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THE CABINET

**Wednesday, 15th June, 2016 at 8.15 pm in the Civic Centre,
Restaurant**

Membership:

Councillors : Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader of the Council), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts & Culture), Alev Cazimoglu (Cabinet Member for Health & Social Care), Krystle Fonyonga (Cabinet Member for Community Safety & Public Health), Dino Lemonides (Cabinet Member for Finance & Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykenen (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration & Business Development)

Associate Cabinet Members

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

Bambos Charalambous (Associate Cabinet Member – Non Voting), George Savva MBE (Associate Cabinet Member – Non Voting) and Vicki Pite (Associate Cabinet Member – Non Voting)

NOTE: CONDUCT AT MEETINGS OF THE CABINET

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

AGENDA – PART 1

1. APOLOGIES FOR ABSENCE

2. 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

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

5. ITEMS TO BE REFERRED TO THE COUNCIL

To agree that the following reports to be referred to full Council:

1. Report Nos.13 and 14 – Acquisition of Land

6. ASSOCIATE CABINET MEMBERS UPDATE (Pages 1 - 24)

A report from the Director of Finance, Resources and Customer Services is attached. This outlines the progress made in exercising the new roles of the Associate Cabinet Members and provides updates through the work programme outcomes/summaries of activities up to March 2016. (Non key)

(Report No.8)
(8.20 – 8.25 pm)

7. LONDON MULTI-AGENCY ADULT SAFEGUARDING POLICY AND PROCEDURES (Pages 25 - 30)

A report from the Director of Health, Housing and Adult Social Care is attached. This presents the new London Multi Agency Adult Safeguarding Policy and Procedures. (Non key)

(Report No.9)
(8.25 – 8.30 pm)

8. CUSTOM BUILD AND SELF-BUILD PROGRAMME IN ENFIELD (Pages 31 - 50)

A report from the Director of Regeneration and Environment is attached. This proposes a strategy and mechanism for delivering a pilot programme of affordable, custom build homes and also self-build homes, on smaller scale Council owned sites in Enfield. **(Key decision – reference number 4200)**

(Report No.10)
(8.30 – 8.35 pm)

9. CYCLE ENFIELD SPENDING PROPOSALS FOR 2016/17 (Pages 51 - 62)

A report from the Director of Regeneration and Environment is attached. This seeks approval to spend grant funding for the design, consultation and implementation of Cycle Enfield schemes. **(Key decision – reference number 4270)**

(Report No.11)
(8.35 – 8.40 pm)

10. PROCUREMENT FRAMEWORK MEMBERSHIPS - LONDON HOUSING CONSORTIUM FRAMEWORK, BRENT HOUSING PARTNERSHIP FRAMEWORK AND ROYAL BOROUGH OF KINGSTON FRAMEWORK
(Pages 63 - 68)

A report from the Director of Regeneration and Environment is attached. This seeks approval to register with and access a number of procurement frameworks. **(Key decision – reference number 4254)**

(Report No.12)
(8.40 – 8.45 pm)

11. ACQUISITION OF LAND

A report from the Director of Finance, Resources and Customer Services **will be circulated as soon as possible.** (Report No.14, agenda part two also refers).

(Report No.13)
(8.45 – 8.50pm)
TO FOLLOW

12. ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

To note that there are no items to be considered at this meeting.

13. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 69 - 74)

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

14. MINUTES (Pages 75 - 86)

To confirm the minutes of the previous meeting of the Cabinet held on 18 May 2016.

INFORMATION ITEMS

15. ENFIELD STRATEGIC PARTNERSHIP UPDATE

To note that there are no written updates to be received at this meeting.

16. DATE OF NEXT MEETING

To note that

1. The next meeting of the Cabinet is scheduled to take place on Thursday 7 July 2015 at 8.15pm.
2. The September meeting of the Cabinet has been re-scheduled to take place on Tuesday 6 September at 8.15pm.

CONFIDENTIAL ITEMS

17. 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 item of business listed on part 2 of the agenda on the grounds that it involves 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)

MUNICIPAL YEAR 2016/2017 REPORT NO. 8**MEETING TITLE AND DATE:**

Cabinet – 15 June 2016

REPORT OF:Director of Finance, Resources &
Customer Services

Contact officer and telephone number:

Shaun Rogan 0208 379 3836

E mail: shaun.rogan@enfield.gov.uk

Agenda – Part: 1	Item: 6
Subject: Associate Cabinet Members Update	
Wards: All	
Non key	
Cabinet Members consulted: Cllr D Taylor, Cllr A Georgiou	

1. EXECUTIVE SUMMARY

- 1.1 Following the election of a new administration in May 2014, Council in June 2014 approved a number of changes to the political management structure of the authority. This included the establishment of innovative, spatially focused Associate Cabinet Member (ACM) posts.
- 1.2 The update and recommendations set out in this report reflect the progress made in establishing these new roles and include the second work programme updates from each of the 3 new ACMs from September 2015 to March 2016 and summary impact evaluation.

2. RECOMMENDATIONS

- 2.1 That the progress made in exercising the new roles of the Associate Cabinet Members and the updates provided through the work programme outcomes/ summaries of activities up to March 2016 are noted.

3. BACKGROUND

3.1 Establishing the roles of Associate Cabinet Members

- 3.1.1 Cabinet Report (CR:01) agreed by full Council in June 2014 included the creation of 3 new Associate Cabinet Member roles that would be responsible for providing strategic support to the delivery of Council objectives and enhance member involvement in strategic decision making.
- 3.1.2 It was further agreed that the discharge of these roles would be supported by the allocation of a Special Responsibilities Allowance (SRA) and be proportionate to the anticipated strategic impact the roles would provide. The Council agreed not to expand the SRA or other allowances envelope to ensure that the added value was gained from existing financial resources.

3.2 The agreed role of the Associate Cabinet Members

- 3.2.1 A detailed specification relating to the role of the new Associate Cabinet Members was agreed. It was recognised that this was a new and innovative approach for the Council that could add value to the delivery of strategic objectives and also provide development opportunities for Members who were not in Cabinet.
- 3.2.2 The ACMs were appointed at the Annual Council from the majority party, with a ward councillor from each of the three geographical areas (as described below). The ACMs are invited to attend Cabinet meetings, but are not executive members, nor do they have voting rights. This adapts an approach to extend involvement and enhance cross cutting activity that has been implemented by other local authorities. ACMs can act as Council spokespersons and be quoted or featured in publicity where it relates to their responsibility on the Council. They can also be asked questions at Council meetings.

3.3 Coverage - spatial area

- 3.3.1 The ACMs are responsible for geographically defined areas that reflect a strategically relevant spatial approach. This established geographically bound areas designated as Enfield North, Enfield South East and Enfield West.
- 3.3.2 Each of these spatial areas has active area based regeneration partnerships (Area Partnership Boards) to be chaired by the relevant ACMs. The transformation of these areas will be critical to the long term achievement of the Council's strategic objectives and form a crucial element of the new ACM remit.

A map showing the agreed areas can be found at Appendix 1.

3.4 Main duties

The role of ACMs was agreed by Cabinet on 11 June 2014. A summary of the duties is as follows:

- Chairing Area Based Partnerships and (non-voting) membership of Enfield Strategic Partnership
- Provide a focal point for members' issues within their geographical split and include these issues in regular reports into Cabinet/Council
- Develop a portfolio of work (work programme) that reflects the character of the area being championed including coordination of cross-ward issues
- Promote the new approach to ward level engagement by members
- Liaison with planning activity in the area being championed
- Encourage and facilitate liaison with other spatial work being delivered by partner statutory agencies

3.5 Evaluation of Impact of ACMs at 18 months

It was agreed that, due to the innovative nature of the proposal, an evaluation of the impact made by implementing the ACM approach is carried out after 18 months and presented to Cabinet (April 2016).

3.5.1 A desktop evaluation exercise initiated by the Head of Strategy, Partnerships, Engagement and Consultation has considered the cumulative data contained in all ACM returns since July 2014. The report is at Appendix 2.

3.5.2. Evaluation of the returns shows that ACMs have demonstrated added value to the following operational areas:

- Area based partnership working and sub-borough regeneration delivery
- Support to Cabinet in its decision making and communication of key priorities
- Support to democratic engagement (delivery of ward forums)
- Support to spatial issues relating to planning
- Participation in the Enfield Strategic Partnership as non-voting members

3.5.3 **Area based partnership working and sub-borough regeneration** – the ACMs have successfully supported sub-borough regeneration activity in their respective areas, chairing partnership/board meetings and ensuring progress has been made against key milestones. ACMs have also been active in helping to support targeted public health initiatives in their respective areas.

3.5.4 **Support to Cabinet** – the ACMs have provided support to Cabinet both in terms of helping deliver key strategic messages as part of their ACM roles and supporting key borough-wide initiatives such as Cycle Enfield and budget consultation.

3.5.5 **Support democratic engagement** – All ACMs have been actively involved in supporting and facilitating the new style ward forums with regular appearances at ward forums to support ward level Member working.

- 3.5.6 **Supporting area specific planning activity** – ACMs have taken a leading role in helping to engage local communities on planning related engagement such as that focusing on local plans/core strategy. They have also provided a focal point for local groups wishing to feedback on proposals, linking into the teams within the local authority who are developing our planning agenda. This has generated some significant added value activity as a result of close working and support given to 'Friends of Parks' groups.
- 3.5.7 **Participation in the Enfield Strategic Partnership** – there has been an ACM presence at the annual ESP partnership meetings.

3.6 ACM reporting September 2015 – March 2016

- 3.6.1 In keeping with the specification set out in the Council Report of June 2014, it was agreed that ACM work programmes would be reported on twice a year to Cabinet to coincide with operational year at mid-point and year end. This June 2016 ACM update report reflects activities taking place between September 2015 and March 2016.
- 3.6.2 The attachments appended to this report contain a narrative update focused on areas of strategic activity engaged in by each of the 3 ACMs.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The option to continue with the present arrangements were considered but discounted on the grounds that they would not meet the new democratic imperative being sought by the administration and would fail to prepare the Council for future challenges arising from significant future budgetary pressures and changes to wider Government Policy.

5. REASONS FOR RECOMMENDATIONS

- 5.1 To note the first work programme updates as presented

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

6.1 Financial Implications

The activities within this report are contained within existing budgeted resources

6.2 Legal Implications

The recommendations in this report are in accordance with the legislation outlined below.

Section 15 of the Local Government and Housing Act 1989 states that it shall be the duty of a relevant authority having power from time to time to make appointments to

a body to which this section applies to review the representation of different political groups on that body. When considering this duty, regard amongst other things should be given to the political make up of that group.

6.3 Property Implications

There are no direct property implications.

Where the ACMs become involved in issues that may affect the Council's property portfolio (redevelopment, acquisitions, disposals changes in occupation etc.), it is anticipated that they will involve the Strategic Property Services team in considering the implications at that time.

7. KEY RISKS

These proposals have been designed to enhance Members representational roles, provide the basis for enhanced Member engagement at Ward level and to reflect the need of the Council to make substantial savings over the next 4 years in response to significant budgetary constraints.

Key risks associated with the approach include:

- the need to ensure sufficient Member capacity to carry out their new roles (ACMs and wider changes to Member engagement vehicles). This has been mitigated through the development of guidance and toolkit that provides Members with a clear and concise supporting resource to help them fulfil their duties. A highly limited amount of officer support is also in place to assist with basic requirements.
- That robust evaluation of new scrutiny arrangements and the impact of ACMs has been commenced.
- That robust performance management and risk management techniques will be applied to the new ways of working to ensure they remain on track and that improvement planning is enabled should it be required.

All of the above risks will be managed on behalf of the Council by the relevant officers who will report to their DMTs on a regular basis in addition to the presentation of an evaluation report in 2016. The aspects of appropriate new working outlined in the report will also form part of a relevant risk register that will be refreshed regularly.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The impact on Fairness for All will be positive as the changes proposed will provide fresh impetus for Members to interact with their communities, will provide greater transparency in how the Council does its business and will increase accountability to local people.

8.2 Growth and Sustainability

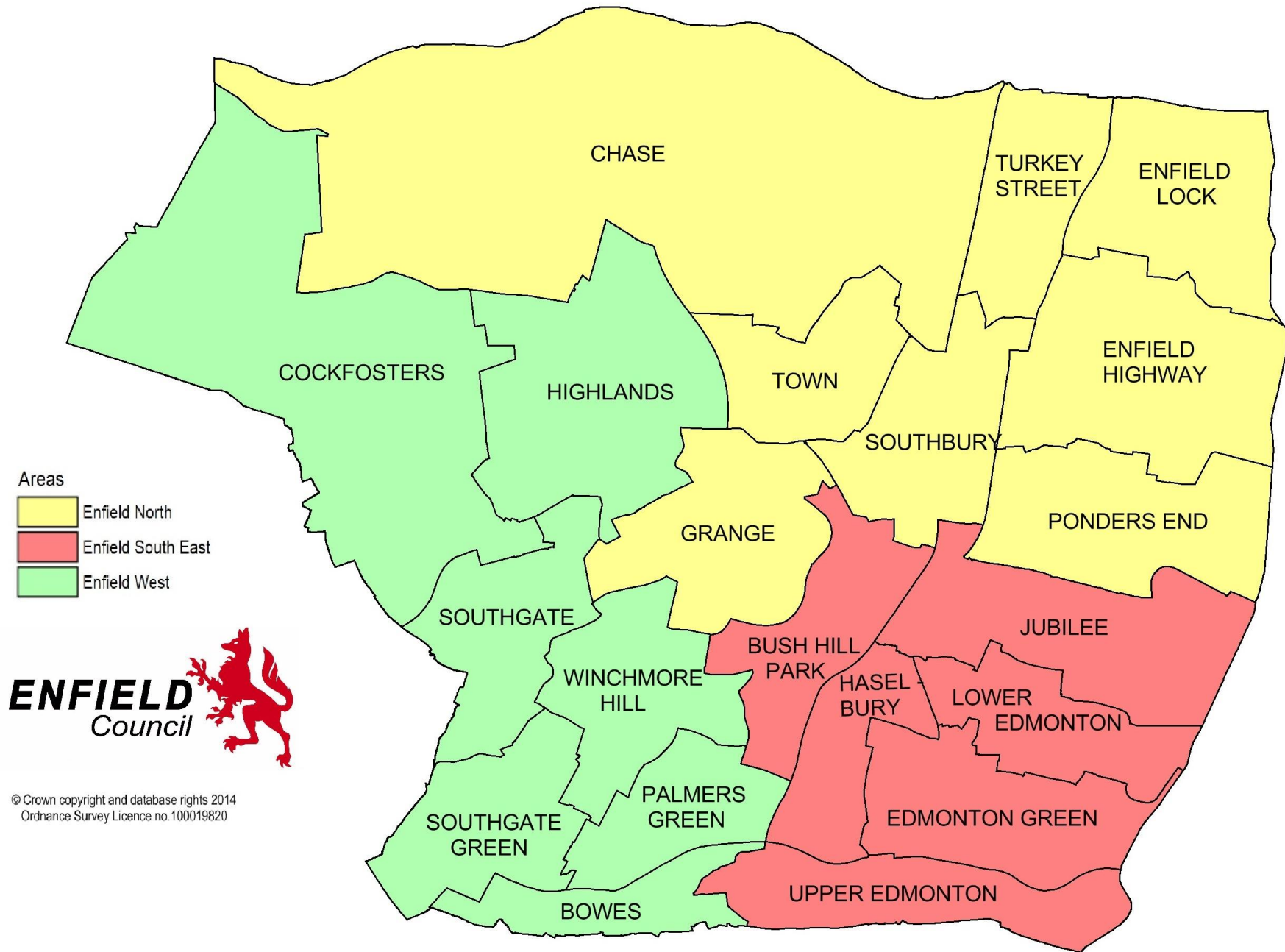
The role of the ACM will impact positively on Growth and Sustainability by helping the Council focus more strategically on cross cutting issues and develop more inclusive solutions. They also encourage wider participation in issues that affect Growth and Sustainability in Enfield by linking Members more directly to area based transformation in some of our most deprived areas. The new structures themselves will generate greater levels of sustainability as they are better designed to meet future demands facing the Council.

8.3 Strong Communities

The proposals support the creation and maintenance of strong communities by placing Members closer to their communities and by enabling a more joined up and comprehensive approach to delivering services to local people.

Background Papers

None.



