



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

THE CABINET

Wednesday, 16th November, 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 – Housing Gateway Limited – Increased Budget Envelope**

To note that a decision was taken by the Leader of the Council, on behalf of the Cabinet, on 28 October 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 the provision of an additional loan facility to Housing Gateway Limited.

The decision is due to be considered at the Council meeting scheduled to take place on 9 November 2016 (Report Nos.140 and 141 – Council – 9 November 2016 – key decision – reference number 4406 refers).

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 report be referred to full Council:

1. Report No.133 – Transformation and Technology After Enfield 2017

6. REVENUE MONITORING REPORT SEPTEMBER 2016 & 2017/18 BUDGET UPDATE

A report from the Director of Finance, Resources and Customer Services **will be circulated as soon as possible. (Key decision – reference number 4393)**

(Report No.130)
(8.20 – 8.25 pm)
TO FOLLOW

7. LONDON REGIONAL ADOPTION AGENCY (Pages 1 - 26)

A report from the Director of Children's Services is attached. This seeks agreement in principle, to join a London Regional Adoption Agency. **(Key decision – reference number 4375)**

(Report No.131)
(8.25 – 8.30 pm)

8. STRATEGY AND APPROACH TO DELIVERING PUPIL PLACES (Pages 27 - 54)

A report from the Chief Education Officer and Director of Finance, Resources and Customer Services is attached. This outlines the strategy and approach to delivering pupil places. **(Key decision – reference number 4395)**

(Report No.132)
(8.30 – 8.35 pm)

9. TRANSFORMATION AND TECHNOLOGY AFTER ENFIELD 2017

A report from the Chief Executive and Director of Finance, Resources and Customer Services **will be circulated as soon as possible. (Key decision – reference number 4410)**

(Report No.133)
(8.35 – 8.40 pm)
TO FOLLOW

10. ASSET MANAGEMENT - POTENTIAL DISPOSAL OF COUNCIL OWNED PROPERTIES - TRANCHE 7 (Pages 55 - 60)

A report from the Director of Finance, Resources and Customer Services is attached. This seeks approval in principle to the sale of various Council properties as detailed in the report. **(Key decision – reference number 4413)**

(Report No.134)
(8.40 – 8.45 pm)

11. EDMONTON GREEN LEASE RESTRUCTURE (Pages 61 - 64)

A report from the Director of Finance, Resources and Customer Services is attached. This sets out proposals for the restructure of the Edmonton Green Lease. (Report No.137, agenda part two also refers) **(Key decision – reference number 4414)**

(Report No.135)
(8.45 – 8.50 pm)

12. ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

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

13. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 65 - 70)

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

14. MINUTES (Pages 71 - 92)

To confirm the minutes of the Cabinet meeting held on 19 October 2016.

INFORMATION ITEMS

15. ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

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

16. DATE OF NEXT MEETING

To note that the next meeting of the Cabinet is scheduled to take place on Wednesday 14 December 2016 at 8.15pm.

CONFIDENTIAL ITEMS

17. EXCLUSION OF THE PRESS AND PUBLIC

To consider passing a resolution under Section 100A(4) of the Local Government Act 1972 excluding the press and public from the meeting for the items of business listed on part 2 of the agenda on the grounds that they involve the likely disclosure of exempt information as defined in those paragraphs of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

(Members are asked to refer to the part two agenda)

MUNICIPAL YEAR 2016/2017 REPORT NO. **131**

MEETING TITLE AND DATE:

Cabinet
16th November 2016

REPORT OF:

Director of Children's Services

Contact officer and telephone number:

Anne Stoker
0208 379 4075

Agenda - Part: 1	Item: 7
Subject: London Regional Adoption Agency	
Wards: All	
Cabinet Member consulted: Cllr Ayfer Orhan	

1. EXECUTIVE SUMMARY

- 1.1 The DfE require all local authorities to join a regional agency by 2020 and has invited councils and Voluntary Adoption Agencies to submit Expressions of Interest in becoming part of new regionalised arrangements. In response, the Association of London Directors of Children's Services (ALDCS) submitted a London proposition, which was approved for development.
- 1.2 A number of possible models for the London Regional Adoption Agency (LRAA) have been explored. ALDCS have recommended the creation of a new local authority owned entity operating in a hub and spoke approach. The model is expected to retain a strong local link; it is recognised that local knowledge and relationships will be essential.
- 1.3 Through the development of a LRAA the DfE and ALDCS aspire to speed up matching by widening the pool of prospective adopters, improve adoption support and achieve cost efficiencies through regional commissioning of services, specifically meeting the needs of the London Boroughs. It would operate with governance through ALDCS and London Councils. Enfield Council must join a regionalised adoption agency (RAA) by 2020 and will need to formally agree whether they wish to join the ALDCS regional adoption arrangements, or seek other arrangements to join another RAA.

2. RECOMMENDATIONS

- 2.1 Agree, in principle, to join a London Regional Adoption Agency, subject to detailed financial analysis and business case and delegate authority to the Cabinet Member for Education, Children's Services and Protection and the Director of Children's Services to progress arrangements relating to the development and implementation of the London Regional Adoption Agency model and negotiate with other RAA's as appropriate.

3. BACKGROUND

3.1 Adoption as a permanency option

Adoption is a way of providing new families for children who cannot be brought up by their biological parents. It is a legal process in which all parental rights and responsibilities are transferred to the adoptive family. Once an adoption has been granted, it cannot be reversed. Alternative permanency options include special guardianship orders (SGOs) and long term fostering.

Successive governments have raised concerns that children in care may experience poorer outcomes due to a low rate of adoption as well as delays in the process. Children in care are more likely to be unemployed, to experience mental health problems, to become homeless and to have their own children removed from them. It should be noted that children in care often arrive in care with significant issues that contribute to poor outcomes; however, a poor care experience can exacerbate rather than remedy these issues. Conversely, a well-timed and good placement match can make a significant and positive difference to the long-term outcomes of children who have difficult and damaging pre-birth and early year's experiences which lead to an adoptive placement.

3.2 The policy background to regionalisation

In order to improve outcomes for children in care, the Coalition Government introduced *An Action Plan for Adoption: tackling delay*¹ with legislative changes to the monitoring of the adoption process through an Adoption Scorecard. This set targets for Local Authorities to speed up the adoption

¹ An Action Plan for Adoption: tackling delay (DfE, 2012)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/180250/action_plan_for_adoption.pdf

process. In many authorities, those targets have not been met and the speed of adoption remains a local corporate parent and central government concern.

The Department for Education (DfE) paper, *Regionalising Adoption*² proposed the move to regional adoption agencies in order to:

- Speed up matching
- Improve adopter recruitment and adoption support
- Reduce costs
- Improve the life chances of vulnerable children.

The government has reinforced their policy ambition through provisions in the Education and Adoption Bill. The DfE's ambition is for all local authorities to be part of a regionalised service by 2020.

Through Adoption: a vision for change¹, the Department highlighted the need to draw on the best of both the statutory and voluntary sectors to ensure that systems are designed around the needs of children. It also reinforced the vision to ensure that the voice of children and adopters is at the heart of policy making and service delivery.

There has been no ministerial change following the changes in government during July 2016 and the DfE has, since those changes, reaffirmed a commitment to this policy. A communication from the DfE to DCSs on 15th September 2016 stated 'Regional Adoption Agencies (RAA) will make an enormous difference to some of our most vulnerable children... We and the team would welcome any further feedback on how we can best work together to deliver the great potential which RAAs have to offer.'

3.3 Working together to improve adoption services in London

London boroughs and VAAs have a history of working together to improve adoption services.

3.3.1 Pan-London joint working

In 2013, the London Adoption Steering Group was set up to enable pan-London good practice sharing and development. This group transitioned to the London Adoption Board in 2014. The London Adoption Board includes London boroughs and voluntary adoption agencies (VAAs) and is sponsored by the CVAA. The London Adoption Board has supported the collection of adoption data, facilitated best practice showcase events, advocated with external groups on behalf of London, and enabled the development of standards for adoption services.

² Regionalising Adoption (DfE, 2015)

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/437128/Regionalising_adoption.pdf

3.3.2 Consortia arrangements

All London boroughs belong to an adoption consortium. These consortia allow best practice sharing between local authorities and enable joint working on some aspects of the service. In some cases, services are carried out jointly between boroughs via these consortia arrangements. Examples of service areas that are carried out jointly include adopter training, recruitment activity, and joint subscriptions. There is a range of levels of integration within the different consortia. Figure 1 below shows the current consortia regions.

¹ Adoption: a vision for change (DfE, 2016)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/512826/Adoption_Policy_Paper_30_March_2016.pdf

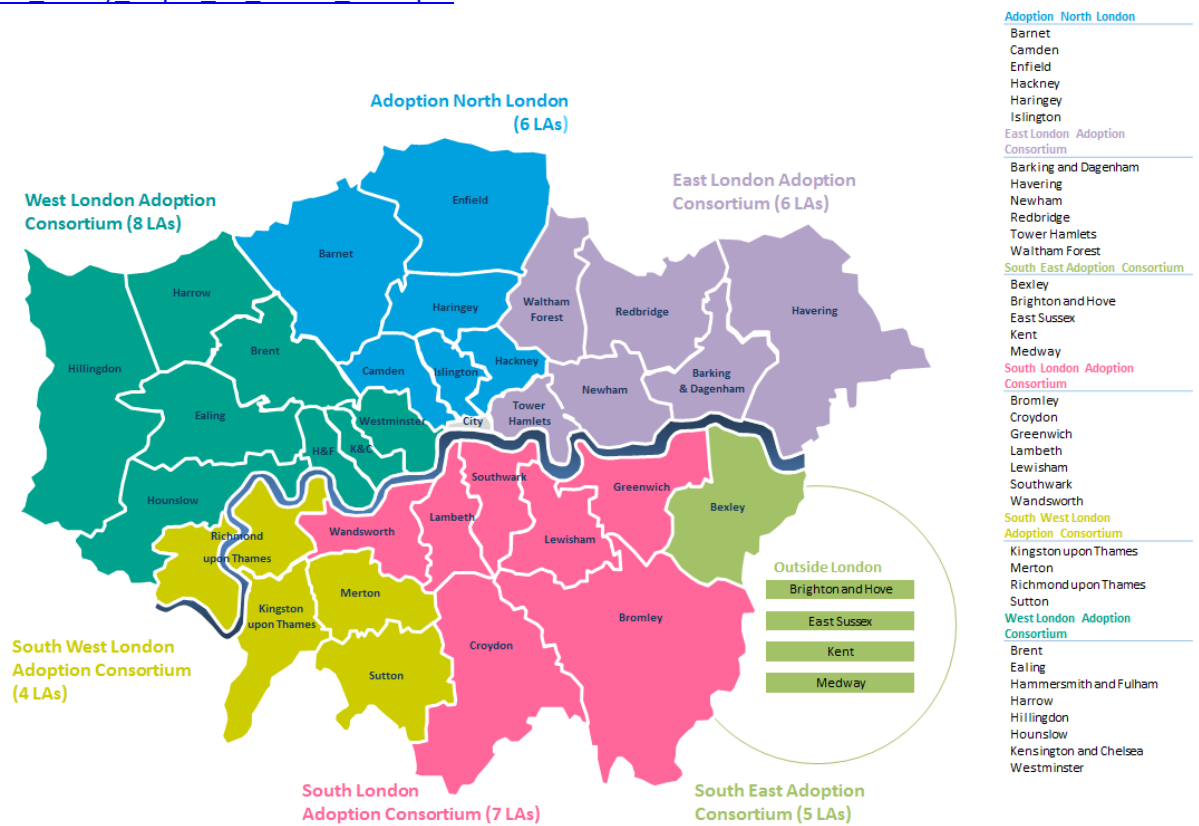


Figure 1. London adoption consortia arrangements

The engagement between boroughs and VAAs ranges from individual service contracts and spot purchase arrangements with VAAs to outsourcing the full adoption service. Many VAAs are involved in the consortia arrangements shown above.

3.4 The London Regionalised Adoption project

3.4.1 Governance

Following the publication of this paper the Department invited councils and Voluntary Adoption Agencies to submit Expressions of Interest in becoming part of new regionalised arrangements. In response, the Association of London Directors of Children's Services (ALDCS) submitted a London proposition in late 2015. The DfE subsequently approved the ALDCS proposition as a "scope and define" project.

ALDCS set up and chair a Regionalisation Project Steering Group that has driven the development of the initial recommendations outlined in this document. The Regionalisation Steering Group sits under the governance of ALDCS and makes operational decisions to drive the project forward. An ALDCS reference group (5 DCS members) has also been set up to support the Regionalisation Steering Group Chair with ensuring that the views of London as a whole are represented at a senior level. A diagram of the governance arrangements is shown in Figure 2.

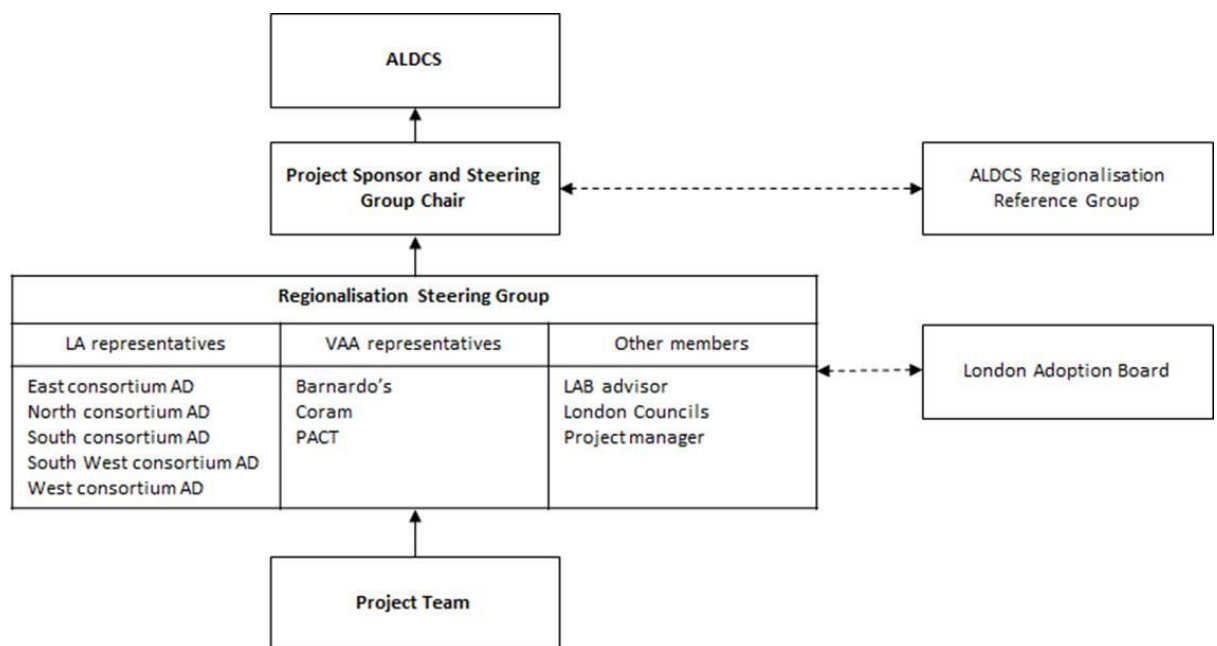


Figure 2. London Regional Adoption project governance and membership

3.4.2 The vision for London

The development and assessment of models for the London Regional Adoption Agency was preceded by the development of a vision for London. This vision was agreed by Directors and engaged upon with stakeholder groups.

The core of this vision is to ensure that all London's children who require adoptive families receive excellent services that meet their needs leading to excellent outcomes for them and their adoptive family. See **appendix 1** for the vision statement.

3.4.3 Opportunity for London

The vision highlighted a focus on achieving the best outcomes for all London's children in need of an adoptive placement and reducing any current postcode lottery of provision across the capital.

3.4.3.1 Outcome performance for children and adoptive families

With regards to the current outcome performance, the majority of London boroughs do not achieve the national average waiting time from entry to care to moving in, and there is wide variation in performance on this metric and the timeline from placement order to matching.

An activity survey carried out in the first phase of the project showed variable practice regarding the use of adopters approved by other agencies (other LA or VAA), and variation in the use of the adoption support fund. These practice differences may influence the placement timelines.

Adopter focus groups reinforced the need to improve equality in service provision across London. In particular, they raised concerns that training availability was limited in some areas and there was inconsistent access to adoption support.

Within these performance metrics, there is some clustering of performance seen within some consortia groups. This suggests that there is opportunity to improve through closer integration, but may also be influenced by the cohorts of adopters and children in these regions.

