



Contact: Jacqui Hurst  
Cabinet Secretary  
Direct : 020 8379 4096  
or Ext: 4096  
e-mail: jacqui.hurst@enfield.gov.uk

## THE CABINET

**Wednesday, 19th October, 2016 at 8.15 pm in the Conference Room, Civic Centre, Silver Street, Enfield, EN1 3XA**

### **Membership:**

Councillors : Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader 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. DECLARATIONS OF INTEREST**

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

## **DECISION ITEMS**

### **3. URGENT ITEMS**

3.1 The Chair 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.

#### **3.2 Decision Taken by the Leader of the Council under the Cabinet Urgent Action Procedure – Purchase of Property Block by Housing Gateway**

To note that a decision was taken by the Leader of the Council, on behalf of the Cabinet, on 19 September 2016, under the Cabinet Urgent Action Procedure (as set out in the Council's Constitution, Chapter 4.3 – Section 12 – Rules of Procedure). The decision recommended that Council approve additional borrowing within the Council's Capital Programme to enable the acquisition of a large property block.

The decision was subsequently agreed at the Council meeting held on 21 September 2016 (Report Nos. 83 and 84 – Council – 21 September 2016 – Key decision number 4326 refer).

### **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 be referred to full Council:

1. Report No.95 – Enfield Safeguarding Adults Board Annual Report 2015-16 (for information)
2. Report No.96 – Enfield Safeguarding Children Board Annual Report 2015-16 (for information)

**6. ENFIELD SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2015-16**  
(Pages 1 - 48)

A report from the Director of Health, Housing and Adult Social Care is attached. This presents the Enfield Safeguarding Adults Board Annual Report 2015-2016.

(Report No.95)  
(8.20 – 8.25 pm)

**7. ENFIELD SAFEGUARDING CHILDREN BOARD ANNUAL REPORT 2015-2016** (Pages 49 - 92)

A report from the Interim Director of Children's Services is attached. This presents the Enfield Safeguarding Children Board Annual Report 2015-2016. (Non key)

(Report No.96)  
(8.25 – 8.30 pm)

**8. QUARTERLY CORPORATE PERFORMANCE REPORT** (Pages 93 - 110)

A report from the Chief Executive is attached. This presents the latest available performance at the end of the first quarter of 2016/17. **(Key decision – reference number 4330)**

(Report No.97)  
(8.30 – 8.35 pm)

**9. EMPTY PROPERTY COMPULSORY PURCHASE ORDER (CPO X)** (Pages 111 - 138)

A report from the Director of Finance, Resources and Customer Services is attached. This seeks authority to make Compulsory Purchase Orders on two empty residential properties. **(Key decision – reference number 4338)**

(Report No.98)  
(8.35 – 8.40 pm)

**10. ASSETS OF COMMUNITY VALUE** (Pages 139 - 172)

A report from the Director of Finance, Resources and Customer Services is attached. This sets out suggested changes to the procedures adopted by the Council to comply with its obligations, as set out in the Localism Act 2011. **(Key decision – reference number 4388)**

(Report No.99)  
(8.40 – 8.45 pm)

**11. HOUSING REVENUE ACCOUNT (HRA) AFFORDABLE RENT LEVELS TO APPLY TO NEW HOMES** (Pages 173 - 178)

A report from the Director – Regeneration and Environment is attached. This sets out the proposed affordable rent levels to apply to newly built and newly

acquired HRA properties for the 2016/17 year. **(Key decision – reference number 4341)**

(Report No.100)

(8.45 – 8.50 pm)

**12. ENFIELD'S LOCAL IMPLEMENTATION PLAN (LIP) SPENDING PROPOSALS FOR 2017/18** (Pages 179 - 192)

A report from the Director – Regeneration and Environment is attached. This outlines Enfield's proposals for spending the anticipated 2017/18 grant funding to be provided by Transport for London (TfL) to help implement the Mayor's Transport Strategy. **(Key decision – reference number 4373)**

(Report No.101)

(8.50 – 8.55 pm)

**13. THE DEVELOPMENT OF EDMONTON CEMETERY** (Pages 193 - 222)

A report from the Director – Regeneration and Environment is attached. This outlines the Council's proposal to extend Edmonton Cemetery. **(Key decision – reference number 4234)**

(Report No.102)

(8.55 – 9.00 pm)

**14. THE APPROPRIATION OF LAND AT THE ELECTRIC QUARTER FOR PLANNING PURPOSES** (Pages 223 - 270)

A report from the Director – Regeneration and Environment is attached. This seeks approval for the Council to use its powers to appropriate land for planning purposes. **(Key decision – reference number 4392)**

(Report No.103)

(9.00 – 9.05 pm)

**15. GREEN BIN SERVICE CHANGE** (Pages 271 - 310)

A report from the Director – Regeneration and Environment is attached. This sets out proposals for the future Green Bin Service. **(Key decision – reference number 4376)**

(Report No.104)

(9.05 – 9.10 pm)

**16. UPPER SECONDARY AUTISTIC PROVISION**

A report from the Director of Finance, Resources and Customer Services, Chief Education Officer and Director of Schools and Children's Services **will be circulated as soon as possible. (Key decision – reference number 4293)**

(Report No.108)

(9.10 – 9.15 pm)

**TO FOLLOW**

**17. REFURBISHMENT AND REPROVISION WORK OF ENFIELD HIGHWAY LIBRARY BUILDING** (Pages 311 - 324)

A report from the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services is attached. (Report No.116, agenda part two also refers) **(Key decision – reference number 4335)**

(Report No.110)  
(9.15 – 9.20 pm)

**18. AMENDMENT TO GOVERNANCE INDEPENDENCE AND WELLBEING ENFIELD (COUNCIL'S TRADING COMPANY)** (Pages 325 - 330)

A report from the Director of Health, Housing and Adult Social Care is attached. This seeks agreement to the appointment of one additional non-executive director to the Executive Board of Independence and Wellbeing Enfield Ltd. (Non key)

(Report No.111)  
(9.20 – 9.25 pm)

**19. ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

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

**20. CABINET AGENDA PLANNING - FUTURE ITEMS** (Pages 331 - 336)

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

**21. MINUTES** (Pages 337 - 356)

To confirm the minutes of the previous meeting of the Cabinet held on 6 September 2016.

**INFORMATION ITEMS**

**22. ENFIELD STRATEGIC PARTNERSHIP UPDATE**

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

**23. DATE OF NEXT MEETING**

To note that the next meeting of the Cabinet is scheduled to take place on Wednesday 16 November 2016 at 8.15pm.

## **CONFIDENTIAL ITEMS**

### **24. 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. 95****MEETING TITLE AND DATE:**

Cabinet – 19 October  
2016

**REPORT OF: Ray James**

Director of Health,  
Housing and Adult Social  
Care

<b>Agenda – Part: 1</b>	<b>Item: 6</b>
<b>Subject: Safeguarding Adults Board Annual Report 2015-16</b>	
<b>Wards: All Non Key</b>	
<b>Cabinet Member consulted: Cllr Alev Cazimoglu</b>	

Contact officer and telephone number:

Georgina Diba, Strategic Safeguarding Adults Service, tel: 020 8379 4432

E mail: Georgina.diba@enfield.gov.uk

**1. EXECUTIVE SUMMARY**

The Safeguarding Adults Board Annual Report 2015-2016 presents the work completed during the first year of statutory responsibility for safeguarding as defined by the Care Act 2014. This was a year in which a strong partnership embedded the legislative requirements for safeguarding, while at all times keeping the focus on how we can collectively prevent abuse from happening, while assuring when harm does occur we support recovery and resilience through the 'Making Safeguarding Personal' agenda.

The Safeguarding Adults Board is a partnership of statutory and non-statutory organisations which seeks to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area. The Safeguarding Adults Strategy 2015-2018 sets out the priorities of partners across Enfield, what we intend to achieve and the actions we will take to get there. This document was developed through consultation with local people, service users, carers and organisations.

The Annual Reports presents the key accomplishments of the Safeguarding Adults Board, both in their strategic and assurance role for safeguarding in Enfield, but also the actions across the partnership which prevent abuse and ensure a robust response when harm does occur. The annual report aims to set out a summary of Board activities and its effectiveness in assessing and driving forward safeguarding practice which keeps adults at risk safe.

**2. RECOMMENDATIONS**

To note the progress being made in protecting vulnerable adults in the Borough as set out in the annual report of the Safeguarding Adults Board.

### 3. BACKGROUND

- 3.1 The Safeguarding Adults Board meets quarterly and has a number of responsibilities as set out by the Care Act 2014 and statutory guidance. Our annual report sets out how we have met these aims and the significant accomplishments over 2015-2016. The Board is proud of their successes in **Making Safeguarding Personal**, following achievement previously to be acknowledged at gold standard level, and we have expanded on this work by all partners effecting actions which will put adults at risks central to the safeguarding process.
- 3.2 Across the partnership many organisations completed specific pieces of work which will improve the effectiveness of the safeguarding response. We set out a new multi-agency policy and procedure for responding to self-neglect and hoarding, while partners in the Clinical Commissioning Group set out a Prevent Strategy and Delivery Plan, which was adopted by NHS England as good practice. Much of the work is done through strong partnership and collaboration between partners; our **Fatal Fire Working Group** was set up to learn how we can prevent a similar occurrence in the future following death of two individuals, while our work around **dehydration** prevention continues to implement actions to reduce hospital admissions from care providers.
- 3.3 During this year we saw the operation of the Multi Agency Safeguarding Hub (MASH), a team that receives all safeguarding concerns. Through working together and sharing information, while in partnership and listening to the outcome expressed by the adult at risk, the team helps to manage risk and promote safeguarding planning. There were **3,511** reports made to the MASH, of these 1,602 were Police Merlins and 665 notifications raised by partners were about adults whom may be vulnerable but not in need of safeguarding actions. The remaining **1,244 safeguarding concerns** were considered as to whether they met Section 42 criteria for safeguarding. We know that neglect (33.9% of cases) and multiple abuse (29.2% of cases) are the most reported, and this follows previous years. Those alleged to have caused harm are often family members, which is followed by paid care workers. In 84% of cases there is a nominated advocate, often of the persons choosing where they have capacity, to support them through the process. At the time of reporting, 58.3% of cases were substantiated or partially substantiated. Our full data can be found in Section 8 of the annual report.
- 3.4 The Safeguarding Adults Board has a strong assurance role and in holding partners to account. We took part in a North Central London Challenge and Learning event following partner self-assessments. Every year adult social care has external assurance of case practice and we are establishing more diverse ways of how to include service user feedback in this process. Our **Quality Checkers** are a pivotal part of this, and have completed a number of projects including one which



focuses on establishing the quality of activities in Care Homes across the borough.

- 3.5 The Board now has a statutory duty to report on all Safeguarding Adult Reviews (previously known as Serious Case Reviews). Two of these reviews were completed during the year and have action plans monitored by the Board. There are also two further safeguarding adults reviews started, which will be completed and reported on in the next financial year.
- 3.6 Looking forward we have set ourselves some clear tasks to accomplish, which have been set out by requirements in the Care Act 2014, identified via themes and trends in our data, and through consultation feedback from service users, carers and local people:
  - Produce information in a wider variety of formats, including a DVD
  - Consider how we can prevent harm from occurring within care providers
  - Increase awareness of mate crime, particularly in mental health
  - Focus our data on the extent to which a person's outcomes have been met and whether this has made them feel safer
- 3.7 Every partner on the Board has a strong commitment to safeguarding adults and activities take place within each organisation to contribute towards enabling people to keep themselves safe and respond when harm does occur. Our statement from partners, which includes their planned actions over the coming year, can be found in the final section of the annual report.

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

The Care Act places a duty on Safeguarding Adults Boards to publish an annual report. Further guidance goes on to state that the SAB must publish a report on:

- what it has done during that year to achieve its objective,
- what it has done during that year to implement its strategy,
- what each member has done during that year to implement the strategy,
- the findings of the reviews arranged by it under section 44 (safeguarding adults reviews) which have concluded in that year (whether or not they began in that year),
- the reviews arranged by it under that section which are ongoing at the end of that year (whether or not they began in that year),
- what it has done during that year to implement the findings of reviews arranged by it under that section, and
- where it decides during that year not to implement a finding of a review arranged by it under that section, the reasons for its decision.

The statutory requirement for an annual report negates any alternative options.

## **5. REASONS FOR RECOMMENDATIONS**

The report is being presented to Cabinet to bring to attention the progress which has been made to support and enable adults at risk to be safe from harm, abuse and neglect.

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

### **6.1 Financial Implications**

The Care and Support Statutory Guidance sets out guidance for members on the assistance they may provide to support the Board in its work. As a result of this for 2015-2016 the Board established an allocated budget for the administration and implementation of the Boards work plan. This took into account the expected increase in Safeguarding Adults Reviews, which was due to their statutory nature. The total budget allocated for the Board was £63,500 and was made up of all partner contributions. The contribution from the Local Authority was made up of £43,000 from the Better Care Fund.

The Boards budget was managed by the London Borough of Enfield Strategic Safeguarding Adults Service.

### **6.2 Legal Implications**

Section 43 of the Care Act 2014 imposes a duty on each local authority to establish a Safeguarding Adults Board (SAB) for its area. Schedule 2 of the Care Act 2014 sets out various requirements for SABs, including at paragraph 4 the duty to publish an annual report. Paragraph 4 prescribes the subjects which must be covered in an annual report and the people and bodies to whom the SAB must send copies.

The parts of the Care Act 2014 concerning SABs have been in force since 1 April 2015.

The proposals set out in this report comply with the above legislation.

### **6.3 Property Implications**

None identified.

## **7. KEY RISKS**

- 7.1 Mitigation of risks in relation to vulnerable adults is demonstrated in the Board's annual report. The Board is required to work effectively within

partner resources while ensuring it can meet the changing needs and trends emerging in relation to the harm and abuse of adults in its area. Taking into account changes by the Care Act, the Board seeks assurances from partners through quality assurance mechanisms that they are able to keep people safe and manage risks. This is evidenced, by one example, via partner self-assessments and the North Central London Challenge and Learning event.

- 7.2 The Board is continually looking at options to enhance efficiency and joint working that minimises duplication while provide quality and safe services to adults at risk. Needing to deliver in times of austerity, the Board will work in partnership with its statutory partners, namely the Police and Clinical Commissioning Group, alongside existing partnership Boards, to maximise its impact. The Board will continue to work closely with the Safeguarding Children Board and other partnerships to effectively keep people safe.
- 7.3 The community and those whom use services have inputted strongly into the development of the Board strategy action plan, which sets out the work program on an annual basis. The Boards action plan is reviewed at each quarterly meetings and highlights progress against each action.
- 7.4 Co-production and challenge on safeguarding adults is crucial and a clear requirement in the Care Act. This risk has been mitigated by the Service User, Carer and Patient sub group of the Safeguarding Adults Board. In addition, London Borough of Enfield are working on alternative digital and face to face options for adults or their representatives to provide feedback.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The Board is strongly committed to tackling inequalities, with an emphasis in improving the wellbeing of those at risk of abuse or whom have experienced harm. The Board undertakes this through a range of activities with communities on improving the identification and reporting of abuse, as well as preventative activities as set out the Boards Prevention Framework 2015-2018.

Accessibility is a key part of ensuring service users, carers and local people understand what abuse is and how to report concerns. The Board has undertaken significant work on addressing these alongside the Service User, Carer and Patient sub-group of the Board, with robust plans during the coming year on diversifying communication methods. This has been set out in the Boards Communication Plan for 2015-2016.

## **8.2 Growth and Sustainability**

The Board's work has not directly impacted on the Council's priority of growth and sustainability.

## **8.3 Strong Communities**

The Safeguarding Adults Board has strong leadership through an independent chair. In addition, partners on the Board are of appropriate seniority and commitment to promote the vision that 'safeguarding is everyone's business.' The work of the Boards is responsive to the needs of local people and those who use services; this is achieved through a range of activities, including consultations, events, sub-groups of the Board and quality assurance activities.

Above all, the Boards work in partnership to improve safety of people in Enfield, linking to issues such as hate crime, domestic abuse, and female genital mutilation in partnership with other Boards, such as Safeguarding Children's Board and Safer and Stronger Communities Board.

## **9. EQUALITIES IMPACT IMPLICATIONS**

- 9.1 Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of the Safeguarding Adults Board Annual Report. Safeguarding forms part of the Council's programme of retrospective equalities impact assessments (EQIA) and this was completed in June 2016. The retrospective EQIA collates equalities monitoring of service users, and consider how the service impacts on disadvantaged, vulnerable and protected characteristic groups in the community.
- 9.2 Equalities in relation to the performance data for safeguarding are considered at each Safeguarding Adults Board meeting and as part of the Quality, Safety and Performance sub-group. The themes and trends emerging from data help direct the actions of the Board. Equalities Impact assessments will be completed for each of the project streams as appropriate.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 10.1 The Safeguarding Adults Board Strategy Action Plan 2015-2018 was developed through strong consultation, including with those whom use services, carers and via Enfield Healthwatch. The performance of the Board is assessed against this action plan and the annual report reflects the achievements and areas which require further work.

## **11. PUBLIC HEALTH IMPLICATIONS**

- 11.1 Safeguarding of adults at risk is recognised as a significant public health issue; preventing abuse and promoting choice will increase wellbeing within these populations. Safeguarding interventions are focused on recovery and resilience from abuse, which has the potential to further improve wellbeing of adults at risk.
- 11.2 Prevention of abuse has focused not solely on individuals, but also on working with services and organisations to provide assurances that care is safe and of significant quality.
- 11.3 The Board is also reviewing the data we collect so that outcomes for service users from safeguarding link to the wellbeing principles, allowing the Board to address the areas of wellbeing most important to adults whom may be at risk of abuse.

### **Background Papers**

None

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# ENFIELD SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2015/16





WORKING IN PARTNERSHIP WITH LOCAL PEOPLE AND





# STATEMENT FROM THE CHAIR



Thank you for your interest in safeguarding adults in Enfield. As independent chair of the Adult Safeguarding Board I am pleased to be introducing this Annual Report. This is an exciting year with the implementation of the Care Act and the Board being made statutory. In Enfield we have had an effective Safeguarding Adults Board for many years but it has been helpful to have legal backing. We are required to demonstrate even closer partnership working to ensure people do not slip through gaps in services. The Care Act increases the types of abuse we now have to consider, and all of this is done within the context of reducing resources for all partners.

We have continued to make sure that we hear the voice of people who have been identified as “at risk”. Nationally Enfield has been identified as an area where we have made significant progress in involving victims in the safeguarding process. We need to continue to make sure that they are included in any actions and their views are listened to. It is good to see that many people are supported by advocates of their choosing, which includes independent advocates. Most importantly we want to make sure people feel safer at the end of the safeguarding process and will continue to ensure that the outcomes people wanted from the safeguarding enquiry are achieved wherever possible.

Our Dignity in Care Panel has continued to look in depth at the quality of services provided by the Council and make recommendations for improvements. They have also carried out “mystery shopping” to help the Council to get a true account of what it is like to use local services. We also have an active service user, carer and patient sub group of the Board to ensure their views are represented.

The number of referrals for safeguarding concerns has dropped this year for the first time, with an increase in notifications by organisations such as Police and NHS 111 around people they feel are vulnerable. Enfield has established a Multi-Agency Safeguarding Hub which is where all agencies, police, NHS and social care get together to share information and pick up early indications that abuse may be happening. This team also helps to ensure that all agencies are involved in helping to protect people at risk.

We continue to hear nationally about concerns of the quality of some health and care services, and of cases where adults have suffered harm in care homes, their own homes and hospitals. Since 2010 Enfield has had a safeguarding information panel to help to identify places where poor care may be happening. Where we do discover instances of poor care we ensure that improvements are made and the Board scrutinises these improvements.

This year we have completed 2 Safeguarding Adult Reviews into incidents of poor care and have ensured that the lessons learnt from these reviews are understood by all Board partner agencies; two more of these reviews are in progress.

I am very grateful for the support of all partner organisations for our work. I would particularly like to thank the Councillors and staff in Enfield Council, particularly Councillor Alev Cazimoglu for their interest and encouragement. Lastly, I would like to thank the people of Enfield for their vigilance.

**Marian Harrington**

Independent Chair, Enfield Safeguarding Adults Board

# STATEMENT FROM SERVICE USERS, CARERS AND PATIENTS



It's important that disabled people and other vulnerable service users are represented in the group as their safety concerns can easily be overlooked."



Regarding the group and its recent achievement of 'Staying out of the Closet', this shows that by the group working together, it is possible to make a change to individuals and the community, when we get a result for the better. I do look forward to our meeting."



ENDIG's committees found every Safeguarding Carers and Patients Groups (SCP) meeting very interesting and learnt a lot of issues which we don't know.

"The meeting were very useful information.

"Attendees showed their supportive toward Deafies and have their knowledge about Deaf Awareness.

"Many thanks for provided BSL Interpreter in every meetings.

"We would like to see SCP meeting continue and stay strong!"



I have great pleasure in working with this concerned and informative group. They are the added value aspect of adult safeguarding."

Irene Richards, SAB Lay Member and Co-chair of the Service User, Carer and Patient Group



As a Citizens Advice Bureau, working with thousands of vulnerable clients every year, it's great to have the opportunity to engage regularly with this group of service users, carers and patients who are passionate about contributing to how we keep people in Enfield safe."

Jill Harrison, Enfield Citizens Advice Bureau



Victim Support were delighted to be invited to sit on the Safeguarding Adults: Service Users, Carers and Patients Group as it provides us with a real opportunity to engage with key stakeholders in Enfield and ensures the issue of safeguarding adults is kept as a top priority for everyone."

Caroline Birkett, Area Manager, Victim Support

# CONTENTS

## SECTIONS

1. ABOUT US	4
2. WHAT WE HAVE ACCOMPLISHED	7
3. THE DIFFERENCE TO ADULTS AT RISK OF HARM	10
4. QUALITY ASSURANCE AND ORGANISATIONAL LEARNING	12
5. SAFEGUARDING ADULT REVIEWS	13
6. WHAT WE WILL DO NEXT YEAR	15
7. ACTION PLAN 2016/17	16
8. PERFORMANCE REPORT 2015/16	18

## PARTNER STATEMENTS

BARNET, ENFIELD AND HARINGEY MENTAL HEALTH NHS TRUST	24
ENFIELD BOROUGH POLICE	26
HEALTHWATCH ENFIELD	27
HEALTH, HOUSING AND ADULT SOCIAL CARE, ENFIELD COUNCIL	28
LONDON AMBULANCE SERVICE	29
LONDON FIRE BRIGADE	30
NHS ENFIELD CLINICAL COMMISSIONING GROUP	32
NORTH MIDDLESEX UNIVERSITY HOSPITAL NHS TRUST	33
ONE-TO-ONE (ENFIELD)	34
ROYAL FREE LONDON NHS FOUNDATION TRUST	35
SAFER AND STRONGER COMMUNITIES BOARD	36

# ABOUT US

## WHO WE ARE

The Enfield Safeguarding Adults Board (SAB) is a multi-agency partnership, which became statutory from April 1, 2015. The role of the Board is to assure itself that local safeguarding arrangements and partners act to help and protect adults in its area. This is about how we prevent abuse and respond when abuse does occur in line with the needs and wishes of the person experiencing harm.

## OUR AIMS

Working together and with adults at risk of abuse we aim to ensure people are:

- safe and able to protect themselves from abuse and neglect;
- treated fairly and with dignity and respect;
- protected when they need to be;
- and able to easily get the support, protection and services that they need.

Our Safeguarding Adults Strategy 2015-2018 sets out the priorities of partners across Enfield, what we intend to achieve and the actions we will take to get there. This document was developed through consultation with local people, service users, carers and organisations. We review this annually.

## WHAT WE DO

The Board is made up of senior members from all the agencies seen on the inside cover page. The Care Act 2014 and the statutory guidance sets out what the Board needs to do. We support the systems that keep adults at risk safe and hold partner agencies to account.

The Board supports adult safeguarding in its objective to stop abuse or neglect wherever possible, with a focus on prevention so that where possible abuse does not happen in the first place.

The Board has a **Prevention Framework 2015-2018** to help focus the activities. All of the work undertaken by the Board is done with an emphasis on the principles of Making Safeguarding Personal – keeping the person at risk of or experiencing harm as the central focus of any action.

**12 TYPES OF ABUSE WE SAFEGUARD AGAINST.**  
 PHYSICAL. SEXUAL. FINANCIAL. PSYCHOLOGICAL.  
 DISCRIMINATORY. ORGANISATIONAL. NEGLECT.  
 MODERN SLAVERY. TRAFFICKING. SELF-NEGLECT AND HOARDING.  
 DOMESTIC ABUSE. HATE AND MATE CRIME.



**WE ALL KNOW THE SAYING 'PREVENTION IS BETTER THAN CURE''**

## RESOURCES AND FUNDING FOR THE BOARD

All partners contribute resources to enable the Board to carry out its statutory duties. Resources include staff time and additional support, such as attending Board meetings, co-chairing the sub-groups which support the work of the Board, and contributing to Safeguarding Adult Reviews. There are also additional projects or activities partners contribute towards, such as Keep Safe Week 2015 joint with the Enfield Safeguarding Children Board.

In 2015/16 the Board for the first time had a budget which some partners contributed towards. The total budget for the year was £68,900. The funding was managed by Enfield Council on behalf of the Board to an agreed plan, with updates given to each Board meeting about how the funds were being spent.

## SUB-GROUPS WHICH SUPPORT BOARD WORK

Sub-groups were created to help the Board to achieve its aims and influence the Board's decision making process. Each group implements and works towards completing their own action plan.

This reporting year saw the closure of two sub-groups – the joint Safeguarding Adult and Children group, and the Policy, Procedure and Practice group – as well as a task to finish group on the Care Act Implementation for Safeguarding Adults. Groups are closed when actions are all complete or there are existing groups or forums taking forward the work.

## SERVICE USER, CARER AND PATIENT GROUP

The SCP group meets bi-monthly and is committed to influencing how we work with adults at risk to keep them safe from harm and abuse. It is a diverse group that is fully invested in the need to be inclusive and representative of the population of Enfield.

Group membership was increased at the beginning of the year with representation from Victims Support and the Citizens Advice Bureau.

The group have been focused for some time on work around Lesbian, Gay, Bisexual and Transgendered (LGBT) experiences in care providers. They joined up with the Quality Checker program in Enfield to look into this area.



The Enfield LGBT Network is very pleased that the Safeguarding Adults: Service Users, Carers and Patients Group instigated the important piece of research 'Staying out of the Closet'. This was a forward thinking and bold undertaking and demonstrates the group is not afraid to tackle difficult issues."

Tim Fellows, CEO, Enfield LGBT Network

## QUALITY, PERFORMANCE AND SAFETY GROUP

Quality, Performance and Safety Group helps to provide assurance that partners provide a safe service and learn from incidents and performance data. Members agreed that the group needed to be representative of those on the Board and as such membership was expanded with the aim of providing greater responsibility from all partners to this area. Further, to ensure everyone is starting from the same knowledge point, there was a focused presentation on quality and performance in the context of safeguarding.

The group have identified areas to data where there may be gaps in the data, and have made suggestions in how these may be managed going forward. The group intends to set out recommended levels of quality assurance to be undertaken by partners in the coming year.

## LEARNING AND DEVELOPMENT GROUP

The Learning and Development group looks at how we support adults, through a number of training, learning and support opportunities, to be competent in safeguarding adults. The group joined up with the equivalent sub-group of the Safeguarding Children Board from November 2015.

In March 2016 we held the first safeguarding and domestic violence training aimed at both practitioners in adults and children. Work will continue to look at areas where joint training can be delivered.

Learning and Training opportunities are delivered for the Safeguarding Adults Board partners by Enfield Council and included in 2015/16 the following:

- **Section 42 Enquiries** – **60** members of health and adult social care staff trained
- **Safeguarding Adults Legal** – **60** members of health and adult social care staff trained
- **Domestic Abuse and Safeguarding Adults** – **40** members of staff trained from across partnership
- **Domestic Abuse (Joint Children and Adults)** – **15** individuals working with adults attended
- **Level 1 Safeguarding Adults** – e-learning open to all
- **Mental Capacity and DoLS Refresher** – **23** staff members trained
- **DoLS and CoP Training** – **45** staff members trained

The Board also delivered some bespoke learning which included a Domestic Violence and Safeguarding Adults Conference in December 2015, with 45 people in attendance. Domestic abuse is a key issue for all partners; organisations such as the Mental Health Trust have written new Domestic Abuse Policies and included this in Corporate Induction for all staff.

In addition, all partners have their own safeguarding adults learning and development opportunities, which include for example:

- NMH have introduced monthly 'Lesson Learned Events' for Ward Managers and Matrons and other members of the multi-disciplinary team to enable reflections on recommendations from safeguarding adult's enquiries. In addition 86% of all staff had attended level 1 training and 74% of relevant senior staff had attended level 2 training.
- Safeguarding surgeries in the Mental Health Trust ensure focused sessions of learning on specific areas involving safeguarding adults and safeguarding children. Safeguarding Adults at Risk training levels 1 and 2 are delivered at mandatory Corporate Induction for all staff. The training is delivered as a safeguarding day and includes safeguarding children training, domestic violence training, and training in MCA and DoLS. Prevent Healthwrap is also delivered at Corporate Induction and has been mandatory since September 2015. Staff are required to refresh safeguarding training at least every 3 years. The Trust target for mandatory training compliance is 85%. Safeguarding adult training compliance for April 2016 is 86.5%

# 2 WHAT WE HAVE ACCOMPLISHED

Through quarterly meetings the Board has shown how it works collaboratively and in partnership to achieve the actions it has set itself in the Safeguarding Adults Strategy action plan for the year. Some of the key accomplishments from this action plan include:

- A new policy and procedure for working with self-neglect and hoarding, including when this may be useful to consider under safeguarding and high risk panels. There was strong collaboration with this work from the London Fire Brigade.
- We know that there is under reporting through safeguarding in Black and Minority Ethnic communities. The Board will continue to offer awareness raising and in March as part of International Women's Day, Enfield Council held an event with Naree Shakti, an Asian Women's Organisation in Enfield.
- Enfield Clinical Commissioning Group have trained up a number of Continuing Healthcare Nurses on the Best Interest Assessor course. This will help ensure actions continue to be taken with respect to the Mental Capacity Act and in line with the best interest of a person whom may lack capacity for a decision. They also held a Safeguarding Conference and a Primary Care Symposium on safeguarding over the year.
- Partners on the Board submitted their Making Safeguarding Personal action plan. While Enfield achieved a gold standard framework for this in March 2015, we recognised that we must remain focused on ensuring adults who are harmed have their views and wishes considered within safeguarding and are kept at the centre of actions undertaken.

The Board responded to a national report which suggested residents from care homes are more likely to be dehydrated upon admission to hospital than residents admitted from their own homes. A Hydration Group led by Quality Assurance in Enfield Council was set up to look into this, and started by having Quality Checkers undertaking 20 visits to care homes. A number of activities are underway, including training in care homes and card prompts for staff. A further 20 visits will take place to care homes across the borough to collect information on how care homes ensure residents with dementia and who are non-verbal are kept adequately hydrated with food and drink of their choice. This feedback will be shared with the working group to support the ongoing activities to reduce the number of residents of care homes presenting at A&E dehydrated.



The Board received a report from the Fatal Fire Working Group it set up, which was in response to the deaths of two individuals. The aim of this group was to share learning and any changes we could make to prevent a similar occurrence in the future. Some of the actions from this have included:

- Hoarding policy tool box for practitioners to identify hoarders
- Fire safety awareness information available from London Fire Brigade (LFB) website
- Occupational Therapy referral system in place for sign posting to telecare suppliers
- Joint work between Enfield Council and LFB to offer home fire safety visits to people in the community

Many Board partners have been working on the Prevent Agenda, which aims to stop people becoming terrorists or supporting terrorism. This is an issue for adults with care and support needs whom may be targeted or groomed for terrorist activities. Partners such as the CCG have:

- Trained 61 GPs over three sessions on Prevent
- A training workshop for community dentists and pharmacists
- Established a quarterly forum for the provider organisation Prevent leads. The forum will be facilitated by the Enfield Prevent trainer and will provide support and advice to the Prevent leads

## **OUTCOMES WE PROMISED TO REPORT ON**

The Board agreed to report on the outcomes we have met from three places: our strategy action plan 2015/16, Quality Assurance Framework 2015-2018, Communication Plan 2015/16 and our Prevention Framework 2015-2018.

### **WE HAVE:**

- Ensured guidance is being updated in time for the implementation of the new London Multi-Agency Adult Safeguarding Policy and Procedures. Partners also produced specific guidance, such as Enfield CCG Prevent Strategy and Delivery Plan, which was adopted by NHS England as good practice.
- Supported partners with Making Safeguarding Personal and made sure they have action plans where they are needed.
- Held a Care Act Implementation group which completed all of its tasks and reported back to the Board.
- Used information and soft intelligence via the Safeguarding Information Panel to determine providers which had organisational concerns. Led by Enfield Council and with a range of partners we then worked with those providers through the Provider Concerns Process to ensure improvements were made and that people were kept safe.
- Reviewed performance data at each meeting and set out actions for further review or assurance.
- Set out a quality assurance framework and have a plan for the next year on how audits will be undertaken.
- Held a forum for the Voluntary Sector in June 2015. We will continue to look for ways to connect with the Voluntary and Community Sector to improve engagement.

### **WE STILL NEED TO:**

- Look at how we support adults who are isolated and may be at risk of abuse or harm. We have started a project plan and in the coming year need to join with partners to implement this.
- Improve how we gain feedback from adults at risk, to confirm that they feel safe and have a positive experience of care and support. Interviews were started but we did not have enough people able to take part. We are looking at different ways of doing this in the next year.
- Find ways for people at risk of harming others to access support to prevent harm or prevent repeat abuse. We want to use findings from a thematic review of domestic abuse involving adults at risk as the starting point for this work.
- Evidence the number cases which went to prosecution and had access to the justice system. Our Police colleagues will be looking at this to assure the Board that adults at risk have equal access to the justice system.

Partners on the Board were asked to complete a safeguarding self-assessment. A North Central London Challenge and Learning event was then held in January 2016. Partners came to learn from one another, provide critical analysis and help to plan what we need to focus on going forward.



## COMMUNICATION AND AWARENESS

Adult safeguarding must raise awareness of abuse so that communities as a whole, alongside professionals, play their role in seeing and reporting abuse. The Board and individual partners have:

- Held a domestic abuse conference focusing on experiences of adults at risk
- Facilitated a week of events joint with the Enfield Safeguarding Children Board on keeping yourself safe and well
- Raised awareness of disability hate crime through a publicity campaign
- Attended partner events, such as Carers Week 2015 and to the Learning Disabilities Partnership Board
- Completed a review of all publicity through the Service User, Carer and Patient Sub-Group of the Board
- Representatives from Enfield Council spoke at the Respect Conference on the Care Act and Making Safeguarding Personal when working with perpetrators.

## MULTI-AGENCY SAFEGUARDING HUB (MASH)

The MASH has been in place since April 2015 and is a multi-agency team that receives all safeguarding concerns. Through working together and sharing information, while in partnership and listening to the outcomes expressed by the adult at risk, the team helps to manage risk and promote safeguarding planning.



### What some of the MASH Team say about this innovative way of working?



I enjoy working for MASH because every day brings different challenges and learning opportunities. I actually enjoy coming to work. I feel the way MASH works epitomises social work values and encompasses what social work is about and should be and it allows me to put into practice daily the reasons why I wanted to become a social worker.”



In my role of Social Worker in the MASH I enjoy the day-to-day challenges of supporting people in the most difficult and distressing of circumstances and supporting people to regain some sense of control and autonomy over their lives.”

# 3 THE DIFFERENCE TO ADULTS AT RISK OF HARM



**Miss M** is a young woman who has a learning disability and while she speaks some English, so is not able to talk about more complex subjects. She receives health and social care support from the Enfield Integrated Learning Disabilities Service.

Miss M was at risk of being forced into a marriage overseas, and has been assessed as not having the capacity to understand the situation or the impact that marriage would have on her life. She lived at home with her family and they were the people that were wanting her to marry. The Integrated Learning Disabilities Service went to the Central Family Court and obtained a forced marriage protection order. This order was taken the same evening to Miss M's family by the police and social services. This order has helped to prevent Miss M from being forced into a marriage that she does not have capacity to consent to.



I would also like to take this opportunity to say how impressed our whole team here at FMU have been about how this case has been handled...on this occasion the case has been handled with efficiency and professionalism. I believe this is one of very rare cases where the capacity assessment and Forced Marriage Protection Order has all been obtained within a couple of days from referral."

Forced Marriage Unit, Foreign and Commonwealth Office



**Miss A** is a young woman whom disclosed sexual abuse by her father. She had been unable to complete her schooling but tried to continue to enable her to get into university. She lived at home with her family and when she disclosed the abuse, some family members verbally abused her and blamed her for the situation. The Multi-Agency Safeguarding Hub were concerned about the risk of honour based violence and the need for emotional and practical support. Within 24 hours and with the help of her school, she was consulted with and emergency young person's support accommodation was found. Her father was subsequently arrested and remains in custody.

Miss A will now receive ongoing assessment from the Care Management Service to fully assess her needs and ensure she receives the support she requires to enable her to maintain her independence and maximise her wellbeing. Different teams, agencies and organisations worked effectively within 24 hours to source and secure appropriate accommodation for a very vulnerable service user to maintain her safety. Despite her not presenting with evident care needs, Miss A was clearly in need of support and was subsequently deemed to have met the safeguarding criteria.



**Mrs T** disclosed that her family members were calling weekly and threatening her. A safeguarding concern was raised and with Mrs T consent the police were informed. There were known historical allegations of sexual, physical and emotional abuse. A safeguarding meeting was held and it was agreed that the Police would lead an investigation. The Mental Health Trust supported Mrs T and offered her an assessment of her care and support needs, referral for counselling and regular reviews by the clinical teams. Due to the high risk in this case of domestic violence a referral to the Multi-Agency Risk Assessment Conference (MARAC) was completed.

## WORKING WITH CARE PROVIDERS

In addition to the safeguarding adults process for single concerns of abuse, Enfield also have a provider concerns process. This process is used when there are serious concerns relating to safeguarding and the quality of care with provider services. The process is used to support providers to improve, so that we can be assured those whom use the service are safe. This process is led by Enfield Council but with strong partnership from Police, Care Quality Commission, Clinical Commissioning Group and a range of other partners.

During 2015/16, we worked with seventeen providers under this process. We help providers to set out an improvement plan which we then monitor and quality assure that actions have been completed. Those who use the service, their families and visiting friends are the key partners who can let us know how the care is experienced and if they feel real change has been made; one person fed back on our questionnaire 'staff do not work as a team, they work individually.' This has helped us to address issues with the home and see how team capacity and building could be undertaken.



# 4 QUALITY ASSURANCE AND ORGANISATIONAL LEARNING

The Strategic Safeguarding Adults Service in Enfield Council undertakes quarterly audits of safeguarding practice. We look at how the adult at risk or their representative was involved from the beginning to end, the outcomes they wanted were known and areas such as proportionality and prevention were considered. The audit found that overall practice was very good across all of the six safeguarding principles. The area that stood out for improvement was in the application of the Mental Capacity Act 2005.

An external auditor was used to provide independent challenge to how practice is undertaken. The key learning from this audit was:

1. There is a culture of learning evidenced in this audit. Of particular note was the time taken by workers to understand the audit process and view it as a positive learning opportunity.
2. There are good organisational learning opportunities. The Best Practice Forum is a good platform to share learning across services. Other learning opportunities for example Lunch Time Seminars to widen access to shared learning might be explored.
3. The Three Stage Test needs to be applied consistently.
4. Partners need to be Care Act 2014 ready as safeguarding adults is not the sole prerogative of the Council.
5. The MASH would benefit by greater multi-agency involvement and co-location of core agencies.
6. Systems in mental health and hospital social work teams and the MASH need to be reviewed to make the best use of resources.
7. Targeted training on alternative types of achieving outcomes e.g. family conference.
8. Broaden the knowledge of the requirements of Section 68 Care Act 2014 advocacy arrangements.
9. Rationale for decision making throughout should be recorded.
10. Risk assessments need to focus on risk management with the adult.
11. Templates should allow for sovereignty so that staff use their own knowledge and skills to personalise action according to the adults desired outcome.

## QUALITY CHECKERS

Quality Checkers are a group of volunteers that have experience of social care or are carers. They undertake visits to provide their feedback on services and are a vital point of contact with those using the service. The quality checkers have done a number of projects this year, including establishing the quality of activities in Care Homes across the borough, visits to homes to look at hydration practice, specific work focusing on how homes support Lesbian, Gay, Bisexual and Transgendered individuals, and making visits in response to quality concerns which are then fed into the safeguarding adults process.

## PROMOTING LEARNING

Partners on the Board are keen to promote learning and hear from those who use services. There are many ways this can be done – such as Barnet, Enfield and Haringey Mental Health Trust hold safeguarding surgeries with staff from multi-disciplinary team on a regular basis. The North Middlesex Hospital hold lessons learnt meetings to share learning and embed change.

Every single safeguarding concern looks at whether there is learning for any partner or organisation. These are then reviewed after three months to make sure recommendations are put in place.

# 5 SAFEGUARDING ADULT REVIEWS

We report in this section on how many requests for a Safeguarding Adult Review were made to the Board. We will say whether we accepted this as meeting the criteria for a SAR and if not, why. For those that were undertaken we provide information on the recommendations and what we will do next.

The Care Act 2014 states that a Safeguarding Adult Review (SAR) must be arranged by the Safeguarding Adults Board (SAB) when an adult in its area dies as a result of abuse or neglect whether known or suspected, and when there is concern that partner agencies could have worked more effectively to protect the adult. A SAR must also be arranged if an adult has not died, but the SAB knows or suspects that the adult has experienced serious abuse or neglect. Please note that Safeguarding Adult Reviews were previously known as Serious Case Reviews.

Two Safeguarding Adult Reviews were completed in the 2015/16 reporting period. A summary of each case follows. Two additional Safeguarding Adult Reviews have been raised and agreed to meet the criteria; these remain in progress. One further request for a Safeguarding Adults Review has been raised in this financial year and we are awaiting panel of Board members to consider if the criteria has been met.

Two referrals were raised and did not meet the statutory criteria for a Safeguarding Adults Review. This was because both were in response to failings by single agencies and not related to how partners worked together to safeguard. There is always learning from cases and these can be looked at using the single safeguarding adult's process or through single agency review.

## SAR ONE

Ms Q was an elderly lady whom lived in an Enfield residential care home for the last three years of her life where she was supported by her daughter who took an active interest in her care. She died in April 2015 and there were concerns about how partners worked together. The review found no evidence of deliberate neglect or harm, however that pressure damage could have been avoided.

The SAR outlined five main areas of improvement and learning. These are summarised below:

1. Baseline assessments must be completed and reviewed when a person presents with previous and potential damage within the community.
2. A lead clinician is allocated to oversee the case and treatment for residential care homes and high risk community patients.
3. Mental capacity should be considered at key stages when concerns are indicated.
4. Pressure ulcer management should have a clear treatment pathway with a professional escalation process.
5. Improved communications facilitated by defined professional roles and responsibilities at an early stage.

## SAR TWO

Mr X was an elderly man who had resided in an Enfield nursing home following his discharge from hospital some years before. Mr X suffered from dementia and had no capacity to consent to care or to articulate his needs. There was a safeguarding concern raised following his death and then a Safeguarding Adults Review was commissioned in October 2014. A number of recommendations were made around improving communications, implementing escort protocols when service users lack capacity and catheter management within nursing homes. The recommendations from this review were:

1. Pre-admission to care settings to include that checks that people are discharged with sufficient stock of medication.
2. Meeting to be convened with local hospitals, nursing and residential care providers to set out protocols for improving discharge from hospitals and admission to care settings.
3. BUPA policy of adults being accompanied to hospital to be quality assured for implementation in BUPA homes. Hospital staff to accept responsibility for people when they are on hospital premises.
4. Transfer letters to hospitals from care settings to clearly detail the reason for contacting acute medical services and highlight if there is a repeat concern.
5. NMUH to review systems to highlight repeat admissions.
6. Clinical Commissioning Group to quality assure discharge planning in local hospitals.
7. London Ambulance Service to be compliant with Care Act 2014 requirements and to co-operate and contribute to Safeguarding Adult Reviews.
8. London Borough of Enfield to quality assure that timely reviews are taken and that there is a system to confirm that recommendations from adult safeguarding enquiries are implemented.

**The recommendations from both of these Safeguarding Adults Reviews will be formulated into an action plan monitored via the Safeguarding Adults Board.** Reports from each SAR will go onto the Enfield website once consent has been obtained from family members of the adults at risk.

## SAFEGUARDING ADULT REVIEWS IN PROCESS

A SAR has been agreed in response to a serious sexual assault. This SAR is currently in process but actions are already being taken with the Provider and a number of Local Authorities and the placing Clinical Commissioning Group to start embedding changes.

A SAR has also been agreed to look at domestic abuse involving adults at risk. This is being undertaken using a thematic review methodology.

We expect to report on these SARs and the findings during 2016/17.



# 6 WHAT WE WILL DO NEXT YEAR

We have a Safeguarding Adults Strategy 2015-2018 and there are a number of actions for us in the next year to complete. We completed a review with service users, carers, and organisations via Partnership Board in January-March 2016. We met with the following four partnership boards:

1. Carers Partnership Board
2. Learning Disabilities Partnership Board
3. Mental Health Partnership Board
4. Physical Disabilities Partnership Board

We talked about the actions that we would be undertaking in the coming year and explained that safeguarding was now a statutory duty. We also asked each partnership if they had any suggestions on what the Safeguarding Adults Board could do to keep people safe from harm in the coming year. We did this to see if there were any additional actions the Board should be taking.

These are some of the suggestions that we received:

- Produce newsletter articles or find different ways to inform people about safeguarding and what it means
- Attend voluntary sector events and forums
- Produce a DVD that explains safeguarding and generally use video more to help people understand the different types of abuse
- Increase awareness of Mate Crime, particularly in mental health
- Update images in the Staying Safe leaflet

In addition, each partner on the Board has set themselves an action that they will undertake which will be monitored by the Board.

Finally, we have used our data to look for any themes or trends that help us to direct what we should focus on. We have found that we must continue to focus on domestic abuse and how we ensure adults are supported to reduce risk of harm. We also know that abuse does happen in care and we will continue to look for ways to prevent quality and safeguarding issues with providers. We have seen a change in the number of reports of abuse and have agreed that how we record safeguarding concerns needs to be reviewed, as we are closing down concerns in line with people's wishes and safeguarding plans much more quickly. We want our data in the next year to capture more easily the extent to which a person's outcomes have been met and whether this has made them feel safer.

Our action plan will be monitored at each Board meeting and can be found in the safeguarding adult pages at [www.enfield.gov.uk](http://www.enfield.gov.uk)



# 7 ACTION PLAN 2016/17

Objectives set out by the Safeguarding Adults Board are set out below. The actions to achieve these and responsible individuals can be found on the full document reported at each quarterly Board meeting. These can be access on the Safeguarding Adults Board pages at [www.enfield.gov.uk](http://www.enfield.gov.uk)

## **KEY PRIORITY 1: EMPOWERMENT**

### **People being supported and encouraged to make their own decisions and informed consent**

- **OBJECTIVE 1.1:** Mental capacity assessments and the Deprivation of Liberty safeguards are carried out in compliance with new requirements under the Care Act 2014 and with regard to ensuring individuals who lack capacity have support to optimise their well-being and control.
- **OBJECTIVE 1.2:** The Board will assure itself that adults at risk are involved strategically in safeguarding and through to involvement in individual cases.
- **OBJECTIVE 1.3:** We will help young carers to understand what safeguarding adults is about and where they can go to for advice, support or to make a report.

## **KEY PRIORITY 2: PROTECTION**

### **Support and representation for those in greatest need**

- **OBJECTIVE 2.1:** For individuals in Enfield to have appropriate information on abuse and how to stop abuse before it happens.
- **OBJECTIVE 2.2:** Individuals experiencing safeguarding concerns to have access to appropriate advocacy.
- **OBJECTIVE 2.3:** The Board will clarify the surveillance and community alarm options for adults at risk and their representatives and have assurances this in within legal parameters.
- **OBJECTIVE 2.4:** Partners on the Board will facilitate intervention on the issue of dehydration and hold providers to account for implementation.

## **KEY PRIORITY 3: PREVENTION**

### **It is better to take action before harm occurs**

- **OBJECTIVE 3.1:** To support people to keep themselves safe (self-protection strategies) and recognise abuse; learning lessons from domestic violence campaigns and Domestic Homicide Reviews.
- **OBJECTIVE 3.2:** Raise the profile of domestic violence, honour based violence, female genital mutilation and trafficking within the Acute Hospital Trusts.
- **OBJECTIVE 3.3:** Local health economies are in place which are monitored and have indicators that ensure people are kept safe from abuse.
- **OBJECTIVE 3.4:** To create a more robust organisational learning system which is able to evidence practice change.
- **OBJECTIVE 3.5:** The Board will develop and deliver on creating pathways of support for those isolated and at increased risk of abuse and exploitation.



## **KEY PRIORITY 4: PROPORTIONALITY**

### **The least intrusive response appropriate to the risk presented**

- **OBJECTIVE 4.1:** We will seek service user feedback from those who have been harmed to improve practice.
- **OBJECTIVE 4.2:** Board will facilitate pathway programme in place for people at risk of harming others.

## **KEY PRIORITY 5: PARTNERSHIP**

### **Local solutions through services working with their communities. Communities have a part to play in presenting, detecting and reporting neglect and abuse**

- **OBJECTIVE 5.1:** For partner organisations to provide assurance to the Board that their service provision is in line with the Dignity Standards.
- **OBJECTIVE 5.2:** For language of professionals to be simplified so that there is improved equality of access to services – as recommended by Making Safeguarding Personal.
- **OBJECTIVE 5.3:** For the Safer Neighbourhood Team to set out an engagement plan with the partnership to improve how we can work together to safeguard adults at risk in the community and with providers.

## **KEY PRIORITY 6: ACCOUNTABILITY**

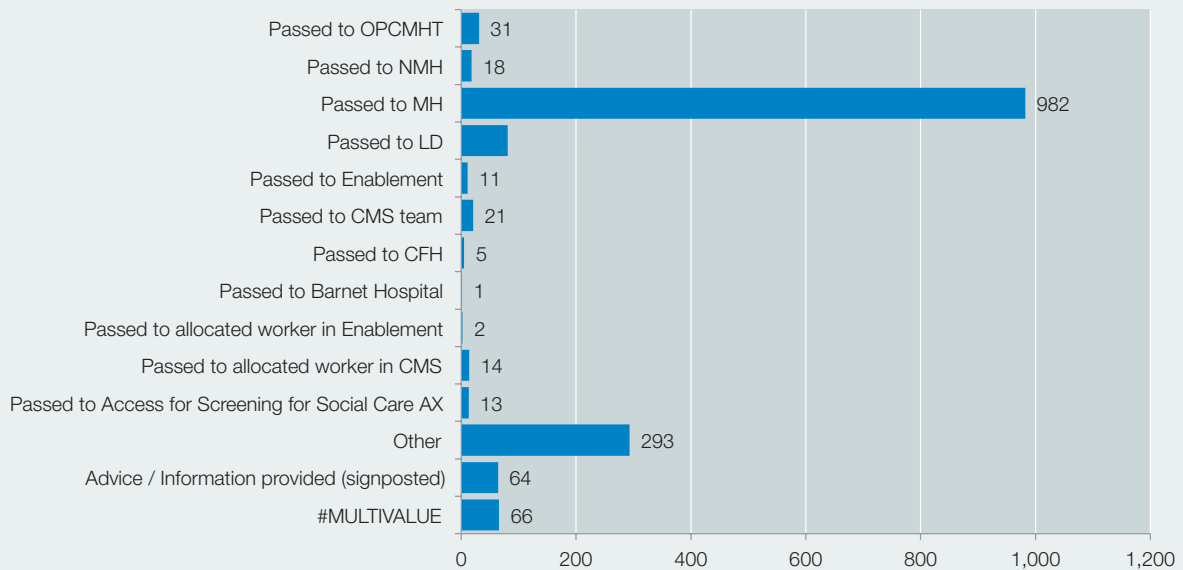
### **Accountability and transparency in delivering safeguarding**

- **OBJECTIVE 6.1:** Board will assure itself that decision to proceed under safeguarding and decisions to prosecute are transparent.
- **OBJECTIVE 6.2:** Provide assurance of General Practitioner Input into safeguarding adults.
- **OBJECTIVE 6.3:** Carry out Safeguarding Adults Reviews (SAR) where there is a statutory obligation and ensure learning is widely disseminated.

# PERFORMANCE REPORT 2015/16

TOTAL NUMBER OF REPORTS MADE TO THE MULTI-AGENCY SAFEGUARDING HUB: **3,511**

Of these, number of Merlins: **1,602**



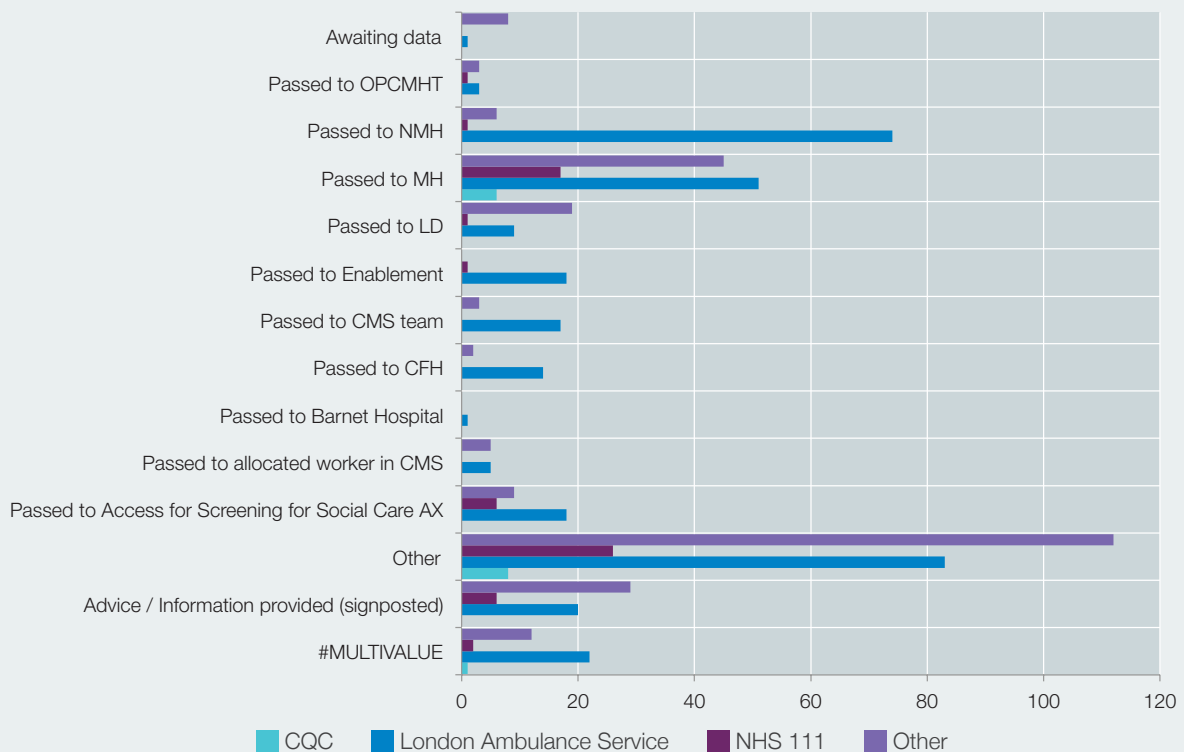
#MULTIVALUE equals to more than one input onto the Carefirst database

Majority of police Merlins relate to adults with mental health needs. The MASH sent 902 of these Merlins to the Mental Health Trust. Where there is an allocated worker in adult social care, these are sent direct to the relevant teams.

Merlins are helpful in providing additional information, which can be used to build up a picture over time or identify when risk is escalating.

A Merlin is not always safeguarding; The Merlin Database is the recording system the Metropolitan Police utilise to record missing people, and children and adults coming to police notice. This system is used to record contact and what, if any action has taken place. Officers and police staff are trained to identify vulnerability through the use of the MPS Vulnerability Assessment Framework.

### Of these, number of referrals from partners not progressed as safeguarding: **665**



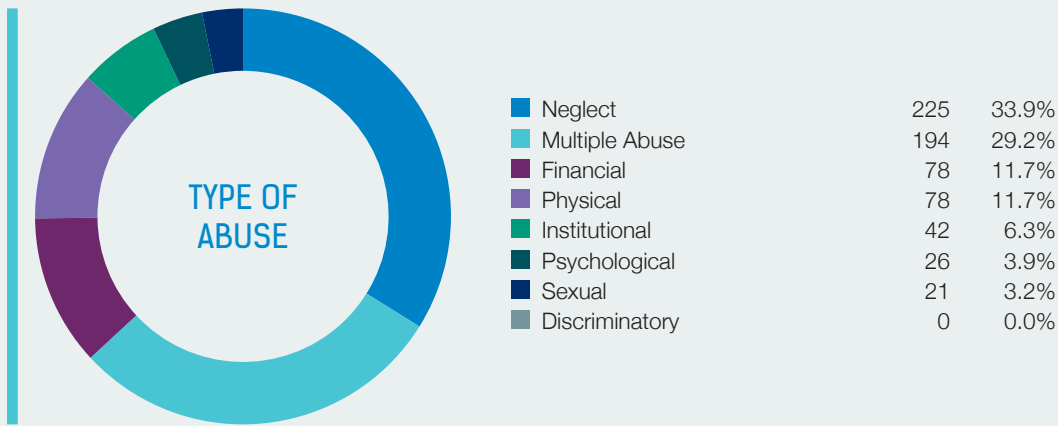
#MULTIVALUE equals to more than one input onto the Carefirst database

### TOTAL SAFEGUARDING CONCERNS RAISED TO COUNCIL: **1, 244**

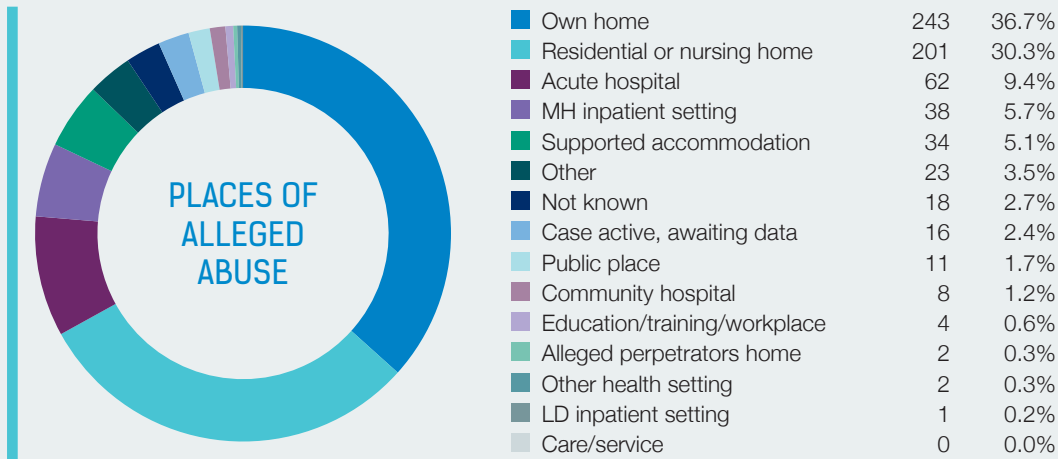
- **189** cases were managed under safeguarding with a brief enquiry that enabled early resolution
- **138** safeguarding cases did not meet Sec 42 criteria
- **83** safeguarding concerns were more appropriate for care planning or support from other professionals
- **52** cases where the Sec 42 criteria was not met, we still provided advice and guidance direct to the person raising concern, a professional involved or the adult/their representative
- **48** safeguarding concerns were repeat notifications, often from another partner, of an existing Sec 42 progressing. These were recorded to help build a picture over time
- **30** safeguarding concerns were passed to the correct host authority if safeguarding or to placing authority if not safeguarding concern
- **60** additional safeguarding concerns were passed to mental health to consider if they met the Sec 42 criteria

An additional **644** cases which went through the Sec 42 process are reported on the following pages.

### DETAILS RELATING TO 644 CASES



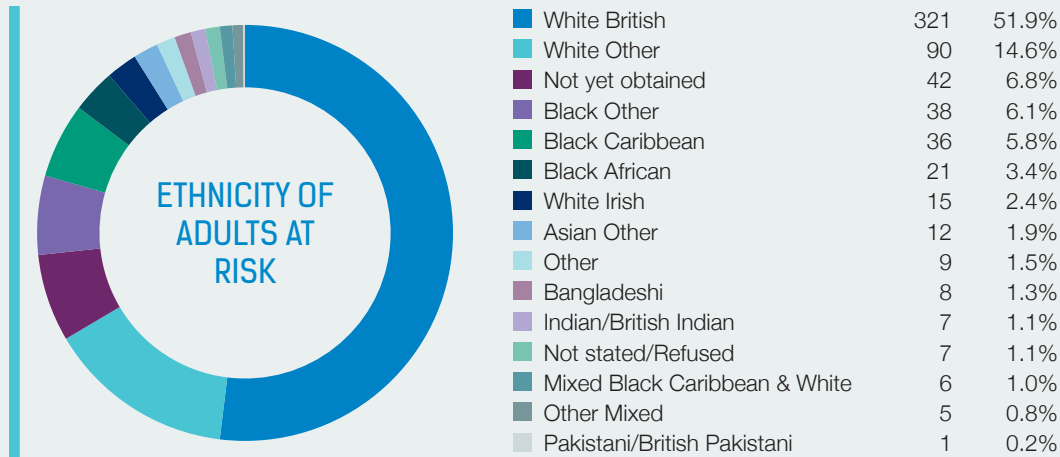
Neglect (33.9% of cases) and Multiple Abuse (29.2% of cases) are the most reported in Enfield.



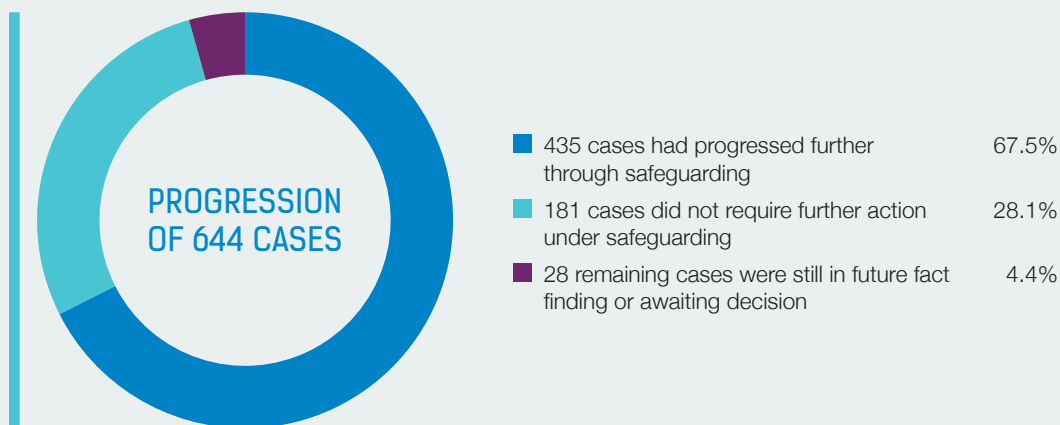
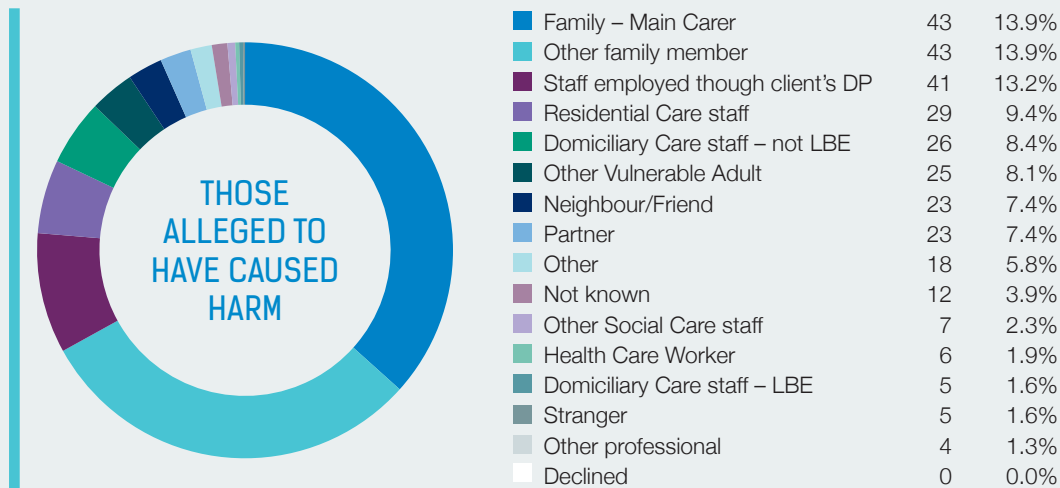
36.7% of referrals were in relation to alleged abuse in the Adult at Risk's own home and 30.3% were alleged to have occurred in a residential or nursing home.

### ROUTES OF REFERRAL

The largest referral sources were Hospital staff 129 (19%), Private/Independent Provider 121 (18%) and LBE-Health and Adult Social Care 111 (17%).



The ethnicity of adults at risk is predominantly in the “White British” (51.9%) and “White Other” (14.6%) categories. The next highest categories, where the ethnicity of the adult at risk has been established, is “Black Other” (6.1% cases) and Black Caribbean (5.8% cases).



### NOMINATED ADVOCATE INVOLVEMENT

In 84% of cases there is a nominated advocate involved. Advocates can be from a number of places and include: Independent Mental Capacity Advocate, Independent Mental Health Advocate, care act or safeguarding advocate, or an advocate of the person’s choosing. Often family members act in this role when it is appropriate to do so.

### CONCLUSION

58.3% of cases were substantiated or partially substantiated at the time of reporting.





# PARTNER STATEMENTS



# BARNET, ENFIELD AND HARINGEY MENTAL HEALTH NHS TRUST

Barnet, Enfield and Haringey Mental Health NHS Trust remains committed to safeguarding all our service users, their families and carers. We recognise that effective safeguarding is a shared responsibility which relies on strong partnership and multi-agency working. We have strengthened our safeguarding arrangements, which includes recruitment to a Head of Safeguarding. We are continually improving systems and processes, with a clear strategic approach to safeguarding across all our services.

## INTERNAL GOVERNANCE ARRANGEMENTS

Our aim is to ensure there is a whole organisational approach to safeguarding. In order to do this we have developed an Integrated Safeguarding Committee (ISC). The ISC is chaired by the Executive Director of Nursing, Quality and Governance and provides strategic leadership and oversight, including reporting to the Trust Quality and Safety Committee. The work of the ISC is informed by our newly developed Safeguarding Strategy and overarching work plan. The ISC meets each quarter and is accountable to the Trust Quality and Safety Committee. In addition an annual safeguarding report is provided to the Trust Board. Safeguarding is a standing item for each of the Borough Clinical Governance meetings.

## SAFEGUARDING ADULTS WORK UNDERTAKEN AND KEY ACHIEVEMENTS IN 2015/16

- The Trust Safeguarding Adults at Risk Policy has been updated to ensure it is Care Act compliant.
- A safeguarding inbox has been set up to allow improved monitoring of safeguarding alerts, with a screen saver established as a prompt.
- A safeguarding dashboard has been designed.
- A prompt for safeguarding now included in the incident reporting system (Datix).
- Mental Capacity Act and Deprivation of Liberty Safeguards training mandatory.
- Established an Integrated Safeguarding Committee with clear terms of reference.
- A safeguarding strategy has been completed with key aims and objectives.
- A safeguarding training strategy has been completed.
- The terms of reference for the Trust safeguarding champions have been refreshed and revised.

## KEY CHALLENGES

Safeguarding practice is complex and varied, and the Trust works across three Boroughs which can present unique challenges. The need to collect accurate meaningful data is recognised, and work continues to ensure data is captured and analysed effectively. The Trust will continue to develop and improve systems to promote effective lessons learnt. We will review the training needs analysis for level 3 safeguarding adults training in line with recently published Intercollegiate Document Safeguarding Adults (April 2016). Importantly, we will ensure that the principles of the MCA are embedded into everyday practice.



## SAFEGUARDING ADULTS WORK PLANNED FOR 2016/17

The work of the Integrated Safeguarding Committee is informed by an overarching work plan which underpins the Safeguarding Strategy. The Strategy has five broad aims which form the overall framework of work going forward:

- To ensure safeguarding is everyone’s business across the Trust.
- Develop a dataset of information that allows effective monitoring of safeguarding activity and outcomes.
- Develop a culture of learning with robust internal systems to support this.
- Promote early help to prevent abuse from happening in the first place.
- Develop seamless pathways that promote joined up working at every level.

### **STATEMENT WRITTEN BY:**

Mary Sexton – Executive Director of Nursing, Quality and Governance  
*Enfield Safeguarding Adults Board representative*





## ENFIELD BOROUGH POLICE

Enfield Borough Police believe strongly that all adults have the right to live a life free from abuse and neglect. As a statutory partner on the Enfield Safeguarding Adults Board we are working together to provide a robust and transparent response in line with our duties when the abuse of a vulnerable adult occurs. Importantly, we are working in partnership with organisations to prevent abuse where possible, through activities such as burglary prevention and joint awareness sessions.

### ACHIEVEMENTS OVER 2015/16

Enfield Borough Police are proud to be a partner on the Multi-Agency Safeguarding Hub, which is an innovative model, which enables effective information sharing and addresses risk with adults experiencing abuse. Working alongside health and social care professionals means that we can assist adults to access the justice system and hold perpetrators to account.

Senior Police have co-chaired over the last year, the Quality, Safety and Performance sub group of the Safeguarding Adults Board. This has provided an opportunity to directly contribute to assuring the Board that organisations are safeguarding people effectively. In addition, Senior Police attend the Board on a regular basis and contributed to the North Central London Challenge and Learning Event following a reflection on areas of positive actions by the Police and where we could make improvements.

Additional actions we have taken include:

- Presenting to partners on legislative options for holding perpetrators to account.
- Use of Police Systems to record accurately and identify adults whom may be vulnerable. The purpose of this is to maximise opportunities for early intervention to prevent someone from becoming a victim of crime at a later stage.
- Community Safety Officers presenting at awareness sessions jointly with the Council and its partners.



### ACTIVITIES PLANNED 2016/17

The work of 2015/16 has strengthened our partnerships and has now placed the safeguarding agenda as a priority across all the policing activities we undertake.

- We will continue to ensure our processes and reviews are in place that identify vulnerable adults of crime at an early stage and that these cases continue to be appropriately resourced and responded to by specialist officers, improving victim care and case outcomes.
- We will continue to engage with all the communities in Enfield Borough through direct and indirect personal contact ensuring that we are always delivering a quality service and improving confidence in all areas of safeguarding.
- We will continue to integrate all recent safeguarding legislation into our investigative and intelligence framework ensuring we broaden our knowledge and safeguarding impact.

#### **STATEMENT WRITTEN BY:**

Detective Inspector Albert Wildgoose – Enfield Police, Public Protection  
*Enfield Safeguarding Adults Board representative*



## HEALTHWATCH ENFIELD

Our role is to amplify the voice of local people on issues that affect those who use health and care services. We actively seek views from all sections of local communities and try to ensure that our priorities take account of the issues raised with us.

We are pleased to see that Safeguarding Adults Board have been placed on a statutory footing and that Healthwatch is a member of the Board; this allows us to provide challenge and inject the issues raised by local people into how safeguarding is developed.

Healthwatch Enfield directly contributed to the development of the Safeguarding Adult Boards three year strategy 2015-2018. We did this through providing our views on what the areas of focus should be and how this could be achieved.

### OUR CONTRIBUTION TO SAFEGUARDING 2015/16

In terms of safeguarding, Healthwatch has:

- supported the work of the Safeguarding Adults Board, to ensure that the patient's/ local people's voice is central to service planning and any case reviews
- had representation on the SAB's Quality Performance and Safety (QPS) group
- ensured that our Board, staff and volunteers are trained to understand and follow up any safeguarding concerns identified by us or raised with us in our work locally
- support awareness raising about safeguarding issues amongst our community partners and communities as part of other engagement activities.



Healthwatch representative also attended the North Central London Challenge and Learning event for Safeguarding Adults Boards. This was a positive experience which enabled the voice of patients and local peoples to be raised amongst senior members across partner organisations.

Going forward, Healthwatch Enfield will continue to support the Board and contribute towards this important area of protecting some of the most vulnerable people from abuse and harm.

#### **STATEMENT WRITTEN BY:**

Parin Bahl – Healthwatch Enfield

*Enfield Safeguarding Adults Board representative*



## HEALTH, HOUSING AND ADULT SOCIAL CARE, ENFIELD COUNCIL

Protecting and working with those at risk of harm is the responsibility across all departments in Enfield Council; from senior managers to all front line staff we promote the need to recognise what abuse is and ensure staff know how to report. Importantly, we want to prevent abuse from happening in the first place.

The Care Act 2014 and its guidance provide clear responsibilities for the Council to safeguarding adults with care and support needs. We have a duty to make enquiries or cause others to make them. For this reason, our adult social care department takes a lead in safeguarding and supporting adults, focusing on their wellbeing, recovery and resilience.

We work across departments and with external partners to support adults experiencing harm. This can include linking with our colleagues in the Council's Community Safety Unit around anti-social behaviour or in complex domestic abuse cases to working with teams that tackle rouge traders and fraud. Where there are concerns around the welfare and safety of children and young people, we work with our colleagues in safeguarding children.

Strategically, we believe that how our work develops should be informed by those who use services. This year we worked to undertake interviews with those who have been harmed, but have learnt that after abuse has occurred many people wish to move forward without reliving this process. As a result, we have changed our practice for next year to interview people for their reflections before the process closes and providing online electronic options to give feedback as a second option. We also ensure projects we undertake have challenge from those who use services, and particularly link into the Boards Service User, Carer and Patient Sub-Group.

The Council takes a lead on initiating and managing the provider concerns process where there is serious safeguarding risk. This year, we have worked with 17 different providers and alongside support from partners such as the Care Quality Commission, Health and Police, are working to improve the quality and safety of care.