Appendix 1: Map illustrating areas of spatial responsibility for Associate Cabinet Members (ACMs)

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Associate Cabinet Member Work Programme Stencil (Appendix 1)

ACM Work Programme Stencil		Operational Year: 2015/2016 (Oct 16 – Mar 16)
Assigned Spatial Area: Enfield North - Chase, Enfield Highway, Enfield Lock, Grange, Ponders End, Southbury, Town	ACM Councillor: Cllr Vicki Pite	
Activity 1: Supporting Members Outcomes summary (March 2016): <ul style="list-style-type: none"> • I continued to attend ward forums in Lock and Turkey street, and briefing papers for Highway on NEEAP. • Issues dealt with at Ward Forums include <ul style="list-style-type: none"> ○ Traffic and Air quality in Bullsmoor Lane (Turkey street) ○ LIDLS (Lock) ○ Cycle Enfield • Continue to focus on <ul style="list-style-type: none"> ○ community activity supported by ERPF – Over 50s forum project re loneliness ○ community health 		Future milestones to Sept 2016: <ol style="list-style-type: none"> 1. Intention still to attend ward forums but become more systematic in providing briefing papers on topics guided by ward councillors if unable to attend
Activity 2: Leading Enfield North Area Partnership Board Outcomes summary (March 2016): <ul style="list-style-type: none"> • 2nd meeting held, as planned, in the afternoon. • Attendance much better, 25 attendees from across the board. • Working groups from previous meetings fed back thoughtfully and constructively: Cycle Enfield, Lea Valley Leisure • Agenda items included Air Pollution, Transport and NGAP, Fuel Poverty, Local Plan and Self employment in Enfield. • Longer term working groups on Fuel Poverty and Self Employment are planned. • Next meeting planned for slightly later start further to optimise attendance. 		Future milestones to Sept 2016: <ol style="list-style-type: none"> 1. More strategic approach to work programme of Partnership boards by liaising with other ACMs. 2. Updating the Terms of reference. 3. Next meeting focus on Public health challenges and initiatives and Construction and Opportunity/Business Sector Forums (pending outcomes of 1 and 2 above)
Activity 3: Supporting Cabinet Governance Outcomes summary (March 2016): <i>Previous milestones (Sept 2015)</i> <ul style="list-style-type: none"> • <i>Section 106 – no further progress</i> • <i>Other milestones subsumed in text below</i> 		Future milestones to Sept 2016:

I attend Cabinet, informal cabinet, Strategic Leadership Forum, and Corporate Asset Management Strategy Group.

- **Community safety**

Police activity on A10 successfully prosecuted “Boy racers” and during winter months it has been quieter. There is a need to resume monitoring as summer approaches.

- **Children & families**

Parents at schools in Town ward and Chase ward were invited to an Open Forum at Chase Community School to discuss secondary transfer. The evening was successful and the approach one that could be used more often to better resident engagement.

Proposals from national government mean significant changes to the role of local government in schools. I attended a Westminster Briefing about this with Cllr Orhan and will support any necessary strategic change in this important but currently changing scene.

- **Care for the elderly**

I continue to work with the Over 50s forum to befriend single, older people living alone in areas identified as being deprived using MOSAIC data. Funded by ERPF. About 90 people have attended social events organised by the forum with whom I meet regularly.

I continue to liaise with officers and Cllr Cazimoglu (Cabinet Member for Adult Social Care) regarding developments in Age UK Enfield (AUKE), as an attendee at AUKE Board of Trustees to continue to support the work they are doing to provide care and residential respite care for our residents.

- **Environment**

On occasions I have deputised for cabinet members at meetings of external agencies whose work has a bearing on the Enfield North e.g. most recently the London Councils TEC Executive Meeting.

Initiated, with Cllr Anderson, an analysis of the use of Bullsmoor

- **Community safety**

1. Plans to visit each ward with Cllr Brett and officers to identify areas at risk where specific works on the environment may impede ASB.
2. Meet with newly appointed Neighbourhood Inspector Esther Hamill to discuss strategic means of addressing ASB and community safety
3. Resume cross party mtgs re A10.

- **Children and Families**

1. “Academisation”

Continue to watch this space and help Cllr Orhan and the council to respond constructively and in the interests of Enfield families to changes in legislation.

- **Care for the elderly**

1. Continue to work with Cllr Cazimoglu to explore ways of ensuring that where council funds organisations that support older people, the outcomes are monitored to ensure that Enfield residents get proper support and the council value for money

- **Environment**

1. Continue to press for

Lane (East) by juggernauts seeking a short cut to the M25 with a view to reducing both congestion and air pollution both of which are a serious concern to residents, especially following a fatal RTA.

Visited most parks in Enfield North with officers to learn the developmental priorities of the council and friends groups for each park, in preparation for first Enfield North ACM parks meeting .

- **Health**

Where possible I attend mtgs which are important to North Enfield such as Chase Farm Hospital Stakeholders meetings run by The Royal Free London NHS Foundation. I have recently been invited to join the Royal Free Health and Well Being Steering Group.

I have met frequently with the newly appointed Community Outreach and Resilience Officer to discuss the challenges of community engagement and hard to reach communities. I have supported the Community Walks programme across the health inequality target wards developed by Cllr Keazor.

I am currently working with officers who are mapping public health activities to pull together a directory/calendar of all activities to share with partners and officers across directorates.

I meet with officers of Rotary Groups locally to explore ways of working together to promote health.

- **Cycle Enfield**

I contribute to weekly steering meetings with the Cllr Anderson and officers.

I attended the successful "Cycling Towards a Better Enfield" conference, giving the closing speech.

I contributed to the Cycle Enfield "Away Morning", with Cllr Anderson, the Director and officers to examine the successes and challenges of Cycle Enfield thus far, laying the strategic foundations for the next stages.

arrangements to limit the use of Bullsmoor Lane to juggernauts.

2. Develop relationship with Friends of Parks to ensure continuity of support and sharing of good practice in park development across Enfield nth.

- **Health**

1. I will continue to support plans to address health inequalities in target wards in North Enfield and to liaise with Cabinet members and the Community Engagement team, specifically regarding
 - Smoking cessation
 - GP registration
 - Community engagement in health promoting activities

- **Cycle Enfield**

1. Chair forthcoming Partnership Board meetings and support the consultation and engagement processes through ward forums in Lock, Highway, Turkey Street as Hertford Rd North consultation and plans emerge.
2. Contribute to the development of plans for Enfield Town and Southbury Rd consulting with ward councillors.
3. Work with Cllr Anderson, and ward councillors, to

<ul style="list-style-type: none"> • Regeneration <p>As a Governor of CONEL (College of North East London Haringey and Enfield) I contribute to Enfield's Area Review Working Group working in tandem with Cllrs Orhan and Sitkin, initially attending Area Review briefings with FE providers across NE London and looking strategically at Skills provision in Enfield.</p> <p>I attended a briefing about the Local Plan, in particular concerning proposals in the Housing and Planning Bill and their impact on Green Belt; working with Cllr Sitkin regarding the use of Sloeman's Farm.</p>	<p>explore further ways of engaging the community through schools, colleges, fitness clubs and public transport users.</p> <ul style="list-style-type: none"> • Regeneration <ol style="list-style-type: none"> 1. Continue to contribute to the development of Area reviews and skills provision. 2. Contribute to Local Plan discussions, in particular regarding proposals re Green Belt as per Housing and Planning Bill.
<p>Activity 4: Miscellaneous cross-ward activity Outcomes summary (March 2016):</p> <ul style="list-style-type: none"> • Transport <p>Continue to attend Public Transport Consultative Group, raising with TfL concerns about the substantial increase in cost of parking at Underground stations in Enfield which militates against the use of public transport, with associated risks to environmental improvements.</p> <ul style="list-style-type: none"> • Ponders End Partnership Board <p>Attended Ponders End Partnership Board mtg re Alma Road development.</p>	<p>Future milestones to Sept 2016:</p> <ol style="list-style-type: none"> 1. Continue to press for better connectivity in Enfield Nth.
<p>Activity 5: Working with the ESP/other strategic partners Outcomes summary (March 2016):</p>	<p>Future milestones to Sept 2016:</p>

Draft Associate Cabinet Member Work Programme Stencil (Appendix 1)

ACM Work Programme Stencil		Operational Year: 2015/2016 (Dec 15 – Mar16)
DRAFT		
Assigned Spatial Area: Enfield South East - Bush Hill Park, Edmonton Green, Haselbury, Jubilee, Lower Edmonton, Upper Edmonton	ACM Councillor: Cllr George Savva	
Activity 1: Leading South East Enfield Area Partnership Board Outcomes summary March 2016: Promoting via Exhibitions and chairing the Enfield Cycle Scheme speaking to many residents of the many benefits in adopting such a worthwhile scheme As well as continuing to hold my own regular surgeries I have supported recent Area Ward Forums that have included discussions on the future proposals of the North London Waste Authority that may affect our residents, including proposals that may affect the Salmons Brook area (flood alleviation scheme). I have supported the delivery of a number of exhibitions associated with the 'Cycle Enfield' programme where it has been pertinent to my geographical area and have been active in supporting resident engagement aimed at local residents to discuss the potential benefits of having Cycle routes in the area. As part of my efforts to lead on key strategies in my area, I have continued to be actively involved in the development and promotion of the Lea Valley Heating Network proposals.		Future milestones to September 2016: I will continue to provide leadership and direction to area based regeneration activity in my ACM area.
Activity 2: Supporting Members Outcomes summary March 2016: I have been able to provide information to members on a range of portfolio areas, feeding in local intelligence and offering strategic input. I have assisted other members in setting up Area Ward Forum Meetings including those held at Edmonton Green, Haselbury and Upper Edmonton to engage residents on a number of local issues as well as provide an opportunity to hear from our local communities on current concerns.		Future milestones to September 2016: I will continue to support Cabinet governance and also provide support to ward members on highlighting local issues and facilitating their engagement with

<p>I have also been in attendance at CAPE meetings to link up with local neighbourhood policing resources and gain a better understanding of local concerns regarding community safety.</p> <p>CCTV installed at various fly tip hotspots which were identified as such</p>	<p>local people and feeding back the outcomes of their work to Cabinet.</p>
<p>Activity 3: Supporting Cabinet Governance Outcomes summary (March 2016):</p> <p>I have been able to actively promote some key programmes that fall within particular cabinet portfolios including: Environment, public health, community cohesion and engagement with the voluntary sector to support local people.</p> <p>To name but a few such as Meridian Water, Lea Valley Heating Network , Heating Poverty, and how to seek help and from where.</p> <p>Supported the big projects and explained to residents at various residents meetings what these mean to Enfield and how these projects will enhance the quality of life for all in Enfield</p>	<p>Future milestones to September 2016:</p> <p>I continue to work positively with all Cabinet colleagues to improve outcomes for Enfield residents.</p>
<p>Activity 4: Miscellaneous cross-ward activity Outcomes summary (March 2016):</p> <p>The support I have given to various area forums over the past 6 months has allowed me to help connect up issues of local importance such as Cycle Enfield and the Lee Valley Heat Network and help ensure a consistent message is given to local people and that their views can be consistently fed back into the Council.</p> <p>Helped organised a very well and successful seminar with Officers and would like to thank Glenn Stewart and other presenters for their presentation and contribution on Obesity and Healthy Living in Enfield and at the same time promoted the many benefits for the borough in having Cycle routes</p> <p>The seminar on obesity was the result of ERPWF a cross ward activity. This seminar was televised and is on you tube ,</p>	<p>Future milestones to September 2016:</p> <p>I continue to make myself available to all members in my spatial area and will ensure that opportunities to work across wards are not missed.</p>
<p>Activity 5: Working with the ESP Outcomes summary (March 2016):</p> <p>With support from the Employment and Enterprise Team (ESP thematic group) at Enfield Council I chaired a well-attended meeting in February 2016 to look at how we can increase opportunity for local people to access sustainable employment and training. This was well attended by</p>	<p>Future milestones to September 2016:</p> <p>I will continue to utilise the avenues available to me through the ESP and its supporting thematic action groups</p>

<p>representatives from local schools, colleges businesses form Tottenham Football Club, as well as local residents and their representatives from the 'Bountague' neighbourhood management pilot programme.</p> <p>Thanks to Connor Cusack and all officers in his department for their support</p>	<p>to engage with local people on priority areas.</p>
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Associate Cabinet Member Work Programme Stencil (Appendix 1)

ACM Work Programme Stencil		Operational Year: 2015/2016 (Oct 2015 – April 2016)
Assigned Spatial Area: Enfield West - Bowes, Cockfosters, Highlands, Palmers Green, Southgate, Southgate Green, Winchmore Hill	ACM Councillor: CLlr Bambos Charalambous	
Activity 1: Supporting Members Outcomes summary (April 2016): <p>I have worked with local councillors to help set up ward forums in Southgate Green, Palmers Green and Winchmore Hill which have been very successful and well attended and have updated members on various different projects that are taking place in the Enfield West area and asking for their opinions to feed into Cabinet and relevant sub-groups.</p> <p>I have attended various meetings to discuss the future of the Mansion in Trent park and the land around it.</p> <p>I am also chairing the Broomfield House Partnership Board (made up of Council members and officers and stakeholders) and seeking to find a long term solution to this problem.</p> <p>I have liaised with local residents and traders in relation to Cycle Enfield and chaired a Board meeting on 21 January 2016.</p>		Future milestones to Oct 2016:
Activity 2: Leading Enfield West Area Partnership Board Outcomes summary (April 2016): <p>Held Enfield West Area Partnership Board on 7 October 2015, where we had presentations about Cross Rail 2 and its impact on the local area, the Local Plan and Cycle Enfield.</p>		Future milestones to Oct 2016:
Activity 3: Supporting Cabinet Governance Outcomes summary (April 2016): <p>I have supported various Cabinet Members on numerous local strategic initiatives; including Cycle Enfield, Trent Park, Friends of Parks meetings and Trent Park events and festivals.</p>		Future milestones to Oct 2016:
Activity 4: Miscellaneous cross-ward activity Outcomes summary (April 2016): <p>I give support to Ward Councillors and lead Cabinet Members in Enfield West on many different projects including Cycle Enfield, Broomfield House, Parks and the Local Plan.</p>		Future milestones to Oct 2016:

<p>Activity 5: Working with the ESP Outcomes summary (April 2016): I have been briefed on the various issues faced by ESP Board in future. As Chair of the South West Enfield Area Partnership Board, I have had input into how the recommendations have been reached and how the business of the SWEAPB will be managed in future.</p>	<p>Future milestones to Oct 2016:</p>
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Desktop Evaluation Report: Assessment of new Associate Cabinet Member roles from July 2014 to March 2016

Purpose

The purpose of this report is to review and evaluate the roles of the newly created Associate Cabinet Members (ACMs) that were introduced by the present administration in July 2014. The contents of the evaluation will provide an overview of the activities involving the ACMs thus far and provide a reflection point to prompt improvement planning for the remainder of the lifetime of the administration.

Executive Summary

When reviewing the evidence contained in the regular reports received from ACMs the following conclusions can be drawn in respect of the key identified areas associated with the roles when they were established.

- **Area based partnership working and sub-borough regeneration** – the ACMs have successfully supported sub-borough regeneration activity in their respect areas, chairing partnership/board meetings and ensuring progress has been made against key milestones. ACMs have also been active in helping to support targeted public health initiatives in their respective areas.
- **Support to Cabinet** – the ACMs have provided support to Cabinet both in terms of helping deliver key strategic messages as part of their ACM roles and supporting key borough-wide initiatives such as Cycle Enfield and budget consultation.
- **Supporting democratic engagement** – All ACMs have been actively involved in supporting and facilitating the new style ward forums with regular appearances at ward forums to support ward level Member working.
- **Supporting area specific planning activity** – ACMs have taken a leading role in helping to engage local communities on planning related engagement such as that focusing on local plans/core strategy. They have also provided a focal point for local groups wishing to feedback on proposals, linking into the teams within the local authority who are developing our planning agenda. There has also been some excellent work done to support the development of our 'Friends of Parks' groups in the borough
- **Participation in the Enfield Strategic Partnership** – there has been an ACM presence at the annual ESP Partnership Board meetings.

1 Method of review

The evaluation at 'mid-point' in the administrative cycle is desktop and limited to a) an analysis of the documentation produced by the ACMs during their tenure to 31st

March 2016, and b) a review of associated correspondence and observations made by the lead supporting officer in his role as ensuring associated process is adhered to. The evaluation is carried out by the Head of Strategy, Partnerships, Engagement and Consultation.

The analysis will consider the evidence of supporting outcomes associated with the roles when created through the Cabinet Report (CR: 01) in June 2014.

2 Background – Extract from Cabinet Report, June 2014

The following extract is taken from the original Cabinet Report agreed by Council in June 2014 that established the ACM role as part of a wider overhaul of democratic engagement services.

“3.7 Creation of 3 Associate Cabinet Members (ACMs)

This approach would be highly innovative and give the Council the opportunity to think in a more dynamic and cross-cutting way.