3.4.3.2 Cost and efficiency performance

For local authorities, the vision cites a need to support cost efficient and effective delivery that enables future flexibility. Figure 3 shows the variation in adoption numbers by borough during 2015-16. This shows that adoption is a very small service within many boroughs, which may result in inefficiencies and may reduce focus on this area within staff training and development.



Figure 3. Number of children adopted from care Q1-3 2015/16, ALB data set (unrounded)

There is also significant variation in cost per adoption, which partially relates to the efficiency aspects described above, but also reflects savings opportunities. An economic analysis during the first phase of work estimated the average cost per adoption in local authorities was £58,900, based on submissions from 21 local authorities, compared to an interagency fee average spend of £33,300. This does not include indirect costs, adoption allowances, Adoption Support Fund spend, and third party payments. Further analysis is required to confirm the data and identify which tasks are carried out by local authorities and not by external agencies. This will provide an indication of the window of opportunity for efficiency improvement.

The greatest area of saving potential was identified within staffing, but the potential models are hypothetical and need further testing in the context of the service design. Further analysis is required of local authorities with low cost per adoption and good performance on timeliness and quality to identify whether these achievements are possible to extend to other areas. The London RAA will measure performance against Adoption Leadership Board statistics, quality metrics including breakdowns, process efficiency and satisfaction. Proactive tracking and problem solving processes will be a core function of the RAA.

3.5 Development of the Service and Delivery Model

The Regionalisation Steering Group considered a number of options for the delivery model, and recommended two for further investigation. In order to be able to advise Boroughs, ALDCS has sought legal advice regarding the

proposed London scheme. In addition, there have been two events for elected members, as well as engagement with adopters, prospective adopters, and adopted young people.

3.5.1 Development of the high level service model

To create a London Regional Adoption Agency that best meets the needs of children and adopters in line with the expected Government guidance there was a need to consider the types of delivery vehicles and models that would make the difference in improving our specified outcomes. In January 2016, the project team held an options development workshop with LA, VAA and adopter representatives. Participants were provided with information collated from throughout the project engagement to date, and asked to identify the outcomes expected from each aspect of the adoption journey in order to achieve the vision. Groups then identified the commissioning and delivery scale required to achieve the outcomes. A diagram showing the outcomes identified in this workshop can be seen in **appendix 2**.

3.5.2 Options analysis on the delivery model

Building on this service design, the workshop participants were introduced to the potential delivery vehicles and structures. They agreed the desirability and feasibility criteria for scoring these vehicle/ structure combinations. These criteria were agreed by ALDCS.

Delivery vehicles considered

The following delivery vehicles were considered as part of the options appraisal process at either the pan-London level or the creation of multiple regional agencies:

- Single LA hosting on behalf of other LAs
- New LA owned entity
- LA-VAA joint venture
- Outsourcing to existing London VAAs

Within the above delivery models, a number of structures were considered:

- Fully centralised: a single London body
- Hub and spoke: central hub for London-wide co-ordination, commissioning and delivery, with sub-regional spokes for delivery and local commissioning under the same organisation.
- Tiered approach: top strategic tier, second strategic/ operational tier, third delivery tier.
- As is; current arrangement with more formalised partnerships.

3.5.3 Recommendation on preferred models

The Regionalisation Steering Group carried out scoring of desirability and feasibility criteria and held a discussion of the available options based on engagement with stakeholders and other data captured. The group recommended the following options for further investigation:

- LA trading company delivery model with a strategic VAA partnership operating in a hub and spoke structure (Option 1).
- LA-VAA joint venture operating in a hub and spoke structure (Option 2).

A summary of the assessment of the individual options can be found in **appendix 3**.

At the March meeting of ALDCS, Directors received a report of stakeholder engagement in respect of the potential delivery models which could form the model for a future regionalised offer. Those preferences, based on guidance from stakeholders including VAAs, were a local authority trading company and a joint venture. Directors supported this recommendation.

3.5.4 Legal advice on the potential delivery models

On the direction of ALDCS, legal advisors were appointed to produce detailed advice on the two preferences.

Report coverage

The report is now complete and covers the following areas for the preferred models:

- Benefits and limitations of VAA involvement in the ownership and/or strategic partnership, with advice on the joint venture options.
- Governance implications with regard to the need for accountability to the LAs responsible for the child.
- Legal entities that would be appropriate for securing the optimum balance with non-statutory organisations.
- Income and tax implications of the models, including VAT treatment and the ability to trade with other regional agencies.
- Procurement implications of these models, with reference to Teckal exemption.
- Implications for registered charities including charitable assets and income.
- Potential staff transfer implications.

Recommended model

The report received from the legal advisors recommends that the Agency would be a not-for-profit community benefit society which is jointly owned by all of the LAs (Option 1) who wish to participate in the project from the outset (Founding Councils). The figure below shows the structure of the recommended model.

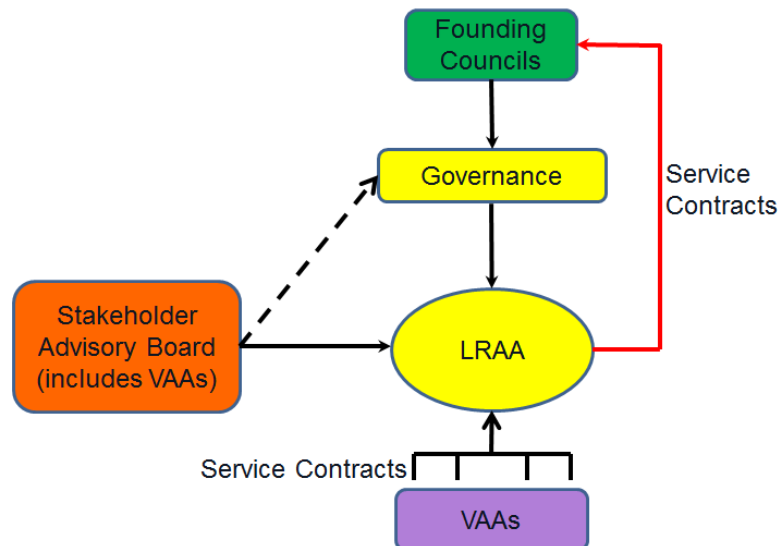


Figure 4. A multi-LA owned corporate entity working in partnership with VAAs to deliver adoption services

The Founding Councils' involvement in the Agency would be governed by a Members' Agreement. The Agency would be managed by a board of directors including officers of the Founding Councils, with places reserved for elected VAAs, and potential for other service user or stakeholder involvement. This model is quicker and cheaper to set up, and retains close VAA partnership working.

Further details on the distinctions between the two models can be seen in **appendix 4**.

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 Engagement and Consultation

3.7.1 London-level member engagement

In July 2015, London Councils published a Member Briefing³ on the Department's regionalisation policy platform and informed members that ALDCS had submitted an Expression of Interest. This was followed by a report to London Councils' Executive in October 2015 setting out regionalisation project in high level terms and seeking Executive's in principle support, which was agreed.

In November 2015, a London Councils Member Event⁴ was hosted by the project team. The feedback from members subsequently informed the project vision and detailed project plan. In July 2016, a further London Councils Member Event was held to share the initial options analysis and the report on legal implications of the potential models.

3.7.2 Other stakeholder engagement

The Project Development Group has engaged with voluntary adoption agencies, adopters and prospective adopters, and children and young people during the development of these recommendations. A list of these engagement sessions can be found in **appendix 5**.

4. ALTERNATIVE OPTIONS CONSIDERED

Alternatives to the London option would be to join another developing regional agency or create a new model. Other developing regional agencies have not been developed with the involvement of London boroughs. No other regional agencies have proposed a model linked to the governance of London local authorities. The London model is being developed with the complexity of the borough and provider landscape in mind. Many of the models being developed in other regions e.g. single LA host, would not be appropriate to meet this complexity of need.

Any new agency being developed would have the same timescale requirements and would need to access development funding independently. ALDCS identified that using existing arrangements (e.g. consortia) would not remove the performance and service variation across London and most current consortia regions would not achieve the DfE aims for scale. A sub-divided London would lose the benefit of the wider pool of adopters and the standardisation of service offering.

5. REASONS FOR RECOMMENDATIONS

The London Regional Adoption Agency has been developed to meet the needs of London Boroughs. It would operate in a similar manner to the London Admissions and London Grid for Learning Teams, with governance

³ <http://www.londoncouncils.gov.uk/members-area/member-briefings/children-and-youth-people-member-briefing/regionalising-adoption>

⁴ Reforming Adoption in London. Nov 6th 2015.

through ALDCS and London Councils. The DfE require all local authorities to join a regional agency by 2020, therefore 'do nothing' is not an available option within the current policy and political landscape. Given the policy drive from the Government and examples of good joint working in other areas of children's services, an RAA as described in this paper is considered to be the best viable option.

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

6.1 Financial Implications

This paper seeks support for joining the future London Regional Adoption Agency which is subject to detailed financial analysis. A focus to improve adoption success rates would also support budget pressures elsewhere within Looked after Children (LAC) budgets caused by higher cost alternatives.

6.2 Legal Implications

Section 3 of the Adoption and Children Act 2002 requires local authorities to maintain an adoption service within their area. Section 15 of the Education and Adoption Act 2016 creates a legislative framework for adoption services to be centralized, regionalised or outsourced. This legislation is not yet in force. However, given central government's plans for adoption services local authorities need to prepare.

The Council has anticipated the implementation of the Act by supporting in principle joining the Regional Adoption Agency Project for London. All London Boroughs and 10 Voluntary Adoption Agencies are included, and the continued involvement in the London RAA will best ensure an effective pan-London service

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

Any contractual relationship arising from joining the Regional Adoption Agency will need to be properly documented and in a form to be approved in due course.

6.3 Property Implications

Not applicable.

7. KEY RISKS

7.1 The London Regional Adoption Project carries out risk assessment throughout the project with escalation via the Regionalisation Steering Group and ALDCS. The project plan includes expert advice on transition planning and change management. DfE funding to enable the implementation of the model is dependent on borough sign up.

The project team will work closely with staff from all founding councils to identify, mitigate and manage any risk. The final model design will be subject to consultation.

If the London Regional Adoption Agency does not progress there is a risk that Enfield Council could be instructed to join another Regional Adoption Agency, and may have to join an RAA that it has not been part of developing.

8. IMPACT ON COUNCIL PRIORITIES

Fairness for All, Growth and Sustainability and Strong Communities

The work of the RAA meets all 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 that can no longer live permanently with their birth families.

9. EQUALITIES IMPACT IMPLICATIONS

The RAA Project Development Group has engaged with voluntary adoption agencies, adopters and prospective adopters, and children and young people during the development of these recommendations. A list of these engagement sessions can be found in **appendix 5**.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

There will be strong links between the Local Authority and the RAA in order to track and evaluate performance and ensure robust data is collated. The RAA is accountable to the ADCS and any difficulties arising in performance would be highlighted between the Local Authority and the RAA and at ADCS level as appropriate.

11. HEALTH AND SAFETY IMPLICATIONS

Not applicable.

12. HR IMPLICATIONS

The London Regional Adoption Agency model recognises the need for local links with children and families, alongside a central team. As the model is developed, affected staff and unions will be consulted regarding proposals in accordance with statutory regulations and Council guidelines. The final model is likely to involve current adoption teams being transferred over to the London Team via TUPE transfer on their current terms and conditions of service.

13. PUBLIC HEALTH IMPLICATIONS

Enfield Council already has good arrangements for Adoptions Services working in partnership with other Council's. The requirements set out in this report will be most beneficial to Council's who do not have such good arrangements as Enfield. However, the Government have made this approach mandatory on all Council's thus the recommendations in this report.

Adoption is important to public health providing security and stability to some of our most vulnerable children and young people which will contribute to their overall health and wellbeing. Adoption enhances the chances of achieving the following public health outcomes:

- babies, children and young people have positive attachment with their parents;
- babies, children and young people live healthy lifestyles and have a positive sense of well-being;
- babies, children and young people develop and achieve their potential;
- babies, children and young people are in the best possible health, have good nutrition and maintain a healthy weight;
- babies, children and young people are protected from ill health, injuries, and physical and mental health problems;
- children and young people are involved in decisions about their health and well-being.

Background Papers

None

Appendices:

1. *ALDCS (Nov 2015) Regionalising Adoption: A vision for London Councils*
2. *Adoption journey outcome summary (Jan 2016)*
3. *ALDCS (March 2016) London Adoption Regionalisation – Project Update – Section 2*
4. *ALDCS (July 2016) London Adoption Regionalisation – Project Update – Section X*
5. *ALDCS (May 2016) London Adoption Regionalisation – Project Update – Section X*

Appendix 1 – Vision for London

Regionalising Adoption Vision for London

Background

The DfE paper *Regionalising Adoption* proposes the move to regional adoption agencies in order to speed up matching, improve adopter recruitment and adoption support, reduce costs, and improve the life chances of London's most vulnerable children. London is committed to ensuring that regionalisation delivers the best, most timely outcomes and experiences for both children and adopters.

This paper sets out the vision for London based on extensive consultation.

Vision

Our vision is to ensure that all London's children who require adoptive families receive excellent services that meet their needs leading to excellent outcomes for them and their adoptive family.

For children where adoption is the best option, we will:

- Ensure that the child and the child's journey is foremost in the new service design.
- Maximise the opportunity to find a loving family as quickly as possible.
- Provide support from the start of their journey through to adulthood, with a proactive and flexible offer to meet their educational, health and emotional needs.
- Involve children and young people in the development of the regionalised service.

For prospective adopters and adopters, we will:

- Provide clear, realistic and welcoming communication from first enquiry to post-adoption.
- Ensure that they are equipped to meet their children's current and future needs through high quality training and guidance.
- Deliver evidence-based assessment and approval processes within a consistent timeframe.
- Reduce time taken from approval to matching.
- Provide consistent post-adoption support across the region.
- Increase the diversity of adoptive parents.
- Engage with potential adopters and adoptive parents in the design of the regionalised service.

For birth parents of children being adopted, we will:

- Provide consistent access to support throughout London e.g. counselling and contact.

For local authorities (LAs), we will:

- Share learning across the region, and between the local authority and voluntary sector.
- Achieve savings and cost efficiencies, making the best use of public money.
- Match the supply of adopters to the children awaiting adoption across the region.
- Minimise complexity and ensure that barriers are not created between organisations.
- Be adaptable and responsive to manage future changes e.g. demand, legislation.

- Develop a model that allows flexibility in the level of service for individual LAs.
- Engage with universal services to enable consistent provision of adoption support.
- Identify opportunities for regionalised services to support other routes to permanence.
- Involve practitioners working in adoption services in the development of the model.
- Engage with VAAs and ASAs throughout the development of the regionalised model.

For voluntary adoption agencies (VAAs) and adoption support agencies (ASAs), we will:

- Create an organisation that recognises and utilises the expertise within the voluntary sector.
- Recognise and respond to demand and funding challenges in the voluntary sector.
- Engage with VAAs, ASAs and LAs throughout the development of the regionalised service.