Some of our accomplishments this year have included:

- Delivering domestic abuse training and a bespoke course with safeguarding children
- Leading a project to reduce risk of dehydration in care homes
- Updating all policies and data collection in line with new London Adult Safeguarding Policy
- Continued to embed Making Safeguarding Personal and promoting this amongst partners
- Held bespoke workshops between Multi-Agency Safeguarding Hub and the Police

**The most important work we do is in our responsibilities towards keeping adults at risk safe and working with them towards recovery and resilience after abuse has occurred.**

In the coming year the Council will continue to work in partnership with adults at risk and partners to both prevent abuse and ensure people are support when harm does occur. There are a number of priorities we have, and these include helping to prevent financial abuse through raising awareness of deputyship and appointeeships arrangements; continuing our work with providers when there are safeguarding concerns and quality issues; and continually striving towards excellent practice.

### STATEMENT WRITTEN BY:

**Bindi Nagra – Assistant Director, Health, Housing and Adult Social Care**  
*Enfield Safeguarding Adults Board representative*



## LONDON AMBULANCE SERVICE

The London Ambulance Service NHS Trust (LAS) has a duty to ensure the safeguarding of vulnerable persons remains a focal point within the organisation. We are committed to safeguarding vulnerable members of our community and continue to work closely with partner organisations to improve this process.

Living a life that is free from harm and abuse is a fundamental right of every person. All staff in whatever setting and role, are in the front line in preventing harm or abuse occurring and in taking action where concerns arise.

This report provides evidence of the LAS commitment to effective safeguarding measures during 2015/16. A full report along with assurance documents can be found on the Trusts website.

### SAFEGUARDING DUTY AND RESPONSIBILITIES

To address safeguarding responsibilities we have:

- a safe recruitment process that includes the vetting and barring scheme and procedure with reference to the Independent Safeguarding Authority;
- processes for dealing with allegations against staff with clear links to police and local authority designated officers;
- a named executive director with responsibility for safeguarding;
- heads of safeguarding for adults and children who are also the named professionals;
- a safeguarding officer who is first point of contact for local safeguarding boards and local authorities;
- internal and external reporting mechanisms to capture safeguarding issues.

### WORKING WITH PARTNER AGENCIES

We work closely with the safeguarding lead commissioners. We continue to work with all adult safeguarding boards in response to notifications of safeguarding adult reviews. All recommendations and action plans are monitored internally and approved by the safeguarding committee for closure when appropriate.

### CONTRIBUTION TO THE ENFIELD SAFEGUARDING ADULTS BOARD

The LAS has a lead member whom attends the quarterly Safeguarding Adults Board in Enfield, and are keen to provide support to the local developments. Some of the actions the LAS took last year in Enfield include:

- Contributing to Safeguarding Adults Review so that learning can be shared
- Completion of self assessment of safeguarding, which went to a North Central London Challenge and Learning Event
- Joining sub-groups of the Board where relevant to support actions that keep people safe
- Providing assurance to the Safeguarding Adults Board during meetings of improvements within the LAS

The LAS made a total of 4,331 adult safeguarding referrals across London in 2015/16, and 8,440 relating to welfare concerns for adults whom may have care and support needs. In Enfield, there were 132 adult safeguarding referrals and 267 adult welfare referrals. The LAS is committed to ensuring that information is shared to prevent and reduce the risk of harm to adults at risk.

#### **STATEMENT WRITTEN BY:**

Alan Taylor – Head of Safeguarding  
*Enfield Safeguarding Adults Board representative*



## LONDON FIRE BRIGADE

The London Fire Brigade has a strong commitment to safeguarding adults at risk and continues to work to develop service delivery by focusing preventative work streams to better identify at risk individuals as well as responding appropriately following referral through links with inter professional groups. We recognise that robust safeguarding arrangements are essential to managing risk. We believe that all residents have the right to be treated fairly and with dignity and respect.

Our aim to reduce the risk of harm from fire to those most vulnerable within the community.

As part of the London Fire Brigade's adult safeguarding responsibilities, it is required to provide a representative as board members on the local multi-agency safeguarding adult board. The Borough Commander Enfield Borough is currently on Enfield Safeguarding Adults Boards and is an integral decision maker in the development and progression of the local safeguarding agendas. The London Fire Brigade has maintained an active participation in the Safeguarding Adults Board, undertaking work streams as required throughout the year.

### KEY ACHIEVEMENTS 2015/16

Last year London Fire Brigade Enfield Borough planned the following activities and achieved the following outcomes:

- Raise awareness of risk to adults in fire, such as instances of hoarding and the benefits of fire suppression system, to partners.
- All Borough fire officers were updated by the Enfield Council on safeguarding and legal requirements at the annual information day.
- Senior fire officers attending borough area forums to ensure that all communities are aware of the important fire safety work carried out by fire officers and delivering 'Home Fire Safety Visits' to the most vulnerable members of our community.
- Attended a number of Community based events to promote home fire safety and raise awareness of the provision of arson proof letter boxes.
- Two thousand two hundred home fire safety visits were completed within the borough and at least 87% of these were carried out in homes that statistically, were most likely to have a fire.
- A program of visiting all sheltered housing residential homes was started and all staff and residents were informed of the fire safety tips, need to have a routine to keep safe from fire and the services we provide. Most importantly we stressed the importance of the responsible person concept for care homes and housing stock, while highlighting the importance of providing adequate care and fire protection for residents.
- London Fire Brigade Watch officers have made a number of referrals throughout the year in accordance with Brigade Policy. Of these only a small number have been referred through the urgent referral agreement. The remainder have been referred to appropriate services and agencies.
- Work with partners to address vulnerable adults at risk from exploitation by unscrupulous landlords to receive support through implementation of statutory enforcement.

## PRIORITIES FOR 2016/17

- Carry out home fire safety visits to all sheltered housing facilities within the borough, to see reduction in number of incidents by partnership working.
- Continue to raise awareness of the availability and provision of domestic fire suppression systems for very high risk adults.
- Raising staff awareness of domestic violence.
- Focusing our prevention and protection activities on ensuring that older people living in care home and in sheltered housing are as safe as possible.
- Developing further local recording and quality assurance programmes.
- Continue to raise awareness of partners, organisation and agencies of risks to adults from fire, in particular dangers of hoarding and provision of arson proof letter boxes and fire retardant bedding.
- Continue to develop protocol between LFB and adult social services reporting referral outcomes in relation to safeguarding adults or otherwise.
- Support partners by providing advice in relation to fire safety in the home when requested.



### **STATEMENT WRITTEN BY:**

Les Bowman – Enfield Borough Commander, London Fire Brigade  
*Enfield Safeguarding Adults Board representative*



# NHS ENFIELD CLINICAL COMMISSIONING GROUP

NHS Enfield CCG is a statutory organisation overseen by NHS England. The key function of the CCG in relation to safeguarding is to ensure that the services they commission have safeguarding systems and processes in place.

## KEY ACHIEVEMENTS FOR 2015

### EMPOWERMENT

- Co-ordination of a tri-borough (Barnet, Enfield and Haringey) Conference on the Mental Capacity Act (MCA, 2005) and Deprivation of Liberty Safeguards (DOLS) in May 2015.
- The CCG developed an electronic audit tool for GP practices to assess compliance with MCA and DOLS.
- Nurses from Continuing Healthcare have successfully completed the Best Interest Assessment training with Hertfordshire University.
- CCG organised training on revalidation for nurses who work in the nursing home sector.
- Primary Care Safeguarding Adults at Risk and Children symposium was organised for GP's and all health staff that work in Primary Care.

### PARTNERSHIP

- CCG commissioned the services of a nurse expert affiliated to NHS England and Buckinghamshire University to confer with providers, CCG and the local authorities in producing a borough wide Pressure Ulcer Protocol.
- Making Safeguarding Personal (MSP) – The CCG coordinated the local authority lead manager in MSP to facilitate a teaching session with the Continuing Health Care Team.

### ACCOUNTABILITY

- The governing body received training in safeguarding adults with particular emphasis on the Care Act (2014).

### PREVENTION AND PROTECTION

- All CCG staff have been trained in PREVENT.
- CCGs use Clinical Quality Review Groups (CQRGs) to monitor health providers and provide assurance that care is of high quality and safe.

### PRIORITISED WORK PLAN

- Ensure that all NHS providers, Independent health providers and GP practices meet PREVENT training compliance targets.
- To facilitate a GP practice Safeguarding Audit.
- Ensure both CCG's and Provider organisations are focussed to meet the MSP agenda.
- To continue to support local authority quality team in provider concerns issues.



### STATEMENT WRITTEN BY:

Carole Bruce-Gordon – Assistant Director for Safeguarding  
*Enfield Safeguarding Adults Board representative*





# NORTH MIDDLESEX UNIVERSITY HOSPITAL NHS TRUST

## COMMITMENT TO SAFEGUARDING ADULTS AT RISK

North Middlesex University Hospital NHS Trust's Board takes the issue of safeguarding extremely seriously and receives annual reports on both safeguarding children and safeguarding adults. The Trust acknowledges that safeguarding adults is everybody's business and that everyone working in health care has a responsibility to help prevent abuse and to act quickly and proportionately to protect adults where abuse is suspected. The safeguarding of all our patients remains a priority for the Trust as we see it as a fundamental component of all care provided. Maintaining the consistency and quality of all aspects of safeguarding practice across the Trust is essential.

The Trust has an established Safeguarding Adults Group which has representation from our inter professional and inter agency groups. It meets bi-monthly and provides the strategic direction to safeguarding adult activities across the Trust and ensures that all safeguarding commitments and responsibilities are met.

During 2015/16 the Trust has worked with partner organisations to safeguard some of the people who are most at risk of abuse, harm and neglect. This enables the Trust to work with partners, communities and local people to prevent abuse and ensure a robust and transparent response when abuse of an adult at risk occurs.

The Director of Nursing is the Executive Lead for Safeguarding Adults and represents the Trust at the Enfield local multi-agency safeguarding adult board meetings.

## PARTNERSHIP WORKING DURING 2015/16

In September 2015, the Trust recruited a Safeguarding Adult Coordinator and established a centralised safeguarding email inbox to enable partners to send safeguarding concerns direct to the Safeguarding Adult Team. All concerns or enquiries are then forwarded to the relevant Local Authority Safeguarding Adult Teams. The Trust works in partnership with the multi-agency Enfield MASH team to comply with requirements for following up Safeguarding Adult alerts.

Trust staff attend Safeguarding Adult Strategy Meetings and Case Conferences as required. Recommendations from Case Conference Investigations are fed back to the relevant ward managers and matrons and the Trust has introduced monthly 'Lessons Learned Events' for Ward Managers and Matrons and other members of the multi-disciplinary team to enable reflection of recommendations from safeguarding adult enquiries.

The Trust is represented at Enfield Safeguarding Adult Board subgroups by the Safeguarding Adult Lead. The Trust is also represented at NHS England Safeguarding Network meetings by the Safeguarding Adult Lead.

In December 2015, the Trust completed the Safeguarding Adult Provider Audit which was jointly developed by London Chairs of Safeguarding Adults Boards (SABs) network and NHS England London. The aim of this audit tool is to provide all organisations in the Borough with a consistent framework to assess monitor and/or improve their Safeguarding Adults arrangements. In turn this supports the Local Authority Safeguarding Adult Board (SAB) in ensuring effective safeguarding



practice across the Borough. Representatives from the Trust attended the Board Challenge event held on 25th January 2016 where all partners were asked to feedback on key areas of development and challenges.

In February 2016, the Trust participated in the Police and Enfield Adult Social Care Interface workshop where case studies were discussed to enable shared learning and to enhance multi-agency working arrangements.

**STATEMENT WRITTEN BY:**

Eve McGrath – Safeguarding Adults Lead  
*Enfield Safeguarding Adults Board representative*



## ONE-TO-ONE (ENFIELD)

One-to-One (Enfield) is very committed to protecting our members' physical and psychological well-being and safeguarding them from all forms of abuse. We recognise that safeguarding is a responsibility for everyone, and therefore seek to ensure that safeguarding is a priority throughout the organisation.

We have a project to raise awareness and understanding of Hate Crime, and hold regular workshops for staff, carers and people with learning difficulties. We have launched a DVD and booklets to raise awareness on Hate Crime so people can recognise and report it.

To ensure our members are safeguarded against any abuse, we work with the Integrated Learning Disabilities Team. One-to-One (Enfield) has a positive relationship between members, staff, volunteers and other partner organisations that encourages people to be open about concerns and helps people to learn from each other. There are continuous training and development opportunities for staff and volunteers.

**STATEMENT WRITTEN BY:**

Nusrath Jaku – Volunteer Coordinator  
*Enfield Safeguarding Adults Board representative*





## ROYAL FREE LONDON NHS FOUNDATION TRUST

The Royal Free London NHS Foundation Trust is committed to safeguarding all vulnerable patients who access services across the Trust. We understand that to safeguard effectively we must work collaboratively with partner agencies and professionals.

In order to do this we will work closely with others to ensure that all of the services we provide have regard to our duty to protect individual human rights, treat individuals with dignity and respect and safeguard against abuse, neglect, discrimination, embarrassment or poor treatment. We acknowledge the balance between an individual's rights and choices and the need to protect those at risk.

### INTERNAL GOVERNANCE ARRANGEMENT

We have a three year strategy that sets out our 10 core aims and that informs our three year work plan. The progress of this work plan is monitored by the Integrated Safeguarding Committee (ISC).

The ISC meets quarterly and is chaired by the Director of Nursing who is the executive board lead for safeguarding. The ISC is attended by the CCG safeguarding leads. The ISC monitors all safeguarding activity, Safeguarding Adult Reviews, Serious Incidents, allegations against staff, complaints, as well as responding to requests from Safeguarding Adult Boards and national priorities.

The ISC reports bi-annually to the Clinical Risk and Clinical Governance committee and to the patient safety committee and the full Trust Board annually.

A member of the safeguarding team sits on the weekly serious incident review panel.

### SAFEGUARDING ADULTS WORK UNDERTAKEN AND KEY ACHIEVEMENTS IN 2015/16

Policy development – all completed and implemented:

- Mental Capacity Act and Deprivation of Liberty Safeguards Policy
- Celebrity/VIP visits policy
- Allegations of abuse against staff policy
- Female genital Mutilation (FGM)
- PREVENT policy

Referral rates have increased April 2015 and March 2016:

- 484 safeguarding alerts raised at the Royal Free Hospital (increase of 51%)
- 387 alerts for Barnet Hospital and Chase Farm Hospital (increase of 217%)

We have also embedded the role of the Independent Domestic Violence Advocate within the acute setting and now have 3 full time posts. In terms of training, our figures are consistently in the 80% range for delivering MCA/DoLS and Safeguarding adult.

### KEY CHALLENGES AND PRIORITY FOR 2016/17

- Deliver the PREVENT agenda across the Trust
- Develop and deliver safeguarding adult supervision
- Develop and deliver level 3 safeguarding adult training
- Continue to improve compliance with application for DoLS

#### **STATEMENT WRITTEN BY:**

Helen Swarbrick – Head of Safeguarding  
*Enfield Safeguarding Adults Board representative*



## SAFER AND STRONGER COMMUNITIES BOARD

The Enfield Safer and Stronger Communities Board (SSCB) is the statutory Community Safety Partnership locally. The Crime and Disorder Act 1998 as amended by the Police and Justice Act 2006 places a duty on responsible authorities to work together to understand the issues related to crime and community safety in their area and to have an agreed partnership plan to bring about improvements.

The Enfield SSCB have been recognised for strong achievement and good practice both nationally and internationally, contributing to current agendas such as tackling serious and organised crime, counter terrorism and tackling gangs and CSE (child sexual exploitation).

### CURRENT POSITION

The Safer and Stronger Communities Board comprises the local authority, the police, the fire brigade, probation services, (including the Community Rehabilitation Company) and the clinical commissioning group (CCG). Senior officers from these agencies support and facilitate the activity of the Safer and Stronger Communities Board within their own agencies. The lead Elected Member for Community Safety is also a member of the SSCB.

The SSCB also work in partnership with a range of organisations, such as community groups, neighbouring boroughs, central government and the Mayor's Office for Policing. It has embedded links with other key groups such as Safeguarding Boards, the Drug Alcohol Action Team (DAAT) and the Enfield Targeted Youth Engagement Board (ETYEB). Regular representation and updates between these boards help us tackle areas of joint concern such as domestic abuse or other crimes which particularly impact on those with vulnerabilities.



### KEY ACHIEVEMENTS OF 2015/16 INCLUDE:

- Continued investment in CCTV provision across the borough providing evidence for thousands of incidents to resolve investigations and deter future crimes
- Burglary, vehicle crime, criminal damage and robbery have all reduced
- Continued to support our Safehouse scheme to support the target hardening of vulnerable residents' homes
- Partnership drive to tackle ASB, including that on housing estate
- Working in partnership to tackle prostitution in response to identified concerns
- Delivered high profile seasonal crime prevention messages around Domestic Abuse and the risks from gangs
- We have continued the links and data sharing with health agencies, notably at North Middlesex Hospital including commissioning a youth outreach worker to help identify and engage with those at risk from gangs
- Raised awareness of Prevent and provided instructive sessions for over 600 staff
- Presentations at national conferences promoting Enfield work on coercive control
- Better oversight of emergency incidents on the Borough
- Successfully led a multi-borough application for DCLG funding to inform specialist support in refuge accommodation.

### **PRIORITIES IN THIS YEARS' PARTNERSHIP PLAN REMAIN:**

- As identified through the London Mayor's office priorities include burglary, criminal damage, robbery, theft from and of motor vehicle, theft from a person and violence with injury.

### **OUR SSCB PRIORITIES ARE CURRENTLY:**

- Tackling serious youth violence
- Tackling domestic abuse and violence against women and girls
- Tackling Anti-Social Behaviour
- Reducing property crimes such as burglary and car crime
- Delivery of the Prevent agenda locally
- Development of a Serious and Organised Crime plan in conjunction with the MPS and local partners.

We are also aware of key cross cutting themes that impact on all of the above such as substance misuse, the management of offenders in the community and hate crime.

#### **STATEMENT WRITTEN BY:**

Andrea Clemons – Head of Community Safety  
*Enfield Safeguarding Adults Board representative*

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**Strategic Safeguarding Adults Service  
Health, Housing and Adult Social Care**

June 2016



**MUNICIPAL YEAR 2016/2017 REPORT NO. 96****MEETING TITLE AND DATE:**

Cabinet 19th October 2016

**REPORT OF: Tony  
Theodoulou**Interim Director of  
Children's Services

Contact officer and telephone number:

Grant Landon

0208 379 4075

Email: grant.landon@enfield.gov.uk

**Agenda – Part: 1****Item: 7****Subject: Enfield Safeguarding Children  
Board Annual Report 2015 - 2016  
Wards: All  
Non Key****Cabinet Member consulted: Cllr Ayfer  
Orhan****1. EXECUTIVE SUMMARY**

- 1.1 2015-2016 has been a successful year for the work of the Enfield Safeguarding Children Board (ESCB) with continued effectiveness in assessing and driving forward safeguarding practice which keeps children and young people at risk safe. There is a good multi-agency response to safeguarding concerns with strong systems and structures in place across the partnership. The commitment to workforce development and improving practice remains a priority with a comprehensive learning and development programme and a clear performance management framework in place.
- 1.2 The Enfield Safeguarding Children Board Annual Report covering 1st April 2015 to 31st March 2016 is attached as a background paper. It describes the Board's structure, activity and progress during 2015/16. The Board has followed through on the priority areas in the Business Plan 2014-2016.
- 1.3 The Board met 8 times during 2015/16 and was attended by senior managers from statutory and voluntary organisations, and by Lay Members. Enfield's Lead Member for Education, Children Services and Protection, Cllr Ayfer Orhan attends each board meeting and continues to challenge the work of the ESCB through discussion, asking questions and seeking clarity. This provides an important scrutiny and challenge function to the Board and further ensures the Board is supported by the Council.
- 1.4 There are currently five Subcommittees operating within ESCB, in which a significant amount of the Board's work is progressed. As with the full Board, membership is multi-agency, there is recognition by all Chairs that the success, effectiveness and thoroughness of the Board require each Subcommittee interacting with that of the others.

## 2. RECOMMENDATIONS

- 2.1 Cabinet to note the progress being made to safeguard children and young people and specifically note this report and the Enfield Safeguarding Children Board Annual Report which is attached as an appendix to this document.
- 2.2 The ESCB Annual report is referred to Council.

## 3. BACKGROUND

- 3.1 The Children Act 2004 places a duty on every local authority to establish a Local Safeguarding Children Board. Enfield Safeguarding Children Board (ESCB) is made up of statutory and voluntary partners. These include representatives from Health, Education, Children's Services, Police, Probation, Children and Family Court Advisory and Support Service (Cafcass), Youth Offending, the Community & Voluntary Sector as well as Lay Members.
- 3.2 The main role of the ESCB is to coordinate what is done locally to protect and promote the welfare of children and young people in Enfield and to monitor the effectiveness of those arrangements to ensure better outcomes for children and young people. The effectiveness of ESCB relies upon its ability to champion the safeguarding agenda through exercising an independent voice.
- 3.3 There are currently five Sub Committees operating within ESCB, in which a significant amount of the board's work is progressed. The subcommittees are:
  - Quality Assurance
  - Learning and Development
  - Serious Case Reviews
  - Child Death Overview Panel
  - Trafficking, Sexual Exploitation and Missing
- 3.4 **The Quality Assurance Sub Committee** has worked hard to improve the quality of service improvement and delivery of outcomes consistently across the partnership. The majority of monitoring and evaluation of multi-agency practice is monitored through the subcommittee which meets on a six-weekly basis. The group's key areas of focus are;
  - To monitor and ensure compliance with the ESCB Performance Dataset and to report key findings and areas of concern to the board.
  - To ensure partner agencies' compliance with Section 11 Audit Tool.
  - To commission and oversee focused audits regarding performance and compliance with procedures and policies as necessary.



- To closely monitor compliance with performance around the child protection processes, such as agency attendance at conference and core groups, numbers of children subject to CP Plans.
- To oversee the development and review of multi-agency policies and protocols and sign them off when completed.
- To oversee Peer audits carried out on individual cases to identify learning points and areas for improvement.

3.5 **The Learning and Development Sub Committee** key drivers and priorities for the Training Programme have included;

- The review of the **Child Sexual Exploitation (CSE)** Strategy and activity to identify and tackle CSE in Enfield.
- Awareness raising around the issue of **Female Genital Mutilation (FGM)**
- Increasing awareness of understanding of gang related issues and links with other issues, such as CSE.
- The review of the threshold document and development of the one front door (**Multi-Agency Safeguarding Hub (MASH)** and the **Single Point of Entry (SPOE)** service)
- The ongoing issue of **Neglect**
- **Domestic Abuse** and **Violence Against Women and Girls**
- **PREVENT** – The national anti-radicalisation agenda

All evaluation reports are sent to training providers and all are analysed by the Training and Workforce Group. This analysis has resulted in amendments to course content over the course of the year and has informed the training needs analysis for 2016/17.

3.6 **The Serious Case Review Sub Committee** must consider whether to initiate a serious case review when a child dies (including death by suspected suicide) or is seriously injured, and abuse or neglect is known or suspected to be a factor. The main purpose of a serious case review is to learn lessons to improve the way in which agencies and professionals work both individually and collectively to safeguard and promote the welfare of children.

There were no serious case reviews commissioned in 2015/16 but 2 cases were published during this period relating to events in 2013 and 2014. Action plans have been put into place and multi-agency learning events have been delivered with regard to both cases.

3.7 **The Enfield Child Death Overview Panel (CDOP)** reviews the deaths of all children normally resident in Enfield. The panel looks to identify any issues that could require a Serious Case Review (SCR); any matters of concern affecting the safety and welfare of children in the area; or any wider public health or safety concerns arising from a particular death or from a pattern of deaths in the area; and will make specific recommendation to the ESCB.

- 3.8 The **Trafficking, Sexual Exploitation and Missing (TSEM)** subgroup of the ESCB has existed since early 2012. It is a multi-agency group which coordinates and oversees our operational and strategic response to child sexual exploitation (CSE) and other associated vulnerabilities including the implementation of the CSE strategy and action plan.

Meetings provide a forum for agencies to:

- share operational issues with each other
- provide transparent information on issues within their own agencies
- develop strategy and protocols where required to deal more effectively with the issues
- highlight any specific areas of risk

It has representation from all agencies working with children and young people in Enfield.

- 3.9 In February 2015 Enfield councilors demonstrated a strong commitment to tackling CSE by agreeing to establish a specialist dedicated members Task Group with a clear focus on Child Sexual Exploitation and associated risks for children and young people. The CSE members task group has met regularly reviewing and scrutinising all matters relating to Child Sexual Exploitation (CSE). The group report to Council and has made specific recommendations to be put into place during 2016/17.

- 3.10 The ESCB now has a fantastic network of young people's Safeguarding Champions; they are a group of young people committed to promoting the protection of Enfield's children and young people. More work is to be done to promote the direct participation and input of more of our children and young people in the work of Enfield at a strategic and operational level. This remains an area of challenge for the Board.

- 3.11 The Board is proud of its successes there have been many achievements over the year these can be found in the ESCB annual report pages 4 to 6. There is no room for complacency, the economic situation and organisational change affecting public services in Enfield and across the country continues to be a challenge for the Board.

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

Not applicable.

#### **5. REASONS FOR RECOMMENDATIONS**

Enfield Safeguarding Children Board will require the commitment and support from multiple partners and from colleagues across the Council in order to continue to focus on improvements with the clear aim of reducing harm.

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

### **6.1 Financial Implications**

6.1.2 In 2015/16 the ESCB had a budget of £184,910 of which £144,310 was contributed by the London Borough of Enfield and the remainder from various partners, the largest of which was the CCG contributing £33,600.

6.1.2 The ESCB managed to spend within budget during the year primarily because there were no new Serious Care Reviews in 2015/16 which are regularly a high area of expenditure for Safeguarding Boards. **88%** of the overall budget was spent on staffing costs including the independent chair and the remainder was spent on Serious Case Reviews and Learning & Development.

### **6.2 Legal Implications**

Section 13 of the Children Act 2004 ('the Act') places a duty on every Local Authority to establish a Local Safeguarding Children Board (LSCB). Section 14 of the Children Act sets out the objective of a LSCB. Section 14A of the Act requires a LSCB to 'prepare and publish a report about safeguarding and promoting the welfare of children in its local area' at least once in every 12 month period. The report must be submitted to the local Children's Trust Board. The Local Safeguarding Children Boards Regulations 2006 govern the running of an LSCB. The Government's Statutory Guidance, Working Together to Safeguard Children (2015), gives guidance on the operation of LSCBs.

The proposals set out in this report comply with the above legislation.

### **6.3 Property Implications**

Not applicable.

### **6.4 HR Implications**

Not applicable.

## **7. KEY RISKS**

The Enfield Safeguarding Children Board is reliant upon a strong commitment from partners and is financed through contributions from partner agencies. There are risks that that the austere climate may impact upon the financial contributions and reduce the ability to deliver

on the key priorities within the business plan. Failure to deliver the business plan would have a detrimental impact upon the Council's reputation.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All, Growth and Sustainability and Strong Communities**

The work of the ESCB meets all 3 of the council's key aims and the objectives within the Children and Young People's Plan. With particular emphasis and more weighting upon improving services to those children, young people and families that require prevention and intervention from safeguarding services across a broad spectrum from early help to statutory interventions.

## **9. EQUALITIES IMPACT IMPLICATIONS**

Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of the Annual report. Safeguarding forms part of the Councils programme of retrospective equalities impact assessments (EQIA) and this was completed in July 2015. The retrospective EQIA collates equalities monitoring of service users, and consider how the service impacts on disadvantaged, vulnerable and protected characteristic groups in the community. A programme of actions to address adverse impacts are devised and implemented where appropriate throughout the delivery of the project.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

This ESCB has a robust data set and annual audit programme supporting the continuous drive for improvement by the Council and its partners in relation to outcomes for children.

## **11. PUBLIC HEALTH IMPLICATIONS**

The ESCB has strong links with the Health and Wellbeing Board and the Director of Public Health is a standing member of the Safeguarding Children Board. The ESCB has promoted and supported a number of public health issues and the Female Genital Mutilation task group, which is chaired by a Consultant in Public Health, has become an established sub-committee of the Health and wellbeing Board.

The ESCB is working closely with the Adult Safeguarding Children Board to further strengthen the partnership working with specific emphasis upon the health areas that are key priorities for both Boards such as Domestic Abuse and Female Genital Mutilation.

The ESCB coordinates local programmes to protect and promote the welfare of children and young people in Enfield and to monitor the effectiveness of those arrangements. Improved outcomes in early life and childhood lead to healthier, successful adults and improve the health of the population. For example: protecting children and young people results in improved population health outcomes by reducing mental health issues, sexually transmitted diseases and other issues e.g. obstetric complications in FGM victims.

The work of the Child Death Overview Committee contributes to reducing infant mortality in the borough by recognising risk factors and acting to prevent such deaths where possible. This increases life expectancy in the borough population.

### **Background Papers**

None

Appendix

1. Enfield Safeguarding Children Board Annual Report 2015- 2016

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**Enfield Safeguarding Children Board**

# **Annual Report 2015-16**

**Enfield  
Safeguarding  
Children Board**

...because safeguarding children  
is everybody's business

# Contents

<b>1</b>	<b>Introduction from the Chair</b>
<b>2</b>	<b>About Enfield</b>
<b>4</b>	<b>Executive Summary</b>
<b>7</b>	<b>Messages for Readers</b>
<b>8</b>	<b>Role of the Board</b>
<b>9</b>	<b>Governance and Accountability</b>
<b>10</b>	<b>Monitoring and Evaluation</b>
<b>12</b>	<b>Child Sexual Exploitation and Missing Children</b>
<b>14</b>	<b>Female Genital Mutilation (FGM)</b>
<b>15</b>	<b>Radicalisation and the PREVENT agenda</b>
<b>16</b>	<b>Child Death Overview Panel</b>
<b>17</b>	<b>Serious Case Reviews</b>
<b>18</b>	<b>Enfield Young Safeguarding Champions</b>
<b>19</b>	<b>Signs of Safety</b>
<b>20</b>	<b>Learning and Development</b>
<b>22</b>	<b>ESCB Finance and Resources</b>
<b>23</b>	<b>Statements from ESCB Partner Agencies</b>





# Introduction from the Chair



The challenges for all of us involved in the safeguarding children's world are numerous. We live in a constantly changing society which, whilst full of opportunities inadvertently can bring increased risk and danger to young people. Keeping children safe (this can range from crossing the road to unwanted intrusion from the Internet) across Enfield, involves a number of different agencies. The major three being; the Local Authority, the Metropolitan Police and The National Health Service.

Other important contributing partners include colleagues across Education, Probation, Children's and Family Court Advisory and Support Services, the London Fire Brigade and also many concerned and active voluntary groups. On the Enfield Board we also have two excellent lay members who represent the community, and the Lead Councillor for Children and Families attends. At each meeting we may welcome other individuals such as members of the Youth Parliament and other involved groups. There are also many providers from private businesses including hospitals and children's homes and regular contact is maintained.

This report summarises the work undertaken by the ESCB between April 1st 2015 to March 31st 2016. It charts the progress made in relation to Child Sexual Exploitation, Female Genital Mutilation as well as tackling the growing concerns of increased radicalisation. There are many other situations where children can be harmed and these include living with carers who have addiction problems, where housing and financial pressures and poverty can result in neglect. Some young people have family members in prison, and we are aware of knife and gun crime which adds to the dangers being experienced.

A key role of the ESCB is communication and holding all agencies to account in relation to making continuous improvements. As the Independent Chair both on my visits and indeed at Board Meetings I consider the communication between partners to be good though of course there are no grounds for complacency.

The ESCB currently operates across Enfield only, there are 31 other London Boroughs and there is a London-wide Safeguarding Children's Board. It is important that we stay alert to specific local concerns, London concerns and then of course governmental concerns across the UK. National headlines can sometimes drive or distract from local issues and this needs to be carefully balanced.

A major area of focus for the ESCB during 2016-2018 is Domestic Abuse, children are too often subjected to violence in the home and there are increasing concerns that the resources needed to really get to grips with this serious and damaging problem are shrinking. We need to strengthen our existing links between the Health and Wellbeing Board, Community Safety, the Adults Safeguarding Board and work together to highlight where practice is good and importantly make improvements when gaps are identified. All agencies need to learn from each other and the issues behind Domestic Abuse cross many partners desks, how we manage these issues needs our attention. We will also focus on and continue to support and monitor the good work that is undertaken in Enfield to safeguard disabled children.

Finally a huge Thank You to each and every staff member across all the agencies who work in this demanding and very challenging arena. Your skills, energy and commitment are appreciated by the ESCB, and your work whilst often invisible to most when all goes well is undertaken with purpose and pride.

A handwritten signature in black ink, appearing to read 'G. Gavin'.

**Geraldine Gavin**  
Independent ESCB Chair

# About Enfield

Situated approximately twelve miles north of London, Enfield is London's most northern borough and is a place of contrasts, having some of the most deprived and some of the most prosperous wards in London and indeed England. There are approximately **82,200 children** (aged under 18) living in Enfield, making up **26% of the borough's population** (Source GLA estimate). Enfield has a high number of children living in poverty and although the infant mortality rate has decreased in recent years to 4.6 per 1,000 live births, this is still higher than the England London averages of 4.1 and 3.9 per 1,000 live births respectively.

The overall population of Enfield is approximately 321,000 with a population of children and young people in the borough of approximately 73,500. Enfield has a relatively young population with the number of children and young people representing approximately 23% of the total population.

Enfield has experienced significant change over the last few years in terms of the size and nature of its population; this has included an increase in the baseline child population together with an increase in the numbers of children in Enfield who are living in poverty.

As well as the increase in child population, Enfield has also been significantly affected by the changes associated with the Welfare Reform agenda. The most recent available data from IDACI (The Income Deprivation Affecting Children Index) measures the proportion of all children aged 0 to 15 living in income deprived families. Their data concludes that Enfield is the 13th most deprived borough nationally and the 5th most deprived in London. The London Boroughs with greater levels of deprivation than Enfield have smaller baseline populations, meaning that Enfield now has the largest number of children living in poverty of any London borough.

As might be expected, there has been a significant increase in the number of 'Contacts' being made to Enfield's Single Point of Entry (SPOE) in the last few years. Enfield is currently receiving approximately 50% more referrals than three years ago. This inevitably creates a considerable amount of pressure on available services.

2015/16 saw an increase in children subject to **Child Protection plans** in the first half of the year peaking at **302** in August 2015. However, there has been a steady decrease month on month from November 2015 with **233** children subject to plans at the end of March 2016. The

decrease from August 2015 to March 2016 is significant at 23%. A number of factors have impacted upon the reduction of children subject to child protection plans. Firstly the partnership overseen by Enfield Safeguarding Children Board has embraced Signs of Safety (SoS) Practice Model which is an internationally recognised model for direct work with children and families. (*Read more about work related to Signs of Safety on page 19*)

Secondly the local specialist CSE team became operational in July 2015 and by the end of the year referrals were being held within this team with strong child in need plans in place thus reducing the need for child protection plans. (*Read more about work related to CSE and Missing Children on page 12*)

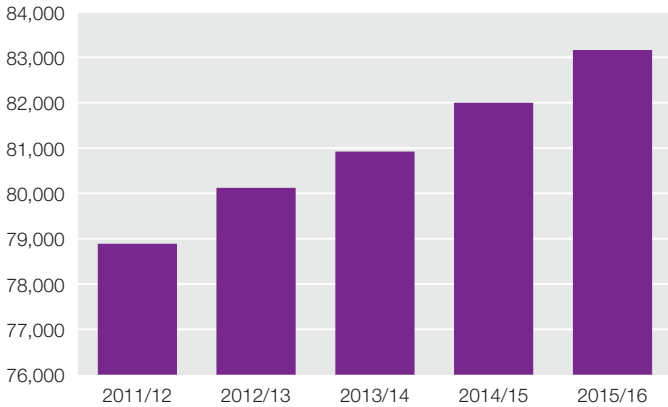
There was a small rise and then a fall in the number of **Looked After Children** during 2015/2016 but the overall number remains approximately the same at the end of March 2016 (359) as it was in March 2015 (358). There was a significant increase in the LAC population 3 years ago and this has remained consistently high over the last 2 years.

The number of unaccompanied asylum seeking children (UASC) looked after at the 31st March 2016 was **69** this is a significant area of pressure as there were **49** UASC looked after children at the 31st March 2015, this represents a 40% increase over the year.

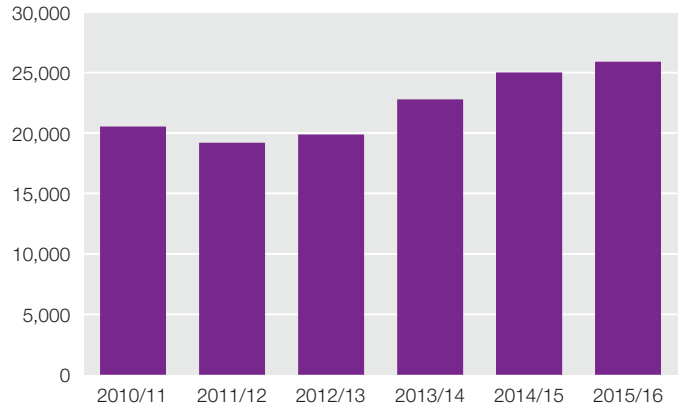
**60** children returned from care to parents or relatives with parental responsibility during the year 15/16 (this does not include Special Guardianship Orders or Child Arrangement Orders).

Further data relating to Safeguarding activity across the partnership can be found in Appendix A.

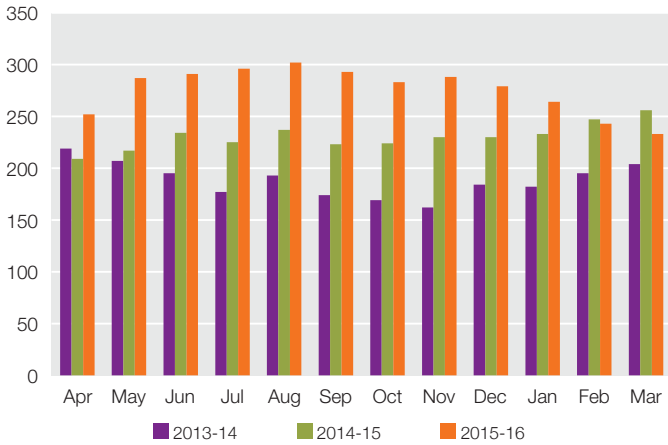
**Enfield under 18 population**



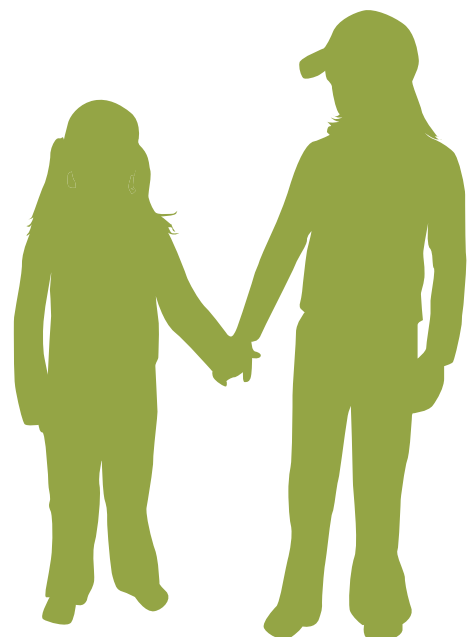
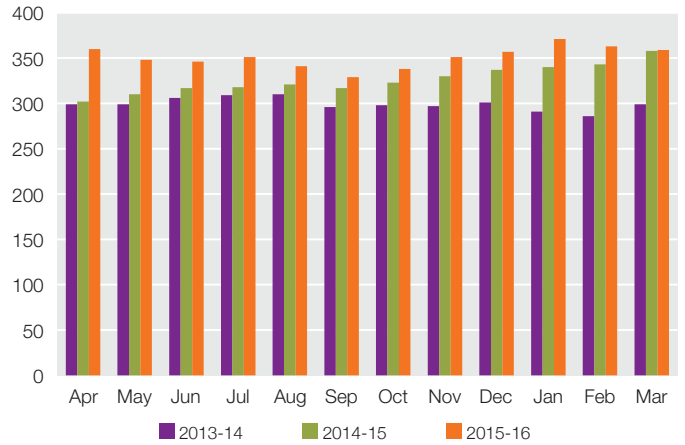
**Contacts recorded**



**Child Protection Plans (April 2013-March 2016)**



**Looked After Children (April 2013-March 2016)**



# Executive Summary

This Executive Summary summarises the Annual Report covering 1 April 2015 to 31 March 2016 focusing predominantly on activity and progress across the year against the priority areas as outlined in the [ESCB Business Plan](#) which was developed at the end of 2014-15.

2015-2016 has been a successful year for the work of the Enfield Safeguarding Children Board (ESCB). There is an effective response to safeguarding concerns with good systems and structures in place across the partnership. The commitment to workforce development remains strong with a comprehensive learning and development programme and a clear performance management framework in place.

## ESCB Business Plan 2015-2016: Summary of achievements

The Business Plan was divided into four sections with each section focusing on a priority area for development and activity. The priority areas are listed below along with some of the key achievements made this year. Many of the achievements contain hyperlinks which lead to the relevant page(s) of the [Enfield Safeguarding Children Board's website](#).



## Effective responses to specific safeguarding concerns

- A great deal of progress has been made in our work in supporting the identification, assessment and safeguarding intervention of children at risk of [sexual exploitation](#). Activity includes the establishment of a dedicated multi-agency Child Sexual Exploitation Prevention Team, the development of an elected members CSE Task Group and a focused cross-border project in collaboration with our neighbours in Haringey, to help improve our responses to CSE and other vulnerabilities.
- Much positive work has been undertaken to support our work to support children and young people who go [Missing](#). This included the development of a new protocol covering processes for children who go missing from Home, Placements, Education and Health and the establishment of a new multi-agency Missing Children Risk Management Group which has quickly led to a significant reduction in the number of children who are missing education. *Read more about work related to CSE and Missing Children on page 12.*
- We have worked with local groups from the voluntary and community sector to update our strategy and protocols relating to the identification, assessment and safeguarding of children and risk of [Female Genital Mutilation](#) in line with national developments. *Read more about work related to FGM on page 14.*
- We have strengthened our links with the Community Safety Unit in relation to [RADICALISATION](#) and the [PREVENT](#) agenda. The board receives regular updates on activity in this area and has commissioned a series of training sessions to help raise awareness and understanding.



## 2

## Effective safeguarding structures and systems

- The Board has overseen and endorsed some key changes in relation to how Early Help arrangements are structured and how referrals to children's social care are managed during the course of the year. Two Early Help audits were undertaken which were used to inform the new Early Help strategy (currently in draft) and the board has helped to raise awareness of changes training sessions and updated information on the website.
- The Enfield ESCB Threshold Document and Information Sharing Protocol have been completely refreshed to reflect current practice and procedures and have been circulated across the partnership.
- Work has continued to strengthen links between ESCB and related boards and groups including the Safeguarding Adult Board and the Health and Wellbeing Board. The Learning and Development subcommittee not operated jointly with the adult board ensuring consistency and improved effectiveness and the FGM subcommittee now reports directly to the Health and Wellbeing Board whilst maintaining strong links to the ESCB.

## 3

## Communication and learning

- The Safeguarding Board has played a key role in shaping and promoting the implementation of the Signs of Safety practice model across the borough. This strengths-based and safety-focused approach to child protection work is grounded in partnership and collaboration and aims to improve outcomes for children and their families. The Board has fully endorsed the model and has overseen the delivery of briefings and training over 500 professionals. *Read more about work related to Signs of Safety on page 19.*
- We have again delivered a comprehensive programme of Safeguarding Training across the partnership, ensuring that all staff have access to good quality training, which helps support sustained improvements across all safeguarding services. Across the year we delivered training and learning sessions to well over 1,000 people, a significant improvement on previous years, at no additional cost. *Read more about work related to Learning and Development on page 20.*
- Enfield was one of the areas selected by the DfE for funding to support a national Child Abuse Awareness Campaign aimed at encouraging people in the community to be able to recognise the signs of abuse and to report it promptly. The campaign ran across the borough through the spring.
- We have continued to raise the **profile** of ESCB by developing and maintaining the ESCB website, getting articles into the local press, and developing our social media presence of both Twitter and Facebook where we now have over 500 followers.

## 4

## Performance management and quality assurance

- We have continued to develop and improve our **Section 11 programme** which gives us the opportunity to seek assurance from our partners regarding their Safeguarding processes and activity and to offer challenge where appropriate. This year we have focused on improving the support and scrutiny we are able to offer our schools and have been very pleased with the high levels of engagement and the evidence provided of effective safeguarding structures.
- We have continue to refine and enhance our **Safeguarding Dataset** which is used to routinely scrutinise partners performance, to make it as informative and effective as possible and have used the findings to make changes and enhancements to practice and systems.
- The **multi-agency audit** programme has been expanded to include priority areas such as Missing and Child Sexual Exploitation and findings have continued to drive improvement. *Read more about work related to Performance Management on page 10.*

## Conclusion and Challenges for 2016/17

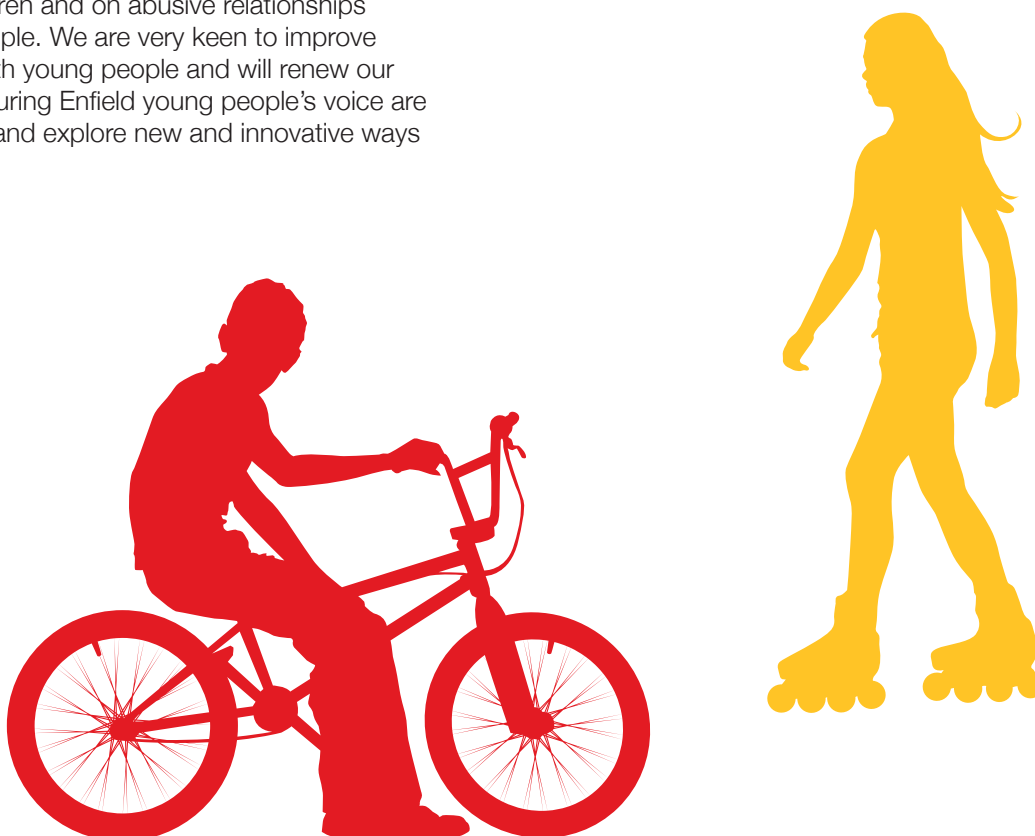
2015-2016 has again been a very busy year and productive for the ESCB. We hope that this report provides readers with reassurance of our firm commitment to ensure there are effective, joined-up local arrangements to safeguard and promote the welfare of children in Enfield.

This report demonstrates that safeguarding activity is progressing well and that the ESCB has clear agreement and focus on the strategic priorities and ongoing challenges. Reports from our partners demonstrate that statutory and non-statutory members are consistently working towards the same goals as part of the multi-agency partnership and within their individual agencies.

The Board is committed to a programme of scrutiny, monitoring and, quality assuring the quality of safeguarding activity across Enfield, and this programme of robust analysis and challenge will continue to ensure that children and young people are kept safe. The Board is proud of its successes but of course there is no room for complacency, the economic situation and organisational change affecting public services in Enfield and across the country continues to be a challenge for the Board.

2016/17 will see us continuing our focus on Child Sexual Exploitation and Missing Children and exploring ways of effectively bringing these issues together with other factors that affect vulnerable young people to offer a holistic and robust approach to our work with older children. We will have a renewed focus on Domestic Abuse both on the ways parental domestic abuse can impact on children and on abusive relationships between young people. We are very keen to improve our engagement with young people and will renew our commitment to ensuring Enfield young people's voice are heard at the board and explore new and innovative ways of achieving this.

We hope that you find this report interesting and helpful. There are many hyperlinks throughout the report which lead to relevant pages of our website. We continue to work hard to ensure our website is as relevant and useful, both for professionals and members of the public and we are also striving to maximise our use of social media to promote our work and engage with others. If you are a [Twitter](#) or [Facebook](#) user please follow us by clicking on the links. Your feedback and thoughts are always important to us. You can get in touch wither through our social media channels or through the website [www.enfieldscsb.org.uk/contact](http://www.enfieldscsb.org.uk/contact).



# Messages for Readers

## Board Members

Identify and act on child protection concerns.

Work effectively to share information appropriately.

Collectively make decisions about how best to intervene in children's lives where their welfare is being compromised, and collectively monitor the effectiveness of those arrangements.

## Staff working in Board partner agencies

Book onto ESCB Multi-agency training and learning events relevant to your role.

Be familiar with the Pan London Safeguarding Procedures.

Be familiar with the Threshold Document to ensure an appropriate response to children and families.

Find out who your agency representative is to make sure the voices of the workforce, children and young people are heard.

## Children and Young People

You are at the heart of the child protection system. We want to make sure that your voices are heard and that we know how you are experiencing the services in our Board partner agencies. If you would like to know more about how you can influence the work of ESCB please contact us.

[www.enfieldlscb.org.uk/contact](http://www.enfieldlscb.org.uk/contact)

## Chief Executives and Directors

Show ESCB that your agency is committed to a culture of safeguarding.

Ensure your workforce contributes to the provision of ESCB multi-agency safeguarding training.

Have an open dialogue about any barriers that may impact on your organisations ability to safeguard children and young people.

## Local Politicians

In 2015/16 Councillor Ayfer Orhan was lead member for children and families, making sure their voices are heard by the LSCB. She continues to fulfil this role in 2016- 2017, widely promoting the work of the Board to members communicating the core priorities and key safeguarding messages that everyone needs to be aware of.

All politicians should keep the protection of children and young people at the forefront of thinking when scrutinising and challenging any plans for Enfield.

## The Community

You are in the best place to look out for children and young people and to report any of your concerns.

Safeguarding children and keeping them free from harm is everyone's responsibility, if you are worried about a child or young person please follow the steps on the Enfield LSCB website.

Follow us on Twitter and Facebook.

# Role of the Board

Enfield Safeguarding Children Board is made up of statutory and voluntary partners. These include representatives from Health, Education, Children’s Services, Police, Probation, Children and Family Court Advisory and Support Service (Cafcass), Youth Offending, the Community & Voluntary Sector as well as Lay Members.

Our main role is to coordinate what is done locally to protect and promote the welfare of children and young people in Enfield and to monitor the effectiveness of those arrangements to ensure better outcomes for children and young people. The effectiveness of ESCB relies upon its ability to champion the safeguarding agenda through exercising an independent voice.

Safeguarding children is everybody’s responsibility. Our purpose is to make sure that all children and young people in the borough are protected from abuse and

neglect. Children can only be safeguarded from harm if agencies work well together, follow procedures and guidance based on best practice and are well informed and trained.

A key element of the ESCB’s work is the provision of information to and from the public, potential and actual service users, staff working in partner agencies and others interested in children’s welfare. We work hard to ensure our website [www.enfieldscb.org](http://www.enfieldscb.org) is as helpful and up to date as possible.



**Enfield**  
Safeguarding  
Children Board



...because safeguarding children is everybody’s business





# Governance and Accountability

The Children Act 2004 places a duty on every local authority to establish a Local Safeguarding Children Board (LSCB).

The Government's Statutory Guidance, Working Together to Safeguard Children (2015) defines safeguarding and promoting the welfare of children as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- taking action to enable all children to have the best life chances.

This is to enable those children to have optimum life chances and enter adulthood successfully.

**LSCBs do not commission or deliver direct frontline services although they may provide training. Whilst LSCBs do not have the power to direct other organisations they do have a role in making clear where improvement is needed. Each Board partner retains their own existing line of accountability for safeguarding.**

The Board met 8 times during 2015/16 and was attended by senior managers from statutory and voluntary organisations, and by Lay Members. Enfield's Lead Member for Children Services, Cllr Ayfer Orhan attends each board meeting and continues to challenge the work of the ESCB through discussion, asking questions and seeking clarity. This provides an important scrutiny and challenge function to the Board and further ensures the Board is supported by the Council.

Where there has been insufficient attendance or engagement at the Board, this has been appropriately challenged by the Independent Chair.

There are currently five Subcommittees operating within ESCB, in which a significant amount of the board's work is progressed. As with the full Board, membership is multi-agency. All Terms of Reference have been updated within the last year and there is recognition by all Chairs that the effectiveness and thoroughness of the Board requires that the work of each Subcommittee interacts with that of the others.

## Key Relationships

### Health and Wellbeing Board (HWB)

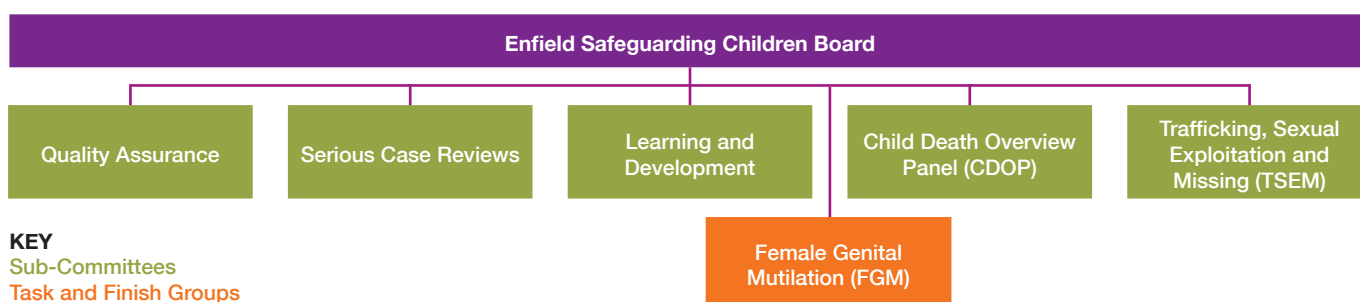
The HWB assumed its full statutory powers in April 2013 and the ESCB Chair is now a participant observer, increasing the influence of the Board by strengthening the relationship with this key strategic group. Clearer lines of accountability have been developed over the year and ESCB report regularly to the HWB and continue to make sure key safeguarding issues are addressed.

### Safeguarding Adults Board

The ESCB Chair is a participant observer on the Adult Safeguarding Board and the Chair of the Adult Safeguarding Board has been a participant observer at the ESCCB.

### Member Agencies Executive Management Boards

Board members are senior officers within their own agencies; this provides a direct link between ESCB and the various agencies' Boards.



# Monitoring and Evaluation

This section provides some analysis of the work that has taken place in terms of developing a robust approach to Quality Assurance and Performance Monitoring. There are summaries of some of the key learning arising from our audit activity and detailed information on the ESCB's effectiveness in monitoring the safeguarding system, including **Section 11 Audits, and Management of Allegations of Adults working with Children.**

There continues to be a healthy and effective culture of accountability and challenge across the ESCB and the Quality Assurance Sub Committee continues to work to improve the quality of service improvement and delivery of outcomes consistently across the partnership. The majority of monitoring and evaluation of multi-agency practice is monitored through the subcommittee which meets on a six-weekly basis. The group's key areas of focus are:

- To monitor and ensure compliance with the ESCB Performance Dataset and to report key findings and areas of concern to the board;
- To ensure partner agencies' compliance with Section 11 Audit Tool;
- To commission and oversee focused audits regarding performance and compliance with procedures and policies as necessary;
- To closely monitor compliance with performance around the child protection processes, such as agency attendance at conference and core groups, numbers of children subject to CP Plans;
- To oversee the development and review of multi-agency policies and protocols and sign them off when completed;
- To monitor and scrutinise partner agencies internal Safeguarding activity and Quality Assurance work to ensure it is of a high and consistently standard.



## Developing our approach to Section 11...

ESCB conducts annual Safeguarding audits under **Section 11 of the Children Act (2004)** which deals with the duty to make arrangements to safeguard and promote the welfare of children in the local area by seeking assurance that agencies have effective and robust arrangements in place.

Last year, for the first time, return of the completed Section 11 templates was followed by a panel Section 11 challenge interview. The panel was chaired by the ESCB independent chair who was joined by LSCB members. At the conclusion of the meeting a short summary of the discussion was drawn up along with an action plan for the agency identifying where improvement and/or clarification was required.

This year we have continued to build on and expand this activity with a specific focus on our schools. Section 175 of the Education Act (2002) requires local education authorities and governing bodies of maintained schools and further education institutions to make arrangements to ensure that their functions are carried out with a view to safeguarding and

promoting the welfare of children. In addition, those bodies must have regard to any guidance issued by the Secretary of State in considering what arrangements they need to make for that purpose of the section. The ESCB developed a **Schools Safeguarding Checklist** to assist schools to assure themselves, and the Safeguarding Children Board, that they are compliant with Safeguarding requirements. It was sent directly to all schools and to governing bodies. The response from schools has been excellent with over 90% of our schools returning the checklist. Phase Two of the process has been to offer support visits to schools to help them review and strengthen their safeguarding arrangements with a particular focus on current challenges such as CSE and Radicalisation. So far six schools have either been visited or have arranged visits and the feedback has been extremely positive. We will continue to expand this approach in 2016/17 and will start to target those schools where concerns about safeguarding have been identified or raised.

## Themed Case File Audits

Each year a range of themed case file audits are undertaken through the ESCB focusing on key areas of safeguarding activity. Some audits are undertaken by managers from within children's social care and our agency partners whilst others are completed by external, independent auditors. Audits undertaken in 2015/16 include:

- The **distance from their home** Looked After Children are placed
- Children who go **Missing** who are open to Children's Social Care
- **Private Fostering** Cases
- **Child Sexual Exploitation (CSE)**
- **Early Help and the Team Around the Family (TAF)**

As we would expect, a range of strengths and areas for improvement were identified through the audits and actions plans have been developed where necessary. Some of the actions that have been implemented as a consequence of these audits include:

- Ensuring that **chronologies** for Looked After Children are up to date and include a meaningful overview of the case
- Ensuring all **Direct Work** undertaken with children is recorded clearly and consistently
- Development of a new **ESCB Threshold Document** for use across the partnership with particular focus on assisting decision making in the Single Point of Entry (SPOE)
- Development of a new Early Help Assessment Form to be used by agencies to refer to the SPOE. The new form both ensures that information is captured clearly and succinctly and adheres to the newly implemented **Signs of Safety Practice Model** that is being implemented across Enfield.

# Child Sexual Exploitation and Missing Children

This has again been a very active year in relation to our work to identify and tackle Child Sexual Exploitation (CSE) and the links with children and young people who go missing. We were very pleased to endorse and support the establishment of a multi-agency Child Sexual Exploitation Prevention (CSEP) Team in July 2015. The team consists of Social Workers, Police officers and support workers who manage and/ or provide support for all cases where CSE is an issue.

The Trafficking, Missing and Sexual Exploitation (TSEM) sub-committee, continue to oversee our CSE strategy and action plan which has evolved and developed as our understanding of needs and requirements have grown. We have updated both our CSE and our Missing children operating protocols and published them on our website. For the first time our Missing Protocol covers guidance on what to do when working with children who go missing from Education and Health as well as from Home and Care.

At the start of year we joined with Haringey Safeguarding Children Board to successfully bid for funding from the Department for Education Innovation Fund to develop a **Cross Borough Vulnerable Young People's project** which looked specifically on the needs of children and young people at risk of child sexual exploitation (CSE) within and across the two boroughs. The project aims, all of which are on track are to:

- Increase responsiveness to and prevention of, CSE, trafficking, gang activity and missing children incidents across the two boroughs through improved intelligence and analysis of the needs of vulnerable children and young people.
- Improve the quality of joint working across the two boroughs and explore cost efficiencies in relation to safeguarding vulnerable children and disrupting and prosecuting perpetrators.
- Monitor, record and share learning about models of joint accountability and joint working across the LSCBs particularly to tackle CSE, trafficking, gang activity and missing rates to better safeguard children and young people.



**“HE ASKS ME TO HAVE SEX WITH HIS FRIENDS OR HE’LL STOP TAKING CARE OF ME”**

**Child Sexual Exploitation is when you are being manipulated into having sex, usually in return for something.**

**THIS IS ABUSE. DON'T MASK THE PROBLEM.**

**Call ChildLine on 0800 1111**  
for help and advice  
or speak to an adult you trust  
[www.enfield.gov.uk/cse](http://www.enfield.gov.uk/cse)

METROPOLITAN POLICE  
London safeguarding children trust  
ENFIELD Council

The Project will run to June 2016 and will culminate in a Bi-Borough Learning event for partners to ensure learning and new processes and systems are fully embedded in both boroughs.

A member's CSE task group was established in June 2015 and meets four times a year offering strong leadership, oversight and scrutiny for the work undertaken to tackle CSE across the borough. The Task Group is due to report to the full council in May 2016.

The Borough has been part of the MsUnderstood North London Cluster – a project which brings together the six authorities within the cluster (Barnet, Camden, Enfield, Hackney, Haringey and Islington) supporting the collective focus on thematic issues of concern and enabling the sharing of relevant information across boundaries to build a cluster-wide problem profile of CSE (and within this peer-on-peer abuse and exploitation).

**SAY SOMETHING IF YOU SEE SOMETHING**

**WATCH FOR**

- GUESTS REQUESTING A ROOM THAT IS ISOLATED
- GUESTS WHO APPEAR SECRETIVE ABOUT THEIR VISIT OR TRYING TO CONCEAL THAT THEY ARE WITH A YOUNG PERSON
- FREQUENT ADULT VISITORS TO THE HOTEL WHO DO NOT APPEAR TO HAVE A REASON FOR BEING THERE

**CHILD SEXUAL EXPLOITATION IS ABUSE. DON'T MASK THE PROBLEM.**

**THIS IS ABUSE. DON'T MASK THE PROBLEM.**

**Report it.**  
Call 101, quote Operation Makesafe.  
[www.met.police.uk](http://www.met.police.uk)

METROPOLITAN POLICE London safeguarding children board ENFIELD Council

## Training and Awareness Raising

We have continued to work with Safer London Foundation to provide training and awareness raising in relation to CSE. As part of the **Cross Borough Vulnerable Young People's project** we arranged a number of targeted training sessions for specific professionals across the two boroughs. Professionals benefiting from this training include, Social Workers, Police officers, and Community Safety unit staff, Pupil Referral Unit staff and Health Visitors and School Nurses.

## Next Steps

Given the progress made on tackling CSE and Missing in Enfield and given the growing understanding nationally and locally of the complex, often intertwined issues that young people face and how they can impact on young person's life it is proposed that the good work achieved by the Trafficking, Missing and Sexual Exploitation sub-committee is built upon and expanded to include a focus on a number of additional area including; Youth Crime and Violence including gang related activity, Radicalisation and the Prevent agenda and Domestic Abuse and Violence Against Women and Girls.

The new group would link closely with other forums where these topics are already discussed and look to develop and implement a Vulnerable Young People's Strategy and Action Plan which would provide a cohesive and joined up approach to addressing the wider challenges vulnerable young people face. The group would of course retain a sharp focus on issues related to CSE and Missing but by also considering other issues the opportunities to develop wide ranging strategies and support mechanisms for vulnerable young people would increase. Timescales and full details are yet to be decided but it is expected that the new group will be operational in 2017.



# Female Genital Mutilation (FGM)

In 2014, the public health team in Enfield estimated that 2,823 girls and young women under-18 years old were at risk of being subjected to FGM and 3,000 women in the borough had probably already fallen victim to this form of abuse. In 2015, City University published a study which estimated that there were 3491 women in the borough that live with FGM. This equates to an estimated prevalence of 21.6 per 1,000 women. This compares to 5.0 per 1,000 women in England and 21.0 per 1,000 women in London.

The Council formed a multidisciplinary group in 2013/4 which in the 3 years of its existence has overseen work to identify the number of women and girls in the borough at risk of FGM. Recently the team have provided training to social workers and members of the CCG. In addition partners in the voluntary sector continue to train professionals and deliver community development work with affected communities.

Iris – an FGM clinic located at the North Middlesex Hospital became operational in autumn 2015. It is staffed by a female Gynaecologist and specialist midwife. The clinic provides care and support for women who are experiencing problems as a result of FGM, and women are invited to discuss their health needs in a sensitive and non-judgmental environment. Interpretation is available on request and is confidential and private. Psychological and social support, and deinfibulation (reversal) are provided, as well as general gynaecology, sexual health and contraception advice. Over 250 women have attended since it opened and approximately 75% are Somali.

A half day workshop with all stakeholders took place in March 2016. This was held to consider a draft action

plan and develop a strategy for FGM, given the FGM mandatory reporting guidance had been issued and the FGM chapter of the London Child Protection Procedures had been refreshed.

To take the work forward, the strategy is being developed. There is an action plan accompanying the strategy and the actions have been assigned. The majority of the actions are ongoing and there is an intention to hold a further workshop to agree the strategy. The strategy includes:

- Mapping services and the roles of the various voluntary sector organisations
- Refreshing protocols including clinical and referral protocols
- Working to co-ordinate better with the acute sector, including the IRIS clinic and the clinic being set up at Barnet
- Addressing an identified gap for health visitors and school nurses working with families affected by FGM and helping to devise a protocol for them.



## Standing up to FGM

# Radicalisation and the PREVENT agenda

Prevent is part of the Government's CONTEST strategy and the Prevent strand is aimed at preventing people from becoming terrorists or supporting terrorism. Enfield is one of the Prevent "priority" authorities in London, which is reflected in the fact that we receive additional resources from central Government.

The Prevent duty placed an ownership on named sectors from July 2015 to recognise and refer vulnerable individuals for further Prevent support.

In Enfield we have been working to provide training and other resources to schools and similar organisations to have a better understanding of Prevent and to be able to contribute to its aims.

Many organisations have accessed a training tool called Workshop to Raise Awareness of Prevent (WRAP). This training has been provided a wide range of professionals in Enfield including teachers, social workers, housing staff, front line workers and health care workers.

This year a critical thinking project called 'Second Thoughts' was commissioned to support schools in Enfield. The project received favourable feedback from a number of schools on the way it was delivered.

The aims of this critical thinking project were to:

- provide young people with the opportunity to consider their opinions and how their world view is formed
- help young people to think critically about the information they receive and recognise the dangers of stereotyping and misinformation
- help young people to identify bias, propaganda, and symbolism in the media
- illustrate how easily divisions can be created between groups of people, which can escalate into conflict, and how to deal with it.

This project is now being made available to all secondary schools in Enfield.

In Enfield the main aim of the Prevent delivery remains to safeguard vulnerable individuals and to train appropriate staff so they are able to recognise and refer appropriate people for further Prevent support. Prevent referrals are treated in a similar way to other safeguarding referrals and professionals are instructed to complete an Early Help Form if they have concerns about a child.



# Child Death Overview Panel

The Enfield Safeguarding Children's Board carries out Child Death Reviews as set out in the guidance 'Working Together to Safeguard Children 2015'. This process is performed by Enfield Child Death Overview Panel (CDOP).

CDOP is a multi-disciplinary subcommittee of the Safeguarding Children's board and is chaired by a Consultant in Public Health (CPH).

CDOP reviews each death of a child normally resident in the borough up to the age of 18, excluding babies who are stillborn and planned terminations of pregnancy performed within the law. Relevant information is collected and collated and each child's case is discussed to determine if the death could have been prevented. The intention is not to assign blame, but to determine if there were any modifiable factors that may have contributed to the death and decide if any actions could be taken to prevent future such deaths. If it is determined that there are such actions, recommendations are made to the Local Safeguarding Children's Board (LSCB) or other relevant body so that action can be taken accordingly.

Where a death is unexpected a rapid response meeting is usually convened. These are convened and chaired by the designated paediatrician and are held as soon as possible. These meetings are held to ensure that all the relevant information is gathered as soon as possible and any relevant actions are taken accordingly.

The panel also has a role in identifying patterns or trends in local data and reporting these to the LSCB. The lessons and trends arising from reviews are compiled and reported to the main Board and information or health promotion campaigns are carried out as appropriate – this has included in the past information events on Sudden Infant Death Syndrome which were held in conjunction with other Boroughs and learning events to inform professionals of the work of the safeguarding board and CDOP.

Due to the time it can take for death's to be reviewed the data for CDOP activity is a year behind. Between April 2014 and March 2015 a total of 17 deaths were reviewed by the Panel. In this same time period there were 5 rapid responses for unexpected deaths.

Of the deaths that were reviewed in 2014/15, three (18%) were found by the Panel to have modifiable factors.

Thirty per cent (5/17) deaths were neonatal/perinatal events and 47 per cent of deaths (8/17) were in children where there was a known life-limiting condition.

## Future challenges

The paediatric assessment unit at Chase Farm Hospital and the arrangements for out-of-hours care in the borough are currently being reviewed.

Demographics in the borough are rapidly changing due to new building in the borough, regeneration and an increase in the borough population due to cheaper housing in Enfield compared to surrounding boroughs.

## Achievements

A closer working relationship between CDOP and the SCR panel has been developed with an agenda item on each panel to share cases and concerns rather than each panel looking at these in isolation. The Chair of CDOP also now attends the SCR sub-committee.

Work is ongoing on reducing the number of SUDIs in the borough, with the production of a CCG funded booklet on child health that was translated into a number of community languages and the distribution of materials from the Lullaby Trust.



# Serious Case Reviews

In England a serious case review (SCR) takes place after a child dies or is seriously injured and abuse or neglect is thought to be involved. It looks at lessons that can help prevent similar incidents from happening in the future.

The SCR subcommittee of the ESCB meets quarterly and reviews and follows through actions from previous Serious Case and other Reviews. This ensures that any lessons learned are implemented. Learning events are planned and delivered to agency partners on lessons arising from serious case reviews both locally and nationally.

In 2015/2016 the [ESCB](#) has published two [Serious Case Reviews](#). In accordance with guidance, both were anonymised.

In May 2015 Enfield and Haringey Safeguarding Children Boards jointly published the Serious Case Review (SCR) report for 'Child CH'.

The Serious Case Review concerned the murder by CH then aged 15, of a young man who was unknown to him. The Overview Report stated that the circumstance of the death and CH's involvement, could not have been predicted. However, through looking at the work of all agencies involved with CH and his family, the report recognised that there were a number of areas of learning and improvement for partner agencies as well as evidence of good and effective practice. Agencies could, and should, have responded differently at key points.

In January 2016 the ESCB published the Serious Case Review (SCR) report for 'AX' which involved the death of a 17 year old male who was stabbed at the end of 2013. AX spent much of his life in Barnet and was engaged with a number of agencies there and so throughout the process of the review Enfield Safeguarding Children Board worked closely with colleagues from Barnet to ascertain what happened and when and to identify how we can collectively learn from the premature death of this young man.

The report concluded that the circumstances and timing of AX's death could not have been directly predicted by any of the agencies with which he had been in contact but did identify possible opportunities for changing the outcome or influencing elements in this and future cases.

For both of these reviews comprehensive Action Plans were developed from the recommendations which have been implemented and monitored through the sub-committee. In both cases the action plans have been completed.

In addition to our own two SCRs the sub-committee has also focused on other related issues. These include:

- Serious Case Reviews undertaken by other local authorities where an Enfield agency had some involvement. In the last year this includes reviews undertaken by Haringey, Barnet, Waltham Forest and Croydon. In all of these cases the sub-committee has monitored the recommendations and actions and supported partner agencies to ensure they are completed.
- Serious Case Reviews from other boroughs across the country where there are issues and recommendations that are relevant to us. These include a review undertaken in Hackney which looked at the sexual abuse of children in Foster Care. In Enfield we used the recommendations to develop an Action Plan to ensure supervising social workers and Foster Carers were aware of failings that the report identified and to assure ourselves that robust processes are in place to prevent such failings happening here.
- Following a new inquest into the death of baby in Enfield in 2011 which changed the previous finding regarding who was likely to have caused his death we wrote to the Metropolitan Police Serious Crime Review Group and successfully requested that they review the case and the Police investigation into it.



# Enfield Young Safeguarding Champions

After a very active year in 2014/15 there have been a hiatus in the activity of our young safeguarding champions in 2015/16. This has largely been a consequence of structural changes and diminishing resources within Enfield children's services. However, there is a clear plan in place to ensure there is strong engagement and consultation with young people moving forward which involves engaging with our Youth Parliament and other young people's groups. Representation of young people in the activity of the ESCB will be a core part of our Business Plan for the coming year.



# Signs of Safety

Enfield Safeguarding Children Board (ESCB) and its partners, including Enfield Children's Social Care have committed to implementing the Signs of Safety framework. The comprehensive implementation plan has been approved and endorsed and funding has been secured for the next 2 years to help move this important project forward.

This means that we are making some significant changes to the way we work with children, young people and families to ensure they are always at the centre of the work we do.

## What is Signs of Safety (SoS) and why we are implementing it in Enfield?

Signs of Safety is an integrated framework for working with vulnerable children and their families, that is underpinned by key principles – developing and sustaining working relationships with children, families and professionals; having a questioning approach, remaining opened minded; and keeping the work grounded in everyday practice.

- SoS is an internationally recognised model for direct work with children and families.
- It is an outcome-focused, strengths-based model with a robust risk management framework & includes a range of principles, processes and tools to guide the work.
- Enfield is currently implementing the SoS to re-position the children's service at the centre of cutting edge social work research and practice (Munro review) and have a clear practice based model that can be used across all professions not just social work.