The selection of ACMs would be determined via the Annual Council process and drawn from the majority party, with a ward councillor from each of the three geographical areas (as described below). The ACMs will also be invited to attend Cabinet meetings, but they will not be executive members or have voting rights. This adapts an approach to extend involvement and enhance cross cutting activity that has been implemented by other local authorities. ACMs can act as Council spokespersons and be quoted or featured in publicity where it relates to their responsibility on the Council.

3.7.1 Coverage - spatial area

It is recommended that the ACMs be responsible for geographically defined areas that reflect a strategically relevant spatial approach. This would mean members being assigned with responsibilities for areas covering Enfield North, Enfield South East and Enfield West.

Each of these spatial areas has active area based regeneration partnerships that would be chaired by the relevant ACMs. The transformation of these areas will be critical to the long term achievement of our strategic objectives for the borough and form a crucial element of the new ACM remit.

A map showing the proposed areas can be found at Appendix 1.(this is attached to the Cabinet update report)

3.7.2 Main duties

- **Chairing Area Based Partnerships and membership of Enfield Strategic Partnership**

Each ACM will be responsible for chairing their respective area based regeneration partnership which will meet quarterly, ensuring that strategic objectives are being met and supporting the ongoing work programme. The ACMs would also take a seat on the Enfield

Strategic Partnership Board (ESP), ensuring that any matters that require assistance from the ESP or other partners are acted upon.

- **Provide a focal point for Members issues within their geographical split and include these issues in regular reports into Cabinet/Council**

ACMs will provide a focal point for the Members within the wards covered in their areas and coordinate a reporting function that can be the basis for reporting into Cabinet/Council/ESP. Protocols will be developed to enable ACMs to support Members in ward focussed work.

- **Develop a portfolio of work (work programme) that reflects the character of the area being championed including coordination of cross-ward issues**

The ACMs will be expected to gain a full understanding of the issues and dynamics at play within their spatial area, working with ward members to identify priority needs, coordinating cross-ward issues and lobbying internally and externally on behalf of residents. A mechanism will be developed to ensure regular reporting into Cabinet.

- **Promote the new approach to ward level engagement by Members**

The ACMs will be expected to be at the vanguard of new ways of working for the wider elected membership, providing support to Members in their wards and helping to escalate issues raised where appropriate.

- **Liaison with planning activity in the area being championed**

The ACMs would be expected to be a contact point for local strategic planning issues, and provide support/advice to relevant Cabinet Members. This would not extend to involvement in particular development control applications to maintain the independence of the Planning Committee.

- **Encourage and facilitate liaison with other spatial work being delivered by partner statutory agencies**

The ACM would also develop a robust network of contacts across all statutory agencies to ensure that joint working and information sharing was evident in their designated areas.

3.7.3 Evaluation of Impact of ACMs at 18 months

This is an innovative proposal and it is recommended that a full evaluation of the impact made by implementing the ACM approach is carried out after 18 months and presented to Cabinet (early 2016).

3.7.4 The award of an SRA allowance to ACMs

It is appropriate that an SRA allocation is made to those carrying out this work. This has been set at £7,608 per annum, a level that is in keeping with other local authorities who adopted a similar approach to extending the strategic involvement of Members. “

This framework for ACM working had remained intact for the duration of time considered in this report and is the basis for considering how the roles have been delivered in the first 18 months of their tenure.

The councillors appointed to the 3 positions in July 2014 were as follows:

Cllr O Uzoanya (Enfield North)
Cllr B Charalambous (Enfield West)
Cllr G Savva (Enfield South East)

The ACM personnel have remained constant for the duration of the new arrangements with the exception of the ACM for Enfield North when Cllr Uzoanya was succeeded by Cllr V Pite in May 2015.

Template based reporting mechanism

Template based twice yearly reporting returns have been the basis upon which ACM activity has been recorded. These have then been collated and attached to regular Cabinet 'updates'. As mentioned the content of these returns form the bulk of the material for this evaluation.

3 Commentary and Analysis

The format of the templates has enabled a commentary and analysis to be carried out against each of the main areas assigned to the roles.

- **Area based partnership working and sub-borough regeneration** – the evidence indicates that ACMs have successfully supported sub-borough regeneration activity in their respect areas, chairing partnership/board meetings and ensuring progress has been made against key milestones. ACMs have also been active in helping to support targeted public health initiatives in their respective areas. Some typical examples of positive outcomes in this area include:
 - Supporting outcomes related to increasing energy efficiency and achieving Sustainability outcomes (Enfield 2020)
 - Involvement in developing response and influencing the Cross Rail 2 proposals
 - Cycle Enfield and wider traffic management issues (including CPZ)
 - Neighbourhood regeneration plans for hot spots in the borough

- **Support to Cabinet Governance** – the ACMs have provided support to Cabinet Members both in terms of helping deliver key strategic messages as part of their ACM roles and supporting key borough-wide initiatives such as Cycle Enfield and budget consultation. Some examples of supporting activity can be evidenced in the following portfolio areas:
 - Housing
 - Environment
 - Public Health
 - Community Safety
 - Adult Social Care

- **Supporting democratic engagement** – All ACMs have been actively involved in supporting and facilitating the new style ward forums with regular appearances at ward forums to support ward level Member working. The returns show evidence that this has been a regular feature of the ACM working in all 3 sub-areas over the past 18 months.

- **Supporting area specific planning activity** – ACMs have taken a leading role in helping to engage local communities on planning related engagement such as that focusing on local plans/core strategy. They have also provided a focal point for local groups wishing to feedback on proposals, linking into the teams within the local authority who are developing our planning agenda. Some typical examples of positive outcomes in this area include:
 - Supporting the development of the Local Plans
 - Support to master planning exercises in Edmonton/Enfield Town
 - North Circular Road Area Action Plan

- **Participation in the Enfield Strategic Partnership** – there has been an ACM presence at the annual ESP Partnership Board meetings. Given the fact that only two meetings of the ESP Partnership Board have taken place since the commencement of the ACM roles, there has been a limited amount of demonstrable evidence of influence although ACMs have been supportive in the decision making process attached to awarding further funding to the flagship Parent Engagement Panel and in one instance (Enfield North), supplementary outcomes associated with public health issues being tackled in local wards have been informed through participation at the annual meetings and all ACMs in attendance have been able to increase their own organisational network by participating in the agenda.

4 Assessment of the periodic reporting process

Whilst the formal reporting requirement attached to the roles has now expired, if the exercise were to be repeated there could be some changes made to modernise the reporting process. To assist with the timeliness of completions and returns

consideration could be given to how technology can assist ACMs to complete their returns in 'real time' by providing 'cloud capacity' that can be accessed via their tablets that can then be saved and then a reminder can be placed into the IT system that will automatically send the reports to the compiling officer for analysis and inclusion with the next set of Cabinet Reports.

5 Conclusions

The evaluation has shown that the new roles have been able to add value to how the Council operates on a number of levels and that positive outcomes associated with all main duties associated with the new roles can be evidenced.

The continuation of this innovative approach and the tasks attached to the role of ACM should provide further positive assistance to cabinet governance and democratic engagement. As the Council continues to evolve its approach there could be an opportunity to view ACMs as champions to help embed emerging Council programmes such as 'Enfield Connected' in the community over the remaining years of the current Administration.

The Head of Strategy, Partnerships, Engagement and Consultation remains available to support the coordination of the ACM roles when required.

MUNICIPAL YEAR 2016/2017 REPORT NO. 9**MEETING TITLE AND DATE:**

Cabinet
15 June 2016

REPORT OF: Ray James

Director of Health,
Housing and Adult Social
Care

Agenda – Part: 1	Item: 7
Subject: London Multi-Agency Adult Safeguarding Policy and Procedures	
Wards: All	
Non Key	
Cabinet Member consulted: Cllr A Cazimoglu	

Contact officer and telephone number:

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1. EXECUTIVE SUMMARY

1.1 In line with the Care Act 2014 and statutory guidance, the previous pan London policy and procedures to protect adults at risk has been updated. Titled 'London Multi Agency Adult Safeguarding Policy and Procedures', these were considered by the Enfield Safeguarding Adults Board and agreed for implementation from April 1, 2016.

1.2 These have been developed across London to ensure a consistent approach to adult safeguarding. The revised policy and procedures sets a collaborative and collegiate approach to safeguarding, for all organisations and not just the local authority. The principles of safeguarding are set out – empowerment, protection, prevention, partnership, proportionality and accountability – all within the context of working together with adults at risk of being harmed. There is an increased emphasis on wellbeing, as we know being safe is only one outcome of many that adults may wish to achieve. The actual safeguarding process is focused on best practice, with a reduction from seven stages to four. In addition, a process for managing provider concerns is included, based on Enfield model which is well embedded.

2. RECOMMENDATIONS

2.1 Cabinet are being asked to note and adopt the new London Multi Agency Adult Safeguarding Policy and Procedures.

3. BACKGROUND

- 3.1 A pan London policy and procedure for safeguarding adults was first developed and launched in 2011. Since this time with the introduction of the Care Act 2014, a number of changes to how we work with adults at risk and provide victim focused support to achieve recovery and resilience, has created the need for revised guidance.
- 3.2 The London Multi Agency Adult Safeguarding Policy and Procedures were launched across London February 9th, 2016; Enfield partners delivered one of the workshops at this event focused on the development of outcomes for safeguarding. All London Safeguarding Adults Board were asked to agree the implementation commencing April 1, 2016. The Enfield Safeguarding Adults Board confirmed this at the March meeting.
- 3.3 There are a number of changes to note from this revised documentation. Firstly, the tone is set for a collaborative and collegiate approach, where all organisations have a responsibility towards adults whom may be at risk of harm or abuse. Reference is made to many of the changes included in the Care Act, including Safeguarding Adults Boards being on a statutory footing, cooperation and information sharing – with joint accountability/ prevention and links to Health and Wellbeing Board and Community Safety Partnerships – and ensuring that wellbeing forms the basis to which we support adults experiencing abuse.
- 3.4 Section 2 of the Policy sets out an interpretation of the Care Act, so that there is a consistent approach across London to adult safeguarding. Safeguarding is defined as ‘protecting an adult’s right to live in safety, free from abuse and neglect.’ There is an emphasis on all partners preventing abuse. Clarity is provided on who safeguarding duties apply to, including wider definition of the types of abuse, such as domestic violence, disability hate crime, female genital mutilation, forced marriage, honour based violence, human trafficking, mate crime, modern slavery, and sexual exploitation. The requirement for Safeguarding Adults Reviews (previously referred to as Serious Case Reviews) is set out.
- 3.5 Section 3 focuses on adult safeguarding practice, including the key areas of mental capacity and consent, advocacy and support, managing risk, record keeping and organisational learning. Section 4 are the adult safeguarding procedures, which sets out the changes in adult safeguarding from a process driven stand-alone entity, to one where adult safeguarding is part of everyday practice about managing risk and supporting adults who are unable to protect themselves. It

provides the reader with a framework that can be adjusted to meet individual need:

- 4 stages instead of 7
- Making Safeguarding Personal runs through the procedures
- Timescales are indicative and performance data should not be reliant on timescales
- Concern stage emphasis the role of all organisations to take action and decisions, not just send a concern to the local authority
- Enquiry – section 42 with different approaches to manage the concern
- Links Enquiry Type and Risk Management to desired outcome
- Safeguarding Plan and Review differentiates between care management review
- Closing down stage looks at whether it has achieved the outcome that the adult wants and how do they evaluate the intervention

- 3.6 The last section focuses on working with care and support provide, setting out how commissioners work with providers so that adults receive high quality safe services. It details how good commissioning and effective contract monitoring can support providers to take early action to reduce risk and the need for adult safeguarding. Emphasises working with providers so that there is a reduced risk of challenge from providers and market shaping is considered.

4. ALTERNATIVE OPTIONS CONSIDERED

This policy and procedures helps to ensure consistency across London and compliance with changes to safeguarding as brought about by the Care Act 2014 and the Making Safeguarding Personal agenda.

5. REASONS FOR RECOMMENDATIONS

Cabinet are asked to note the changes and agree adaptation of the policies and procedures, supporting this consistency in practice across London. This will further enhance the collaborative and partnership process to safeguarding adults at risk.

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

6.1 Financial Implications

Given the changes in policy and procedures there will inevitably be financial implications in terms of development of the health and social care workforce, but these are not quantifiable at this stage of the process.

The Service confirms that the current safeguarding adults training plan has been reviewed and courses are being amended or revised in line with the new policy and procedures. To prevent any additional cost to the current training budget for 2016-2017, some of this training is being

delivered internally by staff from the Strategic Safeguarding Adults Service in LBE.

6.2 Legal Implications

The Care Act 2014 puts adult safeguarding onto a statutory footing for the first time. Local authorities are now under a statutory obligation to ensure vulnerable adults are kept safe from abuse and neglect.

This latest version of the London Multi Agency Adult safeguarding Policy and procedures have been introduced following the commencement of the Care Act 2014 and implements the safeguarding principles and functions under the Act. The procedures help to ensure there is a consistent approach to safeguarding and that practice is in accordance with the law. Broadly speaking the procedures encourage a multi-agency approach to safeguarding, management of risk, appropriate information sharing and co-operation from partners, and that safeguarding is person centred and outcome focused.

Under paragraph 1.1 of the procedures asks that London Safeguarding Boards adopt the policy and procedures so there is consistency across London in the way in which adults are safeguarded from neglect or abuse. For that reason the council should agree to follow these procedures and failure to do so could well give rise to legal challenge or a complaint.

6.3 Property Implications

None identified.

7. KEY RISKS

Key risks have been identified in the area of staff training, practice support and data collection. All key risk in relation to implementation for LBE have been mitigated through action taken up to the launch date of April 1, 2016 and forward planning for 2016-2017. This includes the following actions:

- Updating complete of all local practice guidance to be consistent with this policy (as well as the Care Act and Making Safeguarding Personal)
- Updated all templates in line with the Policy, such as setting out an 'enquiry report' template and updating the alert form to a 'safeguarding concerns' form consistent with the new language.
- Briefings to the Best Practice Forum in Jan 2016 and April 2016
- Setting up training to adult social care and mental health staff who receive and may act as the safeguarding adults manager (April 2016 dates).
- Reviewing the training requirements for 2016-2017 so that they include any additional areas set out by the policy.

- Complete review and re-write of the data collection requirements and IT systems to correspond to this

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The policy and procedures strongly support the Council's priority of Fairness for All. They aim to support those adults who may be most vulnerable to abuse, through both a preventative model by means of robust risk management and multi-agency initiatives, to a person centred response when abuse does occur. The actions taken with respect to those at risk of harming aims to reduce inequalities, particularly for those receiving a service in care homes or from agencies providing care and support.

8.2 Growth and Sustainability

The policy and procedures do not directly impact on the priority of Growth and Sustainability.

8.3 Strong Communities

The policy and procedures emphasise strong partnership working and collaboration, which contribute towards ensuring Enfield is a safe and health place to live. The wellbeing principles, and focus on adults not just being safe but meeting their desired outcomes, helps to build individuals capacity to care for themselves and others.

9. EQUALITIES IMPACT IMPLICATIONS

As a policy and procedures written for all London Boroughs, an equalities impact assessment was completed through London Councils.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

All performance management implications have been considered and we will continue to use quarterly audits, external audits and practice support from the Strategic Safeguarding Adults Service to review the implementation of these new procedures.

Data collection via the Councils Care First system has been amended to ensure that the data collected is in line with the new policy requirements, including national data requirements for the Safeguarding Adult Collections 2016-2017

11. PUBLIC HEALTH IMPLICATIONS

The safeguarding of adults with care and support needs is a public health issue; preventing and responding to abuse ensures that health

and wellbeing can be addressed and that recovery and resilience has priority. The wellbeing principles set out in the Care Act and carried through this policy ensure that any actions we take with adults should include focus on the outcomes they desire and that being safe may only be one of these. The data collection for safeguarding adults in the Local Authority has been amended to ensure that we collect themes emerging from adults identified outcomes in terms of the nine wellbeing principles, enabling us to focus more appropriately our resources and areas of practice.

Background Papers

The London Multi Agency Adult Safeguarding Policy and Procedures have been developed as an online version, with associated links. These can be accessed at:

<http://londonadass.org.uk/safeguarding/review-of-the-pan-london-policy-and-procedures/>.

Reference copies are available in the Members' Library and Group Offices.