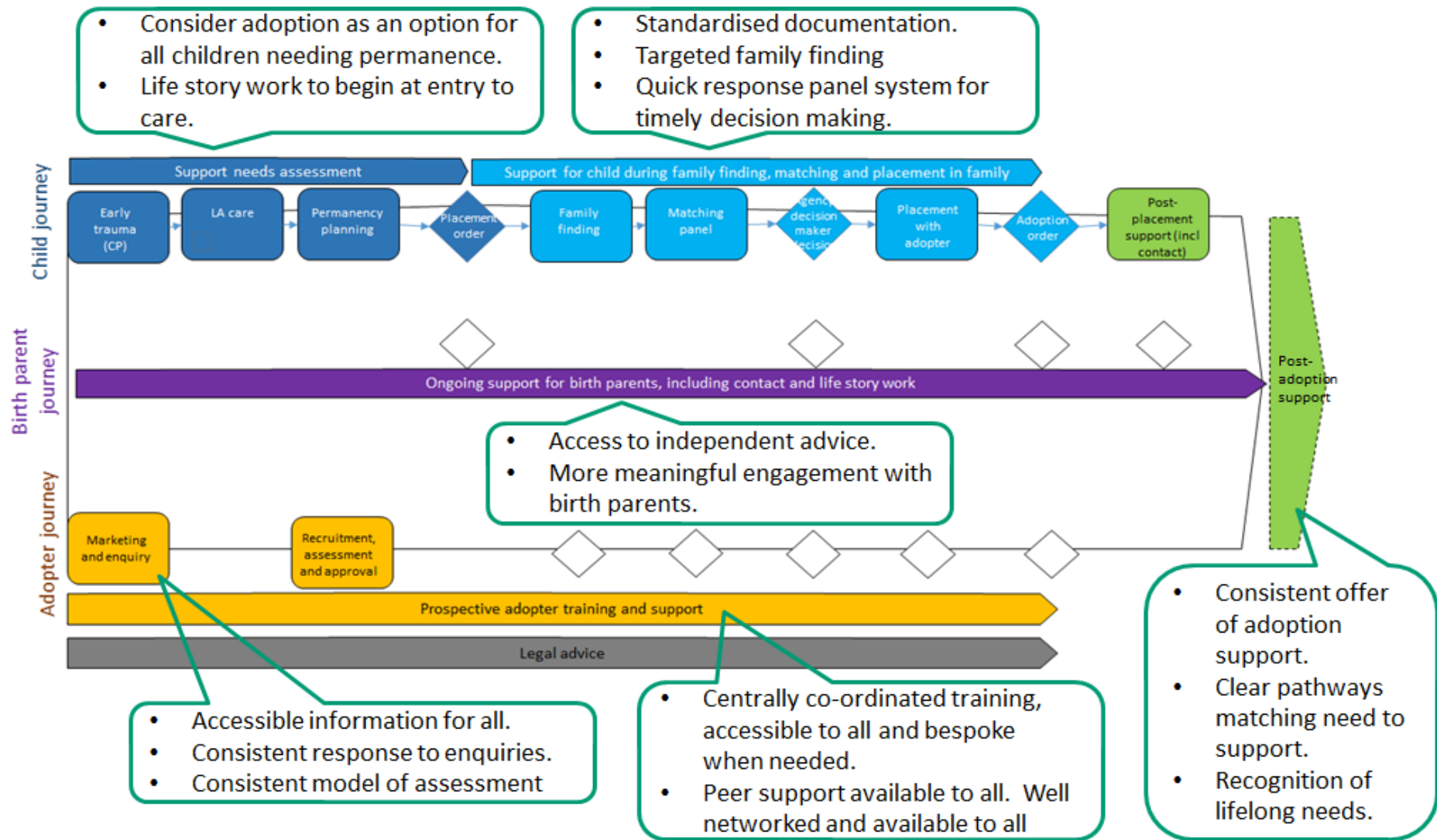
Key Design Criteria of model

- Child-centred, focussed on achieving the best outcomes for all London's children in need of an adoptive placement.
- Pan-London solution ensuring sufficient numbers of children and reducing any "postcode lottery" of provision across the capital and improving support for adopters.
- Regional focus on capacity and sufficiency ensuring equality of provision.
- Effective and high quality delivery of all statutory duties in relation to adoption and adoption support across London, utilising "Freedoms and Flexibilities" available to local authorities enshrined in amendments to the Children and Young Persons Act 2008.
- Creates an ability to work flexibly around a new London offer.
- Encompasses aspects of other permanency options into the future.
- Commits to close collaboration between all stakeholders.
- Considers the options for pooling resources and sharing responsibilities, including the legal functions currently performed by individual boroughs.
- Maintains and builds a clear relationship with London boroughs who remain responsible for the journey of the child.
- Works closely with VAA partners.
- A cost efficient and effective delivery approach enabling local authorities to deliver significant cost savings in adoption services whilst maintain high quality provision to children and families.
- The majority of funding for the regionalised model will go towards direct work to increase stable, secure, adoptive families for London's children.

Governance

Partners will work together under the strategic leadership of ALDCS, LAB as the multi-agency responsible body, and an executive steering group made up of representatives from LAs, VAAs and London Councils.

Appendix 2 – Adoption journey outcome summary



Appendix 3 – Assessment of potential delivery models

Preferred Delivery Models

The Regionalisation Steering Group meeting held on 24th February used scoring of the models and information collected throughout the phase to drive a discussion on the preferred models. The models were considered as combinations of delivery model (entity type) and structure (organisational configuration).

1. Delivery Models

The following delivery models were considered as part of the options appraisal process:

Model	Key points
Single LA hosting on behalf of other LAs	Steering group agreed that this option was not viable due to: <ul style="list-style-type: none"> <input type="checkbox"/> Scale and complexity is too large for a single LA to manage. <input type="checkbox"/> Organisational culture would be strongly influenced by the individual LA identified. <input type="checkbox"/> Likelihood of limiting membership of some LAs for political and geographical reasons.
LATC – a new LA owned entity	The steering group agreed that this model should be explored further. Key areas of discussion included: <ul style="list-style-type: none"> <input type="checkbox"/> Potential for strategic partnership with VAAs in a new LA-owned entity. <input type="checkbox"/> Lower procurement risk in this model.
LA-VAA joint venture	The steering group agreed that this model should be explored further. Key areas of discussion included: <ul style="list-style-type: none"> <input type="checkbox"/> VAAs would prefer to be around the table. <input type="checkbox"/> The commissioning income stream is vital to VAAs. <input type="checkbox"/> Greater potential for competition and income generation.
Outsource to existing London VAA	This was eliminated prior to scoring as VAAs attending stakeholder forum identified significant concerns with this model as indicated in the single LA host commentary.

2. Structures

Within the above delivery models, a number of structures were considered:

Structure	Key points
Fully centralised: single London body	Steering group agreed that this option was not viable due to: <ul style="list-style-type: none"> <input type="checkbox"/> Inability to deliver the adoption journey as mapped <input type="checkbox"/> Reduces benefit of local knowledge and relationships.

<p>Hub and spoke: Central hub for London-wide co-ordination, commissioning, and delivery. Sub-regional spokes for delivery and local commissioning under the same organisation (not necessarily using current consortia).</p>	<p>Steering group agreed preference for this structure. Key points of discussion were:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Local enough to maintain relationship with child and adopter at centre. <input type="checkbox"/> Good balance of delivery at scale while retaining clear organisational structure. <input type="checkbox"/> Configuration flexibility – elements to be commissioned or delivered in hubs or spokes <input type="checkbox"/> Long term contract options for providers servicing spokes.
<p>Tiered approach: top strategic tier, second strategic/ operational tier,</p>	<p>Steering group agreed that this option was not viable due to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Similarity to current arrangements likely to lead to continuation of postcode lottery. <input type="checkbox"/> Additional tiers adding complexity to management and funding arrangements.
<p>As-Is+: current arrangement with more formalised partnerships</p>	<p>This was eliminated prior to scoring as DfE learning events identified that this would be viewed as insufficient change.</p>

3. Recommendation

The steering group recommends the following preferred models for further investigation with regards to their governance, legal implications, procurement and financial implications:

- LA trading company delivery model with a strategic VAA partnership operating in a hub and spoke structure
- LA-VAA joint venture operating in a hub and spoke structure.

Please see appendix 1 for further summary regarding the identification of these models.

Appendix 4 – Summary of legal advice on two preferred models

3. Legal advice on the potential models

3.1 Introduction

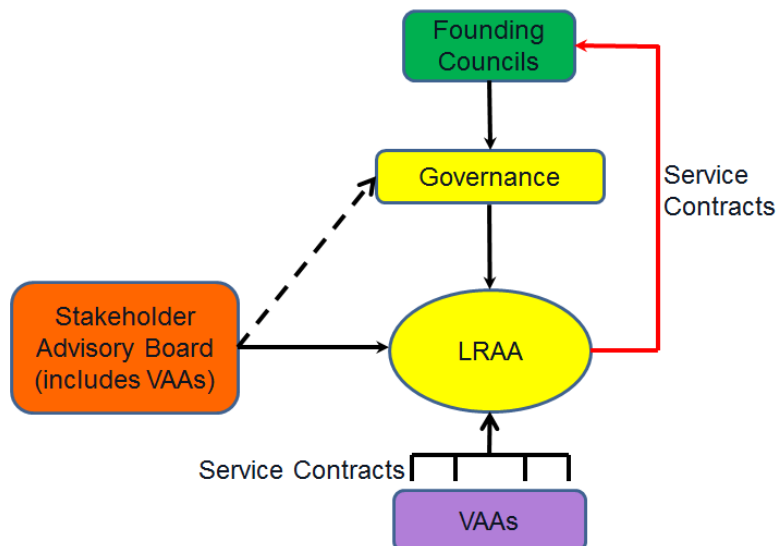
At the March meeting of ALDCS, Directors received a report of stakeholder engagement in respect of the potential legal entities which could form the model for a future regionalised offer. On the direction of ALDCS, legal advisors were appointed to produce detailed advice on the two preferences which Directors supported. Those preferences, based on guidance from stakeholders including VAAs, were a local authority trading company (Option 1) and a joint venture (Option 2).

The report has now been completed and covers the following areas for the preferred models:

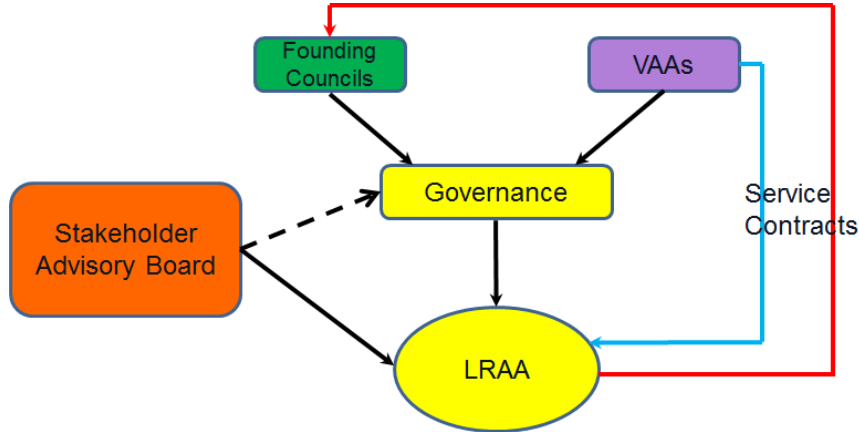
- Benefits and limitations of VAA involvement in the ownership and/or strategic partnership, with advice on the joint venture options and whether joint venture partners would need to be procured.
- Governance implications with regard to the need for accountability to the LAs responsible for the child.
- Legal entities that would be appropriate for securing the optimum balance with non-statutory organisations within these models.
- Income and tax implications of the models, including VAT treatment and the ability to trade with other regional agencies.
- Procurement implications of these models, particularly with reference to Teckal exemption.
- Implications for registered charities including charitable assets and income.
- Potential staff transfer implications.

3.2 Structure of the two options

Option 1 – the development of a multi-LA owned corporate entity working in partnership with VAAs to deliver adoption services



Option 2 – the development of a corporate entity involving both the LAs and VAAs as members/ shareholders to deliver adoption services



3.3 Comparison of the two options

The key comparison points of the two options are shown in the table below:

	Option 1 – LA owned	Option 2 – Joint venture
Governance	<ul style="list-style-type: none"> <input type="checkbox"/> Teckal company – can be set up from day one. 	<ul style="list-style-type: none"> <input type="checkbox"/> Joint venture would need to run procurement to identify VAA owner-partners.
Role of VAAs	<ul style="list-style-type: none"> <input type="checkbox"/> Role on advisory board, as well as directorships reserved for VAAs. <input type="checkbox"/> Service contracts. 	<ul style="list-style-type: none"> <input type="checkbox"/> Full role in governance structure.
Procurement	<ul style="list-style-type: none"> <input type="checkbox"/> Teckal exemption would apply as Agency would be wholly owned and controlled by the Founding Councils and will carry out the majority (>80%) of its work for those Founding Councils. <input type="checkbox"/> The Agency could use a restricted procurement procedure to establish a framework for VAAs for service contracts. 	<ul style="list-style-type: none"> <input type="checkbox"/> VAAs are private sector for procurement purposes, and so cannot rely on Teckal. <input type="checkbox"/> Competitive dialogue would be needed to establish terms of governance and award of service contracts. A larger exercise could prevent some smaller VAAs from taking part.

Tax	<input type="checkbox"/> Should be capable of satisfying HMRC's requirement for 'mutual trade' status, meaning there would be no corporation tax on surpluses. <input type="checkbox"/> Service supplies by the Agency to LAs would be VAT exempt. This means that irrecoverable VAT would be incurred by the LRAA.	<input type="checkbox"/> Application of mutual trade exemption would be problematic due to the lack of a trade with the VAAs. Therefore, unless the Agency had charitable status, it would need to include provision in its business plan for payment of corporation tax.
Pensions	<input type="checkbox"/> May be considered a Designated Body if the 'connected with' test is met.	<input type="checkbox"/> Less certainty of the 'connected with' test being met to gain Designated Body status. <input type="checkbox"/> A number of VAAs operate occupational salary-related pension arrangements, subject to regulatory oversight by the Pensions Regulator.
Other		<input type="checkbox"/> VAA constitutions would need to be reviewed. A number of VAAs would need to satisfy themselves that participation in the Agency is consistent with their charitable objects.

3.4 Notes relevant to both options

- Legal form – It is recommended that the Agency would be a not-for-profit community benefit society. At this stage, it is suggested that the Agency is not established as a charity. As a community benefit society, it should be possible to achieve charitable status in the future by adopting charitable objects.
- Governance – It is recommended that member of the Agency collectively elect the board of management of the Agency. This allows members to retain the ultimate control of the board, but also permits a smaller, more focused board that has the best suited individuals on it. A board size of 8-12 is suggested, with the majority of board members elected from candidates drawn from participating LAs.
- Staff – TUPE would apply where any services currently delivered by the Founding Councils and/ or participating VAAs are transferred to the LRAA. If there are certain functions which can only be provided by an employee of a Local Authority, alternative staffing models including secondment and joint employment or dual employment could be considered.
- Future flexibility – Processes for exit from or entry to the Agency at a later date can be agreed within the Members' Agreement.

3.5 Recommended model

The report received from Trowers & Hamlins recommends that the Agency would be a not-for-profit community benefit society which is jointly owned by all of the LAs (Option 1) that wish to participate in the project from the outset (Founding Councils). The Founding Councils' involvement in the Agency would be governed by a Members' Agreement. The Agency would be managed by a board of directors including officers of the Founding Councils, with places reserved for elected VAAs, and potential for other service user or stakeholder involvement.

This model is quicker and cheaper to set up, and retains close VAA partnership working.

3.6 VAA feedback on the report

As part of their role on the steering group, VAA representatives have sought the views of the VAA stakeholder group on the legal report. A response has been received raising the following:

- A query on the consideration of Teckal as a key factor in the decision making between an LA owned entity and a joint venture.
- The viability of an option not covered in the report for the creation of an Innovation Partnership.
- Whether it allows continuation of independent VAA sales.

