalities Impact Assessment was undertaken to inform and support the previous procurement exercises, the findings and recommendations from this are still current

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Contractual framework will have clear performance management requirements with monitoring taking place on a regular basis to ensure both timely delivery and quality.

11. HEALTH AND SAFETY IMPLICATIONS

Not applicable.

12. HR IMPLICATIONS

Are contained in the Part 2 report

13. PUBLIC HEALTH IMPLICATIONS

The development of the reprovision project on the former Elizabeth House site will create a major new nursing and social care residential facility which will provide enhanced benefit to the target service user group within Enfield.

Background Papers

None.

THE CABINET

List of Items for Future Cabinet Meetings (NOTE: The items listed below are subject to change.)

MUNICIPAL YEAR 2013/2014

18 SEPTEMBER 2013

- 1. Updated Property Procedure Rules** James Rolfe

This will seek endorsement of updated Property Procedure Rules for referral to full Council for final approval. (Non key)
- 2. Appropriation – Academy Street** Ray James

This will seek approval to the required appropriation for Academy Street. **(Key decision – reference number 3734)**
- 3. Update on the NLWA Procurement** Ian Davis

This will provide an update on the NLWA procurement. (Part 2) **(Key decision – reference number 3741)**
- 4. Scrutiny Annual Work Programme 2013/14**

To receive a report setting out the annual programme for the Council's Scrutiny Panels and Overview and Scrutiny Committee. (Non key)
- 5. July 2013 Revenue Monitoring Report** James Rolfe

This will summarise the revenue monitoring position of the Council as at 31 July 2013. **(Key decision – reference number 3755)**
- 6. First Quarter Capital Monitoring 2013-14: June 2013** James Rolfe

This will summarise the position of the Council's capital programme for 2013-14. **(Key decision – reference number 3756)**

16 OCTOBER 2013

- 1. Quarterly Corporate Performance Report** Rob Leak

This will present Cabinet with updated data against key corporate and partnership performance indicators and will ask Members to note progress made towards delivering the identified key priority indicators for Enfield. **(Key decision – reference number 3729)**

2. Housing Revenue Account (HRA) Garages Sites Strategy Ray James

This will set out the Council's proposals for managing its HRA Garage stock into the future – the work undertaken in the preparation of this strategy will cover an options appraisal of each of the 331 sites currently managed within the HRA. (Part 1) **(Key decision – reference number 3726)**

3. Housing Revenue Account (HRA) Rent Policy and Tenancy Policy Ray James

This will propose a rent policy and a tenancy policy to apply to the Council's housing stock. (Part 1) **(Key decision – reference number 3735)**

4. Lee Valley Heat Network – Business Plan Ian Davis

This will seek approval of the Business Plan for the Lee Valley Heat Network. **(Key decision – reference number 3706)**

5. August 2013 Revenue Monitoring Report James Rolfe

This will summarise the revenue monitoring position of the Council as a whole as at 31 August 2013. **(Key decision – reference number 3757)**

6. Future Arrangements for ICT Delivery James Rolfe

This will seek approval of the future arrangements for ICT delivery. **(Key decision – reference number 3708)**

7. Enfield Council Estate Renewal Programme Ray James

This will seek approval to authorise the Enfield Council Estate Renewal Programme. **(Key decision – reference number 3369)**

8. Residential Leaseholds – Sale of HRA Ground Rental Income Stream Ray James

This will seek approval to a proposal that the Council considers selling the benefit of the HRA ground rental income stream relating to residential leasehold properties in return for a premium payment. (Part 1) **(Key decision – reference number 3727)**

13 NOVEMBER 2013

1. September 2013 Revenue Monitoring Report James Rolfe

This will summarise the overall revenue monitoring position of the Council as at 30 September 2013. **(Key decision – reference number 3758)**

2. **Capital Monitoring 2013-14: September 2013** James Rolfe

This will summarise the overall financial position of the Council as at 30 September 2013. **(Key decision – reference number 3759)**

3. **Budget 2014/15 and Medium Term Financial Plan Update** James Rolfe

This will update Members on the preparation of the 2014/15 budget and the update of the Medium Term Financial Plan. **(Key decision – reference number 3760)**

11 DECEMBER 2013

1. **Quarterly Corporate Performance Report** Rob Leak

This will present Cabinet with updated data against key corporate and partnership performance indicators and will ask Members to note progress made towards delivering the identified key priority indicators for Enfield. **(Key decision – reference number 3733)**

2. **Housing Revenue Account (HRA) Specialist Accommodation For Older People Strategy** Ray James

This will propose a strategy for providing accommodation for older people within the Council's Housing Revenue Account. It will include a review of current provision and consider the Council's options for providing specialist accommodation into the future. (Part 1) **(Key decision – reference number 3739)**

3. **Young People's Substance Misuse Service Contract** Ray James

This will consider the contract for the Young People's Substance Misuse Service. **(Key decision – reference number 3736)**

4. **Crime Reduction Substance Misuse Recovery Service Contract** Ray James

This will consider the contract for the Crime Reduction Substance Misuse Recovery Service. **(Key decision – reference number 3737)**

5. **Adult Recovery Substance Misuse Service Contract** Ray James

This will consider the contract for the Adult Recovery Substance Misuse Service. **(Key decision – reference number 3738)**

22 JANUARY 2014

1. **November 2013 Revenue Monitoring Report** James Rolfe

This will summarise the revenue position of the Council as at 30 November 2013. **(Key decision – reference number 3761)**