MUNICIPAL YEAR 2016/2017 REPORT NO. 10

MEETING TITLE AND DATE:
Cabinet – 15 June 2016

REPORT OF:
Director, Regeneration & Environment

Agenda – Part: 1

Item: 8

Subject: Custom Build, and Self-Build Programme in Enfield

Wards: All

Key Decision No: KD4200

Cabinet Member consulted: Cllr Oykenor

Contact officer and telephone number: Bruce McRobie and Nick Fletcher

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1. EXECUTIVE SUMMARY

- 1.1 This report proposes a strategy and mechanism for delivering a pilot programme of affordable, custom build homes, and also self-build homes, on smaller scale Council owned sites in Enfield.
- 1.2 The National Planning Policy Framework requires local authorities to identify suitable opportunities for both custom build and self-build, and forthcoming regulations to be made under the Self-build and Custom Housebuilding Act 2015 is expected to put a greater onus on the Authority to do more to facilitate these opportunities.
- 1.3 The recommended leasehold structure in this report reduces the upfront costs for purchasers, in return for a ground rental income for the Council. This approach can then enable an external organisation to develop custom build housing, and also individuals to undertake self-build development. The appetite for self-build using this model will require further market testing however if sites for self-build are not viable under the lease hold structure, the Council can consider disposal in line with the Property Procedure Rules.
- 1.4 Enfield's recommended strategy and mechanism for custom build is supported by the Greater London Authority (GLA), and would be seen as a prototype and alternative delivery model for affordable and customisable homeownership. If successful this can be rolled out at a greater scale.
- 1.5 Through enabling this kind of development, the borough can benefit from new investment, new accommodation on underutilised sites, and a genuinely alternative housing offer.
- 1.6 The Property Procedure Rules enable the Director - Regeneration & Environment, or Assistant Director to authorise the inclusion of further suitable sites for custom build and self-build development, and for these sites to be granted on a lease as set out in this report.

2. RECOMMENDATIONS

It is recommended that:

- 2.1 Cabinet authorise the Council to adopt the strategy and mechanism for enabling custom build and self-build development as set out in this report, with reference to the draft Heads of Terms attached at Appendix 1.
- 2.2 Cabinet authorise the Council to grant head-lease(s) and leases to an external organisation engaged by the Council on the terms contained in the draft Heads of Terms attached at Appendix 1 to enable affordable custom build development, initially for the sites in Table 1, subject to viability. The final Heads of Terms will be in accordance with the Property Procedure Rules.
- 2.3 Cabinet authorise the Council to explore whether the lease hold structure is viable for self-build development, and grant head-lease(s) and leases to individuals for self-build development on the terms contained in the Heads of Terms at Appendix 1. The final Heads of Terms will be in accordance with the Property Procedure Rules. Should the leasehold approach not be viable for individual self-build sites, the Property Procedure Rules enable the Council to dispose of sites for self-build development which are identified as surplus to requirements.
- 2.4 That Cabinet authorise the principle of an eligibility and selection criteria for both custom build homes and self-build plots, that prioritises Enfield residents and people working in Enfield, and delegate authority to the Director – Regeneration & Environment in consultation with the Lead Member for Housing and Housing Regeneration to agree the final wording of the criteria. The organisation that develops and markets the custom build homes will need to meet the Council's eligibility requirements.

3. BACKGROUND

Increasing housing supply on Council owned land

- 3.1 Through the Small Housing Sites Rolling Programme, the Council is in the process of developing underutilised HRA land, bringing it into more productive use, increasing the supply of housing and new affordable homes in the borough, and in doing so, enabling the Council to spend its Right to Buy receipts.
- 3.2 There are however many smaller scale sites particularly in the east of the borough which due to their relative size, constraints, and the costs/benefits, are not economical for the Council to develop, and would not be an efficient use of resources due to the level of work involved especially when the Council is focussed on delivering much larger numbers of new homes.
- 3.3 Officers have been exploring means of bringing forward development to boost the supply of homes on some of these smaller sites in the short term, without Council investment, or having to increase the in-house resource. At

the same time government policy has changed offering more encouragement for custom and self-build proposals.

- 3.4 This report recommends a strategy and mechanism for enabling the development of affordable custom build & self build housing in Enfield on smaller scale Council owned sites. In taking a proactive role, the Council can set an example to other public landowners in bringing forward underutilised land to increase the supply of new housing while increasing the diversity of housing products.

Defining Custom Build and Self Build: a greater choice for residents

- 3.5 “**Custom Build**” is generally defined as the specification of an individual home through a more ‘hands-off’ approach, where an enabling organisation delivers a range of services, from just creating a serviced-plot right through to delivering a completed bespoke home for an individual or group of individuals.
- 3.6 “**Self-Build**” is generally defined as a project where someone directly organises the design and construction of their new home. This covers quite a wide range of projects, with the most obvious example being a traditional ‘DIY self build’ home, where the self-builder selects the design they want and then does much of the actual construction work themselves and/or direct ‘hands-on’ project management; overseeing both the pre-construction stages and construction works on site.

The current planning position on Custom Build and Self Build

- 3.7 The National Planning Policy Framework requires local authorities to identify suitable opportunities for both custom build and self-build.
- 3.8 The Self-build and Custom Housebuilding Act 2015 places a requirement on local authorities to keep a register of individuals and associations who are seeking to acquire serviced plots of land in the authority’s area. Further regulations are expected to expand on the requirements to be included in the register.
- 3.9 From 1 April 2016 local authorities are required (by the Self-build and Custom Housebuilding Act 2015) to keep a register of individuals and associations of individuals, who are seeking to acquire serviced plots of land in their area in order to build homes for those individuals to occupy. To meet this obligation the Council has joined the Local Self Build Register, a pan-London register that has been set up to support the process of communication between self-builders and local authorities, so that accurate data on self-build demand can feed into local policies and projects. This satisfies the statutory obligation.
- 3.10 The Community Infrastructure Levy (CIL) allows local authorities and the Mayor of London to charge a levy on new development in their area. Funds raised from the Levy are used to provide essential infrastructure required to support growth. Enfield’s CIL was adopted on 1 April 2016 (as approved by

Full Council on 23 March 2016). The 2014 amendments to the Community Infrastructure Levy Regulations made provision for self-builders to be exempt from paying the levy. The exemption, introduced in Feb 2014, applies to anybody who is building their own home, extending their own home or has commissioned a home from a contractor, house builder or sub-contractor for their own occupation. Applicants can apply for a self-build exemption at any time, as long as their development has not commenced. CIL Regulations 54A, 54B, 54C and 54D set out the criteria for which self-build exemption is applicable. On completion of works, they must provide detailed supporting evidence to the Council, and the property must remain their principal residence for a minimum of three years. This information is recorded and monitored on the Land Charges Register and CIL administration database.

AFFORDABLE CUSTOM & SELF BUILD HOUSING: MAKING IT HAPPEN IN ENFIELD

The leasehold structure

- 3.11 The recommended long leasehold structure, will take out the upfront land cost for a purchaser, with the land value instead being paid for through a ground rent so that the Council receives an income stream. The ground rent will be reviewed periodically every ten years, so that the Council will benefit from any uplift in land value.
- 3.12 The advantage of this model is that a prospective custom or self-build homeowner will only need to secure mortgage finance for the construction cost of building a home, and not the value of the land, and therefore a smaller deposit will be required. Other variations of the model are being explored, which will ensure an attractive return for the Council.
- 3.13 It is also proposed that a resale covenant will be included to ensure that new owners cannot sell the homes on at full market value. Resale value would be based on the differential between cost and value when the homes are occupied. Unlike the Starter Homes initiative where homeowners buying through the scheme can sell their property on at 100% of the market value after five years, the proposed Enfield scheme would lock in affordability for future leaseholders with future resales being set at intermediate values.

Return to the Council, and affordability.

- 3.14 It is recommended that an annual ground rent is charged on the leases based on a percentage return of the capital value of the land. This would be subject to a CPI rent review every 10 years, with a market review whenever the property is sold, so the Council would benefit from increasing land values.
- 3.15 Some flexibility will be required to ensure that there is a balance between genuine affordability and an attractive return to the Council. It is therefore

recommended that a return of between 4% and 6% is accepted in principle, subject to a detailed viability appraisal at a later stage on a site by site basis.

- 3.16 The following worked example sets out what the ground rental payment to the Council would be based on a 5% return, for a new home;
- *Total value of new home = £180,000*
 - *Amount required for Custom-build / self-build home mortgage = £120,000*
 - *Land value element of property @33.33%= £60,000*
 - *Annual ground rental payment from buyer to LBE @5% = £3,000*
 - *Weekly ground rental payment to LBE @5% = £58*
- *60 Year Net Present Value of ground rent per home to the Council = £80,000-£100,000*
- 3.17 A cash flow exercise has been undertaken to ascertain the net present value of ground rental payments for worked examples of specific sites.
- 3.18 As a comparison, valuations have been undertaken for a selection of the sites being considered, to ascertain what the Council could receive through straight disposals of the sites. This exercise proves that the value of the income stream from ground rents through the development of these sites using the recommended model will in most cases, if not all cases, be higher than the likely capital receipt from disposal of the sites. Other alternative options are considered in Section 4 of this report.
- 3.19 The Council would not only benefit from the value uplift associated with the external organisation or individual obtaining planning consent, but it would benefit from the greater value of a long term income stream rather than a capital receipt. In addition to that, the mechanism to review the ground rents every ten years would factor in land value uplift so that the Council would benefit from increasing values over time, much like a form of overage.

Custom Build housing product

- 3.20 The Council has identified a not-for profit, external organisation that is set up to manage and facilitate the delivery of this product to assist first time buyers.
- 3.21 Custom build homes can be based on a standardised external typology, designed and built to shell & core with all necessary additions to ensure compliance with Building Regulations. Rather than the much more internally specified living spaces that are provided in most new build developments, this more basic product will drive down costs for prospective homeowners by up to 10%, and give residents far greater choice and creative freedom, in the internal fit out and specification of their home, which they can do in their own time, as and when they can afford it.

- 3.22 A large proportion of young people in London are effectively locked out of home ownership due to an affordability crisis, while there is also a niche market for a housing product which allows greater flexibility for residents in determining the internal layout and specification. Combined with the leasehold structure set out in this report, the custom build product can be seen as a more affordable, bespoke home ownership product aimed at first time buyers.
- 3.23 A joint entry from Enfield Council, Naked House (community custom build organisation), and Pitman Tozer Architects was recently named as one of ten winners in a national competition run by New London Architecture for their proposal 'Making More With Less: Unlocking Leftover Land For Generation Rent'. The proposal was presented to the Greater London Authority (GLA) at City Hall on 30th November 2015 and the GLA have offered their support for delivery of Custom Build and Self Build in Enfield.
- 3.24 Enfield could be the pilot borough for delivering this initiative and that the delivery model can be scaled up to work across other London Boroughs.

Resourcing

- 3.25 It is recommended that the Council engage an external organisation, by way of a head lease, to deliver Custom Build developments.
- 3.26 Once the external organisation signs an Agreement to Lease, the Council's role will be to identify suitable sites, and enter into the final legal agreements at which point the external organisation will take an interest in the land. The external organisation would take on the role of managing the registers/eligibility, and assisting the persons and groups with all of the planning, design and development work and liaison with prospective custom build homeowners through to completion of the homes.
- 3.27 The costs of engaging this external organisation are met by the persons and groups that take up the offer of a custom-build (or potentially self-build) opportunity. Officers are working with Procurement colleagues to ensure that the organisation that is appointed satisfies legal requirements for procurement. For self-build development, the Council is currently exploring ways to administer the process efficiently. If this is done externally then it may be subject to procurement regulations.

Eligibility for custom-build homes, or self build plots

- 3.28 An eligibility and selection criteria that prioritises Enfield residents and people working in Enfield will be put in place. It is recommended that authority is delegated to the Director – Regeneration & Environment to agree the detail of the marketing strategy, as per recommendation 2.4 of this report and how it is operationalised in the most efficient way.

Process to grant a lease

- 3.29 It is proposed to agree a number of standard form agreements to minimise the resource requirement within the Council to operate this programme. These standard form agreements will include;
- an Agreement to Lease for use on multi-home sites
 - an Agreement to Lease for use on single home sites
 - a Head-Lease for use with multi-home sites
 - a Lease for use on multi-home sites, and a Lease for use on single-home sites.
- 3.30 Heads of Terms for these proposed agreements are included at **Appendix 1** to this report.
- 3.31 The Agreement to Lease will be entered into by the custom-build development organisation, or the selected self-build prospective owner when the agreement is reached for them to be allocated a site.
- 3.32 The head lease for the multi-home sites and the leases for the self-build sites would be granted only when planning consent has been obtained by the enabling organisation or individuals.
- 3.33 The leases for the individual home owners on the custom build would be granted out of the head-lease for the multi-home sites, at which time the head-lease would fall away leaving the individual home owners as lessees of the Council.

Proposed sites to be developed and criteria for further sites

- 3.34 There are many smaller scale sites particularly in the east of the borough which due to their relative size and the associated costs/benefits in developing them, are not economical for the Council to deliver through the Small Housing Sites Rolling Programme, and in any case would not be an efficient use of resources due to the level of work involved or financial constraints.
- 3.35 Table 1 sets out an initial schedule of sites that are being considered for custom build development. This report recommends that Cabinet authorise the inclusion of these sites in the head lease to enable custom build development, should they be viable and subject to planning consent being achieved.

Table 1: Schedule of initial sites for Custom Build, subject to due diligence & feasibility.	
Site Address	Site Postcode
Ingersoll Road Garages (1-16)	EN3 5PU
Clarence Road Garages (73-107) and land.	EN3 4BL
Kennedy Avenue Garages (1-20)	EN3 4PB

The Brightside Garages & Car Park (former Garages 1-14, and Garages 14-19)	EN3 5DY
Berkeley Gardens Garages (1-23)	N21 2PD
Bowood Road Garages (1-22)	EN3 7LL
The Sunny Road Garages (1-7)	EN3 5EF
Ordnance Road Garages (1-26)	EN3 6BN
Raynton Road Garages (1-14)	EN3 6BP
Ferndale Road Garages	EN3 6DH
Ramney Drive Garages	EN3 6DU
Ashton Road Garages (26-30)	EN3 6DG
Land at Redlands Road & Leys Road West	EN3 5HW
Chiltern Dene Garages (1-10)	EN2 7HH
Stoneleigh Avenue Garages (10-11)	EN1 4HU

- 3.36 To make Custom Build schemes viable there will need to be a certain scale or critical mass, and this could be in the form of one or two sites with between 5 and 10 homes, and numerous other smaller sites of under 5 homes located in close proximity as a cluster. Where individual sites are not economical for Custom Build, possibly because of size and viability, then they can be made available as Self-Build opportunities for individuals.
- 3.37 The sites in Table 2 have been initially identified for self-build development. Cabinet authority is sought in this report to authorise these sites to be leased to self-builders, subject to market interest, and further feasibility work or failing that, disposed of as self-build plots.

Table 2: Schedule of initial sites for Self-Build subject to due diligence & feasibility.	
Site Address	Site Postcode
Aspen Way Garages (18-24)	EN3 6QR
Ashton Road Garages (26-30)	EN3 6DG

- 3.38 It is recommended that authority is delegated to the Director – Regeneration & Environment or appropriate officer as per the Property Procedure Rules, to authorise the inclusion of further sites for both Custom Build and Self-Build.
- 3.39 Further due diligence needs to be undertaken by the enabling organisation on these sites and any subsequent sites that are identified and included in the programme. The majority of the sites that are proposed to be included are garage sites which the Council owns, and is able to terminate license agreements to ensure vacant possession. The Council will notify garage occupiers well in advance of serving notice to obtain vacant possession where garage sites are taken forward for development.

- 3.40 The Council may need to use its powers at some stage to facilitate the development of these sites, for example where there are access rights, restrictive covenants or parcels of unregistered land. Appropriation for Planning Purposes

4. ALTERNATIVE OPTIONS CONSIDERED

Do nothing.

- 4.1 This option has been considered and discounted, as it is now a legal requirement to maintain a register for custom build and self-build opportunities. Furthermore, the Council can no longer retain underutilised and untidy garage sites in the Borough.

Disposal of the sites at full market value.

- 4.2 This option has been considered, but the likely capital receipts from disposal of these sites will be lower than the net present value of the ground rents the Council could achieve with the preferred option. However where there is no interest in the leasehold structure for the very smallest sites being considered for self-build, and the sites are surplus to requirements, disposals should be considered in line with the Property Procedure Rules.

- 4.3 Savills have undertaken valuations of four garage sites identified in Table 1 above, and residual land values for four sites are as follows;

- Site 1: £185,139
- Site 2: -£35,477
- Site 3: £129,734
- Site 4: £155,009

- 4.4 This exercise proves that the value of the income stream from ground rents through the development of these sites using the recommended lease hold model will in most cases, if not all cases, be higher than the likely capital receipt from disposal of the sites and while disposals would generate some cash upfront, this would not have a significant impact on the Council's 30-Year HRA Business Plan when compared to an ongoing income stream.

- 4.5 There is also a more comprehensive argument for supporting the recommendations in this report; including the custom build and self build agenda. The disposal of sites would not achieve the objective of making the custom and self-build programme more affordable.