## What we have done so far?

- Established a multi-agency **steering group** and a separate **operational group** which meet regularly to drive the implementation.
- Developed a full project plan which was signed off by ESCB, DMT and Enfield 2017 Design Authority.
- Hosted 2-day Signs of Safety training on 4 occasions delivering in depth training to 120 professionals. Arranged two further 2-day training sessions for October and provisionally booked the specialist 5-day training session for up to 30 professionals in December.

- Delivered SoS short briefings' to well over 400 practitioners across the borough.
- Included half day workshops for partner agencies as part of the annual ECSB Training programme.
- Worked closely with the Enfield 2017 IT team to identify IT changes and solutions required to fully implement the SoS (Smartboards, changes within Liquid Logic).
- Secured the funding through the 'invest to save' for the project to go forward.
- Review relevant policies, procedures, literature and assessment forms and made amendments to ensure they reflect SoS practice model.
- Begun the pilot period for Child Protection conferences in June 2016.

## What's in progress?

- Recruitment of a SoS Practice Coordinator to lead the project for the next two years.
- Implementation of monthly practice meetings with Practice Leads and case workers.
- Ongoing review of the success and lessons learned during the pilot period ahead of full go-live in the autumn.
- Development of a Quality Assurance Framework You can find additional information and guidance on our [Signs of Safety webpage](#).



# Learning and Development

ESCB has a responsibility to develop policies and procedures in relation to the 'training of persons who work with children or in services affecting the safety and welfare of children...to monitor and evaluate the effectiveness of training, including multi-agency training, to safeguard and promote the welfare of children' (*Working Together, 2013*)

With oversight from the Joint Adults and Children's Learning and Development Subcommittee, a Training Strategy and a comprehensive multi-agency training programme is developed and delivered by the ESCB and this continued in 2015/2016. Issues from national Serious Case Reviews (SCRs) and other case reviews were considered, considered and incorporated to ensure that the content of the training programme related to emerging issues of concern, as well as to core safeguarding learning, that all practitioners working with children and their families need to understand. The decision was taken at the start of the year to merge the adults and children's sub-committees. This has allowed us to identify areas of crossover and ensure that where relevant, such as for training on Domestic Abuse, professionals who work with adults and children are brought together to maximise effectiveness.

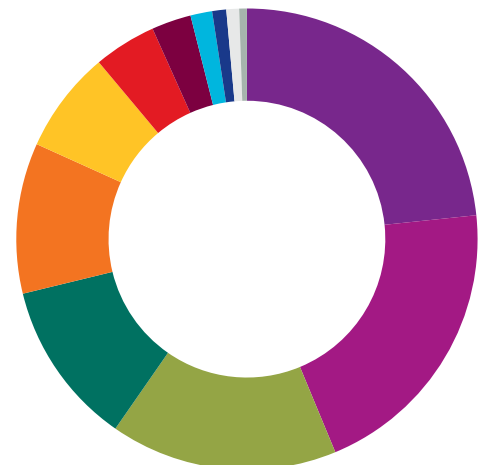
It has been a very active year for Training. Key drivers and priorities for the Training Programme have included:

- The implementation of the **Signs of Safety** model
- The development of the **Child Sexual Exploitation (CSE)** Strategy and activity to identify and tackle CSE in Enfield
- Awareness raising around the issue of **Female Genital Mutilation (FGM)**
- Increasing awareness of understanding of gang related issues and links with other issues, such as CSE.
- The development of the **Multi-Agency Safeguarding Hub (MASH)** and the **Single Point of Entry (SPOE)** service
- **Domestic Abuse** and **Violence Against Women and Girls**

A total of **1,118** places have been filled at ESCB learning events this year compared with **553** last year.

Attendees have been from the following sectors:

Children's Social Care	261	23.3%
Education	228	20.4%
Independent and Voluntary	178	15.9%
YFSS	129	11.5%
Health	118	10.6%
Other LBE	80	7.2%
CAMHS / EPS	49	4.4%
Out of Borough	31	2.8%
Police	17	1.5%
Other	11	1.0%
Foster Carers	10	0.9%
Probation	6	0.5%
	<b>1,118</b>	<b>100.0%</b>



## Comments

- Enfield has a very active Independent / Voluntary sector which, as in previous years, has been very well represented and multi-agency training events.
- Attendance from Health and Education settings is significantly higher than last year.
- Attendance from Police colleagues remains low but is significantly higher than previous years.

## Evaluation and Impact

Attendees at all learning events are asked to complete paper evaluation immediately after the event. Completion rates have been very good. In addition to answering questions about their overall perception of the course attendees are asked whether they think the course will be effective in improving their practice.

This data provides extremely helpful information both about the relevance and quality of the course itself and about the skills and knowledge of trainers we commission. Follow up evaluations for selected courses are sent after 6 weeks to develop understanding of how learning events impact on work with children and families and thereby improve outcomes for children. Completion rates have been lower but there have been some returns which offer important insights into how training can improve practice.

The effectiveness of ESCB training is also monitored through the quality assurance and audit programme. Findings are incorporated into ongoing Training Needs Analysis and are used to inform ongoing training and development.

All courses delivered this year have been evaluated positively.

For 2016/17 we are introducing an online evaluation tool which will considerably enhance our ability to understand and measure the impact of our training.



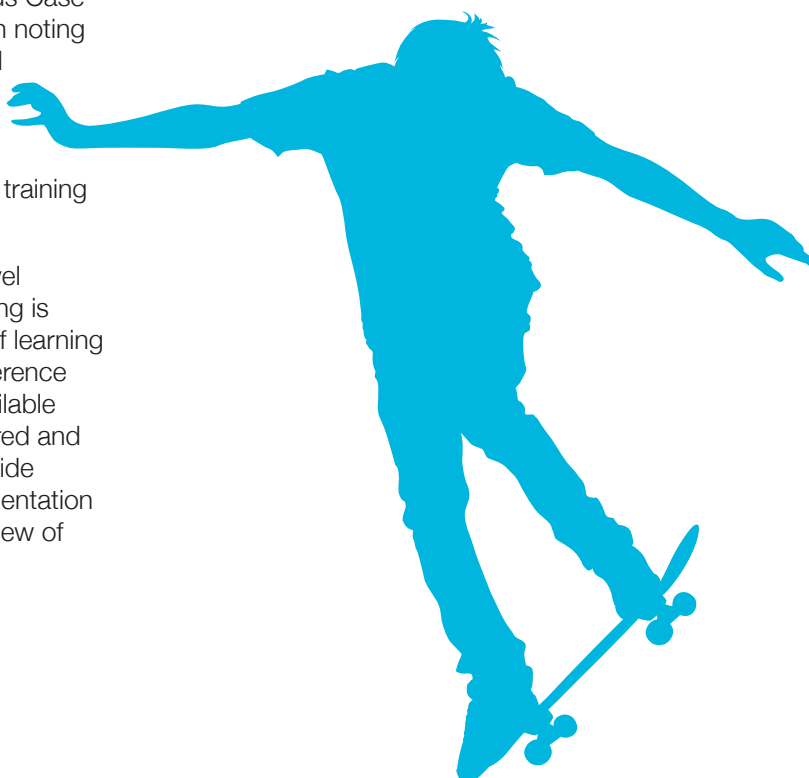
# ESCB Finance and Resources

All LSCB member organisations have an obligation to provide LSCBs with reliable resources (including finance) that enable the LSCB to be well organised and effective. Resources include staff time and additional support such as attending Board meetings, co-chairing the subgroups which support the work of the Board, and contributing to Serious Case Reviews.

In 2015/16 the Board had a budget of £184,910 which was made of contributions from our partners. Approximately 78% of the total budget was contributed by the London Borough of Enfield and the CCG was the next highest contributor with approximately 18% of the total budget. It has been noted across London that the level contribution to Safeguarding Children Boards from the Metropolitan Police is significantly lower than that made by the other large urban Police Forces in England. Enfield Safeguarding Children Board supports the ongoing efforts of the London Safeguarding Children Board to address and seek a resolution to this issue.

The ESCB managed to spend within budget during the year primarily because there were no new Serious Care Reviews in 2015/16 which are regularly a high area of expenditure for Safeguarding Boards. 80% of the overall budget was spent on staffing costs including the independent chair and 16% was spent on Serious Case Reviews and Learning & Development. It is worth noting that almost twice the amount of people attended training and Learning and Development events in 2015/16 than in 2014/15 with no increases in measurable cost. This was a consequence of increased use of skilled internal staff to deliver training rather than commissioners external trainers.

For 2016/17 the board is asking for the same level of contributions from its partners to ensure funding is adequate to continue to deliver the wide range of learning and development opportunities including a conference in early 2017, to ensure there is contingency available for any Serious Case Reviews that may be required and to support the transition towards any borough-wide Safeguarding structures that may require implementation following the DfE commissioned Alan Wood Review of Local safeguarding Boards.



# Statements from ESCB Partner Agencies

The ESCB is very much a partner organisation. Whilst much of this report focuses on what has been undertaken at a partnership level it is important too to ensure that each member agency is undertaking effective safeguarding work individually. This section focuses on what each partner had achieved in 2015/16 and what impact it has had on the lives of children and young people.



## Enfield Clinical Commissioning Group

NHS Enfield Clinical Commissioning Group's (CCG) priority is to ensure children remain safe whilst they are receiving health care in Enfield. This priority remains at the heart of all commissioning planning and decision making. We have continued to work in partnership with all agencies in the health economy to achieve this and make sure that all health providers in Enfield understand their role in the health and wellbeing of children and young people.

Enfield CCG recognises their statutory duties and responsibilities to safeguard children and young people, which include being a statutory partner of the Enfield Safeguarding Children Board (ESCB).

NHS Enfield CCG has a statutory responsibility to ensure that the organisations from which it commissions services provide a safe system that safeguards children and young people. Safeguarding clinical expertise in the CCG is provided through the Designated Nurse and Doctor for Safeguarding children. The CCG has specific responsibilities for children looked after and supports the Child Death Overview Process. The CCG has secured the expertise of a Designated Nurse and Designated Doctor for Looked After Children and a Designated Paediatrician for the Child Death Overview Process.

### What did we do?

- Organised a 1 day safeguarding children and adults at risk conference in July, 2015
- Co-ordinated a 1 day safeguarding symposium for Enfield primary care staff
- Supported the Identification, Referral to Improve Safety (IRIS) project for Domestic Violence
- Delivered PREVENT training to GPs
- Delivered safeguarding training to community pharmacists and dentists
- Co-ordinated and delivered 4 level 3 safeguarding children updates for GPs
- Supported the business case for the Female Genital Mutilation (FGM) clinic at NMUH
- Held quarterly strategic safeguarding committees for Named leads from each health organisation, including private organisations
- Facilitated quarterly safeguarding lead GP forums
- Undertook extensive deep dive into safeguarding arrangements moderated by NHS England (London)

### How well did we do it?

- 150 delegates from across the health economy trained in safeguarding children and adults at risk at the 1 day conference in Forty Hall
- 80 delegates – mixture of GPs and primary care staff attended with excellent feedback
- 61 GPs trained in Prevent
- 25 community pharmacists and dentists trained in safeguarding
- 102 GPs trained to Level 3 with updates on referral pathways, substance misuse, domestic violence, FGM and Child Sexual Exploitation
- CCG assured as good by NHS England (London)

### How did we make a difference?

- Maintenance and meaningful updates of level 3 safeguarding training for all healthcare staff
- Improved quality of safeguarding care and knowledge through GP engagement and case discussions
- 207 referrals to IRIS service
- Increased understanding of referral pathways to Single Point of Entry and Compass
- Increased awareness of FGM and FGM clinic
- Ensured named leads for each organisation, including the GP safeguarding leads had opportunity to meet regularly to share practice, hear updates and developments in local and national guidance



## North Middlesex University Hospital

### What did we do?

- Gangs – 2 gangs youth workers in post to cover Enfield and Haringey; official opening of service November 2015 1 year on; Gangs audit undertaken; Named Doctor presented at National conference (RCPCH)
- Early adopter site for CP – IS
- Development of FGM clinic supported by specialist Midwife for FGM
- Training on FGM delivered in local schools to teaching staff and at national Quality and Diversity conference by Named Doctor
- Training delivered to local youths working with Gangs youth workers by Named Doctor and Safeguarding Advisor
- Development of a substance misuse clinic for pregnant women supported by COMPASS

### How well did we do it?

- Engaged with partner agencies with cross Borough initiatives – CSE and Gangs
- Local and national links with FGM, Gangs
- Received press coverage local and national for Gangs work
- Supported cross Borough initiative for 'keep safe bag' for young people attending A&E
- Received press coverage local and national for FGM services offered

### How did we make a difference?

- Raised awareness in local community and nationally regarding Gangs work
- Improved care pathways – CSE, Gangs
- Improved information sharing between health colleagues – co -located with Liaison Health Visiting teams Enfield and Haringey
- Improved Staff knowledge and awareness with improved compliance levels

## Barnet, Enfield and Haringey Mental Health NHS Trust

### Overview 2015 -2016

Barnet, Enfield and Haringey Mental Health NHS Trust remains committed to safeguarding all our service users, their families and carers. We recognise that effective safeguarding is a shared responsibility which relies on strong partnership and multi-agency working. Over the last 12 months The Trust has strengthened its safeguarding arrangements in many ways including the recruitment of a full-time Head of Safeguarding. We are continually improving systems and processes; and developing a clear strategic approach to safeguarding across all our services.

### Internal governance arrangements

Our aim is to ensure there is a whole organisational approach to safeguarding patients and service users, their families and carers. In order to do this we have developed an Integrated Safeguarding Committee (ISC). The ISC is chaired by the Executive Director of Nursing, Quality and Governance and provides strategic leadership and oversight. The work of the ISC is informed by our newly developed Safeguarding Strategy and overarching work plan. The ISC meets each quarter and is accountable to the Trust Quality and Safety Committee. The Executive Director of Nursing, Quality and Governance is the Executive lead for safeguarding and provides bi-monthly safeguarding updates to the Trust Quality and Safety Committee. In addition an annual safeguarding report is provided to the Trust Board. Safeguarding is a standing item for each of the Borough Clinical Governance meetings.

### Safeguarding Children work undertaken and key achievements in 2015-2016

- The Domestic Violence and Abuse Policy has been updated.
- Domestic Violence and Abuse training have been included in Corporate Induction for all staff and is usually delivered by an IDVA.
- The Trust Safeguarding Children Policy has been updated to ensure it is in line with Working Together 2015 and the revised London LSCB Procedures.
- A safeguarding inbox has been set up to allow improved monitoring of safeguarding referrals made by Trust staff and a screen saver has been established to prompt staff to use it.
- A safeguarding dashboard has been designed to enable easier monitoring of safeguarding activity.
- A prompt to consider safeguarding has been included in the Trust incident reporting system (Datix).

- Prevent Training has been included in Corporate Induction for all staff.
- An Integrated Safeguarding Committee has been established with clear terms of reference.
- A safeguarding strategy has been completed with key aims and objectives.
- A safeguarding training strategy has been completed.
- We have met the target of 80% of eligible staff attending Safeguarding Children Training at each level.
- The safeguarding surgeries have been recognised as good practice.
- The safeguarding team champions meetings have been re-established in each borough.

### Key Challenges

- Safeguarding practice is complex and varied. The challenge of collecting accurate meaningful data is recognised. Work continues to ensure data is captured and analysed effectively.
- To continue to develop and improve systems to promote effective lessons learnt from safeguarding incidents and inter-agency case reviews.
- To increase the number of staff undertaking level three training to help ensure that safeguarding children is embedded in everyday practice and is everybody's business.
- To ensure the challenge of working across three borough Safeguarding Children Boards and their associated sub-groups is managed effectively.

### Safeguarding children work planned for 2016-2017

The work of the Integrated Safeguarding Committee is informed by an overarching work plan which underpins the Safeguarding Strategy. The Strategy has five broad aims which form the overall framework of work going forward:

- To ensure safeguarding is everyone's business across the Trust
- Develop a dataset of information that allows effective monitoring of safeguarding activity and outcomes
- Develop a culture of learning with robust internal systems to support this
- Promote early help to prevent abuse from happening in the first place
- Develop seamless pathways that promote joined up working at every level.

## Royal Free London NHS Foundation Trust

### What did we do?

- We continue to strengthen our governance structure through the Integrated Safeguarding committee and the relevant Trust committee's and Trust Board.
- Two Safeguarding Children Advisors (SCA) joined the safeguarding team one based at Barnet hospital (BH) covering Barnet & Chase Farm (CF), the other based at the Royal Free hospital (RFH) both, along with a specialist midwife, have received supervision training.
- The Trust now hosts three Independent Domestic & Sexual Violence Advisors (IDSVA's) in collaboration with Camden SafetyNet, Solace, and Victim Support. Two cover BH and one at the RFH. This training can be accessed by external Health colleagues.
- We continue to deliver a high quality safeguarding training to over 10,000 staff across the Trust.
- We have trained 4 CSE champions.
- We have contributed to 3 SCR's in the last year and have implemented the recommendations where applicable.
- We have continued to use audit to develop and strengthen safeguarding.
- Continued Policy development.
- We hosted an Integrated Safeguarding conference for 150 internal and external colleagues.
- We have harmonised domestic violence screening for the midwives across all three sites and community clinics.

### How well did we do it?

- The SCA's are able to focus on frontline case work and make daily links with clinical areas. This has been very successful in supporting referrals but also providing external agencies with a point of contact.
- Since starting in July 2015 to March 2016, the IDSVA's have received 253 referrals:
  - 88% were female and 11% were male.
  - 49% came from RFH, 45% from BH, and 5% from CF, Edgware or other sites. We do not currently have an agreement to host an IDSVA at CF
- Our training figures for March 2016 have increased across all areas with level 1 87%, level 2 79% and level 3 85%.
- We have provided extensive training to staff at level 3 about identifying deliberate self-harm and the impact of social networks for children and young people. This learning is as a result of one of the serious case reviews we were involved in.

- We commissioned our internal auditors to review practice in our Outpatient clinics to see how robustly we identified children subject to Child Protection Plans. The audit identified some areas for improvement and we are currently implementing processes in clinic preparation to ensure we are able to identify which children have a CPP and ensure the allocated social worker is copied into the clinic letter.
- The safeguarding conference was evaluated as excellent by those who attended.

### How did we make a difference?

- One of our IDSVA's and the named midwife for safeguarding children, along with a consultant obstetrician and a member of the security team received a team award for their 'Outstanding Contribution to Patient Safety' recognising their management and care of a vulnerable pregnant woman suffering significant domestic abuse.
- We have begun to see more referrals for FGM and CSE being made.
- We have increased to amount of safeguarding supervision we can provide to staff.
- Through training and support staff in the young people's sexual health clinic were able to identify two young girls who were being sexually exploited, one a missing child, one a LAC child, and access emergency services to ensure the girls were taken to a place of safety.
- Our safeguarding children training at all levels is highly evaluated with staff identifying that it will support their practice.

## London Community Rehabilitation Company (Probation)

### What did we do?

In 2015, London CRC focused on improving safeguarding children practice across all staff grades. Performance was driven by the Strategic Safeguarding Children Lead and the Safeguarding Senior Probation Officer lead.

A London CRC Child Safeguarding Performance Framework was launched in 2015, to measure and evidence the performance of routine tasks. The five key practice areas measured are as follows:

- Initial check to Social Services
- Response Received to Initial Check
- Management Oversight
- Home Visits

A lot of work has been undertaken in the past 12 months to raise awareness of frontline staff regarding London CRC's safeguarding responsibilities as well as their own professional responsibilities.

Work taken to achieve this has included:

- Regular safeguarding children practice messages distributed by the senior probation officer lead for child safeguarding. Subjects including CSE, Missing children, violent extremism, gang affiliation, the impact of parental mental ill-health, the impact of parental substance misuse, the categories of abuse and guidance on making referrals to children's social care.
- Implementation of the safeguarding children performance framework.
- Internal conferences held for children's champions.
- Briefings to middle managers re: safeguarding policies and procedures.
- Development of a Safeguarding Children Briefing pack which will be delivered to all London CRC staff this year 2016 – delivery monitored by the Professional Development and Learning department.

These improvements have been supported by a drive to ensure that all London CRC staff are provided with the necessary training to carry out their role in safeguarding children effectively. London CRC:

- Commissioned an independent audit of safeguarding practice across the organisation to inform future improvement plan.
- Commissioned a tailored mandatory training programme to be delivered across all staff grades.
- Encouraged staff to attend training delivered by local safeguarding children boards (LSCBs) and Mental Health and Safeguarding Awareness Training (MAST).

- Two training events for frontline staff and managers focusing on the impact on the impact of parental imprisonment on children were delivered in 2015 by Bernardos.

In December 2015, following an organisational re-structure, London CRC launched a new central MASH process on 7 December 2015. The new process is intended to reduce the amount of Probation Officer time spent on servicing the MASH and to increase the quality of information provided to the MASH in cases where the adult is actively managed by the LCRC. It was necessary to review the process as London CRC is now structured in a Pan-London model as opposed to the previous local delivery model. The new process remains under review and is being monitored closely by the designated safeguarding lead.

London CRC is committed to engaging service users effectively to assist them in complying with Orders set by the court. Where multi-agency work is undertaken in order to protect children linked to our service users, offender managers are expected to engage adults under our supervision throughout this process. In addition offender managers are expected to address safeguarding children concerns in risk management plans when completing OASYS assessments and they are also expected to devise sentence plan objectives with service users to promote positive outcomes with children they care for, or have regular contact with when concerns have been identified.

### How well did we do it?

London CRC's performance in relation to completion of initial checks to social services and management oversight of cases with safeguarding concerns was poor at the beginning of 2015. However, by the end of 2015 performance had risen sharply in relation to both checks and management oversight of cases with safeguarding concerns to over 90% of cases.

Response to initial checks from Children's Social Care was lower and concerns have been raised from multiple local boroughs about the volume of checks and the pressure this has placed on local resource. This is being reviewed in collaboration with the London SCB and it is hoped a practical resolution will be achieved in due course.

In relation to home visits, the performance target is set at 60% due to the number of service users who are in custody at any given time and the number who are of no fixed abode. Performance in relation to home visits had improved from a low base to 40% and work is ongoing to continue performance improvement in this area.

Unfortunately due to a recent IT upgrade, we have been unable to use the performance framework to measure progress and have no up-to-date data. However, this is being actively resolved and the framework will be reviewed and refined to increase effectiveness.

Despite some significant improvements made by the CRC, MTCnovo commissioned a London CRC Safeguarding review in May 2015 which recognised the efforts made to improve safeguarding practice, however, also highlighted a number of presenting deficits. In response, the CRC commissioned a series of focus groups of a cross grade group of staff, to enquire into the reasons why efforts to improve practice had not been more effective. The findings of the focus group are being taken forward by the London Child Safeguarding Lead and an action plan will be overseen by the London CRC Child Safeguarding Board when this is set up.

London CRC Senior Leadership recognise that the CRC has made some positive improvements to practice over the past 12 months, despite significant organisational change. However, further improvements to practice and outcomes are necessary and there is a firm commitment to achieving this as a priority which is evident.

### **How did we make a difference?**

A lot of work has been done in the past year to uplift safeguarding children performance and practice across London CRC. Equally, London CRC staff have been on a significant journey through the recent organisational re-structure and it has not been possible to date to evaluate to what extent the strategy and activities we have undertaken have made a difference to the quality of our work.

Quality assurance auditing will be prioritised over the next 12 months. London CRC has developed a new Quality Audit process whereby Senior Probation Officer's will carry out a case audit with each offender manager twice per year. The quality audit tool addresses specific aspects of safeguarding practice and it is envisaged that this will further embed practice improvements over the coming year and will be launched on 31/5.

After the second round of auditing it will then be possible to identify trends in terms of quality of practice and to highlight gaps and weaknesses which need to be addressed.

## Enfield National Probation Service (Probation)

### What did we do?

The National Probation Service (NPS) is committed to reducing re-offending, preventing victims and protecting the public. The NPS engages in partnership working to safeguard and promote the welfare of children with the aim of preventing abuse and harm and preventing victims. The NPS acts to safeguard children by engaging in partnership working including:

- **Strategic:** As a statutory partner, attending and engaging in Local Safeguarding Children Boards (LSCBs) and relevant sub-groups of the LSCB. Through attendance, the NPS contributes to the formulation of board priorities and the development of strategy, policy and procedures in relation to safeguarding children. The NPS shares knowledge of and skills in the risk assessment and management of offenders and contributes to the development of appropriate multi-agency training packages, which can be accessed by NPS staff. As a member of the LSCB, the NPS contributes to audit and performance monitoring, including contributing, where appropriate, to Serious Case Reviews (SCRs), other child protection reviews and child death reviews, and sharing and embedding into practice lessons learnt from such reviews.
- **Operational Management:** Middle managers must ensure that processes and procedures are in place to support the operational delivery required to safeguard children and to ensure an integrated approach to partnership meetings and multi-agency communication.
- **Operational:** Ensuring that the principles of safeguarding and promoting the welfare of children are integrated into every aspect of the work of the NPS. The NPS will make a referral to the local authority where staff have concerns that a child is in need or is experiencing, or is at risk of experiencing, abuse or neglect. The NPS works collaboratively with the Local Authority and other partner agencies to manage and reduce risks to children and to promote their welfare. This includes attendance at multi-agency professionals meetings and Child Protection Conferences as appropriate.
- **Operational:** Ensuring the identification and assessment of offenders who pose a risk to children and through appropriate and timely information sharing ensure that the Local Authority and other partner agencies are alert to the risks and that the offender is effectively managed to reduce the risk of re-offending. The NPS performs a vital role in providing pre-sentence risk assessment information and reports to the courts and provides assessments and reports for the Parole Board. The NPS is directly responsible for the supervision of those offenders assessed as posing high risk of serious harm during and after their imprisonment and on statutory supervision in the community.

### How well did we do it?

**Strategic:** Regular attendance and engagement at board meetings and section 11 audits as required, dissemination of training from LSCB communicated to all Enfield probation staff.

**Operational:** Continued professional development of staff through performance objective of mandatory completion of e-learning of child safeguarding issues, this is followed by classroom training on child safeguarding. Enfield national probation service continues to have a dedicated member of staff attached to the MASH and SPOE to ensure information sharing about child safety and concerns is fluid between agencies as required, Enfield probation has a 'children's champion' probation officer who attends multi-agency pan-London safeguarding events to spread good practice and discuss issues pertaining to child protection.

Due to solid links with the SPOE and MASH Enfield probation is at an advanced stage in ensuring that information about children is shared and discussed through use of each other's IT systems and databases in real time from the local probation office- I am not aware of any other borough in London where this is working so well.

Enfield (as part of Barnet, Brent and Enfield cluster) was a top 3 performing cluster in London for 2015/16 in regards to its service level targets, whilst these don't directly measure targets linked to child safeguarding they demonstrate that the borough is performing well in its own right against its set targets.

### How did we make a difference?

Through good use of IT systems information sharing is more fluid enabling a better and quicker exchange of information to check safeguarding issues. Through increased knowledge and information exchange the management of high risk offenders and offenders who present a risk of harm to children can be considered to be better managed with more well informed risk assessments and closer multi-agency working.

Through engagement within the MASH and SPOE more Enfield probation staff have attended local authority training events regarding the safeguarding of children leading to more informed and better connected staff.

Through more engagement with partner agencies we can consider ourselves making more of a difference through better understanding of partners' approaches to safeguarding and improving our own assessments and abilities to manage high risk offenders and subsequent safeguarding issues.

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## Metropolitan Police Service (CAIT)

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### What did we do?

The Child Abuse Investigation team that covers Enfield and Barnet investigated 760 offences against children during the financial year 2015 to 2016. The remit for the team includes all offences committed by family members and those with safeguarding responsibilities against children (including safeguarding professionals).

Hundreds of additional strategy discussion took place to discuss the safeguarding of Enfield children.

Police Conference Liaison Officers attended Initial and Repeat Case Conferences liaising with partners to ensure the best possible outcomes of families with children on Child Protection Plans.

### How well did we do it?

In the financial year the team either cautioned or charged 208 cases, an increase of 70 from the previous year. 15 of those detections resulted in charges for rape, an increase in 2 of the previous year.

The team attended 100% of Initial Case Conferences.

### How did we make a difference?

Working very closely with partners in Children and Social Care, Education, Health, parents and together with numerous third party safeguarding agencies, difficult decisions were made daily to protect the children of Enfield. Reacting swiftly to allegations, fast time intelligence gathering and the swift collation of evidence has made a difference to the outcomes for children in Enfield who have been physically and sexually abused by those they previously trusted.

# Notes





Enfield Safeguarding Children Board  
September 2016

[www.enfieldscb.org](http://www.enfieldscb.org)

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**Enfield**  
Safeguarding  
Children Board

...because safeguarding children  
is everybody's business

**MUNICIPAL YEAR 2016/2017 REPORT NO. 97**

**MEETING TITLE AND DATE:**Cabinet – 19<sup>th</sup> October 2016**REPORT OF:**

Chief Executive

Contact officer and telephone number:

Alison Trew 020 8379 3186

E mail: [alison.trew@enfield.gov.uk](mailto:alison.trew@enfield.gov.uk)

<b>Agenda – Part: 1</b>	<b>Item: 8</b>
<b>Subject: Quarterly Corporate Performance Report</b>	
<b>Wards: All</b>	
<b>Key Decision No: 4330</b>	
<b>Cabinet Member consulted:</b>	
<b>Cllr A. Georgiou</b>	

**1. EXECUTIVE SUMMARY**

1.1 Cabinet has been receiving regular monitoring reports on the Corporate Performance Scorecard since September 2012.

1.2 In the current difficult financial circumstances, there is value in demonstrating that, in many areas, Council performance in delivering key priorities is being maintained and/or improved. It is also important that the Council understands and effectively addresses underperformance.

1.3 This is the latest quarterly report on the Corporate Performance Scorecard that reflects Council priorities and local resources, demand etc. The report attached at Appendix 1 shows the latest available performance at the end of June 2016 and compares it to the Council's performance at the 2015/16 year end.

**2. RECOMMENDATIONS**

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

**3. BACKGROUND**

3.1 In the continuing challenging local government financial environment, it is important that the Council continues to monitor its performance to ensure that the level and quality of service and value for money is maintained and where possible improved. It is also essential to understand and take appropriate action in areas where performance is deteriorating. This may include

delivering alternative interventions to address underperformance, or making a case to central government and other public bodies if the situation is beyond the control of the Council.

- 3.2 Following the abolition of the National Indicator Set in 2010, the Corporate Performance Scorecard was developed containing performance measures that demonstrate progress towards achieving the Council's aims and key priorities. The measures are grouped under the Council's three strategic aims, Freedom for All, Growth and Sustainability and Strong Communities. A number of financial health measures are also included. The scorecard is reviewed annually and targets are set based on local demand and available resources.
- 3.3 Performance is reported to the Corporate Management Board and Cabinet quarterly. Following the Cabinet meeting the performance tables are published on the Council's website.
- 3.4 The report attached at Appendix 1 shows the latest available performance at the end of June 2016 and compares it to the Council's performance at the 2015/16 year end.

#### **4. PERFORMANCE**

- 4.1 Appendix 1 shows the latest available performance at the end of June 2016 and compares it to the Council's performance at the 2015/16 year end. Where appropriate, explanatory comments are provided in the column next to the performance information.

#### **4.2 Financial Indicators**

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

#### **4.3 Priority Indicators**

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

Where a target has been set, performance is rated at green if it is on or exceeding the target; amber where the target has been narrowly missed; and red where performance was significantly below the target set for the year.

3 of the indicators being reported do not have targets. Reasons for this include new indicators for which targets have yet to be established and indicators that have no national targets set (e.g. Domestic Violence). Performance data for Q1 is not yet available for 6 waste and recycling indicators.

66 performance indicators are being reported, of which 57 have targets. Of these, 33 (57.9%) are at green; 13 (22.8%) are at amber; and 11 (19.3%) are at red.

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

As part of the Enfield 2017 programme, a number of key areas in the Council have been restructured. Staffing changes and the introduction of new IT systems have resulted in a temporary drop in performance in some services. Action is being taken to bring performance back on target.

For a few indicators, questions have been raised as to whether the processes for collecting and reporting data are capturing all the activity covered by the indicators. The Data and Management Information Reporting Hub and Performance Analysis Team are working closely with departments to review and, where necessary, amend procedures.

**5. ALTERNATIVE OPTIONS CONSIDERED**

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

**6. REASONS FOR RECOMMENDATIONS**

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

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

**7.1 Financial Implications**

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

**7.2 Legal Implications**

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

**7.3 Property Implications**

None.

**8. KEY RISKS**

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

**9. IMPACT ON COUNCIL PRIORITIES**

**a. Fairness for All**

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

**b. Growth and Sustainability**

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

**c. Strong Communities**

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

**10. EQUALITIES IMPACT IMPLICATIONS**

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

**11. PERFORMANCE MANAGEMENT IMPLICATIONS**

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

**12. PUBLIC HEALTH IMPLICATIONS**

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








**Background Papers**




None




# CMB Review - Financial Indicators 2016/17 (protect)

Generated on: 16 September 2016







Area of Review	Key Highlights	Risk Rating - Jul'16
Income & Expenditure Position - Year end forecast variances	Year-end forecast variances of £7.9m overspend have been identified to date in relation to General Fund net controllable expenditure. Budget variances identified to date will need to be managed closely to ensure timely appropriate action can be taken.	
Income & Expenditure Position - Budget Profiling	Budget profiling across all departmental budgets will continue to be applied in order to better reflect predicted net spending patterns throughout the year. Budget holders now profile individual budgets based on anticipated spend across the year.	
Income & Expenditure Position - HRA	The HRA is projecting a level spend position for year-end outturn against budget.	
Balance Sheet - Cash Investment	The current profile of cash investments continues to be in accordance with the Council's approved strategy for prioritising security of funds over rate of return.	
Balance Sheet - General Fund balances year end projections	The year-end outturn projection for the General Fund balances will meet the Council's Medium Term Financial Strategy target levels based on the use of uncommitted reserves to meet the one-off overspends in 2016/17.	
Cash Flow - Cash balances and Cashflow Forecast	The Council's cash balances and cashflow forecast for the year (including borrowing) will ensure sufficient funds are available to cover planned capital and revenue commitments when they fall due.	
Cash Flow - Interest Receipts Forecasts	Interest receipts forecast for the year are on target with budget.	

Key to Status	
	Alert
	Warning
	OK













2015/16 (end of March 16) – Number of Indicators		Quarter 1 2016/17 (end of June 2016) – Number of Indicators	
	10		11
	11		13
	41		33

## (1) Fairness for All

### (a) Housing and Homelessness

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Number of households living in temporary accommodation	3002 	3028 	3033 	3086 	Measured Monthly	2851	<p>Monthly target profile for this year to be added shortly, until then, last year's totals being used as a benchmark</p> <p>The increase in households living in temporary accommodation is due to:</p> <ol style="list-style-type: none"> <li>1) Massive demand requiring emergency accommodation</li> <li>2) Both the loss of leased units and conversion of leased units to Emergency Accommodation due to escalating prices</li> <li>3) Housing Association Leasing Scheme (HALS) – housing associations are coming up against increased competition in the market and either withdrawing from the TA market or letting on a PRS basis.</li> </ol> <p>Leased Properties: 1230 – reduction from 1347 on same period last year. Emergency Accommodation: 1746 – increase of 332 (23%p) on same period last year. HALS: 121 – reduction from 144 on same period last year. Voids (Private Sector Leased &amp; Privately Leased Annexes): 24</p>



Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Overall satisfaction with repairs service provided by Council Homes	91% 	87% 	88% 	89% 	Measured Monthly	92%	1,401 out of 1,569 surveys returned in respect of works orders issued (period April to June inc.) indicated their satisfaction with the responsive repair service. Performance is shown as year to date, however monthly performance has increased to 94.16% for June alone.  Following a year of mobilisation the decision was made to implement the financial penalties within the contracts from May 2016. In addition one off contract meetings were held with the AD Housing and the senior contractor representatives and action plans to address the issues are being completed. These will be monitored monthly with the aim of reaching target performance within the year. Satisfaction continues to improve slowly towards target.
Contractor monitoring by Council Homes of responsive repairs completed by agreed target date - (YTD)	89.52% 	97.43% 	95.11% 	95.39% 	Measured Monthly	96.00%	Data outturns are inclusive of all term contractor repairs that were raised in April (and completed by the end of June). A total of 3,538 responsive repairs were completed in time from a total of 3,709 repairs completed. This has increased slightly since May 2016 but is still below target.  Following a year of mobilisation the decision was made to implement the financial penalties within the contracts from May 2016. In addition one off contract meetings were held with the AD Housing and the senior contractor representatives and action plans to address the issues are being completed. These will be monitored monthly with the aim of reaching target performance within the year. Both M and E contractors are now performing well, issues remain with the repairs contractors and these are being raised regularly in contractor meetings and are addressed as part of the action plans
Rent collected by Council Homes as a proportion of rent due (excluding rent arrears)	100.16% 	107.42% 	104.34% 	102.62% 	Measured Monthly	100.20%	A total of £16,099,708.30 of income was collected against a total of £15,688,452.05 in charges. Monthly performance of 102.19% which is slightly down on May 2016. Reported Monthly.

**(b) Adult Social Care**



















Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Number of clients reviewed in the year (of clients receiving any long term service)	70.9% 	7.3% 	12.4% 	20.1% 	Measured Monthly	20.5%	At June 16 – 20.1% represents 714 clients receiving a review of 3557 clients receiving a Long Term Support.
Percentage of Current Social Care Clients accessing Long Term Support (LTS) who receive Self Directed Support	100.00% 	100.00% 	100.00% 	100.00% 	Measured Monthly	99.00%	
Percentage of current clients with LTS receiving a Direct Payment	62.23% 	63.53% 	63.53% 	63.32% 	Measured Monthly	57.00%	
Delayed transfers of care (patients) per 100,000 pop	8.6 	9.2 	9 	9.72 	Measured Monthly	5	There were 28 patient delays during June 2016, of which 22 were Health Delays and 3 were attributable to Social Care and 3 was joint delays. <i>Action Plans are in place to address performance through the Joint Commissioning and integration Board</i>
Number of adult learning disabled clients receiving LTS in paid employment	60 	54 	54 	58 	Measured Monthly	60	
No. of adults receiving secondary mental health services in settled accommodation (percentage)	79.2% 	76.3% 	75.6% 	76.8% 	Measured Monthly	80.0%	Total adults receiving secondary mental health services in settled accommodation – <b>795</b> ; Total adults who have received secondary mental health services at any point during a financial year – <b>1035 (76.8%)</b>
No of Adults receiving secondary mental health services in employment	4.5% 	4.4% 	3.6% 	3.6% 	Measured Monthly	5.5%	Total number of adults who have received secondary mental health services in paid employment (i.e. those recorded as 'employed') at the time of their most recent assessment/formal review: <b>37</b>  Total number of adults who have received secondary mental health services at any point during a financial year: <b>1035 (3.57%)</b>

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
New Admissions to Residential and Nursing Care (65+) per 100,000 population over 65	413.8 	45.7 	81.7 	117.8 	Measured Monthly	105.0	Annual target set at 419.1 per Enfield BCF Plan 2016/17. 49 admissions in Quarter 1 (65+ population: 41,596)
New Admissions to Residential and Nursing Care 18-64 per 100,000 population	3.05 	0.41 	0.82 	0.82 	Measured Monthly	1.85	

### (c) Safeguarding Children

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Children looked after per 10000 population age under 18	43.9	42.8	43.8	43.9	43.9		360 CLA as at the end of June. Current under 18 population figure from the DfE is 82,000. There is no target for this measure, this is for monitoring only.
The number of Looked after children who were adopted or where an Special Guardianship Order (SGO) was granted during the year as a percentage of the number of children Looked after who had been Looked after for 6 months or more	10.37% 	Measured Quarterly			6.49% 	2.75%	Since April 2016, there have been 2 Adoptions and 13 Special Guardianship Orders granted out of a cohort of 231. This is an incremental target: Q1 = 2.75%, Q2 = 5.5%, Q3 = 8.25% and Q4 = 11%.
Child Protection Plans lasting 2 years or more	.9% 	.9% 	1.1% 	1.6% 	1.6% 	5.0%	6 children, out of a total of 383 children whose CP Plan ended within the last year, had been on a Plan for more than 2 years at the point the plan ended. Good performance is low (0-10%).
Percentage of children becoming the subject of Child Protection Plan for a second or subsequent time - in the past two years	4.2% 	4.5% 	3.8% 	3.7% 	3.7% 	8.0%	This indicator counts children who had a previous child protection plan in the past two years. Of the 352 children who became subject to a Child Protection plan during the past 12 months, 59 (16.8%) had previously been on a Child Protection plan and 12 had been on a previous Child protection plan in the past two years.
Percentage of child protection cases which were reviewed within required timescales	94.7% 			99.3% 	Measured Monthly	100.0%	The percentage of child protection cases which were reviewed within the required timescale is 99.3%. There were 141 children reviewed in the denominator. July data shows performance at 100%.

**(f) Sport and Culture**

Indicator	2015/16	2016/17			Q1 2016/17	Current Target	Latest Note
		April 2016	May 2016	June 2016			
CYP Participation in Positive Activities (To measure and drive improved performance around the participation of young people in positive activities.)	115,934 	Measured Quarterly			30,101 	30,000	Total = 30,10; Dugdale Centre = 5,901; Festival & Events = 4,200; Forty Hall & Estate = 4,958; Millfield Arts Centre = 14,698; Salisbury House = 344
Number of Arts activities for Children and Young people	8,928 	Measured Quarterly			2,490 	2,300	1st Quarter 2016-17 Total = 2490; Dugdale Centre - 112; Festivals & Events - 20; Forty Hall & Estate - 1438; Millfield Arts Centre - 906; Salisbury House - 14
Sports Development Sessions - Young People Attendances	80,761 	Measured Quarterly			9,724 	9,000	Annual target 82,068. Targets increased for Quarter 4 to reflect receipt of annual partner organisations attendance figures during this period.
Sports Development Sessions - Adult Attendances	39,192 	Measured Quarterly			9,043 	9,000	Annual target 39,584. Targets increased for Quarter 4 to reflect receipt of annual partner organisations attendance figures during this period.
Leisure Centre - Young People attendances	850,106 	Measured Quarterly			227,737 	214,651	
Library self -service percentage usage - average	74.0% 	Measured Quarterly			78.0% 	60.0%	
Number of visits in person to libraries - All Enfield Libraries	1,578,565 	Measured Quarterly			378,710 	375,000	Enfield Highway and Southgate Circus Libraries are currently closed for refurbishment and location move respectively.
Wifi usage in libraries - total number of sessions at libraries with iCAM wifi only	99531 	Measured Quarterly			36729 	24880	
Engagement in the Arts (People taking part in all arts at local level)	321,815 	Measured Quarterly			94,623 	77,500	TOTAL = 94,623; Dugdale Centre = 16,041; Festival & Events = 5,000; Forty Hall & Estate = 43,561; Millfield Arts Centre = 27,008; Salisbury house = 3,013

**(g) Income Collection, Debt Recovery and Benefit Processing**

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Recovery of council properties fraudulently obtained, sublet or abandoned	76 	Measured Quarterly			10 	18	Performance is expected to improve as the year progresses.
% of Council Tax collected (in year collection) Combined	95.75% 	11.55% 	20.36% 	29.02% 	Measured Monthly	28.80%	End of June 2016 collection rate 29.02% (£40,125,066.93 collected / £138,265,045.08 Net Debit).
% of Business Rates collected (in year collection)	98.72% 	9.33% 	17.96% 	26.77% 	Measured Monthly	27.10%	End of June 2016 collection rate 26.77% (£31,666,604.67 collected / £118,275,742.71 Total Property Charge).
% of Housing Benefit Overpayments recovered.	63.64% 	Measured Quarterly			82.22% 	60.00%	82.22% represents £1,737,205 recovered of target £2,112, 861.
Processing New claims – Housing Benefit/Council Tax Support (average calendar days – cumulative)	26.11 	29.68 	29.72 	29.04 	29.04 	23	Year to Date June 16: 960 new claims/27,880 days – average 29.04 days. <b>June snapshot: 207 new claims / 5,737 days – average 27.71 days</b>
Processing Times for Benefit Change in Circumstances (average number of calendar days)	7.86 	5.18 	5.01 	5.39 	5.39 	7	Year to Date June 2016: 29,056 changes of circumstances / 156,534 days – average 5.39 days <b>June 2016 snapshot: 6,170 change of circumstances / 42,733 days – average 6.93 days.</b>

## (2) Growth & Sustainability

### (a) Employment & Worklessness

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Employment rate in Enfield – working age Population	73% 	Measured Quarterly			73% 	74%	Target set at 74% (within 1% of the London average) – As at June 2016. Data extracted from June 2016 Labour Market Bulletin – Total number of JSA claims has decreased by 1.8 on May. Young people claiming JSA has decreased by 5% on the last month. Older claimants have shown a decrease of 0.8% on previous month and Long term claimants have increased by 1.4% on previous month.
Percentage of 16 to 19 year olds (Academic age Y12–y14) who are not in education, employment or training (NEET)	3.87% 	4.21% 	4.27% 	4.24% 	Measured Monthly	4.25%	
Young Offenders' access to suitable accommodation	100.0% 	100.0% 	100.0% 	100.0% 	100.0% 	95.0%	54 interventions ended 54 in suitable accommodation.


### (b) Planning

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Percentage of all valid planning applications that are registered within 5 working days of receipt	80.4% 	85.6% 	84.6% 	85.3% 	85.2% 	80.0%	1025 applications registered within 5 days of 1203 received in Quarter 1 (85.2%)
2 year rolling performance of major applications determined in 13 weeks	69.47% 	68.82% 	68.09% 	68.09% 	68.09% 	73.00%	Rolling two year performance at June 2016: 64 of 94 in time
Processing of planning applications: Major applications	74.00%	66.67%	100.00%	100.00%	80.39%	80.00%	Quarter 1 to June 2016: 4 of 5 major applications decided within

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
processed within 13 weeks							13 weeks. No applications received in May.
Processing of planning applications: Minor applications processed within 8 weeks	76.48% 	79.25% 	69.23% 	78.43% 	76.22% 	75.00%	Quarter 1 to June 2016: 109 of 143 (76.2%) minor applications decided within 8 weeks
Processing of planning applications: Other applications processed within 8 weeks	84.48% 	83.04% 	78.40% 	76.92% 	79.38% 	80.00%	Quarter 1 to June 2016: 281 of 354 (79.4%) other applications decided within 8 weeks









**(c) Waste, Recycling & Cleanliness**

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Residual waste per household	636.15kg/hhd 	NLWA Data				580.00kg/hhd	Awaiting NLW Data for Q1
Percentage of household waste sent for reuse, recycling and composting	35.86% 	NLWA Data				42.00%	Awaiting NLW Data for Q1
Percentage of inspected land that has an unacceptable level of litter	1.94% 				Measured Monthly	4.00%	2015/16 1.94% against a target of 4%. Data for first reporting period to the end of July not yet available. Will be reported during Quarter 2
Percentage of inspected land that has an unacceptable level of detritus	4.19m, % 				Measured 3 Times a Year	6.00%	2015/16 4.19% against a target of 6%. Data for first reporting period to the end of July not yet available. Will be reported during Quarter 2
Percentage of inspected land that has an unacceptable level of graffiti	0.00% 				Measured 3 Times a Year	2.00%	2015/16 0% against a target of 2%. Data for first reporting period to the end of July not yet available. Will be reported during Quarter 2
Percentage of inspected land that has an unacceptable	0.17%				Measured 3	1.00%	2015/16 0.17% against a target of 1%.





















Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
level of fly-posting					Times a Year		Data for first reporting period to the end of July not yet available. Will be reported during Quarter 2





### (3) Strong Communities

#### (a) Crime Rates

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Burglary	2,752 	213 	389 	552 	Measured Monthly	708	The overall burglary figure includes burglary of domestic households (76% of total), commercial premises and businesses and domestic buildings such as sheds and garages. Currently household burglary in Enfield is at its lowest level in several years. We expect to achieve a reduction on last year's figure and are currently meeting the long term stretch target for 2016 as set by the Mayor's Office for Policing and Crime. The partnership continues to implement alley gate schemes to reduce opportunities for rear entry burglary offending across the borough and other intensive initiatives are ongoing for seasonal increases over the winter months. 12-month rolling data (which is monitored by MPS) shows Enfield to have reduced by -11.7% compared to -4.4% across London (to 30th June).
Criminal Damage	2,110 	164 	390 	540 	Measured Monthly	520	Criminal Damage has reduced by -18.2% since 2011/12. 12-month rolling data (which is monitored by MPS) shows Enfield to have decreased by -0.2% compared to approx. +2.4% across London (to 30th June). Focused work has begun on housing areas by the estates crime group and these areas are showing improvements.
Robbery	909	65	145	200	Measured	225	Robbery has reduced by -21.3% since 2011/12 and we are



Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
					Monthly		currently meeting the stretch target which was set by the Mayor's Office for Policing and Crime. Rates of offending per 1,000 residents are now notably below the historic average and the proportion of offences involving young people remain lower than in previous years. However, there has been a short term rise with 12-month rolling data (which is monitored by MPS) showing Enfield to have increased by +6.1% compared to -2.3% across London (to 30th June).
Theft from Motor Vehicle	2,124 	160 	327 	476 	Measured Monthly	602	Thefts from motor vehicle offences in Enfield have seen a significant long-term reduction over the past 4 years, with a -31.1% reduction since 2011/12. 12-month rolling data (which is monitored by MPS) shows Enfield to have a +8.4% increase compared to -0.2% across London (to 30th June).
Theft/Taking of Motor Vehicle	629 	62 	126 	183 	Measured Monthly	217	Thefts of motor vehicles in Enfield have declined by -37.7% since 2011/12 and we are currently exceeding the stretch target which was set by the Mayor's Office for Policing and Crime. 12-month rolling data (which is monitored by MPS) shows Enfield to have increased by +7.3% compared to +5.5% across London (to 30th June).
Theft from the Person	477 	53 	89 	129 	Measured Monthly	95	Theft from the person offences are composed largely of pickpocket type offences and snatch thefts (predominantly where mobile phones are snatched from victims in the street). 12-month rolling data (which is monitored by MPS) shows Enfield to have increased by +12.9% compared to a -0.11% decrease across London (to 30th June). We remain significantly off meeting the long term stretch target of -20%, as set by the Mayor's Office for Policing and Crime, as we have seen a 5.5% increase since 2011/12.
Violence with Injury	2,332 	194 	423 	629 	Measured Monthly	335	Reported numbers of Violence with Injury have increased across both Enfield and London in the long term. This inc violent offences which may be associated with street gangs in addition to violence which takes place in the home. Enfield has experienced a decrease of -1.2% in the past 12-months compared to +4.6% across London (to 30th June). Approx 40% of violence with injury offences is domestic related. Nationally it is

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Total Offences (MOPAC 7)	11,324	911	1,889	2,709	Measured Monthly	2,701	<p>estimated that as much as 50% of all violence goes unreported to the police particularly that which is domestic or familial, or that which occurs as part of the night time economy. A considerable amount of violence that is not reported to police is dealt with by the London Ambulance Service and Accident &amp; Emergency Departments. Locally we have worked to obtain this data in order to improve our knowledge on geographic locations of violence so that resources can be better coordinated and continue to work to tackle both domestic and gang related violence.</p> <p>The Mayor's Office for Policing and Crime announced in 2011/12 that the Metropolitan Police would be measured against 7 neighbourhood crime targets, referred to as the MOPAC 7. An ambitious stretch target of -20% over the next four years was set for Burglary, Criminal Damage, Robbery, Theft from Motor Vehicles, Theft of Motor Vehicles, Theft from the Person and Violence with Injury. Enfield has noted a reduction in 'MOPAC 7' to date and is currently seeing a -16.6% reduction against this baseline set by the Mayor's Office for Policing and Crime. The largest single contributors to this target are Burglary and Violence with Injury, which combined account for over 45% of the MOPAC 7 crimes.</p> <p>12-month rolling data (which is monitored by MPS) shows Enfield to have decreased by -0.5% compared to a +0.6% increase across London (to 30th June).</p> <p>Our analysis has also shown that areas of high density housing suffer from disproportionately high levels of crime and we are working to tackle this.</p>
						Measured Monthly	
Number of Domestic Crimes	2,897			2,945	Measured Monthly		

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Number of Domestic Violence cases referred to MARAC	678	Measured Quarterly			104		<p>The Multi-Agency Risk Assessment Conference (MARAC) is a regular local meeting whereby information about high risk domestic violence victims is shared between local agencies. A co-ordinated plan is drawn up to support the victim.</p> <p>There is no specific target set with regards to the number of referrals.</p>

**(b) Health & Well Being**

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
NDTMS Partnership Successful Completion Rate (%) for all Drug users in treatment (aged 18+), excluding alcohol-only users:	26.0% 	26.9% 	24.8% 	22.9% 	22.9% 	21.4%	

**(c) MEQs, Complaints and FOIs**

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
All Departments – Complaints answered within 10 days	80.44% 	Measured Quarterly			68.97% 	92%	101/146 (69.2%) in Q1. Complaints logged on new CRM system from part way through June 2016. These cases not included in this data
Stage 1 Adult Social Care STATUTORY Complaints Scheme – % replied to within agreed target (individually negotiated)	93.48% 	Measured Quarterly			93.75% 	92%	Q1: 15 of 16 HHASC statutory scheme complaints closed in Quarter 1 answered within agreed timescales
All Departments – FOIs answered within 20 days	87.57% 	Measured Quarterly			74.69% 	95%	180 of 241 (74.7%) inside target in Quarter 1. FOIs logged on new CRM system from part way through June 2016. These cases not included in this data

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
All Departments – MEQs answered within 8 days	87.43%	Measured Quarterly			82.85%	95%	1010/1219 (82.9%) in Q1. MEQs logged on new CRM system from part way through June 2016. These cases not included in this data

#### (d) Other Corporate Indicators

Indicator	2015/16	April 2016	May 2016	June 2016	Q1 2016/17	Current Target	Latest Note
Average Sick Days – Council Staff (rolling 4 quarters)	9.05	Measured Quarterly			9.40	8.00	Data represents sickness absence for the period from 01.07.2015 to 30.06.16. Total days absence for Council Employees 32,064.97, averaging 9.4 days per FTE
Internal Audit Programme – % of reviews completed	97.6%	Measured Quarterly			4%	1%	Completion rate increases significantly as the financial year progresses. In 15/16: Q1 – 4% completed (Target 1%); Q2 – 20% (target 26%); Q3 – 51% (target 50%); Q4 – 97.6% (Target 97%)
I.T. incidents resolved within SLA High Priority (severity 1) resolved within 2 hours	100%	Measured Quarterly			100%	95%	130 Incidents all resolved in 2 hour SLA.
% of invoices paid within 30 days for all Departments	97.66%	95.89%	94.72%	94.92%	95.2%	98%	June 2016: 94.92% (8,808 invoices inside target of 9,279 paid). April – June: 95.2% (24,479 invoices inside target of 25,713 paid)

## MUNICIPAL YEAR 2016/2017 REPORT NO. 98

### MEETING TITLE AND DATE:

Cabinet 19/10/16

### REPORT OF:

Director of Finance, Resources and Customer Services.

Contact officers:

Dave Carter and Janet Williams,

tels: 020 8379 4287 / 4574;

emails: [dave.carter@enfield.gov.uk](mailto:dave.carter@enfield.gov.uk)

[janet.williams@enfield.gov.uk](mailto:janet.williams@enfield.gov.uk)

Agenda – Part: 1

Item: 9

### Subject:

**EMPTY PROPERTY COMPULSORY PURCHASE ORDER (CPO X)**

**Wards: ALL KD 4338**

### Cabinet Members consulted:

Cllr Ahmet Oykenler, Cabinet Member for Housing and Housing Regeneration

Also Cllr Ayfer Orhan & Cllr Doug Taylor (in their capacity as Ward Councillors).

## 1. EXECUTIVE SUMMARY

This report invites Cabinet to authorise Officers to make Compulsory Purchase Orders (CPOs) on two empty residential properties whose owners have proved un-responsive to attempts by Officers to bring them back into residential use.

## 2. RECOMMENDATIONS

Cabinet are asked to **authorise**:

- 2.1 the making of Compulsory Purchase Orders (Orders) in respect of each of the following properties under Section 17 of the *Housing Act 1985* and the *Acquisition of Land Act 1981* (as amended by the *Planning and Compulsory Purchase Act 2004*): 32 Eastbournia Avenue, N9 0RX and 91 Nags Head Road, EN3 7AA as shown on the plans (appendices 1 & 2) attached to the report;
- 2.2 the preparation of the Orders and supporting documentation and the taking of all necessary steps (including the conduct of a Public Inquiry if necessary) to obtain confirmation of the Orders by the Secretary of State;
- 2.3
  - i) the acquisition of the properties (compulsorily) following confirmation of the Orders, the payment of compensation and statutory interest and the instituting or defending of proceedings where necessary; or
  - ii) the acquisition of the properties by agreement, with terms for the acquisition to be delegated to the Assistant Director – Council Assessments (Housing) and the Assistant Director for Finance, Resources and Customer Services (Property)
- 2.4 the disposal of the properties in accordance with the Council's Property Procedure Rules.

### 3.0 INTRODUCTION: AN ENABLEMENT AND ENFORCEMENT APPROACH

Enfield's Ongoing Commitment: The Borough implements its *Empty Property Approach* to tackle the challenge of over 3,000 privately owned properties standing empty and wasted (as of 31 March 2016 there was a total of 3,223 registered empty properties). This figure includes all categories of empty properties as recorded by Enfield's Council Tax department. Meanwhile the number of households on the housing needs list currently stands at 3,995 (as of August 2016) of which it is estimated approximately 2,600 are not already living in social housing. The Borough has an acute housing shortage. A strategic housing market assessment completed in May 2016 forecast that the population of Enfield would rise from 312,500 (2011 census) to 341,100 by 2017. This is an increase of 28,600 representing an 8.4% rise. The same report also forecast an increase in the number of households from 122,000 in 2013 to 129,000 in 2018. An estimated 1,000 households, excluding transfers, require a three-bedroom property or larger. At current levels of Council housing supply it would take 7 years to clear this existing backlog of demand assuming no new need were to arise through this period. The Council's strategy for dealing with private residential empty property has been renamed the *Private Sector Empty Homes Approach*. Implementation of this revitalised approach is one of the borough's key priorities contained in Enfield's *Housing Strategy 2012-2027*. One of the five main ambitions of Enfield's *Homelessness Strategy (2008-2013)* was to ensure the private housing sector helps to meet the needs of homeless households by bringing empty private sector properties back into use. The new *Homelessness Strategy (2013-2018)* acknowledged that this ambition is still relevant. It also identified an increase in the lack of affordable, quality private rented homes and made a commitment to increase the number of private rented sector homes available to let as well as ensuring all properties comply with minimum safety and quality standards. According to data held by Enfield Borough Council on the condition of the stock in the borough, 35.9% failed the decent homes standard (32,743 out of 91,083 households). The Council's 2010 *Making Enfield Better* manifesto also pledged to employ compulsory purchase to return empty homes that "*scar the environment*" to use.

#### 3.1. National and London Context of Enfield's *Empty Property Strategy*:

The Government's housing strategy document *Laying the Foundations: A Housing Strategy for England* launched on 21 November 2011 states: "*We are committed to bringing empty homes back into use, as a sustainable way of increasing the overall supply of housing and reducing the negative impact that neglected empty homes can have on communities.*" The strategy outlined five measures, including: "*awarding the New Homes Bonus to empty homes brought back into use*" and "*investing £100 million funding to bring problematic empty homes back into use and announcing £50 million of further funding to tackle some of the worst concentrations of empty homes*".

The Mayor of London's *The London Housing Strategy* published in February 2010 recognised that where encouragement measures fail to bring empty properties into use, "*The Mayor encourages boroughs to use their powers of enforcement through legal sanctions, including the use of Compulsory*

*Purchase Orders and EDMOs (Empty Dwelling Management Orders)."* The London Housing Strategy (June 2014) stated that *"The Mayor is committed to maintaining the historically low level of empty homes and since 2008 around £75 million has been invested in London to enable over 6,000 empty homes to be brought back into use by 2015."* It also stated that *"The Mayor is keen to see that all London homes are occupied, whether new build or existing homes, and encourages boroughs to make use of the freedoms available under the Local Government Finance Act 2012 to increase council tax on properties empty for two years or more by 50 per cent."*

The London Plan 2014 – Policy 3.14 D states that *"Boroughs should promote efficient use of the existing stock by reducing the number of vacant, unfit and unsatisfactory dwellings, including through setting and monitoring targets for bringing properties back into use. In particular, boroughs should prioritise long-term empty homes, derelict empty homes and listed buildings to be brought back into residential use."*

- 3.2. New Homes Bonus (NHB) Grant: Introduced by the Government in 2010, the NHB rewards local authorities financially for housing growth by providing a reward equivalent to six years' Council Tax for each net additional home from April 2011. The incentive also applies to long-term empty properties brought back into use. Each empty home brought back into occupation will generate a NHB grant award of around £1,400 per annum. Based on 40 properties per year, this will generate over £50k per annum and more than £300k over the six years of the grant's life. Enfield was awarded a NHB grant of £527k for 2011/12. The *Budget 2012/13 and Medium Term Financial Plan (General Fund)* report endorsed by Cabinet on 08 February 2012 agreed that this £527k be set aside to fund the Council's Empty Property Programme, which is an Invest to Save proposal as empty properties brought back into use will generate additional NHB in future years.
- 3.3. Funding Support from the North London Sub-Region (NLSR): The Greater London Authority (GLA) provided grant funding for local authorities through its 2011-2015 Empty Homes Programme. Enfield was allocated £203.1k. This money, which is being held by Islington as the lead authority, is the Borough's share of the funding for London agreed by The Mayor with the DCLG referred to in 3.2.) This allocation funded the Borough's Grants and Nominations Scheme (GANS) referred to in paragraph 3.5 and the innovative Keeping House Scheme (KHS), targeted at people living in care who own empty properties. A total of 16 properties were assisted through this grant allocation and all 16 properties are now used as temporary accommodation reducing the financial burden on the council of expensive nightly paid accommodation. Previously, the NLSR had awarded Enfield a total of £432k for 23 CPOs approved between 2008 and 2011. However, both these funding streams have now ceased. In anticipation of this, the Council authorised Officers on 26 January 2011 to identify and prioritise financial and staff resources in order to maintain the ongoing CPO programme (CPO V report).
- 3.4. Programme Delivery: Enfield's *Empty Property Approach* is implemented by the Empty Property Team, comprising of the Senior Empty Property Officer (SEPO), Empty Property Officer (EPO) and the Empty Property Grant Officer

(EPGO). Enfield continues to work in partnership with its NLSR partners (Haringey, Islington, Camden, Barnet and Westminster) and Sub-Regional staff to tackle empty properties. Within Enfield, the SEPO and EPO oversee the day-to-day running of the approach. They work in partnership with the representatives of Environmental Health, Legal, Property Services, Finance, Council Tax, Planning and RSL Enablement. Legal and Property Services, in particular, play a significant role in processing CPOs, acquisition and disposal.

- 3.5. Enablement: The EPO, targets advice, support and grant assistance by way of the GANS and KHS targeted at owners of empty accommodation, encouraging them to bring their properties back into use.
- 3.6. Enforcement: The *Use of Compulsory Powers* report approved by Cabinet in 2003, states that where encouragement and assistance have been exhausted, enforcement action will be considered. Since 2007, 29 CPOs have been approved by Enfield. A total of 18 CPOs have been confirmed by the Secretary of State. All of the remaining cases have seen properties returned to use without the compulsory purchase process having to run its full course. Enfield has disposed of nine properties acquired by CPO. Eight of these properties have been fully renovated to the “Decent Homes Standard” and are now fully occupied. The ninth CPO property was sold at auction and the owner now resides in the property whilst he continues to renovate to a high specification. This proactive strategy has placed Enfield at the forefront of London’s campaign to reduce the blight of long term empty properties
- 3.7. Sustaining the Enforcement Climate: There is ongoing evidence that a real threat of CPO motivates some previously intractable owners into action. Continuing the CPO programme together with ongoing publicity is expected to perpetuate this enforcement climate. Mirroring experience of CPO work elsewhere, Enfield Officers have found that when Orders are *actually* made on properties, most owners eventually belatedly offer to renovate and occupy their properties by doing works themselves or selling. To ensure that owners do not renege on 11th hour proposals, the Council uses legally enforceable cross-undertaking agreements which negate the need for public inquiries and the associated costs (see 3.10 for more information about undertakings). The upshot is that the Council does not have to take possession and disposal action in relation to every property subject to a confirmed CPO.
- 3.8. Details of the properties, including a case history, valuation, a plan and photographs, are contained in appendices 1 and 2.
- 3.9. A statutory notice has been (or is in the process of being) served in respect of both properties. The purpose of these notices are to require the owner to take steps to clean up the land and buildings as the condition of the property is deemed to be adversely affecting the amenity of the area. Although these works are unlikely to be carried out by the owners, after compulsory acquisition and disposal the future owner will be expected to carry out the required works.
- 3.10. If the registered owner or “the potential beneficiary” (see Appendix 1) belatedly starts work, CPO action will continue until such time that all works have been



fully completed (meeting the Government's "Decent Homes Standard") and the property returned to *full continuous residential occupation* to the satisfaction of the Council. In addition, the registered owner or "the potential beneficiary" has the opportunity to enter into a legally enforceable cross-undertaking agreement with the Council to achieve a mutually satisfactory outcome. This means that the Council undertakes not to implement a confirmed CPO provided that the registered owner or "the potential beneficiary" carries out the required works and returns the property to use within an agreed time period. If the owner fails to do so, then the CPO is implemented. This negates the need for a Public Local Inquiry and all the costs involved in the Inquiry process. Where the registered owner or "the potential beneficiary" enters into a cross-undertaking, they will be expected to submit proposals of the works to be done and execute all works necessary to meet the "Decent Homes Standard".

- 3.11. Compulsory purchase provides the only realistic prospect of these properties being brought back into residential use in the foreseeable future. A quantitative and qualitative housing gain to the local authority will be achieved by putting the properties into auction with a reputable auctioneer or through other acceptable means of disposal. Sale contracts include Special Conditions to ensure that the properties are fully renovated and occupied within a defined timescale. The Council has a proven track record of this approach, having successfully disposed of nine confirmed CPO properties at auction since April 2010.

### **Budget Implications of CPO Activity**

- 3.12. The total value of these two properties is estimated at £535k based on a current indicative valuation (assuming a reasonable state of repair in the case of 91 Nags Head Road but reflecting the fire damage in respect of 32 Eastbournia Avenue). Once the CPO is confirmed, title can be obtained after three months under a General Vesting Declaration (GVD). The properties will be re-valued at the time the Council takes possession. The properties will be sold at auction or through other acceptable means of disposal. The compensation payable to a dispossessed owner is based on the market value of the property. An owner could make a claim on the Council for an advance payment of up to 90% of the Council's valuation immediately after the date of possession. This must be paid within three months of the claimant's written request.
- 3.13. Full Council on 26 January 2011 (CPO V report) agreed a revenue mechanism to address any interim costs incurred in the disposal process, i.e. an outstanding mortgage or early compensation claim (see 3.13). In practice, most properties subject to CPO are sold on prior to compensation being claimed. There should be minimal delay between acquisition and disposal (particularly if the properties are sold at auction) and therefore the costs associated with this CPO are revenue since they do not provide any ongoing economic benefit to the Council. (See Financial Implications at 6.1.3.)
- 3.14. There is a statutory time limit of 12 years for dispossessed owners to claim compensation.

- 3.15. The *Planning and Compulsory Purchase Act 2004* introduced an entitlement for former owners to claim basic loss payments. The amount is 7.5% of the value of the person's interest in the land, subject to a maximum of £75,000. The Act provides that the entitlement to basic loss payment is lost if the following criteria are all met at the time the CPO is confirmed:
- a specified statutory notice/order has been served on the owner;
  - the statutory notice/order has effect or is operative and
  - the owner has failed to comply with any requirement of the statutory notice/order.
- If owners do not comply with the notices before the CPOs are confirmed, basic loss payments will not be payable. As the empty property enforcement programme progresses, it is anticipated that less properties will require the service of a statutory notice and the risk of having to make basic loss payments will consequently be higher. Basic loss payments are statutory entitlements payable to former owners for interest in land, subject to certain criteria being met and up to a maximum amount. There are currently 2 CPO cases in which there may be a liability to make such payments in the future which will be met from central contingency as required. Cabinet approved this on 13 February 2013 as recognition of this risk. To date, it has not been necessary to draw on the contingency pot, and Officers will continue to make their best endeavours to avoid having to do so. (See Financial Implications at 6.1.2.)

#### **Associated Non-Recoverable Revenue Costs**

- 3.16 Legal Services: The in-house legal costs for processing Orders are estimated at £4k per property. If there are objections and a Public Local Inquiry is required, a further cost of around £10k per property will be incurred.
- 3.17 Property Services: In-house property disposal costs (including inspection, valuation, insurance, liaison with legal services, negotiations with the owner / purchaser, security and maintenance) are estimated at £3,500 per property. This estimate does not allow for the possibility of a contested valuation, which could go to the Lands Tribunal. For disposal via auction, the auctioneer's fees are estimated at approx. 1% per property inclusive.
- 3.18 Total estimated Legal and Property Services costs: The overall estimated Legal and Property Services costs per property (including possible Public Local Inquiry costs and an auction fee of around £2.5k) are £20k. It should be noted that so far only three out of the 29 approved CPOs have required a Public Local Inquiry. It should also be noted that the aforementioned costs exclude Admin expenses, Legal fees to evict unauthorised occupiers, etc.

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

- 4.1 All attempts to locate and negotiate with the owner and assist them with returning the properties back into use have been exhausted. An assessment of the most appropriate course of enforcement action was therefore carried out. All options were considered, namely, service of legal notices, enforced sale, EDMOs and compulsory acquisition. The latter was deemed the most appropriate under the circumstances and will achieve a permanent solution.

- 4.2 The other option the Council might pursue is to do nothing. This will avoid budgetary implications, but is not recommended in the light of Council's priorities and pledges with regard to empty properties. By failing to take the proposed action, empty and eyesore properties remain untouched and residences remain in in disrepair. Enfield's regeneration strategy would also be impaired and the Council:
- ceases to recover any outstanding money it is owed on properties;
  - will fail to meet the serious housing need in Enfield by bringing empty properties back into use;
  - sends out a signal that if owners ignore the Council, it will "go away";
  - will not attract the investment on building works that accompanies this programme;
  - will not be able to achieve lasting change on empty properties; and
  - will not maximise future NHB funding by decreasing the number of empty properties in Enfield and offset the risk of reductions in Formula Grant funding due to national top-slicing on NHB grant.

## 5. REASON FOR RECOMMENDATIONS

The compulsory purchase of the above properties, and their subsequent onward sale, will produce a quantitative and qualitative gain to the borough's housing stock. In addition, it will assist in the achievement of the Council's housing strategies and will turn existing eyesores into much needed homes. A CPO will address the Council's strategic supply, regeneration and sustainability objectives, together with the Government and Mayor of London's expectations cited above.

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

### 6.1 Financial Implications

- 6.1.1 This report seeks agreement to proceed with a Compulsory Purchase Order. The revenue cost of processing one CPO (based on using in-house Legal Services) is set at £20,000 and this will be funded from the balance of CPO funding received from the North London Sub-Region, which currently stands at £191k. The CPO expenditure details are outlined below:

<b>Revenue implications 2016/17</b>	<b>Cost of CPO, £</b>
In-house Legal Services costs	4,000
Property Services disposal costs	2,000
Security and maintenance costs	1,500
Auctioneer's fees (approx. 1% of property valuation)	2,500
Public Local Inquiry if there are objections	10,000
Cost of processing CPO	<u>20,000</u>
Funded from residue of income from Sub-Regional Funding	-20,000

- 6.1.2 There is a potential cost for basic loss payments as set out in paragraph 3.15 above. The Council is liable to make “basic loss payments”. Basic loss payments are statutory entitlements payable to former owners for interest in land, subject to certain criteria being met and up to a maximum amount. If this occurs, the payments will be met from central contingency, as approved in the Budget report to Cabinet on 13 February 2013. Planning Enforcement Notices have been served on each property and if the owners fail to comply with the notice before the CPO is confirmed, no basic loss payment will apply.
- 6.1.3 Title can be obtained under a General Vesting Declaration. On acquisition, the property will be put into auction with a reputable auctioneer. There may be a minor time delay between acquisition and disposal. If the property market falls between these two points in time, there may be some loss of capital. The acquisition of a property and the disposal should be almost simultaneous and therefore the costs associated with CPOs in this context are revenue and would not qualify as capital since they do not provide any ongoing economic benefit to the Council. Any time difference in the cash flows to the Council will be recognised as debtors or creditors at the year end and an assessment will be made based on the circumstances prevailing at 31 March 2017 of the extent to which the Council’s costs are recoverable.

## 6.2 Legal Implications

The Council has the power under Section 17 of the *Housing Act 1985* to compulsorily acquire land, houses or other properties for the provision of housing accommodation.

In exercising this power, the Council would need to demonstrate that the acquisition of these properties achieves a quantitative or qualitative housing gain. It would also have to confirm its proposals for the future disposal of the properties to prove that such proposals will secure the return of the properties to a habitable standard and back into use. Current practice is to dispose of such properties at auction with a contractual obligation to bring them up to a habitable standard within a defined timescale.

In order to acquire legal title to the properties to facilitate their early disposal, the General Vesting Declaration procedure is recommended as the appropriate process to be adopted following confirmation of the Order. This is simpler than the Notice to Treat procedure and avoids the need to obtain a formal transfer of ownership from the current registered owners.

Once the properties have been vested in the Council, their disposal would need to be in accordance with the Council’s Property Procedure Rules and the contracts of sale and Transfer deeds will be in a form approved by the Assistant Director (Legal Services).

In disposing of the properties, it is unlikely that the full costs of the initiation and implementation of the entire CPO process will be recouped and therefore a budget has been identified to meet these additional costs.

In respect of Human Rights, the Convention rights applicable to making of the Order are Article 1: Protection of Property, Article 6: Right to a Fair Trial and

Article 8: Right to Respect Private Life and Family. It is not anticipated that Human Rights issues will be successfully raised in relation to these proposals.