Appendix 5 – Engagement tracker (1st June 2016)

Group	Engagement	Dates/Frequency	Coverage for Project Specific Events
Adopters	Regionalisation members/DCS event	Nov	1 + 2 professional
	Regionalisation options development workshop	Jan	1 + 2 professional
	Regionalisation adopter forum I	Jan	19 adopters
	Regionalisation adopter forum II	Mar	26 adopters
	We Are Family: regionalisation discussion	Mar	1 adopter / 5 prospective
	LAB representation	Monthly meeting agenda item	1 LAB adopter rep
Children	Regionalisation drop-in event	Mar	No attendees - new approach needed
	Research and existing reports. We worked with the Coram Adoptables group to identify the experiences and ideas of children and young people. Coram have produced a detailed report focused on the needs of young people and their thoughts on regionalisation	May	Focus group: 8 young people Wider group: 100 young people Desktop research and assimilation of existing studies (studies ranging from 100 – 208 young people)
	Call for other existing research / reports from other organisations	May	Sent to newsletter database of 116
LAs	Regionalisation members DCS / event	Nov	
	QA doc for DCS	Planned - June	
	Regionalisation steering group	Monthly	Consortia–AD representation
	ALDCS meeting	Jan	
	London Adoption Board	Monthly agenda item	
	Regionalisation options development workshop	Jan	65% LAs represented
	Regionalisation panel advisors workshop	Jan	50% LAs represented
	Adoption and Fostering Network meeting attendance	Dec	
	Consortia meetings	4 x Jan, 2 x Feb	All consortia attended
	PAC-UK event: regionalisation presentation	Feb	
	LAB innovation event: regionalisation presentation	Mar	

	Heads of Communications – attendance at monthly meeting requested	TBC - July	
VAA s	Regionalisation members/ DCS event	Nov	
	Regionalisation steering group	Monthly	30% VAAs represented
	Regionalisation VAA stakeholder forum I	Dec	60% VAAs represented
	Regionalisation VAA stakeholder forum II	Jan	100% VAAs represented
	Regionalisation VAA stakeholder forum III	Feb	50% VAAs represented
	Regionalisation ALDCS-led VAA stakeholder forum	Jan	100% VAAs represented
	Regionalisation option development workshop	Jan	70% VAAs represented
	London Adoption Board	Monthly agenda item	
	Consortia meetings	4. x Jan, 2 x Feb	All consortia attended
Elected members	Elected members events	Nov June	
ALL / Additional	Regionalisation Newsletter	Monthly	116 subscribed, 41 % avg open rate
	Workforce Engagement Sessions: panels and all workers in adoption	May and June (9 sessions over 4 days at different venues)	183 invited 68 registered to date 58 attended to date 21 to attend in June 19 follow up surveys received to date

MUNICIPAL YEAR 2016/17 - REPORT NO. 132**MEETING TITLE AND DATE:**

Cabinet – 16 November 2016

REPORT OF:

Director of Finance, Resources and
Customer Services and the Chief
Education Officer

Contact Officer:

Keith Rowley, telephone: (020) 8379 2459
e-mail: keith.rowley@enfield.gov.uk

Agenda – Part: 1	Item: 8
Subject: Strategy and approach to delivering pupil places Wards: All KD 4395	
Cabinet Members consulted: Cllr Ayfer Orhan (Education, Children's Services & Protection) Cllr Dino Lemonides (Finance and Efficiency)	

1. EXECUTIVE SUMMARY

- 1.1 The Council continues to successfully deliver additional permanent school places to meet demand in increasingly challenging conditions.
- 1.2 This report sets the scene for the administration's approach to the provision of school places for Enfield residents and updates the strategy for the provision of places. The update reflects:
- the existing school rolls show limited capacity in year groups other than Reception and year 7, particularly year groups 1 and 2. The additional pressures is from inward migration of families moving into the borough requiring school places at different year groups;
 - the 2016 annual review of the population projections about the expected demand for school places;
 - the national policy and funding position under the current government;
 - the increasing demand pressures on provision for children who need additional high level specialist support;
 - updated information on the current and planned supply of mainstream school places.
- 1.3 The key points from the review of demand for school places up to 2020 are:
- Demand for primary school places between 2016 and 2020 is lower than projected last year but returns to the previous trend from 2020;
 - Demand for secondary school places between 2016 and 2020 is as previously reported with a peak in 2023;
 - Demand for high support provision for children with certain categories of special education need continues to increase;
- 1.4 Information on current spare capacity in schools and plans to create additional places means that demand for places can continue to be met over the 2017 to 2020 period at the borough level. However, there will be a need to provide one extra form of primary entry in the South West area by September 2017. A further two forms of entry will be needed by 2021 also

in the South West. This is subject to the impact of any additional provision via academies and free schools in the borough and any other additional provision serving Enfield from adjacent boroughs.

- 1.5 Most school sites that can easily accommodate expansions have already been expanded, resulting in the need to acquire additional land or budget for whole school rebuild as expansion projects. This presents challenges as land acquisitions are not covered by the funding from government to create additional school places. Total school rebuild to maximise available school sites is very expensive and potentially disruptive to pupils and staff.
- 1.6 In terms of delivery there is a need to:
- Deliver three additional permanent forms of primary entry (FE) in the South West from September 2017 to September 2020.
 - Deliver twelve additional permanent secondary forms of entry (FE), 6FE by September 2018 and 6FE September 2020. Current Education Funding Agency (EFA) plans will deliver twelve forms of entry over this period, which means there is no need, or available funding, for Council delivered secondary schools up to 2020. Officers will monitor the situation and will implement alternative plans should the EFA fail to deliver additional secondary places by the required timeframe.
 - Increase capacity in special schools and establishments that provide education services for some of the most acute special need categories. Autistic Spectrum Disorder is the highest priority and permanent capacity needs to be increased by at least one form of entry at all age ranges. Plans have been developed to achieve this and a further report(s) will seek approval for this.
- 1.7 Construction sector market conditions continue to be challenging in London and the South East due to buoyant market conditions, shortages of skilled staff and some materials. Programme and project budgets and costs will continue to be monitored and adjusted through the quarterly Capital Monitor process.
- 1.8 Previously established delegated authority is in place for decisions on:
- Establishing the detail of the School Expansion Programme and projects detailed in section 3 of this report, including project level budgets within the SEP; and
 - Agreeing procurement routes, land transactions, placements of orders, submission of planning applications and entering into contracts with required contractors, either by calling off EU compliant framework agreements or conducting suitable procurement exercises.

2. RECOMMENDATIONS

- 2.1 It is recommended that Cabinet:
- 2.2 Approve three additional permanent forms of primary entry (FE) in the South West from September 2017 to September 2020.
- and the continuation of the school expansion programme, with the focus

on special provision and high needs pupil places;

- 2.2.1 Increase capacity in special schools and establishments that provide education services for some of the most acute special need categories subject to further approval for the manner in which this is to be achieved.
- 2.2.2 Note that the School Expansion Programme capital budgets for 2016/17 to 2017/18 are maintained at current approved levels but updated by a separate report(s) brought forward on any necessary land acquisitions required to facilitate provision of extra places and the need to increase budgets or use Council resources;
- 2.2.3 Approve refinancing of the Garfield Primary project to reflect the change in legislation in respect of the sale of education land from previously approved SEP growth;
- 2.2.4 Approve the retention of the Garfield building, designated as the Key Stage 2 building, for education purposes, initially for the decant of West Lea pupils to allow building works to proceed. The long term future use of the Garfield KS2 building is to be the subject of a further report;
- 2.2.5 Support continued delegated authority to the Cabinet Member for Education, Children's Services and Protection and the Cabinet Member for Finance and Efficiency in consultation with the Director of Finance, Resources and Customer Services, the Chief Education Officer or the Assistant Director of Strategic Property Services, to take decisions on:
- The individual schools, sites and preferred partners for expansions, and decisions on statutory requirements, to meet the demand for extra pupil places, both mainstream and special, up to 2020/21;
 - Conducting suitable procurement exercises and either calling off EU-compliant framework agreements or conducting suitable procurement exercises, entering into contractual arrangements with successful contractors and placing orders for any capital works required for the projects; and
 - Conducting any necessary land transactions, including acquisitions by way of freehold or leasehold up to the value of £500,000, as individual schemes are developed.
- 2.2.6 Support continued delegated authority to the Director of Finance, Resources and Customer Services and the Chief Education Officer to take decisions on the:
- Programme management arrangements and operational resourcing, including procurement of any required support services;
 - Commencing feasibility or initial design to inform pre-application discussions with planning and procurement of resources for this activity;
 - Cost estimates, budgets and spend for projects in advance of updates to the Capital Programme;
 - Submission of planning applications; and
 - The appropriate procurement routes for professional support services and construction for individual schemes.
- 2.3 It is recommended that Cabinet note:

2.3.1 That if options for schemes cannot be progressed then alternative options will need to be brought forward for decision and inclusion on the Council's Capital Programme.

3. BACKGROUND

Academy and Free Schools approvals

3.1 From a Local Authority perspective, the impact of mainstream schools converting to academy or approvals for new free school openers is an increasing risk to the planning of future pupil places. Therefore, before developing plans for school expansions it is necessary to evaluate central government's plans for changing the admissions of existing academy schools and approvals to open new free schools.

2016 Mainstream School Convertors

3.2 There are two mainstream school organisations that decided to convert to academies, Edmonton County Secondary School and the Bowes Alliance. Edmonton Secondary school has converted as at September 2016. The Bowes Alliance, consisting of Bowes Primary, Chesterfield Primary, Hazelbury Primary and includes Bowes Edmonton, also converted as at September 2016.

Planned New Free School openers

3.3 The Department for Education (DfE), approved three new Free Schools, One Degree Academy, Limes Academy and The Wren Academy.

3.4 One Degree Academy was approved to open in Enfield as a 3FE all-through school (1080 places not including 6th form), which is planning to open in the south east area centred around Edmonton. The Education Funding Agency (EFA), has purchase part of North Middlesex Hospital carpark as a permanent school site but planning consent for change of use has not yet been given. One Degree Academy is offering 2FE reception places September 2016, temporarily housed at Heron Hall Secondary Academy.

3.5 Limes Academy has been approved as a 3FE primary to open in 2017 in the north of Enfield but the permanent school site has also yet to be confirmed.

3.6 The Wren Academy has been approved as a 6FE secondary school to open in 2018 in the north of Enfield.

3.7 Previously, the DfE approved a free school, Ark North Enfield, now programmed to open 2020.

Current School Capacity

3.8 The pupil projections generally focus on reception and year 7 to depict pressure on school places. However, this approach does not show the pressures on other year groups, particularly years 1 and 2, which are very close to being at full capacity. The pressure is from inward migration of families moving into the borough requiring school places at different year groups. Inward migration is an all year phenomenon and requires officers to monitor pressure on places and respond quickly if necessary.

The School Expansion Programme

3.9 The School Expansion Programme (SEP) further developed the approach used in the Primary Expansion Programme previously reported to Cabinet but now reflects the need to assess the whole school estate, including Secondary and Special school provision. Appendix A summarises Enfield's available

places and future demand for school places. SEP also considers the effect of new Free School openers on available places and existing expansion plans.

Primary School Provision

- 3.10 The opening of Free Schools such as One Degree Academy has required officers to re-evaluate school expansion strategies. Previously officers reported a need for primary places in the South East of Enfield but the opening of One Degree Academy now calls into question expansion plans at Bowes Edmonton, 1FE expansion, which would result in an oversupply of pupil places in the short term. Therefore, officers have concluded that the planned expansion should be deferred until a better understanding of the demand for places is understood.
- 3.11 The main works are complete at Garfield School rebuild. The completion of this scheme concludes the original delivery phases. Previous reports for Garfield rebuild outlined the financing of the Garfield from a number of sources including sale of part of the school site for residential development. However recent changes to the law, through the Academies Act 2010 states land designated for educational purposes declared to be surplus is offered to the Secretary of State for the establishing of a free school. These changes to the law impacts on the project financing and therefore it is proposed to finance the Garfield rebuild project from SEP resources and retain the site and building, referred to as the Key Stage 2 building, in the SCS portfolio for further Education purposes (see section 3.12.9).
- 3.12 In response to the future levels of anticipated demand for school places identified as part of last year's annual review of demand and capacity a number of other projects have been established. These remain subject to feasibility and/or land acquisitions are either being delivered or subject to feasibility work. These are:
- 3.12.1 Additional primary capacity - South West
- Currently, a temporary primary provision has been established, in partnership with Bowes Southgate Green at Broomfield Secondary schools. This "partner school" arrangement is proving popular locally. It is proposed that the temporary arrangement be made a permanent 2FE primary under the control of the Bowes Alliance at Broomfield. This will involve refurbishment of Broomfield School accommodation to establish a full 2FE primary schools. The refurbishment works will also allow a 6FE secondary school to operate to cope with the rising demand for secondary school placements as the larger primary cohorts transfer to the secondary phase.
- A proposal to provide additional 2FE accommodation in new buildings at Grovelands park has proved challenging and delivery of a new building is not envisaged in the short term. Delivery will be dependent on securing the support of Historic England given the heritage features of the site. If this support can be gained then the design, works delivery and provision delivery details will be developed with contractors and suitable partners. This will include further resident consultation on more detailed proposals. The success of the negotiations will be the subject of a further report to Cabinet but it is proposed to programme the delivery of a new school for 2020/21.

Additional primary capacity in the North Central area

- 3.12.2 Arrangements have been made in partnership with Suffolks Primary and Bishops Stopford Secondary schools to make use of under-utilised space to provide additional primary school places on a temporary basis from 2015 in advance of a permanent provision.

A number of options for extra Primary provision have been explored and it is not possible to create three additional permanent forms of entry to serve this specific area without some form of land acquisitions. However, the approval of the Limes Trust has complicated the situation and officers are discussing the Limes Trust approval with EFA representatives.

Secondary School Provision

Additional Secondary School Capacity

- 3.12.3 The additional capacity created by Primary School Expansion Programme to accommodate the growing primary school population will inevitably put pressure on secondary school sector, as successive larger cohorts transfer. The pressure on secondary school places becomes critical in 2018 when there is a requirement for 6FE and a further need for 6FE in 2020.

Secondary North West

- 3.12.4 The North West area, including Enfield Town, demand already outstrips capacity but surpluses in the rest of the borough, particularly the South East, alleviates an issue in placing secondary children. The planned capacity depends on an additional 6FE through the Wren Academy for 2018.

Secondary North East

- 3.12.5 The planned capacity is dependent on the introduction of a 6FE through Ark North Enfield, for 2020.

Special Need Provision

- 3.12.6 There has over the last five years been significant increase in demand for high needs placements, particularly in the Autistic Spectrum Disorder and Behavioural. Placements. In the current climate of financial reductions, the biggest potential risk to the Council in regard to statemented children is the growing cost of special school placements. Over the last five years the cost of out of borough placements has increased by £2.5 million alone. If growth in the demand for special school placements continues the costs will also increase and the risk is that the costs are over the High Needs allocations from Central Government.

- 3.12.7 The High Needs Funding block funding could be better utilised and increasing the quality of SEN placement/care improved by increasing the places available in Special Schools in Enfield

Current Special School expansions

- 3.12.8 Orchardside School, Bullsmoor Lane aims to consolidate and increase capacity for secondary school aged children requiring short term support before returning to mainstream educational settings. Works are now on site and progressing well.

- 3.12.9 West Lea Special School, originally a maintenance project to replace life expired buildings has been incorporated into the SEP programme and the project scope increased to include additional places. However, to proceed with the works safely it is necessary to decant some of the pupils and this report seeks approval to use the surplus Key Stage 2 building, with minor adaptations, at Garfield school (see section 3.11).
- 3.12.10 Aylands, also a maintenance project to replace the life expired main school building. Again, the opportunity has been taken to increase the availability of special school places by increasing the size of the new school building, the exact number of new places is not known until detailed design is completed and budget costing is understood.
- 3.12.11 Funding for the West Lea and Aylands projects utilises funding from Capital Maintenance grant award from Central Government.
- 3.12.12 A lease is in place and a land acquisition is being negotiated at the site of the former Minchenden Secondary School. This would allow for permanent additional special school places to be provided in a re-furbished building. A further authority decision on the funding for both the land purchase, delivery options and building work will be brought forward.
- 3.13 If any of the above options cannot be delivered then alternative options, with associated costs, will need to be generated to ensure that demand is met.

Programme costs for expansion projects

- 3.14 As reported previously, the construction sector continues to be buoyant. The situation is particularly acute in London where there is higher developer interest in capital schemes but also in the education construction sector due to the continuing demand for construction works to support higher demand for school places. Again this is doubly the case in London. Indicative cost estimates for the projects were uplifted significantly to reflect market conditions. This was based on recent market testing and the Royal Institute of Chartered Surveyors (RICS) Building Cost Information Service (BCIS) indexes.
- 3.15 A significant challenge arises from Basic Need Funding from Government as Enfield received notification that no grant funding will be received for 2018/19 as this was taken at source to fund free school places.
- 3.16 If Government grant funding is not forthcoming, or is insufficient, and other sources such as Section 106 or Community Infrastructure Levy are receipts also insufficient then prudential borrowing as a last resort has to be a route to funding school expansion but this report does not seek additional funding from the previously approved levels.
- 3.17 The wider plans for the Minchenden site present the opportunity to provide additional special need provision for the borough and land development and sales of other parcels could generate funding to the Council.
- 3.18 Additionally, the government has suggested that it will make funding available for special need places in response to a lengthy period of Council's lobbying on this issue but an announcement is still awaited.

Programme and Project Structure

- 3.19 Appendix B outlines the budget structure.

- 3.20 The structure seeks to address the challenges of future delivery, limitations on sites, and the updated information on levels of funding from central government. The programme team will seek more opportunities for additional permanent capacity to be brought forward as part of residential developments, where feasible. Alongside this, the team will commission additional work on how school design options can achieve good quality teaching spaces on constrained sites. The aim will be to produce a set of standard, but adaptable design and employer's requirements for schemes that take into account funding limitations and try to minimise the use of Council resources whilst maintaining an acceptable level of quality. The input of school head teachers will be important and be sought through representatives already engaged in established forums.
- 3.21 The programme structure and ways of working will continue to be reviewed regularly to ensure they fit with the wider approach of the Council and any changes that emanate from Enfield 2017 restructures.

Stakeholder engagement

- 3.22 Alongside the programme management arrangements, a Stakeholder Engagement Strategy has been put in place for the programme. This is to ensure that the pro-active approach to consultation and communications is maintained. The programme objectives for stakeholder engagement are:
- To achieve wider Council commitments about communication and consultation;
 - Stakeholders are identified, appropriately informed and consulted in the right way at the right time;
 - Communication and engagement with stakeholders is pro-active and ensures there is clarity amongst all stakeholders about the Council's plans; and
 - Opportunities for dialogue are provided to ensure that stakeholders understand how and when they can contribute their views.
- 3.23 With more varied and complex projects likely, to be a feature of the programme there is likely to be an increasing need for engagement and consultation activities to ensure that the benefits of proposed schemes are understood and supported by the wider community.