Development of the sites for new housing by the Council

- 4.6 Council development of these sites has been considered. However given the relative level of risk and return on investment for these sites, they are not considered to be economically viable considering the number of other sites which are coming forward as part of Phase 2 of Small Housing Sites Rolling Programme. A report will go to Cabinet later this year seeking funding for the development of further schemes as part of this programme.

Flexible Housing

- 4.7 'Quick build flexible housing' has been considered for these sites however it is understood that the sites are not of a sufficient scale for this type of temporary housing solution to work.

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

- 4.8 This option has been considered and discounted given the acute need for additional homes in the borough.

5. REASONS FOR RECOMMENDATIONS

- 5.1 There are a number of benefits for Enfield in introducing an alternative delivery model such as Custom and Self Build. These include;

- Bringing into a more productive use, small underutilised sites that can collectively have a number of economic, social and environmental benefits.
- Increasing the supply of new homes which can be prioritised for Enfield residents.
- Increasing Enfield's Council tax base.
- Generating a long term revenue stream through ground rents.
- Increasing housing supply in Enfield and contributing to the borough wide target set by the GLA.
- Inclusion of the local supply chain, and especially SME contractors and sub-contractors.
- This approach requires little resourcing from the Council.
- This approach can demonstrate the Council's proactive approach to increasing housing supply, increasing affordable home ownership, and its commitment to the custom and self-build agenda.

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

6.1 Financial Implications

- 6.1.1 Currently, the garage sites included in Tables 1 and 2 are between 30-40% occupied, with each garage producing an annual income of £520 for the Council. The majority are in a poor state of repair and it is estimated that the cost of bringing all garages on these sites back into 100% occupancy would not be recouped for eight to nine years.

- 6.1.2 As indicated in the report, further detailed costing and financial modelling work would be carried out on each site to ensure that the most viable option is pursued. However, taking one example which has been modelled for illustrative purposes, a site which has been

valued at £130,000 with estimated sufficient space for nine units would give the Council an initial annual ground rental income stream of £27,000, plus Council Tax and New Homes Bonus payments. The net present value of the ground rental income stream would £720,000. In this case, based on current information and assumptions, it is clear that the custom build route would be the more financially beneficial to the Council.

- 6.1.3 The delivery model proposes that the Council will lease the sites to an organisation or individuals, and that an enabling organisation will recoup all of the costs of setting up and running the scheme from the customers wishing to participate. The Council will therefore incur minimal costs to deliver these schemes. A small administration charge is assumed for collection of ground rental income in the figures quoted above.

6.2 Legal Implications

- 6.2.1 The Self-build and Custom Housebuilding Act 2015, when brought into force, will place a duty on certain public authorities (including London Boroughs) to keep registers of individuals and associations of individuals who wish to acquire serviced plots of land in order to bring forward self-build and custom housebuilding projects. A “serviced” plot of land in this context means one which will satisfy specified requirements about utilities and other matters.
- 6.2.2 Councils must publicise the registers and have regard to them in carrying out their planning and other functions and when disposing of any land.
- 6.2.3 The 2015 Act provides for regulations to be made by the Government regarding the eligibility criteria for persons to be entered onto the registers.
- 6.2.4 Where the Council procures works, supplies or services in connection with the proposals contained in this Report (for example, when selecting the enabling organisation referred to 3.21 above), it must comply with UK/EU procurement legislation where applicable, and the Council’s Contract Procedure Rules. On the face of it, the contracts to be entered into by the Council will be leases, which are interests in land, and should therefore fall outside the Procurement Regulations 2015 (“ the Regulations “). For this to continue to apply , clearly the final leases which are developed from these broad Heads of Terms, must maintain the ability to fall into the category of ‘ interests in land’ under the Regulations, and it would be prudent therefore to check this is still so when the final draft of the leases are produced. When compiling and operating the registers in any event, the Council must be guided in all its actions by the principles of equal treatment, transparency and non- discrimination - which in the event of any challenge to its admissions to the register, and/or operation of the register, should then enable it to present a suitable defence to any

such challenge. In addition, all legal agreements must be in a form approved by the Assistant Director of Legal Services.

- 6.2.5 There is the potential for a state aid risk if any of the land interest disposals by the Council are carried out at below market value to an 'undertaking' so the Council should ensure that any land interests granted are at market value, or if they are below market value that they are not granted to an undertaking. An undertaking is an entity engaged in economic activity, which would include developers for example. Charities and not-for profit organisations are capable of being undertakings if they are undertaking economic activity so this would need to be checked on a case by case basis if any transactions are at an undervalue. Individuals acting in their private capacity (i.e. as residents) will not be undertakings, but individuals acting commercially (for example an individual acting as a property developer or landlord) can be. There do not appear to be any other risks in relation to competition law.

6.3 Property Implications

- 6.3.1 This initiative to facilitate the provision of affordable custom build and self-build homes in the borough is supported by Strategic Property Services in principle as it delivers choice, provides new accommodation and represents a genuine alternative housing offer.

- 6.3.2 There are however a number of practical considerations which need to be fully explored prior to implementation. These include :

6.3.2.1 For self-build, the limitation to offer sites to applicants who either work or live in the borough potentially runs contrary to the Property Procedure Rules insofar as it restricts the "marketing reach" and may not deliver "Best Consideration". However, the eligibility criteria is no different to shared ownership and other products being offered on Council and non-Council developments where Enfield residents or workers are prioritised.

6.3.2.2 The mechanism to make between a 4% - 6% annual return on notional land value may be difficult to achieve in areas where development proves unviable or considered unfair where the return is based on the market value of the asset including tenants improvements.

6.3.2.3 The alternative option to consider either a land sale or offer the land for this housing initiative should be considered on a case by case basis as not all sites will deliver "best consideration" under this financial model.

6.3.2.4 Self-builders are usually entitled to a full VAT reclaim on all construction and related costs and therefore this important

incentive should be considered within the overall financial model together with liability for Stamp Duty Land Tax.

6.3.2.5 On multi plot sites, in the interests of improving plot values, consideration could be given to the Council or third party enabler providing initial investment in the form of fully serviced plots including site access and roads, all utility supplies and mains drainage.

6.3.2.6 The legal agreements proposed in this report must be granted in accordance with the Property Procedure Rules.

6.3.2.7 The valuation of the land interest in order to be determine the initial ground rent should be obtained from an independent valuer.

6.3.2.8 The proposed revaluation when the properties are disposed of in the future would also be undertaken by an independent valuer.

7. KEY RISKS

7.1 As with any development, there are a number of associated risks, however the Council is passing on the planning, funding, viability and delivery risks to the not for profit development organisation. The recommended approach in this report carries a low level of risk to the Council, especially given the scale of the proposal.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Housing continues to be both a great cause and manifestation of inequality as London is gripped by an affordability crisis. Enabling the development of otherwise redundant or underutilised sites and putting in place a process to enable development for custom and self-build households for up to 30% less than a market value home can help unlock the opportunity of homeownership to a demographic which is currently locked out of the market, and a demographic that wants an active involvement in the design and specification of their home. This can be achieved while generating an attractive financial return to the Council.

8.2 Growth and Sustainability

The proposal seeks to bring economic improvement to underutilised sites in the borough, which can generate revenue for the Council, while providing employment opportunities during construction. In terms of sustainability, the intensification of the borough through the development of infill brownfield sites would represent a sustainable form of development.

8.3 Strong Communities

The proposal seeks to listen to the needs of people who want to have more control in the design and specification of their new homes for custom, build, or potentially have complete control over the whole process if they pursue self-build.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 There may be Equalities Impact Implications arising from the allocations process of the new homes. The Council will ensure that the eligibility criteria consider these implications.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 There are no notable Performance Management implications arising from this report.

11. HEALTH AND SAFETY IMPLICATIONS

- 11.1 There are no notable Health & Safety implications arising from this report.

12. HR IMPLICATIONS

- 12.1 There are no notable Health & Safety implications arising from this report.

13. PUBLIC HEALTH IMPLICATIONS

- 13.1 Housing is a determinant of health and this proposal should therefore positively impact the health of prospective residents. All of the homes will be designed to achieve or exceed the Mayor's internal space standards, amenity space standards, and achieve high levels of sustainability and energy efficiency.

Background Papers

None

Appendix 1 – Heads of Terms (DRAFT)

Heads of Terms for Self-Build Agreement to Lease

Lessor: London Borough of Enfield (the Council)

Lessee: TBC, to be selected from a list of applicants for Self-Build sites in the borough.

Demise: To be one of the sites as offered by the Council. As outlined by the red-line on the attached to the Agreement to Lease, with common rights of access (where applicable) as hatched in blue on the plan attached to the Agreement to Lease.

Planning: The Lessee is responsible for submitting the planning application at their cost.

The Lessee must submit the planning application within six months of the completion of the Agreement to Lease.

If the planning application is not validated within one month of first being submitted the validation period will be counted as part of the six month period allowed for submission of planning.

Valuation of Site: Within one month of planning being determined the Council will instruct an independent RICS Registered Valuer to value the site. The basis of the valuation will be the site with the planning that has been determined.

Within one month of the valuation being instructed the Council will inform the Lessee of the value and the proposed Initial Rental to be paid under the Lease.

Initial Rental: The initial annual rental will be 5% of the land value determined by the RICS Registered Valuer.

Lease: In the form attached to the Agreement to Lease (see Heads of Terms attached).

The Lease must be completed within one month of the Lessee being advised of the Initial Rental

Termination: If the Lessee does not submit a planning application within six months of the completion of the Agreement to Lease the Agreement to Lease will be terminated.

If the Lessee does not complete the Lease within one month of being advised of the Initial Rental the Agreement to Lease will be terminated.

Legal Costs: The Lessee to pay all of their own and the Council's legal costs in connection with completing the Agreement to Lease on completion of the Agreement to Lease.

Heads of Terms for Self-Build Lease

Lessor: London Borough of Enfield (the Council)

Lessee: TBC

Term: 125 years

Demise: To be one of the sites as offered by the Council. As outlined by the red-line on the attached to the Agreement to Lease, with common rights of access (where applicable) as hatched in blue on the plan attached to the Agreement to Lease.

Planning: The Lessee is responsible for discharge of all planning conditions.

Building: The Lessee is to commence construction of the Building in accordance with the planning that has been determined within six-months of grant of the Lease.

The Lessee is to complete construction of the Building within eighteen months of commencing construction.

Initial Rental: As determined under the Agreement to Lease to be paid semi-annually in advance.

Rent Review: Every ten years to be reviewed upwards only with increases in line with CPI

Rent Review on Assignment of Lease: Within one month of the Assignment of the Lease the Council will instruct an independent RICS Registered Valuer to value the site. The basis of the valuation will be the market value of the site with the planning that has been determined and any subsequent permitted alterations.

Within one month of the valuation being instructed the Council will inform the Assignee of the value and the proposed Revised Rent to be paid under the Lease.

Revised Rent: The Revised Rent will be 5% of the land value determined by the RICS Registered Valuer to be paid with effect from the date of Assignment, to be paid semi-annually in advance.

Rent Reviews following Revised Rent: (re-setting of Rent Review dates) Every ten years to be reviewed upwards only with increases in line with CPI

Restrictions: Claims against the Council in respect of any works of adjoining land owned by the Council.

Termination: If the Lessee does not commence construction of the building within six months of the completion Lease the Lease will be terminated.

If the Lessee does not complete construction of the building within eighteen months of commencing construction will be terminated.

Legal Costs: The Lessee to pay all of their own and the Council's legal costs in connection with completing the Lease on completion of the Lease.

Heads of Terms for Custom-Build Agreement to Lease

Lessor: London Borough of Enfield (the Council)

Lessee: TBC, a management organisation to be appointed by the Council.

Demise: To be one of the sites as offered by the Council. As outlined by the red-line on the attached to the Agreement to Lease, with common rights of access (where applicable) as hatched in blue on the plan attached to the Agreement to Lease.

Planning: The Lessee is responsible for submitting the planning application at their cost.

The Lessee must submit the planning application within six months of the completion of the Agreement to Lease.

If the planning application is not validated within one month of first being submitted the validation period will be counted as part of the six month period allowed for submission of planning.

Valuation of Site: Within one month of planning being determined the Council will instruct an independent RICS Registered Valuer to value the site. The basis of the valuation will be the site with the planning that has been determined.

Within one month of the valuation being instructed the Council will inform the Lessee of the value and the proposed Initial Rental to be paid under the Lease.

Initial Rental: The initial annual rental will be 5% of the land value determined by the RICS Registered Valuer.

Head Lease: In the form attached to the Agreement to Lease (see Heads of Terms attached).

The Lease must be completed within one month of the Lessee being advised of the Initial Rental

Termination: If the Lessee does not submit a planning application within six months of the completion of the Agreement to Lease the Agreement to Lease will be terminated.

If the Lessee does not complete the Lease within one month of being advised of the Initial Rental the Agreement to Lease will be terminated.

On non-payment of rent.

Legal Costs: The Lessee to pay all of their own and the Council's legal costs in connection with completing the Agreement to Lease on completion of the Agreement to Lease.

Heads of Terms for Custom-Build Head Lease

Lessor: London Borough of Enfield (the Council)

Lessee: TBC, a management organisation to be appointed by the Council.

Term: 125 years

Demise: To be one of the sites as offered by the Council. As outlined by the red-line on the attached to the Agreement to Lease, with common rights of access (where applicable) as hatched in blue on the plan attached to the Agreement to Lease.

Planning: The Lessee is responsible for discharge of all planning conditions.

Building: The Lessee is to commence construction of the Building in accordance with the planning that has been determined within six-months of grant of the Lease.

The Lessee is to complete construction of the Building within eighteen months of commencing construction.

Initial Rental: As determined under the Agreement to Lease to be paid semi-annually in advance.

Sub-Leases: To be granted in the agreed standard form (see Heads of Terms).

Sub-Lessees: To be selected from a list from a list of applicants for custom-build in the borough.

Sub-Lease Initial Rental: To be the Initial Rental divided by the number of dwellings on the site.

Insurance: To be insured by the Head Lessee responsibility to pass to the first sub-lessee on grant of the first sub-:

Restrictions: Claims against the Council in respect of any works of adjoining land owned by the Council.

No occupation of the dwellings prior to grant of the sub-leases.

Termination: If the Lessee does not commence construction of the building within six months of the completion Lease the Lease will be terminated.

If the Lessee does not complete construction of the building within eighteen months of commencing construction will be terminated.

On the grant of the final sub-lease for the dwellings on the site.

Legal Costs: The Lessee to pay all of their own and the Council's legal costs in connection with completing the Head Lease on completion of the Head Lease.

Heads of Terms for Custom-Build Lease

Lessor: London Borough of Enfield (the Council)

Lessee: TBC

Term: 125 years

Demise: To be one of the sites as offered by the Council. As outlined by the red-line on the attached to the Agreement to Lease, with common rights of access (where applicable) as hatched in blue on the plan attached to the Agreement to Lease.

Initial Rental: As determined under the Agreement to Lease and the Head Lease to be paid semi-annually in advance.

Rent Review: Every ten years to be reviewed upwards only with increases in line with CPI

Rent Review on Assignment of Lease: Within one month of the Assignment of the Lease the Council will instruct an independent RICS Registered Valuer to value the site. The basis of the valuation will be the market value of the site with the planning that has been determined and any subsequent permitted alterations.

Within one month of the valuation being instructed the Council will inform the Assignee of the value and the proposed Revised Rent to be paid under the Lease.

Revised Rent: The Revised Rent will be 5% of the land value determined by the RICS Registered Valuer to be paid with effect from the date of Assignment, to be paid semi-annually in advance.

Rent Reviews following Revised Rent: (re-setting of Rent Review dates) Every ten years to be reviewed upwards only with increases in line with CPI

Insurance: The first sub-lessee to take responsibility for insuring the building and then pass to management group; to recover a fair proportion from the other sub-lessees.

Services Charges: The first sub-lessee to take responsibility for service charges for common parts etc. in building; to recover a fair proportion from the other sub-lessees. The first sub-lessee to set-up management group of sub-lessees to manage the building and operate service charge accounts for benefit of the sub-lessees.

Restrictions: Claims against the Council in respect of any works of adjoining land owned by the Council.

Termination: On non-payment of rent.

Legal Costs: The Lessee to pay all of their own and the Council's legal costs in connection with completing the Lease on completion of the Lease.