### **6.3 Property Implications**

There is a financial risk that the capital funding for acquisition will not be recouped entirely on disposal. As stated, the costs of the CPO process will be met out of revenue and in-house costs have been estimated. However, claimants are entitled to seek payment of their own reasonable legal and surveyor's fees as part of the compensation. It should be noted that in the event of the necessity of a referral to the Lands Tribunal to determine CPO compensation, additional costs may be claimed by the dispossessed owner.

Disposal will be in accordance with the Council's current Property Procedure Rules, which require that: once the CPO has been confirmed by the Secretary of State and the property has vested in the Council, the Council will put the property into auction with a reputable auctioneer. The auctioneer's fees will have to be taken into account, together with other relevant costs.

## **7. KEY RISKS**

7.1 By taking the action proposed, the Council incurs the following risks:

- Refusal by the Secretary of State to confirm any CPO submitted.
- Although only likely to happen in the event of a sudden collapse in the property market, it is possible that a valuation may be higher than the resale value of the property. Any resulting shortfall would have to be funded from Council resources. (See Financial Implications under 6.1.3.)
- If the Council fails to deal with empty properties, it risks both a negative assessment of its strategic housing performance by Central Government and the Mayor of London and negative perception by residents of its ability to tackle the problems associated with empty properties.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The compulsory purchase of the above properties, and their subsequent onward sale, will contribute towards the Council's strategic commitment to return empty homes that scar the environment to use to meet the needs of each area.

### **8.2 Growth and Sustainability**

Returning empty properties to use via compulsory purchase and onward sale:

- produces a quantitative and qualitative gain to the borough's housing stock;
- assists in the achievement of the corporate Housing Strategy. Bringing empty homes back into use is a priority in Enfield's *Housing Strategy 2012-2027*, thus addressing the Council's strategic regeneration and

supply objectives, together with the Mayor of London's *London Housing Strategy*.

In particular, tackling empty homes impacts on the local economy by attracting investment in building works (and associated employment opportunities) and generates revenue once vacant properties are reoccupied.

### **8.3 Strong Communities**

Empty properties can have a serious negative effect on the local community. In June of 2003 a survey produced by *Hometrack*, showed that empty properties devalue neighbouring properties by as much as 18%. Typical neighbourhood complaints associated with empty properties include accumulations of rubbish, rodent infestations, overgrown gardens and unsecured premises (attracting anti-social behaviour such as vandalism, drug taking and arson), all issues that mar the street scene and impact on saleability and property value. Bringing these properties back into use will inspire confidence in the locality and be a positive step in regeneration.

## **9.0 EQUALITIES IMPACT IMPLICATIONS**

9.1 An Equality Impact Assessment (EQIA) has been carried out in relation to the *Enfield's Housing Strategy 2012-2027* that shows how the Strategy will support disadvantaged groups, eliminate discrimination and promote equality of opportunity. This Strategy supports fairness for all by promoting accessible and individual housing advice, options and choices for all, and addressing housing need to tackle inequality. Furthermore, the Community Housing Services Strategic Development Team received confirmation from the Council's Equalities Officer in October 2012 that a predictive EQIA was not required for the *Private Sector Empty Homes Approach* (referred to in paragraph 3.1) "as it is considered not to be relevant or proportionate to complete one for this document."

## **10.0 PERFORMANCE MANAGEMENT IMPLICATIONS OF THE CPO PROGRAMME**

- Enforcement action to tackle vacant private housing where owners are unwilling or unable to return them to use contributes towards regeneration, building sustainable communities and meeting local needs.
- Properties returned to use can minimise demand for Council resources, enabling these to be focused on other priorities. For instance, there will be a reduction in service requests as empty properties attract a disproportionate number of complaints to Members and Council services such as Environmental Health.
- Sufficient resourcing together with effective corporate and partnership working are imperative to sustain the delivery of CPO activity.

## **11.0 HEALTH AND SAFETY IMPLICATIONS**

- 11.1 As indicated above and in the appendix, empty residential properties can pose a health and safety risk to Officers, owners and the public. Therefore, all due diligence has been and will continue to be taken by Officers to uphold health and safety standards in relation to the compulsory acquisition and subsequent onward disposal of the properties the subject of this report.

## **12.0 PUBLIC HEALTH IMPLICATIONS**

- 12.1 As pointed out in paragraph 8.3, empty residential properties typically attract neighbourhood complaints about matters such as accumulations of rubbish, rodent infestations, overgrown gardens and unsecured premises (attracting anti-social behaviour such as vandalism, drug taking and arson), all issues that can potentially impact upon the health and well-being of the public. Bringing this property back into use will help towards improving the environment and amenity of the area.

### **Report authored by:**

Dave Carter  
Senior Empty Property Officer  
London Borough of Enfield  
tel: 020 8379 4287  
email: [dave.carter@enfield.gov.uk](mailto:dave.carter@enfield.gov.uk)

**LONDON BOROUGH OF ENFIELD  
(32 Eastbournia Avenue Edmonton N9 0RX)  
COMPULSORY PURCHASE ORDER 2016**

**Section 17 Housing Act 1985 and the Acquisition of Land Act 1981**

**STATEMENT OF REASONS**

**Addressing the requirements of Guidance on Compulsory purchase process  
and The Cichel Down Rules (amended DCLG Circular - October 2015)**

**1.0 Description Of The Order Land, Summary Of History And Valuation**

- 1.1 The Order area comprises of 32 Eastbournia Avenue, a vacant, fire damaged, two storey, end of terrace house built circa 1900 with a single storey rear extension and the associated land (shaded on the accompanying map). The property has been empty and neglected since September 2010 following the death of the original registered owner.
- 1.2 Following an external inspection, Property Services prepared an indicative valuation on 20 June 2016 of £185,000, reflecting the severely fire damaged state of repair.

**2.0 Purpose for Seeking This Compulsory Purchase Order And Explanation Of Proposed Use**

- 2.1 The purpose of seeking this Compulsory Purchase Order (CPO) is to facilitate the return of the property to residential use, and therefore achieve a quantitative and qualitative housing gain to the local authority via onward sale by putting the property into auction. Sale will be subject to Special Conditions to ensure the property is fully renovated and occupied within a defined timescale.
- 2.2 The Empty Property Officer targets advice, support and limited grant assistance towards owners of empty accommodation, encouraging them to bring their properties back into use. The strategy, supplemented by the policy and methodology framework outlined in the London Borough of Enfield report entitled *Use of Compulsory Powers* endorsed by Cabinet on 15 October 2003, envisions that in circumstances where encouragement, facilitation and empowerment have been exhausted, enforcement action in the form of compulsory purchase will have to be considered.
- 2.3 On 23 January 2008 Council resolved to authorise Officers to make CPOs on three empty residential properties to pilot the policy detailed in the *Use of Compulsory Powers* report. Between September 2008 and April 2013, the Council resolved to authorise Officers to make CPOs on a further 26 empty residential properties. Council on 26 January 2011 authorised Officers to identify and prioritise financial and staff resources in order to maintain the ongoing CPO programme in the event that funding from the North London Sub-Region is reduced or ceases and thereafter (*Empty Property Compulsory Purchase Orders [CPO V]* report). Subsequently, a successful bid for New



Homes Bonus funding has ensured that dedicated resources are in place to lead this function. It is in line with aforementioned strategy, policy and resourcing framework, commitment and practice that the authority is seeking to compulsorily purchase 32 Eastbournia Avenue.

### **3.0 The Authority's Justification For Compulsory Purchase**

- 3.1 The authority's need for the provision of further housing accommodation: Enfield has a total of 99,670 private sector dwellings, of which 1,580 are vacant (this figure excludes furnished empty properties); 905 of these private empty properties have been vacant for longer than six months (Stock and empty home figures from 31 July 2013 - 31 March 2016). Currently, (as of August 2016) there are 3,995 households on the housing needs register. This includes 1,888 households living in temporary accommodation.
- 3.2 Justification for the compulsory acquisition of an empty property for housing use: 32 Eastbournia Avenue is a two-storey, two-bedroom, mid-terrace house built circa 1900 that has been vacant for over six years. The last occupier died in September 2010. Between mid-2011 and mid-2013 there was a history of anti-social behaviour associated with the property. In August 2013, a fire occurred causing severe damage to the structure of the property. The property continues to attract anti-social behaviour. The Council's involvement is summarised as follows:
- 3.2.1 05 September 2012: The Senior Empty Property Officer (SEPO) and Empty Property Enforcement Officer (EPEO) visited 32 Eastbournia Avenue. The gardens were overgrown. There had been a recent history of squatting
- 3.2.2 30 October 2012: The SEPO wrote to the 'registered owner' outlining various approaches to assist with returning the property to housing use. No reply was received.
- 3.2.3 16 November 2012: The SEPO spoke with 'the potential beneficiary' who explained that the deceased 'owner' was his great uncle. Only when they were trying to tie up the estate did they find out that approximately 1yr before his great uncle's death, the house had been 'sold' and the 'buyer' had registered his name on the Land Registry title register
- 3.2.4 07 December 2012: The SEPO received a telephone call from Edmonton Police stating the property had been broken into via the rear door
- 3.2.5 06 February 2013: The SEPO spoke with the "the potential beneficiary" who explained that a notice had also been served against the registered owner preventing him from entry or having any dealings with the property.
- 3.2.6 01 March 2013: The resident of a neighbouring property rang the SEPO to say that she called the police again after some people tried to break in.
- 3.2.7 03 May 2013: The SEPO received a telephone call from a Police Officer in Dagenham. Following an arrest, the officer had found invoices and receipts relating to 32 Eastbournia Avenue.

- 3.2.8 20 May 2013: The SEPO visited 32 Eastbournia Avenue and noticed that both the rear gate and rear door were open. Windows were broken, drug paraphernalia were found and fire ashes were seen in the front bedroom.
- 3.2.9 19 June 2013: The SEPO re-visited following complaints of up to 20 people being in the house. The SEPO noted that the house was ransacked and there was an overturned barbeque in the kitchen with burnt coals scattered around.
- 3.2.10 26 July 2013: The SEPO spoke to the Police Officer from Dagenham who confirmed that their enquiries had now expanded and her Inspector was trying to get the case transferred to the wider Metropolitan Police 'Investigations Unit'. She did not feel that there was likely to be a conclusion to the investigations in the near future.
- 3.2.11 02 August 2013: The SEPO received an email from Council's Building Control department which explained that the boiler had been stolen and gas was left freely issuing from the open pipe. Jagged edges of glass had been left projecting from both the rear door and window frames through which persons have been gaining entry. Rubbish, broken glass and spirit bottles were evident as was a barbeque, which had probably been used inside the building.
- 3.2.12 12 August 2013: The SEPO wrote to the both the registered owner and the "potential beneficiary" reminding them that the property remained vacant, seriously neglected and unsecured. A requisition for information questionnaire under section 16 of the *Local Government (Miscellaneous Provisions) Act 1976* was enclosed and the owner was reminded that the Council, have an active policy to compulsorily purchase property left vacant for a significant period of time. No reply was received from the registered owner.
- 3.2.13 20 August 2013: The SEPO received a telephone call advising that at 3.00am the property had caught fire. Damage to property was so far unknown but the elderly occupier of No 30 had been hospitalised due to smoke inhalation.
- 3.2.14 21 August 2013: The Environmental Protection Team served notice under Local Government (Miscellaneous Provisions) Act 1982 Sec 29 requiring the owner to board up all doors and windows. They were advised that if the works were not completed then the Council may carry out work and recover costs.
- 3.2.15 23 August 2013: The SEPO spoke to a Building Control officer who confirmed that the property had now been boarded up.
- 3.2.16 31 October 2014: The SEPO received notification from the Police stating that they were hoping to go to the (CPS) with an interim report expected to be submitted by January 2015.
- 3.2.17 16 November 2014: The SEPO received notification form a Building Control officer explaining that he had served a Dangerous Structure Notice on the property with concerns about flank wall and unsupported front lintels.
- 3.2.18 30 January 2015: The Environmental Protection Team served an Abatement Notice under Section 80 of the Environmental Protection Act 1990. The Notice

required the 'registered owner' to remove accumulations on the land and secure the property. The registered owner did not comply with this notice.

3.2.19 10 March 2015: Works were carried out to clear all rubbish and accumulations from the gardens of the property and later on 16 March 2015, works were carried out to board up the back door.

3.2.20 31 December 2015: The Planning Enforcement Team served a Notice under Section 215 of the Town and Country Planning Act 1990 which took effect from 31 January 2016 with 3-months given to complete the work.

3.2.21 29 April 2016: The SEPO met with the Head of the Planning Enforcement Team who explained that there had been complaints again regarding trespass. It was alleged that 3 men had been living in the property and dealing drugs. Therefore, the Council had decided to place 3m high boarding with barbed wire around the plot at an approx. cost of £6.5k which will result in an additional registered charge against the property.

3.2.22 12 May 2016: The SEPO wrote to the registered owner, stating that it was proposed to refer this case for a recommendation that the Council resolve to make a CPO. No reply was received. A copy of this correspondence was also sent to the "potential beneficiary". No reply was received.

3.2.23 The Property remains vacant and neglected. The registered owner and the potential beneficiary have been given ample opportunity and time to comply with the Council's requests but have either not responded or been unable to comply. Therefore, a resolution is sought to obtain a Compulsory Purchase Order to ensure the return of the property to full continuous residential use.

#### **4.0 Human Rights Considerations**

4.1 In recommending the compulsory purchase of this property, regard has been given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights, namely, no one should be deprived of his possessions except in the public interest, and Article 8 relating to the right to full and proper compensation.

#### **5.0 Proposals For The Use Of The Land**

5.1 In the event that the Order is confirmed, it is proposed that the property is vested in the Council and put into auction with a reputable auctioneer. Sale will be subject to a covenant to ensure the property is fully renovated and occupied within a defined timescale.

#### **6.0 Statement Of Planning Position**

6.1 Prior to it becoming vacant, the property was in residential use. In this instance, no change of use is anticipated. The premises, once returned to residential use, will remain in residential use.

6.2 It is inappropriate for the authority to submit a planning application prior to disposal of the premises, however the onward purchaser will be expected to make such an application as necessary.

6.3 There are no specific proposals in the Borough's Core Strategy, adopted by the Council in November 2010, or the emerging Development Management Document, which affect this property. Core Policy 4: Housing Quality, states that "the Council will use its development management powers to prevent the loss of all homes, including affordable homes and will work with partners to seek to reduce the level of vacant homes".

## **7.0 Information Required In The Light Of Government Policy Statements**

7.1 Not applicable.

## **8.0 Any Special Considerations Affecting The Order Site**

8.1 None are known.

## **9.0 Details Of How The Acquiring Authority Seeks To Overcome Any Obstacle Or Prior Consent Needed Before The Order Scheme Can Be Implemented**

9.1 No obstacle or required prior consent applicable.

## **10.0 Details Of How The Acquiring Authority Seeks To Overcome Any Obstacle Or Prior Consent Needed Before The Order Scheme Can Be Implemented**

10.1 No obstacle or required prior consent applicable.

## **11.0 Details Of Any Views That May Have Been Expressed By A Government Department About The Proposed Development Of The Order Site**

11.1 Not applicable.

## **12.0 Any Other Information That Would Be Of Interest To Persons Affected By The Order**

12.1 The officer leading on this case is the Senior Empty Property Officer, Dave Carter, Health, Housing and Adult Social Care, London Borough of Enfield, PO Box 59, Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XL; email: [dave.carter@enfield.gov.uk](mailto:dave.carter@enfield.gov.uk); phone: 020 8379 4287, from whom further information can be obtained.

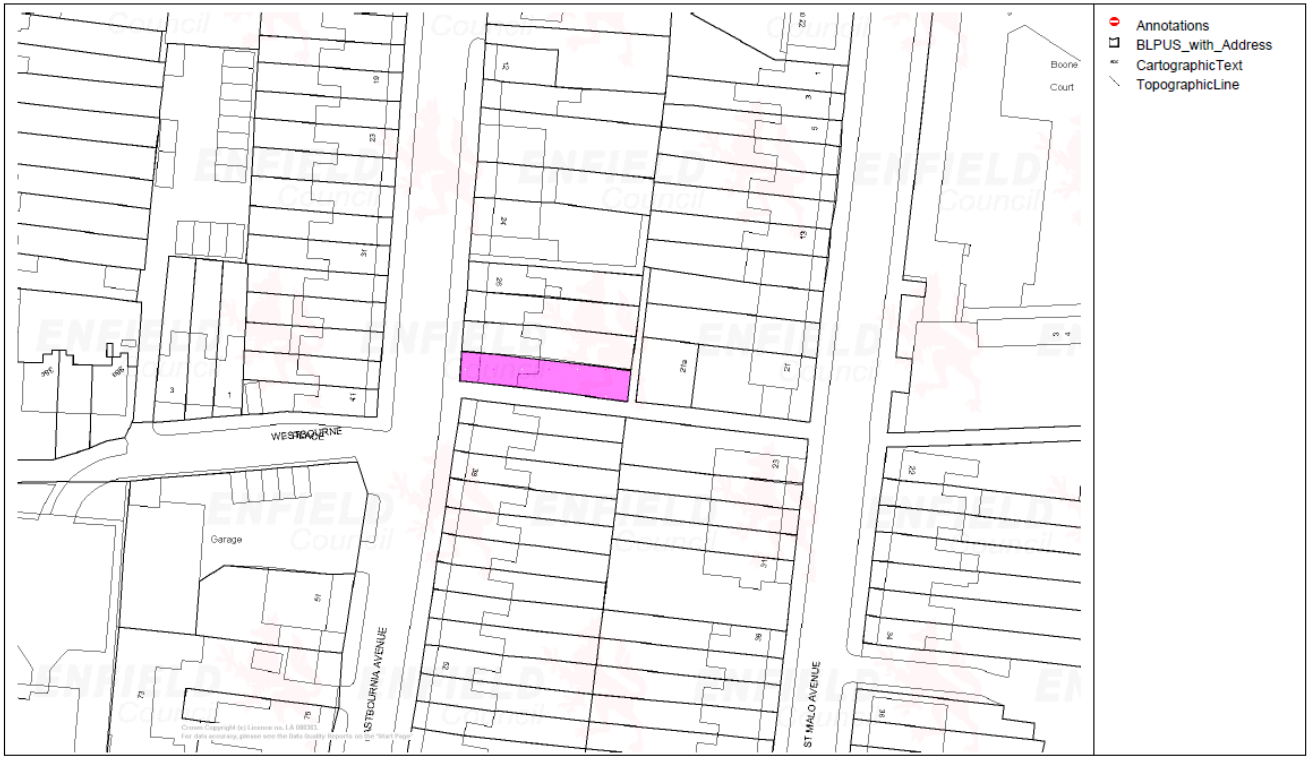
## **13.0 Details Of Any Related Order, Application Or Appeal Which May Require A Coordinated Decision When Confirming The Order**

13.1 There are no current related orders, applications or appeals.

## **14.0 List Of Documents Likely To Be Used In An Inquiry**

- 14.1 Enfield's *Private Sector Empty Homes Approach*.
- 14.2 Enfield's *Use of Compulsory Powers* report, 15 October 2003.
- 14.3 Enfield's *Compulsory Purchase Orders* reports I-IX, agreed by Cabinet and Council between November 2007 and October 2013.
- 14.4 *Making Enfield Better by Delivering Fairness, Growth, Sustainability*, Labour manifesto 2010.
- 14.5 *Enfield's Housing Strategy 2012-2027*.
- 14.6 Guidance on Compulsory purchase process and The Criche Down Rules DCLG (amended version October 2015)
- 14.7 *The Revised London Housing Strategy*, December 2011 (for consultation with the public).
- 14.8 *Laying the Foundations: A Housing Strategy for England*, November 2011.
- 14.9 Empty Homes in England: Empty Homes Agency: Autumn 2016
- 14.10 Empty Housing (England): House of Commons Library Briefing paper: No 3012 – 05-05-2016
- 14.11 Empty Property Officer's case file on 32 Eastbournia Avenue, including letters to the registered owner and "the potential beneficiary", etc.

The office copies of the above documents are all available for inspection at any reasonable time at the Civic Centre, Silver Street, Enfield, EN1 3XL.



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2012. Ordnance Survey 100019820

**32 Eastbourne Ave N9 0RX** Area 121sq m  
Scale 1/500 Date 17/5/2016

**LONDON BOROUGH OF ENFIELD  
(32 Eastbournia Avenue Edmonton N9 0RX)  
COMPULSORY PURCHASE ORDER 2016  
Photographs of 32 Eastbournia Avenue, Edmonton, N9 0RX**



**LONDON BOROUGH OF ENFIELD  
(91 NAGS HEAD ROAD ENFIELD EN3 7AA)  
COMPULSORY PURCHASE ORDER 2016**

**Section 17 Housing Act 1985 and the Acquisition of Land Act 1981**

**STATEMENT OF REASONS**

**(Addressing the requirements of Guidance on Compulsory purchase process  
and The Crichel Down Rules (amended DCLG Circular - October 2015))**

**1.0 Description Of The Order Land, Summary Of History And Valuation**

1.1 The Order area comprises of 91 Nags Head Road, a vacant, end of terrace house built circa 1900 with a two-storey rear extension and the associated land (shaded on the accompanying map). The property has been empty and neglected since December 2012 following the death of the registered owner. Officers have been in contact with the daughter and grand-daughter of the late owner who are believed to be the only beneficiaries of the late owner's estate. The property has been designated as a 'dangerous structure', has a history of squatting and anti-social behaviour and is suspected as being a source of vermin infestation.

1.2 Following an external inspection, Property Services prepared an indicative valuation on 20 June 2016 of £350,000 (no allowance has been made for the state of repair of the property and reasonable condition has been assumed).

**2.0 Purpose for Seeking This Compulsory Purchase Order And Explanation Of Proposed Use**

2.1 The purpose of seeking this Compulsory Purchase Order (CPO) is to facilitate the return of the property to residential use, and therefore achieve a quantitative and qualitative housing gain to the local authority via onward sale by putting the property into auction. Sale will be subject to Special Conditions to ensure the property is fully renovated and occupied within a defined timescale.

2.2 The Empty Property Officer targets advice, support and limited grant assistance towards owners of empty accommodation, encouraging them to bring their properties back into use. The strategy, supplemented by the policy and methodology framework outlined in the London Borough of Enfield report entitled *Use of Compulsory Powers* endorsed by Cabinet on 15 October 2003, envisions that in circumstances where encouragement, facilitation and empowerment have been exhausted, enforcement action in the form of compulsory purchase will have to be considered.

2.3 On 23 January 2008 Council resolved to authorise Officers to make CPOs on three empty residential properties to pilot the policy detailed in the *Use of Compulsory Powers* report. Between September 2008 and April 2013, the Council resolved to authorise Officers to make CPOs on a further 26 empty residential properties. Council on 26 January 2011 authorised Officers to



identify and prioritise financial and staff resources in order to maintain the ongoing CPO programme in the event that funding from the North London Sub-Region is reduced or ceases and thereafter (*Empty Property Compulsory Purchase Orders [CPO V]* report). Subsequently, a successful bid for New Homes Bonus funding has ensured that dedicated resources are in place to lead this function. It is in line with aforementioned strategy, policy and resourcing framework, commitment and practice that the authority is seeking to compulsorily purchase 91 Nags Head Road.

### **3.0 The Authority's Justification For Compulsory Purchase**

- 3.1 The authority's need for the provision of further housing accommodation: Enfield has a total of 99,670 private sector dwellings, of which 1,580 are vacant (this figure excludes furnished empty properties); 905 of these private empty properties have been vacant for longer than six months (Stock and empty home figures from 31 July 2013 - 31 March 2016). Currently, (as of August 2016) there are 3,995 households on the housing needs register. This includes 1,888 households living in temporary accommodation.
- 3.2 Justification for the compulsory acquisition of an empty property for housing use: 91 Nags Head Road is a two-storey, three-bedroom, mid-terrace house built circa 1900 that has been vacant for over three and a half years. The last occupier died in December 2012. There has been a history of squatting, fly tipping and anti-social behaviour associated with the property. In August 2013, a Dangerous Structure Notice was served in respect of the property. The property continues to attract anti-social behaviour and fly-tipping. The Council's involvement is summarised as follows:
- 3.2.1 11 September 2014: A member of the Council Tax visiting team stated that he had visited the house on 11 September 2014 and found house to be empty and in a dangerous condition therefore reported it to Building Control. The last owner had died in December 2012 and the property was still registered in his name.
- 3.2.2 05 December 2014: The Senior Empty Property Officer (SEPO) and the Empty Property Officer (EPO) carried out a visit to the property and found it was enclosed by perimeter fencing at the front. Photographs of the front and rear were taken.
- 3.2.3 15 December 2015: The SEPO received correspondence from a Building Control officer stating that a visit had been undertaken on 17 September 2014 and it was found that slates had been falling off of the roof and several slates were laying in the front drive, therefore the officer had identified the property as being a dangerous structure

The Building Control officer thought the best option was to enclose the garden to prevent anyone entering rather than the alternative of getting a contractor to remove more loose slates. The officer stated that he was also concerned about possible water ingress due to the obvious holes in the roof.

The officer revealed that a woman contacted him in October 2014 stating that she was the daughter of the deceased owner of the property and that she would arrange for the roof to be repaired.

- 3.2.4 19 January 2015: A telephone message and email was sent by the EPO to the late owner's daughter. The email explained she had previously advised that she was going to arrange for roof repairs to be carried out but no such repairs had occurred. No response was received.
- 3.2.5 02 February 2015: The EPO wrote to the owner outlining various approaches to assist with returning the property to housing use. No reply was received.
- 3.2.6 03 March 2015: The EPO carried out a visit to the property following reports that the front door was ajar. Evidence was found of the front door being forced, and the rear fencing having been moved to allow access to the rear door. The Dangerous Structure Notice had been removed from the front door. A message was left for the late owner's daughter asking her to call the EPO.
- 3.2.7 04 March 2015: The EPO contacted the late owner's daughter. A requisition for information questionnaire under section 16 of the *Local Government (Miscellaneous Provisions) Act 1976* was enclosed and the owner was reminded that the Council, have an active policy to compulsorily purchase property left vacant for a significant period of time. No reply was received.
- 3.2.8 09 March 2015: The SEPO received a call from a neighbour expressing concern about people trying to gain access to 91 Nags Head Road. During the last 3-4 weeks the neighbour stated they had observed people at the rear and there was now a broken pane of glass which enabled easy access.
- 3.2.9 13 March 2015: The SEPO and the EPO carried out a joint visit. The double glazed back door panel at the rear, had been broken. Two woman said they occupied the house with two men. The EPO took photographs and details of the late owner were found in including a contact details of an executor. A visit was made to this executor who explained he had not been in recent contact with the late owner's daughter. He agreed to contact her again requesting she contact the Council. He also provided information regarding the solicitor.
- 3.2.10 14 March 2015: The EPO received a response from the late owner's daughter, stating that she was "desperate for any help and assistance I can get" and she was at present "sorting money out, to do up the property, so that I could give it to Enfield Council to rent out. "
- 3.2.11 26 March 2015: The EPO sent an email to the late owner's daughter stating that she had not heard from her since their conversation on 16 March 2015. She also reminded her that it was important that she contact her solicitor for guidance immediately.
- 3.2.12 30 March 2015: The late owner's daughter called the EPO stating that she had organised a carpenter to board up the property and when she tried to access the property she found that it was occupied. The police were called and removed from the property. The late owner's daughter stated that she was going to have the property boarded up and the locks changed.

- 3.2.13 31-March 2015: The EPO contacted the late owner's daughter to advise that she had been notified the squatters had moved back into the property around 11pm the previous evening. The EPO advised that it was imperative that she have the property boarded up and change the locks. The EPO also attached details regarding 'property guardians' advising that this may provide a solution to protecting the property.
- 3.2.14 08 April 2015: The EPO received a telephone call from late owner's daughter stating that there had been another attempted break in but the property was now fully boarded on ground floor.
- 3.2.15 09 April 2015: The EPO sent an email to late owner's daughter providing details of who to contact re discharging debts owed to Enfield Council.
- 3.2.16 13 April 2015: The EPO and SEPO met late owner's daughter at the property. The late owner's daughter explained that probate had previously been issued but she needed to arrange for the property to be registered in the names of her and her daughter.
- 3.2.17 14 April 2015: The EPO sent an email to late owner's daughter advising her that she could make regular payments to clear her father's debts but the registered charge could not be removed, until the outstanding balance was paid in full. The EPO also advised that if she were to let the property then rent payments could be used to offset the debt. The EPO once again strongly urged her to contact the Finance department to discuss the matter further and suggested she inform her solicitor once an agreement had been reached.
- 3.2.18 30 April 2015: The EPO spoke with the late owner's daughter who advised that she had not yet spoken to the Finance department.
- 3.2.19 10 August 2015: The EPO left a message for the late owner's daughter asking her to provide update on progress with renovation works etc.
- 3.2.20 09 November 2015: The SEPO received an email from an Environmental Protection Officer advising that a complaint had been received on 05 October 2016 about rubbish / fly tipping and also a rat infestation.
- 3.2.21 10 November 2015: The EPO left a telephone message for the late owner's daughter, asking her to contact her.
- 3.2.22 20 November 2015: The EPO called the solicitor acting for the late owner's daughter who advised that he had been trying to get hold of owner for some time. He had written and left several messages.
- 3.2.23 15 December 2015: The EPO sent an email to owner with an attached letter, which was also posted to both the property and correspondence addresses. The letter reminded the late owner's daughter that she had not responded to the letter of 04 March 2015 ((requisition for information questionnaire under section 16 of the *Local Government (Miscellaneous Provisions) Act 1976*)). The letter also advised the late owner's daughter that there had been complaints received regarding rubbish and rat infestation. Finally, the EPO

reminded the late owner's daughter that both she and her solicitor had been trying to contact her without success. No response was received.

3.2.24 19 January 2016: The EPO left a voice message for the late owner's daughter asking her to make contact.

3.2.25 19 January 2016: The EPO sent a letter to the late owner's daughter at 91 Nags Head Road and her correspondence address. A copy of this letter was also sent to the joint executor and to the solicitor. The letter advised that it was now proposed this case should be referred to a forthcoming Cabinet meeting with a recommendation that the Council resolve to make a Compulsory Purchase Order.

3.2.26 27 January 2016: The EPO spoke with the executor. He confirmed receipt of the letter sent on 19 January 2016. He had not heard from the late owner's daughter for some months but acknowledged that the Council must carry out its processes.

3.2.27 09 February 2016; The EPO sent a further reminder email to the late owner's daughter together with attached photographs a recent visit

3.2.28 20 April 2016: The EPO and Empty Property Grant Officer carried out joint visit to the property. It was observed that the property had considerably deteriorated. More roof tiles were falling off and rubbish was accumulating around the front door.

3.2.29 The Property remains vacant and neglected. The late owner's daughter has been given ample opportunity and time to comply with the Council's requests but has not responded or complied. Therefore, a resolution is sought to obtain a Compulsory Purchase Order to ensure the return of the property to full continuous residential use.

#### **4.0 Human Rights Considerations**

4.1 In recommending the compulsory purchase of this property, regard has been given to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights, namely, no one should be deprived of his possessions except in the public interest, and Article 8 relating to the right to full and proper compensation.

#### **5.0 Proposals For The Use Of The Land**

5.1 In the event that the Order is confirmed, it is proposed that the property is vested in the Council and put into auction with a reputable auctioneer. Sale will be subject to a covenant to ensure the property is fully renovated and occupied within a defined timescale.

#### **6.0 Statement Of Planning Position**

6.1 Prior to it becoming vacant, the property was in residential use. In this instance, no change of use is anticipated. The premises, once returned to residential use, will remain in residential use.

6.2 It is inappropriate for the authority to submit a planning application prior to disposal of the premises, however the onward purchaser will be expected to make such an application as necessary.

6.3 There are no specific proposals in the Borough's Core Strategy, adopted by the Council in November 2010, or the emerging Development Management Document, which affect this property. Core Policy 4: Housing Quality, states that "the Council will use its development management powers to prevent the loss of all homes, including affordable homes and will work with partners to seek to reduce the level of vacant homes".

## **7.0 Information Required In The Light Of Government Policy Statements**

7.1 Not applicable.

## **8.0 Any Special Considerations Affecting The Order Site**

8.1 None are known.

## **9.0 Details Of How The Acquiring Authority Seeks To Overcome Any Obstacle Or Prior Consent Needed Before The Order Scheme Can Be Implemented**

9.1 No obstacle or required prior consent applicable.

## **10.0 Details Of How The Acquiring Authority Seeks To Overcome Any Obstacle Or Prior Consent Needed Before The Order Scheme Can Be Implemented**

10.1 No obstacle or required prior consent applicable.

## **11.0 Details Of Any Views That May Have Been Expressed By A Government Department About The Proposed Development Of The Order Site**

11.1 Not applicable.

## **12.0 Any Other Information That Would Be Of Interest To Persons Affected By The Order**

12.1 The officer leading on this case is the Senior Empty Property Officer, Dave Carter, Health, Housing and Adult Social Care, London Borough of Enfield, PO Box 59, Civic Centre, Silver Street, Enfield, Middlesex, EN1 3XL; email: [dave.carter@enfield.gov.uk](mailto:dave.carter@enfield.gov.uk); phone: 020 8379 4287, from whom further information can be obtained.

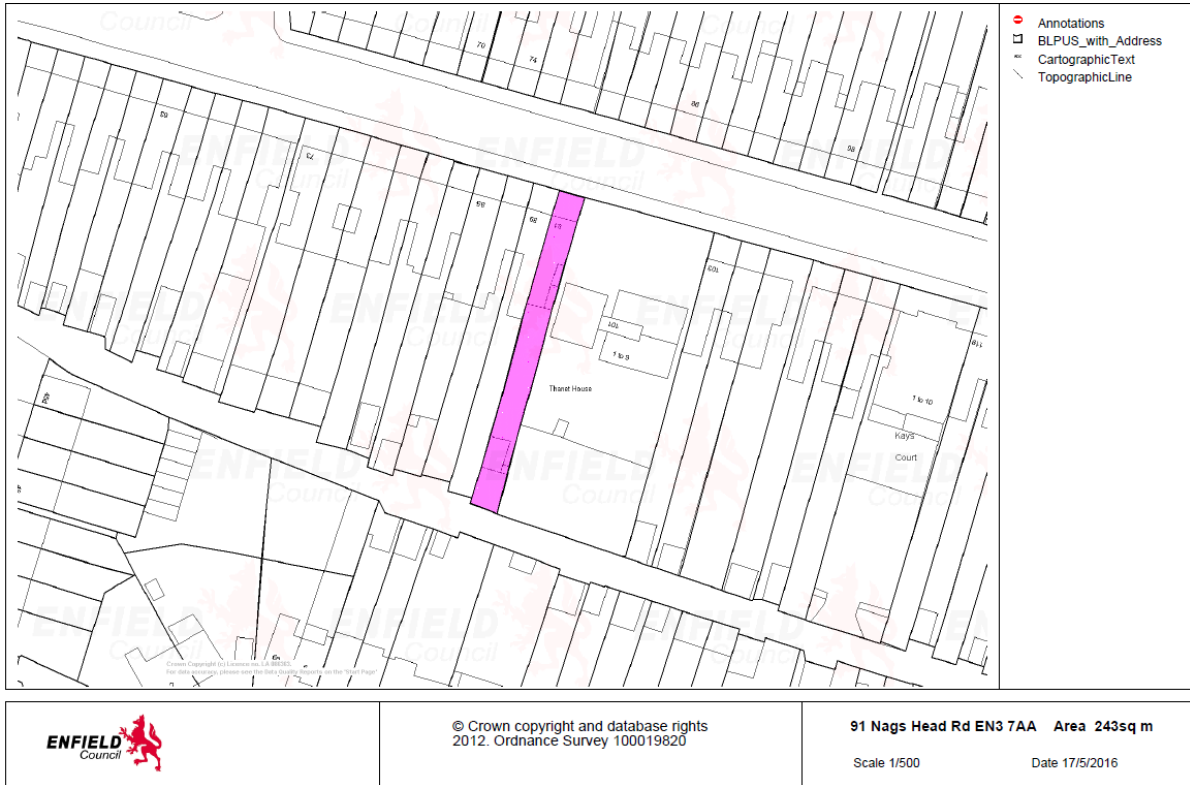
## **13.0 Details Of Any Related Order, Application Or Appeal Which May Require A Coordinated Decision When Confirming The Order**

13.1 There are no current related orders, applications or appeals.

## **14.0 List Of Documents Likely To Be Used In An Inquiry**

- 14.1 Enfield's Private Sector *Empty Homes Approach*.
- 14.2 Enfield's *Use of Compulsory Powers* report, 15 October 2003.
- 14.3 Enfield's *Compulsory Purchase Orders* reports I-IX, agreed by Cabinet and Council between November 2007 and October 2013.
- 14.4 *Making Enfield Better by Delivering Fairness, Growth, Sustainability*, Labour manifesto 2010.
- 14.5 *Enfield's Housing Strategy 2012-2027*.
- 14.6 Guidance on Compulsory purchase process and The Crichele Down Rules DCLG (amended version October 2015)
- 14.7 *The Revised London Housing Strategy*, December 2011 (for consultation with the public).
- 14.8 *Laying the Foundations: A Housing Strategy for England*, November 2011.
- 14.9 Empty Homes in England: Empty Homes Agency: Autumn 2016
- 14.10 Empty Housing (England): House of Commons Library Briefing paper: No 3012 – 05-05-2016
- 14.11 Empty Property Officer's case file on 91 Nags Head Road, Enfield EN3 7AA,

The office copies of the above documents are all available for inspection at any reasonable time at the Civic Centre, Silver Street, Enfield, EN1 3XL.



Appendix 2

**LONDON BOROUGH OF ENFIELD  
(91 Nags Head Road Enfield EN3 7AA)  
COMPULSORY PURCHASE ORDER 2016  
Photographs of 91 Nags Head Road, Enfield, EN3 7AA**



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**MUNICIPAL YEAR 2016/2017 REPORT NO. 99****MEETING TITLE AND DATE:**

Cabinet 19 October 2016

**REPORT OF:**Director of Finance, Resources and  
Customer Services**Agenda – Part: 1****Item: 10****Subject: Assets of Community Value****Wards: All****Key Decision No: 4388****Cabinet Member consulted:**

Cllr Lemonides

Contact officer and telephone number:

Detlev Münster: 020 8379 3171 / [detlev.munster@enfield.gov.uk](mailto:detlev.munster@enfield.gov.uk)**1. EXECUTIVE SUMMARY**

The Localism Act 2011 introduced procedures for the Community Right to Bid which places a duty on local authorities to maintain lists of assets of community value.

Local authorities are required to consider applications from certain groups who wish to nominate assets (public and private) as Assets of Community Value (ACV). A local authority must maintain a list of Assets of Community Value, which will be known as the "List of assets of community value". There is also the requirement for local authorities to maintain a list of unsuccessful nominations.

Strategic Property Services has been delegated overall responsibility for overseeing the Right to Bid process.

In January 2014, the Council adopted new procedures for the Council to manage Assets of Community Value nominations. Given ACV is a new area of law, it was decided that the Council's existing procedures should be reviewed following an initial implementation period. Following both internal and external review, the current procedures were considered appropriate, but changes were requested by the Administration to include, amongst other issues, a greater degree of Councillor involvement across the political spectrum. This report sets out suggested changes to the procedures adopted by the Council to comply with its obligations, as set out in the Localism Act 2011.

These changes include:

- Addressing a democratic deficit in decision-making, albeit the legislation is unclear in this regard;
- Establishing a "pool" of officers that can assess nominations/appeals;
- Allowing the land owner the opportunity to submit comment prior to a decision being made, once again an area that is unclear in legislation;
- Slight amendments to the nomination form and guidance notes;
- Preventing resubmission of unsuccessful nominations.

## **2. RECOMMENDATIONS**

- 2.1** That Cabinet agrees the modified management approach for the implementation of the Community Right to Bid and delegates authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency to undertake any further modifications to the management approach that may be considered necessary from time to time.
- 2.2** That Cabinet agrees the modified Nomination Form and the modified Guidance Note.
- 2.3** That Cabinet agree the amended evaluation criteria for assessing nominated assets of community value.
- 2.4** Any additional costs to be contained within existing services and contingency budgets in 2016/17.
- 2.5** That Cabinet agrees to the establishment of a “pool” of officers to evaluate or review nominations and delegates responsibility to respective Directors to allow staff to be co-opted into the ACV “pool”.

## **3. BACKGROUND**

- 3.1** “Community Right to Bid” (CRTB), better known as “Assets of Community Value” was introduced by the Localism Act 2011 (“the Act”).
- 3.2** The right gives voluntary and community organisations with a local connection and parish councils (but not individuals) the opportunity to nominate an asset which they consider to be of local importance because it furthers the social wellbeing or social interests of the local community (s88(1) of the Act). If the nomination is accepted, it is placed on the list of 'Assets of Community Value' (ACV). The Council must consider all nominations made in the appropriate form from appropriate organisations and has eight weeks within which to make a decision.
- 3.3** The authority may set criteria for assessing social wellbeing and social interests, and the latter may include cultural, recreational and sporting interests.
- 3.4** Lists of successful and unsuccessful nominations must be kept and made available for inspection. Listing is a local land charge and listing as an ACV is for 5 years.
- 3.5** Residential property and land connected to it are excluded. However, if only part of a building is used as a residence, it is possible for the remainder to be listed.

- 3.6** The owner of a listed property has the right to request a review of the decision to accept a nomination for an ACV. The Assets of Community Value (England) Regulations 2012 (“the Regulations”) require that the review decision is made by an officer who has had no previous involvement in the consideration of the nomination.
- 3.7** If the owner of an ACV wishes to dispose of it, the Council must be informed and a moratorium period commences. There is a duty on the Council to notify the community interest group that nominated the asset that the owner wishes to dispose of the asset. A community interest group may ask to be treated as a potential bidder within six weeks of the date of notification of potential disposal. If the community group expresses an interest in purchasing the asset, the owner may not dispose of their asset during a full period of six months, unless it is to the community interest group. There is no obligation on the owner to agree to dispose of the asset to the community interest group and the disposal can be at a market rate. ‘Disposal’ includes a sale but also long-term leases of 25 years or more.
- 3.8** There are a number of types of disposals which are exempt from the moratorium requirements. These include disposals as a gift or to family members, disposals by personal representatives of a deceased owner, disposals as part of business transfers, sales ordered by a court, and leases that have a term of less than 25 years.
- 3.9** The owner has a right to claim compensation from the authority for loss and expenses which they believe they have incurred through the asset being listed or previously listed. This includes any loss arising from delay in entering into an agreement to sell which is wholly caused by the moratorium. The local authority must pay the first £20k of the compensation amount, with the remainder (if applicable) payable by the central government.
- 3.10** Internal reviews of compensation decisions have to be conducted by an uninvolved officer. Further appeals against listing and compensation decisions may be made within 28 days by writing to the First Tier Tribunal (General Regulatory Chamber).

#### **4. EVALUATION OF EXISTING ARRANGEMENTS**

- 4.1** As this was a new area of legislation Cabinet recommended that once the Council had received nominations and made some initial decisions, the opportunity be taken to review the procedures and protocols to ensure that they are fit for purpose.
- 4.2** Research has now been undertaken to evaluate the process adopted by The Council, and examine the ways in which other authorities are managing Right to Bid applications. External consultants were appointed to review the Council’s existing arrangements. They

concluded that the existing arrangements were fit-for-purpose and in line with legislative requirements and processes adopted by other Councils. They did however suggest some minor tweaks to the nomination form and guidance notes and suggested mechanisms to address the democratic deficit.

- 4.3 Officers also received representations from CAMRA, Enfield Society and Save the Green Dragon Campaign, and these were also noted. The Council's Opposition was also consulted.
- 4.4 ACES members were also solicited for information and the matter was also discussed at its London Branch meeting. Further detailed discussions were also held with other London Boroughs, such as Southwark Council, Camden Council and Hackney Council. In particular, significant time was spent with both Camden and Hackney Councils and individual cases were looked at in more detail.
- 4.5 Internet searches of other local authorities were also undertaken.
- 4.6 Consideration has also been given to the implications of judgements made by the First Tier Tribunal in respect of appeals to list assets made by other Councils.
- 4.7 Key findings from the evaluation can be summarised as follows:
  - There is a lack of consistency across local authorities as to their approach in dealing with ACV nominations and interpretation of what constitutes an asset of community value.
  - There is also a lack of consistency in the use of discretionary criteria and evaluations appear to be highly subjective. In this regard Enfield Council appears to be one of the only Council's to have published its evaluation criteria.
  - There were also inconsistencies noted in how nominations were treated in the way additional information was requested.
  - Despite this inconsistency, there are general similarities with the application of the legislation's criteria and the use of Council officers only in the evaluation (and review) of nominations.
  - Cases reviewed at other local authorities has also revealed a stark contrast in the quality and evidencing of information submitted with nominations. In particular, submissions to Camden and Hackney were very well evidenced, leaving no doubt as to their value as community assets.
- 4.8 In light of these findings, the following key changes are recommended:
  - 4.8.1 **Amendments to the Guidance Note and Nomination Form** - The Nomination Form has been shortened and reworded where appropriate to enhance clarity. A new Guidance Form has been drafted which provides:
    - i. a general overview of ACVs; outlining the concept, the process and implications;

- ii. and a step by step guide explaining the type of information and evidence sought for each question in the Nomination Form.

4.8.2 **Revisions to the website:** The website has been made easier to navigate and content has been considerably simplified to enhance clarity.

4.8.3 **Amendments to the Evaluation Criteria and Scoring Sheet:** A discretionary evaluation criterion has been removed simplifying the evaluation process. It is considered that the revisions to the Form will assist all parties involved in the process: those making nominations, the Council and the owner to understand the reasons for the application, and whether these meet the statutory tests.

4.8.4 **Governance –** As part of the review process the following options have been considered for the composition of the ACV Evaluation Panel:

- i) Continue with a panel comprised of officers only;
- ii) A panel comprised of members only; and
- iii) A panel comprised of both officers and members.

Research has been undertaken into the composition of panels in other Local Authorities. The majority of councils contacted have panels comprising of only officers. However, LB Barnet and Westminster CC respectively have a working group that comprises both officers and members. Of the councils contacted, only Fareham BC has a panel comprising only of members.

The benefits and risks of each option are:

Option	Benefit	Comments / Risks
Officers only	<ol style="list-style-type: none"> <li>1. Consistent with the review procedures (Reg 2)</li> <li>2. Greater flexibility to deal with timetable</li> <li>3. Avoids conflict of interest (or perception of conflict)</li> <li>4. A large percentage of local authorities have adopted this method and there are no reported issues.</li> </ol>	<ol style="list-style-type: none"> <li>1. Efficient decision making process, although there is an ongoing concern about the availability of officers for the Nominations Panel.</li> </ol>
Members only	<ol style="list-style-type: none"> <li>1. Knowledge of needs of communities.</li> </ol>	<ol style="list-style-type: none"> <li>1. Potential conflict between officer(s) reviewing the Council's decision if the decision were to be overturned.</li> <li>2. Requires a large pool of members available at any time (to ensure there is no conflict of interest) and short timescale for considering applications.</li> <li>3. Potential delays in decision making process if members not available, resulting in challenge.</li> <li>4. Challenging administratively in light of the limited resources the Council has.</li> <li>5. Requires training of all Members on the application of the relevant legal tests, to ensure that they are applied correctly.</li> <li>6. Members unwilling to turn down the application because of community pressure.</li> </ol>
Combined Officers (two plus Member)	<ol style="list-style-type: none"> <li>1. Requires a smaller pool of members</li> </ol>	<ol style="list-style-type: none"> <li>1. The view of the officers could prevail over that of the member, which could potentially result in conflict between officers and Members.</li> <li>2. A review of the Council's decision has to be undertaken by an officer (Reg 2) so potential for embarrassment/conflict between Members/officers.</li> </ol>
Combined Members (two plus Officer)		<ol style="list-style-type: none"> <li>1. Requires a significant pool of members to avoid conflict of interest and short timescale for considering applications.</li> <li>2. A review of the Council's decision has to be undertaken by an officer (Reg 2) so potential for claim of undue influence or embarrassment.</li> <li>3. Concern about convening a panel in time to meet the 8 week prescribed period.</li> </ol>

The following is therefore recommended with respect to the governance of the ACV process to address the "democratic deficit" in the evaluation decision-making process. In accordance with legislation the Council has established two panels: The Evaluation Panel, to evaluate nominations received; and the Review Panel to hear the owner's appeal against a successfully listed ACV.

An Evaluation Panel consisting of at least two officers (including the convenor) plus the Cabinet Member for Finance and Resources and the Shadow Cabinet Member will be convened by the ACV Panel convenor. Ward Councillors will be advised that a nomination has been received and will be requested to submit their representations/observations to the Panel. Officers with appropriate experience and skills will be co-opted onto the Evaluation Panel by the convenor, and this will depend on the issue at hand.

It is advised that the pool of officers that may be co-opted onto the Evaluation Panel is kept small so that an appropriate knowledge and skills base is developed around ACVs and that there is consistency in the evaluation of nominations.

It is further proposed that the Evaluation Panel's decision is forwarded to the Corporate Management Board (CMB) for noting prior to public notification of the outcome.

It is proposed that the ACV Review Panel consists of at least two officers. The Review Panel's Convenor will be a senior Lawyer in Legal Services. It is advised that the pool of officers that may be co-opted onto the Review Panel is from the same pool of officers as that of the Evaluation Panel, as long as the officer on the Review Panel was not involved on the Evaluation Panel for the property/nomination that is being appealed. The rationale for maintaining a single pool of officers for both the Evaluation Panel and the Review Panel is to ensure an appropriate knowledge and skills base is developed around ACVs and that there is consistency in decision making.

It is considered that the proposed membership of both panels will give both an independent and community focussed assessment on both nominations and any subsequent appeals.

- 4.8.5 The Listing of ACVs** – The processing of ACV nominations comes under the remit of Strategic Property Services. The nominated ACV Coordinator will initially check nominations and, if deemed to be valid, pass them to the ACV Evaluation Panel for a decision to be made as to whether or not they should be accepted. Prior to this Members will be informed of any nominations received in their respective wards and the landowner will be notified and given two weeks to comment on nominations. If the nomination is clearly invalid for administrative reasons, the community will be asked to resubmit with adjustments. In other words, the substantive rationale for the listing will not be evaluated in this screening check.

Depending on the panel's decision, the nomination will be registered on the Council's 'successful' or 'unsuccessful' nominations register as applicable. This process must be completed within 8 weeks. The draft assessment criteria checklist is attached as Appendix 3.

- 4.8.6 Appealing Against an ACV Listing** – The owner of a listed ACV can seek a review by the Council of the decision to list an asset. The review will be undertaken by officers who were not on the Evaluation Panel. This stage of the process must be completed within 8 weeks of the receipt of the request for review, or such longer period as may be agreed with the owner. If the owner is dissatisfied with the Council's Review decision, an appeal can be made to the First Tier Tribunal

(General Regulatory Chamber). Only the owner of a nominated asset has the right of appeal. The legislation does not grant a nominator a right to review/appeal should a listing be unsuccessful. The only recourse for the nominators against the local authority's decision not to accept the nomination is to judicially review the decision.

**4.8.7 Proposed Sale of an ACV** – The owner of a listed ACV is required to notify the Council if they wish to dispose the asset. Where a notification of disposal is received the ACV Coordinator will notify the sale to the nominating organisation and publish the information on the Council's website, and in a local paper to allow community groups to decide whether they want to purchase the property. If the intention to purchase by the community group is confirmed within six weeks, the property cannot be sold before the expiry of the period of six months (from the end of the initial period of six weeks). At the end of this period, if no bids have been received, the ACV Coordinator will advise the owner that they can dispose of the asset as they wish.

**4.8.8 Compensation** – The legislation gives the owner of an asset the right to claim compensation from the Council if they believe they have incurred loss and expense in complying with either the initial 6 week nomination period or the 6 month moratorium period (or both).

The right to compensation also arises if the Council lists a property but then it is subsequently delisted.

Compensation claims will initially be considered by the ACV Coordinator in consultation with the ACV panel. Appeals against decisions relating to compensation claims would be considered by the Director of Finance, Resources & Customer Services.

**4.8.9 Process Maps** – process maps for Listing, Appeals, Sale and Compensation are published on the Council's website. These are included in Appendix 4.

**4.8.10 Pubs and ACVs** - On 6 April 2015, an amendment to the Town and Country Planning (General Permitted Development) Order 1995 came into force, placing additional restrictions on pubs which have been listed as Assets of Community Value or which are subject to a nomination to become an ACV. Effectively, a pub that is listed as an ACV, or nominated to become an ACV, cannot change use under permitted development rights, but instead must apply for planning permission. In addition, the Order also introduced a prior notification process whereby before any change of use or demolition of any Class A4 (drinking establishments) building which are not listed, a developer must request confirmation from the local authority as to whether or not the building has been nominated by a community group for listing as an asset of community value. There is an existing working relationship between Property Services and the Planning Department with both



having access to a shared database to enable the sharing of information.

## **5. SPECIFIC ISSUES**

- 5.1** The Council will be liable to cover compensation claims of up to £20,000 per annum. Beyond this figure, Central Government will reimburse the local authority for any payments made.
- 5.2** Service costs are being absorbed within existing resources. In the event that the volume of ACV nominations increase, resources will need to be reviewed.

## **6. REASONS FOR RECOMMENDATIONS**

- 6.1** To ensure that the Council continues to adopt best practice and responds to its own experience and that of other councils in implementing the requirements of the Localism Act 2011.
- 6.2** In this regard the proposed revisions to the process can be summarised as follows:
- Ward councillor is informed that a nomination has been received and requested to make a representation within two weeks of been informed.
  - Landowner notified and given two weeks within which to make representations.
  - Screening to check nomination is complete from an administrative perspective.
  - Evaluation Panel to include Cabinet Member for Finance and the Shadow Cabinet Member.
  - Pool of officers, whom are trained in ACVs, is established and may sit on either the Nominations Panel or the Review Panel.
  - Guidance Form and Nomination Form are streamlined.
  - Pre-submission of nominations discussions to be encouraged.

## **7. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **7.1 Financial Implications**

- 7.1.1** There will be a resource impact on the Council in implementing the requirements of the scheme, but this will depend on the volume and type of nominations, notification of intention to sell affected property, and appeals by owners against decisions. Although it is expected that the scheme will be administered within existing staff resources, the level of resources and funding will be reviewed and if necessary further funding sought in the light of experience of administering the scheme.

- 7.1.2 It is not expected that the revised arrangements will increase the costs of administering the scheme or the level of staff and other resources, for which budgeting was already made within existing SPS resources, but which is however under threat given Enfield 2017.
- 7.1.3 The provisions for compensation can, in theory, give rise to significant claims as a delayed or lost sale could have a large impact on the owner's financial position. No claim has yet been submitted to the Council, and we are unaware of any claims against other councils.
- 7.1.4 There will also be a potential cost to the Council in compensation payments of up to £20k in any one year (the Government meeting any costs in excess of this). The Council would meet any potential impact below the £20k compensation threshold from within the existing contingency budget. This will need to be reviewed annually.
- 7.1.5 There is a risk of the Community Right to Bid impacting upon the disposal of the Council's property assets, with delayed sales if Council properties for sale are registered as Assets of Community Value (see 7.3 below).

## **7.2 Legal Implications**

- 7.2.1 Under s.87 of the Localism Act 2011 ("the Act") the Council has a duty to maintain a list of land in its area that is land of community value and a list of land for which unsuccessful nominations have been made.
- 7.2.2 The Assets of Community Value (England) Regulations 2012 (the 'Regulations') set out details of nomination procedure.
- 7.2.3 The Council has a duty to make a determination on a valid application within 8 weeks of the date of the valid nomination. In the event that an application is successful the Owner of the property may request a review of the decision within 8 weeks of the decision (s.92 of the Act).
- 7.2.4 The existing process has been reviewed and was considered to be fit-for-purpose. Many of the revisions proposed, however, do enhance the process at hand, but some of these changes do present new risks.
- 7.2.5 In deciding on the amendments to the ACV procedure as described in this report, the Council must evaluate the risks associated with the proposed changes, particularly, an increased risk of challenge from owners, and/or reputational risk, if, as a result, the amended process becomes politicised due to the inherent tension between, on the one hand, the community's expectations what nomination of an ACV entails and the specific tests which the Council is required to apply before including a property on the list.

7.2.6 The recommendations contained within this report accord with the Council's obligations under the Act.

### **7.3 Property Implications**

7.3.1 Although many are contained within the main body of the report it must be noted that the Council's own properties may also be the subject of a nomination as an Asset of Community Value.

7.3.2 The implications of a Council asset being nominated will have to be identified for any property being considered for disposal. A successful nomination will have the effect of imposing a 6 month moratorium with currently unknown implications of general market conditions on asset values.

7.3.3 The Council's Property Procedure Rules sets guidance and method for disposal of council assets. In addition The Local Government Act 1972 s123 applies to all disposals. For Section 123 purposes, a disposal includes the grant of a lease of more than 7 years or an assignment of an existing lease which has more than 7 years to run.

7.3.4 To ensure transparency in all property transactions as a matter of general principle, disposals or lettings to any organisation, including charitable, voluntary or non-profit organisations, must be on the basis of market value, with any financial assistance or other gratuitous benefit to be provided by way of a grant rather than reduction in the disposal terms.

7.3.5 Any property that is identified as an Asset of Community Value (as defined by the Localism Act 2011) and is owned by the Council will be considered in accordance with the statutory framework. In addition, requests for an asset transfer to a community organisation may be considered where:

- the organisation can provide an adequate business case demonstrating amongst others its ability to sustain its operation and adequately maintain the property;
- social, environmental or economic benefits are demonstrated by the organisation and an analysis of Social Return on Investment is undertaken;
- the transfer would meet the Council's priorities and objectives;
- the asset is surplus to the Council's requirements;
- there is compliance with the Contract Procedure Rules; and
- there is compliance with s.123 Local Government Act 1972.

7.3.6 In the event that an asset earmarked for disposal is transferred to a community group, the transaction will include appropriate restrictions on title and use, and asset locks applied to the form of the disposal.

## 8. KEY RISKS

- 8.1 In the event that the requirements of the Localism Act are not fully implemented as originally intended this may potentially result in a breach of legislation and/or inflict reputational damage.
- 8.2 As acknowledged at the outset, it is important that full consideration is given to the potential conflict of interest of using Strategic Property Services as the division represents the Council's role of land owner when disposing of Council assets; therefore it would be difficult to separate the role of overseeing the right to bid with the sale of the property. These proposed changes do not expose the Council to any potential conflict of interest as appropriate measures are in place to avoid any conflict of interest. This potential risk has been mitigated by having procedures which are transparent and auditable with clear evaluation criteria. In addition whilst Strategic Property Services will be administering the process there will be a majority of panel members (for both the Evaluation and Review Panels) from other council service areas.
- 8.3 The Council previously implemented arrangements to address risks which may arise and ensure that there was no breach of legislation or reputational damage. These changes seek to improve the process and do not change the fundamental approach which was adopted from the outset. Legal opinion was obtained regarding the procedures that were established and they were considered fit-for-purpose.

However, key risks remain as follows:

Risk	Impact	Comment
<b>Time</b>	<b>H</b>	Nominations continue to be received and are expected to increase in number so it is important that the changes to procedures are implemented as soon as possible.
<b>Viability</b>	<b>L</b>	The process is expected to be straightforward and mainly administrative in nature after the initial process is undertaken, with the exception of the actual decision made on whether the asset has community value. The risk of any challenge will be limited if the decision making is transparent, fair and reasonable and in line with the published detailed evaluation criteria.
<b>Finance</b>	<b>L</b>	Provision needs to be made for compensation claims of up to £20k. No specific budgetary provision has been made but any claims would initially be funded from contingency
<b>Profile</b>	<b>H</b>	High profile anticipated as this is an important element of localism, to be used as a tool for the community to retain assets that are of community and social wellbeing importance. It is

		highly likely that the Council will receive and continue to receive representations from lobbying groups. The Council has consulted widely on its processes and manner in which it administers ACVs and interprets its cases. The processes and approach the Council adopts are considered to be robust and legally compliant.
<b>Equality &amp; Diversity</b>	<b>L</b>	All areas of our community will be affected equally. There is a potential case to suggest that the scheme may impact detrimentally upon the human rights of the owners of affected properties but the compensation scheme enacted should mitigate this.

- 8.4 The introduction of Councillors on the Evaluation Panel, while addressing the democratic deficit, does potentially expose the Council to claims of bias by landowners, particularly where there is significant community pressure (whether substantiated or not). This is however mitigated by ensuring the panel consists of officers that is drawn from a pool that has experience and appropriate training in dealing with ACV.
- 8.5 A mixed panel of councillors and officers does however present a further concern of officers not wishing to go against councillor decisions, and also raises the potential for embarrassment and conflict in the event of the Review Panel overturning a decision.
- 8.6 In summary, the risk to the Council of including Councillors on the Evaluation Panel is that the decisions may become politicised, in a sense that Councillors are likely to give into community expectations and pressure to have an asset listed, regardless of the officers' advice, based on the applicable legal tests and Upper Tribunal decisions. As a result, the Council may be open to challenges from property owners and liable to pay compensation.
- 8.6 Given recent changes to Permitted Development Orders, it is imperative that a system is put in place that allows the Planning Authority access to the ACV database. This is to ensure the Planning Authority is aware of potential and actual ACVs and is able to discharge its duties accordingly. In this regard, SPS has implementing a new recording system that will notify and can be used by the Planning Authority.

## **9. IMPACT ON COUNCIL PRIORITIES**

### **9.1 Fairness for All**

The ACV is open to all community groups meeting the criteria in the Act and Regulations and nominations will have to demonstrate compliance with the criteria.

## **9.2 Growth and Sustainability**

Opportunities may arise to assist regeneration and enable any successful nomination to develop services and facilities to the community in a sustainable way.

## **9.3 Strong Communities**

The acquisition of an asset of community value will enable communities to grow, aiding both communications resource provision to the wider community.

## **10 EQUALITIES IMPACT IMPLICATIONS**

It is not possible at this stage to undertake an equality impact assessment or analysis as the ACV is site specific. When a nomination is received the deciding panel will consider whether equality issues have been addressed.

## **11 PERFORMANCE MANAGEMENT IMPLICATIONS**

The full and transparent procedures will be regularly monitored within Strategic Property Services by the internal ACV Coordinator. It will be essential that the monitoring ensures that all applicable timescales are met and that decisions are notified to both the 'nominator' and property owner.

Each bid will have its own checklist of required actions and timescales. This will enable the whole process to not only be monitored but also readily available for audit requirements.

It also essential that both the ACV registers (successful & unsuccessful bids) are updated and published at the earliest opportunity and be fully available online and in hard format. In addition a GIS system is to be established to assist the Planning Authority.

## **12 HEALTH AND SAFETY IMPLICATIONS**

In the event that the Council is aware of any health and safety issues affecting a Council property this should be brought to the attention of the nominating group.

## **13 HR IMPLICATIONS**

Should the work prove to be more extensive and time consuming than currently envisaged staffing implications will need to be reviewed.

Restructuring under Enfield 2017 presents a resourcing risk, given that staff involved in the management of ACVs are been taken away from SPS.

There is a need to create an adequately resourced pool of officers that has the necessary skills and expertise to assess ACV nominations and appeals. Officers identified for inclusion in the ACV resource pool will need to be given appropriate training, and their respective line managers will need to recognise the need to release staff from current duties and priorities.

## **14 PUBLIC HEALTH IMPLICATIONS**

One of the main focusses of the Assets of Community Value is Social Wellbeing. Opportunities may arise for the community to successfully nominate and acquire a facility which will be used to enhance the health and wellbeing of the community.

### **Background Papers – None**

#### **Appendices:**

- Appendix 1 – Nomination Form
- Appendix 2 – Guidance Note
- Appendix 3 – Evaluation Criteria
- Appendix 4 – Flow Charts

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# Asset of Community Value Community Nomination Form



Please refer to the guidance notes when completing this application form.

UPRN:  
(office use only)

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Date:

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## Q1. Name of Community Interest Group ('the nominator') and Address

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### Q1 (a). Contact details

Name	
Your position in the organisation	
Telephone number	
Email Address	

### Q1(c) Please provide details of the status of your community interest group.

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### Q1 (b). More about your Organisation

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**Q1(d) Please show how your community interest group has a local connection.**

**Q2. Address and Description of Nominated Property ('the Property')**

**Q3. Ownership information on the Proposed Asset of Community Value:**

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**Q4. Please select the category of use that the nominated property is under.**

Library		Pub		Open Space	
Community Hall		Village Shop		Other	
Allotment		Playing Field			

**Q5. Reasons for nominating the Asset**

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**Q6. Demonstrate how the use is likely to continue.**

**Q7. List of documents/evidence attached**

Please list below all attached documents and evidence that are either sent electronically, or in hard copy form.

**DECLARATORY STATEMENT**

I certify to the best of my knowledge, the entries on the application form and those attached are true, accurate and complete and that the nomination is in accordance with the legislation.

I confirm that I am authorised to sign this application form on behalf of the organisation named within this application form (where applicable).

**Applicant's Name (Please Print):**

**Signed:**

**Date:**

**All completed applications to be sent to:-**

**Strategic Property Services, London Borough of Enfield, PO Box 51, Civic Centre, Silver Street, Enfield EN1 3XB.**

## ASSETS OF COMMUNITY VALUE – Guidance Notes for the Nomination Form



### Introduction

Thank you for your interest in nominating an Asset of Community Value. This document has been prepared to provide you with guidance on filling in the Asset of Community Value Nomination Form. It also provides a brief overview of the ACV process and the implications of ACV status.

Please do read these guidance notes carefully, and ensure questions in the Nomination Form are answered correctly and fully with appropriate supporting evidence. Should you have any queries about the Asset of Community Value (ACV) process, the questionnaire and/or your proposed nomination, please do contact the Council on 0208-379-1000 asking for Strategic Property Services or email [acv@enfield.gov.uk](mailto:acv@enfield.gov.uk)

### About Assets of Community Value

The community right to bid (Assets of Community Value) is part of the Localism Act 2011 which came into force on 19th September 2012.

Across the Borough there are buildings, land and amenities that communities may consider are an essential part of their community lifestyle. These facilities can be a shop, a pub a community centre or a library for instance and do not need to be in public ownership. The closure or sale of these places may be considered to create a potentially lasting detrimental effect to the local communities.

Under the Localism Act, eligible organisations, such as voluntary and community organisations with a local connection, can nominate an asset to be included on a list of 'assets of community value'.

The Council will manage the lists of successful and unsuccessful nominations and ensure that both lists are published on the website and available on request.

You may nominate assets by completing an online form or a downloadable form. Hard copies are available on request.

### Eligibility of Nominating Organisation

Only voluntary and community organisations with a local connection and parish councils in England will have the right to make community nominations of assets to be included on the list. A 'local voluntary and community body' is defined as a body, other than a public or local authority, which may be incorporated or unincorporated, must not be run primarily for profit, and must have a primary purpose concerned with the local authority area, or the neighbourhood in which the asset is situated where this is in more than one authority's area.

In practical terms, this means your organisation must be one of the following:

- a) A body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990;

- b) A parish council;
- c) An unincorporated body –
  - i. Whose members include at least 21 individuals, and
  - ii. Which does not distribute any surplus it makes to its members;
- d) A charity;
- e) A company limited by guarantee which does not distribute any surplus it makes to its members;
- f) An industrial and provident society which does not distribute any surplus it makes to its members (defined as a body registered or deemed to be registered under the Industrial and Provident societies Act 1965 which meets one of the conditions in section 1 of that Act) ; or
- g) A community interest company

### **Demonstrating a Local Connection**

You will need to provide evidence that your organisation has a connection to Enfield. This means a body other than a parish council has a local connection with land in a local authority's area if –

- a) The body's activities are wholly or partly concerned –
  - i. with the local authority's area or
  - ii. with a neighbouring authority's area;
- b) any surplus it makes is wholly or partly applied –
  - i. For the benefit of the local authority's area, or
  - ii. For the benefit of a neighbouring authority's area

### **About the Asset**

A building or other land should be considered an asset of community value if:

- a) Its actual current use furthers the social wellbeing and interests of the local community, or a use in the recent past has done so; and
- b) That use is not an ancillary one (that is it must be the primary use); and
- c) For land in current community use it is realistic to think that there will continue to be a use which furthers social wellbeing and interests, or for land in community use in the recent past it is realistic to think that there will be community use within the next 5 years (in either case, whether or not that use is exactly the same as the present or past); and
- d) It does not fall within one of the exemptions e.g. residential premises and land held with them.

### **Steps following Submission**

After receiving your application, your application will be validated to ensure it has been completed correctly and has the required information. Once validated, the nomination form will be submitted to the Nominations Panel, and it will make a decision on whether to accept your nomination within 8 weeks, using the criteria set out in the Localism Act 2011.

The landowner will also be informed that a Nomination has been received and will be given an opportunity to provide comments.

We may contact either you or the landowner if we have any questions or queries with your nomination. We are required to inform the owner of the land, any freeholders or leaseholders and the current occupants of the land of your nomination. They have the right to appeal against the listing, and this appeal will be considered by the Review Panel. If your Nomination is unsuccessful, the law currently does not allow you to submit an appeal.

Resubmission within 5 years of having made a nomination for the same asset will not be permitted. You should therefore ensure that your application is thorough and complete on its first submission. However, if after of having submitted an application, new evidence come to light that may support your application, please ensure that this new, additional information is submitted within four weeks of having submitted your original application. Supplemental information received after this date (i.e. four weeks after your original submission date) will not be considered. In such circumstances, it may be advisable to withdraw your nomination prior to a decision being made and resubmitting a fresh application.

Successful nominations will be placed on the 'List of successful ACV nominations' and unsuccessful nominations will be placed on the 'Unsuccessful list of ACV nominations'. Nominations will remain on either list for a period of 5 years.

### **Disposal of an Asset of Community Value**

Should the leaseholder/freeholder decide to dispose the asset (and this qualifies as a disposal as defined in the Act), s/he will be required to notify the Council. This will trigger a moratorium period (a standstill period) during which time the leaseholder/freeholder cannot sell/lease the asset. The Council will notify the Nominating Organisation of the landowner's/leaseholder's intention to sell/lease the asset. The moratorium period is designed to give the nominating organisation and other organisations an opportunity to prepare and submit a bid for the asset. Legislation does not compel the leaseholder/freeholder to sell the asset to any particular person/organisation.

### **Guidance on the Nomination Form**

This section of the Guidance Note provides useful information about each question in the Nomination Form. Where appropriate it provides guidance on the type of evidence that could be included to help evidence your claim.

#### **Q1 Name of Nominating Group**

- ❖ The formal name of the nominating group.

#### **Q1 (a) Contact Details**

- ❖ This must include the name, position within the organisation and email address of the person responsible for managing the nomination and to whom correspondence will be addressed.
- ❖ Providing accurate details is important as this will allow the Council to contact you should the Council have any further queries, and if your nomination is successful contact you in the future should the landowner/freeholder decide to dispose the asset. It is the responsibility of the nominating group to immediately inform the Council in writing of any changes in the name of the representative or contact details. The Council will not be responsible for the consequence of any changes in the representative or correspondence address that it is not told about.

#### **Q1 (b) Please provide details of the status of your community interest group**

The legislation requires eligible organisations that can nominate a property as an asset of community value to be:

- ❖ A neighbouring forum

- ❖ A parish council
- ❖ An unincorporated body with at least 21 members and unable to distribute surplus
- ❖ A charity
- ❖ A company limited by guarantee
- ❖ An industrial and provident society
- ❖ A community interest company

Please state which one of these your organisation is. If you are not one of the above, then you are not eligible to nominate.

Please provide evidence that your organisation is one of the above, by including for example, your organisation's charity number, registration number and certificate of corporation.

If you are an unincorporated body, please provide name and address of 21 members that are on the Enfield Electoral Register. We will require these 21 members to self-certify that they have checked the Enfield Electoral Register and sign a declaratory statement that this has been done and that they are on the Enfield Electoral Register. Any false declaration will render the Nomination ineligible and the Council reserves the right to take further action against these individuals and the nominating body.

**Q1 (c) More about your Organisation**

- ❖ The aims of your Organisation (i.e. what is the purpose of the Organisation)
- ❖ What the Organisation entails
- ❖ Activities of your Organisation

You may include your Articles of Association, Business Plan and Statement of Intent. The purpose of this section is to inform the Council your group's local community connection.

**Q1 (d) Please show how your community interest group has a local connection**

In this section, you will need to demonstrate the following:

- ❖ The body's activities are wholly or partly concerned with the local or neighbouring authority's area
- ❖ Surpluses are partly or wholly applied by the body for the benefit of the local or neighbouring authority's area.

**Q2 Address and description of nominated property**

Please provide the following information:

- ❖ A location plan
- ❖ An Ordnance Survey/Land Registry map clearly outlining the boundary of the property
- ❖ A layout plan of the asset identifying which rooms or parts of the property you considered to be of community value. You will need to be clear about assets that form just part of an address. For example, you might be interested in one floor of a large building which might be leased on a term



of 25 years or more. In such cases it will be important to describe exactly the part of the address that you group is interested in.

- ❖ Describe the boundary in words
- ❖ Provide physical address of the proposed nominated property
- ❖ Attach photographs of the property
- ❖ Briefly describe the property (i.e. current appearance, use and surrounding environment)

**Q3 Ownership information on the proposed Asset of Community Value**

Please include the following information:

- ❖ Names of current occupier
- ❖ Names of current/last known address of all those with a Freehold or leasehold interest in the land

Please also include a Registered Copy of Title, which can be obtained from Land Registry.

**Q4 Please select the category of use that the nominated property is under**

In this section, please tick which category the property is under. Where the property is not currently in use for the proposed use please describe:

- ❖ When in the recent past it was used
- ❖ What was the use

**Q5 Reasons for nominating the asset**

In this section you will need to describe how the property furthers the social well-being or social interest of the local community, which explains why the property is an ACV.

- ❖ What the asset is used for and how this benefits the local community
- ❖ Is the asset and use of asset known to the wider community
- ❖ Is the asset easily accessible by the community
- ❖ If applicable, the role of the community in the management of the asset (i.e. volunteers, managers)
- ❖ The range of activities/events held at the property or facilitated from the property
- ❖ The efficient use of the land/building/property by the community
- ❖ The impact on the community should the use terminate

Please further illustrate why you believe the asset promotes social interest or welfare of the community. Here, you may wish to describe and evidence:

- ❖ How many people use the asset
- ❖ Illustrate/evidence of the collaboration and interaction that the asset brings to the community (i.e. social media and its content, social/charitable events)
- ❖ Is the asset inclusive of people from all backgrounds (i.e. does it benefit and is it used by all groups, the impacts on different groups in the community etc.)
- ❖ Illustrate the impact of the health and wellbeing of the community and environment
- ❖ Illustrate how the asset supports community solidity and pride
- ❖ How the use of the property promotes equality throughout

Please note that an ACV is about the community use of the property and not about the property's fabric or physical merits (i.e. architectural merit of a building).