Procurement for school expansions and improvement projects

- 3.24 The procurement approach for the SEP was agreed by Strategic Procurement Board in November 2013. The approach is to use existing and verified frameworks or, where appropriate, OJEU procedures.
- 3.25 The initial list of suitable Frameworks is subject to ongoing review by Corporate Procurement and has been expanded to include newly available frameworks.
- 3.26 The approach to procurement reflects Council's commitment to positively supporting the local economy through its sustainable procurement policy. Procurement activity will require contractors, where relevant and proportionate to the contract, to consider the use of apprentices, local supply

chains, and local labour. This is implemented through use of the Community Benefit toolkit at the Invitation to Tender stage, the impact of which is reported back to SPB throughout each year.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 Enfield Council has a statutory responsibility to provide the necessary school places. The SEP creates a mechanism to assist with the delivery of extra capacity required. Failure to provide enough school places is not an option.
- 4.2 The following proposals have been considered but rejected:
- Complete reliance on additional capacity from new free schools or existing free school / academy expansions. There is no guarantee that high quality providers will come forward with proposals for new schools that the EFA will then accept and then deliver, this is particularly true for Special Schools. The Council will continue to work with the EFA and current providers that provide high quality services and contribute to the wider education community in the borough to assess potential expansion opportunities.
 - Increasing class sizes to over 30 pupils. Current legislation stipulates that Key Stage One classes cannot exceed 30 pupils with only one qualified teacher, except in very limited circumstances. This does not apply to Key Stage two. However, school accommodation does not normally allow for more than 30 pupils in one class base.
 - The use of community halls as emergency class bases. This option has been explored with a number of head teachers in relation to the development of the Partner School initiative. However, the revised strategy seeks to deliver a programme of permanent expansions.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The Council has an overriding statutory duty to provide sufficient pupil places to meet anticipated demand. This report sets out the proposed strategy and delivery arrangements to oversee delivery arrangements for schools with funding secured for expansion, to further develop options for expansion by conducting feasibility studies and consultation with the schools identified and to secure funding through opportunities that become available.
- 5.2 This strategy and delivery arrangements will deliver the additional reception places required in the areas of highest demand up to 2020. The expanded capacity aims to provide a higher level of flexibility built in to counter sudden increases in demand.

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

6.1 Financial Implications

- 6.1.1 The approved School Expansion Programme (SEP) capital budgets for the years 2016/17 to 2018/19 are shown in the table below.

	2016/17 £'000s	2017/18 £'000s	2018/19 £'000s	TOTAL £'000s
Approved SCS SEP Capital Programme (16-17 Q2 monitor)	15,066	15,399	4,900	35,365
Funded by:				
Government Grants	(8,360)	(7,400)	(4,900)	(20,660)
General Resources	(6,706)	(7,999)	(0)	(14,705)
TOTAL	(15,066)	(15,399)	(4,900)	(35,365)

6.1.2 The above figures represent the approved allocation for existing schemes within the Schools & Children's Services Capital Programme for the School Expansion and Secondary Tuition Centre schemes. As mentioned above, there are a number of significant schemes in development which will require some additional funding to be identified in order for them to proceed. At the appropriate times authority decisions will be required on the allocation of the available capital resources and the funding of any budget shortfall.

6.1.3 As part of the quarterly monitoring of the capital programme all current schemes will be subject to a review of funding and delivery to reflect current national policy and funding regimes, particularly given the need for the Council to find savings in the Capital Programme and to minimise the impact of prudential borrowing on the revenue budgets in the Medium Term Financial Plan.

6.1.4 In the current economic climate it is not intended to recommend the SEP funding allocation be increased but because of the risks identified in other parts of this report, it is recommended that the approved allocation be maintained at the current level as a contingency. Officers will utilise Government Grants and other contributions ahead of Council Resources and its use will be the subject of further reports to members.

6.2 Legal Implications

Section 14(1) of the Education Act 1996 requires that a local education authority secures that sufficient schools for providing primary education and education for children up to the age of 19 are available in their area. Case law upon this statutory duty confirms that compliance with the duty requires an education authority to actively plan to remedy any shortfall. In addition, section 1 of the Localism Act 2011 gives the Council a general power of competence which enables the Council to do anything which an individual may do provided it is not prohibited by legislation. This would include a power to draw up a strategy to make available additional school places and adopt the other recommendations set out in this report.

6.2.1 Each school expansion will be subject to the statutory consultation prescribed by Section 19 of the Education and Inspections Act 2006, and The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. There is also statutory ('Making

'prescribed alterations to maintained schools' April 2016) and non-statutory guidance (School Organisation – Maintained Schools) issued by The Department for Education in January 2014. The decision on each statutory expansion will be made by the Cabinet Member for Children and Young People.

- 6.2.2 Where Planning Permission is required in respect of any school site expansion that proceeds beyond feasibility considerations and initial consultation with schools, such will be accordance with the Town and Country Planning Act 1990 (as amended). This will require statutory and public consultation. Pursuant to the Council's constitution the decision whether to grant planning consents will be a matter for the Council's Planning Committee. Works should not commence until such time as approval is given and any pre-commencement conditions (if required) by the planning permissions are discharged.
- 6.2.3 All procurements of goods/services/works will be in accordance with the Councils Constitution, in particular Contract Procedure Rules ("CPRs") and the Public Contracts Regulations 2006 or 2015 (as appropriate). In particular, the Council is able to utilise a range of EU compliant frameworks to engage the services of construction contractors or technical support staff such as architects or quantity surveyors in full compliance with the CPRs. Any use of a framework must be in accordance with the framework terms.
- 6.2.4 Section 120 the Local Government Act 1972 provides the Council with powers to acquire land by agreement for any of their functions or for the benefit, improvement and development of their area. The local authority can also CPO land for a purpose authorised by the 1972 Act or any other general Act. Section 122 of the same act gives power to the Council to appropriate for any purposes which the council are authorised by this or any other enactment to acquire land by agreement any land which belongs to the Council and is no longer required for the purpose for which it is held Any acquisition or appropriation of land will need to be in accordance with the Council's Property Procedure Rules.
- 6.2.5 All legal agreements will need to be in a form approved by the Assistant Director of Legal and Governance Services.

6.3 **Property Implications**

- 6.3.1 The Strategy set out in this report will provide additional school places in local areas of need.
- 6.3.2 Where there is a requirement for expansion, existing Council assets will be reviewed in the first instance. Where an acquisition may present itself, in order assist in the School Expansion Programme, these opportunities will be need to be assessed in more detail with feasibility and due diligence studies.
- 6.3.3 Stamp Duty Land Tax (SDLT), transactional costs (legal, surveyors and disbursements), potential VAT, holding costs including security and vacant premises rates will need to be considered when acquiring

a property and a suitable strategy will need to be enabled to limit the Council's exposure to these cost items

- 6.3.4 The site values will depend upon the prevailing market conditions at the time, and external valuations may be required to support the acquisition of land.
- 6.3.5 The land acquisition strategy will be challenging. Several internal and external approvals will be required and the Council will need to ensure appropriate consents are obtained or in place.
- 6.3.6 Land acquisitions to support expansion must conform to the Council's Property Procedure Rules (PPR's) and to demonstrate the Council's obligations under section 120 of the Local Government Act 1972, there will be a requirement for the Council to obtain an external RICS Red Book valuation by a Registered Valuer/Chartered Surveyor.
- 6.3.7 If existing Council assets are to be brought in to assemble land for an expansion, then Appropriation to the correct holding department will be required. If Appropriation from the Housing Revenue Account to the General Fund is required, then all transactions will be undertaken at current existing use value.
- 6.3.8 Initial consultations regarding acquisitions should require the Assistant Director of Strategic Property Services to be either present or informed.
- 6.3.9 Relevant stakeholder consultation will be required from the outset to support either acquisition or disposal of land and gaining planning permissions. Depending on the site and land-use designation, consultees could include English Heritage, the Greater London Authority (GLA), Sports England and the appropriate Secretary of State.
- 6.3.10 To meet statutory requirements it is vital to ensure that the Council's financial accounts do not include buildings (or parts of buildings) that have been demolished. To ensure we have high quality records and meet our statutory obligations Education Asset Managers will complete a demolition notification form and return to Property Services.
- 6.3.11 An inventory list of any material procured and produced will need to be kept. In the event of failure, appropriate arrangements will need to be made for these supplies to be retained and secured for the Council until a decision is made on how best to dispose of them.
- 6.3.12 Property Services will need to be aware and sent the new data being generated for the expansion of these schools. These include floor plans with room data for the purposes of the Asset Management System, Atrium.
- 6.3.13 Property Services is involved in the programme management structure and is able to advise on acquisition, disposal and other land development issues.
- 6.3.14 Once planning permission is gained Building Regulations will need to be adhered to as part of the enabling and construction works.

7. KEY RISKS

Additional capacity and contingency

- 7.1 The revised Provision of Primary Places Strategy has been revised by this report to set out the arrangements to commence delivery of additional school places in the 2017 to 2020 period. This is in response to the recent review of pupil number projections. The next set of pupil number projections will be available in Spring 2017 and will be reviewed to inform the annual update to the strategy for providing school places. Our aim is to improve parental choice, and minimises the risk of providing insufficient pupil places.
- 7.2 There is a risk that if popular and successful Enfield schools near the borders of neighbouring boroughs are expanded then this could encourage an influx of pupils from those boroughs if they have not been successful in expanding their own provision.
- 7.3 Actual pupil numbers will be carefully monitored against projections, to ensure that the Council strives to provide places in the actual areas of demand (i.e. local places for local children). Officers will also continue to engage in regional and bilateral discussions about the provision of places to assess provision in other boroughs.

Concerns about school expansions

- 7.4 Experience to date suggests that the three most significant factors likely to cause concern to some stakeholders are car parking, increased traffic flows and the impact of new building structures to their site lines (views from their windows) including building proximity and exterior treatments of outward facing structures. The programme and project team members will work closely with schools and Governing Bodies to ensure that designs are of high quality and that issues of concern are addressed in the design proposals, including traffic management once technical information is available.
- 7.5 Both the informal and statutory rounds of consultation will be managed in a way that makes them accessible to stakeholders, including residents, to maximise opportunities for input.

Basic Need Funding

- 7.6 The annual submission to the Department for Education (DfE) is based on identifying existing capacity in the system. Thus, close monitoring of pupil numbers and a review of projections will ensure that the Council is best placed to maximise any Basic Need Funding for the provision of school places.
- 7.7 It should be noted that the Council received no Basic Need Allocations for 2018/19 as these were held centrally by the EFA against future provision of free schools planned in Enfield.

Delivery Timescales

- 7.8 Each school year the Council will have to fulfil its statutory duty to provide sufficient school places. To ensure the Council meets its statutory duties any

identified need for places will be assessed and a programme with clear project milestones will be identified and progress monitored closely by the Programme Executive and Board which is made up of stakeholders, Cabinet Members, Headteachers, Governors and Council officers at the most senior level.

Planning Consent

- 7.9 Each school expansion will require planning consent. During the initial design and pre-planning processes, architects will carefully follow pre-application advice that has been provided, so that designs presented to the Planning Committee will be of a high quality and best placed for approval. However, there is clearly a risk at this stage. Some flexibility regarding pupil numbers will be provided within the programme to ensure that the Council meets its statutory duty to provide sufficient school places.

Costs

- 7.10 The estimated cost of expansion as outlined in the body of the report could well place additional strain on the Council's finances. If Government grant funding is not forthcoming then prudential borrowing might have to be a route to funding school expansion but this would have a significant impact on revenue budgets.
- 7.11 The overall programme cost and the amount included on the Capital Programme will be reviewed as part of an annual programme review each Spring that will consider the updated statistics on pupil places; levels of school provision, particularly planned Academy or Free School provision; construction market inflation and the progress of individual projects.
- 7.12 Costs for each established project will be managed through the project and programme management governance arrangements already put in place and be subject to the Council's usual due diligence and value for money tests. Changes in estimated costs, established budgets and the spend profile will be managed through the Capital Programme via the quarterly Capital Monitor updates.
- 7.13 Wider economic and market conditions are likely to be a major factor in terms of contract costs. As previously stated, the construction index lags behind real market conditions suggesting it will increase again next year. Statutory requirements around the provision of places and guidance around teaching space sizes limit options on reducing the quantity of provision. Reducing the quality of provision will not be able to counter balance a buoyant construction market and in addition to increasing the risk of higher maintenance costs it could have a negative impact on school Head Teachers' and Governors' willingness to support expansions in the first place. Officers will engage with school building framework providers to identify procurement routes of school buildings that provide value for money, building quality and controls to prevent cost increases.

8. IMPACT ON COUNCIL PRIORITIES

Fairness for All

- 8.1 This proposal will result in pupil places being created across the borough in order to meet demand in the relevant geographical areas which will also create employment opportunities for teaching and support staff. Further

improvement and investment in school buildings will provide greater opportunities for enhanced community use.

Growth and Sustainability

- 8.2 By ensuring that places are provided in areas of highest demand, this will ensure that pupil mobility across the borough is kept to a minimum. This therefore means that increased road travel is minimised and families can be encouraged to walk to school.

Strong Communities

- 8.3 The proposals outlined in this report will provide additional places in parts of the borough where pressure on local schools is forecast to be greatest. The extra places provided in the neighbourhoods of highest demand will help satisfy demand in these specific areas and will ensure that young children will not have to travel unmanageable distances to and from school.
- 8.4 The proposals in this Strategy will allow the Authority to have greater control over the provision (and potential future reduction) of pupil places, allowing more opportunities to stabilise local communities and ensure that there are local places for local children.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 An equality impact assessment was completed for approval of the overall strategy in June 2012. The strategy was developed to ensure that there are sufficient places across the borough to meet demand, that these places are not discriminatory and to ensure that all children have access to high quality education. The delivery of the strategy is updated annually following a review of pupil place projections. In accordance with the publication of statutory notices, full consultation with residents and parents on each proposed school expansion will be conducted.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 The provision of additional places at the schools identified in this report will enable the Authority to meet its statutory duty to ensure the availability of sufficient pupil places to meet demand. The programme management arrangements are established and this provides the mechanism for both programme and project monitoring to ensure objectives are met.
- 10.2 The strategy presented in this report is consistent with the national agenda for expanding popular and successful schools.

11. HEALTH AND SAFETY IMPLICATIONS

- 11.1 As all of the school expansion projects will involve contractors working on existing school sites, the Council will ensure that contractors provide the highest level of Health and Safety on site and meet Criminal Records Bureau (CRB) requirements.
- 11.2 There are no specific health and safety implications other than the impact of additional traffic, generated by increased numbers at the SEP schools. Working with Highways, funding has been included in the cost summary to allow for traffic mitigation measures on each of the schemes. As part of the planning approvals process, traffic impact assessments have to be

submitted for each scheme, and the Planning committee will have to give approval.

12. PUBLIC HEALTH IMPLICATIONS

- 12.1 Providing school places in the areas where there is demand will encourage parents and carers to walk to school. This will impact on the health and well-being of the public in Enfield. Walking to school will encourage healthy lifestyles, and reduce pollution caused by traffic.

Background Papers

None

Appendix A

1) Current School Capacity

The pupil projections generally focus on reception and year 7 cohorts to depict pressure on school places. However, this approach does not show the pressures on other year groups. The table below identifies years 1 and 2 as very close to being at full capacity. The risk is that inward migration from families moving into the borough requiring school places at different year groups. Inward migration is an all year phenomenon and requires officers to monitor pressure on places and respond quickly if necessary. It should also be noted the increasing size of the primary cohorts and long term impact on secondary capacity shown in section 2 of this appendix.