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MUNICIPAL YEAR 2016/2017 REPORT NO. 11

MEETING TITLE AND DATE:

Cabinet
15 June 2016

REPORT OF:

Director – Regeneration &
Environment

Contact officer and telephone number:
Paul Rogers, 020 8379 3304

E mail: paul.rogers@enfield.gov.uk

Agenda - Part: 1	Item: 9
Subject: Cycle Enfield Spending Proposals for 2016/17	
Wards: All KD No: 4270	
Cabinet Member consulted: Cllr. Daniel Anderson	

1. EXECUTIVE SUMMARY

This report seeks financial approval to spend £7,436,000 of grant funding for the design, consultation and implementation of Cycle Enfield schemes listed in Appendix 1. These proposals are part of the Mayor's Cycle Vision for London and will be fully funded by Transport for London (TfL). Specific scheme approval will be required prior to the implementation of individual elements of the programme.

2. RECOMMENDATIONS

To approve:

- 2.1 Expenditure of the £7,436,000 Mini Holland funding provided to date by TfL to progress the programme of works for 2016/17 set out in Appendix 1.
- 2.2 Delegation of authority to the Cabinet Member for Environment to a) approve expenditure of any additional funding provided by TfL for 2016/17 in order to progress the programme set out in Appendix 1; and b) amend the programme as necessary for operational reasons.

3. BACKGROUND

3.1 In March 2013 the Mayor of London published his Vision for Cycling with the overarching aim to double the number of people cycling by 2023. The Vision, which is supported by funding of £913m over 10 years, set out four key elements:

- A Tube Network for the Bike – providing a network of cycle route across London
- Safer Streets for the Bike – a range of measures to improve cycle safety at junctions and to improve lorry safety
- More People Travelling by Bike – making cycling a mainstream and popular mode of transport
- Better Places for Everyone – more cycling will benefit everyone, not just people that cycle.

3.2 One of the key elements of the vision was the ‘mini-Hollands’ programme, which allocated £100m to help boroughs deliver a step change in cycling and emulate some of the best practice seen in Holland and elsewhere. The programme was open to all outer London boroughs with funding awarded following a competitive bidding process.

3.3 Enfield’s bid, which had cross-party support, was based on the following elements:

- Providing segregated cycle lanes along the length of the A105 (Enfield Town to Palmers Green), A110 (Enfield Town to Lee Valley Road) and A1010 (Waltham Cross to Angel Edmonton).
- Revitalising Enfield Town and Edmonton Green town centres by rebalancing space for traffic, pedestrians and cyclists
- Introducing ‘Quieter Neighbourhoods’ to address traffic rat-running through residential streets
- Extending the Greenway network to promote leisure cycling
- Addressing severance caused by the A10 and A406 North Circular Road
- Introducing ‘Cycle Hubs’ at Enfield Town and Edmonton Green
- A range of supporting measures to encourage more people of all ages to take up cycling.

3.4 Enfield, Waltham Forest and Kingston were announced as the three successful bids in March 2014, each receiving in the region of £30m from the Mayor’s Mini-Hollands fund. Enfield has allocated further external funding to the project (principally significant elements of its annual LIP allocation from TfL), taking the total funding available for the project (locally branded as ‘Cycle Enfield’) to £42m.

3.5 In July 2014 the Cabinet Member for Environment and Community Safety agreed to expenditure of £700,000 to commence the design and consultation process. In September 2014 Cabinet agreed to the governance arrangements for the project, including the establishment of three Partnership Boards to allow a wide range of stakeholders to

participate in the project. In April 2015 Cabinet agreed to the expenditure of an additional £1.9m to support the design and consultation process.

- 3.6 On 10 February 2016, Cabinet granted approval to undertake detailed design and statutory consultation for lightly segregated cycling facilities and public realm improvements along the A105 between Enfield Town and Palmers Green.
- 3.7 Cycle Enfield represents a significant investment in the borough that can help deliver long-term health, transport and economic benefits.

4. CYCLE ENFIELD PROPOSALS

- 4.1 It is proposed to progress the programme of works set out in Appendix 1 at a total estimated cost of £7,436,000. These works are part of the Mayor's Cycle Vision for London and will be fully funded by TfL.
- 4.2 Severance sites 1, 4, 5, 6, 7, 8 and 14 will be delivered and paid for direct by TfL. All other schemes listed in Appendix 1 will be designed and implemented by the Council's service provider, Ringway Jacobs through the London Highways Alliance Contract.

5. ENFIELD'S MINI HOLLAND (MH) FUNDING ALLOCATION FOR 2016/17

- 5.1 Below is a table setting out the Council's overall Mini Holland allocation for 2016/17 for each programme of investment. Further details can be found at Appendix 1. Specific scheme approval will be required prior to implementing individual elements of the programme.

Investment Programme	2016/17 Mini Holland Allocation
Greenways	1,000,000
Quieter Neighbourhoods	77,000
A105, Green Lanes	3,100,000
Enfield Town	412,000
A110, Southbury Road	326,000
A1010, Hertford Road (South)	962,000
A1010, Hertford Road (North)	363,000
Cycle Hubs	126,000
Supporting measures	185,000
Severance sites	885,000
Total	7,436,000

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 The Council could decline the Mini Holland funding. However, this would mean forgoing £30 million of investment in the borough and the associated economic, health, and transport benefits.

7. REASONS FOR RECOMMENDATIONS

- 7.1 This report seeks authority to spend the Mini Holland funding awarded by TfL to progress the delivery of the programme of works set out in Appendix 1. The overall aims of the programme are:

- To make places cycle-friendly and provide better streets and places for everyone;
- To make cycling a safe & enjoyable choice for local travel;
- To create better, healthier communities;
- To provide better travel choices for the 34% of Enfield households who have no access to a car and an alternative travel choice for the 66% that do;
- To transform cycling in Enfield;
- To encourage more people to cycle;
- To enable people to make short journeys by bike instead of by car;
- To increase physical activity and therefore the health of cyclists;
- To reduce overcrowding on public transport;
- To enable transformational change to our town centres

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

8.1 Financial Implications

- 8.1.1 The total estimated cost of the proposals identified in this report is £7,436,000 which will be fully funded by TfL.
- 8.1.2 Expenditure once approved by TfL will be fully funded by means of direct grant from TfL. The funding arrangements are governed through the TfL Borough Portal and no costs will fall on the Council. The release of funds by TfL is based on a process that records the progress of the works against approved spending profiles. TfL makes payments against certified claims as soon as costs are incurred, ensuring the Council benefits from prompt reimbursement.
- 8.1.3 Use of the funding for purposes other than those for which it is provided may result in TfL requiring repayment of any funding already provided and/or withholding provision of further funding. TfL also retains the right to carry out random or specific audits in respect of the financial assistance provided.

8.2 Legal Implications

8.2.1 Under the GLA Act, the Mayor is empowered, through TfL, to provide grants to London Boroughs to assist with the implementation of the Transport Strategy. TfL is charged with responsibility of ensuring that the key rationale for allocating grants is the delivery of the Mayor's Transport Strategy.

8.2.2 The generic matters to which TfL will have regard in allocating financial assistance and the generic conditions that will apply to any such assistance are:

- Under section 159 of the GLA Act, financial assistance provided by TfL must be for a purpose which in TfL's opinion is conducive to the provision of safe, integrated, efficient and economic transport facilities or services to, from or within Greater London.
- In order to ensure this purpose is met, TfL may have regard to the following matters when exercising its functions under section 159:
 - Any financial assistance previously given
 - The use made by the authority of such assistance
- Conditions – section 159(6) of the GLA Act also allows TfL to impose conditions on any financial assistance it provides and in specified circumstances to require repayment. Other more detailed conditions may be imposed that relate to particular projects.

8.2.3 The Council is required to comply with the terms of the grant funding agreement and the Council's Contract Procedure Rules when entering in to or administration any contracts arising from the recommendations in this report. Any legal agreement arising as a result of the recommendations contained in this report must be in a form approved by the Assistance Director of Law and Governance

8.2.4 Under section 65 of the Highways Act 1980, a highway authority may, in or by the side of a highway maintainable at public expense, construct a cycle track as part of the highway; and they may light any cycle track constructed by them under this section.

8.2.5 Under the Localism Act 2011, local authorities have a general power of competence provided that there is no express prohibition, restriction or limitation contained in statute against the use of the power. The recommendations contained in this report are consistent with the Council's powers.

8.3 Property Implications

8.3.1 Although the proposed expenditure on design and consultation has no direct property implications, the detailed design and implementation of some sections of the cycle network is already relevant to specific Council owned sites, including re-development proposals for the former Bury Street depot, the proposed section of the Quietway from Angel Gardens to Montagu Road, and some sites within Enfield Town.

8.3.2 The proposals arising should be developed in collaboration with Strategic Property Services to ensure that the Council's efforts are harmonised.

9. KEY RISKS

9.1 A risk register identifying the probability, impact and status of key risks can be found at Appendix 2. The register will be reviewed and maintained throughout the life of the project as new risks emerge and existing risks are mitigated.

9.2 The Cycle Enfield Project Delivery Team monitors and considers risk management issues at its regular meetings, and directs remedial action as necessary.

10. IMPACT ON COUNCIL PRIORITIES

10.1 Fairness for All

The provision of a safe, convenient and extensive cycle route network will make cycling a viable transport choice for all. It will be of particular benefit in tackling health and wealth inequalities.

10.2 Growth and Sustainability

10.2.1 Cycling is a sustainable mode of transport with virtually no environmental impact compared to motorised transport.

10.2.2 The Cycle Enfield programme will contribute to the growth agenda by regenerating the town centres that the main road cycle routes pass through

10.3 Strong Communities

Many of the Cycle Enfield proposals will improve conditions for disadvantaged groups and disadvantaged areas. Particular elements of the work will also reduce the impact of traffic and help create more cohesive communities. Several cycling promotions have an emphasis on community engagement and safety. The consultation process allows the representation and input of all interest groups.

11. EQUALITIES IMPACT IMPLICATIONS

11.1 An equality impact assessment will be undertaken for each scheme to identify how different parts of the community are affected by the Cycle Enfield programme and to find ways of reducing or mitigating any adverse impacts.

- 11.2 Representatives from Enfield Vision, Enfield Disability Action and the Royal National Institute for the Blind (RNIB) have been invited to attend Cycle Enfield Partnership Board meetings and workshops to help influence the designs.
- 11.3 On the main road cycling schemes e.g. A105 and Enfield Town we will hold further engagement with stakeholder groups to help us develop the detailed designs and address comments and concerns raised by or on behalf of older people and those with disabilities.

12. PERFORMANCE MANAGEMENT IMPLICATIONS

- 12.1 The Cycle Enfield programme directly contributes to the environment, health and inward investment objectives set out in the Council Business Plan (Enfield – A Fairer Future for All).

13. HEALTH AND SAFETY IMPLICATIONS

- 13.1 Where appropriate, independent Safety Audits will be undertaken to ensure that schemes do not impact adversely on road safety.
- 13.2 The Construction, Design and Management Regulations are being followed to ensure that risks are designed out/mitigated and the schemes listed in appendix 1 can be constructed safely.

14. PUBLIC HEALTH IMPLICATIONS

- 14.1 The Cycle Enfield programme provides a unique opportunity to improve the health of the borough's residents and address health inequality.
- 14.2 Compared to those who are least active, sufficient physical activity reduces all-cause mortality and the risk of heart disease, cancer, mental health issues and musculo-skeletal disease by approximately 20 to 40%. These conditions account for 70% of the NHS budget.
- 14.3 Guidelines on physical activity have been published by the World Health Organisation (WHO), some 21 countries as well as the Chief Medical Officers of the Four Home Countries.
- 14.4 Health Survey for England (HSE) self-report data for both 2008 and 2012 indicates that 33% males and 44% of females aged 16+ report not meeting the current Chief Medical Officer (CMO) guidelines of 150 minutes of physical activity per week. Objective data indicates that in actuality some 95% of the population may not be meeting physical activity guidelines.
- 14.5 Cycling is a very effective means of integrating physical activity into everyday life. In the Netherlands cycling accounts for some 34% of journeys up to 7.5km (4.6 miles). The population attributable fraction of mortality due to

inactivity in the Netherlands is 1/3 to 1/2 that of the UK. The Netherlands also has the lowest prevalence of diabetes in Europe.

- 14.6 Improving cycling facilities in the borough has the potential to significantly increase the disposable income of those least well-off in the borough. Academic studies indicate that those in the least wealthy quintile spend approximately 30% of their income on transport.
- 14.7 Other benefits to the individual will include greater access to employment, education, shops, recreation, health facilities and the Countryside.
- 14.8 Public health benefits to the wider Enfield community (cyclists and non-cyclists alike) relate to the avoided external costs of motorised transport that would be achieved by a modal shift towards cycling. These include air pollution (particulates, carbon monoxide, nitrogen oxides, hydrocarbons, ozone, carbon dioxide, lead, benzene), noise, vibration, odour, climate change, stress / anxiety, danger, loss of land and planning blight and community severance. Nitrogen oxides and PM2.5 are associated with 17% of deaths in Enfield. It should be noted that this does not include PM0.5 for which the evidence is still emerging.
- 14.9 It is noted that in the Guardian 'Enfield experiment' series a graduate in Enfield could not take a job in Barnet because commuting by bus was impractical. It is unlikely this would have happened if a cycling culture existed. The British Medical Association states that a person cycling can 'easily cover' more than 5 miles.
- 14.10 Although no local data is available it is noted that congestion is estimated to cost the country £10 billion a year. The cost of this will only increase in Enfield with population growth unless a modal shift is achieved.
- 14.11 Studies both in the US and UK have shown that greater motorised traffic volumes are associated with greater community severance i.e. the greater the traffic volume the fewer people know each other on a street.
- 14.12 Physical activity has been described by the Chief Medical Officer as a 'public health best buy' and that if it were a pill we'd be rushing to prescribe it. Thought should be given to how the reach and influence of Cycle Enfield can be further extended for individual and population health and to protect the NHS budget. A number of studies have shown that increased utility cycling is associated with increased physical activity with a reduction in mortality of up to 28%. In Copenhagen the Government estimates that 57% of the population rides a bicycle every day.
- 14.13 Increasing utility cycling will therefore have a positive impact on cyclist and non-cyclists alike which will have positive effects on both the NHS and Social Services. It is noted that Cycle Enfield has been endorsed by Enfield CCG, the North Middlesex hospital and the Royal Free hospital.

Background Papers

None

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Appendix 1: Mini Holland Funding Allocations and Expenditure Proposals for 2016/17

SCHEME NAME		Proposed Mini Holland Expenditure in 2016/17
GREENWAYS		
Enfield Town North Greenway	Design and construct new greenway	£232,000
Enfield Playing Fields Greenway	Design and construct new greenway	£131,000
Bush Hill Park to Palmers Green Greenway	Design and construct new greenway	£367,000
Edmonton Green to Angel Road Greenway	Design and construct new greenway	£270,000
QUIETER NEIGHBOURHOODS		
Wolves Lane Quieter Neighbourhood	Introduction of traffic measures to reduce rat running and speeding	£77,000
MAIN ROAD CYCLING SCHEMES		
A105, Green Lanes	Detailed design and statutory consultation (£150,000) and part construction (£2,950,000) of lightly segregated cycle facilities and public realm improvements	£3,100,000
Enfield Town Centre	Detailed design and statutory consultation (£150,000) and part construction (£262,000) of lightly segregated cycle facilities and public realm improvements	£412,000
A110 Southbury Road	Detailed design and statutory consultation (£150,000) and part construction (£176,000) of lightly segregated cycle facilities	£326,000
A1010, Hertford Road (South)	Detailed design and statutory consultation (£150,000) and part construction (£812,000) of lightly segregated cycle facilities and public realm improvements	£962,000
A1010, Hertford Road (North)	Detailed design and statutory consultation (£150,000) and part construction (£213,000) of lightly segregated cycle facilities and public realm improvements	£363,000
CYCLE HUBS		
Enfield Town Cycle Hub	Design of cycle hub	£63,000
Edmonton Green Cycle Hub	Design of cycle hub	£63,000
SUPPORTIVE MEASURES		
Supportive Measures	Ongoing programme of measures to raise awareness of the new infrastructure and encourage more people to cycle	£185,000
SEVERANCE SITES		

A10 south of Turkey Brook (Severance site 1)	Design and install new toucan crossing	£120,000
A10 junction with Southbury Road (Severance site 3)	Design and implement measures to improve safety and permeability for cyclists and pedestrians	£210,000
A10 junction with Lincoln Road (Severance site 4)	Upgrade pelican crossings to staggered toucan crossings	£160,000
A10 junction with Trinity Avenue (Severance site 5)	Upgrade pelican crossing to a staggered toucan crossing	£50,000
A10 Great Cambridge Road by Salmons Brook (Severance site 7)	Design and install new staggered toucan crossing	£120,000
A10 Bury Street (Severance site 6)	Design and install new toucan crossing	£110,000
A10 Deansway (Severance site 8)	Convert subway to a staggered toucan crossing	£15,000
A10/A1010 Fore Street (Severance site 14)	Design and implement measures to improve safety and permeability for cyclists and pedestrians	£100,000
	TOTAL	£7,436,000.00

MUNICIPAL YEAR 2016/2017 REPORT NO. 12

MEETING TITLE AND DATE
Cabinet – 15 June 2016

Agenda – Part: 1	Item - 10
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Subject:

Procurement Framework Memberships –
London Housing Consortium Framework,
Brent Housing Partnership Framework and
Royal Borough of Kingston Framework

Wards: All KD 4254

Cabinet Member Consulted: Cllr Ahmet
Oykener, Cabinet Member for Housing &
Housing Regeneration

REPORT OF:

Director – Regeneration & Environment

Contact officer and telephone number: Gary Clarke, tel: 020 8375 8267

E mail: gary.clarke@enfield.gov.uk

1. EXECUTIVE SUMMARY

This report seeks Cabinet approval for Officers to register with and access a number of procurement frameworks set up by other public sector partners and Local Authorities, both for construction work and professional consultancy services.