12 FEBRUARY 2014

1. **December 2013 Revenue Monitoring Report** James Rolfe

This will summarise the overall revenue position of the Council as at 31 December 2013. **(Key decision – reference number 3762)**

2. **Capital Monitoring Report: December 2013** James Rolfe

This will summarise the overall financial position of the Council as at 31 December 2013. **(Key decision – reference number 3763)**

3. **Budget 2014/15 and Medium Term Financial Plan (General Fund)** James Rolfe

This will set out the Council Tax for 2014-15 and will set out the Medium term financial plan for 2014-18. **(Key decision – reference number 3764)**

4. **Housing Revenue Account (HRA) Estimates 2014/15 and Rent Setting** James Rolfe/
Ray James

This will seek approval, for recommendation to full Council, of the revenue estimates of the Housing Revenue Account (HRA) for 2014/15. **(Key decision – reference number tbc)**

12 MARCH 2014

23 APRIL 2014

1. **February 2014 Revenue Monitoring Report** James Rolfe

This will set out the Council's revenue budget monitoring position based on information to the end of February 2014. **(Key decision – reference number 3765)**

CABINET - 19.6.2013

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 19 JUNE 2013**

COUNCILLORS

PRESENT Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Chris Bond (Cabinet Member for Environment), Bambos Charalambous (Cabinet Member for Culture, Leisure, Youth and Localism), Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health), Donald McGowan (Cabinet Member for Adult Services, Care and Health), Ayfer Orhan (Cabinet Member for Children & Young People) and Ahmet Oykenner (Cabinet Member for Housing)

ABSENT Del Goddard (Cabinet Member for Business and Regeneration) and Andrew Stafford (Cabinet Member for Finance and Property)

OFFICERS: Rob Leak (Chief Executive), Ian Davis (Director - Environment), Andrew Fraser (Director of Schools & Children's Services), Neil Rousell (Director of Regeneration, Leisure & Culture), Asmat Hussain (Assistant Director Legal), Richard Tyler (Assistant Director of Finance), Bindi Nagra (Joint Chief Commissioning Officer), Dr Shahed Ahmad (Director of Public Health), Michael Toyer (Programme Manager - Schools Expansion Programme) and Laura Berryman (Press Officer) Jacqui Hurst (Secretary)

Also Attending: Councillors Lee Chamberlain, Joanne Laban, Michael Lavender and Derek Levy.
Members of the deputation (Minute No.4 below refers)
Several members of the public

1**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Andrew Stafford (Cabinet Member for Finance and Property), Councillor Del Goddard (Cabinet Member for Business and Regeneration), James Rolfe (Director of Finance, Resources and Customer Services) and, Ray James (Director of Health, Housing and Adult Social Care).

2**DECLARATION OF INTERESTS**

There were no declarations of interest.

CABINET - 19.6.2013

3

URGENT ITEMS

NOTED that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

4

DEPUTATIONS AND PETITIONS

NOTED, that a request for a deputation, with a petition, had been received for presentation to this Cabinet meeting. The deputation would present a petition from residents in and around Lincoln Road Crossing calling on the Council to work with the relevant railway authority to ensure that the railway crossing remained operational.

Councillor Doug Taylor (Leader of the Council) welcomed Adele Panayi, spokesperson for the deputation, and other members of the deputation to the meeting, and invited her to present the deputation to Cabinet.

Adele Panayi outlined in detail, the concerns of local residents regarding the decision by Network Rail to close the level crossing at Lincoln Road. The negative effect on increased journey times for local residents and the impact on traffic in the area were highlighted. Residents were concerned that the closure of the crossing to vehicles could also lead to a general closure including cyclists and pedestrians.

Residents were dissatisfied with the lack of proper consultation by Network Rail and asked that the Council champion the interests of its residents and highlight the concerns which had been raised; and, seek clear justification from Network Rail for the closure. A full and accurate traffic survey should be conducted.

A petition by 600 residents was presented to Councillor Taylor (Leader of the Council). The petition was headed – "We the residents are opposed to the closure of the Level Crossing in Lincoln Road, Enfield. We urge Enfield Council and Network Rail to work together in order to ensure that the Level Crossing is re-opened".

Councillor Chris Bond (Cabinet Member for Environment) responded to the deputation. It was noted that the Council had been in discussions with Network Rail since December 2012. An e mail had been received earlier that day to state that a permanent closure of the level crossing was proposed, excluding pedestrians. Formal notice of this decision by Network Rail was awaited. Andy Love MP had previously written to the appropriate Government Minister expressing concerns on behalf of local residents.

CABINET - 19.6.2013

Councillor Bond acknowledged the petition which had been signed by local residents but also noted that there were a number of residents in the area who were content with the closure of the level crossing. The Council had no power to instruct Network Rail. It was noted there were other level crossings in the East of the Borough which could also be subject to future closures. The Council was committed to having open and full discussions with Network Rail. It was noted that this was a complex legal issue.

In response to the concerns which had been raised in the deputation, Councillor Bond reiterated that formal notification of the closure was awaited from Network Rail including the reasons of justification for a permanent closure. It was noted that health and safety reasons had previously been cited. It was hoped that the level crossing would be temporarily opened to enable a full traffic survey to be undertaken. Councillor Bond stated that a permanent closure would have cost implications for the Council as traffic would need to be permanently re-directed. It was noted that the Police had previously been unaware of the closure. The Council would address the issues raised as far as it was able to.