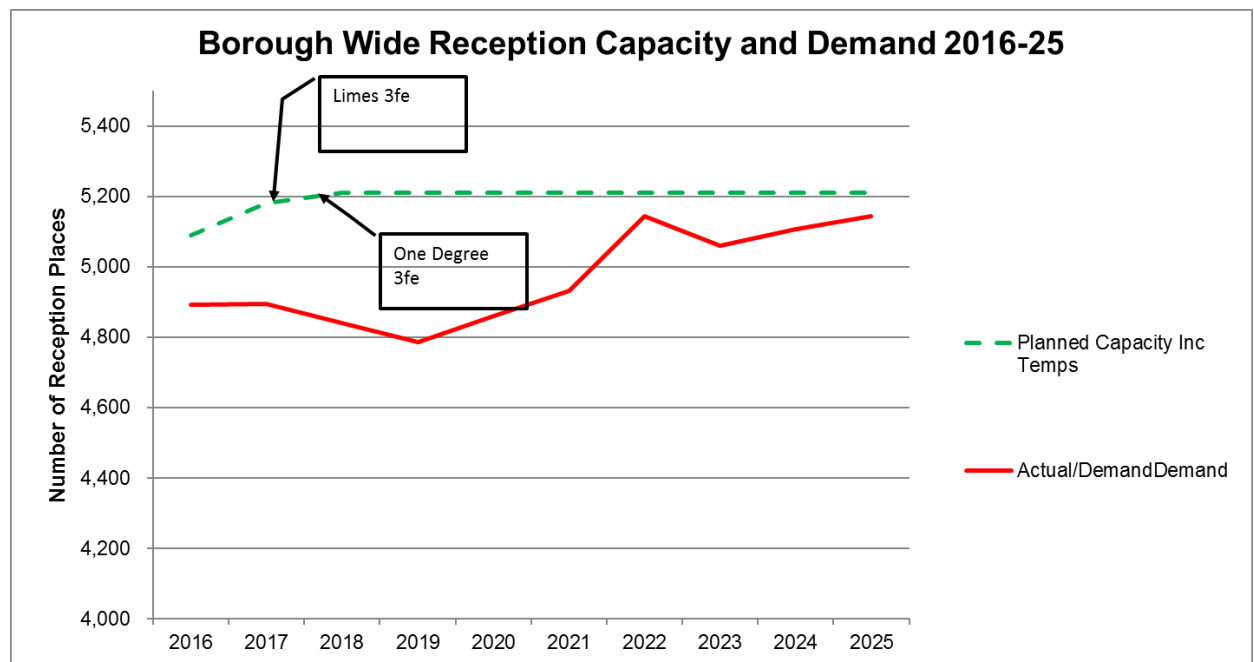
Assessment of current rolls and capacity													
	Year Groups												
	Primary						Secondary						
	R	1	2	3	4	5	6	7	8	9	10	11	
2015 Capacity	4818	4728	4728	4958	4868	4818	4738	4331	4331	4331	4331	4331	
May 2016 Actuals	4655	4723	4622	4746	4514	4342	4131	3757	3594	3468	3563	3576	
Percentage Surplus capacity	3.4%	0.1%	2.2%	4.3%	7.3%	9.9%	12.8%	13.3%	17.0%	19.9%	17.7%	17.4%	

Pupil Projections

2) Primary School Projections.

Primary school provision and projected demand by area up to 2025 is set out in the graphs following. Projected demand is based on data supplied by the GLA plus a 5% buffer for GLA under projections seen in previous years.

At the borough level total capacity of primary school places indicates there are sufficient places until 2020. By 2020, if all planned new free schools and expansions occur, there will be over-provision of approximately 13FE (8% above demand), mainly felt in the SE which is likely to impact less popular schools.

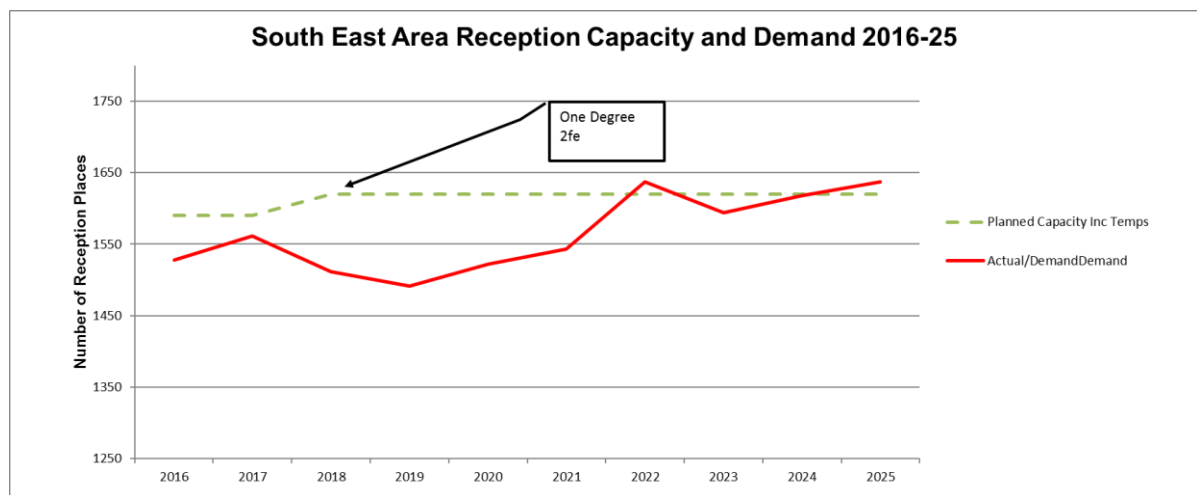


Note that the capacity in the above graph includes One Degree Academy of 2FE temporary classes, at Heron Hall, as at September 2016.

Primary South East

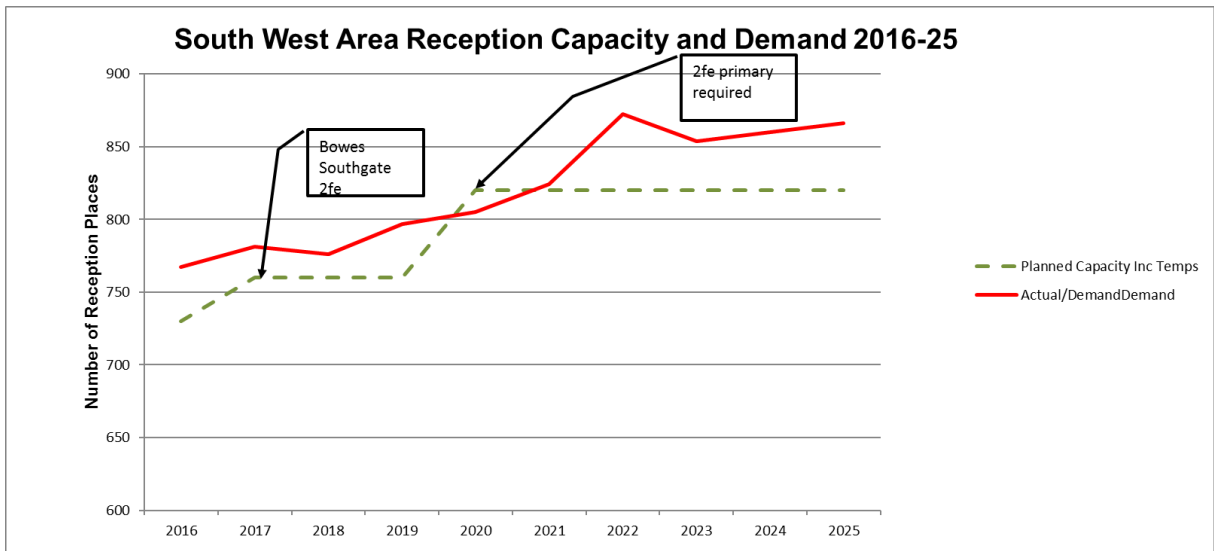
SE Enfield's primary school place demand is projected to peak in 2017, then decline until 2019. If all the planned new schools (mainly driven by One Degree Academy opening a 3FE) and expansions occur, predictions indicate additional 7FE (15% above demand) by 2019.

The situation may be affected by Meridian Water and other planned redevelopments of flats/housing in the area which could initially reduce demand temporarily, before the greater density housing increases demand beyond levels predicted below. The situation should be monitored annually. It is recommended that plans to expand Bowes Edmonton are deferred.



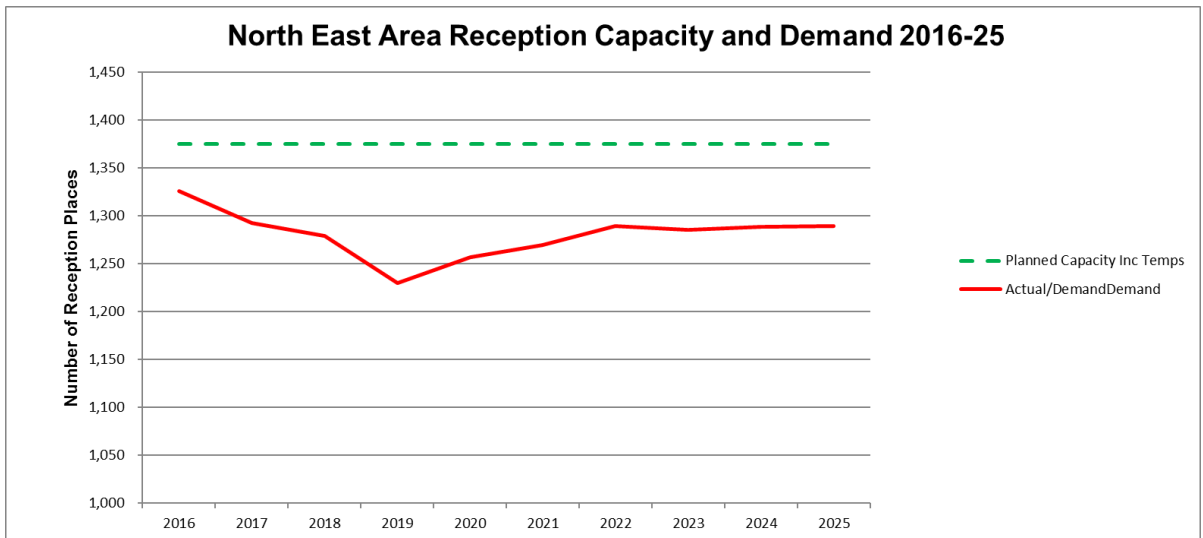
Primary South West

The SW area shows demand beyond capacity, rising to a predicted need of around 2FE by 2020. The planned capacity includes a 2FE at Bowes Southgate Green (at Broomfield Secondary). The situation is complicated by the planned opening of a 2FE primary, September 2016, at Ashmole secondary school (Barnet). Therefore, area pupil place demand is difficult to predict for two reasons; the redevelopment of the Ladderswood estate as well as other housing projects and the uncertainty around the take up of Ashmole places by Enfield children. In the short term it is possible that additional bulge classes could be provided at local schools if necessary. In the longer term there is a need to continue to investigate a 2fe primary option for 2020.



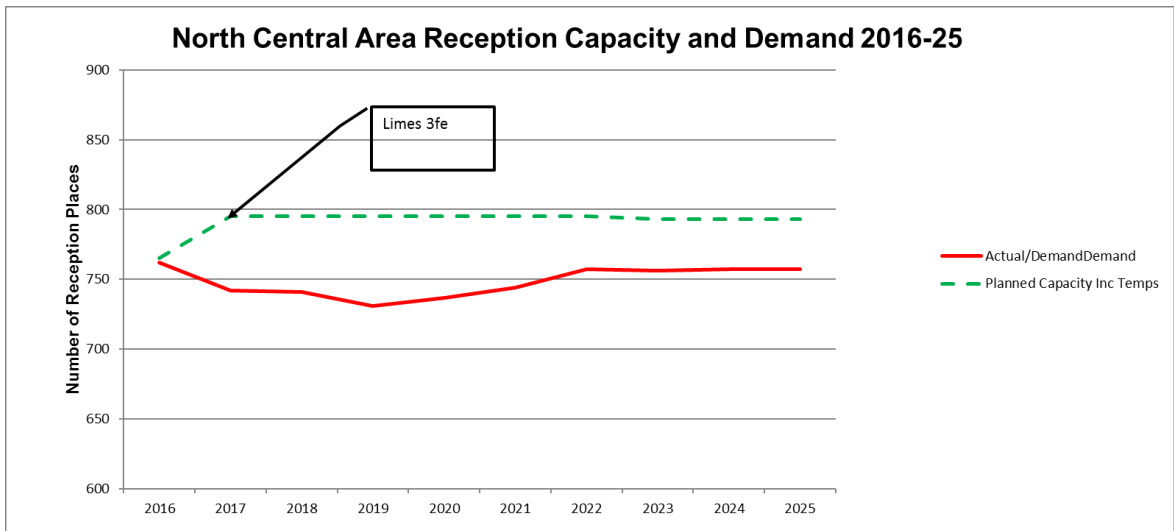
Primary North East

NE Enfield’s projected primary demand falls within capacity for the foreseeable future and indicates up to 4FE spare capacity in 2019 (9% over projected demand).



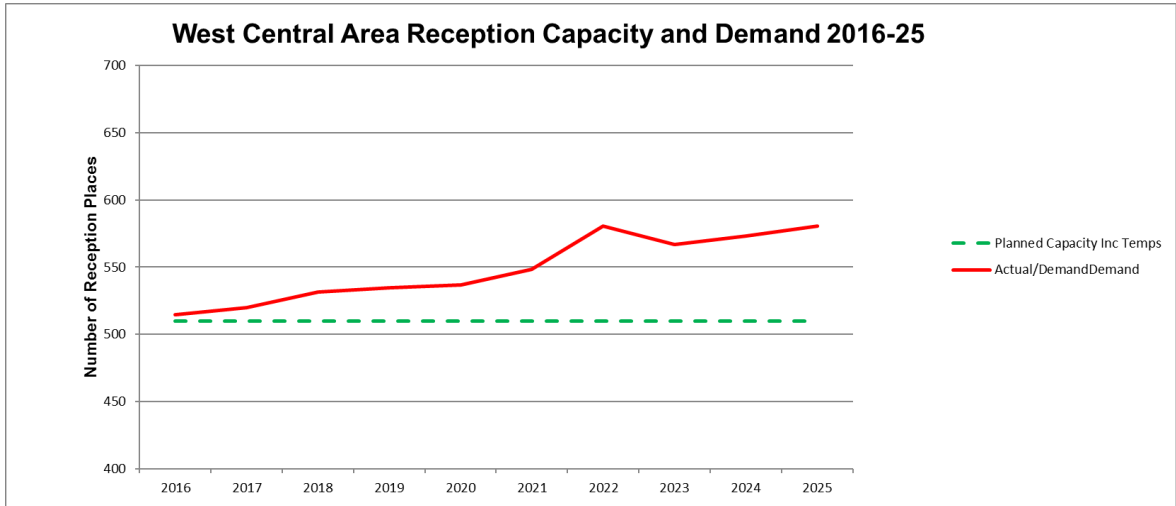
Primary North Centre

NC Enfield’s projected primary demand falls within current provision. The proposed additional school capacity provided by the new Limes Academy indicates a surplus of 3FE from 2018 onwards. It should be noted that the continuing of 1FE at Chase Farm@Suffolks in 2017 is not yet confirmed and is dependent on negotiations with Limes Trust.



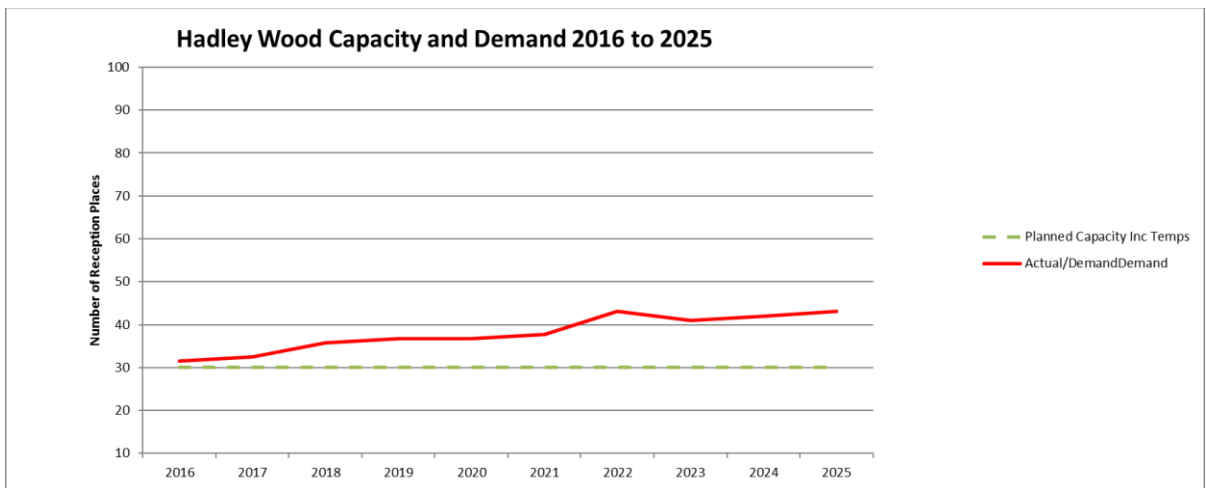
Primary West Central

The WC area demand already exceeds capacity with a predicted requirement for places of between 1FE and 2FE by 2020. However, as the NC area has a surplus of places and will be able to offer to children from the west central area. It is recommended that the area be monitored and contingency plans implemented if necessary.