Please also consider providing any other reason/evidence why you view the asset to be of community value (for example leaflets of community events held, testimonials from the chairperson of the organisation/s using the asset, letters of support from groups or persons that previously used the asset, newspaper cuttings about the asset and activities, event timetables and adverts etc). Providing such additional information will strengthen your case.

We would also recommend that you include details of use/occupation levels and demographic information about the users.

If not currently used, please ensure information provided pertains to its use within the previous 5 years. Community uses dating further back and which are historical, while of benefit in demonstrating activity community use, may be given lesser credence. However, in this instance it will be important to focus on the groups it is proposed will benefit should the use come back into operation.

**Q6 Demonstrate how the use is likely to continue**

If the property were to be listed as an asset of community value, please state how this use will continue for the benefit of the community. Also, if your group was able to purchase the asset what would be its importance to the community, how would it be used, what groups (e.g. young people, unemployed people, people with disabilities etc.) within the community would benefit, who would own the title, how would any profit from the asset be used, how would it be run and maintained.

In answering this question, you may wish to give further thought to and provide evidence:

- ❖ Future prospects of the community use and its positive aspects to the wellbeing of the community
- ❖ Evidence that the main use will remain as a benefit to the community should the planning use change
- ❖ The need and provision for this asset in the community
- ❖ Current provisions of the same use/asset in the local area (i.e. name of asset and reasons why it is in/sufficient)

**Q7 List of documents/evidence attached**

Please list all supporting documents/evidence to your nomination in this section and remember to include this in your submission.

Finally, please note that the space provided in the Nomination Form is indicative only and that the response boxes auto-expand if more information is provided. We do however suggest that the Nomination Form should not be longer than 12 pages.

Appendix 1

**Asset of Community Value  
Evaluation Criteria**



We set out below the decision-making steps that will be used to determine a nomination.

<b>STEP A - APPLY NON-DISCRETIONARY CRITERIA – (derived from the Act and regulations)</b>	<b>Score / Notes</b>
<p>A1. Is the nominating organisation an eligible body to nominate?</p> <p>The types of organisations eligible for making a nomination are currently defined in Regulation 5 of the Assets of Community Value (England) Regulations 2012 as below:</p> <ul style="list-style-type: none"> <li>(a) a body designated as a neighbourhood forum pursuant to section 61F of the Town and Country Planning Act 1990(b);</li> <li>(b) a parish council;</li> <li>(c) an unincorporated body — <ul style="list-style-type: none"> <li>(i) whose members include at least 21 individuals, and</li> <li>(ii) which does not distribute any surplus it makes to its members;</li> </ul> </li> <li>(d) a charity;</li> <li>(e) a company limited by guarantee which does not distribute any surplus it makes to its members;</li> <li>(f) an industrial and provident society which does not distribute any surplus it makes to its members; or</li> <li>(g) a community interest company</li> </ul>	<p><b>Yes / No</b></p> <p>If No Why?</p>

<p>A2. Does the nominating body have a local connection to the asset nominated?</p> <p>A local connection means that the body’s activities are wholly or predominantly concerned with the Borough or a neighbouring authority’s area and that any surplus it makes is wholly or partly applied for the benefit of the Borough or a neighbouring authority’s area</p> <p>“Local Connection” is defined in detail in Regulation 4 of the Assets of Community Value (England) Regulations 2012.</p> <p>The Borough will validate eligibility of all applicants</p>	<p><b>Yes / No</b></p> <p>If No why?</p>
<p>A3. Does the nomination include the required information about the asset?</p> <p>This is set out in Regulation 6 of the Assets of Community Value (England) Regulations 2012 as follows:</p> <ul style="list-style-type: none"> <li>(a) a description of the nominated land including its proposed boundaries;</li> <li>(b) a statement of all the information which the nominator has with regard to— <ul style="list-style-type: none"> <li>(i) the names of current occupants of the land, and</li> <li>(ii) the names and current or last-known addresses of all those holding a freehold or leasehold estate in the land</li> </ul> </li> </ul>	<p><b>Yes / No</b></p> <p>If No What is required, and can this be provided?</p>
<p>A4. Is the nominated asset outside of one of the categories that cannot be assets of community value as set out in Schedule 1 of the assets of Community Value (England) Regulations 2012, as summarised below?:</p>	<p><b>Yes / No</b></p> <p>If No please indicate which category this is deemed (1-3)</p>

<ol style="list-style-type: none"> <li>1. A residence together with land connected with that residence</li> <li>2. Land in respect of which a site licence is required under Part 1 of the Caravan Sites and Control of Development Act 1960</li> <li>3. Operational land as defined in section 263 of the Town and Country Planning Act 1990.</li> </ol>	
<p><b>IF “YES” TO ALL OF PART A MOVE TO STEP B</b></p> <p><b>IF “NO” TO ONE OR MORE OF PART A, INFORM NOMINATOR THAT NOMINATION IS INELIGIBLE. PLACE ON LIST OF UNSUCCESSFUL NOMINATIONS.</b></p>	<p><b>If no to any of part A the nomination is ineligible. Date Nominator informed of ineligibility / placed on List of Unsuccessful Nominations –</b></p>
<p><b>STEP B - ESTABLISHING THE NON-ANCILLARY USE THAT THE APPLICATION IS BASED ON</b></p>	
<p>B1. Is the current or recent usage which is the subject of the nomination an <b>actual and non-ancillary usage</b>?</p> <p>NOTE 1: A working definition of “recent past” is “within the past three years”</p> <p>NOTE 2: A working definition of “non-ancillary” is that the usage is not providing necessary support (e.g. cleaning) to the primary activities carried out in the asset, but is itself a primary, additional or complementary use.</p>	<p><b>Yes / No</b></p> <p>If No Why?</p>
<p><b>If the current or recent usage that is the subject of the nomination is actual and non-</b></p>	<p><b>If No to Part B - Date placed on List of Unsuccessful</b></p>

<p>ancillary, go to STEP C</p> <p>If not, PLACE ON LIST OF UNSUCCESSFUL NOMINATIONS</p>		Nominations -
<p><b>STEP C – Determining whether the usage furthers social wellbeing or social interests</b></p>		
<p><b>Criteria</b></p>	<p><b>Weighting</b></p>	<p><b>Score and Notes. The score is based on the completeness and quality of the information and evidence provided.</b></p>
<p><b>C1. Who</b> benefits from the use?</p> <p>Does it meet the social interests of the community as and not simply the users/customers of the specific service?</p> <p>Who will lose if the usage ceases other than just the patrons?</p>	<p>40%</p>	
<p><b>C2. Why</b> is the usage seen as having social value in the context of the community on whose behalf the application is being made?</p>	<p>40%</p>	
<p><b>C3. How</b> strongly does the local community feel about the usage as furthering their social interests?</p> <p>Consider, amongst others, supporting documents attached to the submission.</p>	<p>20%</p>	
<p><b>If the above meets a minimum scoring of 55%, go to Step D</b></p>		

	<b>Total:</b>
<b>STEP D – Realism of future usage</b>	
<b>D. Is it realistic to think (for “current” uses) there will continue to be social use of the building or other land or (for “recent” uses) that it is realistic to think that there will be community use again within the next five years?</b>	<b>Yes / No</b>
D1. Has the building/land-take/space/legal requirement for this usage changed significantly since its initial use so that the asset is not fit for purpose?	<b>Yes / No</b>
<b>IF NO to D1 above, PLACE ON REGISTER OF ASSETS OF COMMUNITY VALUE</b>	
<b>IF YES to D1 above, go to D2</b>	
D2. Could the asset be made fit for purpose practically and within reasonable resource requirements and within timescales? Can the use be reinstated within the next five years?	<b>Yes / No</b> If No Why?
<b>IF YES to D2 above, PLACE ON REGISTER OF ASSETS OF COMMUNITY VALUE</b>	<b>Date placed on the Register of Assets of Community Value –</b>

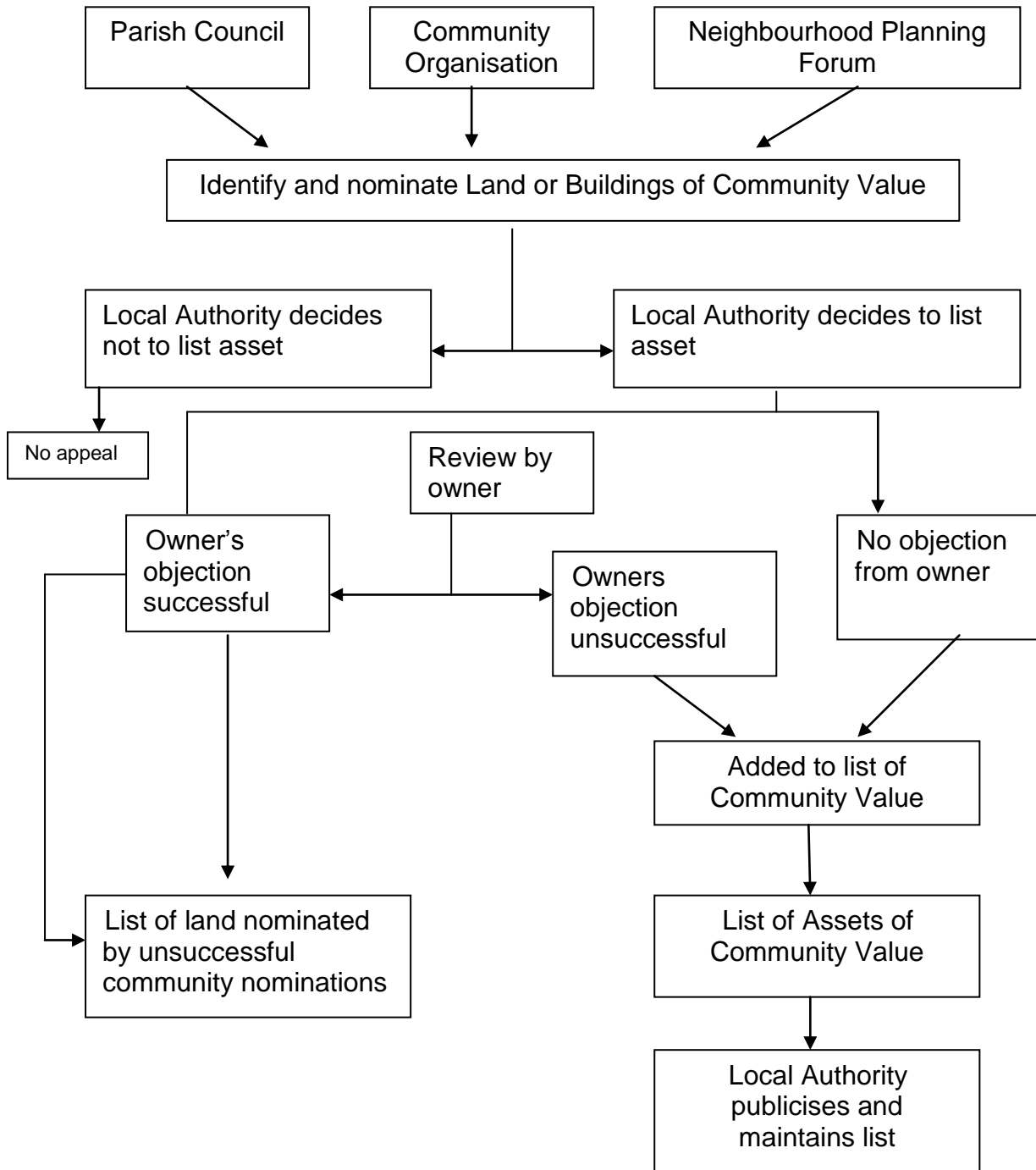
<b>IF NO to D2 above, PLACE ON LIST OF UNSUCCESSFUL NOMINATIONS</b>	<b>Date placed on the List of Unsuccessful Nominations –</b>



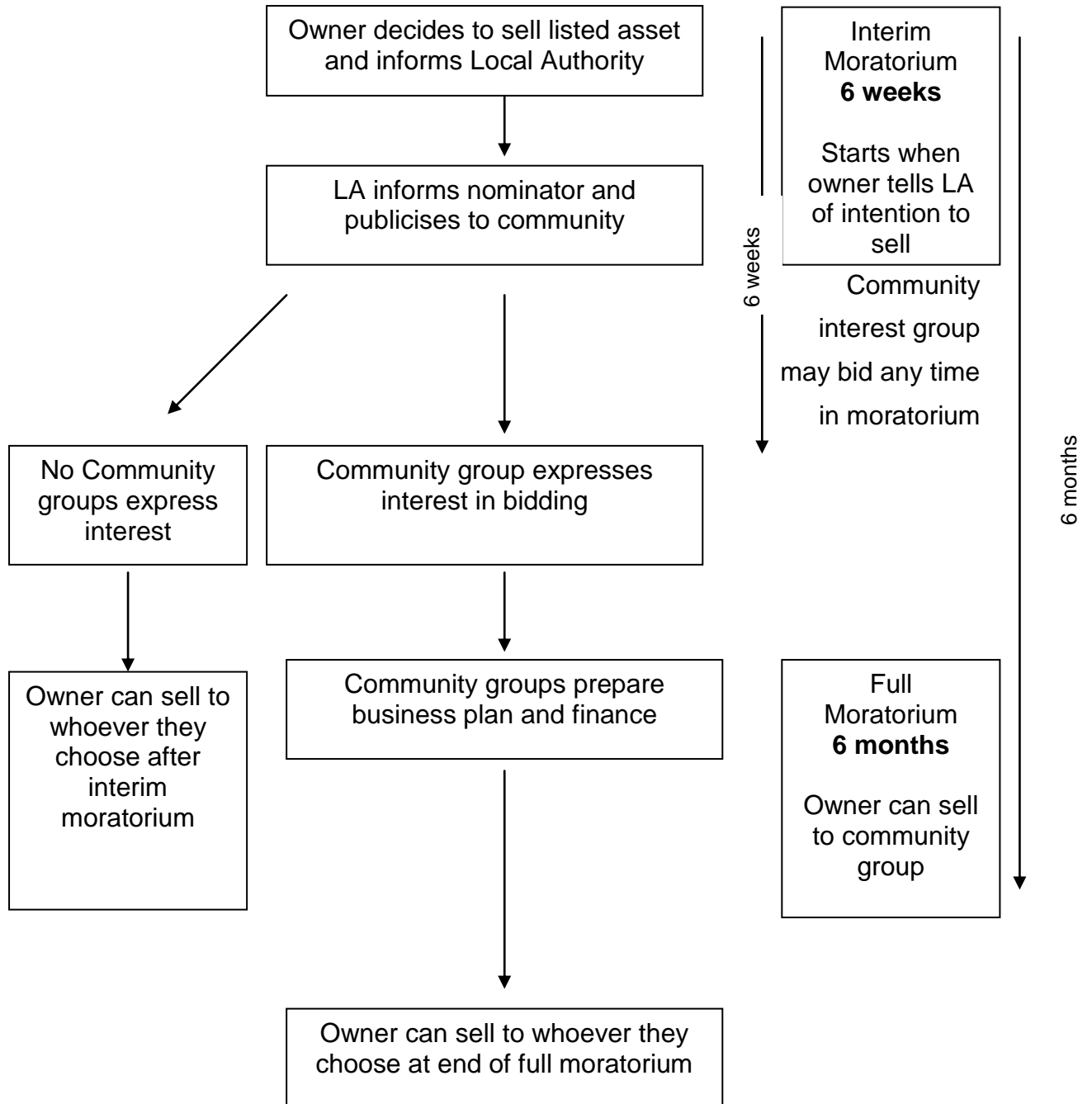
**Appendix 4 – Flowcharts**

Flowcharts taken from DCLG Non-statutory Guidance Note.

**FLOWCHART 1 – ACV Process**



**FLOWCHART 2 – Moratorium Period**



## MUNICIPAL YEAR 2016/2017 REPORT NO. **100**

**MEETING TITLE AND DATE:**

**Cabinet**  
**19<sup>th</sup> October 2016**

**REPORT OF:**

Director of Regeneration  
 and Environment

<b>Agenda - Part: 1</b>	<b>Item: 11</b>
<b>Subject: Housing Revenue Account (HRA) Affordable Rent Levels to Apply to New Homes</b>	
<b>Key Decision: KD4341</b>	
<b>Wards: All Wards</b>	
<b>Cabinet Members consulted:</b> Cllr Oykenner	

Contact officer and telephone number:

Helen Waring 0208 379 4058

Email: [Helen.waring@enfield.gov.uk](mailto:Helen.waring@enfield.gov.uk)

### 1. EXECUTIVE SUMMARY

- 1.1 In November 2015, Cabinet agreed the HRA Rent Setting Policy, which clarified the direction that the Council will take in setting its HRA rents with effect from 1<sup>st</sup> April 2016 (KD4126).
- 1.2 The Rent Setting Policy included the following paragraph:
- “Where the Council builds or acquires new or additional properties, then consideration will be given to letting these properties at a higher rent level (“affordable rent”). The Council will, however, ensure that any homes let at affordable rent levels within its stock remain affordable for people in Enfield. Affordable rents will be inclusive of service charges.”
- 1.3 This report sets out the proposed affordable rent levels to apply to newly built and newly acquired HRA properties for the 2016/17 year. In future years, these will be reviewed as part of the HRA annual rent-setting process, alongside existing properties which will continue to be let at social rent levels.

## **2. RECOMMENDATIONS**

- 2.1 That HRA affordable rents will be set by reference to Local Housing Allowance (LHA) rates applying to Enfield.
- 2.2 That, in order to ensure local affordability, HRA affordable rents will be set by reference to median income in Enfield.
- 2.3 That the affordable rent levels set out in paragraph 3.7, which are inclusive of service charges, will apply to newly built and newly acquired HRA properties for the 2016/17 year.
- 2.4 That Cabinet notes that HRA affordable rents will only apply to newly built or newly acquired properties – current properties, or new properties where the Council has already undertaken to offer properties at social rent levels (for example, those let to decanted tenants on the Alma and New Avenue schemes), will continue to be let at social rent levels.
- 2.5 That HRA affordable rents will be subject to an annual review to ensure consistency and continuing affordability.

## **3. BACKGROUND**

- 3.1 Enfield's HRA Rent Setting Policy, published in November 2015, indicated that the Council intended to let some of its newly built or newly acquired properties at a rental level set higher than social rent levels with effect from the 2016/17 year.
- 3.2 There were four reasons for doing this:
  - as an investment partner, the Council receives grant income from the Greater London Authority (GLA) and with this comes the requirement that the grant funded properties will be let at "affordable" rent levels
  - the Council participates in the Government's "Right to Buy One for One Replacement Scheme", and with this comes the expectation that the properties funded through this scheme will be let at "affordable" rent levels
  - the Welfare Reform and Work Act 2015 requires the Council to reduce rents by 1% per annum for four years with effect from 2016/17. This has placed significant pressure on the HRA 30-Year Business Plan, and the setting of higher rents for some properties will help alleviate that pressure

- the Council has embarked on an ambitious regeneration programme which will provide significant numbers of new properties in the Borough, and setting higher rent levels for these properties better reflects their improved quality and value over older stock

- 3.3 The Council is now at the point where a small number of new properties will become available in the 2016/17 year.
- 3.4 The Government definition of “affordable rent” is described as up to 80% of market rent. However, Enfield Council has always been clear that it intends to set rents that are affordable for people in Enfield, and that therefore its “affordable” rents were likely to lie somewhere between social rent and 80% of market rent. Affordability would be determined by reference to average earnings in the Borough.
- 3.5 Furthermore, having considered how rent-setting will work in practice, it is recommended that it will be easier and clearer to set these rents by reference to LHA rates as opposed to market rents. Market rents are subject to constant change at present, and there are big differences in market rents across the Borough.
- 3.6 According to the London Datastore, the median household income for Enfield was £33,110 in 2012/13. Assuming an increase of 2% year on year since then, the median income would be £35,839 in 2016/17. Based on setting rents at one third of median income, this would make a weekly rent of £229 affordable.
- 3.7 It is therefore proposed that the following weekly rent levels should apply for the 2016/17 year:

Beds	LHA Rate	% of LHA Rate	Amount
1	£200	80	£160
2	£255	76	£194
3	£315	67	£211
4	£389	58	£226

- 3.8 It should be noted that these rent levels will not necessarily apply to all newly built or newly acquired properties in the HRA. The Council will consider the levels of rent to apply to each new scheme or acquisition. For example, it has already been agreed that new properties let to current tenants on both the Alma and New Avenue schemes will remain at social rent levels.
- 3.9 In future years (from 2017/18 onwards), HRA affordable rent levels will be reviewed and set along with all other HRA rents and charges as part of the annual rent-setting exercise.

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

- 4.1 The Council could continue to set its HRA rents at social rent levels. However, it has received GLA funding and participates in the Government's Right to Buy One for One Replacement Scheme on the understanding that properties funded through these two income streams will be let at affordable rent levels. In addition, the Welfare Reform and Work Act 2015 requires that social rents will reduce by 1% per annum over the four years commencing 2016/17. This has put pressure on the 30-Year HRA Business Plan – setting affordable rents will contribute to alleviating that pressure and create more flexibility to fulfil aspirations to manage, improve and renew stock to a higher standard.
- 4.2 The Council could set HRA affordable rents by reference to market rent levels. However, these vary across the Borough and are subject to constant change in the current financial climate. This would make rent-setting both difficult to administer and confusing for tenants.
- 4.3 The Council could set higher rent levels. However, it has agreed to “ensure that any homes let at affordable rent levels remain affordable for people in Enfield”.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 The proposed methodology for calculating and reviewing HRA affordable rents will ensure transparency and affordability.
- 5.2 Annual review by reference to LHA rates and median income will ensure that rent levels remain affordable for local people.
- 5.3 The rent levels proposed in this report have been tested for affordability.

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

##### **6.1 Financial Implications**

- 6.1.1 Rent increases (or decreases) are currently reviewed on an annual basis as part of the budget and rent setting process and are considered in the context of the HRA 30-Year Business Plan. It is a requirement that the Business Plan remains in balance.
- 6.1.2 In the current Business Plan, it is assumed that some rents will be set at higher levels than the average Social Rent of £101.78 plus service charges. This not only improves the viability of the overall plan, but also helps make individual schemes viable, allowing the number of affordable units delivered to be increased.

- 6.1.3 It should be noted that, to comply with the Welfare Reform and Work Act, any new rents set in 2016/17 will be required to reduce by 1% per annum for each of the following three years, new rents set in 2017/18 will need to be reduced for the following two years, etc.

## **6.2 Legal Implications**

- 6.2.1 The recommendations in the report are in line with current legislation and the Government's agenda. In implementing this policy which is a National Policy, locally the Council still has a general duty not to discriminate and to have regard to its equality duties under the Equality Act 2010.
- 6.2.2 As this is a National Policy the government's impact assessment of affordable rent was published in June 2011 and says that although some households are not likely to realise the same degree of benefits from the scheme as would have been the case with a social rented property (since rents will be higher), the policy will bring advantages to these households by increasing supply. It also says the absence of this policy could limit supply to these households, which would mean them remaining in the private rented sector, where rents are higher and there is less security of tenure.
- 6.2.3 Government policy guides how rents should be set by local authorities and registered social landlords and is applicable here. The main objectives of the policy are that rents should remain affordable in the long term; they should be fairer and less confusing for tenants and there should be a closer link between rents and the quality of the properties.

## **6.3 Property Implications**

- 6.3.1 Retaining investor partner status and other approvals which allow the Council to develop its own new affordable housing is likely to result in the best use of residential development land on existing estates.

## **7. KEY RISKS**

- 7.1 Any change to the level of rental income assumed in the Council's HRA 30-Year Business Plan has the biggest impact on its viability, both in the short to medium term, and in the longer term. As described above, the 1% reduction in rental income per annum over the four year period created a significant shortfall in the Business Plan, and the setting of higher rents for newly built or newly acquired properties will help to redress the balance.
- 7.2 The Council will reduce its ability to provide new homes, could lose its Investment Partner status with the GLA and could compromise its ability to obtain Government funding if it does not charge higher rents on some of its HRA properties.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

Setting higher rents on newly built or newly acquired HRA properties will reflect the enhanced quality and value of those properties and assist towards maximising the number of affordable properties that can be provided in the future.

### **8.2 Growth and Sustainability**

The Council has ambitions to keep its HRA stock numbers at current levels throughout the life of its Business Plan and to improve the condition of its assets. Charging slightly higher rents on some units and leveraging in additional funding will assist in achieving these ambitions.

### **8.3 Strong Communities**

Rents set at a level that local people can afford will contribute greatly to building stronger communities.

## **9. EQUALITIES IMPACT IMPLICATIONS**

The proposals in this report are designed to be fair and transparent. The methodology proposed to calculate HRA affordable rents will maximise affordability, allowing Enfield residents to secure accommodation in Enfield.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The setting of higher rents for newly built or newly acquired HRA properties will improve the viability of the 30-Year HRA Business Plan, thus enhancing the performance of the business into the future.

## **11. PUBLIC HEALTH IMPLICATIONS**

The residents of Enfield will have increased access to better housing and environments. This directly links to improved public health and wellbeing.

### **Background Papers**

None



## MUNICIPAL YEAR 2016/2017 REPORT NO. **101**

**MEETING TITLE AND DATE:**

Cabinet 19 October 2016

**REPORT OF:**

Director – Regeneration and Environment

Contact officer and telephone number:

David Taylor – 020 8379 3576

E mail - [david.b.taylor@enfield.gov.uk](mailto:david.b.taylor@enfield.gov.uk)

<b>Agenda – Part: 1</b>	<b>Item: 12</b>
<b>Subject: Enfield’s Local Implementation Plan (LIP) Spending Proposals for 2017/18</b>	
<b>Wards: ALL</b>	
<b>Key Decision No: KD 4373</b>	
<b>Cabinet Member consulted: Cllr. Daniel Anderson, Environment</b>	

### 1. EXECUTIVE SUMMARY

- 1.1 The report outlines Enfield’s proposals for spending the anticipated £4.8 million 2017/18 grant funding to be provided by Transport for London (TfL) to help implement the Mayor’s Transport Strategy. Given pressures on TfL’s revenue we have been asked to include within this an indication of the relative priority of each proposal. The expenditure proposals have to be submitted by 28 October 2016 for approval by TfL.

### 2. RECOMMENDATIONS

To approve:

- 2.1 The expenditure proposals and prioritisation for 2017/18 outlined in Appendix 1 for submission to Transport for London and for these proposals to be implemented.
- 2.2 The expenditure of 2017/18 funding allocated by TfL for the on-going Major Schemes set out in paragraph 4.7.
- 2.3 Delegation of authority to the Cabinet Member for Environment to make any changes necessary to the programme should there be any change to the allocation from TfL or for any other operational reason.

### **3. BACKGROUND**

- 3.1 The current Mayor's Transport Strategy (MTS), which was published in 2010, has high-level goals with related outcomes:
- support economic development and population growth
  - enhance the quality of life for all Londoners
  - improve the safety and security of all Londoners
  - improve transport opportunities for all Londoners
  - reduce transport's contribution to climate change and improve its resilience
  - support delivery of the London 2012 Olympic and Paralympic Games and its legacy.
- 3.2 All London Boroughs are required to submit the Local Implementation Plans (LIP) to Transport for London (TfL) setting out how they would help deliver the above goals and their associated outcomes. The Council's second LIP was approved by the Mayor of London in 2012.
- 3.3 Boroughs make Annual Spending Submissions (ASS) which set out how they intend to utilise LIP funding under various programme areas to support the delivery of the MTS. This report sets out Enfield's proposals for the 2017/18 Annual Spending Submissions (ASS).
- 3.4 With regard to LIP funding, to afford boroughs more continuity, from 2013/14 to 2016/17 there was a three year settlement. This settlement is now at an end however, given the development of a new MTS and TfL's Business Plan for 2017/18 and beyond, it has been agreed that a two year interim arrangement will be put in place. The exact level of LIP funding available is yet to be determined due to both the cut in TfL's revenue grant funding from central Government and the election of a new Mayor of London.
- 3.5 In light of this TfL has recommended that boroughs adopt a 'business as usual' approach to planning their 2017/18 programmes including assuming that current funding levels will be available. However, boroughs should clearly prioritise their programmes in the event that less funding is ultimately available.
- 3.6 Once a new MTS has been published (the current timescales indicate a draft in spring 2017 with a final version in spring 2018) TfL will issue revised guidance on the preparation of new borough LIPs. An officer working group has been set up to look at key issues of timing, requirements and resources in relation to producing new LIP documents. LB Enfield is represented on this group.

### **4. ENFIELD'S LOCAL IMPLEMENTATION PLAN (LIP) FUNDING ALLOCATION FOR 2017/18**

- 4.1 The LIP sets out three main Programmes of Investment:

- **Corridors, Neighbourhood and Supporting Measures programmes** – holistic or area-based interventions, including bus priority and accessibility, cycling, walking, safety measures, 20 mph zones and limits, freight, regeneration, environment, accessibility and controlled parking zones. The programmes also include expenditure on cycle parking, cycle training, reduction of street clutter, electric vehicle charging points, school and workplace travel plans, behavioural change, education, training and publicity.
- **Maintenance programmes** – bridge strengthening and assessment, and principal road renewal.
- **Major Schemes** – interventions generally costing more than £1m over the whole life of the project.

4.2 Funding allocations for the Corridors Neighbourhoods & Supporting Measures programmes are derived using needs based formulae applied across all London Boroughs. Allocations for the Maintenance programme are derived using a system of engineering assessment of maintenance needs applied across all London Boroughs.

4.3 The majority of the funding (c£2.3 million) in the **Corridors Neighbourhoods & Supporting Measures** programmes is allocated to schemes and projects which directly contribute to the delivery of the Cycle Enfield programme, via the implementation of physical improvements, including the ongoing delivery of a number of Greenways and Quietways, and the provision of supporting measures including cycle training and maintenance classes. The other significant call on funding is for road safety schemes and education activities (c£0.5 million).

4.4 **Major Schemes** funding is subject to a three step bidding process with submissions only normally considered for projects costing more than £1m in total over the whole life of the project, such as the current Ponders End Major Scheme. A total fund of £28 million has been assigned by TfL for 2017/18 for Major Schemes across London.

4.5 From this £500,000 is being sought for enhancements to the public realm around Bush Hill Park station.

4.6 An allocation of £100,000 of LIP funding has also been included as contingency should there be any unforeseen technical issues with the delivery of the Ponders End High Street scheme.

4.7 A Step 1 bid was submitted for a further Major Scheme aimed at improving road safety and the street environment in the section of Fore Street south of the North Circular Road. This bid was unsuccessful but, assuming Major Scheme funding continues, an allocation could be sought in a future year for developing a related scheme which complements proposals for estate renewal projects in this area.

- 4.8 TfL has also allocated £100k per borough for use on **Local Transport projects** to be determined by the borough.
- 4.9 The table below sets out the Council's proposed overall allocations for 2017/18 for each Programme of Investment:

<b>Programme</b>	<b>Value</b>
Corridors, Neighbourhoods & Supporting Measures	£3,071,000
Maintenance Programmes	£1,121,000
Major Schemes	£500,000
Local Transport Fund	£100,000
<b>Total</b>	<b>£4,792,000</b>

- 4.10 The tables in Appendix 1 provide more detail about the specific expenditure proposals for each of the Programmes of Investment.
- 4.11 These tables also include indicative allocations which reflect an overall reduction in Corridors, Neighbourhoods & Supporting Measures funding of 15% (equivalent to £461,000) which would leave an overall programme allocation of £2,610,000. This is currently considered to be the worse-case scenario for a reduction in LIP funding arising from TfL's revenue being cut.
- 4.12 To aid in the identification of possible programmes and schemes for funding reductions, and as required by TfL for this interim year, the programmes and schemes have been prioritised based on a top level assessment of:
- MTS outcomes – Number of outcomes clearly addressed.
  - National, regional and local targets – Whether there is a direct contribution to meeting recognised targets.
  - Effectiveness - Performance against targets and delivery of identified outcomes.
  - Local priority – Assessment of relative priority for Enfield.
  - Cycle Enfield – Whether there is a direct contribution to Cycle Enfield.
  - Ongoing commitment – Whether funding has been committed in 2017/18.
  - Value for Money – Measurable benefits delivered against cost.
- 4.13 Those schemes which have been assessed as lower priority and / or where there is an opportunity to reduce spend without having a negative impact on programme delivery have been targeted for reductions in funding.

## **5. ALTERNATIVE OPTIONS CONSIDERED**

### **5.1 Constraints on proposals**

- 5.1.1 The Local Implementation Plan (LIP) is a statutory document arising from the GLA Act 1999. Each Borough's LIP covers proposals to implement the Transport Strategy of the Mayor of London (MTS), locally within the area of each borough. Therefore, the submissions for 2017/18 proposed in this report are essentially constrained within two determinants:

- Firstly, the submission is constrained by TfL's Local Implementation Plan (LIP) Annual Spending Submission Guidance for 2017/18.
- Secondly, to meet the adequacy test required for Mayoral approval (GLA Act section 146(3.b)), each LIP sets out the proposals for implementing the Mayor's Transport Strategy. For 2017/18, this adequacy of Enfield's proposals, from the perspective of the Mayor's Transport Strategy (MTS 2), is secured by following the "Guidance on Developing the Second Local Implementation Plans – May 2010" issued by TfL and by virtue of the fact that Enfield's LIP has now been approved by the Mayor of London.

5.1.2 The proposals contained in this report satisfy these two constraints and were informed by the consultation process detailed below.

## **5.2 Consultation**

5.2.1 Enfield's current LIP priorities emerged following a structured process of consultation. This programme addresses these priorities and those in the Mayor's Transport Strategy.

5.2.2 The programme includes a number of ongoing schemes and projects which have been developed in consultation with key partners. For new proposals, where applicable, individual schemes and projects will be subject to consultation.

5.2.3 Improved public health is a key priority for both the Council and the Mayor and several of the spending proposals have been developed in conjunction with the Public Health Team to promote active travel via the greater use of walking and cycling.

5.2.4 Travel to and from school is an important issue in the borough, both in terms of congestion, road safety, and health. Several of the elements of the proposed programme will be delivered in partnership with local schools.

5.2.5 This report has been subject to internal consultation which includes seeking comments on the impacts of the proposed programmes on the Council's priorities.

## **6. REASONS FOR RECOMMENDATIONS**

6.1 The recommendations are seeking the necessary approvals that will enable Enfield's Local Implementation Plan (LIP) funding proposals for 2016/17 to be submitted to Transport for London. This submission of the proposals to TfL is essential in order to obtain release of the allocated funds ready for expenditure in the financial year 2017/18.

## **7. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **7.1 Financial Implications**

7.1.1 The Local Implementation Plan (LIP) Proposed Funding Allocations for 2017/18 (Appendix 1) are as follows:

Corridors, Neighbourhoods & Supporting Measures: £3,071,000  
(*Corridors & Neighbourhoods £2,485,000, Supporting Measures: £586,000*)  
Local Transport Funding: £100,000  
Maintenance Principal Roads: £1,121,000

7.1.2 Expenditure (once approved by Transport for London) will be fully funded by means of direct grant from TfL. The funding arrangements are governed through the TfL Borough Portal and no costs fall on the Council. The release of funds by TfL is based on a process that records the progress of works against approved spending profiles. TfL makes payments against certified claims as soon as costs are incurred, ensuring the Council benefits from prompt reimbursement.

7.1.3 LIP financial assistance is provided by TfL under Section 159 of the GLA Act 1999. The funding is provided to support local transport improvements that accord with the Mayor's Transport Strategy Goals and Outcomes.

7.1.4 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.

7.1.5 Under current arrangements, delegated authority is given to boroughs to move funds within transport areas or, subject to limits between areas, subject to approval by TfL. Underspends occurring during a financial year are normally returned to TfL and there is no presumption given that funding not required in a particular year can be carried forward.

### **7.2 Legal Implications**

7.2.1 The Mayor's Transport Strategy (MTS2) provides the framework for the development of Local Implementation Plans (LIPs) by London Boroughs; it also provides the basis for the assessment of grant applications.

7.2.2 Under the Greater London Authority Act 1999 (GLA Act) Section 145, each London Borough Council shall prepare a Local Implementation Plan (LIP) containing its proposals for implementing the MTS2. The Mayor's LIP Guidance and Transport Strategy Implementation Targets provide the framework for common content and pace of delivery within which each LIP has been prepared. The targets arise from provisions in the GLA Act Section 41(9).

7.2.3 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 are charged with responsibility of ensuring that the key rationale for allocating grants is the delivery of the MTS2.

7.2.4 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 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.

7.2.5 The recommendations contained in this report are within the Council's powers and duties.

### **7.3 Property Implications**

There are no identifiable property implications arising directly from the LIP proposals, however, as individual schemes progress, there may be an opportunity for specific input in respect of the Council's land and property portfolio.

## **8. KEY RISKS**

No significant risks have been identified. The LIP is a statutory requirement and the submission of the Council's proposals for 2017/18 is required in order to have the approved funding released to Enfield by TfL for scheme expenditure in 2017/18.

## **9. IMPACT ON COUNCIL PRIORITIES**

### **9.1 Fairness for All**

These proposals will specifically contribute to improving access to the transport network and with it access to employment, housing and services. Key projects include:

- Implementation of Cycle Enfield schemes including Quietways, Greenways and corridor improvements.
- Ongoing programme to make all bus stops in Enfield accessible.
- Provision of Bikeability nationally accredited cycle training to adults and children.

## **9.2 Growth and Sustainability**

These proposals will support growth and encourage sustainability via both the Cycle Enfield Quietways, Greenways and corridor improvements as well as the programme of supporting measures which includes cycle training and maintenance classes, cycle parking and support for schools. The funding for schools will support the preparation and implementation of plans and schemes which should increase the use of sustainable transport.

## **9.3 Strong Communities**

Of particular relevance to the theme of strong communities is the engagement work which takes place as part of the road safety physical measures and related education programmes, as well as the work which takes place in schools including the provision of support for them to develop School Travel Plans which involves engaging with the wider school community to prepare and implement change.

## **10. EQUALITIES IMPACT IMPLICATIONS**

- 10.1 Boroughs have a duty under current race, disability and gender legislation to carry out an EQIA of their LIP. This should identify whether or not (and to what extent) a LIP has an impact (positive or negative) on a particular equality target group, or whether any adverse impacts identified have been appropriately mitigated. The Disability Discrimination Act 2005 specifically requires local authorities to promote equality for disabled people, and to have regard to the needs of disabled people, both in developing and implementing plans. The general duty under the new Equality Act 2010 also requires authorities to assess the impact of relevant proposals on all disadvantaged groups, and the proposed consultation around transport issues will inform this work.
- 10.2 In developing the workstreams in Enfield's approved LIP, an Equality Impact Assessment had been undertaken to ensure that the proposals presented do not discriminate against equality groups and that equality is promoted whenever possible.
- 10.3 The proposals within this report are directly derived from the Local implementation Plan which has already been approved by TfL. That approved LIP was subjected to a comprehensive EQIA (Chapter 1 & Appendix 1 of Enfield's approved LIP).



## **11. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 11.1 Work undertaken within the Neighbourhoods, Corridors and Supporting Measures funding stream contributes directly towards the attainment of four of the five core Statutory Performance Indicators defined by the Mayor and are required by the Mayor, of all London Boroughs to pursue:
- Increased share of non-car modes including cycling and walking levels
  - Bus reliability improvements
  - Road casualty reductions
  - Reduced CO<sub>2</sub> emissions from ground based transport
- 11.2 Work undertaken within the Maintenance funding stream (roads & bridges) contributes directly towards the attainment of one of the five core Statutory Performance Indicators defined by the Mayor and are required by the Mayor, of all London Boroughs to pursue - Highway Asset Condition Improvement.

## **12. HEALTH AND SAFETY IMPLICATIONS**

Where relevant, schemes will also be subject to independent Safety Audits to ensure that they do not have an adverse effect on road safety. In addition, many of the schemes also fall within the scope of the Construction, Design and Management Regulations to ensure that schemes are built safely.

## **13. HR IMPLICATIONS**

There are no identifiable H R implications arising from these proposals.

## **14. PUBLIC HEALTH IMPLICATIONS**

These proposals will contribute positively to the health and well-being of the borough by encouraging walking and cycling, promoting road safety and improving air quality. A report in 2015 by King's College London indicated that air pollution is associated with some 17% of deaths in the borough, while various research papers show physical activity is associated with a reduction of between 20 – 40% in long-term conditions which account for 70% of the NHS budget.

## **Background Papers**

None.

## Appendix 1 - Local Implementation Plan (LIP) Funding Allocations and Expenditure Proposals for 2017/18

		2016/17 Allocation	2017/18 Allocation	Priority	2017/18 Prioritised	MTS Goals
<b>Overall Programme</b>	<b>Corridors &amp; Neighbourhoods and Supporting Measures Combined</b>	<b>3151</b>	<b>3071</b>		<b>2610</b>	
		2016/17 Allocation	2017/18 Allocation	Priority	2017/18 Prioritised	MTS Goals
<b>Programme:</b>	<b>Corridors and Neighbourhoods</b>	<b>2671</b>	<b>2485</b>		<b>2270</b>	
<i>Scheme Name</i>	<i>Scheme Description</i>	<i>2016/17 Allocation</i>	<i>2017/18 Allocation</i>	<i>Priority</i>	<i>2017/18 Prioritised</i>	
<b>Walking &amp; Cycling</b>		<b>1893</b>	<b>1890</b>		<b>1880</b>	
Cycle Enfield Supporting Schemes	Implementation of Cycle Enfield schemes including Quietways, Greenways and corridor improvements. Phasing of schemes to be determined.	320	1770	High	1770	1, 2, 3, 4, 5, 6
Ponders End High Street	Contribution from LIP to Ponders End Major Scheme.	172	100	High	100	1, 2, 3, 4, 5
School Travel Measures	Physical measures to encourage walking and cycling to school.	0	20	Medium	10	2, 3, 5
Others	Schemes and projects completed.	1401	0		0	
<b>Road Safety</b>		<b>428</b>	<b>350</b>		<b>245</b>	
Road Safety Schemes identified through Technical and Economic analysis	Schemes and projects to be delivered as part of a rolling programme of minor interventions up to £50k each.	333	150	Medium	75	2, 3
Quieter Neighbourhoods	Design, consultation and delivery of a rolling programme.	25	150	Medium	145	2, 3, 5

Junction Protection	Restrictions to maintain junction safety	50	50	Low	25	2, 3
Others	Schemes and projects completed and / or not being progressed.	20	0		0	
<b>Bus Accessibility</b>		<b>50</b>	<b>50</b>		<b>50</b>	
Bus Stop Accessibility	Ongoing programme to make all bus stops in Enfield accessible.	50	50	High	50	1, 2, 3, 4
<b>Traffic &amp; Environmental Schemes</b>		<b>225</b>	<b>120</b>		<b>25</b>	
Reducing Signage Clutter	Application of new traffic signs policy aimed at reducing street clutter.	50	50	Low	0	3, 4
Rights of Way Improvements	Design and implementation of improvements to Enfield's rights of way network.	15	20	Low	0	2, 5
Future Scheme Identification and Initial Development	Investigation and design of traffic, road safety and environmental improvements schemes for implementation in future years.	50	50	Medium	25	1, 3, 4, 5
Others	Schemes and projects completed and / or not being progressed.	110	0		0	
<b>Air Quality</b>		<b>75</b>	<b>75</b>		<b>70</b>	
Air Quality Action Days	Contribution to Mayor's Air Quality Fund project which aims to raise awareness and change behaviour through monthly action days.	5	5	Low	5	2, 5
Anti-Idling	Schemes and projects which encourage road users to switch off their engines.	10	10	Low	5	2, 5
Delivering Air Quality Improvements	Support for initiatives which improve air quality in the borough including through monitoring and focused activities as well as delivery of local projects and schemes.	45	45	Medium	45	2, 5
Air Quality Monitoring	Support for 3 static air quality monitoring stations and mobile monitoring.	15	15	Medium	15	2, 5

		2016/17 Allocation	2017/18 Allocation	Priority	2017/18 Prioritised	MTS Goals
<b>Programme:</b>	<b>Supporting Measures</b>	<b>480</b>	<b>586</b>		<b>340</b>	
<i>Scheme Name</i>	<i>Scheme Description</i>	<i>2016/17 Allocation</i>	<i>2017/18 Allocation</i>	<i>Priority</i>	<i>2017/18 Prioritised</i>	
<b>Road Safety - Education, Training and Publicity</b>		<b>120</b>	<b>116</b>		<b>65</b>	
School Junior Travel Ambassadors	Development of a Road Rangers project in schools to enable children to take a lead promoting road safety and travel awareness to their peers.	25	25	Medium	25	2, 3
Safe Drive Stay Alive	Theatre based drama aimed at year 12 students.	30	30	Medium	30	2, 3
Road Safety - Public Engagement	Engagement with the public in priority areas of Road Safety - Concentrating on areas of deprivation, language difficulties and areas identified as priority for accident prevention; provision of theatre based education; interventions through community events.	35	25	Low	0	2, 3
Young drivers / riders	Targeted road safety education.	20	15	Low	0	2, 3
Safer Freight	Implementing the Enfield Safer Freight & Fleet Action Plan approved in November 2015, including promotion of the Freight Operator Recognition Scheme, delivery of Exchanging Places events and CPC Safe Urban Driver Training.	0	21	Low	10	2, 3
Others	Schemes and projects completed and / or not being progressed.	10	0		0	
<b>Walking &amp; Cycling</b>		<b>290</b>	<b>410</b>		<b>260</b>	
Bike It Officer	Post which is co-funded with TfL to deliver Bike It programme in 12 schools per annum.	30	30	Medium	30	2, 3, 4, 5, 6
Cycle Training	Provision of Bikeability nationally accredited cycle training to adults and children.	155	200	Medium	110	2, 3, 4, 5, 6

Cycling Support Activities	Delivery of projects and programmes including a range of activities to support people to cycle including Dr Bike sessions, cycle maintenance classes and guided rides.	51	80	High	70	2, 3, 4, 5, 6
Cycle Grants for Schools	Programme of small grants to schools with accredited School Travel Plans, to help them provide for cycling.	4	10	Low	0	2, 3, 4, 5, 6
Cycling Promotion	Promotion and marketing activities to highlight range of services available and encourage more people to cycle.	50	30	Medium	20	2, 3, 4, 5, 6
Cycle Parking	Ongoing programme of cycle parking implementation to complement Cycle Enfield.	0	60	Medium	30	2, 3, 4, 5, 6
<b>School Travel Planning</b>		<b>60</b>	<b>60</b>		<b>15</b>	
Supporting STP Delivery	Support for schools to prepare, submit and monitor travel plans which encourage sustainable travel.	60	60	Medium	15	2, 3, 4, 5, 6
<b>Others</b>		<b>10</b>	<b>0</b>		<b>0</b>	
Others	Schemes and projects completed and / or not being progressed.	10	0		0	

		2016/17 Allocation	2017/18 Allocation	Priority	2017/18 Prioritised	MTS Goals
<b>Programme:</b>	<b>Local Transport Funding</b>	<b>100</b>	<b>100</b>		<b>100</b>	
<i>Scheme Name</i>	<i>Scheme Description</i>	<i>2016/17 Allocation</i>	<i>2017/18 Allocation</i>	<i>Priority</i>	<i>2017/18 Prioritised</i>	
<b>Local Transport Funding</b>		<b>100</b>	<b>100</b>		<b>100</b>	
Funding of Bike Loan Scheme	Scheme which allows residents to hire a cycle for a notional fee.	50	50	Medium	50	2, 3, 4, 5, 6
School Crossing Patrol service	Ongoing support for school crossing patrols.	50	50	Low	50	2, 3

#### MTS Goals:

1. Support economic development and population growth
2. Enhance the quality of life for all Londoners
3. Improve the safety and security of all Londoners
4. Improve transport opportunities for all Londoners
5. Reduce transport's contribution to climate change and improve its resilience
6. Support delivery of the London 2012 Olympic and Paralympic Games and its legacy.

MUNICIPAL YEAR 2016/2017 REPORT NO. **102**

**MEETING TITLE AND DATE:**

Cabinet, 19<sup>th</sup> October 2016

**REPORT OF:**

Director–  
Regeneration & Environment

Contact officer and telephone number:

Jonathan Stephenson, Head of  
Commercial & Client Services  
[jonathan.stephenson@enfield.gov.uk](mailto:jonathan.stephenson@enfield.gov.uk)  
(02083 795249)

<b>Agenda - Part: 1</b>	<b>Item: 13</b>
<b>Subject: The Development of Edmonton Cemetery</b>	
<b>Wards: Bush Hill Park</b> <b>Key Decision No: KD 4234</b>	
<b>Cabinet Member consulted:</b> <b>Councillor D Anderson</b> <b>Councillor K Fonyonga</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 The report outlines the Council's proposal to extend Edmonton Cemetery, onto part of the land owned by the Council adjacent to the A10 (currently occupied by 14 tennis courts), to meet the growing demand for burial space within the Edmonton area and for the Borough as a whole.
- 1.2 The Council also needs to adapt to meet the demands of the diverse communities within Enfield by extending the range and choices of burial options and locations.
- 1.3 Addressing these areas will also assist the Council in achieving a medium-term sustainable income stream for the cemeteries service.
- 1.4 As a result of the development, and to mitigate the proposed reduction in tennis courts (from 14 down to 4) the report also proposes the approach, supported by Sports England and the Lawn Tennis Association (LTA), subject to planning approval and consultation, to invest £250K into tennis facilities and the development of the sport across the borough.

**2. RECOMMENDATION**

- 2.1 That Cabinet approve, Option 2, the redirection of capital expenditure, funded through borrowing, of £1.8million to extend Edmonton Cemetery onto part of the land owned by the Council adjacent to the A10. This will enable the provision of 1718 new burial plots to assist in meeting the future burial demand, subject to planning approval.
- 2.2 That Cabinet approves, to assist the development, the reduction of 10 tennis courts (of the 14 currently provided) on the proposed site and to ring-fence a

dedicated capital sum (also redirected from within the existing capital programme) of £250K, as part of the overall £2.05Million budget, to assist the development of tennis within the borough.

- 2.3 That Cabinet approves, subject to 2.1 and 2.2, and consultation with stakeholders, to appropriate the land for planning purposes and to delegate to the Director Regeneration & Environment (in consultation with the relevant Cabinet Member) the decision to procure, negotiate and award contracts (in accordance with the Council's Procurement Rules) for the works as appropriate.

### **3. BACKGROUND**

- 3.1 The Council's cemetery service is facing a number of challenges over the next few years with the priority of addressing the issue of growing demand and limited supply for burial space within the borough, in particular within the Edmonton area. The Council needs to adapt to meet the demands of its diverse communities within Enfield by providing a range of burial options and locations in the borough. Addressing these issues will assist the cemetery service in securing a medium-term solution that is financially sustainable moving forward.
- 3.2 Enfield Council operate five cemetery sites within the borough, and until 2012 when limited reuse burial provision was made available and in 2013 the new burial chambers provision introduced at Edmonton Cemetery, the cemeteries service has only been able to offer new Lawn Graves for burials at Strayfield Road. However, capacity at Strayfield Road is estimated to be no more than 10-15 years (short-term) at the current rates of burials.
- 3.3 An independent review was completed in 2015 with regards to Market Analysis and Projected Demand within the borough. The review highlighted the need for additional burial provision and an increased range of burial types, to meet the demand of the communities within and outside Enfield, over the next 20years (medium-term).
- 3.4 The conclusions with regards to projected demand referenced the most recent work carried out by the Cemetery Research Group's 2011-Audit of London Burial Provision. This calculated the likely demand for burial space in London using a combination of factors including mortality rates, cremation rates and the preferences of different religious and ethnic groupings. This analysis projected that Enfield would require a potential 13,540 burial spaces over the 20 year period from 2010/11.
- 3.5 The review investigated options (detailed in section 5) to meet the future demand with the conclusion that the extension of Edmonton Cemetery, rather than other options, such as the creation of a new cemetery, is the only feasible and financially viable option available to the Council.



- 3.6 Before arriving at the recommended option there were a range of other options, as set out within section 5 of this report, explored around the exact location of the proposed extension. This entailed a review of all adjacent land being discounted, if not appropriate, through an assessment of suitability and financial viability. For example the land adjacent to the cemetery at the southern boundary, Firs Farm, was investigated originally as one of the options and discounted due to the inability to develop the land owing to major drainage issues. This has consequently been developed into a sustainable urban drainage scheme that prohibits development further.
- 3.7 The other options available for the development of the Edmonton site are limited with the only viable option, the recommended option, to investigate the area currently used for 14 tennis courts. This site is underutilised, predominately due to its location adjacent to the A10, and is also not seen by the Lawn Tennis Association (LTA) as a priority site for investment within the borough.
- 3.8 With this in mind the Council decided to undertake an independent survey, during May 2016, using the LTA's assessment methodology, (a full summary of results can be found within appendix 3) to understand the actual usage of this site if used for development. The survey demonstrated that the site has very little use and the reduction of 10 courts (from 14 to 4 courts) would have no impact on the public's use. A similar survey was also undertaken during the summer holidays (August) and the usage of the courts was also confirmed.
- 3.9 It is therefore also recommended that investment, as part of the overall package of funding for tennis within this proposal, will be made available to ensure the remaining 4 courts are provided to the required recognised (LTA) recreational standards and will be maintained using the 2016/18 capital improvements budget and future approved capital programmes. The proposed development of the site will have no impact on the skateboard park adjacent to the tennis courts.
- 3.10 Based on these conclusions this report proposes part of the land adjacent to the Edmonton Cemetery (detailed in Appendix 1) has limited use for recreational purposes and that it be appropriated for planning purposes (subject to consultation) and developed, subject to planning approval, to provide burial space for an additional 1,718 burial plots based on an appropriate mix of earth graves, engineered vaulted graves and mausoleum chambers, depending on demand.
- 3.11 The four main strategic reasons why the development of Edmonton Cemetery should be considered and approved are:-
1. Meeting the Needs of the Community;
  2. Improved Customer Choice;
  3. Sustainable Revenue;
  4. Enable Investment in Tennis.

### 3.12 Meeting the Needs of the Community

There is currently limited scope to meet the faith and cultural needs of all sections of the community as Strayfield Road Cemetery is limited to lawn grave burials (headstone only) and the grave reuse project at Edmonton Cemetery does not allow for areas to be allocated to particular traditions, due to lack of available space. This proposed development will enable Edmonton Cemetery greater burial choice for residents. .

### 3.13 Improved Customer Choice

The Council has offered little choice other than a Lawn Grave burial service at Strayfield Road for the last 10 years and residents must go elsewhere for other options. The re-use of common grave space to offer traditional graves, prefabricated vaulted graves and mausoleum chambers at Edmonton Cemetery has proved popular and demonstrates that there is a demand for a greater choice of burial options and locations. Currently the people of Edmonton, and other residents east of the borough, have limited options when it comes to burial provision and without this development, it is predicted, that there will be no options available within two years.

#### **Sustainable Revenue**

- 3.14 A sustainable supply of new burial space is essential to meet burial demand in the medium-term and ensure a continuous revenue stream into the service and the Council to support the proposed and existing cemeteries provision.
- 3.15 Edmonton Cemetery, based on current demand, has only enough reusable capacity for approximately 3 more years. With no further capacity available the cemeteries budget, and the Council, will have a net loss of income (profit) of £178K, if the new provision is not provided within this timeframe.
- 3.16 The success of the pilot grave reuse scheme and the provision of new burial options at Edmonton have achieved a gross income of £1.35million over the last 3 years, to meet increased income targets, through the sales of 192 traditional earth graves, all of the new 48 vaulted grave options and 31 of the 66 new mausoleum chambers.
- 3.17 This is a clear indication that there is demand for burials within Enfield cemeteries if suitable provision can be made and a range of burial options are offered. These new provisions proposed coupled with the expected demand for burials enables the business case to be financially viable.

#### **Enable Investment in Tennis across the borough**

- 3.18 The proposed recommendation to develop the site will provide improvements to be made to the remaining 4 courts that will enable residents an enhanced experience when using the tennis courts. This will include exploring the feasibility of enhancements to the court surfaces, the inclusion of a coaching offer (to help those users keen on developing their tennis skills) and, similarly, an outreach programme, as part of Enfield's Move More campaign, to increase

sports participation and encourage healthy lifestyles in the borough. This opportunity, resulting from the development, will also provide investment to be made, prior to the cemetery extension being completed and a condition of the development taking place, to other sites within the borough and would not be possible without the financial benefit from the development of the site. With the investment gained from the development a detailed funded plan will be provided to support the planning application required to extend the cemetery. This plan will highlight investment that will be made on the remaining tennis courts and some of the initial sites identified in Appendix 4.

#### 4. PROPOSAL

- 4.1 The proposal is to develop part of the Council owned land adjacent to the A10 that currently occupies 10 of a total 14 underutilised public tennis courts (independent usage survey attached in Appendix 3). This will require a total of £2.05Million of funding to extend the Cemetery onto this land and will enable the provision of 1718 new burial plots, with the potential to achieve £7.9Million of gross income over a 20yr period, subject to planning approval. The breakdown of the proposed burial types and the indicative quantities is detailed within table 1.

**Table 1-Edmonton Extension Burial Capacity**

	<b>Total Numbers of Burials</b>
Mausoleum	372
Traditional	1049
Vaults	297
<b>Total</b>	<b>1718 (average of 86 per year)</b>

- 4.2 The plan to invest £2.05Million into the cemetery extension that will provide the Council with a medium-term sustainable source for burial plots and income; to support the operational costs of running the Council's 5 cemetery sites over this same period of time.

#### **Financial Summary & Justification**

- 4.3 The sales at Edmonton Cemetery, over the last 3 years, currently average 60 burials per year, and with the predicted burial forecasts and increased interest in Mausoleum and Vault burials this will meet the required average number of annual burials (86) that enable the business case to be viable over the 20yr period.
- 4.4 Table 2 below shows the estimated investment and net income over the life of the extension, based on an average 86 sales per year from year 3 for 20 years. As it can be seen in the table below income is estimated to exceed total investment costs, over the life of the project, by £1.805m.

**Table 2-Financial summary over the 20yr period**

Total Capital Financing Cost (Borrowing)	£2.911m
Total Net Income (New Burial Provision)	-£4.716m
<b>Net potential profit (-)</b>	<b>£-1.805m</b>

The full financial appraisal, with details of all assumptions made, can be found within Appendix 1.

- 4.5 The Council acknowledges that the development of the site will reduce the tennis court provision by 10 courts, but based on the current usage and through negotiations with the Lawn Tennis Association (LTA) and Sports England a proposal has been reached to support a wider development of tennis within the borough. This report seeks agreement to provide a dedicated sum of £250K, as part of the requested £2.05M of capital, to invest into the development of the remaining courts and other tennis sites in Enfield, and to work in partnership with the LTA to deliver, over the next 15yrs, a sustainable plan to assist the growth of tennis participation, within the borough.
- 4.6 The Council has identified an initial 8 sites (appendix 4), working with the LTA, to invest the funding provided from this development. The recommendation is firstly to prioritise, working with other stakeholders, the opportunity of gaining additional match funding that can support a wider more extensive investment into these sites and tennis, within the borough. This process will allow engagement with other stakeholders to understand further the local demand for tennis and ensure the investment provided is sustainable and supported moving forward.
- 4.7 The final decision around the investment plan will also be informed following the completion of the Councils Playing Pitch Strategy in late 2016. The final proposals will be formalised to coincide with the proposed planning application and consultation for the sites development as an extension to the cemetery.

## **5. ALTERNATIVE OPTIONS CONSIDERED**

5.1 The options that have been considered are:-

- **Option 1** - Develop all the land next to the A10, replacing all the tennis courts (14) and the skate park.
- **Option 2** - Develop part of the land next to the A10 (excluding the skate park), removing 10 of the existing 14 tennis courts and investing in the remaining 4 tennis courts and other tennis facilities within the borough.  
**(Recommended option)**

- **Option 3** - Develop other land adjacent to the cemetery
- **Option 4**- Create a new cemetery at a different location
- **Option 5**- Do nothing

- 5.2 **Option 1** has been considered as unviable, at this point in time, due to the capital (£3.485million) and revenue costs against the return on investment.
- 5.3 There is a requirement for additional burial spaces within Enfield but extending the cemetery over such a large area and the implications on other sports provision (Skate Park) and maintenance costs of the site, prior to it being used fully for burials is not efficient use of space and resource. This option may need to be investigated at a later date if demand increases at a faster rate than expected.
- 5.4 **Option 2** is the recommended option as it is financially viable and has minimal impact on the existing environment of the overall site and secures ongoing recreational opportunities (tennis) and improvements, at the site, and across the borough.
- 5.5 **Option 3** has been considered but due to drainage issues and the sustainable drainage scheme implemented at Firs Farm this option is not physically or financially viable.
- 5.6 **Option 4** was considered, though a new cemetery in isolation to any other cemetery would require additional infrastructure, welfare and operational (Chapel) facilities. The capital costs of these facilities and the additional revenue costs to operate them makes this option not financially viable.
- 5.7 **Option 5** of doing nothing will mean the priorities for Enfield with regards to burials will not be met. The borough has only a few options available to meet the current and expected demand for numbers and types of burials. With no long-term options available to meet these demands the Council will find it difficult to sustain the level of service provision provided with limited and reducing revenue streams and choices available to its residents. This option will also create also a £178K net pressure on the Council due to no income being gained through burials at Edmonton.

## 6. Stakeholder Market Analysis and Engagement

- 6.1 Local funeral directors have been consulted as part of the market engagement exercise of the review. The survey clearly indicates that the single most important factor in choosing a preferred burial location was the family connection to the local area or specific cemetery and there was strong support for increasing the range of burial options to additional sites. Cost was the second most important factor in the decision making process, but in only 3 cases was it considered to be equal or more important to the local/family connection. The ability to pre-purchase graves was generally considered the third most important factor, usually in the context of demand for pre-paid funeral plans to include the guarantee of a reserved plot.

- 6.2 In terms of choice, in most cases, lawn or traditional earth graves were considered to be the most important offer for what is seen to be a relatively conservative clientele.

### **Consultation**

- 6.3 Subject to the recommended decision being taken consultation will be undertaken, in addition to the communications highlighted within this report with Sports England and the LTA, as part of the appropriation, planning and implementation process advertisements and site notices will be displayed so that all stakeholders holding or having an interest in the site and its future use will have an opportunity to comment on the proposals.

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 The recommended option is option 2 this option retains the skateboard park and 4 tennis courts on the site meeting the public's demand and usage.

- 7.2 To summarise the reasons to recommend this option over other options is that it will:-

- **Meet the Needs of the Community**-by extending the range of burial options and locations;
- **Improve Customer Choice**- through increasing, much needed, numbers (1781) of burial spaces and providing choice of burial options, 372 Mausoleum, 1049 Traditional Graves and 297 Vaults, available to residents;
- **Sustain Revenue**-by providing additional income of a total of – £1.805M, meeting and sustaining the annual revenue cost of the service;
- **Enable Investment in Tennis**-through providing a dedicated strategic fund for development of tennis facilities, on the site and within the borough, which would not be available without the development of the site.

Without this recommended development proposed the Council will not meet the burial demands of the borough's residents (numbers and choice), sustain income required to maintain the service and provide investment into tennis facilities within the borough.

- 7.3 The report is seeking recommendation by Cabinet to gain the necessary approvals to commit the Council to the capital investment of £2.05million, redirected from the existing capital programme, required to extend the Edmonton Cemetery site and provide funding of £250K, for the development of the remaining tennis courts and other tennis sites within the borough, subject to the necessary planning approvals. This decision will increase the capacity for burials within the borough, meet the future demand and increased choice of burial options and provide important investment into tennis facilities within the borough. The estimated completion of the proposed extension and

the investment provided into tennis would be, subject to planning, by the autumn of 2018.

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

### **8.1 Financial Implications**

8.1.1 The proposed £2.05m required for the extension of Edmonton Cemetery can be funded by redirecting existing capital resources and will be reflected in the quarter 1 capital monitoring report. The borrowing costs, detailed in Table 2, of circa £800k will be covered from the existing and new revenue income streams and from the use of an earmarked reserve to support additional burial provision at Edmonton Cemetery in the first two years.

8.1.2 The cost of borrowing and the additional revenue costs associated with the increased grave space have been estimated over the next 20 years. Analysis undertaken by a specialist consultant has forecasted the estimated income levels from the increased grave space at minimum, median and maximum levels. The average forecast of 86 burials per year is within the minimum to median bracket.

**Table 3- Capital Costs of New Provision**

Capital Borrowing	£2.050m
Total Interest	£0.861m
<b>Total Capital Financing</b>	<b>£2.911m</b>

8.1.3 The income generated from the additional burial provision will sustain the current income levels whilst also supporting the achievement of the Medium Term Financial Plan (MTFP) expectations for an additional £100k in 2017/18 and a further £100k in 2018/19.

### **8.2 Legal Implications**

8.2.1 London Environment Directors' Network (LEDNET) guidance highlights that London Local Authorities must plan ahead regarding future burial capacity within or adjacent to its existing cemeteries and reference is made to developing a cemetery strategy to ensure the future delivery and funding of the service.

8.2.2 The Council has power under section 214 of the Local Government Act 1972 (LGA 1972) to provide land for use as a cemetery. The Council's existing site alongside the A10 can be formally appropriated for that purpose in accordance with section 122 of the LGA 1972. As part of this process it is necessary to place an advertisement in a local paper circulating in the area

for two consecutive weeks and to consider any representations received. Given that this is designated as Metropolitan Open Land it will be necessary to seek the views of Development Control early on in respect of the proposed change of use. This is tracked as a risk with regards to the project although informal indications are that there is a low risk of the change of use being refused.

8.2.3 An up to date due diligence exercise of the legal title to the A10 Land would also be necessary to ascertain the nature of subsisting restrictive covenants that may affect the proposals and to discover who may now have the benefit of such covenants and, if necessary, undertake negotiations with the beneficiary to try and lift or vary them. This again is a risk to the delivery of this project although in most instances the risk of anyone attempting to enforce covenants in this kind of scenario is fairly low.

8.2.4 The procurement of works and services must be undertaken in accordance with the Council's Contract Procurement Rules and all contracts entered in to must be in a form approved by the Assistant Director of Law and Governance.

### **8.3 Property Implications**

8.3.1 Various options for extending the burial area, including the provision of vaulted graves and mausoleum chambers, have been explored in recent years. This proposal creates a logical extension to the cemetery and achieves a substantial increase in burial plots, whilst retaining the skate board park, and four of the tennis courts, as well as a dedicated sum for the improvement of tennis facilities generally.

8.3.2 In addition to the development, Property Services are tasked with the sale of Cemetery House, which is self-contained and is intended to be separated off from the rest of the cemetery site, with a new provision provided for the cemetery services on the existing site as a replacement, following disposal. The disposal does not include the former toilet block, adjacent to the car park, which is also excluded from the extension proposals.

## **9. KEY RISKS**

The major risks that face the successful delivery of the cemetery project are:-

- Capital infrastructure costs exceed estimates £2.05Million;

#### *Mitigation*

Provisional sums have been supplied to meet all known costs for this project and a contingency provided.

- Income projections do not meet predictions and Demand for burial space is lower than forecast;

#### *Mitigation*



Detailed, external verified, analytic data has been reviewed to enable accurate projections to be made.

Income and sales targets will be monitored regularly.

The sites full development will be phased to enable the ability to sustain annual costs, at a relative rate to burials and income raised.

- Not doing anything will create a £178K financial pressure in 2019/20 due to Edmonton cemetery being at capacity with no burial space available and will also inhibit the ability to increase income to meet the additional income target of £200k per annum from 17/18-18/19 within the Councils MTFP. This option will also prohibit investment into tennis facilities within the borough;

#### *Mitigation*

Agree to the extension of Edmonton Cemetery to meet the financial pressure and provide additional income to support the ongoing maintenance required to sustain the standard of the Council's cemeteries.

## **10. IMPACT ON COUNCIL PRIORITIES**

### **10.1 Fairness for All**

The proposed extension to Edmonton Cemetery will provide additional burial sites allocated to residents and non-residents through a fair and consistent process. The proposal will also provide additional choice to meet the increasing needs of the communities living within the borough or in its surrounding areas.

### **10.2 Growth and Sustainability**

The proposed development of Edmonton Cemetery will support the needs of the growing communities and provide increased choice for burials within the borough.

### **10.3 Strong Communities**

The proposed scheme is focused on the future demands of residents within the borough and allows for provision for non-residents with links to Enfield. The proposal with its implementation can also adapt to future priorities of the borough and its community's needs.

## **11. EQUALITIES IMPACT IMPLICATIONS**

- 11.1 The development of Edmonton Cemetery aims to reduce any inequalities by providing accessible and affordable burial provision and choice for communities within or with links to the borough.

- 11.2 Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report

## **12. PERFORMANCE MANAGEMENT IMPLICATIONS**

- 12.1 Performance management arrangements to ascertain the effectiveness of the development of Edmonton Cemetery will be agreed as part of the marketing and performance plan to deliver the required outcomes of the project. This plan will measure the success of meeting the strategic aims of the project through Increased and Sustainable Revenue, Improved Customer Choice and Meeting the Needs of the Community.

## **13. HEALTH AND SAFETY IMPLICATIONS**

- 13.1 There are no identifiable health and safety implications arising directly from this proposal. There will be a requirement for Risk assessments, Method statements and Safe Systems of Work to be gained prior to a contract awarded for the development work to extend the cemetery and the contract will be subject to periodic formal Health and Safety audits

## **14. HR IMPLICATIONS**

- 14.1 There are no identifiable HR implications arising from this proposal.

## **15. PUBLIC HEALTH IMPLICATIONS**

- 15.1 Safe burial of bodies is an essential service provided by the Council, the World Health Organisation (WHO) has detailed the safe disposal of dead bodies for both physical and mental health reasons. The ability to do this cost-effectively will enable the service to continue for the foreseeable future. In addition extra capacity will provide further borough resilience in the event of a major public health incident.
- 15.2 The Lawn Tennis Association (LTA) has been consulted and are happy that the current courts are not ideally situated and that investment in other parts of the borough is more likely to improve uptake and thereby participation in physical activity. Meeting physical activity guidelines is associated with a reduction in long-term conditions of between 20 – 40% (depending on the condition). If further investment is also targeted towards community development through supporting the social aspects of tennis a second advantage of the investment elsewhere will be to increase community resilience.

## **Background Papers**

None.

**Appendices**

- Appendix 1 –** 20year financial appraisal and business case
- Appendix 2-** Outline plan of the proposed extension
- Appendix 3 –** Independent usage survey report (A10 Tennis Courts)
- Appendix 4-** LTA proposed investment opportunities
- Appendix 5-** LTA proposed Joint Strategic Partnership

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**Edmonton Cemetery Business Case**

**Assumes 20-Year Project with all burial plots sold by the end of the 20-Year Period**

**a) Do Nothing**

If no new facility is built at Edmonton, then with effect from 2019/20, there will be no more provision in Edmonton Cemetery. Previous experience has shown that, once provision in Edmonton is lost, then there will be 50 less burials per year. This will create a budget pressure of £214,000, which will be partially offset by a reduction of one post (£25,000) and a saving on digging (£11,000).

A total net loss of income of £178,000 per annum at today's prices

**b) Capital Cost of New Provision**

		2016/17																							
Total	Asset Life	Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Yr7	Yr8	Yr9	Yr10	Yr11	Yr12	Yr13	Yr14	Yr15	Yr16	Yr17	Yr18	Yr19	Yr20	Yr21	Yr22	Total Cash	
£2,050,000	Loan	2,050	2,050	1,948	1,845	1,743	1,640	1,538	1,435	1,333	1,230	1,128	1,025	923	820	718	615	513	410	308	205	103	0		
Cemetery	Principal	20	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	-103	0	
Sports	Balance	2,050	1,948	1,845	1,743	1,640	1,538	1,435	1,333	1,230	1,128	1,025	923	820	718	615	513	410	308	205	103	0	0		
	interest	4.0%	41	80	76	72	68	64	59	55	51	47	43	39	35	31	27	23	18	14	10	6	2	0	
	<b>Total Capital Financing</b>	<b>41</b>	<b>182</b>	<b>178</b>	<b>174</b>	<b>170</b>	<b>166</b>	<b>162</b>	<b>158</b>	<b>154</b>	<b>150</b>	<b>146</b>	<b>141</b>	<b>137</b>	<b>133</b>	<b>129</b>	<b>125</b>	<b>121</b>	<b>117</b>	<b>113</b>	<b>109</b>	<b>105</b>	<b>0</b>	<b>2911</b>	

**c) Summary**

		2016/17																						
Total		Yr1	Yr2	Yr3	Yr4	Yr5	Yr6	Yr7	Yr8	Yr9	Yr10	Yr11	Yr12	Yr13	Yr14	Yr15	Yr16	Yr17	Yr18	Yr19	Yr20	Yr21	Yr22	Total Cash
Loss of Income (from existing burial provision)				178	178	178	178	178	178	178	178	178	178	178	178	178	178	178	178	178	178	178	178	3,560
Capital Financing		41	182	178	174	170	166	162	158	154	150	146	141	137	133	129	125	121	117	113	109	105	0	2,911
Income from New Burial Provision (Profit)				-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-396	-388	-7,920
Existing provision net Income (Profit)		-178	-178																					-356
<b>Net Cost/Profit (-)</b>		<b>-137</b>	<b>4</b>	<b>-40</b>	<b>-44</b>	<b>-48</b>	<b>-52</b>	<b>-57</b>	<b>-61</b>	<b>-65</b>	<b>-69</b>	<b>-73</b>	<b>-77</b>	<b>-81</b>	<b>-85</b>	<b>-89</b>	<b>-93</b>	<b>-98</b>	<b>-102</b>	<b>-106</b>	<b>-110</b>	<b>-113</b>	<b>-210</b>	<b>-1,805</b>

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Scale:- Not to Scale  
 Paper Size:- A4  
 Date:- 27 October 2015  
 Map Produced By Asset Information Team/DE



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# Enfield Tennis Courts

FIELD REPORT



Cassie Fulton June 9, 2016

## Introduction

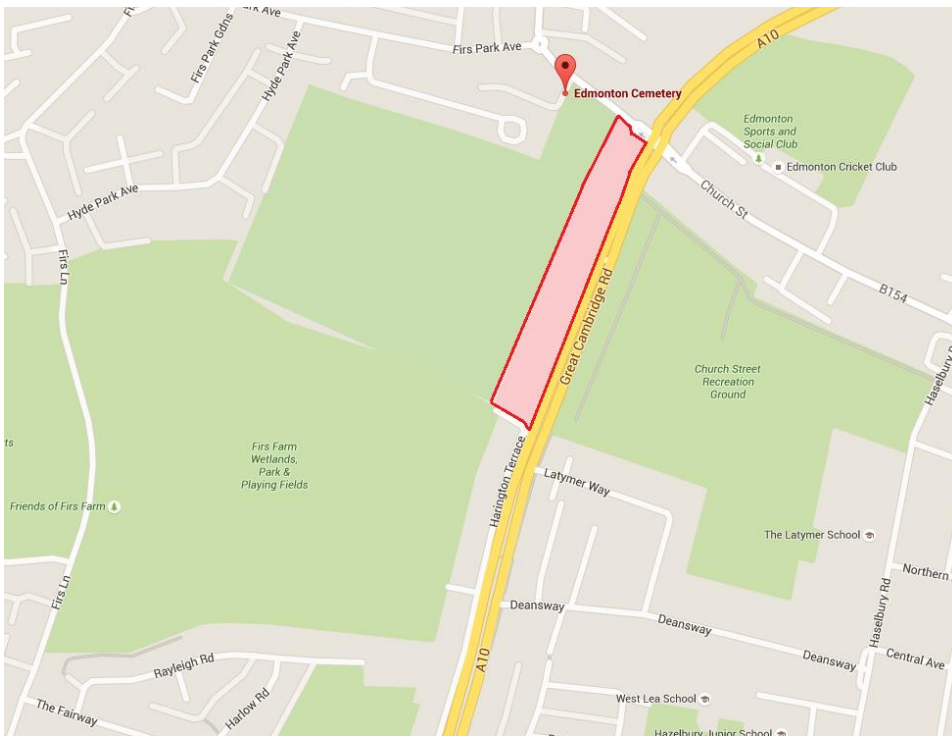
Acumen Fieldwork were commissioned by Enfield Council's, Regeneration & Environment Department to conduct an independent review on how the Enfield Tennis Courts are used prior to a proposed future development on the site.