Councillor Taylor reiterated that the Council had limited powers but that it would continue to champion the views of local residents. Network Rail would be advised of the petition which had been received by the Council.

Councillor Taylor thanked Adele Panayi for her presentation and for the attendance of the deputation at the Cabinet meeting.

5

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED that the following item be referred to full Council:

1. Report No.13 – School Expansion Programme Phase 2 2013/14 – 2017/18.

6

PUBLIC HEALTH 2013/14

Councillor Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Public Health (No.11) setting out the Public Health functions and objectives for Enfield from April 2013 in light of the legislative and organisational changes set out in the Health and Social Care Act 2012.

NOTED

1. Councillor Hamilton was pleased to report on the successful integration of the public health functions under the responsibility of the local authority with effect from April 2013, as detailed in full in the report;

CABINET - 19.6.2013

2. Dr Shahed Ahmad (Director of Public Health) drew Members' attention to aspects of the report which clearly set out the Public Health functions and responsibilities (section 4 of the report referred); the Outcomes Framework and Enfield's Health Needs (section 5 of the report); the Public Health Business Plan 2013/2014 (section 6 of the report); the Role of the Director of Public Health (section 7 of the report); and, the Public Health Budget and Structure (section 8 of the report).
3. in response to a question raised by Councillor Charalambous, the development of Enfield's priorities was discussed. It was noted that the Joint Strategic Needs Assessment (JNSA) was currently being finalised from which the Health and Well-being Board would develop a strategy to set the priorities appropriately. The various aspects of the processes to be followed were explained by Dr Shahed Ahmad.
4. Councillor Orhan was pleased to note the inclusive work with the Schools and Children's Service Department and, the clear funding which had been earmarked for child health. It would be important to ensure that collaborative working continued in order to support the future welfare of the Borough's children.

Alternative Options Considered: None stated.

DECISION: Cabinet agreed

1. to note the contents of the report;
2. the key objectives for Public Health as set out in the Public Health Business Plan (appendix 1 to the report);
3. to note the ring-fenced Public Health Budget as summarised in Appendix 2 to the report; and previously reported within the Budget Setting Report to full Council on 27 February 2013;
4. to note the Public Health structure as detailed in Appendix 3 of the report.

Reason: To ensure that the Local Authority had the appropriate capability and focus within the Public Health Directorate and ensure that Local Authority objectives were met in line with its new mandatory responsibilities and non mandatory responsibilities. To enable dialogue to commence with the Council's new providers, and provide them with the knowledge of the criteria that was involved when working with the local authority, which was significantly different to the NHS. To ensure continuity of joint working with the NHS. To ensure that the current staff who had transferred to LBE were treated fairly in line with TUPE principles.

(Key decision – reference number 3650)

7

LADDERSWOOD: APPROPRIATION FOR PLANNING PURPOSES

Councillor Ahmet Oykenar (Cabinet Member for Housing) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Regeneration, Leisure and Culture (No.12) seeking approval for the Council to use its powers to appropriate the land required for the Ladderswood development for planning purposes.

NOTED

1. the conditions which needed to be fulfilled by both the Council and the developer in accordance with the previously agreed Development Agreement, in order to allow the development of Ladderswood to proceed, as set out in the report;
2. that Members' attention was drawn to sections 3.11 and 3.12 of the report explaining the conditions which would apply to the appropriation of land;
3. that a colour copy of the diagram detailed in Appendix 1 of the report would be circulated to Cabinet Members for clarity and ease of reference.

Alternative Options Considered: None.

DECISION: The Cabinet agreed in accordance with section 122 of the Local Government Act 1972 to appropriate the sites shown on the plan attached to the report at Appendix 1 from their present holding purposes to planning purposes and in particular the purposes set out in section 237 of the Town and Country Planning Act 1990.

Reason: The Development Agreement entered into by the Council included a requirement, as a condition precedent, for the Council to use its powers to appropriate the land for planning purposes. If the Council did not appropriate the land for planning purposes the developer could terminate the Development Agreement.

(Key decision – reference number 3423)

8

SCHOOL EXPANSION PROGRAMME PHASE 2 2013/14 - 2017/18

Councillor Ayfer Orhan (Cabinet Member for Children and Young People) introduced the report of the Director of Schools and Children's Services and Director of Finance, Resources and Customer Services (No.13) updating the strategy for the provision of pupil places.

CABINET - 19.6.2013

NOTED

1. that a previous decision of the Cabinet in June 2012 had established phase one of the primary expansion programme. Cabinet approval was now being sought to establish phase two of the school expansion programme, as set out in full in the report. This represented a robust and comprehensive strategy to meet future demand and the Council's statutory responsibilities. The strategy would be kept under constant review to ensure that the effects of any changes in the Borough including demographic changes and welfare reform, would be taken into account and appropriate action taken. Members noted the current impact of the Government's housing benefit cap on families in the Borough and across London as a whole.
2. Members' attention was drawn to sections 1.2, 1.3, 3.2 and 3.3 of the report. Section 3.2 of the report noted the removal of three schools from the current phase of the programme – Oakthorpe, Broomfield and Walker. Discussions would continue with the schools and their Governing Bodies.
3. Andrew Fraser (Director of Schools and Children's Services) outlined the difficulties that were being faced across London in meeting the statutory responsibilities for the provision of sufficient school places. The Council had used independent evaluations for projected pupil numbers in the Borough. The School Expansion Programme, as detailed in the report, provided a clear framework for the way forward and would provide flexibility in meeting identified needs.
4. Councillor Hamilton expressed her congratulations to the Lead Cabinet Members and Directors for this significant piece of work which would ensure that the Council continued to deliver high quality education for the Borough's children.
5. Councillor Orhan outlined the new school which was being built at Garfield; the Council had listened to the concerns expressed and was taking appropriate action in moving forward.
6. Councillor Taylor commended the bold and imaginative action which was being taken and expressed the need for sufficient Government funding to be allocated to the Council to meet its basic needs requirements.