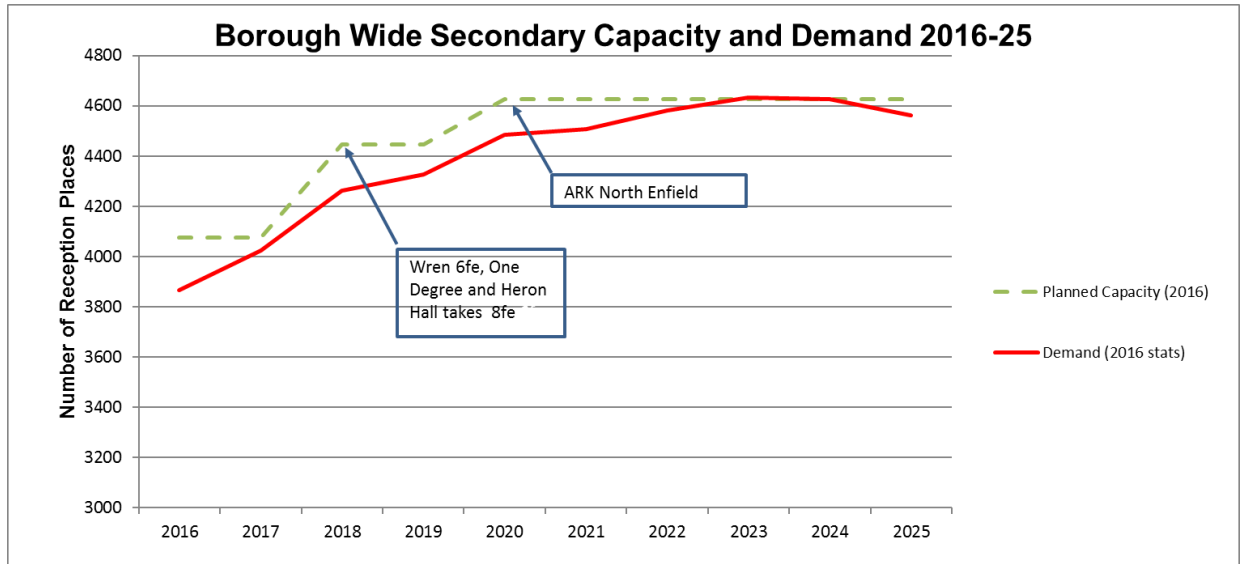
Hadley Wood

Hadley Wood primary school place projections show an increase of 8 places up to 2021. However, the surplus of places in the North Central area should be able to meet the additional demand.



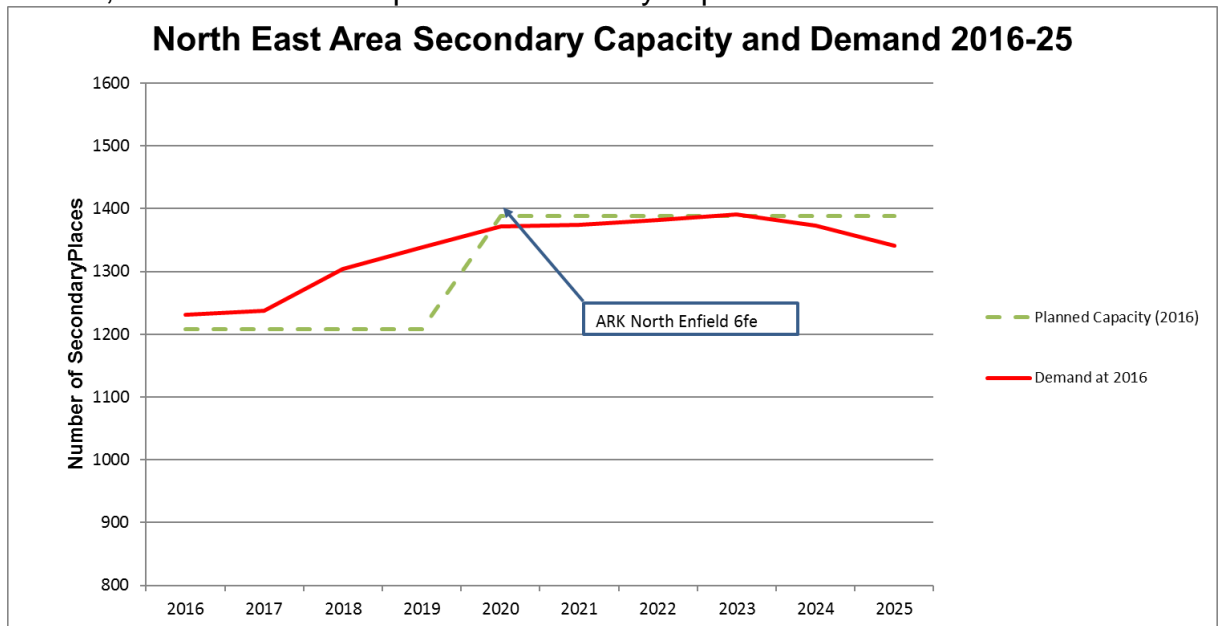
2. Secondary School Projections

The secondary projection shows demand increasing as the larger primary cohorts transfer to year 7. The approval of One Degree Academy (3FE) all-through free school and further approvals for the Wren Academy (6FE) and Ark North Enfield Academy (6FE), increases the secondary capacity by 15 forms of entry. This will provide sufficient places to meet demand. However, should the Education Funding Agency (EFA) fail to deliver the new free schools within their projected timescales there will be a shortage of places. Officers have been in contact with the EFA and will continue to monitor the situation.



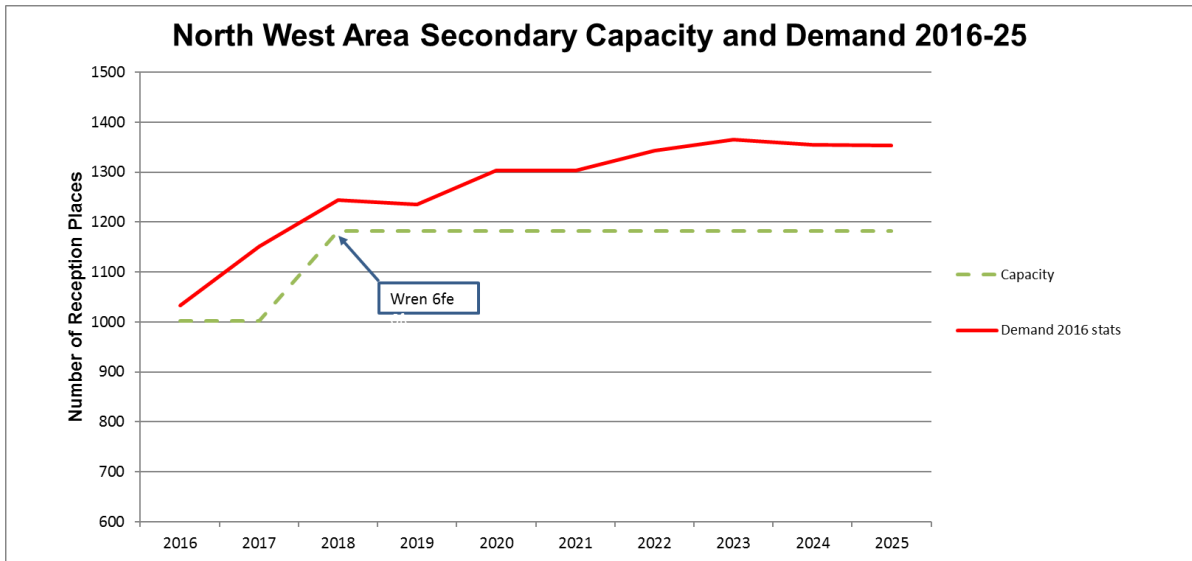
Secondary North East

The planned capacity is dependent on the introduction of 6FE, through Ark North Enfield, for 2020 which will provide sufficiency of places.



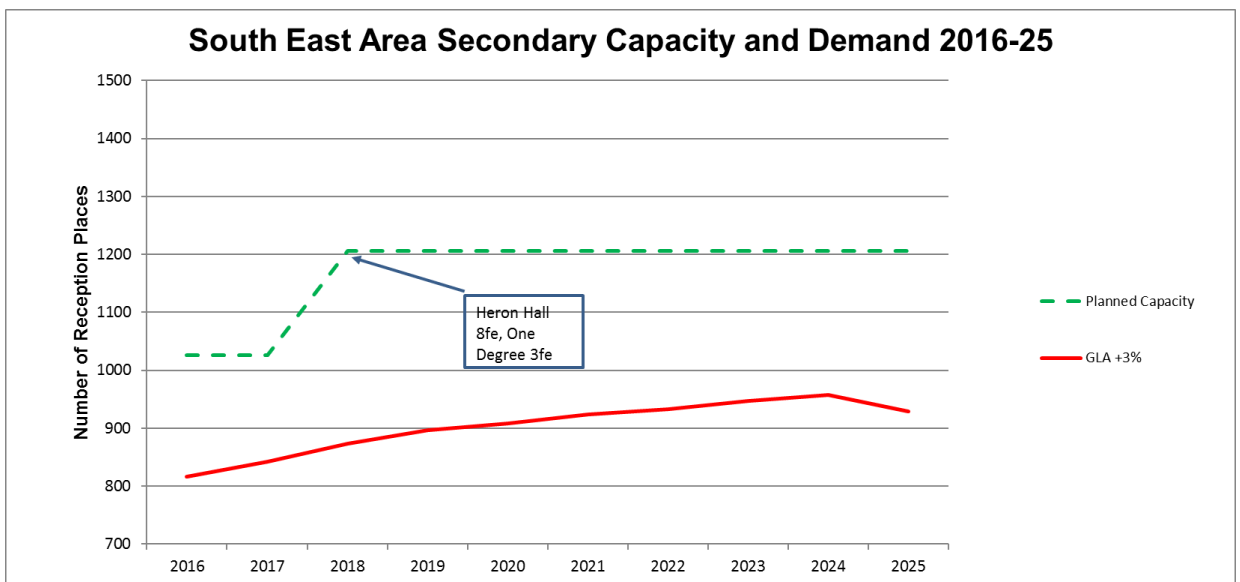
Secondary North West

The North West area, including Enfield Town, demand already outstrips capacity but surpluses in the rest of the borough, particularly the South East, alleviates the issue of placing secondary children. The planned capacity shown is dependent on an additional 6fe through the Wren Academy for 2018.



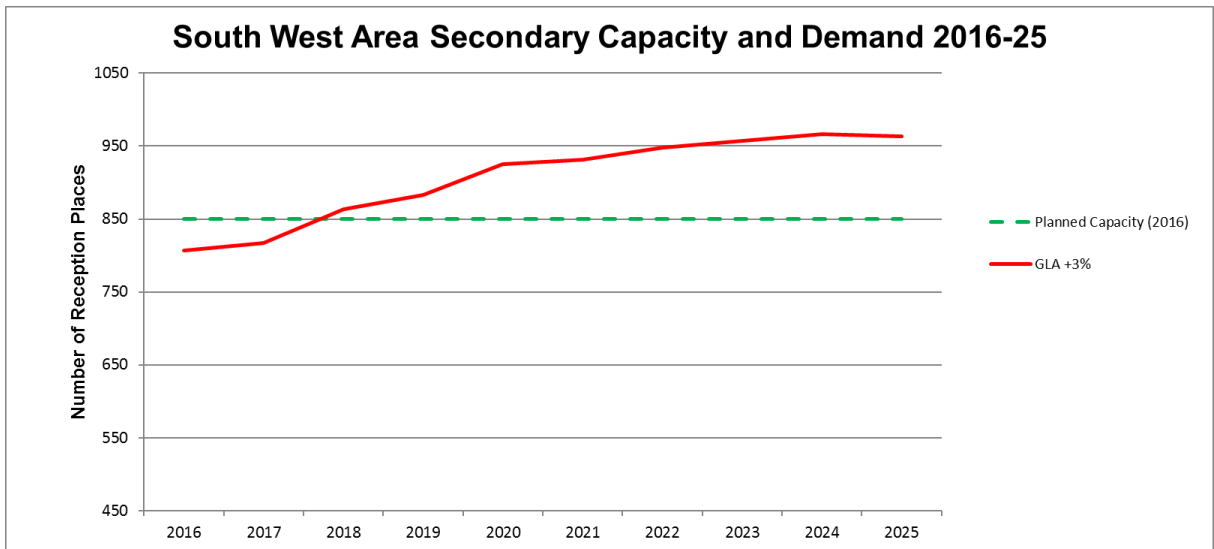
Secondary South East

The South East area has surplus of places for the foreseeable future. The increase in capacity is provided by Heron Hall's planned increase to 8FE and One Degree 3FE.



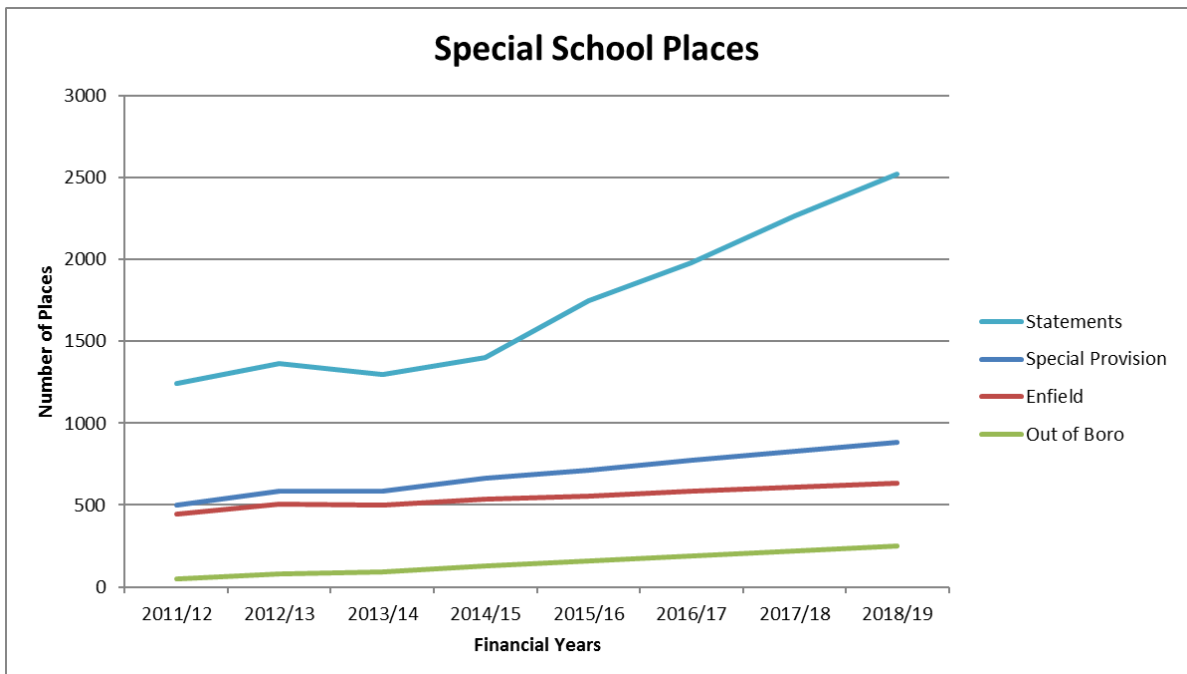
Secondary South West

The South West area trend shows demand outstrips capacity by 3fe by 2018 but surpluses in the other areas will allow for pupils to be offered places providing new free schools are established as planned by the EFA.