The proposed development will see the tennis courts reduced from 14 courts to 4 to allow for the expansion of Edmonton Cemetery.

The Tennis Courts in question are located adjacent to the A10 carriageway and Edmonton Cemetery in Enfield (see outlined area on Figure 1).

What follows is an outline of the Methodology used in the field to collect the data and a summary of the data findings.

**Figure 1:** Enfield Tennis Courts Location  
(Image: Google Maps)



## Methodology

The review of the tennis courts was done by conducting an observational study with the data being recorded using pen and paper.

For ease of recording this information, a recording sheet was devised by Acumen so the information could be recorded using a tick box method.

The information to be captured was as follows:

- ✓ Date
- ✓ Time
- ✓ Location
- ✓ Length of game
- ✓ Weather conditions
- ✓ Purpose of use (if anything other than Tennis)
- ✓ Age
- ✓ Gender
- ✓ Type of Tennis
- ✓ Whether it is a competitive game
- ✓ Whether it is a coached game
- ✓ Ethnicity of the players.

The court users were also asked if they would mind being contacted via email for further research purposes but this was not mandatory nor collected for anyone under the age of 16 without a parent present.

A copy of the record sheet used can be found in **Appendix 1**.

As this was an observational study only, the age, gender and ethnicity of the players was judged by the observer, the players were not asked for this information. To ensure consistency, the same observer was used on all shifts across the observational period.

Acumen sent an observer to the Tennis Courts over a 4 week period (Monday 9<sup>th</sup> May – Sunday 5<sup>th</sup> June) in order to record when the courts were being used and to gain a snapshot of who they were being used by and for what purpose.

The division of the shift pattern was left entirely up to Acumen in order for Enfield Council to remain independent of the study.

In order to capture a representative snap shot of the usage of the courts it was decided that the shifts should cover daytime and evenings so two shift timeslots were devised; 09:00am – 03:00pm and 03:00pm – 09:00pm.

Acumen allocated the shifts randomly across the four weeks ensuring a spread of days visited by allocating two visits for each day of the week (so there were 2 visits conducted on a Monday, 2 on a Tuesday etc.).

Acumen also visited the site during half term week (w/c 30<sup>th</sup> May) as this presented a good opportunity to collect some data on how the courts are used on none standard days (e.g. School holidays).

A copy of the schedule of when observers were present at the courts can be found in **Appendix 2**.

For any time periods that the courts were not in use, the observer was instructed to record the date, time and weather conditions hourly so that usage can be fully tracked for the times the courts were being observed.

## Findings

Across the entire 4 week period, 18 games of tennis were observed being played.

A total of 84 hours were spent observing the courts and of this 29.25 hours of tennis was observed.

There was one incidence of the courts being used for something other than tennis, this was a member of the public who spent 1 hour walking his dog.

The observations also took place under a variety of weather conditions. It was noted that no tennis games were played when it was raining.

It was never observed that there were more than 3 games being played at any one time.

The presence of the observer did catch the interest of some of those using the courts. Some feedback from the observer is that most of those using the courts liked them and were pleased with their current condition.

# APPENDIX 1 – RECORDING SHEET

LOCATION		DATE		COURT No.	
----------	--	------	--	-----------	--

MATCH No.				
WEATHER	SUNNY	CLOUDY	RAIN (LIGHT)	RAIN (HEAVY)
TEMPERATURE (°C)	18°<	19°-24°	>25°	
WIND	NONE	LIGHT	MED.	HEAVY

TIME STARTED	:		<i>If Playing before shift has started please record "Already Started"</i>
TIME FINISHED	:		<i>If Playing after shift has finished please record "Still Playing"</i>
TIME PLAYED (HRS & MINS)			

	AGE								GENDER		TYPE OF TENNIS		COMPETITIVE?			COACHED?		ETHNICITY						EMAIL	
	<16	16-24	25-34	35-44	45-54	55-64	65-74	>75	FEMALE	MALE	SINGLES	DOUBLES	COMPETITIVE	NONE COMPETITIVE	DIFFICULT TO TELL	YES	NO	WHITE	BLACK	ASIAN (SUB-CONT)	ASIAN (EAST)	ARABIC / MIDDLE EAST.	MIXED RACE		
PLAYER 1																									
PLAYER 2																									
PLAYER 3																									
PLAYER 4																									

LOCATION		DATE		COURT No.	
----------	--	------	--	-----------	--

MATCH No.				
WEATHER	SUNNY	CLOUDY	RAIN (LIGHT)	RAIN (HEAVY)
TEMPERATURE (°C)	18°<	19°-24°	>25°	
WIND	NONE	LIGHT	MED.	HEAVY

TIME STARTED	:		<i>If Playing before shift has started please record "Already Started"</i>
TIME FINISHED	:		<i>If Playing after shift has finished please record "Still Playing"</i>
TIME PLAYED (HRS & MINS)			

	AGE								GENDER		TYPE OF TENNIS		COMPETITIVE?			COACHED?		ETHNICITY						EMAIL	
	<16	16-24	25-34	35-44	45-54	55-64	65-74	>75	FEMALE	MALE	SINGLES	DOUBLES	COMPETITIVE	NONE COMPETITIVE	DIFFICULT TO TELL	YES	NO	WHITE	BLACK	ASIAN (SUB-CONT)	ASIAN (EAST)	ARABIC / MIDDLE EAST.	MIXED RACE		
PLAYER 1																									
PLAYER 2																									
PLAYER 3																									
PLAYER 4																									

APPENDIX 2 – OBSERVER SCHEDULE

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
	9 <sup>th</sup> May	10 <sup>th</sup> May	11 <sup>th</sup> May	12 <sup>th</sup> May	13 <sup>th</sup> May	14 <sup>th</sup> May	15 <sup>th</sup> May
Week 1		9am – 3pm	9am – 3pm	9am – 3pm	9am – 3pm		
	16 <sup>th</sup> May	17 <sup>th</sup> May	18 <sup>th</sup> May	19 <sup>th</sup> May	20 <sup>th</sup> May	21 <sup>st</sup> May	22 <sup>nd</sup> May
Week 2 w/c 16 <sup>th</sup>		3pm – 9pm		3pm – 9pm	3pm – 9pm	9am – 3pm	
	23 <sup>rd</sup> May	24 <sup>th</sup> May	25 <sup>th</sup> May	26 <sup>th</sup> May	27 <sup>th</sup> May	28 <sup>th</sup> May	29 <sup>th</sup> May
Week 3 w/c 23 <sup>rd</sup>	9am – 3pm					9am – 3pm	9am – 3pm
	30 <sup>th</sup> May	31 <sup>st</sup> May	1 <sup>st</sup> June	2 <sup>nd</sup> June	3 <sup>rd</sup> June	4 <sup>th</sup> June	5 <sup>th</sup> June
Week 4 (Half Term) w/c 30th	3pm – 9pm		3pm – 9pm				3pm – 9pm

Broomfield Park



Arnos Park



Arnos Park  
(4 courts)

Broomfield  
Park 6 floodlit  
courts.

London  
Borough  
of Enfield

Town Park  
(4 courts)

Oakwood Park  
(6 courts)

Oakwood Park



Town Park



Albany Park



Craig Park



Durrants Park



Bush Hill Park





## **15 YEAR JOINT STRATEGIC PARTNERSHIP**

between

**LTA Operations Limited (the LTA)**

and

**London Borough of Enfield (the Organisation)**

This document sets out the strategic partnership between the LTA and the Organisation in relation to London Borough of Enfield.

### **I. Purpose and Scope**

The purpose of this document is to clearly identify the key partnership themes for a 15 year long term relationship and how this relates to the roles and responsibilities of each party.

In particular, the key partnership aims are to:

- ensure that tennis remains a high priority sport for residents;
- establish the health outcomes of tennis activities and create a case to health and well-being boards to invest in prevention;
- create local jobs;
- identify a sustainable strategic delivery model for tennis across the borough;
- support facilities development and capacity within key venues across the borough;
- have relevant marketing tailored to specific communities; and
- use rewards to create a positive experience of tennis.

### **II. Background**

The LTA has a huge opportunity to change the way it works with local authorities and how it can deliver an outcomes framework that is relevant for delivering against the needs of the London Borough of Enfield. The LTA believes it can integrate this into alternative operating models based on local operation, community focus and scale of ambition within a strategic partnership. The LTA has also looked at how it can measure and report on the public health impact of tennis and wider physical activity on local residents.

Below is an example of an outcomes framework that creates the golden thread into the Local Strategic Partnership and delivery against the Sustainable Communities Strategy.

Outcomes Framework:

- residents satisfaction survey;
- 3 x 30 min sport & 5 x 1 hour sport and physical activity participation;
- volunteering numbers and hours;
- job creation;
- court utilisation; and
- number of bookings.

### **III. LTA Responsibilities**

- Joint strategic vision for tennis and the business modelling to co-invest in a sustainable infrastructure for generations to come.
- Potential for a revenue investment support package to support delivery of a sustainable strategic vision for tennis including the development of a local workforce.
- Opportunity to have licenses to deliver certain LTA products and services as agreed.
- Customer experience package that reflects tennis provision across the borough.
- Potential for a facility audit and recommendations on tennis provision.
- Workforce development to support local delivery.
- Access to some LTA participation tracker results and other ad hoc research and insight reports.
- Potential to access technology based solutions for monitoring, managing and increasing usage at tennis facilities subject to agreement.
- Access to marketing toolkit, activation pack and national campaigns where agreed.
- Access to LTA staff and services in-line with joint strategic partnership vision where agreed.
- Support the development and review of operator delivery specifications.
- Access to the LTA's rewards technology for the benefit of residents subject to agreement.

### **IV. Organisation Responsibilities**

- Joint strategic vision for tennis and the business modelling to co-invest in a sustainable infrastructure for generations to come.
- Capital investment support package to support delivery of a sustainable strategic vision for tennis including the development of key sites through identified development funds.
- To consult the LTA on the design and procurement of tennis facilities and services in-line with the joint strategic partnership vision.
- Where permitted, sub-license the delivery of LTA products and services to LA facilities operators in line with key conditions and agreement.
- The creation and/or continuation of a tennis network within the borough to deliver the strategic vision.

- Grant the LTA access to direct communication with local residents (where this is compatible with the appropriate legislation and guidelines on Data Protection from the Information Commissioner’s Office)..
- Promote tennis opportunities within the borough through council publications, events and case studies.
- Report on a quarterly basis the utilisation of tennis courts via bookings/through operator contracts.

## V. General

1. The Parties agree that (notwithstanding any other provisions or that this document may be referred to as an agreement) this document is not intended to be legally binding or to create any legal obligations on either party or to collaborate in any way for a certain period and neither party shall be required to comply with the responsibilities set out. The parties agree that they may enter into legally binding agreements in relation to some of the aspects set out in this document at a later date.
2. This strategic partnership shall commence on **TBC** and expire on 31 March 2031.
3. The LTA and the Organisation shall keep the contents of this document confidential at all times (where this is compatible with the appropriate legislation and guidelines on Freedom of Information from the Information Commissioner’s Office).
4. Any variation to this document must be made in writing and signed by an LTA Head of Region (or such other authorised representative as the LTA may nominate from time to time).

### LTA OPERATIONS LIMITED

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

### THE ORGANISATION

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Signature: \_\_\_\_\_

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**MUNICIPAL YEAR 2016/2017 REPORT NO. 103**

**MEETING TITLE AND DATE:**

**Cabinet**  
**19 October 2016**

**REPORT OF:**

Director – Regeneration &  
Environment

<b>Agenda – Part: 1</b>	<b>Item: 14</b>
<b>Subject: The appropriation of land at the Electric Quarter for planning purposes</b>	
<b>Wards: Ponders End</b> <b>Key Decision No: 4392</b>	
<b>Cabinet Member consulted: Cllr Sitkin</b>	

Contact officer and telephone number: Lovelace Poku, 0208 379 3870

E mail: [Lovelace.poku@enfield.gov.uk](mailto:Lovelace.poku@enfield.gov.uk)

**1. EXECUTIVE SUMMARY**

- 1.1 On 25<sup>th</sup> April 2012, Cabinet endorsed a comprehensive approach to the redevelopment of the Ponders End Electric Quarter site for the purposes of regeneration (Key Decision 3350).
- 1.2 The Council subsequently acquired land from the Secretary of State for Education in June 2015 (Key Decision: 3687). This land is required for the delivery of the Electric Quarter scheme.
- 1.3 This report seeks Cabinet approval for the Council to use its powers to appropriate the acquired land for planning purposes at Queensway as part of the Electric Quarter development site to proceed without obstruction in respect of any claimed third party rights.
- 1.4 The development is of strategic importance to the Council as the electric Quarter is subject to a major regeneration initiative.

**2. RECOMMENDATIONS**

- 2.1 It is recommended that Cabinet, in accordance with section 122 of the Local Government Act 1972 resolve to appropriate land acquired from the Secretary of State for Education (as set out at Annex 1 of this report and shown edged in red and hatched in green) from its present holding purposes to planning purposes.

### 3. BACKGROUND

- 3.1 The Electric Quarter scheme will provide a mixed use residential development to create an attractive new centre with high quality public realm, community facilities and commercial space to regenerate this part of the High Street. Outline planning permission was granted in 5 March 2013 for a larger scheme than currently proposed but this scheme could not be delivered as part of the land had been acquired and developed by the Secretary of State for Communities and Local Government for a free school. Part of this scheme has been implemented and is currently being developed by Lovells, the selected developer, to provide some of the residential units.
- 3.2 A new planning application was submitted in October 2015 and a resolution to grant planning permission was made on 26 January 2016 subject to referral of the planning application to the Greater London Authority and the completion of a Section 106 agreement. The scheme (Planning reference: 15/04518/FUL) is for:-

*“167 residential units and 1,379 sq m of commercial and community floorspace, involving a 4-storey block of 21 self-contained flats (9 x 1-bed, 6 x 2-bed and 6 x 3-bed) with communal rooftop play area, a 3-storey block of 18 terraced houses (2 x 3-bed and 16 x 4-bed) and 22 x 3-storey terraced houses in 4 blocks (17 x 3-bed and 5 x 4-bed) (PHASE 1), a 4-storey block of 19 self-contained flats (9 x 1-bed, 6 x 2-bed and 4 x 3-bed) with community hall/nursery on ground floor and communal rooftop play area, a 7-storey block of 25 x 1-bed self-contained flats with Library at ground and first floor, a part 4, part 6-storey block of 40 self-contained flats (21 x 1-bed and 19 x 2-bed) with 5 commercial units at ground floor and 22 x 3-storey terraced houses in 4 blocks (17 x 3-bed and 5 x 4-bed) (PHASE 2) with cycle and bin stores to ground floor of each block, new access and access roads, parking and associated landscaping involving demolition of 14,212 sq m of existing floorspace (residential, education, shops, community, commercial and car park).”*

- 3.3 A compulsory purchase order was made in February 2016, the (Ponders End Electric Quarter) Compulsory Purchase Order 2016 ('CPO') under Section 226(1)(a) Town and Country Planning Act 1990. in respect of an area of land of approximately 2.14 hectares (5.29 acres) ('Order Land'). The eastern boundary is formed by Ponders End High Street. Part of the northern boundary comprises a series of two/three storey buildings that house a variety of small-scale office and warehouse functions associated with the Queensway Industrial Area, known as "the Works". The western boundary is formed by the playing fields of the Heron Hall Academy. Derby Road and Loraine Close, to

the south of the Order Land support a mix of detached, semi-detached and flatted properties.

- 3.4 The Council has made the CPO in order to acquire the remaining interests that will facilitate the development which has already started on site. The Council has acquired a number of interests within the Order Land but considers that no further interests are likely to be acquired within a reasonable timescale within the Order Land. However, discussions are continuing with owners of relevant interests who are willing to sell by agreement at market value, in accordance with the compensation code and, with a view to limiting the number of interests which need to be acquired compulsorily. This approach adopted by the Council accords with the advice contained in the DCLG Guidance on Compulsory purchase process and the Crichel Down Rules (“the Guidance”).

#### **4.0 APPROPRIATION OF LAND FOR PLANNING PURPOSES**

- 4.1 The Cabinet's authority for the making of the CPO in respect of the Order Land was given in June 2015 (Key Decision 4076), although Cabinet authority was granted for a larger scheme on 24 April 2013 and an updated development boundary for the Electric Quarter Scheme, that included the Order Land, was approved on 25 June 2014. Whilst the council embarked on the CPO of the Electric Quarter development site, it continued to negotiate with affected landowners to acquire the remaining interests within the Order Land and with third parties who may have rights (e.g. rights of way or of light), easements and covenants that may interfere with the council's development. The Cabinet report of 17 June 2015 sets out in detail the planning justifications for the making of the CPO. The planning justification is also set out in the Statement of Reasons prepared in support of the making of the CPO.
- 4.2 Any land interests within the Order Land that have been or are acquired by the Council by private agreement or any land interests acquired compulsorily will have been acquired for planning purposes and will therefore benefit from the provisions of section 203 of the Housing and Planning Act 2016 ('2016 Act'). Section 203 of the 2016 Act overrides all existing third party rights or covenants that could prevent the development or use of the land from proceeding. The rights and covenants that are 'overridden' are effectively converted to a right to compensation.
- 4.3 The Council has also acquired two parcels of land from the Secretary of State for Education ('Additional Land') (See Annex 1) that fall outside of the Order Land boundary. This report explicitly seeks authority to appropriate the Additional Land to planning purposes as the Additional Land falls outside of the Order Land boundary but is required to deliver the Electric Quarter scheme.

- 4.4 In appropriating the Additional Land for planning purposes, the Council is seeking to exercise its powers set out in Section 122 of the Local Government (Miscellaneous Provisions) Act 1972. Section 122 of the 1972 Act sets out certain requirements that must be satisfied when appropriating land for a particular purpose. The requirements are satisfied in this case as follows:
- a) section 227 of the Town and Country Planning Act 1990 authorises the Council to acquire land for any purposes for which it is authorised to compulsorily acquired land under section 226 of the 1990 Act i.e. where the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land where such development, redevelopment or improvement will promote or improve the economic, social or environmental well-being of the area;
  - b) the Additional Land is owned by the Council;
  - c) the Additional Land is not held for any other purpose for which it is still required;
  - d) none of the Additional Land comprises open space as defined in the Act.
- 4.5 Officers are therefore satisfied that the appropriation satisfies the requirements of section 122 of the 1972 Act.
- 4.6 The same planning justifications are considered to apply to the appropriation of the Additional Land for planning purposes as were set out in support of the making of the CPO in the Cabinet report of 17 June 2015 and the Statement of Reasons. Copies of the 17 June 2015 report and Statement of Reasons are attached as Annexes 2 and 3.
- 4.7 Where the Council resolves to appropriate the land for planning purposes then all those with an interest in relation to the land that is overridden as a result of the application of section 203 will no longer be able to exercise that right, nor will they be able to apply for a court injunction to prevent the building or maintenance works taking place in breach of that right. This includes any party whose land benefits from an easement or restrictive covenant over the land, or who benefits from a right to light over the land. The beneficiary of the covenant/ right instead becomes entitled to compensation for breach of the covenant/right.
- 4.8 Officers have considered the impact of section 203 on those whose covenants/ rights are being overridden. For the same reasons as were set out in the June 2015 Cabinet Report and the Statement of Reasons prepared in support of the CPO, and in light of the ability of those impacted to obtain compensation, officers are satisfied that the benefits of the underlying regeneration scheme are such that the appropriation is justified.



- 4.9 Section 203 of the Housing and Planning Act 2016 states that any land to be appropriated for planning purposes must meet certain statutory pre-conditions that must be satisfied if section 203 is to apply. These include that there must be planning permission in place for the building or maintenance works in question and that the land would be capable of being compulsorily purchased by the council for the building and maintenance works (although it is not necessary for the land to have been included within a CPO).
- 4.10 As stated in section 4.1 if the order is confirmed, section 203 will apply to any land compulsorily acquired by the council pursuant to the London Borough of Enfield (Ponders End "Electric Quarter") Planning Compulsory Purchase Order 2015 (subject to the prior grant of planning permission for the works). The appropriation would therefore bring the Additional Land in line with the remainder of the land included within the boundary of the CPO.

## **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 Not appropriating the Additional Land for planning purposes could result in serious delays if a third party sought an injunction to assert any rights over the development site.
- 5.2 Not appropriating the Additional Land for planning purposes would also put the Council in breach of the Development Agreement that has been entered into with the developer Lovells.

## **6. REASONS FOR RECOMMENDATIONS**

- 6.1 To help enable the development of the Electric Quarter, the council must ensure that any council owned land within the Order Land will be held for planning purposes to enable the development to continue ahead without the encumbrance of third party rights.

## **7. COMMENTS OF THE DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS**

### **7.1 Financial Implications**

- 7.1.1 There are no financial implications that arise as a result of this reports' recommendation. The Council already owns the land and the costs have already been met from within the capital budget provision.

### **7.2 Legal Implications**

Appropriation of the land to planning purposes would mean that the land takes the benefit of Section 203 of the 2016 Act which overrides all existing third party rights or covenants that could prevent the

development or use of the land from proceeding. The rights and covenants that are 'overridden' are effectively converted to a right to compensation. The decision to appropriate would be subject to challenge on public law grounds in the usual way. A judicial review challenge would result in costs being incurred by the Council in defending the claim. It is considered, however, that the risks of not appropriating the land, in terms of potential injunction risk, are more significant than the potential judicial review risk.

### **7.3 Property Implications**

7.3.1 Strategic Property Services supports the comprehensive approach to the redevelopment of the Ponders End Electric Quarter for regeneration purposes. The acquisition of all assets within the development site area either compulsorily or by agreement is essential to the success of this scheme.

7.3.2 Nevertheless, whilst the use of section 203 of the Housing and planning Act 2016 overrides all existing third party rights or covenants that could prevent the development or use from proceeding, these rights are potentially subject to compensation which depending upon the type and nature of the covenant, right or restriction could be very costly. Alternatively, compensation levels payable may be low therefore it is recommended that a thorough risk analysis of all titles within the "order area" is undertaken to establish potential liabilities and costs and that these are reported to Members at the earliest opportunity.

7.3.3 In the event that part of the assembled site includes land held within the Housing Revenue Account, there will need to be a further appropriation valuation at Market Value and transfer of funds from the General Fund to the same value.

### **8. KEY RISKS**

8.1 **Do nothing** – If we do not appropriate this land, then the council will be at risk of an injunction which could delay the delivery of the Electric Quarter and slow the regeneration of Ponders End High Street. The risk is mitigated by the proposed actions within this report

8.2 **Compensation** – It should be noted that the effect of the appropriation may give rise to a right to compensation from those dispossessed of rights. If this appropriation gives rise to the need for compensation payments to neighbours and landlords, then the council will need to pay these claims. This has been considered within the overall project costs of this scheme.

## **9. IMPACT ON COUNCIL PRIORITIES**

### **9.1 Fairness for All**

The regeneration of the Electric Quarter on Ponders End High Street contributes to this aim by tackling inequality and access to social housing by providing new homes.

### **9.2 Growth and Sustainability**

The regeneration of the Electric Quarter on Ponders End High Street contributes to this priority by building strong and sustainable futures for our residents. The scheme is the one of the first steps towards delivering the planned regeneration of the Ponders End Priority Area, and housing growth, as set out in the North East Enfield Area Action Plan and the Core Strategy.

### **9.3 Strong Communities**

The proposals for Ponders End High Street aim to increase home ownership levels in the area which will create a more mixed community and support greater footfall along the High Street. The proposed redevelopment will also provide a range of unit sizes to accommodate a diversity of community and commercial uses, and improving the public realm will facilitate the free flow of people between the High Street, Park, and the former Middlesex University site. The scheme will also provide sufficient space to accommodate the expansion of the local Mosque, which is very popular and at capacity.

## **10. EQUALITIES IMPACT IMPLICATIONS**

10.1 In accordance with the Contract Procedure Rules Version 6, the Regeneration of Ponders End High Street has been subject to a Predictive Equality Impact Assessment in March 2012 and an Equalities Impact Assessment in October 2012 as part of the outline planning application. A revised Equalities Impact Assessment was submitted with the new planning application.

10.2 Overall the Equalities Impact Assessment finds the proposed development will respond positively to securing a development that promotes equality.

## **11. PERFORMANCE MANAGEMENT IMPLICATIONS**

11.1 The Regeneration of Ponders End High Street contributes towards the achievement of:

- Core Policy 41 of the Enfield Core Strategy
- Shaping Enfield's Future
- North East Enfield Area Action Plan Submission Report

- Ponders End Central Planning Brief (approved for adoption)
- 5a of the Sustainable Community Strategy 2007-2017
- 2.10 “Improve the Quality of life for residents through the regeneration of the priority regeneration areas” of the Enfield Council Business Plan.

## **12. HEALTH AND SAFETY IMPLICATIONS**

- 12.1 In relation to the possible purchase of land, it will be necessary, through the process of due diligence, to establish the extent of contaminated land and to ensure that appropriate measures are taken to mitigate risks and to ensure its suitability for projected end uses.
- 12.2 The Council would also need to ensure that any acquired land was properly managed in order to provide a satisfactory level of amenity, safety and security.

## **13 PUBLIC HEALTH IMPLICATIONS**

- 13.1 The Health Impact Assessment prepared for the Outline Planning Application concluded that the development will have an overall beneficial effect on several determinants for health, in particular on employment and education (in terms of job training), which have been identified as priorities in the local area. The Health Impact Assessment was revised and refreshed in light of the new site boundaries as part of the submission of the new planning application.
- 13.2 Furthermore, the development has the potential to benefit several vulnerable groups which have been identified in the area. These groups include the unemployed, young people and children in poverty, mainly through the education and training opportunities, but also through the re-provision of a more modern and attractive library.

### **Background Papers**

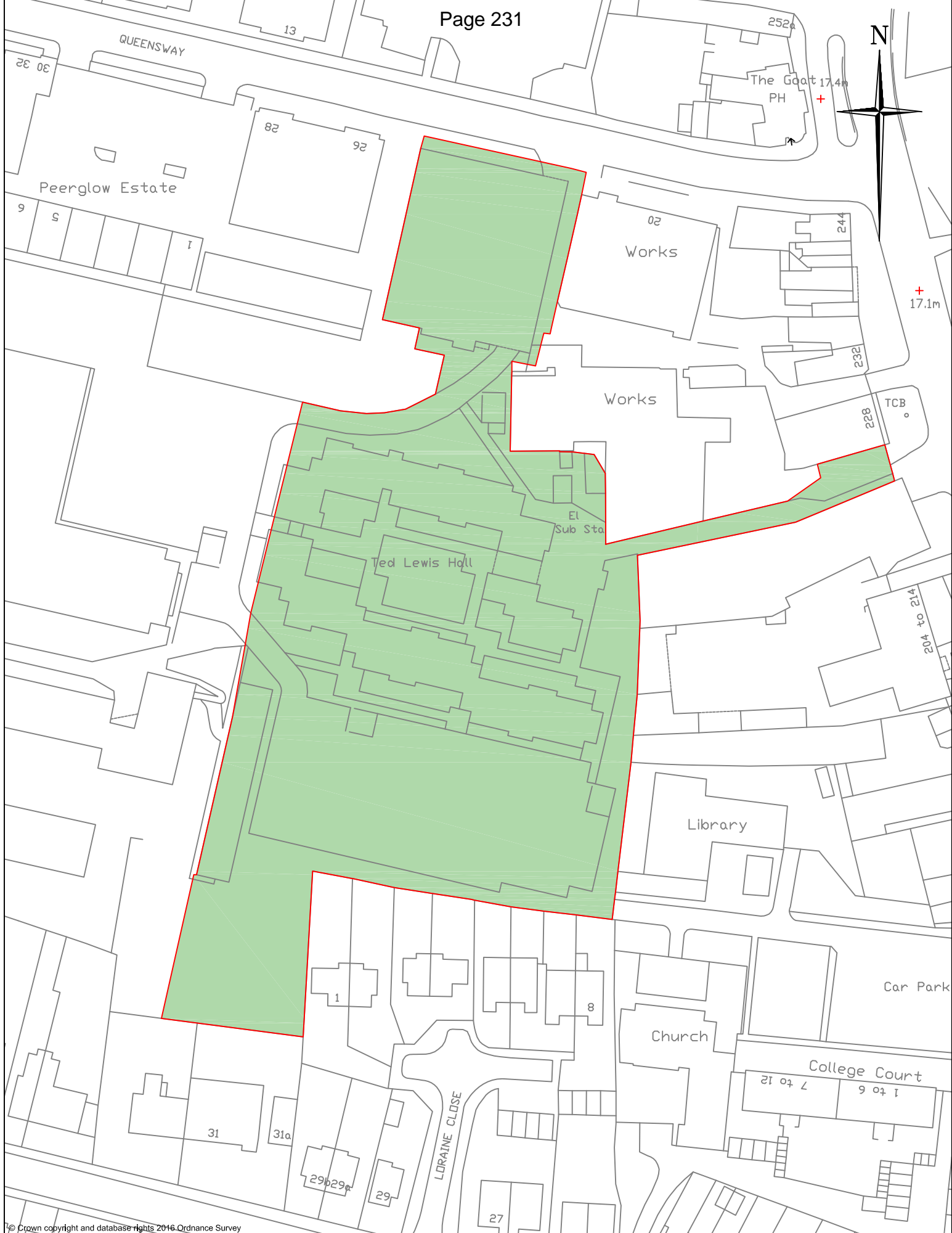
None

Appendices

Annex 1 – Land at Queensway, Ponders End

Annex 2 - 17 June 2015 Cabinet Report

Annex 3 - Electric Quarter Compulsorily Purchase Order - Statement of Reasons.



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# DEED OF VARIATION PLAN

## AGL347347

SCALE:	1:000 @ A4	
DATE:	18/05/2016	
DRAWING NO.:	PA-2498-AGL347347	
REVISION:	R0	DRAWN BY: JB
Drawing units are Metres		

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**Municipal Year 2015/16 - Report No. 13, considered at the Cabinet meeting held on 17 June 2015 – “Ponders End ‘Electric Quarter’ Compulsory Purchase Order**

**1. EXECUTIVE SUMMARY**

- 1.1. Ponders End is identified in the Core Strategy as a key regeneration area in North East Enfield and as a strategic location in the Upper Lee Valley Opportunity Area.
- 1.2. This report takes forward the Ponders End High Street Regeneration Scheme, known as the Electric Quarter, as set out in previous Cabinet Reports of April and July 2012, April 2013 and June 2014.
- 1.3. Since June 2014 work has focussed on securing land and property interests required for the Electric Quarter, the appointment of Lovell Partnerships Limited as the Council's delivery partner who is currently preparing a detailed planning application for submission in July/August 2015.
- 1.4. In order to be able to progress the development it will be necessary to ensure that title and possession of all the land and property required for delivery of the scheme can be obtained and it is now considered appropriate to further support the regeneration of Ponders End High Street by the making of a Planning Compulsory Purchase Order. Negotiations to acquire by agreement will continue in parallel with the compulsory purchase process.

1.5 The purpose of this report is to recommend that Cabinet resolve to make the London Borough of Enfield (Ponders End 'Electric Quarter') Planning Compulsory Purchase Order 2015, to assemble the necessary land for the delivery of the Ponders End High Street regeneration scheme and its associated benefits.

## **2. RECOMMENDATIONS**

It is recommended that Cabinet:

2.1 Resolves to make a Compulsory Purchase Order under section 226(1)(a) of the Town and Country Planning Act 1990 ("the 1990 Act") (as amended) for the acquisition of land and new rights within the area described in the report and shown edged red on the plan attached at Annex A of this report. The Council being of the view that the proposed acquisition of the Order Land will:

- (a) Facilitate the carrying out of the development/redevelopment or improvement on or in relation to the Order Land; and
- (b) Will contribute to the promotion or improvement of the economic, social and environmental well-being of the Borough.

2.2 Delegates authority to the Director Regeneration and Environment, acting in consultation with the Director of Finance, Resources and Customer Services, to:

- (a) Take all necessary steps to make the order, including the finalisation of the Statement of Reasons and the draft order and carry out all subsequent work following submission to the Secretary of State (public inquiry (if called), through to confirmation and implementation of the Planning Compulsory Purchase Order (PCPO).
- (b) Acquire all necessary interests in land within the area subject to the PCPO either by agreement or compulsorily, (supported by Urban Vision Partnership Limited as necessary and appropriate).
- (c) Complete agreements with landowners and others having an interest in the area to be the subject of the PCPO including where appropriate seeking agreements affecting the delivery of any part of the development and making arrangements for the relocation of occupiers.
- (d) Following confirmation of the PCPO to pay compensation and statutory interest entitlement to former landowners.



(e) Institute and defend any proceedings (as appropriate) which may be necessary as a consequence of the Council's exercise of its PCPO powers.

2.3 Agrees that the Order be named:

'London Borough of Enfield (Ponders End Electric Quarter) Compulsory Purchase Order 2015'.

### **3. BACKGROUND**

- 3.1 In April 2012 Cabinet endorsed a comprehensive approach to the redevelopment of Ponders End High Street, which is in economic decline and in need of investment. The Electric Quarter is a housing-led regeneration scheme designed to deliver modern retail units to the High Street, much needed housing and therefore footfall to the High Street and an improved library facility. Cabinet approved a delivery strategy to progress the scheme and authorised work to progress a land assembly and a relocation strategy, including background work for a Planning Compulsory Purchase Order (PCPO).
- 3.2 In October 2012 an outline planning application for the Electric Quarter was submitted by the Council and outline planning consent was granted in March 2013. The outline planning consent included the provision of 408 homes, modern retail, employment space and a new Library with High Street frontage.
- 3.3 In June 2014 it was reported to Cabinet that the approved scheme could not be delivered as the Secretary of State for Communities and Local Government had acquired the freehold interest in the former Middlesex University Site for a free school providing secondary education. As the Council's Planning Compulsory Purchase Powers do not extend to Crown Land, the Council was unable to make the Order. However Heads of Terms had been exchanged with the Secretary of State to acquire land not required for the school and the revised development boundary was approved by Cabinet.
- 3.4 Since June 2014 the Council has entered into an Agreement for Lease with Lovell Partnerships Limited, the Council's delivery partner, who is tasked with securing a detailed planning application which is anticipated for submission in July/August 2015 and the Council is tasked with securing the land and property interests required for the scheme.
- 3.5 To assemble the development site this report recommends that the Council exercises its Planning Compulsory Purchase Powers to progress the regeneration of Ponders End High Street.

## **The Order Land**

- 3.6 The land that will be acquired from the Secretary of State, combined with the High Street frontage properties forms the revised development site boundary. The new site boundary is entirely within the boundary of the original Order Land reported to Cabinet in April 2013, but is reduced in proportion to accommodate the Secretary of State's land holding.
- 3.7 The revised Order Land comprises an area of land of approximately 2.3 hectares. The eastern boundary is formed by Ponders End High Street (A1010). Part of the northern boundary comprises a series of two/three storey buildings that house a variety of small-scale office and warehouse functions associated with Queensway. The western boundary comprises the proposed Heron Hall Academy free school. To the south of the revised Order Land there is a mix of detached, semi-detached and flatted properties.
- 3.8 The Council already owns some of the proposed Order Land and since the last report to Cabinet has voluntarily agreed the acquisition of the freehold interest of the Secretary of State land not required for the free school, with exchange and completion scheduled in June 2015. Negotiations with the remaining owners will continue with a view to achieving the voluntary acquisition of all the interests in the revised Order Land which are needed to facilitate the comprehensive regeneration of Ponders End High Street.
- 3.9 An update on property acquisitions, required for the Electric Quarter, is detailed in Part 2 of this report.

## **3.10 Planning Policy Framework**

### **National Planning Policy Framework ("NPPF") March 2012**

- 3.10.1 The National Planning Policy Framework (NPPF) (March 2012) sets out the Government's policies on planning and how these are expected to be applied. The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental. With regard to the proposed Order Scheme, the approach taken by the Council to promoting the regeneration of this area already embodies the thinking regarding sustainable development in the NPPF in terms of the emphasis on urban regeneration and the efficient re-use of previously developed land in order to create sustainable development in line with economic, social and environmental objectives to improve people's quality of life. The emphasis on community involvement; creating a sustainable community in a high quality, safe and healthy local environment where people want to live; contributing to the promotion of urban renaissance and improvement of quality of life and access to jobs; building a socially inclusive community with a mix of housing; and improving the link between land use and transport are all in line with these proposals.

## **Regional Planning Policy and Guidance – The London Plan 2015**

- 3.10.2 The Mayor's London Plan was formally adopted in March 2015, consolidated with alterations since 2011 and provides the spatial development strategy for London. The Plan sets out a number of objectives to optimise the potential of development sites; make the most sustainable and efficient use of land, particularly in areas of good public transport; improve the quality of life; deliver high quality new homes; mitigate and adapt to climate change and secure a more attractive, well designed green city.
- 3.10.3 Policy 2.3 of the London Plan refers to “growth areas” that have been identified on the basis that they are capable of accommodating substantial numbers of new homes and employment and seeks to ensure the area's potential is optimised.
- 3.10.4 The Upper Lee Valley is identified in London Plan Policy 2.13 supported by London Plan Annex One, as an opportunity area. The adopted Upper Lee Valley Opportunity Area Planning Framework (July 2013) identifies Ponders End as a “growth area” and an opportunity for new job creation and new homes. The framework identifies the Ponders End area as contributing up to 1100 new homes and 700 new jobs by 2031. The Ponders End Central development site is seen as providing the catalyst to providing a “continuous vibrant high street”.

## **Local Policy – Core Strategy 2010**

- 3.10.5 The adopted Core Strategy sets out the spatial planning framework for the long term development of the borough for the next 15-20 years. Paragraph 9.35 states that Ponders End is seen as an area with considerable potential, “...given its location so close to the Lea Valley Regional Park, strong transport routes including Southbury and Ponders End railway stations and Picket Lock to the south”.
- 3.10.6 Ponders End is identified as a regeneration ‘priority area’. Its regeneration and transformation is seen as a key element of the Core Strategy spatial vision and it is acknowledged that considerable investment and improvement will be needed to ensure that the area fulfils its potential as a “desirable and settled community”.
- 3.10.7 Core Strategy Policy 41 (page 163) deals specifically with the regeneration of Ponders End and identifies three areas of future development opportunity: Ponders End Central, Ponders End South Street Campus and Ponders End Waterfront. In particular the policy identifies a series of development objectives for Ponders End Central which includes:
- The creation of up to 1000 homes by 2026 with a range of sizes and tenures, including affordable homes. The Middlesex University site is specifically identified as a site that could accommodate housing as part of a mixed use development;

- The provision of an attractive public realm, designed to promote community safety;
- High quality new development that complements the heritage assets and historic environment of Ponders End; and
- A holistic development at Ponders End Central incorporating the former Middlesex University Campus, Queensway employment area, better use of land around Tesco and a vibrant, good quality local shopping centre and community hub, with vacant sites along Ponders End high street redeveloped to complement the local offer.

### **Proposed Submission North East Enfield Area Action Plan April 2014**

3.10.8 This document sets out the Council's approach towards regeneration in North East Enfield. The spatial strategy contained within the document is underpinned by a number of key objectives, including to plan for growth and change; to create sustainable neighbourhoods; to increase the capacity of existing employment land and improve access; to protect, enhance and improve the natural environment; to ensure everyone has access to high quality health, leisure and community facilities and to improve overall accessibility and connectivity.

3.10.9 Policy 10.1 Ponders End High Street identifies Ponders End as a large local centre and land that includes the Order Land is identified as a key development site (Policy 10.2 Ponders End Central). A number of key priorities are identified for the area and development site, as follows:

- The Council's intention to take a comprehensive area based approach to enable the transformation of the surplus land from the redevelopment of the former Middlesex University and the clusters of sites on the high street as a focus of social life and activity, with new and improved shopping, civic and employment uses as well as providing a choice of new homes;
- The creation of a vibrant High Street, with high quality public realm, active frontages and enhanced public realm in order to create a safe, harmonious and attractive centre, which can be enjoyed by all;
- A holistic approach to the redevelopment addressing opportunities for improvements to the High Street and its facilities;
- The creation of a more coherent active frontage onto Hertford Road, the High Street and Queensway in order to overcome historic voids in the built form which detract from the overall streetscape of the local centre; and
- The creation of new linkages from Ponders End Central site to both Hertford Road and Queensway and the integration of any new development into the surrounding community.

## **Ponders End Central Planning Brief Supplementary Planning Document (SPD) 2011**

- 3.10.10 The North East Enfield Area Action Plan (Policies 10.1 and 10.2) replace some guidance within the Planning Brief, as such should be referred to alongside the SPD, which brings together all the ideas for Ponders End Central, raised by many residents, community groups and businesses. It identifies how the former Queensway Campus might look in the future, how it might be integrated into the local centre and how regeneration and change might be delivered in line with the Core Strategy's objectives.
- 3.10.11 The vision that underpins the SPD brief is to deliver a "more prosperous, inclusive, clean, green and stable place with a mix of architecturally excellent homes of different tenures and sizes, supported by local services and community facilities for all ages and mobilities" (page 46 of the SPD).
- 3.10.12 The vision statement also promotes a transformation of land and buildings that include the Order Land to provide "a low carbon, walkable neighbourhood comprising a balanced range of affordable sustainable new homes, jobs and amenities that are well connected into the wider neighbourhood".
- 3.10.13 Site specific proposals within the Brief include:
- The provision of a total of 490-560 units of predominantly family housing 'taking into account viability';
  - 60% market and 40% affordable housing, and within that 40%, a 70% social rented and 30% intermediate housing split, subject to viability and wider place shaping aspirations;
  - Public pedestrian, cycle and vehicular connections into the High Street, Queensway and Derby Road towards Southbury station;
  - Sustainable design from the outset, including an approach to integrated water management, quality materials, waste treatment, recycled materials, biodiversity and community growing space;
  - An aim to produce Sustainable Code Level 4 or BREEAM Excellent;
  - Predominantly dual aspect homes with generous internal space standards and 50% amenity space for houses and 50% amenity space for flats, with between 50-75% car parking;
  - 10% wheelchair accessible units, Lifetime Home standards and Secured by Design principles;
  - Employment uses to the north of Queensway Campus site and/or workshops located to the south of the listing building;

- The retention and enhancement of the listed building; and
- Accessible public amenity space and communal play space.

### **3.11 Scheme Benefits**

3.11.1 The regeneration of the Order Land as envisaged by the proposed Order Scheme would provide a major opportunity for delivering transformational change in this deprived part of the Borough of Enfield. The proposed Order Scheme comprises the following key elements:

- The replacement library accommodation to replace the College Court library (Class D1) lost as part of the development;
- The construction of up to 18,782 sq m (GIA) of new residential floor space to provide 171 new, mixed tenure dwellings;
- The construction of up to 544 sq m (GIA) of new mixed retail (Class A1-A4);
- The construction of up to 234 sq m (GIA) of new community (Class D1) floor space;
- Surface car parking on street and within College Court car park;
- The introduction of new high quality public open space and public realm and private amenity space.

3.11.1 In summary the socio-economic benefits of the proposed redevelopment of the Order Land will include the:

- Provision of 38 full-time jobs;
- Provision of up to 474 temporary construction jobs ranging from one to five years;
- Ready access to the new High Street retail and community space for 13,700 people within a 20 minute walk;
- The new High Street offer will benefit the 500,000 visitors to Southbury and Ponders End stations;
- New housing units will provide decanting for residents affected by the Alma Estate redevelopment, which aims to provide 1,000 new homes for local people;
- Space for the popular and overcrowded Mosque to expand in order to meet the needs of its congregation; and

- A valuable contribution to building the 11,000 homes required in Enfield by 2026 (as set out in Enfield's extant Core Strategy).

### **3.12 Land Assembly and the need for Compulsory Purchase**

3.12.1 A proportion of the Ponders End High Street Regeneration area is in third party ownership and/or control. Although various strategic acquisitions have been completed or are in the process of being completed it is now clear that the acquisition by agreement of all the land required to facilitate the redevelopment proposals will not be possible within a realistic timeframe or even possibly at all. Further information is provided in Part 2 of this Report.

3.12.2 As part of the compulsory purchase process it will be necessary for the Council to be able to justify its proposals for the compulsory acquisition of the land and to be able to defend such proposals at a public inquiry. In the first instance this justification will be contained within the 'Statement of Reasons', a draft copy of which is attached Annex B.

### **3.13 Compulsory Purchase Powers**

3.13.1 By virtue of Section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) the Council, as the acquiring authority, on being authorised to do so, is able to acquire land compulsorily if it thinks that it will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. The Council cannot exercise its power Under section 226(1)(a) unless and in accordance with section 226(1)(a) it thinks that the development, redevelopment or improvements will achieve any one or more of the following objects:

- The promotion or improvement of the economic well-being of the area; and/or
- The promotion or improvement of the social well-being of the area; and/or
- The promotion or improvement of the environmental well-being of the area.

3.13.2 The recommendations in this report accord with the Council's powers.

### **3.14 Delivery and Funding**

3.14.1 The proposed redevelopment of the Order Land will be secured through the development agreement with Lovell Partnerships Limited. The development agreement is based on the Homes and Communities Agency's (HCA) Delivery Partner Panel documentation. Under the terms of the development agreement the Council is required to deliver vacant possession of the site to Lovell and Lovell is required to satisfy a number of conditions, including obtaining detailed planning consent within a prescribed timetable. Once the conditions have been satisfied a lease/ or lease(s) will be granted to Lovell to

enable the Developer to construct the development (that comprises the Order Scheme) on a phased basis.

- 3.14.2 Lovell Partnerships Limited will be responsible for procuring the funding to construct the Order Scheme and the agreement requires Lovell to provide sufficient information to the Council every six months to demonstrate that it has in place sufficient funding to meet all of its obligations under the development agreement and lease. This evidence takes the form of a letter from Morgan Sindall PLC who wholly own Lovell Partnerships Limited and the funding letter is presented in Annex C of this report.
- 3.14.3 The Council considers that the potential funding and delivery of the proposed Order Scheme are in place with the appointment of Lovell Partnerships Limited as the Council's delivery partner for the Electric Quarter.

### **3.15 Human Rights and the Case for Compulsory Acquisition**

- 3.15.1 The Human Rights Act 1998 places direct obligations on public bodies such as the Council to demonstrate that the use of compulsory purchase powers is in the public interest and that the use of such powers is proportionate to the ends being pursued.
- 3.15.2 The Council must be sure that the purpose for which it is making the Order sufficiently justifies interfering with the human rights of those with an interest in the land affected. It is acknowledged that the compulsory acquisition of the Order Land will amount to an interference with the human rights of those with an interest in the Order Land. These include rights under Article 1 of the First Protocol of the European Convention on Human Rights ("ECHR") (which provides that every natural or legal person is entitled to peaceful enjoyment of his possessions) and Article 8 of the ECHR (which provides that everyone has the right to respect for his private and family life, his home and his correspondence).
- 3.15.3 There must be a balancing of the public interest and the individual's rights and any interference with these rights must be necessary and proportionate. "Proportionate" in this context means that the interference must be no more than is necessary to achieve the identified legitimate aim. In this instance officers are of the view that there is a compelling case in the public interest for the compulsory acquisition of the Order Land which outweighs the interference with the rights of those affected. Further, it is the officers' view that it will not be possible to acquire the land and interests needed to deliver the development by agreement within a reasonable timeframe, or possibly at all.
- 3.15.4 As has been stated above and set out in the draft Statement of Reasons (see Annex B), the proposed Order Scheme delivers key objectives of Government Policy and complies with planning policy. The clear benefits to the Council's area that will result from the realisation of the Order Scheme are referred to in this report and the draft Statement of Reasons. Without the use of the Council's powers of compulsory purchase, the much needed regeneration and redevelopment of Ponders End High Street will not be achievable, as there is



no realistic possibility that all of the land necessary to deliver the development will be acquired by agreement.

### **3.16 Cost of Compulsory Purchase Action**

3.16.1 The Council has set aside the funds as agreed by Cabinet on 18<sup>th</sup> July 2012 (Key Decision: 3525) necessary to acquire all interests in the Order Land and will as appropriate be drawing down funding from the following sources:

- Growth Area Funds;
- Mayor's Outer London Fund (Round 2);
- Neighbourhood Regeneration Capital Programme; and
- Prudential borrowing.

3.16.2 Further information is contained in Part 2 of this Report.

### **3.17 Timetable for Making the Compulsory Purchase Order**

3.17.1 Should Cabinet approve the Planning Compulsory Purchase Order resolution, then the following timetable will be followed:

- Statutory Requisition Letters issued – 10<sup>th</sup> July 2015
- Requisitions Returned – 30<sup>th</sup> July 2015
- CPO Map and Schedule finalised – 14<sup>th</sup> August 2015
- Council signs and seals CPO Map and Schedule 21<sup>st</sup> August 2015
- First Public Notice Appears in Press by 28<sup>th</sup> August 2015
- Public CPO Notices Erected – 28<sup>th</sup> August 2015
- CPO Documents served – 28<sup>th</sup> August 2015
- Second Public Notice appears in press 5<sup>th</sup> September 2015

## **4. ALTERNATIVE OPTIONS CONSIDERED**

4.1 **Do Nothing** – this would not deliver the Council's planning objectives as detailed in the Core Strategy.

4.2 **Restrict regeneration activity to Council owned land only** – this would result in piecemeal development which would not deliver a comprehensive regeneration scheme that can be achieved by tying the former Middlesex University Site into the High Street to create a dynamic urban quarter that can contribute to the economic sustainability of the High Street.

4.3 **Acquire all land and property interests on a voluntary basis** -negotiations to acquire land and property interests have been pursued and will continue to be pursued alongside any compulsory purchase process.

## **5. REASONS FOR THE RECOMMENDATIONS**

5.1 The use of Compulsory Purchase powers is a vital tool in delivering large, mixed use regeneration schemes. The making of a Compulsory Purchase Order to assemble the proposed development site was envisaged when

Cabinet recommended undertaking the background work for a Compulsory Purchase Order in April 2012.

- 5.2 Lovell Partnerships Limited has been appointed as the Council's Delivery Partner for the Electric Quarter and are progressing a detailed planning application with anticipated submission in July/August 2015. Lovell has demonstrated that finance is in place to deliver the scheme so it is now considered appropriate to progress the making of a Planning Compulsory Purchase Order to support the delivery process.

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

### **6.1 Financial Implications**

- 6.1.1 The Council has identified funds to enable the PCPO to be completed. The key risks to this project are set out in section 7, below. As the project develops there will be further progress reports and financial appraisal of the risks, where appropriate.

### **6.2 Legal Implications**

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

### **6.3 Property Implications**

- 6.3.1 The proposed Scheme accords with the Council's property and planning objectives and processes. Property Services support the seeking of compulsory powers as being necessary to deliver the scheme as reliance on purchase by agreement with all the owners cannot be guaranteed.
- 6.3.2 Any acquisition of property by the Council or any transfer of Council property to the Delivery Partner must be in accordance with the Council's Property Procedure Rules and transfers must be at "best consideration" to include any additional compensation payments made by the Council on property already acquired for the Scheme.
- 6.3.3 If there is any transfer of Housing Revenue Account land it should be appropriated to planning purposes. This should include reimbursement of capital value unless this is offset by any transfer of property in the Scheme back to the Council for housing purposes.

## **7. KEY RISKS**

- 7.1 **Do Nothing** – the Council will be unable to deliver the Electric Quarter and therefore regenerate Ponders End High Street.
- 7.2 **Unsuccessful Compulsory Purchase** – there are no guarantees that any PCPO will be successful. The Council has been working on the Regeneration of Ponders End High Street for several years including securing an outline planning permission that encompassed all of the Order Land. The Statement of Reasons for the PCPO is annexed to this report and has been subject to expert legal and planning input. If Cabinet resolve to make the PCPO then further work will be undertaken to finalise the Statement of Case and prepare Proofs of Evidence as required by procedure, with a view to achieving the Confirmation of the Order.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The Regeneration of Ponders End High Street will promote fairness for all members of the local community through consulting the community on the proposals and by the planned provision of new commercial, community and residential development that is appropriately accessible to the local community. The Community Benefits Toolkit has already informed Tender Documentation, and accordance with its requirements was an evaluation criterion.

### **8.2 Growth and Sustainability**

Growth and sustainability are central to the proposals for Ponders End High Street. The proposed development will provide growth in terms of increasing the supply of quality housing in the area; improving the quality and quantity of commercial space; and by including one or more community uses that will facilitate appropriate community activities.

### **8.3 Strong Communities**

The proposals for Ponders End High Street aim to increase home ownership levels in the area which will create a more mixed community and support greater footfall along the High Street. The proposed redevelopment will also provide a range of unit sizes to accommodate a diversity of community and commercial uses, and improving the public realm will facilitate the free flow of people between the High Street, Park, and the former Middlesex University site. The scheme will also provide sufficient space to accommodate the expansion of the local Mosque, which is very popular and at capacity.

## **9. EQUALITIES IMPACT IMPLICATIONS**

- 9.1 In accordance with the Contract Procedure Rules Version 6, the Regeneration of Ponders End High Street has been subject to a Predictive Equality Impact Assessment in March 2012 and an Equalities Impact Assessment in October

2012 as part of the outline planning application. A revised Equalities Impact Assessment will be submitted with the new planning application.

- 9.2 Overall the Equalities Impact Assessment finds the proposed development will respond positively to securing a development that promotes equality.

## **10. PERFORMANCE MANAGEMENT IMPLICATIONS**

The Regeneration of Ponders End High Street contributes towards the achievement of:

- Core Policy 41 of the Core Strategy
- Shaping Enfield's Future
- North East Enfield Preferred Options Report
- Ponders End Central Planning Brief (approved for adoption)
- 5a of the Sustainable Community Strategy 2007-2017
- 2.10 "Improve the Quality of life for residents through the regeneration of the priority regeneration areas" of the Enfield Council Business Plan.

## **11. HEALTH AND SAFETY IMPLICATIONS**

- 11.1 In relation to the possible purchase of land, it will be necessary, through the process of due diligence, to establish the extent of contaminated land and to ensure that appropriate measures are taken to mitigate risks and to ensure its likely suitability for projected end uses.
- 11.2 The Council would also need to ensure that any acquired land was properly managed in order to provide a satisfactory level of amenity, safety and security.

## **12. PUBLIC HEALTH IMPLICATIONS**

- 11.1 The Health Impact Assessment prepared for the Outline Planning Application concluded that the development will have an overall beneficial effect on several determinants for health, in particular on employment and education (in terms of job training), which have been identified as priorities in the local area. The Health Impact Assessment will be revised and refreshed in light of the new site boundaries as part of the submission of the new planning application.
- 11.2 Furthermore, the development has the potential to benefit several vulnerable groups which have been identified in the area. These groups include the unemployed, young people and children in poverty, mainly through the education and training opportunities, but also through the re-provision of a more modern and attractive library.

## **Background Papers**

None.

**LONDON BOROUGH OF ENFIELD  
PONDERS END ELECTRIC QUARTER)  
COMPULSORY PURCHASE ORDER 2016**

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**STATEMENT OF REASONS**

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**LONDON BOROUGH OF ENFIELD (PONDERS END ELECTRIC QUARTER)  
COMPULSORY PURCHASE ORDER 2016**

**STATEMENT OF REASONS**

**1. INTRODUCTION**

- 1.1 This is the Statement of Reasons of the London Borough of Enfield (“**the Council**”) for making the London Borough of Enfield (Ponders End Electric Quarter) Compulsory Purchase Order 2016 (“**the Order**”). This is a non-statutory statement provided in compliance with paragraph 21 of the DCLG Guidance on Compulsory purchase process and the Crichel Down Rules (“the Guidance”)
- 1.2 This section of the Statement of Reasons sets out a brief overview of the purposes of the Order and the content of this Statement. In preparing this Statement the Council has endeavoured to provide sufficient information in relation to each of the topics identified in paragraph 154 of the Guidance, so that its reasons for making the Order can be properly understood.
- 1.3 *The land proposed to be compulsory acquired and/or used under the Order (“**the Order Land**”) comprises an area of land of approximately 2.14 hectares (21,402 square metres) that includes a number of properties that front the west side of Ponders End High Street at one end and the former Middlesex University Queensway campus located further to the west of Ponders End High Street (“**the Queensway Campus**”) at the other end.*
- 1.4 The Order Scheme is compliant with national, regional and local planning policy and this is discussed in more detail in Section 5. In particular, the Order Land forms part of the land identified for redevelopment in the Ponders End Central Planning Brief (Supplementary Planning Document) (May 2011) (“**SPD**”) that is referred to as “**Ponders End Central**” (also known as the Electric Quarter), combined with the former Queensway Campus land. Some of the redevelopment proposals for Ponders End Central outlined in the SPD have been incorporated in the Order Scheme proposals.
- 1.5 The extent of the land proposed to be compulsorily acquired is set out in greater detail in Section 3 below and is shown on the Order Map. The Order and Order Map have been deposited at the Council’s Offices at the Civic Centre, Silver Street, Enfield, EN1 3XA and at Ponders End Library, College Court, High Street, Enfield EN3 4EY and can be viewed at these locations at all reasonable hours.

1.6 The Order has been made to deliver the following:

- (i) The creation of a vibrant high street in Ponders End, with high quality public realm, active frontages and enhanced realm in order to create a safe, harmonious and attractive centre with new and improved shopping, civic, housing and employment uses;
- (ii) The creation of a strong network of pedestrian friendly streets and wide avenues with many access points in the site with links from the Heron Hall Academy to the High Street;
- (iii) The provision of a wide variety of types of new homes which are in high demand in this locality; and
- (iv) The promotion and improvement of the economic, social and environmental well-being of the area (“**the Order Scheme**”).

These objectives are hereinafter described collectively as “the Order Scheme”)

1.7 This Statement will cover the following matters:

- 1.1.1 identify the powers under which the Order is made (section 2);
- 1.1.2 describe the Order Land (section 3);
- 1.1.3 describe the purpose of the Order and the Order Scheme (section 4);
- 1.1.4 describe the current planning position for the Order Scheme and explain the planning policy relevant to the development of the Order Land and the evolution of the Order Scheme(section 5);
- 1.1.5 summarise the funding and delivery arrangements for the Order Scheme (section 6);
- 1.1.6 deal with arrangements with any statutory undertakers and any special considerations (sections 7 and 8);
- 1.1.7 deal with the effect on existing businesses and residents (section 9); and
- 1.1.8 explain the relationship between the Order and the Human Rights Act 1998 (section 10).

## 2 The powers under which the Order is made

- 2.1 The Order has been made under Section 226(1)(a) of the Town and Country Planning Act 1990 as amended (“the 1990 Act”), the Council being of the view that the proposed acquisition of the Order Land will:
- (a) Facilitate the carrying out of development/redevelopment or improvement on or in relation to the land; and
  - (b) Will contribute to the promotion or improvement of the economic, social and environmental well-being of the London Borough of Enfield.
- 2.2 The Council's Cabinet approved the use of compulsory purchase powers to secure the Order Land on 17 June 2015 (“**Cabinet Resolution**”) pursuant to Section 226(1)(a) of the Town and Country Planning Act 1990. The Council believes that the acquisition of the Order Land will assist it in achieving the regeneration of Ponders End Central. The resulting redevelopment will result in an improvement to the environmental, social and economic well-being of the immediate vicinity of Ponders End Central and the Council's wider administrative area.
- 2.3 The Guidance provides advice to acquiring authorities on the use of compulsory purchase powers and the Council has taken full account of the Guidance in making the Order. The Council recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest (paragraph 2 of the Guidance) which justifies the overriding of private rights in the land sought to be acquired. It is considered a compelling case exists here.
- 2.4 The Council has given careful consideration to the reasons as to why it is necessary to make the Order in pursuance of its statutory powers. The freehold owners, lessees and occupiers affected by the Order have been invited to enter into discussions with the Council with a view to agreeing appropriate terms for the purchase of their various interests in the Order Land. A number of meetings have taken place over a lengthy period between the parties and valuations have been prepared for further discussion. The Council has acquired a number of interests within the Order Land but considers that no further interests are likely to be acquired within a reasonable timescale within the Order Land. The Council considers that it is necessary, therefore, to utilise its powers under s226(1)(a) and make the Order for the following reasons:



- a proportion of the Order Land is in third party ownership and/or control and it is unlikely that any party, other than the Council through the use of its compulsory purchase powers, could assemble the Order Land so as to deliver a comprehensive regeneration scheme;
- to enable the Order Land to be redeveloped in a comprehensive manner,
- to give certainty to timescales for redevelopment of the Order Land,
- to deliver the wider public benefits that the redevelopment of the Order Land will secure (see Section 4 below); and
- to provide a degree of certainty that the redevelopment of the Order Land will be carried out.

2.5 The Council already owns the following strategic sites that will assist in the delivery of the Order Scheme:

- 2.5.1 Former Police Station Site at 204-214 High Street acquired in October 2011 that provides a link between Heron Hall Academy and the High Street as it occupies a frontage site on the High Street ("**Police Station Site**");
- 2.5.2 The library building at College Court and car parking area;
- 2.5.3 The freehold of no.198 High Street including the car park and outdoor space at the Tara Kindergarten;
- 2.5.4 The freehold of no. 188 High Street; and
- 2.5.5 The freehold of a parcel of land at the former Middlesex University Campus (acquired in June 2015).

2.6 Compulsory purchase powers are considered to be not only necessary but justified and there is a compelling case for their use in the public interest. In accordance with the Guidance discussion with the landowners to acquire the Order Land by private treaty will continue in parallel with this compulsory purchase process.

### **3 Description Of The Order Land, Location And New Rights**

- 3.1 The Order Land comprises an area of land of approximately 2.14 hectares (21,402 square metres). The eastern boundary is formed by Ponders End High Street. Part of the northern boundary comprises a series of two/three storey buildings that house a variety of small-scale office and warehouse functions associated with the Queensway Industrial Area, known as "**the Works**". The western boundary is formed by the playing fields of the Heron Hall Academy. Derby Road and Loraine Close, to the south of the Order Land support a mix of detached, semi-detached and flatted properties.
- 3.2 Full details of the Order Land appear in the Schedule to the Order but in summary it comprises:-

- the single storey retail units at Nos.188-196 High Street;
- the Tara Kindergarten at no.198 High Street;
- a pair of 2 storey retail units at Nos. 200/202 High Street;
- the cleared site of the former Beef and Barrel Public House at 216 High Street;
- the industrial unit at no. 230 High Street, that sits back from the High Street frontage, behind the Mosque ("the Plastics Factory"); and
- Ponders End Library, off College Court and its car parking area.

3.3 Details of the interest(s) and rights to be acquired are listed in the Schedule to the Order. This Schedule has been prepared based upon information gathered through inspection of the Land Registry title documents, site inspections and enquiries, and the responses to notices issued requesting title information under the Acquisition of Land Act 1981 Section 5(A). Whilst it represents a schedule of known interests it is acknowledged that other currently unknown interests may emerge as the compulsory purchase process proceeds.

3.4 Save where expressly excluded, the Council intends to acquire all interests in the Order Land.

3.5 The Order Map identifies the land proposed to be acquired (shown edged red and coloured pink) and the individual plot boundaries and numbers correspond with the plot numbers in the Schedule to the Order.

3.6 Other important areas of land in the vicinity of the Order Land include:

- Queensway, which is a successful employment area that provides a busy and thriving business community with generally small scale office and warehouse space, is located to the north of the Order Land ("**Queensway Industrial Area**");
- Ponders End Park to the east of the Order Land, which has been transformed from a functional recreational ground into a valuable sustainable community space; and
- Tesco Extra store located to the north of the Order Land on the High Street; and
- Southbury Station which represents the closest rail link to the Order Land with direct links to London Liverpool Street station.

## 4 Purpose of the Order and the Order Scheme

### Background

4.1 Ponders End is currently an area of high deprivation. According to the Indices of Deprivation 2010, Ponders End has been calculated to be the fourth most deprived of 21 wards in Enfield and within the most deprived 20% of wards in England. The 2011 Census revealed

that the ward has the fourth lowest average household income of the 21 wards in Enfield, as estimated in 2009, and the proportion of households having an income of less than £15,000 was put at 28.8% compared to a borough average of 23.2%. The number of people claiming key out of work benefits in Ponders End in 2011 was 22.5% of the estimated working age population, compared to a Borough average of 16.4%. The overall poverty rate is one of the highest within the Borough. According to the Metropolitan Police, crime figures for antisocial behaviour and burglary are high compared to other wards.

- 4.2 Ponders End is an area that is in need of significant inward investment and the provision of new retail units, the improvement of the public realm and the delivery of a range of housing sizes and tenures. A Housing Needs Assessment was prepared to support the planning application for the Order Scheme and this revealed that there is a need to improve the supply of family housing and smaller units, both affordable and private market housing, within the area.
- 4.3 The need for the regeneration of Ponders End was first discussed by the Council in 2007 when the Council gathered together a wide range of stakeholders to develop a vision for Ponders End. The strategy has evolved into regional and local planning policy and the aspirations of these policies, particularly the SPD, are reflected in the Order Scheme proposals. The redevelopment of the Order Land is a key element in the Council's overall vision for the improvement of Ponders End. The Order Scheme is compliant with all relevant national, regional and local planning policies, save for the following minor areas:
- Affordable Housing Split – discussed at Section 5.20
  - Privacy and Overlooking – discussed at Section 5.20
  - Loss of employment uses – discussed at Section 8

These minor deviations from planning policy are fully justified and are discussed more fully in the Sections of this Statement referred to above.

### **Ponders End High Street**

- 4.4 The High Street is at the heart of Ponders End and includes a diversity of local shops and businesses that provide a unique offering to local residents. From dry cleaners, to baklava bakeries and fast food outlets, Ponders End High Street has a wide retail offering and a large Tesco Extra store is located at the end of the High Street. There has been a significant decrease in footfall resulting from the closure of the Queensway Campus, however, which has been compounded by the economic downturn. Key developments on the High Street were delayed and paused, which discouraged investment and contributed to the ongoing decline of the area. The businesses within the section of the High Street included within the Order Land currently comprise:

- a large vacant pub site;
- the Former Police Station site (now demolished);
- a cafe;
- two internet cafes;
- an estate agent;
- a hair salon;
- a discount shop; and
- the Tara Kindergarten site.

4.5 The building line of the High Street is generally weak, with a varied building line fronting the street. There are buildings of architectural merit but also new developments that do not positively impact on the street scene. Community uses are important in creating a central hub of activity along with the commercial uses of the street but the library, which is an important community facility, is located in an understated single storey building away from the High Street.

4.6 The High Street is defined as a Local Hub in the Core Strategy and its residential catchment is defined as residents working and living within 25-30 minutes walking distance of the High Street, but the presence of the Tesco store brings in consumers from a far wider catchment. This offers a largely untapped visitor catchment and there is potential for the High Street to provide a wider retail offer than that which is usually expected from a Local Hub. Footfall can be drawn onto the High Street from Tesco if there is a complementary retail offer which encourages shoppers to walk across to the High Street and utilise its services. The Order Scheme includes a mix of units in terms of size that will suit different types of retail operator and attractive areas of public realm and improved linkages to the wider area.

4.7 The Order Scheme will include the relocation of the library to a prominent location on the High Street opposite the existing Mosque and this will assist in drawing people onto the High Street. Getting the foundation of the High Street right will in turn attract shoppers and other investors into the area for its long term sustainability.

### **Access and Linkages**

4.8 The Council believes that the key to the regeneration of Ponders End Central is the comprehensive redevelopment of the Order Land. Currently, however, the Heron Hall Academy is segregated from the High Street by a line of property which forces school and other vehicles to use Queensway as the only entrance to the Academy site, whilst pedestrians can use a narrow pedestrian link to and from the High Street. The former Police Station site is located at a gateway to the Heron Hall Academy Campus and the Council's acquisition of the Former Police Station site will, therefore, assist in addressing the

key issue of access and linkages between the Heron Hall Academy and the High Street. The Order Scheme proposes the creation of important linkages between Heron Hall Academy and the High Street.

- 4.9 Overall the Order Scheme proposes the creation of a new sequence of connected public streets and spaces and proper integration of the Heron Hall Academy with the High Street. These necessary links will ensure that the new residential community to be created within the centre of the Order Land, and the Heron Hall Academy school children, have safe and convenient access to the facilities along the High Street, public transport and the Park.
- 4.10 The opportunity will also be taken to improve access into and through the existing Queensway Industrial Estate and hence improve the operational conditions within the existing estate in line with objectives in the SPD.

### **Sustainability**

- 4.11 The new build residential accommodation will seek to achieve Code for Sustainable Homes Level 4 and the commercial space will be designed to achieve a BREEAM 'very good' performance standards. The Order Scheme will incorporate the use of a centralised low energy cooling and heating system via an Air Source Heat Pump and energy efficient light fittings and fixtures and these measures will reduce carbon emissions across the development. Passive measures such as the improvement of the thermal performance of the building through high levels of insulation and high performance double glazing and doors will further improve energy efficiency throughout the Order Scheme. The possibility of connecting the buildings within the Order Scheme to a district heating network will continue to be explored.
- 4.12 In terms of other sustainability measures, the Order Scheme will incorporate sanitary fittings with low water consumption; recycling and waste storage areas; the inclusion of biodiverse roofs and the ability to install rooftop solar PV arrays; tree planting and replacement; and bat mitigation measures.

### **Socio-economic Benefits**

- 4.13 In summary the socio-economic benefits of the redevelopment of the Order Land will include:
- the provision of 38 full-time new jobs;
  - the provision of 474 temporary construction jobs ranging from one to five years;
  - 13,700 people within a 20 minute walk will have ready access to the new High Street retail and community space;

- the 500,000 visitors to Southbury and Ponders End stations will benefit from the new High Street offer;
- the new housing units will provide valuable decanting for residents affected by the Alma Estate redevelopment, which aims to provide 1000 new homes for local people;
- the Order Scheme will provide the opportunity for the popular and overcrowded Mosque to expand to meet the needs of its congregation; and
- the Order Scheme will make a valuable contribution to building the 11,000 homes required in Enfield by 2026.

## 5 Planning Permission Status and Planning Policy Background

5.1 Outline Planning Permission (with some matters reserved) for a previous scheme ("**Original Scheme**") was granted on 5 March 2013 (Planning Permission reference: P12-02677PLA) ("**Former Outline Permission**"). The Original Scheme included the provision of 408 homes, modern retail and employment space and a new library with high street frontage. The Original Scheme could not be delivered as the Secretary of State for Communities and Local Government acquired a freehold interest in the former Middlesex University Site, which comprised a significant part of the site that had the benefit of the Former Outline Permission, and was intended to be developed within the Original Scheme. This site has been used to deliver a free school delivering secondary education, the Heron Hall Academy, so the Original Scheme had to be set aside and a new scheme formulated with a reduced land area.

5.2 A new Planning Application ("**the Planning Application**") was submitted in October 2015 (Planning Reference: 15/04518/FUL) to deliver the Order Scheme and this comprises:

*'Redevelopment of site to provide 167 residential units and 1379 sqm of commercial and community floorspace, involving a 4-storey block of 21 self contained flats (9 x 1-bed, 6 x 2-bed and 6 x 3-bed) with communal rooftop play area, a 3-storey block of 18 terraced houses (2 x 3-bed and 16 x 4-bed) and 22 x 3-storey terraced houses in 4 blocks (17 x 3-bed and 5 x 4-bed) (PHASE 1), a 4-storey block of 19 self contained flats (9 x 1-bed, 6 x 2-bed and 4 x 3-bed) with community hall/nursery on ground floor and communal rooftop play area, a 7-storey block of 25 x 1-bed self contained flats with Library at ground and first floor, a part 4, part 6-storey block of 40 self contained flats (21 x 1-bed and 19 x 2-bed) with 5 commercial units at ground floor and 22 x 3-storey terraced houses in 4 blocks (17 x 3-bed and 5 x 4-bed) (PHASE 2) with cycle and bin stores to ground floor of each block, new access and access roads, parking and associated landscaping involving demolition of 14,212sqm sqm of existing floorspace (residential, education, shops, community, commercial and car park).'*

5.3 The Council resolved on 26<sup>th</sup> January that subject to referral of the Planning Application to the Greater London Authority and the completion of a Section 106 Agreement, the Head of

Development Management/Planning Decisions Manager be authorised to grant planning permission for the Order Scheme subject to conditions.