Alternative Options Considered: Enfield Council had a statutory responsibility to provide the necessary school places. The Primary Expansion Programme created a mechanism to assist with the delivery of extra capacity required. Not providing places could not be considered an option. The following proposals had been considered but rejected:

- Increasing class sizes to over 30 pupils. Current legislation stipulates that Key Stage One classes could not exceed 30 pupils with only one

CABINET - 19.6.2013

qualified teacher. This did not apply to Key Stage two. However, school accommodation did not normally allow for more than 30 pupils in one class base.

- The use of community halls as emergency class bases. This option had been explored with a number of head teachers in relation to the development of the Partner School initiative. However, the revised strategy seeks to deliver a programme of permanent expansions.

DECISION: The Cabinet agreed to approve:

1. the updated strategy to provide the additional school places required between 2013/2014 and 2017/2018.
2. the establishment of the school expansion programme to run from 2013/14 to 2017/18.
3. the recommendation to full Council of a provisional budget of up to £44.318 million to deliver 1,680 extra Council funded Primary school reception places, including the cost of rebuilding and re-configuring existing schools between 2013/14 and 2017/18, subject to availability of funding, agreement of detailed scheme costs, and clear demonstration of value for money.
4. that the projects and budgets for the new build of Garfield Primary School and the main scheme at Grange Park Primary School move into phase two of the school expansion programme with their budgets added to the programme budget referred to in paragraph 2.1.3.
5. delegated authority to the Cabinet Members for Children and Young People and for Finance and Property in consultation with the Director of Schools and Children's Services and Finance, Resources and Customer Services to take decisions on:
 - The individual schools and sites that could be expanded, and decisions on statutory expansions, to meet the need for extra pupil places up to 2017/18.
 - Entering in to contractual arrangements and placing orders for each expansion project; and
 - Conducting any necessary land transactions as individual schemes were developed.
6. delegated authority to the Directors of Schools and Children's Services and Finance, Resources and Customer Services to take decisions on the:
 - Detail of programme and project management arrangements, including any subsequent changes to arrangements that were required.
 - Submission of planning applications; and
 - The appropriate procurement routes for individual schemes.

CABINET - 19.6.2013

RECOMMENDED TO COUNCIL for approval and adoption in the Council's capital programme.

Reason: The Council had an overriding statutory duty to provide sufficient pupil places to meet anticipated demand. The report set out the proposed strategy and delivery arrangements to oversee delivery arrangements for schools with funding secured for expansion, to further develop options for expansion by conducting feasibility studies and consultation with the schools identified and to secure funding through opportunities that become available. This strategy and delivery arrangements would deliver the additional reception places required in the areas of highest demand up to 2017/18. The expanded capacity aimed to provide a higher level of flexibility built in to counter sudden increases in demand.

(Key decision – reference number 3719)

9

CONTRACT FOR RESIDENTIAL AND NURSING CARE SERVICES FOR PEOPLE WITH DEMENTIA AT HONEYSUCKLE HOUSE

Councillor Don McGowan (Cabinet Member for Adult Services, Care and Health) introduced the report of the Director of Health, Housing and Adult Social Care (No.14) noting the closure of the previous procurement process and considering the contractual options.

NOTED

1. that Report No.15 also referred as detailed in Minute No.22 below;
2. that recommendations for Parkview House had been considered by the Cabinet previously in April 2013.

Alternative Options Considered: To facilitate development of best value in the longer term, an options appraisal would be undertaken. This would involve an engagement exercise with care home providers to explore current and future market direction and the range of means available to meet service users' developing needs.

DECISION: The Cabinet noted the closure of the previous procurement process and considered the contractual options as set out in Report No.15 Minute No.22 below refers).

Reason: In the context of the tender process not identifying a new provider, these recommendations offer the most effective and practical means of ensuring continuity of care for service users.

(Key decision – reference number 3685)

CABINET - 19.6.2013

10

MEMBERSHIP OF CABINET SUB-COMMITTEES - MUNICIPAL YEAR 2013/14

NOTED, that at its meeting on 24 April 2013, Cabinet agreed that Councillor Doug Taylor (Leader of the Council) be given delegated authority to agree any required changes to the membership or composition of the Cabinet Sub-Committees, to be ratified at the next appropriate Cabinet meeting. There had been no changes to the Cabinet Sub-Committees and therefore the existing memberships would continue unchanged for the municipal year 2013/14. The memberships were listed below for information and noting:

Enfield Residents' Priority Fund Cabinet Sub-Committee

Councillors: Charalambous (Chairman), Bond, Georgiou and Hamilton

Local Plan Cabinet Sub-Committee

Councillors: Goddard (Chairman), Bond, Georgiou and Oykenner

Policy Cabinet Sub-Committee

Councillors: Georgiou (Chairman), Charalambous, Hamilton and Taylor

Enfield Community Capacity Building Fund Cabinet Sub-Committee

Councillors: Hamilton (Chairman), Bond, Charalambous and Georgiou

11

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY PANEL/SCRUTINY PANELS

NOTED, that no items had been received for consideration at this meeting.