2. RECOMMENDATIONS

- 2.1 That authority is delegated to the Director of Regeneration and Environment to complete the procedures and paperwork to enable Enfield Council to join the London Housing Consortium (LHC) Framework and subsequently procure Construction works as appropriate, subject to final approval of individual scheme DAR's (delegated authority reports) by the Cabinet Member for Housing and Housing Regeneration.
- 2.2 That approval is also given for the Cabinet Member for Housing and Housing Regeneration to join the Board of LHC as a representative of Enfield Council.
- 2.3 That authority is delegated to the Director of Regeneration and Environment to complete the procedures and paperwork to enable Enfield Council to join the Brent Housing Partnership Framework and subsequently procure Consultancy Services contracts as appropriate, subject to final approval of individual scheme DAR's by the Cabinet Member for Housing and Housing Regeneration.
- 2.4 That authority is delegated to the Director of Regeneration and Environment to complete the procedures and paperwork to enable Enfield Council to join the Royal Borough of Kingston Framework and subsequently procure Consultancy Services contracts as appropriate, subject to final approval of individual scheme DAR's by the Cabinet Member for Housing and Housing Regeneration.

3. BACKGROUND

- 3.1 The Council has recently procured (in late 2014 / early 2015) its own framework of major works contractors for the delivery of the Decent Homes Major Works programme. This framework has now been running successfully for 12 months and contracts can be awarded under it for a further 3 years.
- 3.2 To ensure maximum flexibility and value for money when procuring Council contracts, Officers would also now recommend that the Council enter into a number of other procurement frameworks to supplement our access to the wider market.
- 3.3 A number of works frameworks have been considered and it is felt that the “LHC Framework” gives the maximum benefits, not only in terms of procuring major works contracts, but also for specialist works contracts such as kitchen only programmes, aids and adaptations works, lift installations and other specialist items. Membership of this framework would also allow Enfield to have a representative on the LHC governing body, the offer of which, Officers recommend should be taken up by the Cabinet Member for Housing and Housing Regeneration. A small percentage fee is payable per contract procured, the cost of which will be more than met from potential savings on works contracts that may be subsequently let from this framework. It is a requirement of LHC membership that the joining local authority (in this case, Enfield) provides a specific cabinet level approval to enter into membership and access the frameworks.
- 3.4 It is also recommended that Enfield Council should enter into 2 other frameworks, which provide access to Consultancy services. Both the Brent Housing Partnership and the Royal Borough of Kingston have procured suitable Consultancy frameworks, which are accessible to other Local Authority partners. These frameworks would present considerably cheaper and quicker processes for accessing Consultancy Services for the Decent Homes Works contracts, rather than procuring our own framework arrangements. A small percentage fee is payable per contract procured, the cost of which will be more than met from potential savings on consultancy contracts that may be subsequently let from these frameworks.
- 3.5 Both of these consultancy frameworks provide ‘Lots’ for multi-disciplinary services alongside single skill sets such as Architecture, Building Surveying, Quantity Surveying, Structural Engineers and Employers Agents / Contract administrators, etc. They also have firms on the framework for specialist services such Clerk of Works, CDM Regulations, Asbestos Surveys, Party Wall Surveying and Stock Condition surveys. They also have specialist “Lots” for Mechanical and Electrical Engineers and also Lift Consultants. All ‘lots’ apply to both new build and refurbishment projects.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The alternative options considered were as follows:
 - (a) Continue to procure exclusively via our own framework for any Works contracts
 - (b) Tender each individual consultancy contract via the London Tenders Portal
 - (c) Procure our own Consultancy Services framework

- 4.2 Option (a) is feasible and will still form the primary route for our works procurement, however Officers feel that access to a second works framework provides additional flexibility and also a 'fail safe' position in the event of Contractor defaults under our own framework.
- 4.3 Option (b) is time-consuming and costly in terms of Officer time. It also prevents longer-term engagement with a smaller group of consultants, specialising in Enfield's Council Housing programme, due to the 'unpredictable nature' of appointments via a wider tendering process.
- 4.3 Option (c) is also time-consuming and costly in terms of Officer time and would require the support of specialist procurement consultants and lawyers. Typically a framework procurement exercise of this nature can cost between £75,000 and £100,000 and it is unlikely that the Council would make sufficient cost and efficiency savings over the life of the Decent Homes programme to justify this type of expenditure.
- 4.4 Other frameworks have also been considered however, they either have not been set up to allow access by Enfield Council or they do not offer us the scope of potential partners that we seek for this programme of works.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The three frameworks are all OJEU (Official Journal of the European Union) compliant and provide a cost efficient method for the Council to continue to procure works and consultancy services in a transparent and legally compliant way.
- 5.2 The Contractors and Consultants on these frameworks are generally well known to Enfield Council and have established track records in the delivery of the works and services that we require.

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

6.1 Financial Implications

Joining the three frameworks does not mean that the Council will spend more on procurement – costs of individual engagements and projects will still need to remain within the budgets as agreed in compliance with financial regulations. In fact, it is more likely that tendered prices will be lower because of the purchasing power of the consortia. There is no upfront cost to join any of these frameworks. A small percentage fee (of typically 0.2% to 0.4% of the contract value is charged for each contract that we commit) and sufficient savings will be accrued from procuring through these frameworks to more than cover this cost.

6.2 Legal Implications

The contracts to carry out the required services will be called off by the Council from the OJEU procured and compliant framework agreements described in the Report. On the basis that the framework agreements have been compiled to incorporate local authorities as a category or user, as outlined, then provided call-off contracts are called off by the Council in accordance with the requirements laid down under each framework agreement, there should be negligible, if any, risk to the Council in joining and participating in such framework agreements to secure the savings which ought to flow from membership and participation, as set out in the Report.

- 6.2.1 Section 111 of the Local Government Act 1972 gives a local authority power to do anything (whether or not involving the expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights) which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. Obtaining membership of the frameworks detailed within this Report is incidental to the delivery of the Housing Decent Homes programme, which is intended to help ensure maximum flexibility and value for money.
- 6.2.2 The Council has a general power of competence in section 1(1) of the Localism Act 2011. This states that a local authority has the power to do anything that individuals generally may do provided it is not prohibited by legislation.
- 6.2.3 The Council proposes to procure contracts under the London Housing Consortium, Brent Housing Partnership and the Royal Borough of Kingston Frameworks.
- 6.2.4 The Council's Constitution, in particular the Contract Procedure Rules ("CPR's") permit the Council to call-off from an existing framework as long as the framework terms permit such.
- 6.2.5 The Council must comply with its Constitution, CPRs and as the contract value exceeds the EU threshold, it must also comply with the Public Contracts Regulations 2015.
- 6.2.6 The Council must comply with its obligations relating to obtaining best value under the Local Government (Best Value Principles) Act 1999.
- 6.2.7 All legal agreements arising from the matters described in this report must be approved in advance of contract commencement by the Assistant Director of Legal and Governance Services.

6.3 Property Implications

The proposal to effect access to the three Frameworks will potentially provide useful and cost effective procurement options for construction-related professional services and works.

7. KEY RISKS

- 7.1 The key risk to the Council in delivering a programme of works and services is the risk of challenge for failure to procure in a legal and transparent process.

- 7.2 The use of the OJEU procured frameworks proposed in this report mitigates the risk to the Council of any challenges and provides a compliant basis for the award of future contracts.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The programme procured via these frameworks will contribute positively to the Council's priority of Fairness for All. The schemes to be delivered are all significant projects aimed at improving the quality Council Housing and dealing with back-log repairs currently affecting the level of 'Non-decency' in our Housing stock.

8.2 Growth and Sustainability

The capital works to be procured will assist in making Council Homes more attractive to potential future tenants. Improving the standard of the housing stock also enhances the sustainability of the area and promotes social cohesion.

8.3 Strong Communities

The projects will contribute to strong communities by ensuring that residents are able to fully participate in the activities of the wider community.

9. EQUALITY IMPACT IMPLICATIONS

- 9.1 It is not judged to be relevant and proportionate to carry out an equality impact assessment/analysis for this proposal as it refers to the on-going appointment of Consultants and Contractors via supplementary procurement routes to those already in place for the Council.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 The projects delivered via these frameworks are all expected to have a positive impact on resident satisfaction performance indicators through the improved quality of the housing and the improved level of service.

11. HEALTH AND SAFETY IMPLICATIONS

- 11.1 All construction work falls under the Construction (Design & Management) Regulations 2015. A programme of the size and nature of the Decent Homes investment plan and the subsequent schemes delivered will also qualify for notification to the Health and Safety Executive. Health and safety considerations for these types of projects include welfare facilities until the end of the project, various audits, inspections and reviews by both in-house and third party professionals. The passage of accurate and specific information is also critical and this will include asbestos survey reports in the form of an asbestos register leading

to specific refurbishment surveys, fire risk assessments and any required significant design changes.

12. PUBLIC HEALTH IMPLICATIONS

- 12.1 These frameworks will help the Council to continue to deliver a cost effective procurement process for the delivery of Decent Homes works to a significant portion of the Councils Housing stock. The works delivered will have significant benefits in terms of improving quality of life, energy efficiency and tackling fuel poverty – all factors which research has shown can have significant public health benefits.

Background Papers

None.

THE CABINET

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

MUNICIPAL YEAR 2016/2017

JULY 2016

- 1. Approval to include suppliers on a framework To Deliver Flexible Housing** Ray James/James Rolfe

The Council is seeking to set up a multi-supplier framework agreement to provide flexible housing. **(Key decision – reference number 4292)**
- 2. Approval of Cycle Enfield Proposals for A1010 South** Ian Davis

This will seek approval of Cycle Enfield proposals for the A1010 (South). **(Key decision – reference number 4114)**
- 3. Review of Conservation Area Appraisals and Management Proposals: Phase 3** Ian Davis

This will seek approval of revised and updated Conservation Area Appraisal and Management Proposals. **(Key decision – reference number 4222)**
- 4. Contracting with Lee Valley Heat Network for the Provision of Heat on Enfield's Housing Estates** Ian Davis

This will seek authority to contract with the Lee Valley Heat Network energy services company for the provision of heat on Enfield Council's new redeveloped housing estates. (Parts 1 and 2) **(Key decision – reference number 3988)**
- 5. Development of Edmonton Cemetery** Ian Davis

This will seek to extend Edmonton Cemetery to provide new provisions for burials within the borough given the limited capacity in existing cemeteries for future years, for referral to full Council. **(Key decision – reference number 4234)**
- 6. Adoption Scrutiny Workstream Report** James Rolfe

This will present for information, a report from the Adoption Scrutiny Workstream. (Non key)

7. **Annual Treasury Management Outturn Report 2015-16** James Rolfe

This will review the activities of the Council's Treasury Management function over the financial year ended 31 March 2016. **(Key decision – reference number 4325)**

8. **Revenue Outturn Report 2015-16** James Rolfe

This will set out the revenue outturn position for 2015/16. **(Key decision – reference number 4323)**

9. **Capital Outturn Report 2015-16** James Rolfe

This will set out the capital outturn position for 2015/16. **(Key decision – reference number 4324)**

10. **William Preye Centre Redevelopment Options - Feasibility** James Rolfe

This will outline the redevelopment options for the William Preye Centre, Houndsfield Road. **(Key decision – reference number 4295)**

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

This will provide performance information against the indicators contained in the Corporate Performance Scorecard, which shows the progress being made in delivering the Council's priorities. **(Key decision – reference number 4331)**

12. **Housing Capital Works and "Decent Homes" Funding Programme 2016/17** Ian Davis

This will seek approval to the housing capital works and decent homes funding programme 2016/17. **(Key decision – reference number 4244)**

13. **Education Services: A New Model of Service Delivery** Rob Leak/Jenny Tosh

This will seek approval to the establishment of a trading company. **(Key decision – reference number 4339)**

SEPTEMBER 2016

1. **Parking Enforcement Policy** Ian Davis

This policy will set out the Council's approach to dealing with parking enforcement. **(Key decision – reference number 4058)**

2. **Main Investment Decision in Energetik (formally Lee Valley Heat Network)** Ian Davis

This will seek approval for referral to full Council. **(Key decision – reference number 4266)**

3. **Unecol House Project** James Rolfe

This will seek approval to progress the Unecol House project. **(Key decision – reference number 4237)**

4. **Approval of Cycle Enfield Proposals for Enfield Town** Ian Davis

This will seek approval of Cycle Enfield proposals for Enfield Town for implementation. **(Key decision – reference number 4112)**

5. **Approval of Cycle Enfield Proposals for the A110 Southbury Road** Ian Davis

This will seek approval of Cycle Enfield proposals for the A110 for implementation. **(Key decision – reference number 4113)**

6. **Draft Submission Version North London Waste Plan** Ian Davis

Following consultation on the Draft North London Waste Plan in 2015, approval is required for the draft submission version of the Plan before further consultation in the summer. **(Key decision – reference number 4280)**

7. **Housing Gateway Budget** James Rolfe

This will seek approval to increase its total budget to enable it to continue purchasing properties. **(Key decision – reference number 4326)**

8. **Housing Gateway Ltd. Annual Report** James Rolfe

This will present an annual report to Housing Gateway's sole shareholder detailing the company's progress over the past year. (Non key)

9. **Enfield Innovations Ltd. Annual Report** James Rolfe

This will present an annual report to Enfield Innovation's sole shareholder detailing the company's progress over the past year. (Non key)

10. **Flexible Housing – Capital Programme** Ian Davis

This will seek approval of capital funding to deliver flexible housing. **(Key decision – reference number 4333)**

11. **Small Sites Update** Ian Davis

This will provide a summary of the current position and proposed next steps to deliver the scheme. **(Key decision – reference number 4298)**

12. **Small Housing Sites 2 (Phase 2b) Delivery** Ian Davis
This will set out a business case for delivering over 100 new homes across Council owned HRA sites. **(Key decision – reference number 4304)**
13. **Re-provision Project – Award of Service Contract** Ray James
This will seek approval to the award of contract for the provision of residential, nursing and respite care. **(Key decision – reference number 4309)**
14. **Upper Secondary Autistic Provision** James Rolfe
This will present the full business case for the Minchenden Scheme and all development options. **(Key decision – reference number 4293)**
15. **Re-provision 2 – Care Home Capital Funding and Procurement** Ray James
This will report feedback outcome of feasibility, seek approval of capital funding for the total scheme including the proposed works, technical services, furniture and equipment, and any other associated costs and to set out procurement process. **(Key decision – reference number 4337)**
16. **Empty Property Compulsory Purchase Orders** Ray James
This will seek authorisation to make compulsory purchase orders on two empty residential properties. **(Key decision – reference number 4338)**
17. **Scrutiny Annual Work Programme 2016/17** James Rolfe
This will set out the proposed scrutiny work programme and work streams for 2016/17 for comment prior to approval by Council. (Non key)

OCTOBER 2016

1. **Drug and Alcohol Action Team (DAAT) Substance Misuse Services Tender** Ray James
This will set out the tendering process for the provision of Adult Substance Misuse Services in Enfield and seek approval to contract award. **(Key decision – reference number 4302)**
2. **Quarterly Corporate Performance Report** Rob Leak
This will provide performance information against the indicators contained in the Corporate Performance Scorecard, which shows the progress being made in delivering the Council's priorities. **(Key decision – reference number 4330)**

3. **Estate Renewal Programme Report** Ian Davis

This will provide an update on the estate renewal programme and related activity and approvals where required. **(Key decision – reference number 4272)**

4. **Housing Supply and Delivery** Ian Davis

This will set out how the Council will increase housing supply in the short and medium terms. **(Key decision – reference number 4165)**

DECEMBER 2016

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

This will provide performance information against the indicators contained in the Corporate Performance Scorecard, which shows the progress being made in delivering the Council's priorities. **(Key decision – reference number 4330)**

JANUARY 2017

1. **Approval of Cycle Enfield Proposals for the A1010 (North)** Ian Davis

This will seek approval of Cycle Enfield proposals for the A1010 (North) for implementation. **(Key decision – reference number 4115)**

APRIL 2017

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

This will provide performance information against the indicators contained in the Corporate Performance Scorecard, which shows the progress being made in delivering the Council's priorities. **(Key decision – reference number 4330)**

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CABINET - 18.5.2016

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 18 MAY 2016****COUNCILLORS****PRESENT**

Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader/Public Service Delivery), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts and Culture), Alev Cazimoglu (Cabinet Member for Health and Social Care), Krystle Fonyonga (Cabinet Member for Community Safety and Public Health), Dino Lemonides (Cabinet Member for Finance and Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development)

Associate Cabinet Members (Non-Executive and Non-Voting): Bambos Charalambous (Enfield West), Vicki Pite (Enfield North) and George Savva MBE (Enfield South East)

OFFICERS:

Rob Leak (Chief Executive), Ian Davis (Director of Regeneration & Environment), James Rolfe (Director of Finance, Resources and Customer Services), Tony Theodoulou (Interim Director of Children's Services), Bindi Nagra (Assistant Director - Health, Housing and Adult Social Care), Asmat Hussain (Assistant Director Legal & Governance Services), Peter George (Programme Director - Meridian Water), Jayne Middleton-Albooye (Head of Legal Services) and Laura Berryman (Press Officer) Jacqui Hurst (Secretary)

Also Attending:

Councillor Derek Levy (Chair of the Overview and Scrutiny Committee), Councillor Edward Smith, Councillor Joanne Laban, and representatives from Trowers and Hamlins (Legal Advisers)

1**APOLOGIES FOR ABSENCE**

An apology for absence was received from Ray James (Director of Health, Housing and Adult Social Care).