5.4 The development proposals for which the Council wishes to pursue the Order Land and the elements of the Planning Application were formulated in the light of:-

- All relevant national planning policies;
- The statutory development plans; and
- Relevant non-statutory policies.

#### **National Planning Policy - National Planning Policy framework (“NPPF”)**

5.5 The NPPF (March 2012) sets out the Government’s policies on planning and how these are expected to be applied. The NPPF makes it clear that the purpose of the planning system is to contribute to the achievement of sustainable development and that there are three dimensions to sustainable development: economic, social and environmental. The NPPF sets out 12 core land-use principles and one of these is that planning should proactively drive and support sustainable economic development to deliver the homes, businesses, infrastructure and thriving local places that the country needs.

5.6 With regard to the Order Scheme, the approach taken by the Council to promoting the regeneration of this area already embodies the thinking regarding sustainable development in the NPPF in terms of the emphasis on urban regeneration and the efficient re-use of previously developed land in order to create sustainable development in line with economic, social and environmental objectives to improve people’s quality of life. The emphasis on community involvement; creating a sustainable community in a high quality, safe and healthy local environment where people want to live; contributing to the promotion of urban renaissance and improvement of quality of life and access to jobs; building a socially inclusive community with a mix of housing; and improving the link between land use and transport are all in line with these proposals.

#### **Regional Planning Policy and Guidance – the London Plan**

5.7 The Mayor’s revised London Plan was formally adopted in July 2011 and provides for strategic spatial strategy within Greater London. The Plan sets out a number of objectives to optimise the potential of development sites; make the most sustainable and efficient use of land, particularly in areas of good public transport; improve the quality of life; deliver high quality new homes; mitigate and adapt to climate change and secure a more attractive, well designed green city.

5.8 Policy 2.3 of the London Plan refers to “opportunity areas” that have been identified on the basis that they are capable of accommodating substantial numbers of new homes and employment and seeks to ensure the area’s potential is optimised. In terms of planning decisions it is envisaged that development proposals advanced in such areas should:

- Support the strategic policy directions for the opportunity areas;
- Seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses;
- Contribute towards meeting the minimum guidelines for housing and/or indicative employment numbers;
- Realise scope for intensification associated with existing or proposed improvements in public transport..... make best use of existing infrastructure and to promote inclusive access including cycling and walking; and
- Support wider regeneration (including in particular improvement to environmental quality) and integrate development proposals to surrounding areas especially areas of regeneration.

5.9 The Upper Lee Valley is identified in London Plan Policy 2.13 supported by London Plan Annex One, as an opportunity area. The consultation draft of the Upper Lee Valley Opportunity Area Planning Framework (November 2011) identifies Ponders End as a “growth area” and an opportunity for new job creation and new homes. The framework identifies the Ponders End area as contributing up to 1100 new homes and 700 new jobs by 2031. The Queensway Campus is seen as providing the catalyst to providing a “continuous vibrant high street”.

## **Local Policy**

### **The Enfield Plan Core Strategy 2010-2025 ("Core Strategy")**

5.10 The Core Strategy sets out the spatial planning framework for the long term development of the borough for the next 15-20 years. Paragraph 9.35 states that Ponders End is seen as an area with considerable potential, “...given its location so close to the Lea Valley Regional Park, strong transport routes including Southbury and Ponders End railway stations and Picket Lock to the south”.

5.11 Ponders End is identified as a “Place Shaping Priority”. Its regeneration and transformation is seen as a key element of the core strategy spatial vision and it is acknowledged in paragraph 9.36 that considerable investment and improvement will be needed to ensure that the area fulfils its potential as a “desirable and settled community”.



5.12 Core Policy 41 deals specifically with the regeneration of Ponders End and identifies three areas of future development opportunity: Ponders End Central, Ponders End South Street campus and Ponders End waterfront. In particular the policy identifies a series of development objectives for Ponders End Central which include:

- The creation of up to 1000 homes by 2026 with a range of sizes and tenures, including affordable homes. The Middlesex University site is specifically identified as a site that could accommodate housing as part of a mixed use development.
- The provision of an attractive public realm, designed to promote community safety.
- High quality new development that complements the heritage assets and historic environment of Ponders End, such as the listed Middlesex University building.
- A holistic development at Ponders End Central incorporating the former Middlesex University Campus, Queensway employment area, better use of land around Tesco and a vibrant, good quality local shopping centre and community hub, with vacant sites along Ponders End high street redeveloped to complement the local offer.

#### **North East Enfield Area Action Plan (April 2014)**

5.13 This document sets out the Council's approach towards regeneration in North East Enfield. The spatial strategy contained within the document is underpinned by a number of key objectives, including to plan for growth and change; to create sustainable neighbourhoods; to increase the capacity of existing employment land and improve access; to protect, enhance and improve the natural environment; to ensure everyone has access to high quality health, leisure and community facilities and to improve overall accessibility and connectivity.

5.14 Ponders End is identified as a large local centre and land that includes the Order Land is identified as a key focus for regeneration. A number of key priorities are identified for the area, as follows:

- The Council's intentions to take a comprehensive area based approach to enable the transformation of the former Middlesex University and the clusters of sites on the high street as a focus of social life and activity, with new and improved shopping, civic and employment uses as well as providing a choice of new homes;
- The creation of a vibrant High Street, with high quality public realm, active frontages and enhanced public realm in order to create a safe, harmonious and attractive centre, which can be enjoyed by all;
- The development of the former Middlesex University site for a mix of uses, including new homes and community uses;

- A holistic approach to the redevelopment of the University site, addressing opportunities for improvements to the high street and its facilities;
- The retention and enhancement of the listed Broadbent building as part of any redevelopment;
- The creation of a more coherent active frontage onto Hertford Road, the High Street and Queensway in order to overcome historic voids in the built form which detract from the overall streetscape of the local centre; and
- The creation of new linkages from the heart of the University site to both Hertford Road and Queensway and the integration of any new development into the surrounding community.

### **Ponders End Central Planning Brief SPD ("SPD")**

- 5.15 The SPD brings together all the ideas for Ponders End Central, raised by many residents, community groups and businesses. It identifies how the former Queensway Campus might look in the future, how it might be integrated into the town centre and how regeneration and change might be delivered in line with the Core Strategy's objectives.
- 5.16 The vision that underpins the SPD brief is to deliver a "more prosperous, inclusive, clean, green and stable place with a mix of architecturally excellent homes of different tenures and sizes, supported by local services and community facilities for all ages and mobilities" (page 46 of the SPD).
- 5.17 The vision statement also promotes a transformation of land and buildings that include the Order Land to provide "a low carbon, walkable neighbourhood comprising a balanced range of affordable sustainable new homes, jobs and amenities that are well connected into the wider neighbourhood".
- 5.18 Site specific proposals include:
- Up to 490-560 units of predominantly family housing;
  - 60% market and 40% affordable housing, and within that 40%, a 70% social rented and 30% intermediate housing split, subject to viability and wider place shaping aspirations.
  - Public pedestrian, cycle and vehicular connections into the high street, Queensway and Derby Road towards Southbury station.
  - Sustainable design from the outset, including an approach to integrated water management, quality materials, waste treatment, recycled materials, biodiversity and community growing space.
  - An aim to reduce Sustainable Code Level 4 or BREEAM Excellent.

- Predominantly dual aspect homes with generous internal space standards and 50% amenity space for houses and 50% amenity space for flats with between 50-75% car parking.
- 10% wheelchair accessible units, Lifetime Home standards and Secured by Design principles.
- Employment uses to the north of Queensway Campus site and/or workshops located to the south of the listed building.
- The retention and enhancement of the listed building.
- Accessible public amenity space and communal play space.

### **Assessments against policy**

5.19 Using these policies and principles as a starting point the planning application for the Order Scheme has evolved and it seeks to balance planning policy considerations and technical, market and financial considerations. As stated at Section 5.1 above the extent of Council's proposals for the Ponders End area had to be downsized following the acquisition of the Middlesex University Site by the Secretary of State which was intended to be included within the Order Scheme.

5.20 In line with planning policy the Order Scheme still advances a comprehensive strategy for a sizeable part of the land and buildings that comprise the SPD. The specific elements of the Order Scheme are analysed below:

**Housing** - the Order Scheme includes a residential led mixed use development and a range of private, semi-private and public spaces. A significant proportion of the housing (43%) will be family sized housing of 3 bed plus units in line with the objectives of Core Policy 5 of the Core Strategy and the SPD. In compliance with planning policy and the specific needs and demands of the existing population a mix of residential unit types, including a proportion of affordable housing, are included within the Order Scheme.

There is a slight deviation from planning policy in relation to two areas:

- (i) Policy 3.11 of the London Plan requires a 60%:40% split between social rented to intermediate housing and Core Policy 3 of the Core Strategy requires a 70%:30% split between social rented to intermediate housing. The Order Scheme will in fact deliver a 48%:52% split between social rented and intermediate housing and the reason for this slight deviation from planning policy is that there is a need for a larger number of small intermediate housing units in the area; and
- (ii) Policy DMD 10 of the Development Management Document (2014) specifies that a distance of 30 metres should be maintained between rear facing windows of three storey houses and the Order Scheme achieves a back to back distance of 19

metres. The objective of the policy requirement is to achieve adequate sunlight/daylight to properties and to prevent overlooking. The Order Scheme achieves this objective in any event as the sunlight/daylight study submitted with the planning application demonstrates that BRE guidance is met and the internal layout of the housing has been designed so as to ensure that habitable rooms are offset and do not face one another. In addition tree planting will provide boundary screening.

The housing will comply with best practice in terms of design, sustainability and energy conservation and in summary will comprise:

- Up to 167 units of predominantly family housing;
- 70% market and 30% affordable housing, and within that 30%, a 48% social rented and 52% intermediate housing split;
- Social Rented Housing – 60% 1-2 beds and 40% 3-beds;
- Intermediate Housing – 100% 1-2 beds (This is based on market advice that shared ownership units should comprise smaller units to ensure that they are capable of being purchased);
- Market Housing – 46% 1-2 beds and 54% 3-4 bed houses;
- An aim to achieve Sustainable Code Level 4;
- Predominantly dual aspect homes with no single aspect north facing units and policy compliant internal space standards;
- All residential accommodation will be provided with private amenity space in accordance with the Mayor's Housing SPG;
- 10% of units will be capable of being adapted to wheelchair standards and will be Lifetime Homes compliant; and
- Sustainable design from the outset, including an approach to integrated water management, quality materials, waste treatment, recycled materials, biodiversity and community growing space.

5.21 **Public Realm** - The layout of the Order Scheme gives priority to the pedestrian and the cyclist rather than the car and all spaces and places are overlooked and based on principles of Secure by Design. The various links and routes proposed by the Order Scheme are integrated into the wider movement network, thus improving the relationship of the Order Land to its surroundings and providing ease of pedestrian movement into and through the Order Land.

5.22 **Parking** - Car parking will be provided at a ratio of 0.6 spaces per unit which accords with the SPD standard. Cycle parking, motorcycle parking, disabled parking and electric point charging provisions will all be provided in line with the standard set by the SPD.

5.23 **Landscape issues** - Existing trees and habitats are protected as far as possible and where it is necessary to remove such existing trees/habitats the landscape strategy proposes the replacement of existing and/or the creation of new habitats in order to ensure appropriate compensation/enhancement of existing habitats.

5.24 **Amenity Space** – A total of approximately 409 sq m of children’s play space will be provided with door step play for under 5s in the following areas:

- Within the private gardens of all townhouses;
- Rooftop play area enclosed within a timber pergola; and
- Within shared private courtyards.

Ponders End Park is within 300m of the Order Scheme and will provide a wide range of recreational and community activities for the over 5s and the rest of the residents within the Order Scheme.

5.25 **Retail Offer** - The existing retail provision on the High Street will be replaced and enhanced. The new replacement units range in size and provide opportunities to accommodate a variety of occupiers. The potential also exists to support emerging retail businesses through the identification of a proportion of the overall floor space at subsidised rents.

5.26 **Employment** - The redevelopment will result in existing employment floor space being lost from the site and justification for this position is dealt with in Section 8. It is proposed that any existing businesses that are lost as a result of the development will be assisted by the Council to find alternative accommodation within Enfield.

5.27 **Community Facilities** - The Order Scheme provides for the existing library to be relocated to a new building fronting the High Street which will also include a community space which will most likely function as a replacement nursery. The location of the new library will create a prominent landmark on the High Street and frames the civic space provided at the centre of the Order Scheme, with the existing Mosque located opposite.

5.27 The Order Scheme proposals were subject to extensive discussions with Council officers and the GLA and as a result the principles adopted were broadly supported and are considered to satisfy the aspirations of the area set out in the various adopted and emerging policy documents.

5.28 Based on the above, the proposals are considered to provide the opportunity to bring an under used town centre site back into use and to secure the delivery of a mixed neighbourhood that will contribute significantly to the economic, environmental and social sustainability and well-being of the wider Ponders End town centre.

## 6 The Delivery of the Order Scheme

- 6.1 The Council has been formulating its proposals for the Order Scheme over a period of eight years and the community has been discussing the need for change within Ponders End since 2001. The SPD, adopted in 2011, and the North East Enfield Area Action Plan adopted in 2014 were a culmination of the Council's and the community's wish to see the regeneration of Ponders End High Street and the former Queensway Campus become a reality. The first phase of the redevelopment of the Order Land was first presented to the Council's Cabinet in June 2011. The Council's original plan was to acquire the Former Police Station and the High Street site and to work with the owners of the Queensway Campus as discussed in Section 4.12. The first objective was achieved when the Former Police Station was acquired in October 2011.
- 6.2 The Council's key objective now is to deliver the comprehensive redevelopment of the Order Land and this will only be possible if it assembles the land interests in the whole of the Order Land (as discussed in Section 4.12). The Council has set aside the funds necessary to acquire all interests in the Order Land and will be drawing down funding from the following sources:
- Growth Area Funds;
  - Mayor's Outer London Fund (Round 2);
  - Neighbourhood Regeneration Capital Programme; and
  - Prudential borrowing.
- 6.3 The redevelopment of the Order Land is being secured through a development agreement with a development partner and the development agreement is based on the HCA Delivery Partner Panel documentation. The Council completed a procurement process for a development partner in April 2013 and the Developer, Lovell Partnerships Limited ("Lovells"), signed up to the development agreement in October 2014. Under the terms of the development agreement the Council is required to deliver vacant possession of the site to the Developer and the Developer is required to satisfy a number of conditions, including obtaining a detailed Planning Permission within a prescribed timetable. Once the conditions have been satisfied a lease will be granted to the Developer to enable the Developer to construct the development (that comprises the Order Scheme) on a phased basis.
- 6.4 The Developer will be responsible for procuring the funding to construct the Order Scheme and the development agreement requires the Developer to provide sufficient information to the Council every six months, to demonstrate that it has in place sufficient funding to meet all of its obligations under the development agreement and lease.

- 6.5 Overall the Council considers that the funding and delivery of the Order Scheme has been secured. The Council has commissioned Lovells to produce a viability statement for inclusion in the planning application and its conclusion is: *'We believe that this scheme would be deliverable by an average housebuilder at the cost and revenue levels indicated'*.
- 6.6 Work started with the demolition of the Former Police Station in 2013 and it is intended that large scale site clearance and construction work on the parcels of land already owned by the Council will commence during the Autumn and Winter of 2016. As discussed at Section 5.3 the Council has already resolved to grant planning permission for the Order Scheme in relation to the Planning Application.

## **7 Statutory Undertakers**

- 7.1 The Order Scheme takes account of the apparatus of Statutory Undertakers and, where affected by the Order Scheme, discussions will be held with the relevant Statutory Undertakers and alternative arrangements will be made.
- 7.2 The Order Scheme may affect an electricity substation and discussions will be held with UK Power Networks to ensure that suitable safeguards are put in place to maintain electricity supplies to the local area.

## **8 Relocation of Residents/Businesses**

- 8.1 The implementation of the Order Scheme would result in the loss of one existing industrial building comprising 950 sq m which is currently in use as a plastics factory.
- 8.2 It is considered that the existing industrial use is not compatible with the creation of a high quality new residential neighbourhood and furthermore the existing building occupies an important gateway into the site. The building's retention and use has the potential to compromise the regeneration objectives for the Order Scheme.
- 8.3 The demolition of this building will allow the creation of important residential and commercial space, a new pedestrian link and will also allow open views of the retained Broadbent Building. This is a Listed Building within the Heron Hall Academy site. These proposals form a key part of improving connectivity to the Academy and the opening up of the site, which would be undermined if the existing plastics factory were to be retained.
- 8.4 The Core Strategy policy position is, however, acknowledged in that the target is to safeguard such uses located in locally significant industrial sites. The indicative master plan within the SPD, however, appears also to envisage the removal of the building in order to

achieve the link. The SPD, however, proposes the creation of additional employment uses along Queensway.

- 8.5 In view of the policy position and the overarching regeneration objectives, it will be the Council's intention to work with the occupier of the plastics factory to identify an alternative location where they can continue to trade with the minimum of disruption. The Council would look to meet any reasonable eligible costs for the relocation of the business, but if a suitable alternative site cannot be found the business may have to be extinguished and compensation paid accordingly.
- 8.6 The same situation exists in relation to the existing retail uses on the High Street. The Council would employ the same strategy with all the existing retailers affected by the development. It is hoped that they will choose to remain in the borough and that suitable alternative premises can be found. The Council will look to assist with the relocations by helping to identify suitable alternative premises and meeting eligible relocation costs and in so doing will attempt to minimise disruption to trade. However, this will not always be possible and if suitable alternative accommodation cannot be located, then the businesses will be extinguished and the owners appropriately compensated.
- 8.7 If the businesses are able to sustain a double move and relocate back to the new retail units once the initial move has taken place, this strategy will be supported. The Council could only consider such moves, however, if they are financially viable and beneficial to the overall Order Scheme.
- 8.8 The development proposals will result in the creation of 554 sq m (GIA) of new retail floor space (Class A1 to A4) and up to 234 sq m (GIA) of new community floorspace (Class D1). This new floorspace has the potential to provide 38 full time jobs. Overall there will be a net gain in retail floorspace of 257 sq m (GIA).
- 8.7 The opportunity will also be taken to improve access into and through the existing Queensway Industrial Estate and hence improve the operational conditions within the existing estate in line with the SPD objectives.

## **9 Human Rights Considerations**

- 9.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights (ECHR). Various convention rights may be engaged in the process of making and considering the order, including those under Articles 6, 8 and Article 1 of the First Protocol.



- 9.2 Article 6 provides that everyone is entitled to a fair and public hearing in the determination of his civil rights and obligations. It is considered that the statutory procedures which give the right to object and provide for judicial review are sufficient to satisfy the requirements of this article.
- 9.3 Article 1 of the first Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and as provided by law. Those with interests in the Order Land will be deprived of their property if the Order is confirmed but this will be done in accordance with the law and in the public interest.
- 9.4 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the Law, where there is a legitimate aim and where it is for and proportionate in the public interest. It is considered that any interference caused by the Order will fall within these exceptions having regard to the public benefit which will accrue from the Scheme. The European Court of Human Rights has recognised in the context of Article 8 of the First Protocol that *“regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole”* i.e. compulsory purchase must be proportionate in that in pursuing the public interest the objective to be achieved in making the Order must outweigh the interference with any private rights. Both public and private interests are to be taken into account in the exercise of the Council’s powers and duties as a local planning authority.
- 9.5 Similarly, any interference with Article 8 rights must be “necessary in a democratic society” i.e. proportionate. The Council is of the view that in pursuing this Order, it has carefully considered the balance to be struck between individual rights and the wider public interest. Interference with Convention Rights, to the extent that there is any, is considered to be justified in order to secure the economic, social, physical and environmental regeneration that the Order Scheme will bring. Appropriate compensation will be available to those entitled to claim it under the relevant statutory provisions.
- 9.6 In addition, having regard to the provisions of the Town and Country Planning Act 1990 (as amended) and the Guidance set out in Circular 06/2004, the Council considers that the Order Scheme is essential, suitable for and will facilitate the carrying out of development, redevelopment and improvement and will make a positive contribution to the promotion or achievement of the economic, social and environmental wellbeing of its area for the reasons explained in this Statement.

## 10 Views of Government Departments

No comments have been received from any government departments regarding the Order Scheme, although the Mayor of London raised no objections to the Former Outline Permission which predated the Order Scheme.

## **11 Associated Orders**

No other orders will be sought in relation to the Order Scheme.

## **12 Conclusion**

12.1 The Order Scheme will fulfil the need to comprehensively regenerate Ponders End Central and deliver the intentions underlying the Order Scheme, making effective use of this partly disused and declining site, and generate significant economic benefits for the Borough. Given the fact that agreement has not been reached by the Council to purchase all of the Order Land by private treaty, the delivery of the Order Scheme can only sensibly be achieved within a reasonable timescale by compulsory acquisition.

12.2 Having considered relevant National Planning Policy Guidance and Development Plan Policies the Council is satisfied that there is a compelling need in the public interest for compulsory powers to be sought in order to secure the development/redevelopment or improvement of the Order Land by way of the delivery of the Order Scheme for the economic, social and environmental improvement of this part of the Borough. The Council has therefore made the Order and would ask the Secretary of State to confirm the Order.

## **13 Documents, Maps Or Plans**

13.1 A list of documents that may be presented at any subsequent public inquiry is included at Section 16 and arrangements will be made for them to be available for public inspection at the appropriate time.

13.2 The Council reserves the right to modify, or enlarge the statement in the event of an inquiry being held and in discharge of its obligations under the Inquiry Procedure Rules.

## **14 Other Information Of Interest To Persons Affected By The Order**

The Council's point of contact for any queries relating to the order is Marc Clark, Ponders End Senior Project Manager <mailto:marc.clark@enfield.gov.uk> and Tel No. 0208 379 5537.

**15 List of Documents**

- 15.1 Compulsory Purchase Order made on 8<sup>th</sup> February 2016 and Order Map
- 15.2 Statement of Reasons
- 15.3 Report to the London Borough of Enfield's Cabinet (17 June 2015) seeking authority for the making of the Order
- 15.4 Committee report dated 26<sup>th</sup> January 2016 relating to planning application 15/04518/FUL
- 15.5 Decision Notice 15/04518/FUL
- 15.6 DCLG Guidance on Compulsory purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion (October 2015)
- 15.7 National Planning Policy Framework (March 2012)
- 15.8 London Plan (adopted July 2011)
- 15.9 Enfield Plan Core Strategy (adopted November 2010)
- 15.10 North East Enfield Area Action Plan (Interim Direction Document August 2012)
- 15.11 Ponders End Central Planning Brief SPD (adopted May 2011)
- 15.12 PPS5 Planning for the Historic Environment Practice Guide

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## MUNICIPAL YEAR 2016/2017 REPORT NO. **104**

**MEETING TITLE AND DATE:**

Cabinet, 19<sup>th</sup> October  
2016

**REPORT OF:**

Director – Regeneration &  
Environment

<b>Agenda – Part: 1</b>	<b>Item: 15</b>
<b>Subject: Green Bin Service Change</b>	
<b>Wards: All</b> <b>Key Decision No: KD 4376</b>	
<b>Cabinet Member consulted:</b>  <b>Councillor D Anderson</b>	

Contact officer and telephone number:

Jonathan Stephenson, Head of Commercial and Client Services, Public  
Realm. Email: jonathan.stephenson@enfield.gov.uk

### 1. EXECUTIVE SUMMARY

1.1 Enfield Council has a challenging savings target of £56m by 2019/20.

1.2 In preparation to find further savings the Green Bin collection service has been considered in terms of alternative service provision, as it is a non-statutory service, unlike refuse and recycling.

1.3 Options around the different variations of the Green Bin collection service, currently a free weekly collection service, have been explored in terms of savings potential, impact on recycling performance and potential impact on resident satisfaction.

1.4 Two options have been taken forward to public consultation:

- **Free fortnightly** combined Green Bin and food collection service
- **Weekly charged (£60 per year)** Green Bin collection service with a separate free food collection service for all kerbside properties.

1.5 The consultation responses showed a clear preference for Free Fortnightly combined Green Bin and food collection service. For the reasons set out in this report officers also consider that the Free Fortnightly combined Green Bin and food collection service should be adopted.

1.6 A process and indicative timescale for implementation of free fortnightly green bin collections is outlined

## **2. RECOMMENDATIONS**

- 2.1 That Cabinet approve the implementation of the recommended option, Free Fortnightly collection, whilst retaining weekly collections of refuse and recycling, as detailed in sections 3.27 – 3.31.
- 2.2 That Cabinet approves to delegate to the Assistant Director Public Realm (in consultation with the relevant Cabinet Member) the decision to procure, negotiate and award contracts (in accordance with the Council's Procurement Rules) for the works and services as appropriate associated with the implementation of a Free Fortnightly collection service.
- 2.3 That Cabinet approve the redirection of capital expenditure, funded through existing borrowing of up to £377k required to implement the service change.

## **3. BACKGROUND**

- 3.1. Enfield Council has a challenging savings target of £56m by 2019/20. It is therefore imperative that the Council explores different ways of delivering services that are more efficient, but that also retain high standards of service for residents.
- 3.2. The savings relating to Regeneration and Environment are £3.2m over the same period.
- 3.3. Though balanced for 2016/17, there is a budget gap remaining in the Medium Term Financial Plan of £13.7m up until 2019/20. The proposals set out in this report would mean that the part year effect of the saving can contribute towards the Council's financial position in 2017/18 should this be agreed.
- 3.4. From 2011/12 to 2015/16, Public Realm has delivered savings of £4.25m and secured £2.4m DCLG funding to retain weekly waste collections and is committed to doing so, which has maintained the high standard of frontline services to residents in Public Realm.

Savings have been delivered through contract negotiations, income generation, staff optimisation and automation of services.

3.5. Further, during 2014/15 the parks, streets and waste services all underwent efficiency reviews to measure: cost, performance and public sector satisfaction. In summary the outcomes were:

- **Street cleansing:** Service offers excellent value for money (£13.0 per person compared to London average of £21.40 per person), with good performance and high customer satisfaction.
- **Parks and Open Spaces:** High productivity with higher satisfaction than the private sector comparators and lower unit costs.
- **Waste and recycling:** High service levels and performance compared to other London authorities. The recommendations included removal of one round and route optimisation of all three services. These recommendations have been delivered and there are no further opportunities for resource reductions without significant service change.

The review included benchmarking with private sector comparators and concluded that all services are effectively fully optimised.

3.6. In 2015 a range of savings were considered to meet the budget gaps predicted in 2016/17 and 2017/18. The savings that were agreed by Council were for frontline service provision in streets and parks from 2016/17. To assist the Council in meeting further future savings officers were asked to review further opportunities within the waste service area, specifically around recycling and the green bin service.

3.7. In order to gain further future savings modelling has been undertaken to reduce the recycling and green bin services.

3.8. Reducing or limiting kerbside comingled recycling services would significantly increase disposal costs and reduce customer satisfaction and recycling performance. Therefore this has not been taken forward and the Council is committed to retaining this service weekly.

3.9. The Green Bin collection service has therefore been considered because it is a non-statutory service and reductions here are

considered to have the least impact on customers and service performance.

### **Benchmarking - Green Bin Service offers**

- 3.10. With the national, regional and local growth in the provision of kerbside recycling and green waste collection systems and the associated costs of these services, there has been a move in other areas over the last decade to alternate weekly, chargeable or fortnightly services.
- 3.11. Given the drive to increase recycling and reduce waste coupled with financial pressures, councils such as Salford City Council have introduced three weekly residual waste collections (black bins) and Fife Council has trialled monthly residual collections.
- 3.12. Analysis shows that nationally there is a wide range of collection types and frequencies which are continually changing. In England, of the 301 authorities that provide green bin services the breakdown of types is as follows:

**Table 1** (Source – Waste Resources Action Programme 15/16)

<b>Green Bin Service</b>	<b>% of English Authorities</b>
Free Weekly	18%
Charged Weekly	24%
Free Fortnightly	32%
Charged Fortnightly	26%



- 3.13. London boroughs provide a variety of green bin configurations as set out in the table below.

**Table 2** - Summary of Green Bin Collection Services (Delivered by London Boroughs; Source – Resource London September 2016)

Green Bin Service	Number of London Boroughs
Free Weekly	11 (including Enfield)
Charged Weekly	2
Free Fortnightly	4
Charged Fortnightly	12
No service	3
<b>Total</b>	<b>32</b>

### Green Bin Options Appraisal

- 3.14. A full options appraisal was undertaken, with specialist technical support, to identify appropriate service provision options that could; provide savings, maintain or improve performance levels, was in line with accepted service provision elsewhere and minimised impact on customer satisfaction with waste and recycling services overall.
- 3.15. The service variables considered within the options appraisal included; collection frequency, seasonal frequency, collection methodology, charging and not operating a garden and food collection service.
- 3.16. The possible service configurations generated using these variables were then reduced down to 10 potentials by removing options that increased costs, did not meet statutory requirements, were a significant service reduction or were nonsensical.
- 3.17. The 10 options were then modelled to assess; likelihood of providing significant savings, impact on recycling performance and the impact on resident satisfaction. The two options that performed the most favourably against the criteria were:
- **Free fortnightly** combined Green Bin and food collection service
  - **Weekly charged** (£60 per year) Green Bin collection service with a separate free food collection service for all kerbside properties.

3.18. Appendix 1 contains full details of the options appraisal process.

### **Public Consultation**

3.19. To measure attitudes towards the two service options, and understand the potential impact of each, an online questionnaire, and a hard copy version, was made available to residents across the borough. The questionnaire was available for 12 weeks, between 10<sup>th</sup> June and 2<sup>nd</sup> September 2016.

3.20. Residents were also offered the opportunity to contact the Consultation and Resident Engagement Services Team if they required assistance in participating in the consultation or required further information. Background information was provided with the questionnaire explaining why the Council wished to change the way in which it provided the Green Bin service, and setting out details of the two options which the Council had identified as preferred options. The questionnaire could be translated online, was clear and concise and wide ranging promotional activity was undertaken to raise awareness of it. The accessibility of the questionnaire was reflected in the proportion of responses submitted by older people and disabled residents

3.21. Residents were notified of the consultation exercise via; Our Enfield, Enfield Connected, Website homepage, Social Media, Local media (including ethnic publications) and advertisements in public buildings (civic centre, libraries). This resulted in the highest number of online responses (3,191) to a consultation hosted on the Council website.

3.22. The consultation responses showed a **clear preference for Free Fortnightly combined Green Bin and food collection service** with 87% of all respondents preferring this option to the charged weekly option.

3.23. Respondents aged over 55 and under 55 indicated the same level of preference (both 87%) and 88% of disabled respondents also preferred Free Fortnightly service.

3.24. The consultation enabled respondents to identify alternative suggestions. Seasonal services, such as stopping or reducing the green bin collections in the winter, was suggested by 6% of the respondents. The other options identified are detailed in Appendix 2.

- 3.25. The high participation in the consultation and consistent support for the Free Fortnightly service across different demographic areas demonstrates that the consultation outcomes are robust and that, if the Council chooses to reduce its current service, the introduction of the service would be equally preferred across all areas and groups of the Borough in preference to the charged weekly service.
- 3.26. Appendix 2 contains further details of the consultation outcomes.

### Proposal

- 3.27. The proposal is to replace the current free weekly Green Bin and food collection service with one of two options designed to reduce costs. The key elements of the two options; Free fortnightly combined Green Bin and food collection service and Weekly charged (£60 per year) Green Bin collection service with a separate free food collection service for all kerbside properties are compared below:

**Table 3 – Options Comparison**

	<b>Free Fortnightly</b>	<b>Charged Weekly</b>
Service fee	Free	£60 (per year)
Saving	£350-400k	£700-800k
Implementation	4-6 Months	10-12 Months
Consultation resident support	87%	13%
Estimated Impact on Recycling	0%	-2%
Container replacement	Yes (for 140ltr bins)	Yes (food caddies)
Day Change	Limited	Yes

- 3.28. The Free Fortnightly service provides a smaller saving of the two options however it can be implemented to deliver a saving in a more timely way. The modelling shows it is unlikely to have a negative impact on the recycling performance of this service or on resident's collection days, and has significantly more support from the public (87%) than the Weekly Charged service (13%).
- 3.29. For the reasons outlined earlier (3.1 – 3.9) it is considered that there should be a reduction in the Green bin and food collection service. If the Council decides that it wishes to reduce the service, it is proposed to implement a Free Fortnightly combined green bin and food collection

service borough-wide from March/April 2017. This will apply to all properties with kerbside bins and any current or future communal green waste bins.

- 3.30. The green bins will be collected on the same day of the week, although fortnightly, as the continued existing weekly kerbside residual and recycling collections. Retaining the weekly blue bin recycling service will support increased recycling performance and maintain customer satisfaction with waste and recycling services.
- 3.31. Separate food waste collections at estates and in other communal areas will be unaffected and will continue at their existing collection frequency.

### **Implementation**

- 3.32. The Free Fortnightly service delivers savings through reducing the number of collection rounds by 4; this provides direct vehicle and staff savings.
- 3.33. The replacement programme for the existing vehicle fleet has been delayed in lieu of the service review with replacements due in 2017/18 which will allow this saving to be realised. This will provide a saving from the fleet replacement programme and also reduced maintenance costs from a smaller fleet. Additionally, this will release space at the depot for other alternative uses.
- 3.34. The fortnightly round structure will require a lower number of staff to operate and so will provide staff savings. The proposal will enable permanent roles to be reduced by 12. Vacant permanent roles are currently backfilled with agency staff and so these roles can be deleted with no change to the number of permanently employed personnel and therefore no redundancy costs incurred.
- 3.35. To deliver the proposed service change it will require one-off implementation and ongoing revenue costs. These costs will enable additional resources to be provided to implement the change and also provide ongoing support for the continued service delivery. The costs provide implementation resources, communications prior to and post the change of service and the provision for ongoing waste enforcement. These costs will be met initially from within the service area in 2016/17, but thereafter are included within the overall financial model within Table 4.

3.36. The capital and revenue costs and savings are summarised as follows:

**Table 4-** Green Bin Service Change –Financial Model

<b>Item</b>	<b>2017/18</b>	<b>2018/19</b>	<b>2019/20</b>
Revenue Costs	156	80	80
Revenue Savings	-368	-491	-491
Net Total Saving	-212	-411	-411
Capital Financing (Borrowing)	52	51	49
<b>Net Impact on Budget</b>	<b>-160</b>	<b>-360</b>	<b>-362</b>

3.37. The required rerouting of rounds to optimise collection efficiency has already been undertaken to calculate potential savings. Final round details will be confirmed using existing route planning software which is already tested and operational.

3.38. A robust communication plan is key to ensuring that residents understand and engage with the new service and will address key issues raised by residents in the consultation.

3.39. The new arrangements for the service will be communicated to every affected resident through the delivery of a range of information and materials to all households utilising the service. These communications will include a calendar detailing collection dates and an overview of the new service in the Council magazine which will be delivered to all 120,000 households in Enfield. Information will also be displayed prominently on our website, adverts placed in the local press and press releases produced to generate editorial coverage. A social media campaign will be delivered through our Facebook and Twitter feeds supported by a borough-wide poster campaign and information displayed in our libraries and customer access centres. Additional communications will also be provided for the public, following implementation, to ensure all residents are made aware of the service provision and their collection days.

- 3.40. The consultation process flagged that some residents currently using smaller 140 litre green bins will require additional capacity with a move to a fortnightly service.
- 3.41. Analysis has shown that approximately 19,000 properties currently use the smaller 140 litre green bin for this service. Residents with the smaller 140 litre green bins will have the opportunity to swap these bins for a larger 240 litre bin free of charge as part of the implementation of the scheme. Only residents with the smaller bins will be eligible to swap them for free at this time.
- 3.42. Residents who are eligible for the bin-swap will be asked to request this swap in advance of the service change and this option will be made clear in the promotional material provided. Should requests be made after the service commencement, a further opportunity will be provided for these residents free of charge until 1<sup>st</sup> June 2017. Residents who request a larger bin after the 1<sup>st</sup> June 2017 will be required to pay for this in line with the Council's agreed fees and charges. For logistical reasons, bin swaps will be carried out in batches, with the first batch being delivered before the service change commences. Subsequent delivery batches will be scheduled in accordance with demand. Should a resident be awaiting delivery of a larger bin, officers enforcing the Council's side waste policy will be instructed to apply discretion.
- 3.43. Biffa Waste Services Ltd who compost the organic waste once collected, and Suez UK Ltd who operate the Refuse Recycling Site (RRS) at Barrowell Green are aware of the potential changes and have both confirmed they have capacity and resources to manage any impacts that may result from the service change.
- 3.44. Residents who require additional capacity (other than that in 3.41 above) will still be able to obtain a second green bin for an annual hire charge, or take their excess organic garden material to Barrowell Green RRS for free. Currently 40 residents have a second green bin. The council's existing side waste policy will continue to apply.
- 3.45. A detailed implementation programme will be developed if the proposed recommendations are approved, the key stages of the programme are as follows:
- **Stage 1**-Communications programme will commence from decision being made until service implementation is complete
  - **Stage 2**-Residents with smaller bins only will be able to request to swap for larger bins from November 2016 until January 2017

- **Stage3**-Bin swaps will take place ahead of service commencement
- **Stage 4**-Service will begin March/April 2017

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

- 4.1 Continuing with the existing weekly free service would not provide the required financial outcomes for the Council.
- 4.2 An options screening and appraisal exercise determined what changes to the Green Bin service would deliver the necessary savings whilst minimising impact on customer satisfaction and recycling performance. Any alternative options that did not meet this requirement were excluded, including seasonal variations.
- 4.3 A weekly charged for service was included in the public consultation process but was clearly, from the responses received, not the preferred option.
- 4.4 Separate food waste collections cannot be implemented and deliver savings unless a charged for green bin service is also implemented due to the cost of additional food waste collection vehicles required.

#### **5. REASONS FOR RECOMMENDATIONS**

- 5.1 Free fortnightly green bin collections will enable the Public Realm to deliver a saving of £160k in 2017/18 and a continued saving of £362k from 2018/19, with minimum impact on the Council's recycling performance as a result of this service change
- 5.2 This option showed a strong preference overall and across all demographic profiling (further details can be found within appendix 2) by residents during the consultation process and is the option that has the lowest one-off mobilisation costs and which poses the least deliverability risk to the Council.
- 5.3 The retention of a free Green Bin collection service will ensure all residents have access to a full range of recycling services.
- 5.4 Half of London authorities collect Green Bins on a fortnightly basis with only 18% of authorities in England still collecting weekly. Access to alternative facilities for recycling excess organic garden material such as Household Waste Recycling Sites coupled with appropriate enforcement action are mechanisms that other authorities have successfully used to deliver service changes with minimal impact.

- 5.5 Benchmarking data from other authorities has been used to inform the expected savings profiles for both options within this report. The modelling process took historical data from services and service changes from other local authorities over a ten year period. This data was combined with data specific to Enfield and was used to create predictions of the expected impact of the various possible service changes. This included the cost of staff and vehicles and the likely impact on recycling rates as well as enforcement costs to regulate side waste.
- 5.6 The costs incurred by the measures detailed in sections 3 and 5 above are proposed to be funded through existing borrowing of up to £377k to implement the service change and are included in the financial model of the changes.

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

### **Financial Implications**

- 6.1 The proposed up to £0.377m, that may be, required for the purchase of 240l wheeled bins to assist the implementation of the proposed service change can be funded by redirecting existing previously agreed capital resources and will be reflected in the quarter 3 capital monitoring report. The borrowing costs of up to circa £0.083m will be covered from the revenue savings generated from the service change.
- 6.2 Table 4 in the main body of the report summarises the costs and savings for Free Fortnightly Collection. The one-off revenue costs will be accommodated using existing resources in 2016/17, prior to the service implementation.
- 6.3 There are no capital requirements for new vehicles as there is no requirement for new vehicles to achieve this service change.

### **Legal Implications**

- 6.4 The Council has a duty under section 45 of the Environmental Protection Act 1990 to arrange for the collection of household waste. Generally no charge can be levied for such a collection but the Controlled Waste (England and Wales) Regulations 2012 (paragraph 4 of schedule 1) permit a charge for the Green Bin collection service.
- 6.5 The consultation exercise undertaken complies with the common law requirements for a fair and open consultation process and is unlikely to be successfully challenged. There is a requirement that the



consultation responses are properly taken into account in reaching a decision on the matter the subject of the consultation, and by this report, and consideration of it by Cabinet, that requirement is met.

- 6.6 The proposals within the report comply with the Council's powers and duties.
- 6.7 The bins required for implementation of the proposal will be procured through an Invitation To Further Competition under an existing framework contract in line with contract procedure rules.

### **Property Implications**

There are no property implications outlined within this report

## **7 KEY RISKS**

- 7.1 The key risks associated with implementing the recommendation are:
- **Financial:** Savings not realised. Officers have cautiously calculated the savings profiles and included a contingency sum to cover unforeseen impacts of the service change on the budget.
  - **Operational:** Lack of resources to deliver the service change: A project manager is in place to manage the service change. A full project team is in place to deliver each of the work streams
  - **Reputational:** Residents not aware of service changes. A full communications plan will be implemented that will take place over a 4-month period and will use a variety of mediums to ensure residents are aware of the service change. Each household, that uses the Green Bin collection service, will receive 2 specific leaflets through their door notifying them of the change.

## **8 IMPACT ON COUNCIL PRIORITIES**

### **Fairness for All**

- 8.1 The consultation was open to all residents. Responses were received from a cross-section of the borough.
- 8.2 The move from weekly to fortnightly is not a material change to the service. All residents will still have the ability to recycle food and garden products.

## **Growth and Sustainability**

- 8.3 The recommended service change will help reduce the Council's financial pressures and assist the Council to become more sustainable moving forwards.

## **Strong Communities**

- 8.4 The 12-week consultation exercise gave communities the opportunity to voice their views on the future of services. These views were taken into consideration in the recommendations.

## **9 EQUALITIES IMPACT IMPLICATIONS**

A predictive EQIA has been undertaken and it has concluded that the proposed changes are not deemed to disproportionately impact residents from the protected characteristic groups. Details of this report are available to the public on request.

## **10 PERFORMANCE MANAGEMENT IMPLICATIONS**

Independent modelling has concluded that there should be no significant change in the recycling performance of the service resulting from the service change.

## **11 HEALTH AND SAFETY IMPLICATIONS**

A risk assessment and Safe System of Work is in place for the collection crews collecting Green Bins. The new service is no different operationally and so the existing RASSW remains appropriate. All operational risk assessments are reviewed and updated regularly.

## **12 HR IMPLICATIONS**

The number of personnel required to deliver the new service is less than current personnel levels. The reduction will be realised through the reduced use of agency resources. There will be no change to the number of permanently employed personnel.

## **13 PUBLIC HEALTH IMPLICATIONS**

No reports of how reducing the green bin service has been detrimental to public health have been received from other boroughs. This though should be monitored for any unforeseen consequences.

## **Background Papers**

None

## **Appendices**

Appendix 1 Options Appraisal Process

Appendix 2 Consultation Summary

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## Overview of the Green Bin Options Appraisal

A three stage process was carried out to determine the options that would be consulted on. The primary considerations when carrying out the appraisal process for each option were:

- Will the option deliver the Council a financial saving?
- What impact will the service change have on customers?
- What impact will the service change have on the Council's recycling rate?

### Stage 1 – Developing Long List of Options

A statistical analysis known as a Cartesian Product was used to generate service options based around the service variables set out in Figure 1. 14,400 service options were generated from this exercise.

**Figure 1 - Service Variables**

Food	Seasonality	Green
<b>Separation of Food</b> Food Separate No Food Food Commingled	<b>Seasonality</b> Seasonal service No seasonal service	<b>Separation of Green</b> Green Separate No Green Green Commingled
<b>Food Collection Frequency (Summer)</b> Food Weekly Summer Food Fortnightly Summer Food Three-Weekly Summer Food Four Weekly Summer		<b>Green Collection Frequency (Summer)</b> Green Weekly Summer Green Fortnightly Summer Green Three-Weekly Summer Green Four Weekly Summer
<b>Food Collection Frequency (Winter)</b> Food Weekly Winter Food Fortnightly Winter Food Three-Weekly Winter Food Four Weekly Winter No Food Service in Winter		<b>Green Collection Frequency (Winter)</b> Green Weekly Winter Green Fortnightly Winter Green Three-Weekly Winter Green Four Weekly Winter No Green Service in Winter
		<b>Charging for Green</b> Green Not Charged Green Charged

### Stage 2 – Shortlisting of Options

The 14,400 options were reduced to 40 by removing variations of the same option and options that were illegal.

Table 1 (at page 4) summarises the 40 options. These options were reduced to 10 (highlighted in green) through the following sieving process.

### Sieving exercise

#### 1<sup>st</sup> sieve

The first sieve considered impact on the customer. It was not deemed acceptable for services to be removed completely.

#### Outcome

The following options were removed:

- options where there was no collection service for food; and
- options where there was no organic collection service (garden) .

#### 2<sup>nd</sup> sieve

This sieving exercise considered which options would deliver savings. Operating a food waste service alongside a green waste service that is not charged will not deliver savings because more resources not less will be required.

#### Outcome

- All separate food waste options that were accompanied by a free garden waste service were removed.

#### 3<sup>rd</sup> sieve

This sieving exercise considered the impact of collection frequency changes during the summer and winter for garden waste services.




#### Outcome

- Three-weekly service options removed due to scheduling difficulties and also a higher level of customer communications being required as the schedule would vary from month to month

### Stage 3 Cost and Performance Modelling

Eunomia Research & Consulting Ltd carried out high level modelling of the 10 options resulting from stage 2 to determine anticipated savings and impact on recycling performance. Figure 2 provides a pictorial summary of the 10 options.

**Figure 2 - Options Modelled**

	Baseline	1	2	3	4	5	6	7	8	9	10
Food	Mixed With Garden	Mixed with Garden	Mixed with Garden	Weekly Separate 						None	
Summer Garden	Weekly	Weekly	Fortnightly	Weekly £				Fortnightly £		None	
Winter Garden	Weekly	Fortnightly	Fortnightly	Weekly £	Fortnightly £	Four Weekly £	None	Fortnightly £	Four Weekly £	None	
Dry and Residual	Unchanged (weekly)  										
	Baseline	1	2	3	4	5	6	7	8	9	10

## Modelling outcomes

**Option 1:** Anticipated savings considerably lower than other options.

Outcome: Option 1 not progressed.

**Options 2:** This option anticipated to deliver savings of at least £400k and showed no impact on kerbside recycling performance. Benchmarking exercise found that over 50% of London council operate a fortnightly garden waste service. Level of impact deemed minimal.

Outcome: Option 2 put forward for detailed modelling and public consultation

**Options 3:** Option would deliver greater savings than option 2. Impact on kerbside recycling level approximately 6% reduction (overall 2% reduction on N195 recycling rate) which is less than options 4 – 10. 40% of London councils offer a charged garden waste service. Benchmarking shows that impact on satisfaction levels are highest in year 1 and reduce over time.

Outcome: Although potential for a certain amount of dissatisfaction the potential for significant savings warranted its inclusion in the consultation process.

**Option 4- 6:** These are variants of option 3 and delivered similar levels of savings. Recycling rate for option 4 is the same as option 3 and 1% less for option 5 and 6. These options included a charged garden waste service with reduced winter frequencies compared to option 3.

Outcome. These options were not put forward for consultation because they offered a reduced service compared to option 3.

**Option 7- 9:** These options although delivering the highest savings further reduced the Council's recycling rate and had a bigger impact on customers.

Outcome: These options were considered to have too negative an impact on customer and the Council's recycling rate so were not considered for consultation.

**Option 10:** This was included to understand what the cost savings would be for not operating either of the services. If implemented the Council's kerbside recycling rate would be reduced by approximately 18%.

The two options that delivered the required savings and had least impact on customers and the Council's recycling rate were determined as 2: **Free fortnightly combined green bin and food collection service** and 3: **Weekly charged (£60 per year) green bin collection service and free separate food collection service**. These two options were subject to detailed modelling and formed the basis of the public consultation process.

**Table 1 - Green Bin Options**

	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>1</b>	Food Commingled	Food Fortnightly Summer	Food Fortnightly Winter	No seasonal service	Green Commingled	Green Fortnightly Summer	Green Fortnightly Winter	Green Not Charged	
<b>2</b>	Food Commingled	Food Weekly Summer	Food Weekly Winter	No seasonal service	Green Commingled	Green Weekly Summer	Green Weekly Winter	Green Not Charged	
<b>3</b>	Food Commingled	Food Weekly Summer	Food Fortnightly Winter	Seasonal service	Green Commingled	Green Weekly Summer	Green Fortnightly Winter	Green Not Charged	
<b>4</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	No seasonal service	Green Separate	Green Fortnightly Summer	Green Fortnightly Winter	Green Charged	
<b>5</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	No seasonal service	Green Separate	Green Fortnightly Summer	Green Fortnightly Winter	Green Not Charged	
<b>6</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	No seasonal service	Green Separate	Green Weekly Summer	Green Weekly Winter	Green Charged	



	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>7</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	No seasonal service	Green Separate	Green Weekly Summer	Green Weekly Winter	Green Not Charged	
<b>8</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	No seasonal service	No Green	N/A	N/A	N/A	
<b>9</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Four Weekly Winter	Green Charged	
<b>10</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Four Weekly Winter	Green Not Charged	
<b>11</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Three-Weekly Winter	Green Charged	

	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>12</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Three-Weekly Winter	Green Not Charged	
<b>13</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Fortnightly Summer	No Green Service in Winter	Green Charged	
<b>14</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Fortnightly Summer	No Green Service in Winter	Green Not Charged	
<b>15</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	Green Fortnightly Winter	Green Charged	
<b>16</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	Green Fortnightly Winter	Green Not Charged	
<b>17</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	Green Four Weekly Winter	Green Charged	

	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>18</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	Green Four Weekly Winter	Green Not Charged	
<b>19</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	Green Three-Weekly Winter	Green Charged	
<b>20</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	Green Three-Weekly Winter	Green Not Charged	
<b>21</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	No Green Service in Winter	Green Charged	
<b>22</b>	Food Separate	Food Weekly Summer	Food Weekly Winter	Seasonal Service	Green Separate	Green Weekly Summer	No Green Service in Winter	Green Not Charged	
<b>23</b>	No Food	N/A	N/A	No seasonal service	Green Separate	Green Fortnightly Summer	Green Fortnightly Winter	Green Charged	

	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>24</b>	No Food	N/A	N/A	No seasonal service	Green Separate	Green Fortnightly Summer	Green Fortnightly Winter	Green Not Charged	
<b>25</b>	No Food	N/A	N/A	No seasonal service	Green Separate	Green Weekly Summer	Green Weekly Winter	Green Charged	
<b>26</b>	No Food	N/A	N/A	No seasonal service	Green Separate	Green Weekly Summer	Green Weekly Winter	Green Not Charged	
<b>27</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Four Weekly Winter	Green Charged	
<b>28</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Four Weekly Winter	Green Not Charged	
<b>29</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Three-Weekly Winter	Green Charged	

	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>30</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Fortnightly Summer	Green Three-Weekly Winter	Green Not Charged	
<b>31</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Fortnightly Summer	No Green Service in Winter	Green Charged	
<b>32</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Fortnightly Summer	No Green Service in Winter	Green Not Charged	
<b>33</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	Green Fortnightly Winter	Green Charged	
<b>34</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	Green Fortnightly Winter	Green Not Charged	
<b>35</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	Green Four Weekly Winter	Green Charged	

	<b>Food Separation</b>	<b>Food Frequency Summer</b>	<b>Food Frequency Winter</b>	<b>Seasonal</b>	<b>Green Separation</b>	<b>Green Frequency Summer</b>	<b>Green Frequency Winter</b>	<b>Green Charged</b>	<b>Final Result for Sieving Exercise</b>
<b>36</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	Green Four Weekly Winter	Green Not Charged	
<b>37</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	Green Three-Weekly Winter	Green Charged	
<b>38</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	Green Three-Weekly Winter	Green Not Charged	
<b>39</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	No Green Service in Winter	Green Charged	
<b>40</b>	No Food	N/A	N/A	Seasonal Service	Green Separate	Green Weekly Summer	No Green Service in Winter	Green Not Charged	
<b>41</b>	No Food	N/A	N/A	No seasonal service	No Green	N/A	N/A	N/A	







## APPENDIX TWO -GREEN BIN CONSULTATION -:

### Summary

#### Overall

There were 3,191 responses to the questionnaire.

#### Respondents

- Three-quarters of responses (75%) are from respondents who live in the west of the borough
- 16% are disabled – reflecting the borough population
- 65% are over 50

#### Key findings

- Almost 9 out of 10 (87%) prefer fortnightly to a charged collection service
- Around 1 out of 8 (13%) would prefer a weekly charged service
- 6 out of 10 (61%) of all respondents state that moving to a fortnightly collection would either impact them 'slightly' or 'not at all'
- A clear majority (71%) of residents stated that they would be impacted 'a lot' by having to pay a £60 charge

#### Size of green bin

Those who have a slimline bin (140l) are more likely to favour the fortnightly collection option than those households who have the standard sized bin (240l) – 89% and 86% respectively. Both are very similar to the borough average (87%). We cannot be confident there are significantly different opinions between those who have the slimline bins and those who have the standard size bins but it is clear that the majority of residents, regardless of the size of bin, have a preference for the fortnightly collection option.

Whether residents have a 240l or 140l green bin, similar numbers said they will be affected 'a lot' (Q6) if the service was to be fortnightly.

#### Postal district

The base sizes at postal district level can be small, and thus caution should be exercised when analysing the data. It appears that an overwhelming number of respondents from each postal district, including those who live in areas where the base size is small, favour fortnightly collection. The proportion of those in favour of a fortnightly collection range from between 77% in EN4 (out of a total of 69 respondents) to 93% in N18 (out of a total of 91 respondents).

The preference for fortnightly collection is higher in the less affluent areas of the borough than it is in the more affluent west of the borough – 93% compared to 85%. A minority prefer the charged service option, with more of those in the more affluent areas preferring this than those in the south and east of the borough – 15% compared to 7%.

With income levels being higher in the west, this may explain the higher proportion of residents in the south and east who prefer the fortnightly collection option. This is reflected in the analysis of the responses of those who receive Council Tax Support and/or Housing

Benefit. Respondents were asked if they received these benefits as it is felt that whether or not someone receives benefits is a better indicator of high or low income than responses to the standard questions on employment status and social classification/stratification.

### **Council tax support and housing benefit**

Only 6% of the 125 respondents who receive Council Tax Support and/or Housing Benefit stated that they preferred a charged service, while more than nine out of 10 said they would rather have a fortnightly collection service. Of those who do not receive either benefit, around nine out of 10 (87%) are in favour of the fortnightly collection. This, of course, is similar to the average for the borough as whole as the majority of respondents do not receive either benefit.

### **Disability**

In total 16% of all respondents said they have a disability, reflecting the proportion of disabled residents in the borough – 15.4% according to the 2011 Census. This suggests the consultation was accessible to those who have a disability. Of those who have a disability, around nine out of 10 (89%) prefer fortnightly collection.

### **Age groups**

The number of responses from the younger age groups was low, particularly among those aged 29 or under. Of those age groups with at least 100 responses, views are similar with the preference for fortnightly collection varying from 83% (35 to 39 year olds) to 89% (45 to 49 year olds). We cannot be confident that there are significant differences in the views of the various age groups. If there were differences, these would probably be best explained by looking at other factors, such as income, that may influence choice.

### **Composting**

With regards to opportunities for composting, the following question was included and the responses below received:

Given the options proposed, would you be interested in a free/subsidised home composting bin?

826 (25.9%) *Yes*

1513 (47.4%) *No*

852 (26.7%) *Don't know / maybe*

### **Analysis of Literal Responses to Q8 (“If you have any suggestions or further comments on our proposals, let us know”).**

1,433 residents responded to this question. Not all responses were suggestions. A number of respondents simply stated a preference for free fortnightly collection or responded with ‘N/A’ and ‘no other comments to make’

Some respondents to this question made more than one comment/suggestion. It was clear from the analysis that two suggestions stood out: retain the current approach (that is, free weekly collection) and a form of seasonal collection (for example, fortnightly collection in the Autumn and Winter, weekly collection in the Spring and Summer)

**Around a fifth (18%) of those who responded to Q8, said they would like to retain the current weekly collection. This is 6% of the total number of respondents who completed the questionnaire**

**Around one in eight (13%) of those who responded to Q8, suggest the Council should consider using a form of collection whereby frequency is higher in the warmer months but less frequent during the rest of the year. This represents 6% of all respondents**

It should be noted that many different variations of seasonal collection were suggested. They varied by frequency and when the higher/lower frequency collections should take place. From reading these responses, it would be difficult to establish common ground on what would be considered acceptable frequencies of collection at the various times of the year

**Around one in five (18%) made other suggestions.** A selection are listed below:

- Fortnightly collection for the other bins (that is, blue lid and black lid bins) – it should be noted that several other respondents made it clear that they would rather see the green bin collected fortnightly and the other bins collected weekly
- Collect food weekly but garden materials should be collected fortnightly
- The Council should make savings elsewhere (for example, reduce staff salaries, tackle benefit fraud effectively and abandon the plans for Cycle Enfield) and cut other services – such suggestions were often accompanied by a clear preference for retaining the current weekly and free collection
- The Council increase revenues by charging more for other Council services
- For free green bin collection to be available only on request (for example, residents call the Council to order a collection)
- Green bin to be collected twice a week
- Charge residents who do not recycle

It should not be assumed that those residents who submitted suggestions were opposed to the proposals. In fact, a number of residents suggested they were satisfied with the proposal for fortnightly collection as long as at least one of the following were included/in place/available:

An extra green bin is made available to households

Larger green bins (that is, 240l rather 140l)

Changes to the service are clearly communicated

Skips are made available in parks and at the end of streets to enable residents to dispose of their kitchen and garden materials

Opening hours of Barrowell Green are extended

## **Summary Conclusion**

Analysis of the data indicates that not only do the majority of respondents prefer the fortnightly collection option, but so do disadvantaged groups, such as disabled residents and those on low incomes in the borough – a key consideration for the Council. Even when given the option of identifying a different option (in question 8), most people did not do so, suggesting that the fortnightly collection option is generally preferred. The data suggests that the size of the green bin currently used by a household does not impact on preference.

## **Green bin consultation Report - Detail**

### **Methodology**

Residents were engaged using both online and paper questionnaires, with the questions being the same in both versions. The online questionnaire was hosted on the Council website, with paper copies made available in the Hub libraries and in the Council's main customer access centres.

The information provided with the online and paper questionnaires informed residents how they could contact the Consultation and Resident Engagement Services Team if they had any queries or required assistance with participation.

The online questionnaire could be translated, using Google translate, and the text could be increased in size.

The consultation was launched on 10 June and closed on 5 September 2016. During that time, a total of 3,191 residents completed either the online or paper questionnaire.

### **Marketing and promotion**

Due to the potential impact of the proposals and the fact that green bin collection is a universal service, it was important to ensure that coverage was widespread. The wide ranging marketing and promotional campaign included:

- A full page article in Our Enfield (the Council magazine that is delivered to all households in the borough)
- Adverts in the local press
- Adverts in non-English, local press (for example, Londra)
- 'Six sheet' posters across the borough, in areas of high footfall (through JC Decaux)
- Digital marketing
- Tweeting from the Enfield Council Twitter account
- Posting on Facebook from the Council account

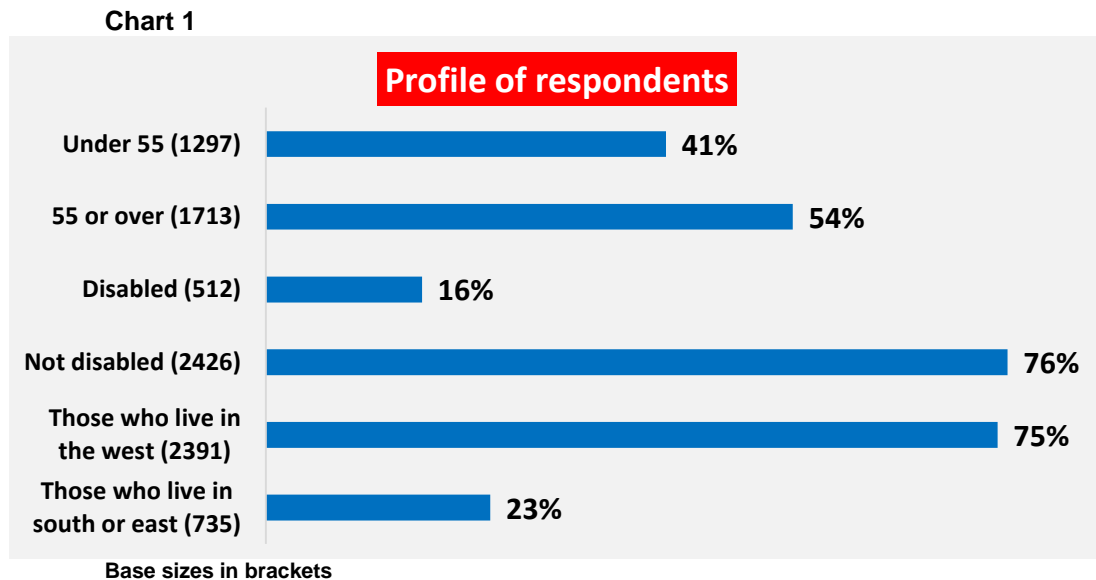
### **Respondents**

To help further understand the data a number of questions were asked to establish the age, disability/non-disability status, where respondents lived (by postal district) and whether or not they claimed housing benefit and/or Council Tax Support.

Ability to establish the views of residents with low incomes was of importance as one of the proposals of the consultation was to charge for collection of the green bin. Asking whether or not respondents receive Housing Benefit and/or Council Tax Support is more effective than using social stratification definitions and work status. It would be seen as intrusive to request information relating to household income. Even establishing household income is limited as it does not include outgoings, size of household and other factors.

Please note: for each of these questions, respondents were given the opportunity to respond with 'Prefer not to say'. As a result, the figures showing, for example, the age groups of respondents, do not necessarily add to 100%.

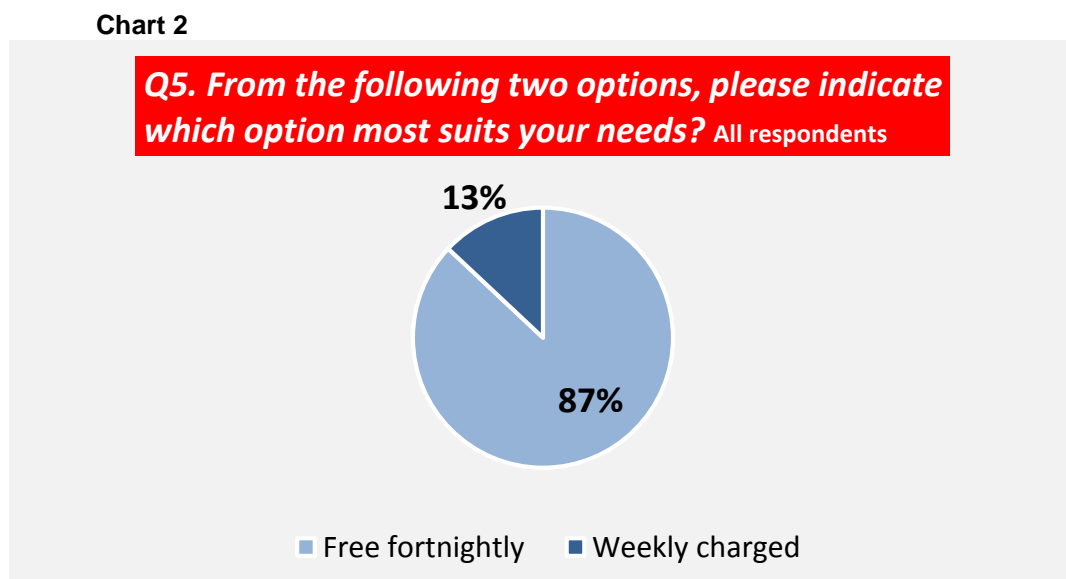
The chart below (see Chart 1) shows the totals and proportions of respondents.



## Key findings

### *Preference for 'fortnightly free' over 'weekly charged' (Q5)*

Residents were asked whether they would prefer a 'free fortnightly' or a 'weekly charged' collection (£60). Almost nine out of 10 (87%) prefer the free fortnightly option, with around one in eight (13%), preferring a weekly charged collection (see Chart 2).

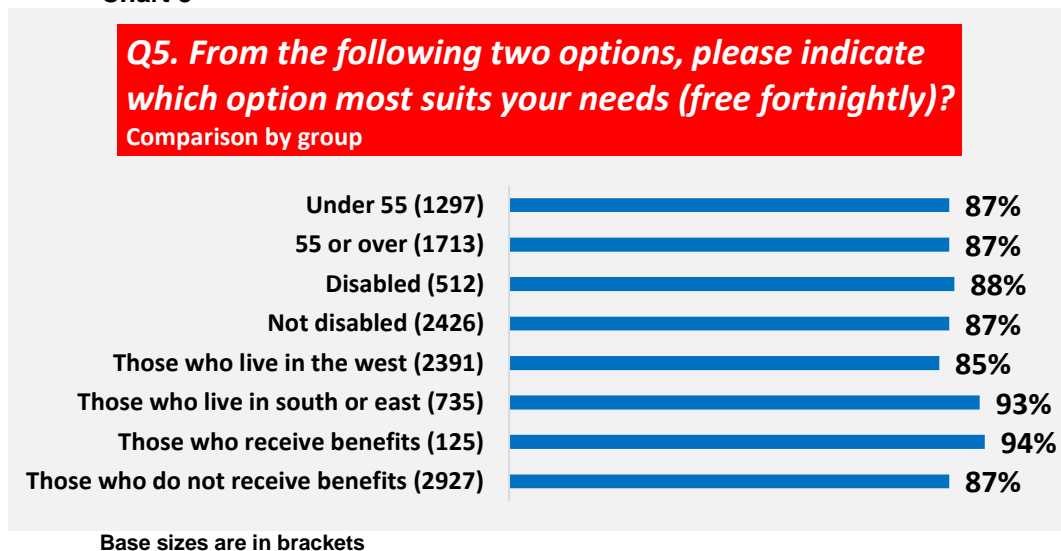


Base size: 3,191 residents

Around seven times as many respondents prefer the free fortnightly collection. The free fortnightly option is the preferred option among all the various groups of respondents.

Although the majority of each group of respondents prefer the free fortnightly option, there appears to be some differences between some comparative groups. For example, free fortnightly appears to be preferred by the those who live in the less affluent areas (93%) and those who receive either Housing Benefit and/or Council Tax Support (94%). See Chart 3.

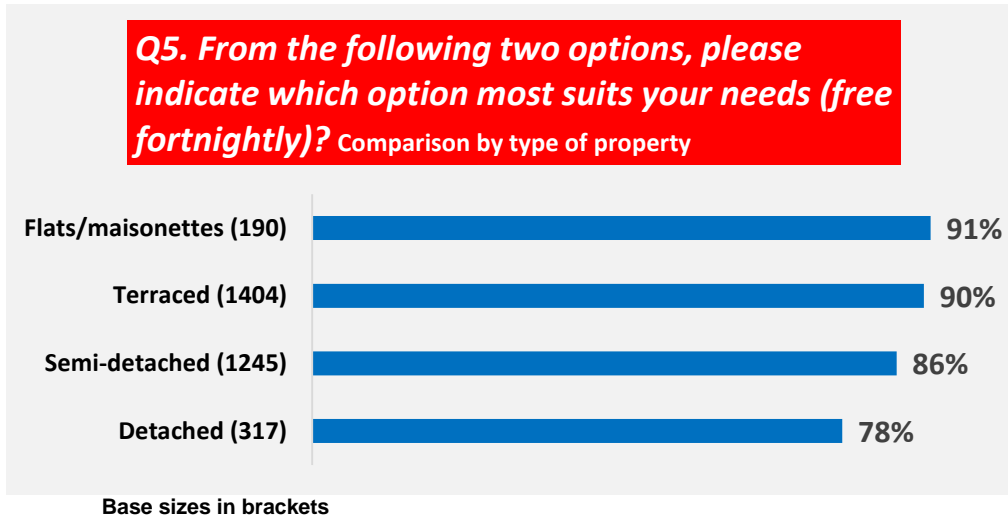
Chart 3



The contrast in perceptions between those who live in the more affluent part of the borough (that is, the west) and the south and east, represents the biggest difference between the comparative groups – 85% of those in west, compared to 93% in the south and east. A similar contrast in opinions is evident when comparing the views of those who receive benefits and those who do not – 94% compared to 87%.

The free fortnightly option is preferred to the weekly charged option among respondents regardless of the type of property they live in. However, there are clear differences by housing type, with respondents living in what are, usually, smaller properties, preferring the free fortnightly proposal, with around nine out of ten of those living in either flats/maisonettes (91%) or terraced houses (90%) expressing a preference for the fortnightly option (see Chart 4).

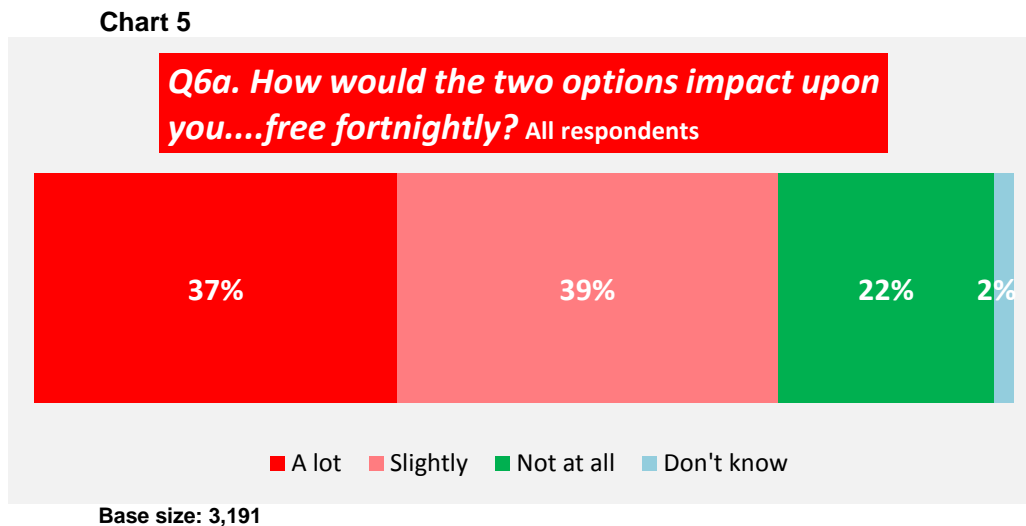
Chart 4



Those who live in flats/maisonettes or terraced houses appear to prefer the fortnightly free collection proposal than those who live in either semi-detached (86%) or detached properties (78%). This may, in part, be explained by the larger homes traditionally having larger gardens and thus, more likely to want to dispose of garden materials, or have more materials that they wish to put in the green bins.

*Potential impact of the free fortnightly proposal (Q6a and Q6c)*

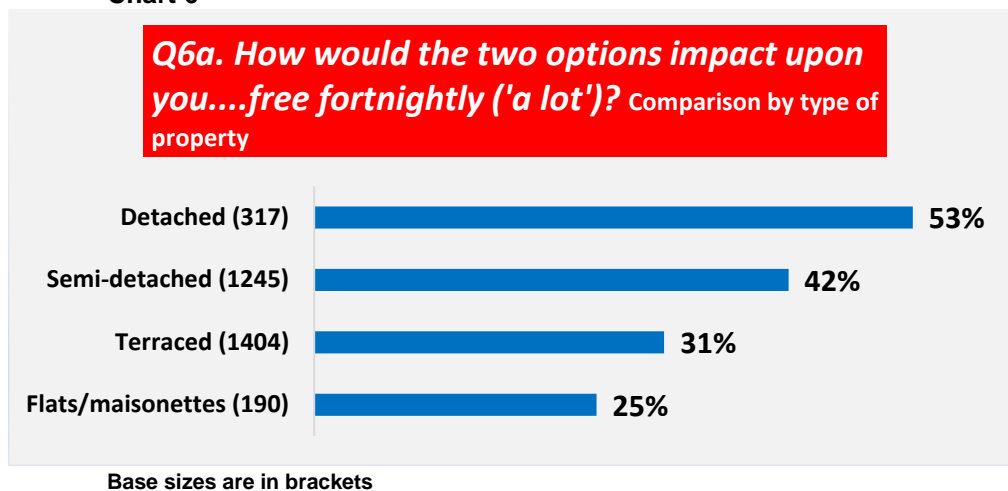
When asked to what extent the free fortnightly option would impact them, around a third (37%) stated 'a lot' (see Chart 5).



Although over a third said the impact would be 'a lot', the majority felt that it would have only slight impact or not at all (61%).

However, there are some differences among the various groups. For example, it appears that those who live in what are traditionally regarded as larger properties, are more likely to feel that the fortnightly free proposal will impact on them more than others (see Chart 6).

Chart 6



The findings indicate the larger the property, the bigger the impact on that household. Those who live in detached properties are more likely to feel that it impacts them 'a lot' (53%), followed by those who live in semi-detached properties (42%), then those who live in terraced houses (31%) and finally those residents who live in flats/maisonettes (25%).

Just over two-fifths (43%) of disabled residents feel that the free fortnightly proposal will impact them 'a lot'. A number of disabled residents (in response to Q6c, an open-ended question where respondents are asked how the proposals will affect them), stated that they are concerned about not being able to move the green bins as they will be heavier. In view of this, it is suggested, if the free fortnightly proposal is implemented, the Council further promotes the assisted collection scheme, making it clear to residents how they can receive assistance.

Analysis of the literal responses to Q6c suggests that those respondents who feel that free fortnightly will impact on them 'a lot' believe that they will be affected by three main issues (based on 1,047 responses):

- Smell of food, that has not been eaten, being in the receptacle for a longer period of time (20%)
- Food deposited in the receptacle attracting insects and vermin (16%)
- 'We already pay Council Tax' / 'Collection was listed as an item on Council Tax bills so we should receive a rebate' / 'Council Tax was recently increased' (14%)

It should be noted that a number of respondents identified more than one issue.