12

CABINET AGENDA PLANNING - FUTURE ITEMS

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

13

NOTICE OF KEY DECISION LIST

NOTED that the next Notice of Key Decision List was due to be published on 28 June 2013, this would be effective from 1 August 2013.

14

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 24 April 2013 be confirmed and signed by the Chairman as a correct record.

15

MINUTES OF ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 16 APRIL 2013

CABINET - 19.6.2013

NOTED the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 16 April 2013.

16

MINUTES OF ENFIELD RESIDENTS' PRIORITY FUND CABINET SUB-COMMITTEE -8 MAY 2013

NOTED the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 8 May 2013.

17

MINUTES OF ENFIELD RESIDENTS' PRIORITY FUND CABINET SUB-COMMITTEE - 15 MAY 2013

NOTED the minutes of a meeting of the Enfield Residents' Priority Fund Cabinet Sub-Committee held on 15 May 2013.

18

MINUTES OF LOCAL PLAN CABINET SUB-COMMITTEE - 16 MAY 2013

NOTED the minutes of a meeting of the Local Plan Cabinet Sub-Committee held on 16 May 2013.

19

ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

NOTED that there were no written updates to be received at this meeting.

20

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet was scheduled to take place on Wednesday 10 July 2013 at 8.15pm.

21

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED in accordance with Section 100A(4) of the Local Government Act 1972 to exclude 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 confidential 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 to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

CABINET - 19.6.2013

22

CONTRACT FOR RESIDENTIAL AND NURSING CARE FOR PEOPLE WITH DEMENTIA AT HONEYSUCKLE HOUSE

Councillor Don McGowan (Cabinet Member for Adult Services, Care and Health) introduced the report of the Director of Health, Housing and Adult Social Care (No. 15).

NOTED

1. that Report No.14 also referred as detailed in Minute No.9 above;
2. the background to the proposals and the processes which had been followed, as set out in full in the report. Members discussed the proposed way forward and noted that any risks had been evaluated and detailed in the report.

Alternative Options Considered: NOTED the alternative options which had been considered as detailed in section 4 of the report.

DECISION: The Cabinet agreed

1. that officers enter into direct negotiation with the provider detailed in recommendation 2.1 of the report, to agree terms for an interim care agreement of no longer than three years (including options for extension) while longer term options were evaluated.
2. that all options relating to Honeysuckle House identified in the background options paper submitted to April 2013 Cabinet along with KD 3558 (Parkview House) were explored; including the potential for selling the Council's property interests subject to the findings of a qualified valuer.
3. negotiations under decision 1 above include a revision of existing property arrangements and seek to transfer these to a more equitable footing.
4. subsequent to the decisions in 1 and 2 above, the decision to award the care agreement be delegated to the Cabinet Member for Adult Services, Care and Health in consultation with the Cabinet Member for Finance and Property.
5. that officers develop contingency measures should negotiations with the provider detailed in recommendation 2.5 of the report, not deliver viable contractual terms.
6. revised rates be charged to full cost service users at the commencement date of the interim care services agreement identified in decision 1 above.

CABINET - 19.6.2013

7. pending the outcome of current negotiation, that existing contractual arrangements be continued with the provider detailed in recommendation 2.7 of the report.

Reason: NOTED the reasons for the recommendations as detailed in section 5 of the report.

(Key decision – reference number 3685)

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

**MINUTES OF THE MEETING OF THE ENFIELD RESIDENTS PRIORITY FUND
CABINET SUB-COMMITTEE
HELD ON THURSDAY, 6 JUNE 2013****COUNCILLORS**

PRESENT Bambos Charalambous (Chair), Chris Bond and Achilleas Georgiou

ABSENT Christine Hamilton

OFFICERS: Alison Trew (Head of Corporate Policy and Performance) and Jayne Middleton-Albooye (Principal Lawyer) Penelope Williams (Secretary)

Also Attending: Graham Sharp (Chair Hadley Wood Association)

1**WELCOME AND APOLOGIES**

The Chair welcomed everyone to the meeting. Apologies for absence were received from Councillor Hamilton, Joanne Stacey, Performance Information Manager, Peter Doherty, ERPF Administrator and Ann Freeman, Head of Finance.

2**DECLARATION OF INTERESTS**

Councillor Charalambous declared non pecuniary interests in applications PAL029, PAL030 which were in his Palmers Green Ward.

3**URGENT ITEMS**

AGREED that the following application be dealt with as an urgent item pursuant to Section 100B(4) of the Local Government Act 1972 (as amended by the Local Authorities (Executive Arrangements) Access to Information (England) Amendment Regulation 2002).

- Grange (GRA007) and Town (TOWN023) Enfield Town Library Green Community Events.

Urgent consideration of the application listed above was approved by the Sub Committee on the grounds that a decision had to be made at this meeting as the equipment applied for was needed for an event which was due to take place on 28 June 2013.

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

NOTED the other reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002.

4

APPLICATIONS TO THE ENFIELD RESIDENTS PRIORITY FUND

Councillor Bambos Charalambous introduced the report of the Chief Executive (No.10) presenting the applications that had been formally submitted up to 21 May 2013 for the Enfield Residents Priority Fund 2013-14.