2**DECLARATIONS OF INTEREST**

Councillor Achilleas Georgiou (Deputy Leader of the Council/Public Service Delivery) declared a disclosable pecuniary interest in Report Nos. 3 and 5 –

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Land Acquisition at Meridian Water (Minute Nos. 7 and 16 below refer) as a member of his family was employed by AMEC Foster Wheeler. Councillor Georgiou left the meeting for the discussion of these reports and took no part in the Cabinet decision.

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, with the exception of the reports listed below. These requirements state that agendas and reports should be circulated at least 5 clear working days in advance of meetings.

Report Nos. 3 and 5 – Land Acquisition at Meridian Water (Minute Nos. 7 and 16 below refer)

AGREED, that the above reports be considered at this meeting.

4

DEPUTATIONS

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

5

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED, that the following item be referred to full Council for information only:

Meridian Water Developer Partner Procurement (Minute Nos. 6 and 15 below refer)

NOTED, that an information report would be submitted to the Council meeting in relation to the above decision. There would be no part 2 or super part 2 report for Council consideration.

6

MERIDIAN WATER DEVELOPER PARTNER PROCUREMENT

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director of Regeneration and Environment (No.2) seeking approval to the outcome of the Meridian Water Master Developer Partner procurement process.

NOTED

1. That Report No.4 also referred as detailed in Minute No. 16 below.

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2. That this was a landmark decision for the Council. Meridian Water was an exciting and significant project. The selection of a master developer partner was not just a huge step forward for Meridian Water; it was a significant and potentially transformational development for the whole of the Borough, as detailed in the report.
3. The report set out in detail the procurement process that had been followed which had been conducted in accordance with the Council's Contract Procedure Rules and the Public Contract Regulations 2015, using the Competitive Dialogue procedure.
4. Councillor Sitkin highlighted the significance of the project and the potential benefits to the Borough and local community. Councillor Sitkin commended the report to the Cabinet and the robust and diligent procurement process which had been followed, as detailed in the report. Councillor Sitkin expressed his appreciation to officers, in particular Peter George (Programme Director), for the significant work which had been undertaken and the professional approach which had been followed at all stages of the procurement process.
5. At the request of Councillor Taylor, Peter George (Programme Director) and representatives present from "Trowers and Hamblins" (the Council's legal advisors) were invited to outline in full to Members the procurement process which had been followed and the robustness with which it had been undertaken. Members were advised in detail of the procurement support that had been provided; the procurement stages; the evaluation undertaken; the competitive dialogue process carried out; the tender evaluation panels; tender evaluation process and scoring criteria used for legal, financial and technical aspects of the bids as set out in both the part one and part two reports (Minute No.15 below also referred).
6. Members' noted that the tender evaluation panels (Legal, Finance and Technical) had received advice from the Council's consultants as follows: Jones Lang LaSalle – technical and commercial; Trowers and Hamblins – legal; PricewaterhouseCooper – financial and accountancy. In addition, Ernst and Young had provided interim Corporate Procurement services and KPMG had acted as Quality Assurance Observers, as set out in full in the report. Members were assured of the robustness and due diligence which had been followed at all stages of the procurement process.
7. Councillor George Savva, as Associate Cabinet Member for Enfield South East, welcomed the project and the progress which had been made. He reiterated the significant benefits that the development would bring to the Borough and the local community in improving housing, job opportunities and improved quality of life. He extended his thanks and appreciation to officers, in particular Peter George (Programme Director) for the progress which had been made to date.

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Alternative Options Considered: NOTED that the alternative option would be not to appoint a Developer Partner.

DECISION: The Cabinet agreed to

1. Approve the decision to select Bidder A (as identified in the Super Part 2 report, Minute No.16 below refers) as the Council's Preferred Developer Partner for Meridian Water and, subject to decision 2 below, award the contract to Bidder A.
2. Delegate authority to the Cabinet Member for Economic Regeneration and Business Development and the Cabinet Member for Housing and Housing Regeneration in consultation with the Director of Regeneration and Environment and the Director of Finance, Resources and Customer Services to agree the final terms of the Master Developer Framework Agreement and all associated contract and property documents/agreements.

Reason: The procurement process was about selecting a partner who would work with the Council for the next 20 years to deliver the Council's objectives for Meridian Water. It was therefore imperative that the successful Bidder had the vision, technical, financial and legal ability to undertake the role. The Bidder selected to become the Council's Developer Partner had fulfilled all the essential criteria.

(Key decision – reference number 4241)

7

LAND ACQUISITION AT MERIDIAN WATER

Councillor Georgiou (Deputy Leader of the Council/Public Service Delivery) left the meeting for the discussion of this item, Minute No.2 above refers.

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Regeneration and Environment and Director of Finance, Resources and Customer Services (No.3) seeking authority to acquire land at Meridian Water.

NOTED

1. That Report No.5 also referred as detailed in Minute No.16 below.
2. The land which had already been acquired at Meridian Water, as set out in the report. The Council was being proactive in seeking to acquire land as it became available. Councillor Sitkin gave assurances of the processes being followed and that the Council would always purchase the land at the correct market value price.
3. Councillor Sitkin was concerned to note the recent misleading articles in the local press in relation to the proposed land acquisition and

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highlighted the restrictions of using compulsory purchase orders (CPOs).

4. Councillor Oykenner outlined the Council's experience and achievements to date in acquiring land for development and outlined the regulations in relation to the use of CPOs. The Council had followed correct procedures.
5. Councillor Charalambous noted that whilst there were occupational leases in place and the property would be provided with tenants in situ on completion, all leases were outside of the Landlord and Tenant Act 1954, as detailed in section 7 of the report.
6. In response to a question raised by Councillor Edward Smith, Members noted that the Council had been in negotiations for some time and that it was not uncommon to have to compete with other potential buyers. The Council had been proactive in bringing this report forward for Members' consideration and ensuring that the Council was in a position to complete the potential acquisition in a timely manner and without delay, as appropriate.

Alternative Options Considered: NOTED that the following options had been considered:

1. Declining the possible purchase of the land potentially available to the council had been considered, but rejected due to the uncertain timescales associated with the vendor bringing the land to market and securing development and consequent benefits for the community.
2. The use of compulsory purchase powers to acquire the land that comprised the opportunity had been considered, but this was not the council's first preference given the negotiations that had taken place with the landowner and there remained the prospect of a deal. The use of CPO powers must always and would always be a last resort.

DECISION: The Cabinet agreed

1. That the draft contractual terms as appended to the part 2 report (Minute No.16 below refers) were acceptable to the Council.
2. To delegate authority of the final exchange and completion of the Agreement for Sale as described in the part 2 report to the Directors of Regeneration and Environment and, Finance, Resources and Customer Services.
3. To authorise the Director of Regeneration and Environment to purchase Title Indemnity Insurance as appropriate.

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4. To authorise any other necessary expenditure associated with the purchase of this land as detailed in the part 2 report, noting that it would be contained within the existing approved capital budget.
5. To authorise that the Council's managing agent for Meridian Water took on the management of this site following completion.

Reasons: The acquisition of the site would enable the council to exercise control over the land within the Meridian Water Masterplan area, which would help accelerate housing delivery. To provide a greater level of certainty over the timescales associated with the development of Meridian Water and to increase developer and stakeholder confidence in the delivery of the Masterplan. The purchase of the site would underpin the delivery of the Meridian Water Housing Zone and this land could support a mixed use development at a later date. As the land was being acquired as TGOC it meant the Council would be able to earn an income pending the time the land would be developed therefore the Meanwhile Use was activated immediately. The agreement of the maximum budget acceptable for the purchase of Phoenix Wharf and the delegation of authority to the Directors of Regeneration and Environment and, Finance, Resources and Customer Services meant that should the Vendor decide to accept the Council's offer completion would take place very quickly.

(Key decision – reference number 4317/U196)

8

CABINET SUB-COMMITTEES FOR THE NEW MUNICIPAL YEAR 2016/17

AGREED, that the following Cabinet Sub-Committees be established for the new municipal year 2016/17:

Local Plan Cabinet Sub-Committee

Councillors Alan Sitkin (Chair), Daniel Anderson, Ahmet Oykenner, Ayfer Orhan

Syrian Refugee Resettlement Programme Cabinet Sub-Committee

Councillors Yasemin Brett (Chair), Ayfer Orhan, Ahmet Oykenner, Dino Lemonides

9

CABINET AGENDA PLANNING - FUTURE ITEMS

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

10

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

NOTED, that there were no items to be considered at this meeting.

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**11
MINUTES**

AGREED, that the minutes of the previous meeting of the Cabinet held on 27 April 2016 be confirmed and signed by the Chair as a correct record.

**12
ENFIELD STRATEGIC PARTNERSHIP FEEDBACK**

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

**13
DATE OF NEXT MEETING**

NOTED that the

1. next meeting of the Cabinet was scheduled to take place on Wednesday 15 June 2016 at 8.15pm.
2. September Cabinet meeting would need to be rescheduled. Cabinet Members would be notified of the revised date in due course.

**14
EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the items listed on part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access for Information) (Variation) Order 2006).

**15
MERIDIAN WATER DEVELOPER PARTNER PROCUREMENT**

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director – Regeneration and Environment (No.4) providing details of the evaluation of each final tender against the published evaluation criteria.

NOTED

1. That Report No.2 also referred as detailed in Minute No.6 above.
2. That a super part 2 report was circulated at the meeting (No.4A) under restricted circulation and collected in again following consideration by the Cabinet.

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3. The detailed evaluation of the three bids that had been considered, as set out in full in the report. Members were informed of all aspects of the bids and the reasons for the recommendations. The key risks identified in the report were discussed and how the risks were being mitigated as far as possible.
4. Councillor Sitkin outlined for Members the employment offer from Bidder A and how this would be of significant benefit to the Borough and local residents in both the creation of permanent jobs and construction jobs for Meridian Water. The financial benefits to the Council were highlighted as set out in the report.
5. Councillor Taylor invited Peter George (Programme Director) and the representatives of Trowers and Hamlins present at the meeting, to outline to Members the detailed process that had led to the recommendation before the Cabinet this evening and the detailed results arising from the Technical, Financial and Legal evaluations of the bids. Members required assurances on the robustness of the processes which had been followed and the issues of differentiation which had arisen in the evaluation of the three bids. The decision before Members this evening was significant and represented an important step forward in the realisation of the vision for Meridian Water.
6. Members were advised in detail of the procurement process which had been followed and the evaluated results. The procurement process had been fully compliant, robust, fair and transparent. The process had been based solely on the published evaluation criteria, as detailed in the report. Members noted the detailed evaluation criteria and the weightings that had been given to them.
7. The strengths of the bid received from Bidder A in all areas of the published criteria and evaluation undertaken were outlined to Members in full.
8. Members discussed the proposals for the potential retail mix within Meridian Water and the measures that could be undertaken in the establishment of the desired retail outlets. This area of the development would be subject to further discussions, Members would be encouraged to consider the medium to long term objectives for the area.
9. In response to questions raised, Members were advised of the implications of recommendations 2.2 and 2.3 in the report and the processes that would follow Cabinet approval this evening. Negotiations would continue with Bidder A until contract close, procurement guidelines would continue to be fully complied with.

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10. Members further discussed the proposed job creation, the type of jobs anticipated and the potential opportunities for local residents. A range of stakeholders would be involved in moving forward.
11. The proposal to approve a reserve placed bidder. Members were advised of the reasons for this and the proposed timescales for the conclusion of contractual negotiations. It was anticipated that the development would be taken forward pending contract conclusion, as outlined to Members by Peter George (Programme Director).
12. In response to comments raised, a discussion took place on a number of positive aspects with regard to this area of the Borough and how the development would help to stabilise local communities and provide new opportunities for residents of all ages.
13. That an additional recommendation be added to the report as set out in decision 4 below.

Alternative Options Considered: As detailed in Report No.2, Minute No.6 above refers.

DECISION: The Cabinet agreed to

1. Approve the selection of Bidder A as the preferred Master Developer for Meridian Water and to approve Bidder C as the reserve placed bidder as confirmed in the super part 2 report.
2. Delegate authority to complete and sign all related contractual documents to the Cabinet Member for Economic Regeneration and Business Development and the Cabinet Member for Housing and Housing Regeneration in consultation with the Director of Regeneration and Environment and the Director of Finance, Resources and Customer Services.
3. Note that 2 above was subject to the final form of contractual documents including a provision to neutralise any negative impact on the Meridian Water revenue position.
4. Note that a further report updating the Cabinet on the Meridian Water Project, including on the negotiations of the final form of contractual documents, would be brought back to Cabinet by no later than March 2017.
5. Note that the Council would use all reasonable endeavours to assist and encourage the Local Planning Authority to expedite all planning applications received in respect of the Meridian Water Scheme which would include using all reasonable endeavours to assist in the preparation and execution of Section 106 Agreements where necessary.

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Reason: As detailed in Report No.2, Minute No.6 above refers, and in section 7 of the report.

(Key decision – reference number 4241)

16

LAND ACQUISITION AT MERIDIAN WATER

Councillor Achilleas Georgiou (Deputy Leader of the Council/Public Service Delivery) was not present for the discussion of this report, Minute No.2 above refers.

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Regeneration and Environment and Director of Finance, Resources and Customer Services (No.5).

NOTED

1. That Report No.3 also referred as detailed in Minute No.7 above.
2. That the cost of acquiring the land could be met from previously agreed capital programme funding, as set out in the report.
3. Peter George (Meridian Water Programme Director) outlined to Members the proposed terms of the acquisition on behalf of the Council and that every step had been taken to ensure that the Council could move as swiftly as required in concluding any transaction. The Council would ensure value for money in any land acquired, as set in the report and discussed in full at the meeting.
4. In response to questions raised, Members were advised of the detailed condition of the land in question and the restrictions that applied at this stage in the process. The responsibilities in relation to any required remediation works were outlined to Members. The detailed information and supporting documents provided to Members within the report were noted.
5. Following a question raised by Councillor Edward Smith, Members reiterated the processes that had to be followed and the restrictions with regard to the use of Compulsory Purchase Orders; and, the legal status of the tenants currently occupying the site in question.
6. The value of land and the Council's financial proposals for the acquisition were explained to Members together with the assurance that the Council's Property Procedure Rules would be fully complied with. The financial implications for both the Council and the Developer Partner were outlined to the Cabinet in detail.

Alternative Options Considered: As detailed in Report No.3, Minute No.7 above refers.

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DECISION: The Cabinet agreed to

1. Authorise the acquisition of the Phoenix Wharf site in accordance with the contents of the report.
2. Authorise the unconditional exchange of the Agreement for Sale and subsequent completion for a purchase price, as detailed in recommendation 2.2 of the report, plus an overage agreement (exclusive of VAT).
3. Delegate authority to the Director of Regeneration and Environment to purchase Title Indemnity Insurance to address any incumbencies on Title, if required or deemed appropriate.

Reason: As detailed in Report No.3, Minute No.7 above refers.
(Key decision – reference number 4317/U196)

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