A number of other issues were raised:

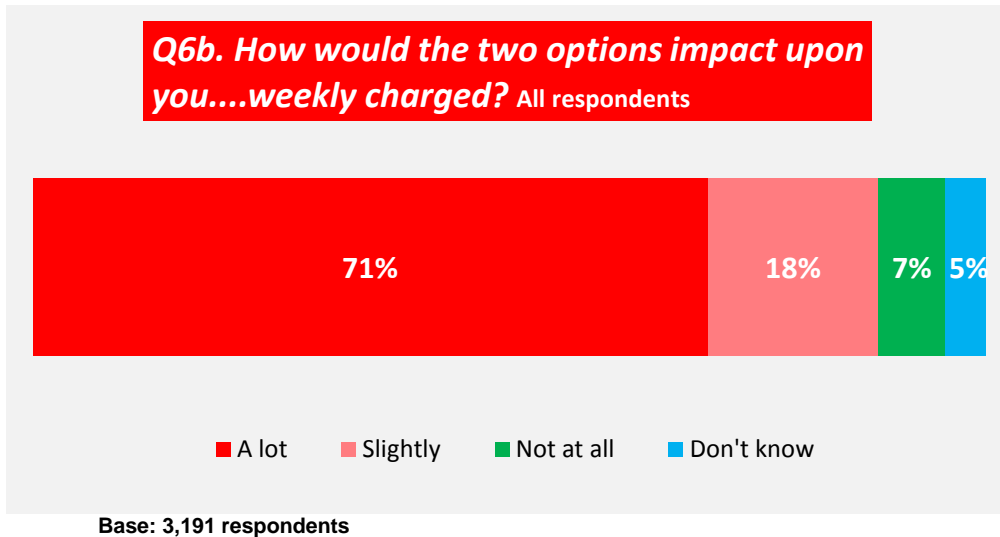
- The bins are too small (this issue was referred to respondents who either a standard size or slimline bin)
- Potential increase in fly-tipping
- Neighbours using bins other peoples' without consent
- The need to make additional trips to Barrowell Green



*Potential impact of the weekly charged proposal (Q6b and Q6c)*

When asked to what extent a charged weekly collection would impact them, almost three-quarters (71%) said 'a lot', while around a fifth (18%) said it would impact them 'slightly' (see Chart 6).

Chart 7



The proportion of those who said the impact would be 'a lot' (71%) is ten times higher than the amount of those who said 'not at all' (7%).

The majority of each group of respondents feel that the weekly charged proposal will impact them 'a lot'. However, there are differences among some of the comparative groups. For example, disabled residents are more likely to say 'a lot' compared to those who are not disabled – 78% compared to 68% (see Chart 8).

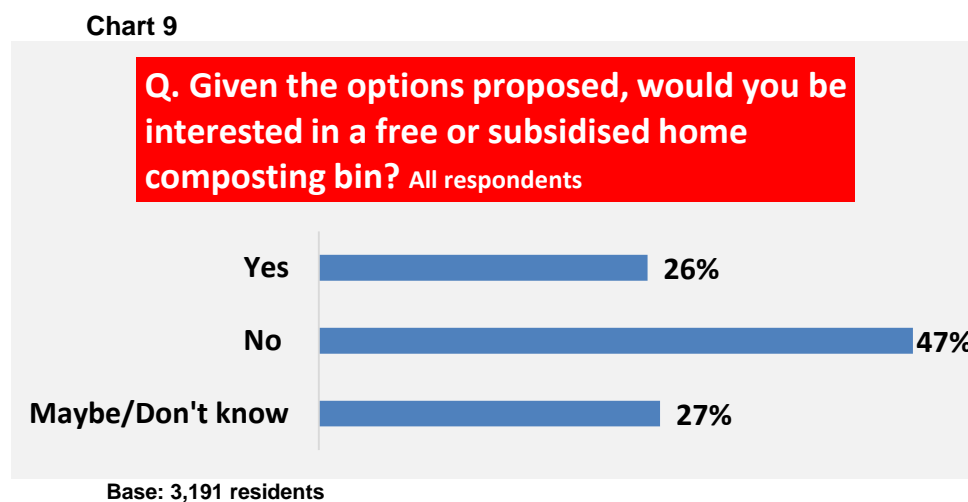
Chart 8



In addition to disabled residents feeling that a weekly charged collection will impact them more than those who are not disabled, there also appear to be differences between those who receive benefits and those who don't (77% compared to 70%) and residents in the south and east compared to those who live in the west (75% compared to 69%). Due to the main implication for residents of the weekly charged proposal being the cost, this may, in part, explain why those traditionally associated with lower incomes being more likely to state that it will impact on them 'a lot'.

#### *Interest in having a free or subsidised composting bin (Q7 and Q8)*

Residents were asked, given the options proposed, if they would be interested in a free or subsidised composting bin. Around a quarter (26%) expressed an interest (see Chart 9).



More respondents state that they would not want a compost bin than those who would (26% compared to 47%) while around a quarter (27%) said they were not sure.

Some residents suggested that there should have been an option of 'we already have one'. However, this option was not provided as the question was aimed at establishing, among other things, if composting bins would help to deal with potential excess waste if the free fortnightly option was implemented.

The responses to Q8 (*If you have any suggestions or further comments on our proposals, let us know*) contained a number of references to the question asking about whether or not residents would be interested in a free or subsidised compost bin. A number of respondents stated that they see the value of the compost bins. However, a number of issues were raised, including:

- The bins attracting vermin and insects
- Some garden materials cannot be composted (for example, thick branches and diseased plants)

- Reluctance to put food, that has not been eaten, into compost bins due to the potential smell
- Not enough space for a compost bin
- Accepting a compost bin would give the impression of acceptance of the proposals
- Compost bins will not make up for less frequent collections

#### *Suggestions for alternative approaches (Q8)*

More than two out of five (1,433) residents responded to this question. Not all responses were suggestions. A number of respondents simply stated a preference for free fortnightly collection or responded with 'N/A' and 'no other comments to make' It should be noted that some respondents to this question made more than one comment and/or suggestion.

It was clear from the analysis that two suggestions stood out: retain the current approach (that is, free weekly collection) and a form of seasonal collection (for example, fortnightly collection in the Autumn and Winter, weekly collection in the Spring and Summer). Around a fifth (18%) of those who responded, said they would like to retain the current weekly collection. This is 6% of the total number of respondents who completed the questionnaire.

Approximately one in eight (13%) of those who completed the questionnaire, suggest the Council should consider using a form of collection whereby frequency is higher in the warmer months but less frequent during the rest of the year. This represents 6% of all respondents. It should be noted that many different variations of seasonal collection were suggested. They varied by frequency and when the higher/lower frequency collections should take place. From reading these responses, it would be difficult to establish common ground on what would be considered acceptable frequencies of collection at the various times of the year.

Around one in five (18%) made other suggestions. A selection is listed below:

- Fortnightly collection for the other bins (it should be noted that several other respondents made it clear that they would rather see the green bin collected fortnightly and the other bins collected weekly)
- Collect food weekly but garden materials should be collected fortnightly
- The Council should make savings elsewhere (for example, reduce staff salaries, tackle benefit fraud effectively and abandon the plans for Cycle Enfield) and cut other services – such suggestions were often accompanied by a clear preference for retaining the current weekly and free collection
- The Council increase revenues by charging more for other Council services
- For free green bin collection to be available only on request (for example, residents call the Council to order a collection)
- Green bin to be collected twice a week
- Charge residents who do not recycle

It should not be assumed that those residents who submitted suggestions were opposed to the proposals. In fact, a number of residents suggested they were

satisfied with the proposal for fortnightly collection as long as at least one of the following were included/in place/available:

- An extra green bin is made available to households
- Larger green bins (that is, 240l rather 140l)
- Changes to the service are clearly communicated

**MUNICIPAL YEAR 2016/2017 REPORT NO. 110**

**MEETING TITLE AND DATE:**

**Cabinet**  
**19<sup>th</sup> October 2016**

**REPORT OF:**

Director of Housing,  
Health & Adult Social  
Services

Director of Finance,  
Resources & Customer  
Services

Contact officer and telephone number:

Christine Williams: 020 8379 5559

<b>Agenda – Part: 1</b>	<b>Item: 17</b>
<b>Subject: Refurbishment and Reprovision work of Enfield Highway Library building</b>	
<b>Wards: All</b>	
<b>Key Decision No: KD 4335</b>	

**Cabinet Members consulted:**

Cllr Ayfer Orhan

Education, Children's Services & Protection

Cllr Krystle Fonyonga

Community Safety & Public Health

Email: christine.williams@enfield.gov.uk

**1. EXECUTIVE SUMMARY**

- 1.1 In accord with the Councils Library Strategy 2015-18, a procurement process has been completed for the renovation of the Enfield Highway Community Library building to create (i) a modified library service consistent with the Library Strategy, (ii) the Hub clinic for Enfield Integrated Sexual Health Community Services [Cabinet Report No. 30] for which previous Cabinet decisions have been made and (iii) the Young Person's Drug & Alcohol Treatment Service, which is currently being delivered from Folkestone Road.
- 1.2 This innovative project will bring these community based services into a community hub, operating from a refurbished landmark site.
- 1.3 The Tendering Procedure was undertaken in accordance with the principles of: 'JCT Practice Note 6 (Series 2) Main Contract Tendering Arithmetical errors; Alternative 1 is to apply' and was managed by the Council's Procurement and Commissioning Hub.
- 1.4 The financial envelope for this programme is fixed and will be covered by Capital allocations supported by revenue from the Public Health Grant.
- 1.5 The contract is for approximately eight (8) weeks with the handover to service providers over an agreed phased timeline:
  - Phase 1: Library Service (ground floor)
  - Phase 2: Integrated Sexual Health Hub Clinic (ground floor)
  - Phase 3: Young Person's Drug & Alcohol Treatment Service (first floor)

## **2. RECOMMENDATIONS**

That Cabinet:

- 2.1 note the tender process has adhered to Corporate Procurement Procedures, EU Procurement Regulations; and
- 2.2 approve the award of the contract to the preferred Bidder as detailed in Part 2 of this Report.
- 2.3 approve the re-directing of resources and addition to the existing capital programme to be met from new borrowing noting the repayments of principle and interest will be met from the existing Public Health budgets over 7 years (as detailed in the Part 2 report).

## **3. BACKGROUND**

### **3.1 Library Services:**

3.1.1 The Library Development Strategy (2015 – 2018) reflects the Council's vision for libraries and places them at the heart of local communities offering in particular:

- A digital network offering Wi-Fi and improved computer facilities along with a range of digital inclusion activities
- Greater involvement by local communities in the management of library services through a variety of different and innovative models and partnerships
- Facilitated access to government services such as education, welfare reform, economic growth and well being

3.1.2 Enfield Council has considered the Department for Culture, Media and Sport (DCMS) Independent Library Report for England (2014), which states that 'local authorities should continue to have the statutory duty to provide a comprehensive and efficient service for all persons desiring to make use thereof taking into account local needs and within available resources.

3.1.3 Enfield is one of the few London councils to have made the commitment to maintain a full library service in these tough economic times and designed a strategy that will continue to deliver this service while addressing financial constraints through innovation and partnership working.

3.1.4 With its community library status, Enfield Highway Library will continue on, sharing the facility with other services to meet the needs of the community.

This report sets out the plan to remodel the building to become a multi-service site, working with other Council and partner services to provide a cluster of services aimed at the youth and young adult communities.

### 3.2 **Integrated Sexual Health Services:**

3.2.1 Cabinet Report No. 30 – Award of Contract for Enfield Integrated Sexual Health Community Services – presented a multi-site service provision to:

- address the demands of the population
- ensure access across the Borough
- reduce the out-of-borough spend on GUM

3.2.2 The Cabinet Report outlined the multi-site service design offering a Hub and Spoke framework which included the following identified sites and locations for sexual health services:

- Enfield Highway (Hub clinic)
- Enfield Town (Spoke clinic)
- North Middlesex University Hospital Trust site (part-time Spoke clinic)
- Bowes/Palmers Green/Arnos Grove area (part-time Spoke clinic)
- Outreach mobile clinic

3.2.3 The Hub clinic had been temporarily based at Evergreen Surgery in Edmonton from the commencement of the new contract (November 2015) to July 2016 to address service continuity and contain the out-of-borough activity for GUM. The licence agreement to occupy the Evergreen Surgery building expired 31 July 2016 with no possibility of extension. The cost of renting this facility was financially prohibitive, as detailed in Part 2 of this report.

3.2.4 The temporary service delivery programme is to redirect service users to the Town Clinic (Burleigh Way) with some appointments being redirected to the Alexander Pringle HIV Clinic on the North Middlesex University Hospital site.

This is an unsustainable solution as access to the service has been reduced by 35% with appointment only service available one day per week in the eastern part of the Borough

Integrated Sexual Health Services is a mandated service.

### 3.3 **Young Person's Drug & Alcohol Treatment Service:**

3.3.1 This is a service for young people identified as misusing drugs or alcohol. The target group is Enfield's young people at risk (i.e. not in

education, employment or training - NEET) and other community members.

This service also delivers psychosocial support and other health improvement services for young people affected by parental and/or other family members' substance misuse.

3.3.2 It is currently delivered from 29 Folkestone Road, London N18 2ER, which is a Council property included on the 2016/17 Capital Disposal Programme to support Enfield's 2017 efficiency targets.

The property is not fit for purpose for seeing young people due to the limitations of its size and poor location. It was therefore primarily utilised for office purposes and offered a limited site to deliver a young people's substance misuse service.

3.3.3 The inclusion of the young people's substance misuse service at Enfield Highway Library affords excellent access to young people due to its anonymity and proximity to the largest college, whom remain the second largest young people's substance misuse referral services, and other educational establishments in the Borough as well as being co-located with a library and sexual health service.

The delivery of Drug and Alcohol Services has strategic relevance as part of the Government's National Drug and Alcohol strategies<sup>1</sup>.

3.4 Enfield Highway Library was identified as the site for the Integrated Sexual Health Hub Clinic and Young Person's Drug & Alcohol Treatment Service as it is located in the middle of the highly populated eastern part of the Borough, close to a large education college that serves Enfield students and easily accessible via public transport and being a stand-alone building, the opening hours will not affect residents. It is also recognised as neutral territory with regards to gang culture in Enfield.

3.5 The initial plan, in December 2015, to commence the tender programme for the renovation works to be carried out at the site in time for an April 2016 completion was not possible due to a number of accommodation moves which needed to be resolved by the Council and the need to establish that the building could be converted to clinical use which included undertaking detailed asbestos and electrical surveys.

3.6 The renovation work must now move to a swift completion to enable effective service delivery to Enfield's residents.

### 3.7 **The Tender Process**

3.7.1 The priorities for this tender are :



(i) Effective time management – with the re-opening of the Library service and Integrated Sexual Health clinic to take place as close to late summer 2016 as possible.

(ii) Ensuring that the strict NHS governance for clinical and infection control for the clinic was adhered to as the clinic would not open without passing inspection from Clinical Quality Commission (CQC).

### 3.7.2 Procurement timeline:

November 2015	Approval received from the Strategic Procurement Board
Dec 2015 – Jan 2016	Full asbestos and electrical surveys carried out on the building by CMCT to ensure that it was fit for purpose.
Feb – April 2016	<p>CMCT drafts:</p> <ul style="list-style-type: none"> <li>Floor plans</li> <li>Preliminaries</li> <li>Service specification</li> <li>Schedule of Works</li> <li>Pricing document</li> <li>Occupation of building reviewed</li> <li><i>1<sup>st</sup> floor renovations (DAAT service) removed from tender</i></li> </ul> <p>CMCT amend documents to accommodate the ground floor refurbishment only, due to the urgency of required location for the Library and Integrated Sexual Health Clinical Hub services</p>
Published:  22 <sup>nd</sup> April 2016	<p><b>Corporate Maintenance &amp; Construction Team (CMCT) leading on tender process:</b></p> <p>Tender goes live on a fixed price basis</p> <p>Five (5) Tenderers were selected from Constructionline as per PCR Rules and procedures</p>
Submission Return:  6 <sup>th</sup> May 2016 @ 12pm noon	<p>Three (3) completed submissions received</p> <p>One (1) Incomplete submission, therefore declined</p> <p>One (1) submission not received</p>
	<p>Stakeholders meeting to discuss Report</p> <p>Procurement process reviewed by Corporate Procurement Hub who highlighted potential anomalies with regards to conversations that took place on LTP between CMCT and one of the Bidders</p>

<p>6<sup>th</sup> - 13<sup>th</sup> June 2016</p>	<p>CPR and EU procurement rules state that all communications should be sent publicly on LTP ensuring that all Bidders are aware and none are given any advantage.</p> <p>The review also highlighted that the criteria did not include Quality, which was a requirement due to the clinic being subject to Care Quality Commission (CQC) inspection.</p>
<p>20<sup>th</sup> - 27<sup>th</sup> June 2016</p>	<p>Subject to the review carried out, it was agreed that the clarification questions needed to be circulated to all Bidders publicly and a Quality criteria was to be added.</p> <p>As there would be a delay in the process, it was agreed to include the 1<sup>st</sup> floor renovations for the Young Person's DAAT service in the process</p> <p>In line with the Council's new way of working, Corporate Procurement Hub was given the lead on completing the process and CMCT would provide the expertise.</p> <p>CMCT amended all documents to include the renovations to the 1<sup>st</sup> floor, which included the installation of a lift to ensure the building is DDA compliant.</p> <p>Bidders informed that an Addendum will be going live on London Tenders Portal (LTP) on the 3<sup>rd</sup> July</p>
<p>Note: Option to choose Addendum to Invitation To Quote (ITQ) option based on:</p> <ul style="list-style-type: none"> <li>▪ There were no changes to the Terms &amp; Conditions</li> <li>▪ There was no change to the procedure</li> <li>▪ There was no change to the pricing structure</li> <li>▪ Adding the Quality criteria for evaluation previously omitted was not changing the process or T&amp;Cs: <ul style="list-style-type: none"> <li>• Price 60%</li> <li>• Quality 40%</li> </ul> </li> <li>▪ Minor changes to the Specification was not changing the process or T&amp;Cs</li> <li>▪ It was concluded that this was not a re- tender</li> <li>▪ This option was discussed with and agreed by all the bidders.</li> </ul>	
<p>Published</p>	<p><b>Corporate Procurement Hub leading on tender process:</b></p>

3 <sup>rd</sup> July 2016	Addendum to ITQ with Quality criteria + clarification questions + changes to specification and additional works on LTP sent to the four (4) Bidders that had submitted and returned their tenders.
Submission Return: 11 <sup>th</sup> July 2016 @ 12am midnight	Two Submissions received  Two Submission not received both companies sighting work commitments as the explanation
13 <sup>th</sup> July 2016	Evaluation panel meet to discuss individual scoring  Panel agree that further clarifications are required in regard to specific clinical and mechanical items
Published 22 <sup>nd</sup> July 2016	Clinical clarifications published and confirmation of fixed price requested
29 <sup>th</sup> July 2016	Clinical submissions scored
3 <sup>rd</sup> August 2016	Submissions reviewed with CMCT, who will be project managing the work.  Agreed to contact Bidders requesting them to submit documentation to evidence some quotes for final clarification plus One (1) Bidder needed to confirm fixed price
Published: 12 <sup>th</sup> August 2016	Evidence of prices quoted in submission and confirmation of Fixed price requested
Submission Return:  18 <sup>th</sup> August 2016 @ 4pm	Both companies submitted a response  <ul style="list-style-type: none"> <li>• Both reported issue with LTP, which resulted in one (1) Submission not received until 4.48pm</li> <li>• Advised by Corporate Procurement Hub to accept late submission due to issue with LTP experienced by both Bidders</li> </ul>
Note: The Tender was based on JCT Minor Works Building Contract with Contractor's Design (MWD) 2001 Edition	

### 3.7.3 Further details in Part 2

## 4. ALTERNATIVE OPTIONS CONSIDERED

4.1 There was no alternative to tendering externally as Enfield Council was unable to directly provide a building renovation service that is NHS compliant in-house

4.2 Services:

4.2.1 The Council is committed to providing a first rate Library Service and has designed an innovative and effective way to

retain more libraries than any other London borough by working in partnership with reputable and credible partners to bring vital community services that people rely on into library buildings while retaining libraries in all of our neighbourhoods.

Following the restructure of the Borough's library service Enfield Council designed a Flagship and Community infrastructure.

Enfield Highway Library will reopen as a community library aimed at the youth and young adult community.

The Council will continue to run these community libraries and library card holders will be able to use their account to access a wide range of library services. However the community library structure requires the sharing of the premises with other services and organisations to bring in income, share costs and provide added benefits to the local community.

4.2.2 It was not possible for the Sexual Health Clinic to remain at the Evergreen site (Edmonton) without the Council facing significant cost pressures (see Part 2 report).

The Evergreen clinic was open 25 hours per week, attending to circa 210 patients per week, which included a clinic for under 19s, with limited accommodation and poor IT support. This includes patients who required clinical interventions to avoid long term medical and psychological consequents from sexually transmitted disease and pregnancies.

The Enfield Highway Library site offers 60% more treatment rooms and is also consistent with the strategy previously agreed at Cabinet for delivering improved and effective Sexual Health Services to local residents.

4.2.3 The Young Person's Drug and Alcohol Treatment service is currently delivered from 29 Folkestone Road, London N18 2ER, which is a Council property included on the 2016/17 Capital Disposal Programme to support Enfield's 2017 efficiency targets.

Folkestone Road does not offer an environment to encourage young people to attend the service, which is currently being offered on a peripatetic basis. There are minimal suitable buildings in the Borough that allows for a D1 service to operate from and this new location will afford excellent access to young people due to its anonymity and proximity to the largest college and other educational establishments in the Borough.

## 5. REASONS FOR RECOMMENDATIONS

5.1 Tenderers have submitted responses as part of a thorough, transparent and fair procurement process.

- All responses have been evaluated against a specification, written by the Council's Corporate Maintenance & Construction Team (CMCT), detailing quality requirements (40%) and price (60%).
- The procurement process was managed by the Corporate Procurement Hub.
- The Evaluation Panel consisted of representation from:
  - Corporate Maintenance & Construction Team (CMCT)  
Planning, Highways & Transportation  
Regeneration and Environment Department
  - North Middlesex University Hospitals NHS Trust  
(Contracted Sexual Health Provider)  
Design and Commissioning  
BEH Clinical Strategy  
Estates and Facilities Department
  - Drug & Alcohol Services  
Health, Housing & Adult Social Care
  - Public Health (Sexual Health)  
Health, Housing & Adult Social Care

Note: representation for Assisted Services Delivery – Customer Gateway (Finance, Resources and Customer Services, being the Library Service) was not available due to annual leave and capacity.

5.2 The Bidders were asked to evidence delivering a comparable clinical environment to ensure that the premises would pass CQC inspection.

5.3 The timeline for delivery of the building works is eight (8) weeks for the library and clinic in order to reduce the gap re the continuation of the library and clinical services in the Eastern part of the Borough. In particular it is essential that any break in provision of clinical sexual health services to patients is minimised.

The timeline for the Young Person's Drug and Alcohol Treatment service will be longer than eight weeks, as the delivery for the lift is dependent on the stockist.

- 5.4 Bidders have submitted applications, provided evidence to confirm their experience in delivering the renovation works as per specification and clarification on the fixed price criteria.

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

### **6.1 Financial Implications**

6.1.1 Please refer to the accompanying Part 2 Report

### **6.2 Legal Implications**

6.2.1 Section 1 of the Localism Act 2011 permits the Council to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles.

6.2.2 Furthermore, 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. The works/services proposed within this Report are incidental to the functions of the Council's departments and will ensure effective support to the Council.

6.2.3 The Council must comply with its Constitution, Contract Procedure Rules ("CPRs") and (where contract values exceed the OJEU Threshold) the Public Contracts Regulations 2015. The Council must also be mindful and adhere to the EU Treaty Principles regarding equality, fairness and transparency during procurement processes. The Council has conducted a restricted procedure and invited 5 bidders to partake in the procurement process.

6.2.4 As the contract value exceeds £250,000 this is a Key Decision and the Council must comply with its Key Decision Procedure.

6.2.5 The Council must comply with its obligations with regards to obtaining best value under the Local Government (Best Value Principles) Act 1999.

6.2.6 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. Contracts whose value exceeds £250,000 are required to be executed under seal and performance security should be obtained unless the Relevant Service Director and the Director of Finance Resources and Customer Services considers this to be unnecessary (in accordance with CPR 21).

### **6.3 Property Implications**

6.3.1 Pursuant to Cabinet Report KD4160, which authorised the lease arrangements and properties for consideration for the Reproductive and Sexual Health (RaSH) integrated sexual health contract, this report sets out the fit out and procurement / award of contract for the refurbishment of the EHL building.

6.3.2 The lease agreement for the Enfield Highway Building will be granted for a minimum term of 7 (seven) years.

6.3.3 Property Services are to be sent the floor plans with room data for the purposes of the Asset Management System, Atrium.

6.3.4 Planning permission has been gained for the new build, Building Regulations will be adhered to as part of the infrastructure enabling and construction works. The oversight of this will fall under the Council's Contract Administrators (CA's).

6.3.5 Once the development is completed, Building Control will need to sign off on the completed development. All warranties and guarantees will be available in the event that building failure occurs. These guarantees will be assigned after practical completion occurs and held on behalf of the Council by Legal Services.

6.3.6 There should be a requirement upon the contractor at certain set dates for snagging inspections. These inspections will be organised by the Council's CA's.

## **7. KEY RISKS**

**7.1** The management of quality and performance during the renovation works process, ensuring that the clinic is CQC compliant.

- This has been managed by requesting evidence of the Bidders' portfolio to ensure that the work will be to NHS standards

**7.2** The work needs to be carried out within a tight timeframe

- This has been managed by asking the Bidders for Work Plans

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

The tender process has been conducted in accordance with both the Council's Contract Procedure Rules and EU Procurement Regulations. Therefore the tender process has adhered to the principles of transparency and fairness to encourage healthy competition within this specialist sector and bidders have accordingly been appropriately supported throughout the process.

### **8.2 Growth and Sustainability**

The redesign of the library will open the service to more users whilst improving health opportunities in more appropriate and cost effective community settings.

As a result of the refurbishment, the service provider for Integrated Sexual Health services – North Middlesex University Hospital Trust – will carry out a big advertising campaign for the service announcing both Enfield Highway Library and the Town Clinic in Burleigh Way and the extended hours. This campaign will inform the residents and encourage usage, thereby reducing activity and the high costs we are currently paying to out-of-borough providers.

### **8.3 Strong Communities**

Both the library service and Enfield's Integrated Sexual Health Community service will be community services working with the voluntary sector and other community services.

The Young Person's Drug and Alcohol Treatment service sharing location with the library and sexual health services will address one of the Borough's identified hard to reach population for testing for STIs. Substance misusers are recognised to carry out risky behaviours one of which is unprotected sexual practices. This location will provide a safe, confidential and convenient environment for young people to receive a holistic service addressing their emotional and physical needs.

The clinic sharing location with the library service will assist in removing the stigma of attending a sexual health clinic but will also enable the Library Services to continue to be provided as the Sexual Health Services provider will be responsible for opening and closing the building etc.



## 9. EQUALITIES IMPACT IMPLICATIONS

Equalities Impact Assessment has undertaken by both services  
The findings and recommendations are still current to this process.  
The renovations work will improve the equality of access to services in the local area for all Enfield Residents.

## 10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1 Project and contract monitoring will be carried out by the Principal Building Surveyor/Project Manager from CMCT.

10.2 Weekly updates will be reported to the stakeholders

## 11. HEALTH AND SAFETY IMPLICATIONS

The Contractor is responsible for executing H&S guidelines

## 12. HR IMPLICATIONS

The Contractor is responsible for executing HR guidelines

## 13. PUBLIC HEALTH IMPLICATIONS

The **Library** will provide a co-ordinating centre for accessing information, advice and services. It will be better used within the community and meet the demands of a new generation of library users in the right location in a fit for purpose building

The **Sexual Health** Strategy addresses the need to reduce teenage pregnancy and late detection of STIs and HIV in Enfield.

Since the transfer from NHS to LAs, the activity for GUM in Enfield has been growing year on year, mainly through patients attending expensive out-of-borough providers which have seen activity increasing by up to 18% year on year.

The new model, which commenced 01 November 2015, extends hours and increases locations, thereby increasing access to address the needs of the residents with the expected outcome of increasing in-borough and reducing out-of-borough activity.

The **Drug and Alcohol** Strategy (HM Government 2010) focusses on reducing demand, restricting supply and building recovery to support people in living drug free lives. There is a strong steer towards increasing support for young people, especially those that are vulnerable through early interventions, education, treatment and family focussed support packages.

The National Alcohol Strategy (HM Government 2012) sets out one of its key aims as 'A sustained reduction in both the numbers of 11-15 year olds drinking alcohol and the amounts consumed.'

Working Together to Safeguard Children (HM Government 2015) emphasises the impact parental substance misuse and young people's substance misuse has on the outcomes experienced by families. This is also reflected in Every Child Matters where the Government made a clear commitment to 'reduce frequent use of any illicit drug amongst all young people under the age of 25'.

The delivery of drug and alcohol services supports Enfield Council in achieving the above. It contributes to the Council's Business Plan (2016/14) across all three priorities, in particular thorough early, targeted support for children, adults and families who need it and helping residents make healthier choices and having access to quality local healthcare. This is also reflected in Enfield's Children's Plan (2016 -2019) with regards to helping families to deal with challenges, embrace opportunities and stay together whenever possible and Enfield's Health and Well-Being Strategy (2014-19) through prevention and early intervention, addressing health inequalities and ensuring good quality services.

#### **14. Background Papers**

None.

**MUNICIPAL YEAR 2016/2017 REPORT NO. 111**

**MEETING TITLE AND DATE:**  
Cabinet - 19 October 2016

**REPORT OF:**  
Director of Health, Housing and  
Adult Social Care

Contact officer and telephone number:

Lorraine Davies x3713

E mail: [lorraine.davies@enfield.gov.uk](mailto:lorraine.davies@enfield.gov.uk)

<b>Agenda – Part 1</b>	<b>Item: 18</b>
<b>Subject: Amendment to Governance Independence &amp; Wellbeing Enfield (Council's Trading Company)</b>	
<b>Wards: All Non key</b>	
<b>Cabinet Member consulted: Cllr Alev Cazimoglu</b>	

**1. EXECUTIVE SUMMARY**

- 1.1 In December 2015 Cabinet agreed to the creation of a Local Authority Trading Company for directly provided Adult Social Care Services. The company launched on 1<sup>st</sup> September 2016.
- 1.2 Cabinet agreed the appointment of two successful commercial non-executive members (NED's) of the board to provide mentorship, guidance, and greater commercial credibility to the company.
- 1.3 Over 80 people applied for the positions and during the final interview stage three outstanding candidates emerged each bringing different skills and experience that the panel recognised would be of assistance to the newly formed company.
- 1.4 If an additional NED joined the executive board the governance structure would comprise four members from the Council, one from the company and 3 NED's. The Oversight Board remains intact.
- 1.5 This report is requesting approval of the appointment of 1 additional NED the executive board to enable the company to benefit from the different skills each bring.

**2. RECOMMENDATIONS**

- 2.1 That Cabinet agrees to the appointment of one additional non-executive director to the Executive Board of Independence and Wellbeing Enfield LTD

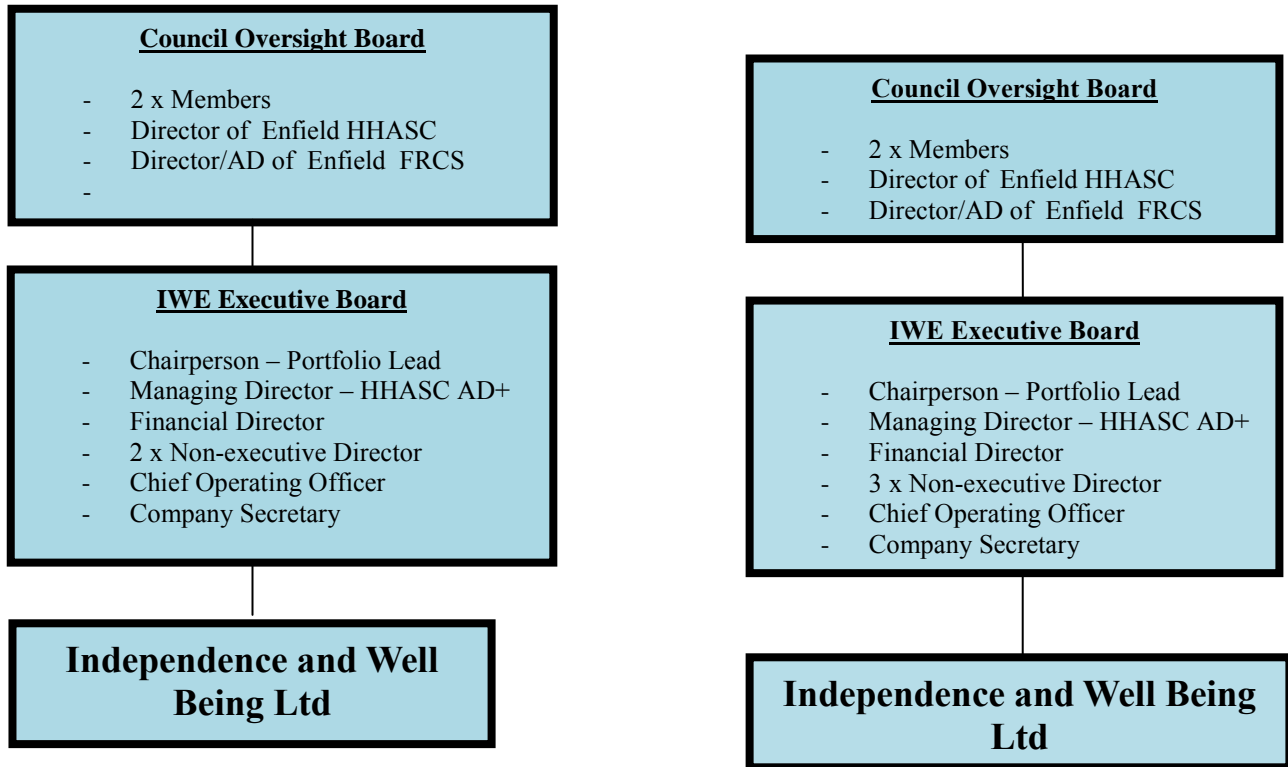
**3. BACKGROUND**

3.1 The December 2015 Cabinet report gives the full background leading up to the decision to create the company. Since then all the work has taken place to enable the launch of the company in September 2016. A full report will be brought to Cabinet 6 months from the launch to update Cabinet on progress.

3.2 The Governance structure that was agreed in December 2015 and the proposed amendment is as follows;

Current

Proposed



3.3 The Company is managed by an Executive Board which will be responsible for the operational management of the organisation. This includes a senior Enfield Council officer overseeing Managing Director responsibility, a Financial Director, Chief Operating Officer and Non –Executive Directors where it is deemed that their Commercial expertise will be of benefit to the organisation. The Executive Board will be held to account by the Oversight Board which sits within the Council. The portfolio lead, whilst not a member of the Oversight Board, will be attendance. Each Board Member reserves an equal voting right on all key decisions. A model of Quorum will ensure robust decision making by the Boards. Determination of what is considered quorate is included in the Terms of Reference for the Oversight and Executive boards.

3.4 It was agreed that experienced professionals with the relevant commercial profile are appointed in a Non-Executive capacity to provide additional

technical expertise to the Executive Board. During the recruitment process it was found that this would be better covered by three individuals who between them bring a range and depth of experience that would be beneficial to the company.

- 3.5 The Directors are responsible for the management and direction of the company. They must act as and for the company and they must ensure that the company does everything that it is legally obliged to do, such as ensuring compliance with laws (such as filing annual accounts) and entering in to and performing contracts.
- 3.6 The Directors of the services in the company will attend Council meetings as required, so decisions made are subject to the scrutiny of wider governance structures and reflect all relevant issues that relate to that service.

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

That only two NED's are appointed.

#### **5. REASONS FOR RECOMMENDATIONS**

To enable the Company to benefit from a broader range of skills and experience from the commercial sector.

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

##### **6.1 Financial Implications**

The appointment of an additional Non-Executive director of the company will increase the management cost by £6,000. (from £12,000 to £18,000)

This cost will be borne by the company from within its existing budgets and therefore, there is no financial impact to the council and no adjustment to the management fee.

##### **6.2 Legal Implications**

The Company's Articles of Association are the model Articles. They are being redrafted and once redrafted will require the appointment of three non-executive directors to the Board. Paragraph 21.3 of the redrafted Articles gives the Council the right to appoint by notice in writing addressed to the Company the first two independent directors and thereafter up to two further NEDs but there must not be more than 3 NEDs at any one time.

Upon appointment, each NED will be provided with a letter of appointment setting out the duration of the appointment (2 years) and the fact that it is subject to the terms of the Articles of Association. They will be reminded

that NEDs have the same general legal responsibilities to the company as any other Director. They must exercise their powers having regard to relevant legislation, including the Companies Act 2006. They must have particular regard to general duties under Part 10 Companies Act 2006 including the duty to promote the success of the Company.

The December Cabinet decision was for the establishment of a local authority trading company in the name of Independence and Well Being Services Limited however the name chosen was Independence and Well Being Enfield. The report also gave authority to setting up an executive board structure to include two NEDs and therefore Cabinet approval is required to change the structure to include an additional NED taking the total number to three.

### **6.3 Property Implications**

None.

## **7. KEY RISKS**

- 7.1 That the Company would have to purchase additional expertise at higher cost to meet the skills gap.
- 7.2 That the Company's development could be delayed
- 7.3 That the Company does not recognise or make the most of opportunities available to it.

## **8. IMPACT ON COUNCIL PRIORITIES**

### **8.1 Fairness for All**

A successful trading company will enable the Council to continue to provide high quality, accessible services to all in a challenging financial environment.

### **8.2 Growth and Sustainability**

Forming a trading company will assist with the retention of Council staff in the areas selected for trading, and will, provide sustainable employment opportunities. As 60% of the Council's staff live in the Borough, potentially 60% of staff who transfer to the Trading Company are subsequently likely to live and work in the Borough.

The Success of the Trading Company lies within effective use of it's resources and capabilities to facilitate growth within Enfield and neighbouring boroughs.

### **8.3 Strong Communities**

A number of Independence and Well Being buildings are already being utilised by community groups.

Outreach and several equipment offers focus on vulnerable people continuing to be part of their community. Significant attention is assigned to reduce the likelihood that citizens will need to leave their homes as their needs become more complex.

## **9. PERFORMANCE MANAGEMENT IMPLICATIONS**

Forming a trading company has the potential for improving performance of the selected services through a greater focus on efficient, effective service delivery and providing improved value for money. Shadow Trading and the development of a comprehensive Management Information dashboard has prepared the service infrastructure for need to continue to grow and improve.

## **10. HEALTH AND SAFETY IMPLICATIONS**

The management agreement between the Council and the Trading Company will require the company to comply with all Health and Safety regulations. The estate has significant experience in Managing Health and Safety, Quality Standards and CQC registered services.

## **11. PUBLIC HEALTH IMPLICATIONS**

The current in house Well Being Services offer a variety of activities aimed at reducing the burden of ill health for vulnerable people. This includes activities to increase levels of physical activity and improve nutrition.

Through the proposed LATC the Council has identified a means whereby it can offer independence and wellbeing services more widely with the potential for income generation.

Wellbeing services has an obvious benefit to service user and carers in increasing health and potential respite to Carers. If the LATC is successful as other examples have been these benefits will increase. There will be a need for the Council to monitor the development of the LATC to ensure a) these benefits are realised and b) that if the company is not successful there are contingency plans to protect vulnerable residents

## **Background Papers**

None.

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## THE CABINET

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

<b>MUNICIPAL YEAR 2016/2017</b>
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<b>NOVEMBER 2016</b>
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- 1. Increased Budget Envelope for Housing Gateway Ltd** James Rolfe

This will request that the budget envelope for Housing Gateway is increased to allow acquisitions to continue. **(Key decision – reference number 4406)**
- 2. Regionalisation of Adoption Services** Tony Theodoulou

This will outline proposals regarding the regionalisation of adoption services. **(Key decision – reference number 4375)**
- 3. 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)
- 4. Claverings Industrial Estate** James Rolfe

**(Key decision – reference number 4381)**
- 5. Revenue Monitoring Report September 2016 and 2017/18 Budget Update** James Rolfe

This will present the revenue monitoring report for September 2016. **(Key decision – reference number 4393)**
- 6. Strategy and Approach to Delivering Pupil Places** Jenny Tosh

This will set out a strategy for providing pupil places. **(Key decision – reference number 4395)**
- 7. 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)**
- 8. Investment Property Asset Management** James Rolfe

This will seek approval to the establishment of an investment property asset management fund. **(Key decision – reference number 4356)**

9. **The Council's Main Investment Decision in Lee Valley Heat Network Ltd.** Ian Davis

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

10. **Transformation Programme** James Rolfe

This will seek approval for additional capital funding to extend the transformation programme. **(Key decision – reference number 4410)**

11. **Capital Programme Monitor – 2nd Quarter 2016/17** James Rolfe

This will present the capital programme monitor second quarter 2016/17. **(Key decision – reference number 4363)**

<b>DECEMBER 2016</b>
----------------------

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)**

2. **October 2016 Revenue Monitoring Report** James Rolfe

This will present the October 2016 revenue monitoring report. **(Key decision – reference number 4367)**

3. **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)**

4. **Proposed Submission Central Leaside Area Action Plan** Ian Davis

The Central Leaside Area Action Plan will form part of Enfield's Local Plan and will deliver the spatial vision and land use strategy for this part of south east Enfield which includes Meridian Water. **(Key decision – reference number 4389)**

5. **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)**

6. **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)**
7. **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)**
8. **Land Acquisition at Meridian Water** Ian Davis  
This will seek approval to acquire a 2.13 acre plot of land within the Meridian Water opportunity area. **(Key decision – reference number 4377)**
9. **Taking Forward Enfield Council's IT Offer** James Rolfe  
This will progress taking forward Enfield's Council's IT Offer following the previous Cabinet decision. **(Key decision – reference number 4378)**
10. **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)**
11. **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)**
12. **Bury Street West** James Rolfe  
This will provide an update on the progression of the redevelopment of the former depot. **(Key decision – reference number 4008)**
13. **Ponders End Delivery Programme** Ian Davis  
This will outline for approval the Ponders End Delivery Programme. **(Key decision – reference number 4382)**
14. **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)**

<b>JANUARY 2017</b>
---------------------

1.     **November 2016 Revenue Monitoring Report** James Rolfe  
  
This will present the November 2016 revenue monitoring report. **(Key decision – reference number 4368)**
  
2.     **Meridian Water Station** Ian Davis  
  
This will outline the Network Rail contribution and implementation agreements. **(Key decision – reference number 4349)**

<b>FEBRUARY 2017</b>
----------------------

1.     **Budget Report 2017/18 and Medium Term Financial Plan 2017/18 to 2020/21** James Rolfe  
  
This will present the budget report 2017/18 and the Medium Term Financial Plan 2017/18 to 2010/21. **(Key decision – reference number 4371)**
  
2.     **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)**
  
3.     **Flexible Housing – Capital Programme** Ray James/Ian Davis  
  
This will seek approval of capital funding to deliver flexible housing. **(Key decision – reference number 4333)**

<b>MARCH 2017</b>
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1.     **Capital Programme Monitor – 3rd Quarter 2016/17** James Rolfe  
  
This will present the capital programme monitor third quarter 2016/17. **(Key decision – reference number 4364)**
  
2.     **January 2017 Revenue Monitoring Report** James Rolfe  
  
This will present the January 2017 revenue monitoring report. **(Key decision – reference number 4369)**

<b>APRIL 2017</b>
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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)**

2. **February 2017 Revenue Monitoring Report** James Rolfe

This will present the February 2017 revenue monitoring report. **(Key decision – reference number 4370)**

<b>NEW MUNICIPAL YEAR 2017/2018</b>
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1. **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)**

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## CABINET - 6.9.2016

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON TUESDAY, 6 SEPTEMBER 2016**

**COUNCILLORS****PRESENT**

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), Dino Lemonides (Cabinet Member for Finance and Efficiency), Ahmet Oykenar (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), George Savva (Enfield South East)

**ABSENT**

Doug Taylor (Leader of the Council), Krystle Fonyonga (Cabinet Member for Community Safety and Public Health) and Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection)

**OFFICERS:**

Rob Leak (Chief Executive), Ray James (Director of Health, Housing and Adult Social Care), Tony Theodoulou (Interim Director of Children's Services), James Rolfe (Director of Finance, Resources and Customer Services), Ian Davis (Director of Regeneration & Environment), Asmat Hussain (Assistant Director Legal & Governance Services), Jayne Middleton-Albooye (Head of Legal Services), Kayt Wilson (Housing Gateway), Jemma Gumble (Strategic Partnerships Development Manager), Keith Crocombe (Assistant Director Strategic Property Services), Mohammed Lais (Senior Asset Management Surveyor) and Andrew Golder (Press and New Media Manager) Jacqui Hurst (Secretary)

**Also Attending:** Councillor Derek Levy (Chair of the Overview and Scrutiny Committee)

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

Apologies for absence were received from Councillors Doug Taylor (Leader of the Council), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection) and Krystle Fonyonga (Cabinet Member for Community Safety and Public Health).

In the absence of Councillor Taylor, Councillor Achilleas Georgiou (Deputy Leader) acted as Chair of the meeting.

**CABINET - 6.9.2016**

**2**

**DECLARATION OF INTERESTS**

Councillor Achilleas Georgiou (Deputy Leader), Councillor Dino Lemonides (Cabinet Member for Housing and Housing Regeneration), Councillor Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration), James Rolfe (Director of Finance, Resources and Customer Services) and Asmat Hussain (Assistant Director – Legal and Governance), declared other non pecuniary interests in Report Nos. 65 and 70 – Housing Gateway Limited Annual Report (Minute Nos. 10 and 20 below refer), due to their roles on the Housing Gateway Limited Board.

**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 Report No.63 – Capital Programme Monitor – First Quarter June 2016 (Minute No.8 below refers). These requirements state that agendas and reports should be circulated at least 5 clear working days in advance of meetings.

**AGREED**, that the above report 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 reports be referred to full Council:

1. Report No.61 – Scrutiny Annual Work Programme 2016/17
2. Report Nos. 67 and 72 – Re-provision 2 – Care Home Capital Funding and Procurement
3. Report Nos. 69 and 74 – Montagu Industrial Estate Redevelopment

**6**

**ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

**Scrutiny Annual Work Programme 2016/17**

Councillor Derek Levy (Chair of the Overview and Scrutiny Committee) introduced the report of the Overview and Scrutiny Committee (No.61) setting out the Scrutiny work programme and work streams for 2016/17 for the



**CABINET - 6.9.2016**

Council's Overview and Scrutiny Committee, Health Standing Panel and Crime Standing Panel.

NOTED

1. That the work programme of the Overview and Scrutiny Panel was designed to allow flexibility and change to respond effectively to issues and developments as they arose throughout the year.
2. The proposed work programmes for the Health and Crime Standing Scrutiny Panels together with the work streams which had been identified. Members were advised of the detailed work which was being undertaken by Scrutiny.
3. Councillor Levy highlighted the developing work of Scrutiny and the proposals for further initiatives and work practices including: the involvement of Cabinet Members at Scrutiny meetings outside of the call-in process; and, greater involvement of scrutiny at a pre-decision stage, for example, in the forthcoming consideration of the Housing Allocations Policy.
4. In considering the work programme of the Overview and Scrutiny Committee, Councillor Levy outlined the ways in which detailed topics could be considered in the future. Councillor Levy highlighted the possibility of introducing "Scrutiny in a Day" to enable detailed consideration of a particular subject; the Overview and Scrutiny Committee could also undertake a work stream itself.
5. In considering the way forward, Councillor Levy outlined his future proposals for consideration:
  - Councillor Levy emphasised the importance of continuing to maintain the integrity of scrutiny and felt that consideration should be given to the membership of the Overview and Scrutiny Committee being made up of "backbench councillors" only.
  - The need to review, as appropriate, the call-in processes to ensure that they remained robust, effective and appropriate with clear sound reasons for each call-in considered.
  - The significant amount of business undertaken by the Overview and Scrutiny Committee was outlined. Councillor Levy felt that the number of normal business meetings of the Committee should be increased to better accommodate the work load of the Committee. Any call-ins received could then be considered at a scheduled business meeting as appropriate.
  - Councillor Levy highlighted the importance of the high standard of Scrutiny work undertaken on the Council's behalf and the need to ensure that the work programme remained flexible and appropriate.

**CABINET - 6.9.2016**

6. Members discussed the importance of ensuring that the call-in processes were robust and effective and noted the issues which had been raised by Councillor Levy.
7. Members commended the effective scrutiny work that was undertaken and expressed their thanks and appreciation to Councillor Levy as Chair of the Overview and Scrutiny Committee. The importance of the Scrutiny role within the Council was recognised.
8. That the work programme and work stream documents would be updated and corrected as appropriate, as noted at the meeting.
9. Councillor Brett commended the work undertaken and the initiatives proposed. It was suggested that future work streams could include a Review of Academies and Partnerships.
10. Councillor Levy acknowledged the issues which had been raised and noted that the work of the Scrutiny Committee, Panels and Work Streams were resource constrained and their work had to be prioritised and scheduled as resources allowed.

**Alternative Options Considered:** No other options had been considered as the Overview and Scrutiny Committee was required, under the Council's Constitution, to present an annual scrutiny work programme to Council for adoption.

**RECOMMENDED TO COUNCIL**

1. To approve the proposed Scrutiny work programme and work streams for 2016/17 subject to the comments set out above.
2. To approve that the Head of Governance and Electoral Services be designated as the Council's Statutory Scrutiny Officer as detailed in section 6 of the report.

**Reason:** To comply with the requirements of the Council's Constitution, as the work programme had to be formally adopted by Council. In addition, scrutiny was essential to good governance. It enabled the voice and concerns of residents and communities to be heard, and provided positive challenge and accountability.

(Non key)

Councillor Georgiou expressed his thanks and appreciation to Councillor Levy, on behalf of the Cabinet, for his presentation and for his valuable and effective work as Chair of the Overview and Scrutiny Committee.

**7**

**REVENUE MONITORING REPORT 2016/17: JULY 2016**

**CABINET - 6.9.2016**

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.62) setting out the Council's revenue budget monitoring position based on information to the end of July 2016.

**NOTED**

1. That, the report forecast an outturn position of a £7.9m overspend for 2016/17. Members noted the budget pressures highlighted within the report. Cabinet Members were asked to discuss the revenue monitoring position in detail with their respective Directors. The next revenue monitoring report to Cabinet would include proposals on how to address the identified budget pressures within each Department.
2. Councillor Lemonides asked Rob Leak (Chief Executive) and James Rolfe (Director of Finance, Resources and Customer Services) to facilitate quarterly meetings with all Cabinet Members and Directors to collectively discuss the ongoing financial monitoring and projected outturns.
3. In relation to recommendation 2.3 of the report. Councillor Lemonides sought delegated authority to himself and James Rolfe (Director of Finance, Resources and Customer Services) to come to a decision as to whether an application should be made to the Government to accept the multi-year settlement. It was not clear at this stage what was being offered by the Government. The Council also needed to consult with other London Boroughs on their proposals before reaching a decision. It was noted that there was a lot of uncertainty at present concerning the proposed multi-year settlement. The delegated authority sought related to the application only.

**Alternative Options Considered:** Not applicable to this report.

**DECISION:** The Cabinet agreed

1. To note the £7.9m overspend revenue outturn projection.
2. That departments reporting pressures should formulate and implement action plans to ensure that all possible actions were undertaken to remain within budget in 2016/17.
3. To delegate authority to the Cabinet Member for Finance and Efficiency and the Director of Finance, Resources and Customer Services to come to a decision as to whether an application should be made to the Government to accept the multi-year settlement offer. Application for the multi-year settlement required the Council to publish an efficiency plan on its website. Responsibility for preparing and publishing the efficiency plan should be devolved to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency. Further information on the

**CABINET - 6.9.2016**

application process, as well as the information expected in an efficiency plan was provided in Appendix D to the report.

**Reason:** To ensure that Members were aware of the projected budgetary position, including all major budget pressures and underspends which had contributed to the present monthly position and that were likely to affect the final outturn.

**(Key decision – reference number 4365)**

**8**

**CAPITAL PROGRAMME MONITOR - FIRST QUARTER JUNE 2016  
BUDGET YEAR 2016/17**

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.63) informing Members of the current position up to the end of June 2016 regarding the Council's Capital Programme (2016-20) taking into account the latest information for all capital schemes including the funding arrangements.

NOTED

1. That the report showed that the overall expenditure was projected to be £252.8m for the General Fund and £53.8m for the HRA for 2016/17.
2. The full four year programme and indicative programme as set out in Appendices A and B of the report.

**Alternative Options Considered:** None.

**DECISION:** The Cabinet agreed the revised Capital Programme totalling £307m for 2016/17 and noted the full four year programme as detailed in Appendix A of the report, and indicative programme set out in Appendix B to the report.

**Reason:** To inform Members of the current position regarding the Council's Capital Programme.

**(Key decision – reference number 4362)**

**9**

**REVIEW OF CONSERVATION AREA CHARACTER APPRAISALS AND  
MANAGEMENT PROPOSALS: PHASE 3**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director – Regeneration and Environment (No.64) seeking approval of revised Conservation Area Appraisals and Management Proposals for the three conservation areas set out in the report.

**CABINET - 6.9.2016**

NOTED

1. Councillor Sitkin outlined the proposals detailed within the report. A modest contraction of the Fore Street Conservation Area south of the North Circular was proposed. Boundaries for Church Street and Montagu Road Cemeteries remained unchanged. It was noted that the changes to the Hadley Wood and Grange Park conservation areas, previously agreed under phases 1 and 2 of the review, were addenda only to include minor changes to map omissions and amendment of text accordingly as detailed in the report.
2. The extensive consultation which had taken place as set out in the report. Detailed responses received were summarised in Appendix 1 of the report. Councillor Anderson highlighted the comments which had been received with regard to enforcement and, emphasised the importance of ensuring that the responsibilities with regard to the appropriate maintenance of properties were made clear to all concerned.
3. Ian Davis (Director – Regeneration and Environment) noted the important role of appropriate voluntary groups in highlighting and monitoring issues requiring future enforcement.
4. In response to issues of clarification raised by Councillor Brett, Ian Davis (Director – Regeneration and Environment) stated that the proposals were based on the expertise of consultants Drury McPherson Partnership, as set out in the report. Members were advised that specific buildings and sites could be protected through local listings.

**Alternative Options Considered:** An alternative option would be not to update the Conservation Area Appraisal and Management Proposal documents. The documents approved in 2007 and 2009 were now out of date in terms of national planning policy and the recasting of the local planning policy through the Local Plan, Historic England (formerly English Heritage) guidance and changes in the physical fabric of the area since the previous review. These documents do not provide an up-to-date policy background to support Development Management decisions, including appeals. Not to update the documents would make them inconsistent with the documents for other conservation areas in the borough that had been approved and updated under Phases 1 and 2

**DECISION:** The Cabinet agreed to approve the

1. Revised Appraisals and Management Proposals for the following three conservation areas subject to minor changes to formatting:
  - Church St, Edmonton
  - Fore St, Edmonton
  - Montagu Road Cemeteries, Edmonton

**CABINET - 6.9.2016**

2. Addenda for the following two conservation areas approved under Phases 1 and 2 of the Review subject to minor changes to formatting:
  - Hadley Wood
  - Grange Park

**Reason:** The reasons for the above recommendations were set out in full in section 6 of the report.

**(Key decision – reference number 4222)**

**10**

**HOUSING GATEWAY LIMITED ANNUAL REPORT**

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director of Finance, Resources and Customer Services (No.65) presenting the Housing Gateway Limited Annual Report.

**NOTED**

1. That Report No.70 also referred as detailed in Minute No.20 below.
2. That the wholly owned local authority company had been established in 2014 to acquire and manage properties in the private rented sector, to be used by the Council to discharge its statutory homeless duties, as detailed in the report. Housing Gateway Limited continued to provide the Council with a much needed viable alternative to using expensive nightly paid accommodation.
3. Members noted the progress which continued to be made and that the company was on track to meet its indicative targets. The Council was a responsible landlord and set good property standards. All properties were let at an appropriate standard and were well-managed.
4. That the number of households in temporary accommodation continued to rise, as detailed in the report. The significant demands on the Council and, the effectiveness of Housing Gateway Limited in addressing these growing demands were recognised.
5. The positive financial implications as set out in the report.
6. The continued success of Housing Gateway Limited as outlined in its Annual Report.

**Alternative Options Considered:** NOTED that the alternative options had been considered as part of a previous decision. Cabinet was being asked to note the contents of the Annual Report, as the sole shareholder of Housing Gateway Limited.

**CABINET - 6.9.2016**

**DECISION:** The Cabinet agreed to note the contents of the Housing Gateway Limited Annual Report.

**Reason:** The Council was the sole shareholder of Housing Gateway Limited and it had previously been agreed at Cabinet that an annual report would be presented to update the Council on the progress made by the company. The information held in the annual report (part one) would also be used to inform the annual Chairperson's Report which would be published on the company's website.

**(Non key)**

**11**

**MERIDIAN WATER IN PRINCIPLE COMPULSORY PURCHASE ORDER**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director – Regeneration and Environment (No.66) seeking agreement, in principle, to use its compulsory purchase powers for acquisition of land necessary for the delivery of the Meridian Water Regeneration Scheme.

NOTED

1. That Report No.71 also referred as detailed in Minute No.21 below.
2. That this report was coming forward now following the selection of Barratt London and SEGRO as master developer in May 2016.
3. That agreement in principle only was being sought at this stage. Negotiations would continue to take place with a view to achieving, so far as practicable, voluntary acquisition of land needed to facilitate development, as detailed in the report. The report set out the processes that would be followed if it proved necessary to initiate a CPO in the future.
4. That any CPO application made in the future to the Secretary of State would need to clearly demonstrate that detailed and significant negotiations had been undertaken prior to applying for a CPO. Active negotiations would continue to take place with CPOs only being sought as a last resort.

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

**DECISION:** The Cabinet agreed to

1. Pass a resolution stating **in principle** that the Council agrees to use compulsory purchase powers to acquire the land within the area described in the report and shown on the plan attached at Annex 1 of the report. The Council being of the view that compulsory acquisition of land is likely to be necessary in order to achieve the following:

**CABINET - 6.9.2016**

- (a) Secure the delivery of the Meridian Water Regeneration Scheme and its housing and job-creation objectives.
  - (b) Facilitate the carrying out of the development within agreed costs and timescales in partnership with the now appointed Master Developer; and
  - (c) Contribute to the promotion and improvement of the economic, social and environmental well-being of the Borough.
2. Authorise Council officers to begin preparatory work to use its compulsory purchase powers, including serving a Requisition on land owners for declaration of land interests, and the preparation of a Statement of Reasons.
  3. Note all necessary expenditure associated with such preparatory work (including legal fees, consultants' fees, and any other investigation work or research) would be contained within the existing approved capital budget.
  4. Note that a further report would come forward to Cabinet early in 2017 recommending the Meridian Water CPO Strategy and the making of the CPO.
  5. Note that a Meanwhile Strategy for Meridian Water would be coming forward later in 2016.

**Reason:** NOTED, the detailed reasons for the recommendations as set out in full in section 5 of the report.

**(Key decision – reference number 4348)**

**12**

**RE-PROVISION 2 - CARE HOME CAPITAL FUNDING AND PROCUREMENT**

Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services (No.67) summarising the need to secure additional good quality nursing supply for Enfield residents.

NOTED

1. That Report No.72 also referred as detailed in Minute No.22 below.
2. Councillor Cazimoglu expressed her thanks and appreciation to Jemma Gumble (Strategic Partnerships Development Manager) for her significant work in bringing these proposals forward for Members' agreement.



**CABINET - 6.9.2016**

3. The forecast growing demand for such future residential care and the need to ensure adequate provision to meet the needs of vulnerable residents. It was a competitive market. It was beneficial for the Council to own care homes and ensure that there was a sufficient and affordable local supply available, as detailed in the report.

**Alternative Options Considered:** NOTED, the alternative options which had been considered: Do Nothing; Purchase Care Home Beds out of borough; Utilise alternative procurement method for construction contract; as set out in full in section 6 of the report.

**DECISION:** The Cabinet agreed to

1. Delegate to the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services, in consultation with the Cabinet Member for Health and Social Care and Cabinet Member for Finance and Efficiency, the approval to appoint a contractor(s) to deliver the demolition and redevelopment of the Coppice Wood Lodge site for the purposes of a new care home.
2. Approve the redevelopment of the Coppice Wood Lodge Care Home Facility and recommends to Council the approval of additional funds to the Capital Programme as detailed in Report No.72, Minute No.22 below refers.
3. Delegate authority to the Director of Health, Housing and Adult Social Care to approve the submission of a planning application for a new care facility at Coppice Wood Lodge Site.
4. Delegate authority to the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services in conjunction with the Cabinet Member for Health and Social Care and Cabinet Member for Finance and Efficiency to appoint a service provider.
5. Approve capital expenditure for pre-construction services up to Contract Award from the Capital Programme as detailed within Report No.72, Minute No.22 below refers.

**RECOMMENDED TO COUNCIL** the approval of additional funds to the Capital Programme as detailed within Report No.72, Minute No.22 below refers.

**Reason:** NOTED, the detailed reasons for the recommendations as set out in section 7 of the report.

**(Key decision – reference number 4337)**

**CABINET - 6.9.2016**

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director – Regeneration and Environment (No.68) outlining the Council's successful Housing Zone designation for Edmonton Futures.

NOTED

1. That Report No.73 also referred as detailed in Minute No.23 below.
2. That the Council had been successful in its application for a second Housing Zone in Edmonton, this would be a significant investment in the most deprived wards in Edmonton.
3. That delegated authority was sought to enter into an agreement with the Greater London Authority (GLA) to accept the award, and to agree the terms of the agreement.
4. That a report would be presented to a future Cabinet meeting outlining the more detailed future work to be undertaken.

**Alternative Options Considered:** The alternative option would be not to accept the award. However, this option would restrict the Council's ability to bring forward new homes at an accelerated rate.

**DECISION:** The Cabinet agreed to

1. Note the Council's successful Housing Zone designation for Edmonton Futures.
2. Delegate authority to the Director – Regeneration and Environment to (i) discuss and seek to agree with GLA the terms of the OBA; and (ii) enter into the OBA in such agreed form.

**Reason:** For the Council to bring forward housing development in the Edmonton Futures area in line with the Council's strategic objectives, it was recommended to Cabinet that the Council seeks to agree and then, subject to agreement of suitable terms, enter into the OBA in order to expedite development opportunities.

**(Key decision – reference number 4334)**

**14**

**MONTAGU INDUSTRIAL ESTATE REDEVELOPMENT**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director of Finance, Resources and Customer Services (No.69) setting out the preferred option for the Estate's redevelopment and the establishment of a vehicle that would deliver these objectives.

NOTED

**CABINET - 6.9.2016**

1. That Report No.74 also referred as detailed in Minute No.24 below.
2. That, Members welcomed the proposals for the redevelopment of the estate which would meet the Council's objectives, as set out in the report.
3. The proposal to demolish Unecol House for the reasons set out in the report.

**Alternative Options Considered:** NOTED, the detailed alternative options which had been considered as set out in full in section 5 of the report.

**DECISION:** The Cabinet agreed to

1. Note the various options available for the use of the Montagu Industrial Estate and the economic and financial rationale for the establishment of a joint venture special purpose vehicle.
2. Approve the redevelopment of the Montagu Industrial Estate for employment uses with the objective of securing wider economic and social regeneration benefits, as well as generating revenue funds for the Council to reinvest in Council services, and approved the demolition of Unecol House to facilitate the phased redevelopment of the Montagu Industrial Estate.
3. Approve the establishment of a special purpose vehicle, joint venture limited liability partnership (LLP), to take forward the redevelopment of the estate and delegated authority to the Director of Finance, Resources and Customer Services in consultation with the Assistant Director (Legal and Governance Services) and the Cabinet Member for Finance and Efficiency to enter negotiations, finalise the terms and enter into agreements associated with establishing the special purpose vehicle.
4. Approve the use of the Council's real assets (property) located in the Montagu Estate to be used as an equity stake for the Council in the Joint Venture special purpose vehicle and delegated authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency, and the Cabinet Member for Economic Regeneration and Business Development to transfer these assets into the special purpose vehicle as and when required (subject to compliance with the Council's Property Procedure Rules (PPRs)).
5. Approve the procurement of a joint venture partner with which to form the special purpose vehicle and delegated authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to enter into

**CABINET - 6.9.2016**

negotiations, finalise the terms and enter into agreement with the procured recommended development partner.

6. Approve the addition to the Council's capital programme to fund the creation of the special purpose vehicle that would manage the redevelopment of the Montagu Estate to be funded from borrowing as detailed in Report No.74, Minute No.24 below referred.
7. Approve
  - (a) The acquisition of land in the Estate subject to the Property Procedure Rules and delegated authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to negotiate and agree the final terms of the acquisition.
  - (b) In principle the use of the Council's compulsory purchase powers (CPO) to acquire such land that might be needed to facilitate the area's redevelopment and agreed to the commencement of background work. Noting that negotiations would be conducted with landowners and a resolution to make the CPO would be brought back to Cabinet at an appropriate time.
8. Approve and delegate responsibility to the Director of Finance, Resources and Customer Services to submit a planning application for demolition work at Unecol House and to obtain planning permission for the site's future development.
9. Delegate authority to the Director of Finance, Resources and Customer Services to demolish this building.

**RECOMMENDED TO COUNCIL**

1. The addition to the Council's capital programme to fund the acquisition of property on the Montagu Estate, which was to be funded from borrowing in the 2017/18 financial year.
2. An addition to the capital programme for the demolition of Unecol House as set out in the report.

**Reason:** The detailed reasons for the above recommendations were set out in full in section 6 of the report.

**(Key decision – reference number 4357)**

**15**

**CABINET AGENDA PLANNING - FUTURE ITEMS**

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

**16**

**CABINET - 6.9.2016**

**MINUTES**

**AGREED**, that the minutes of the previous meeting of the Cabinet held on 16 August 2016 be confirmed and signed by the Chair as a correct record.

**17**

**ENFIELD STRATEGIC PARTNERSHIP UPDATE**

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

**18**

**DATE OF NEXT MEETING**

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 19 October 2016 at 8.15pm.

**19**

**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 to Information) (Variation) Order 2006).

**20**

**HOUSING GATEWAY LIMITED ANNUAL REPORT**

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency introduced the report of the Director of Finance, Resources and Customer Services (No.70).

NOTED

1. That Report No.65 also referred as detailed in Minute No.10 above.
2. That the report set out the financial model of the company. Members' attention was drawn to the financial information set out in the executive summary of the report. The company was on track to meet its targets, as outlined in the report.

**Alternative Options Considered:** As detailed in Report No.65, Minute No.10 above refers.

**Reason:** As detailed in Report No.65, Minute No.10 above refers.  
(Non key)

**21**

**CABINET - 6.9.2016**

**MERIDIAN WATER IN PRINCIPLE COMPULSORY PURCHASE ORDER**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director – Regeneration and Environment (No.71).

NOTED

1. That Report No.66 also referred as detailed in Minute No.11 above.
2. The background to the proposals and the financial and development context as set out in section 3 of the report.

**Alternative Options Considered:** As detailed in Report No.66, Minute No.11 above refers.

**DECISION:** The Cabinet agreed to (as also detailed in the recommendations of Report No.66, Minute No.11 above refers):

1. Pass a resolution stating in principle that the Council agrees to use compulsory purchase powers to acquire the land within the area described in the report and shown on the plan attached at Annex 1 of the part one report (Minute No.11 above refers). The Council being of the view that compulsory acquisition of land was likely to be necessary in order to achieve the following:
  - (a) Secure the delivery of the Meridian Water Regeneration Scheme and its housing and job-creation objectives.
  - (b) Facilitate the carrying out of the development within agreed costs and timescales in partnership with the now appointed Master Developer; and
  - (c) Contribute to the promotion and improvement of the economic, social and environmental well-being of the Borough.
2. Authorise Council Officers to begin preparatory work to use its compulsory purchase powers, including serving a Requisition on land owners for declaration of land interests, and the preparation of a Statement of Reasons.
3. Note all necessary expenditure associated with such preparatory work (including legal fees, consultants' fees, and any other investigation work or research) would be contained within the existing approved capital budget.
4. Note that a Meanwhile Strategy for Meridian Water would be coming forward later in 2016.

**Reason:** As detailed in Report No.66, Minute No.11 above refers.  
**(Key decision – reference number 4348)**

CABINET - 6.9.2016

**22**

**RE-PROVISION 2 - CARE HOME CAPITAL FUNDING AND PROCUREMENT**

Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Director of Health, Housing and Adult Social Care and the Director of Finance, Resources and Customer Services (No.72).

NOTED

1. That Report No.67 also referred as detailed in Minute No.12 above.
2. The financial implications of the proposals set out in the report and the need to ensure that fit for purpose facilities were provided to meet forecast demand.

**Alternative Options Considered:** NOTED, the alternative options which had been considered as set out in section 6 of the report.

**RECOMMENDED TO COUNCIL**

1. The approval of the addition of funds to the Capital Programme for the sum detailed in recommendation 2.1 of the report, for the total scheme expenditure including the proposed works, technical services, furniture and equipment and any other associated costs and note potential opportunities to use receipts as detailed in paragraph 5.26 of the report, to offset this.
2. To approve capital expenditure for Pre-construction services up to Contract Award from the Capital Programme up to the sum detailed in recommendation 2.2 of the report.

**Reason:** NOTED the reasons for the above recommendations as set out in section 7 of the report.

**(Key decision – reference number 4337)**

**23**

**EDMONTON FUTURES HOUSING ZONE 2**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Director – Regeneration and Environment (No.73).

NOTED

1. That Report No.68 also referred as detailed in Minute No.13 above.
2. The further background information provided for Members' consideration.

**CABINET - 6.9.2016**

**Alternative Options Considered:** As detailed in Report No.68, Minute No.13 above referred.

**DECISION:** The Cabinet agreed to

1. Authorise the Assistant Director of Regeneration (in consultation with the Director of Finance, Resources and Customer Services), to enter into the Housing Zone contract consisting of an Overarching Borough agreement and its associated Borough Intervention Agreements with the GLA to the sum of £33.45m.
2. Note that the specific development proposals and recommendations for schemes relating to the sites covered in the report would be brought forward, as appropriate, in future Cabinet reports and subject to decisions at future Cabinet meetings.

**Reason:** As detailed in Report No.68, Minute No.13 above referred.

**(Key decision – reference number 4334)**

**24**

**MONTAGU INDUSTRIAL ESTATE REDEVELOPMENT**

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.74).

**NOTED**

1. That Report No.69 also referred, as detailed in Minute No.14 above.
2. The financial overview of the proposals as set out in section 4 of the report.
3. The resulting benefits arising from the demolition of Unecol House as set out in the report.
4. The legal and financial implications of the respective delivery mechanisms and the reasons for the recommended option, as detailed in the report.
5. In response to a question raised by Councillor Brett the details set out in paragraph 4.41 of the report were explained and clarified to Members.

**Alternative Options Considered:** As detailed in Report No.69, Minute No.14 above referred.

**DECISION:** The Cabinet agreed to (as also detailed in the recommendations of Report No.69, Minute No.14 above refers):



**CABINET - 6.9.2016**

1. Note the various options available for the use of the Montagu Industrial Estate and the economic and financial rationale for the establishment of a joint venture special purpose vehicle.
2. Approve the redevelopment of the Montagu Industrial Estate for employment uses with the objective of securing wider economic and social regeneration benefits, as well as generating revenue funds for the Council to reinvest in Council services and approve the demolition of Unecol House to facilitate the phased redevelopment of the Montagu Industrial Estate.
3. Approve the establishment of a special purpose vehicle, joint venture LLP, to take forward the redevelopment of the estate and delegate authority to the Director of Finance, Resources and Customer Services in consultation with the Assistant Director Legal and Governance Services and the Cabinet Member for Finance and Efficiency to enter negotiations, finalise the terms and enter into agreements associated with establishing the special purpose vehicle.
4. Approve the use of the Council's real assets (property) located in the Montagu Estate to be used as an equity stake for the Council in the Joint Venture special purpose vehicle and delegated authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to transfer these assets into the special purpose vehicle as and when required (subject to compliance with the Council's Property Procedure Rules).
5. Approve the procurement of a joint venture partner with which to form the special purpose vehicle and delegated authority to the Director of Finance, Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to enter into negotiations, finalise the terms and enter into agreement with the procured recommended development partner.
6. Approve the addition of the sum detailed in recommendation 2.6 of the report, to the Council's capital programme to fund the creation of the special purpose vehicle, that would manage the redevelopment of the Montagu estate to be funded from borrowing as detailed in section 8.1. of the report with the specified sum to be allocated in 2016/17; the specified sum in 2017/18; a specified sum per annum for three years from 2017/18 (recommendation 2.6 of the report set out the specified sums for agreement).
7. Approve
  - (a) The acquisition of land in the Estate subject to the Property Procedure Rules and delegate authority to the Director of Finance,

**CABINET - 6.9.2016**

Resources and Customer Services in consultation with the Cabinet Member for Finance and Efficiency and, the Cabinet Member for Economic Regeneration and Business Development to negotiate and agree the final terms of the acquisition and

- (b) In principle the use of the Council's compulsory purchase powers (CPO) to acquire such land that might be needed to facilitate the area's redevelopment and agreed to the commencement of background work. Noting that negotiations would be conducted with landowners and a resolution to make the CPO would be brought back to Cabinet at an appropriate time.
8. Approve and delegate authority to the Director of Finance, Resources and Customer Services to submit a planning application for demolition work at Unecol House and to obtain planning permission for the site's future development.
9. Delegate authority to the Director of Finance, Resources and Customer Services to demolish this building.

**RECOMMENDED TO COUNCIL**

1. the addition of the sum specified in recommendation 2.7 of the report, to the Council's capital programme to fund the acquisition of property on the Montagu Estate, which would be funded from borrowing in the 2017/18 financial year.
2. The additional sum, set out in recommendation 2.11 of the report, to the Capital Programme for the demolition of Unecol House as detailed in the report.

**Reason:** As detailed in Report No.69, Minute No.14 above referred.  
**(Key decision – reference number 4357)**