Alison Trew, Head of Corporate Policy and Performance, presented the report to members.

NOTED

1. The summary of the applications received as detailed in Appendix A to the report:
2. Members considered each of the applications in detail, as follows:

2.1 Hadley Wood Association Car Park (CF013)

A project for Cockfosters Ward to resurface the Hadley Wood Association Car Park. Members noted that the application met the social and environmental wellbeing objective and the following criteria: fairness for all, growth and sustainability, strong communities and education, skills and training.

Graham Sharp, Chairman of the Hadley Wood Association, spoke on the application. He highlighted the following:

- The Hadley Wood Association provided activities for all age groups including preschool, tennis, golf, football and bridge.
- Good facilities for parties and funerals were available for hire.
- They had raised £50,000 to refurbish the playground with the help of the Parks Service.
- The green belt land was well used by dog walkers.
- The car park was well used by local shops and businesses.
- Over 75% of the parents with children at Hadley Wood Primary School used the car park to drop off and pick up their children daily.
- The School supported the application.
- Legal issues raised on a previous application had been resolved.
- The Hadley Wood Association were providing the majority of the funding.

Jayne Middleton Albooye, for Legal, said that there was a repairing covenant on the Hadley Wood Association Lease, but this did not explicitly cover the car park. .

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

Members suggested that the school children should be encouraged to walk to school and that the school should be asked to contribute to the cost of repairs.

The application was approved subject to obtaining three quotations for the work including one from the Council.

2.2 Enfield Island Village Trust Developing the Community (ENFL023)

A project for Enfield Lock Ward to provide various activities for Enfield Island Village residents. Members noted that the application met the economic and environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, health and disability and education, skills and training.

Alison Trew reported that this was the continuation of successful projects run by the Enfield Island Trust which had contributed to improving the atmosphere and community spirit of the area which suffered from crime and gang violence.

The application was approved subject to clarification on the project costs.

2.3 Information and Advice Surgery for Turkish Speakers (JUB021)

A project for Jubilee Ward to provide an information and advice surgery for Turkish speakers. Members noted that the application met the economic and environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, and education, skills and training.

Alison Trew reported that this was a well used resource and that evaluation forms were to be sent through.

The application was approved subject to clarification on the project costs.

2.4 Future Success English for Speakers of Other Languages (ESOL)for Turkish Speakers (JUB022)

A project for Jubilee Ward to provide ESOL classes for Turkish speakers. Members noted that the application met the economic and environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, and education, skills and training.

The application was approved subject to clarification on the project costs.

2.5 Elderly and Disabled Lunch Club (JUB023)

A project for Jubilee Ward for a lunch club to provided activities, advice and support for elderly and disabled Turkish speakers in the ward. Members noted that the application met the economic and environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, and education, skills and training.

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

The application was approved subject to a reduction of £400 on the original application.

2.6 Repainting and Refurbishment of Alleygates in Chatsworth Drive and Dimsdale Drive (JUB024)

A project for Jubilee Ward to repaint and refurbish the alleygates on Chatsworth Drive and Dimsdale Drive

The application was not approved as it had been found that it would be more cost effective to replace the gates. The applicants would be advised and would be able to submit another application to cover the costs of replacing the gates.

2.7 Fulfil Your Dreams Youth Event DJ and MC Academy (LOED035)

A project for Lower Edmonton Ward to run twice weekly mobile unit sessions on local housing estates. Members noted that the application met the social and economic wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, employment, education, skills and training and crime.

The application was approved.

2.8 Security at the Ruth Winston Centre (PAL029)

A project for Palmers Green Ward to install CCTV security measures at the Ruth Winston Centre. Members noted that the application met the social and environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities and crime.

The application was deferred to find out the reasons behind the discrepancies in the costings.

2.9 Palmers Green Triangle Flower Beds (PAL030)

A project for Palmers Green Ward for planting flower beds on the Palmers Green Triangle. Members noted that the application met the social and economic wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, crime and environment.

The application was deferred.

2.10 Walker Cricket Ground (SGT019) (SGCT015)

A project for Southgate and Southgate Green Wards to carry out health and safety improvements and provide disabled toilets for the Walker Cricket Ground. Members noted that the application met the environmental wellbeing

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

objectives and the following criteria: fairness for all, growth and sustainability, strong communities, crime and environment.

The application had been deferred from the last meeting to obtain further information on community support. This had now been provided.

The application was approved at the reduced rate of £45,775 to be split equally between the two wards.

2.11 Fountains Crescent Strawberry Tea Party (SGT020)

A project for Southgate Ward to hold a street party in Fountains Crescent. Members noted that the application met the environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities and environment.

The application was approved.

2.12 Riverside and Parsonage Gardens Street Party (TOWN022)

A project for Town Ward to hold a street party in Riverside and Parsonage Gardens. Members noted that the application met the environmental wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities and crime.

The application was approved.

2.13 Youth Development Project (TST046)

A project for Turkey Street Ward to hold youth activities in Kempe Hall.

The application was not approved. Any youth activities would need to fit in with that being provided by the Council Youth Service and other youth organisations in the area.

2.14 Rely on Yourself ESOL Classes for Turkish Speakers (TST047)

A project for Turkey Street Ward to provide ESOL classes for Turkish speakers. Members noted that the application met the environment wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, employment and education, skills and training.

The application was approved subject to clarification on the project costs.

2.15 Grovelands Road Street Party (WMH015)

A project for Winchmore Hill Ward for a street party in Grovelands Road.

The application was not approved as the party had already taken place.

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

2.16 Enfield Town Library Green Community Events (GRA007) (TOWN023)

A project for Grange and Town Wards to provide free events and entertainment on Enfield Town Library Green. Members noted that the application met the social and environment wellbeing objectives and the following criteria: fairness for all, growth and sustainability, strong communities, employment and environment.

The application was approved.

Alternative Options Considered

That the projects were not considered and funding was not allocated, this would not be recommended as this will not support community engagement and will not allow residents the opportunity to further improve the local area in which they live and work.

DECISION

1. The Cabinet Sub Committee, following detailed consideration of the applications and the criteria, agreed that the following applications were suitable for funding from the Enfield Residents Priority Fund.

Ward	Project Title	Amount
Jubilee (JUB023)	Elderly and Disabled Lunch Club	£9,128
Lower Edmonton (LOED035)	Fulfil Your Dreams Youth Event – DJ and MC Academy	£13,210
Southgate (SGT018) and Southgate Green (SGTG015)	Walker Cricket Ground – Health and Safety Improvements	Up to £45,755 split between the two wards
Southgate (SGT020)	Fountains Crescent Strawberry Tea Party	£340
Town (TOWN022)	Riverside and Parsonage Gardens Street Party	£440
Grange (GRA007) and Town (TOWN023)	Enfield Town Library Green Community Events	£1,000 (£500 per ward)

2. The following applications were approved in principle, subject to listed conditions:
 - Cockfosters (CF013) Hadley Wood Association Car Park Resurfacing - £10,000 subject to obtaining three quotes for the work including one from the Council.
 - Enfield Lock (ENFL023) Enfield Island Village Trust Developing the Community - £26,680 – subject to clarification on the project costs.
 - Jubilee (JUB021) - Information and Advice Surgery for Turkish Speakers – up to £13,270 subject to clarification on the project costs.

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

- Jubilee (JUB022) – Future Success ESOL Classes for Turkish Speakers – up to £16,450 subject to clarification on the project costs.
 - Turkey Street (TST047) - Rely on Yourself ESOL Classes for Turkish Speakers – up to £4,330 subject to clarification on the project costs.
3. The following applications were deferred for consideration at a future meeting of the Sub Committee, to enable more information to be provided, before a decision was made:

Palmers Green (PAL029)	Security at the Ruth Winston Centre	£4,488
Palmers Green (PAL030)	Palmers Green Triangle Flower Beds	£5,495

4. The following applications were not approved:

Jubilee (JUB024)	Repainting and Refurbishment of Alleyways	£375
Turkey Street (TST046)	Youth Development Project	£7,151
Winchmore Hill (WHM015)	Grovelands Road Street Party	£515

5. The Chair of the Sub Committee be given delegated authority to provide final project approval in cases where applications are agreed in principle subject to certain conditions and these conditions have been met.

Reason: The projects submitted had been proposed and developed by the local people of Enfield, to help improve the social, economic or environmental well being by tackling local need and deprivation. The projects all support the Council's vision of making Enfield a better place to live and work, delivering fairness for all, growth and sustainability and strong communities.

5 MINUTES OF PREVIOUS MEETINGS

AGREED as a correct record the minutes of the meetings held on 8 May and 15 May 2013.

6 DATES OF FUTURE MEETINGS

The Sub Committee noted the dates agreed for future meetings as follows:

- Thursday 11 July 2013
- Thursday 22 August 2013
- Thursday 12 September 2013
- Thursday 10 October 2013

ENFIELD RESIDENTS PRIORITY FUND CABINET SUB-COMMITTEE - 6.6.2013

- Thursday 7 November 2013
- Thursday 5 December 2013
- Tuesday 21 January 2014 (previously scheduled for Thursday 23 January)
- Thursday 6 February 2014
- Thursday 6 March 2014
- Thursday 3 April 2014

7

EXCLUSION OF PRESS AND PUBLIC

AGREED to pass a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for the following item (Complaint Against Councillor - Update) moved from the Part 1 to Part 2 agenda on the grounds that it would involve the likely disclosure of exempt information as defined in paragraph 1 (information relating to an individual) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information Variation Order 2006).

Part 2

8

MATTERS ARISING FROM THE MINUTES

8.1 Southgate Community Market (SGT018)

Councillor Charalambous reported that he had received an email expressing concern that the Committee could have received misleading information about the consultation which had taken place with local businesses on the application for the Southgate Community Market, approved at the last meeting.

Members discussed the allegations, but concluded that there was no reason to change the decision to approve the application.

POLICY CABINET SUB-COMMITTEE - 17.6.2013**MINUTES OF THE MEETING OF THE POLICY CABINET SUB-COMMITTEE
HELD ON MONDAY, 17 JUNE 2013****COUNCILLORS****PRESENT**

Achilleas Georgiou (Deputy Leader) and Bambos Charalambous (Cabinet Member for Culture, Sport and Leisure)

ABSENT

Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health) and Doug Taylor (Leader of the Council)

OFFICERS:

Rob Flynn (Corporate Policy and Research Manager, Communities, Communications, Policy and Performance), James Rolfe (Director of Finance, Resources and Customer Services), Neil Rousell (Director of Regeneration, Leisure & Culture), Mike Ahuja (Head of Corporate Scrutiny and Community Outreach), Claire Corbett (Transformation Manager), Jayne Middleton-Albooye (Principal Solicitor Corporate) (Items 4 and 5 only), Jane Creer (Secretary)

1**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Doug Taylor (Leader of the Council) and Councillor Christine Hamilton (Cabinet Member for Community Wellbeing and Public Health).

2**DECLARATION OF INTERESTS**

There were no declarations of interest.

3**URGENT ITEMS**

NOTED, that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

4**QUEEN'S SPEECH**

RECEIVED a presentation from Rob Flynn (Corporate Policy and Research Manager) and Jayne Middleton-Albooye (Principal Solicitor Corporate) on the content and implications of the Queen's Speech.

POLICY CABINET SUB-COMMITTEE - 17.6.2013

NOTED

1. The forthcoming legislation which would have a local authority impact, or an impact on Enfield was highlighted.
2. At this point there was very little detail about many of the Bills listed.
3. The Pensions Bill had potentially positive implications for older people in Enfield, but may increase the amount of national insurance that some public sector employees and employers will pay. James Rolfe agreed to provide further detail about the impact on Enfield.
ACTION: James Rolfe
4. The Care Bill was now at the second reading committee stage. There would be a new duty for councils to inform residents about the provision available. Impacts of the new cap on social care costs had been identified as a risk in the budget.
5. The Anti-Social Behaviour, Crime and Policing Bill was also at the second reading stage. Civil ASBOs would be replaced by a new Injunction to Prevent Nuisance and Disorder (IPNA).
6. The Local Audit and Accountability Bill would bring a more localist approach to audit. Local authorities would be given more power to appoint local auditors.

**5
POLICY GRID**

NOTED

1. Members noted the Policy Grid, circulated with the agenda, from the Assistant Director Communities, Communications, Policy and Performance, providing an assessment of new legislation, strategies and programmes.
2. Members requested further information on Council responses to consultations, and on the progress of legislation and timetable for implementation. This information would be added to the Policy Grid.
ACTION: Rob Flynn/Jayne Middleton-Albooye
3. In relation to Crossrail 2, consultation would close on 2nd August. A response was being prepared, and Enfield was lobbying for the Stansted corridor route. Members asked to be notified of progress on this and on four tracking on the West Anglia route.
ACTION: Neil Rousell
4. It was clarified that the Lead Member for Local Audit and Accountability Bill would be Councillor Lemonides and for Defence Reform Bill would be Councillor Stafford.

POLICY CABINET SUB-COMMITTEE - 17.6.2013

6

ENFIELD POST 2014

RECEIVED a presentation from Rob Flynn (Corporate Policy and Research Manager) on Enfield post 2014.

NOTED

1. The presentation followed discussions at the previous Policy Cabinet Sub-Committee meeting, and covered the following areas:
 - Definition of the Coordinating Council, key features, and objectives
 - The three strands and draft workstreams identified:
 - (i) Innovative and enterprising approach – key elements
 - (ii) Democratic engagement
 - (iii) Collaboration and coordination
 - A mini-review was proposed to take forward each strand.
2. This work needs to be considered alongside any organisational changes.
3. Consideration of appropriate levels of consultation and engagement.
4. There was a need to continue developing an enterprising approach. Working with the business community, partnership working, and empowering local people were highlighted. Recent examples of success in this approach, and potential future enterprises, were discussed. It was suggested these should be given greater publicity and a higher profile.
5. Ways forward involving collaboration and coordination were discussed, and the role of the Council in bringing together services and ensuring they were delivered where they were needed and without duplication. A mapping exercise may be useful.
6. Mike Ahuja presented a diagram of how the Coordinating and Enterprising Council would work, focussing on community engagement, which was not limited to the Council.
7. Members wished to see the workstreams taken forward quickly and worked up by the end of 2013, in preparation for agreement early after May 2014. These issues would affect any incoming Council.
8. The workstreams would each be led by a Cabinet Member, and the suggested involvement of:
 - Innovative and Enterprising – Councillor Goddard / Councillor Sitkin / Neil Rousell
 - Democratic Engagement – Councillor Georgiou / James Rolfe / John Austin / Mike Ahuja

POLICY CABINET SUB-COMMITTEE - 17.6.2013

- Collaboration and Coordination – Councillor Charalambous / Rob Flynn / Transformation Team

9. The groups would set up their own meetings and terms of reference.
10. The groups would report back to the Policy Cabinet Sub-Committee.
11. Once the vision was clear there would be engagement with all stakeholders and a report to Cabinet in the New Year.
12. A scope of the work and the timeline would be drafted by Mike Ahuja and shared with member of the Sub-Committee.

ACTION: Mike Ahuja

7

MP'S BRIEFING

NOTED a verbal update from James Rolfe on issues raised in relation to the decentralised energy network by Andy Love MP. A meeting would be scheduled as soon as possible to discuss. Members asked to be provided with the 25.01.12 Council decision in respect of North London Waste Authority.

ACTION: Jane Creer

8

MINUTES

AGREED that the minutes of the meeting held on 6 March 2013 be agreed as a correct record.

9

MATTERS ARISING FROM THE MINUTES

There were no outstanding matters arising from the minutes.

10

DATES OF FUTURE MEETINGS

NOTED that future meetings of the Policy Cabinet Sub-Committee were scheduled to take place on:

Wednesday 2 October 2013
Wednesday 4 December 2013
Wednesday 5 March 2014