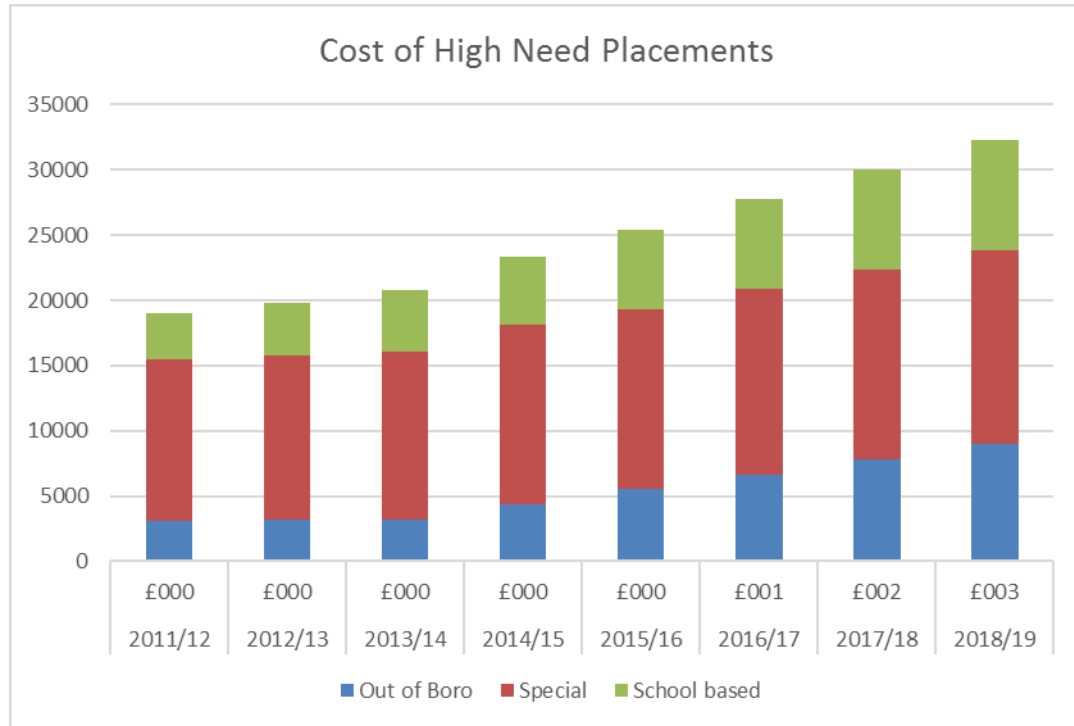
3. Special School Projections

Given the ad-hoc nature of pupil requiring admission to placement with high needs it is difficult to project demand. However, although not completely reliable, it is possible to represent historic growth and extrapolate the trends to show likely future growth.



Special School Costs

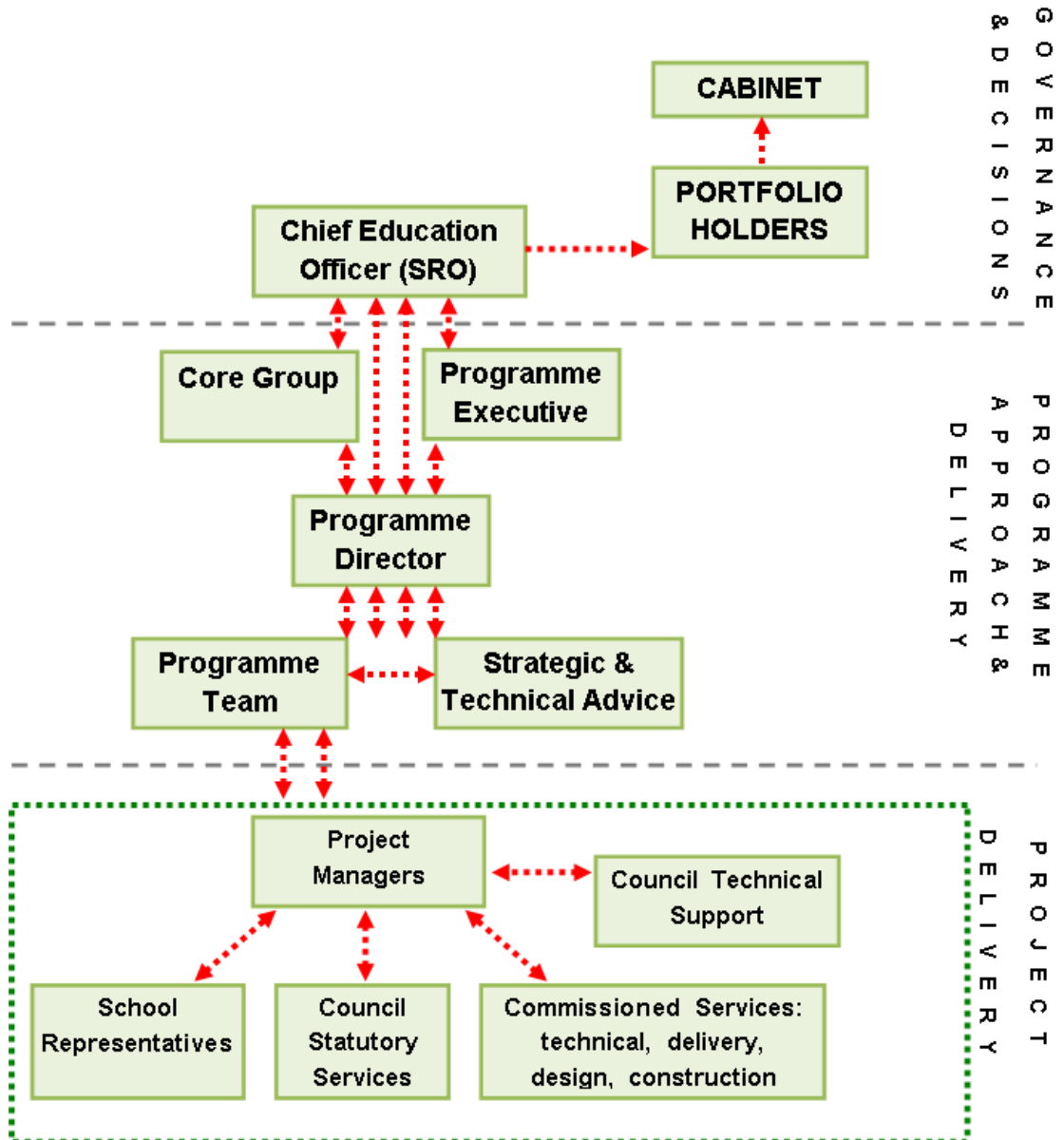
In the current climate of financial reductions, the risk to the Council is the growing cost of special school placements. Over the last five years the cost of out of borough placements has increased by £2.5 million alone. If growth in the demand for special school placements continues as depicted the costs would also increase and potentially overtake the High Needs allocations from Central Government.



The High Needs Funding block funding could be better utilised and quality of SEN placement/care improved by increasing the available high needs places in Enfield Special Schools.

Appendix B Programme and Project Structure

- 1.1 The programme structure established for the programme needs to be amended to take account of the retirement of the Director of Schools and Children's Services and the subsequent interim arrangements in place until the wider senior restructure is delivered.



- 1.2 The Chief Education Officer post will take on the Senior Responsible Officer role for the programme and delegated authority decision-making responsibilities alongside the Director of Finance, Resources and Customer Services.
- 1.3 To maintain a balance between technical and educationalist input at the Programme Executive the Assistant Director for Special Projects will chair the meetings. Both the Chief Education Officer and the Assistant Director for Special Projects are member of Core Group along with the Programme Director. The only change to Core Group is that the Director of SCS will no longer attend.
- 1.4 Programme and project ways of working will continue to be reviewed to ensure operations align with corporate approaches, emerging delivery

options and industry standards of practice. This will be explored further as a prelude to likely Enfield 2017 restructure changes that will affect staff involved in both the delivery and management of Council assets. The current programme arrangements, programme and project level guidance documents will be updated as required and agreed through an operational decision in line with established delegated authority or through any reports in relation to Enfield 2017 re-structures. Currently the programme arrangements set out:

- The governance structure and strategic decision-making protocols;
- Delivery governance, structures and key delivery roles;
- A consistent approach to delivery activity for phase two projects that is aligned to industry standards, corporate ways of working and corporate systems;
- Information requirements to support decision-making and consistent reporting; and
- Mechanisms to manage the flow of accessible accurate information for each project and the programme overall to internal and external stakeholders.

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MUNICIPAL YEAR 2016/2017 REPORT NO. 134

MEETING TITLE AND DATE:

Cabinet
16th November 2016

Report of:

Director of Finance, Resources
and Customer Services

Agenda - Part: 1	Item 10
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ASSET MANAGEMENT – POTENTIAL DISPOSAL OF COUNCIL OWNED PROPERTIES
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TRANCHE 7	KD 4413
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WARDS: Various

Cabinet Member consulted: Cllr. Lemonides

Contact officer:

Doug Ashworth Tel: 020 8379 3184
e-mail: doug.ashworth@enfield.gov.uk

1. EXECUTIVE SUMMARY

This report seeks approval in principle to the sale of various Council properties listed in the Appendix which are considered in the Council's overall best interests to sell, subject to satisfactory further evaluation and consultation, in order to assist in funding capital spending.

2. RECOMMENDATION

- 2.1 That approval is given in principle to the disposal of those properties listed in the Appendix of the report.
- 2.2 To delegate the method of sale and the approval of provisionally agreed terms of sale to the Cabinet Member for Finance and Efficiency in consultation with the Director of Finance, Resources and Customer Services.

3. BACKGROUND

This is the seventh in a series of reports to Cabinet since December 2010. The general principles for consideration of retention, re-use or disposal of property have been set out in previous reports. The consideration of the properties put forward in this report has been approved by relevant Cabinet Members, Service Directors and the Corporate Asset Management Group.

More specific criteria to reach a final decision to sell now include;

- Consultation with Ward Members
- Consultation with affected users if appropriate
- Cash flow analysis of the worth of current or proposed rental income compared to a potential capital receipt if appropriate.

4. PROPOSAL

Properties recommended for potential disposal are listed in the Appendix to the report.

5. ALTERNATIVE OPTIONS CONSIDERED

Retention of property without regular review is clearly not in the Council's business interests. If property is not disposed of, it would cause a reduction in capital spending or increased borrowing. However evaluation of individual cases may result in retention being the better option.

6. REASONS FOR RECOMMENDATIONS

Potential disposal of the properties is recommended as being in the Council's best financial interests balanced against service and community needs.

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

7.1 Financial Implications

7.1.1 The appendix to the report contains a list of potential disposals. Each disposal will be evaluated to determine whether the disposal offers value for money.

7.1.2 The proceeds from disposals will be one off and used to fund the existing capital or transformation programmes. The alternative method for funding the programme would be to borrow and the current cost of borrowing is estimated at 7.5% p.a including interest and MRP.

7.1.3 Eligible costs associated with disposals can be offset against the receipt up to a maximum of 4% of the sale price for each disposal. The expenditure will be closely monitored to ensure that all appropriate costs are offset against the capital receipts.

7.2 Legal Implications

- 7.2.1 By Section 123 of the Local Government Act 1972 (“S.123 LGA”) and/or Section 1 of the Localism Act 2011 the Council has the power to dispose of land in any manner it wishes, subject to certain provisions.
- 7.2.2 The Council has a statutory duty to obtain the best price reasonably obtainable, subject to certain exemptions.
- 7.2.3 In accordance with the Council's Property Procedure Rules the inclusion of property on the disposals programme requires approval either by the appropriate Cabinet member or by Cabinet itself.
- 7.2.4. All disposals should be made on a competitive basis, unless justified and approved otherwise, as required by the Property Procedure Rules.
- 7.2.5 In respect of properties held within the Housing Revenue Account, a specific consent to disposal will be required from the Department for Communities and Local Government (DCLG) unless the properties fall within one of the categories of disposal permitted by the General Housing Consents 2013. Before giving a specific consent (if one is required) it is likely the DCLG will require to be satisfied as to the arrangements for future provision of accommodation for any remaining occupiers and will require details of the proposed purchaser and the nature of the disposal.
- 7.2.6 Some disposals may be subject to conditions such as the grant of planning permission which will be a pre-requisite to the completion of the disposal and the receipt of the sale proceeds.
- 7.2.7 Contracts for sale will be in a form approved by the Assistant Director of Finance, Resources and Customer Services (Legal Services).

7.3 Property Implications

The Assistant Director of Finance, Resources and Customer Services (Property Services) will confirm that the proposed terms of individual sales comply with statutory duties and the Council's Property Procedure Rules.

8. KEY RISKS

The risk of property disposals not providing the necessary proceeds to fund the approved Capital Programme will be mitigated as far as possible by prudent budget setting and processes for review and monitoring of progress and assessment of market conditions.

9. IMPACT ON COUNCIL PRIORITIES

9.1 Fairness for All

The sale of property generates capital receipts, which are used to fund spending priorities within the Council, helping protect services essential to those most disadvantaged in the borough.

9.2 Growth and Sustainability

Residential redevelopment will be appropriate for some of the property to be sold, which increases the housing stock, producing more sustainable and carbon efficient homes. The disposal of property for development attracts inward investment and funding and boosts local economic activity.

9.3 Strong Communities

Capital receipts help fund capital projects that assist the Council in building strong communities.

10. EQUALITIES IMPACT ASSESSMENT

Equality Impact Assessments will be conducted on individual properties where appropriate and considered in the Delegated Authority Reports that authorise the terms of disposal.

11. PERFORMANCE MANAGEMENT IMPLICATIONS

Rationalisation and more efficient use of property will contribute to improving service delivery to assist in meeting the Council's objectives.

12. PUBLIC HEALTH IMPLICATIONS

Public Health Implications will be considered in the Delegated Authority Reports that authorise the terms of disposal of individual properties.

13. HEALTH AND SAFETY IMPLICATIONS

Health and Safety Implications are considered in the evaluation of properties and will be reported in the Delegated Authority Reports that authorise the terms of disposal of individual property.

Background Papers

None

TRANCHE 7 LISTING

1. Reardon Court, N.13 (Winchmore Hill/Palmers Green)
2. Unecol House, Edmonton (Edmonton Green)
3. 1 Raleigh Road, Enfield Town (Grange)
4. 265 Church Street, Edmonton (Bush Hill Park)
5. Land at Ardra Road, Edmonton (Lower Edmonton)
6. Land at St Stephens road, Enfield Lock (Enfield Highway)
7. Bridge House, Forty Hill (Chase/Town)
8. Donkey lane cottage, Carterhatch lane (west) (Southbury)
9. Durants road toilet block, Enfield Highway (Enfield Highway)
10. Dairy cottage, Trent Park (Cockfosters)
11. Barrowell Green, 85 Bath Cottage, N.13 (Palmers Green/Winchmore Hill)
12. Former Caretakers house, Autumn close, Carterhatch lane. (Southbury)
13. Holly Hill farm buildings. (Chase)

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MUNICIPAL YEAR 2016/2017 REPORT NO.135**MEETING TITLE AND DATE:****CABINET – 16th November 2016****REPORT OF:**

Director of Finance, Resources and Customer Services.

Contact officer and telephone number:

Keith Crocombe Tel: 0208-379-3020

Justin Caslake Tel:0208-379-3130

Email: Keith.crocombe@enfield.gov.uk
Justin.caslake@enfield.gov.uk**Agenda - Part: 1****Item: 11****Subject:**

Edmonton Green Lease Restructure

Ward: Edmonton Green

KD 4144

Cabinet Members consulted:

Cllrs Sitkin and Lemonides

1. EXECUTIVE SUMMARY

- 1.1. An opportunity has arisen for the Council to restructure the existing lease at Edmonton Green Shopping Centre
- 1.2. The proposed heads of terms are set out in the part 2 report.

2. RECOMMENDATIONS

It is recommended that Cabinet approves:

- 2.1 The proposed terms of the restructured lease of Edmonton Green Shopping Centre as detailed in the Part 2 report.
- 2.2 That Cabinet delegates authority to the Director of Finance, Resources and Customer Services in conjunction with the Assistant Director of Strategic Property Services and the Assistant Director of Legal and Governance Services, to agree final terms and enter into appropriate legal agreements for the proposed lease restructure.

3. BACKGROUND

- 3.1. Edmonton Green Shopping Centre (EG) is a Council owned asset within the Corporate Investment Property Portfolio and is leased to St Modwen's (SM) by way of a 150 year head lease effective from March 1999.
- 3.2. In addition to the head lease, there are various deeds of variation and supplemental leases which have been completed during the past 10 years, principally in response to development proposals.
- 3.3. This has led to the creation of a complex ownership and management structure for the Centre and there is a shared view by both the Council and St Modwen's that this places constraints and limitations on both parties and is not the most

effective structure for the ownership and management of the centre moving forwards.

- 3.4. The Council's specialist consultant, GL Hearn (GLH), have recommended the proposed terms and have confirmed that these represent best value required by section 123 of the Local Government Act 1972.
- 3.5. The proposed acquisition falls within the criteria of a Key Decision and as such has been placed on the forward plan under Key Decision 4144
- 3.6. See part 2 for the proposed heads of terms.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. See part 2

5. REASONS FOR RECOMMENDATIONS

- 5.1. It will enable the Council to renegotiate the terms of the original lease, create better value for the Authority moving forwards and achieve a more effective structure to the legal relationship with St Modwen's.
- 5.2. See part 2

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

6.1. Financial Implications

See Part 2

6.2. Legal Implications

6.2.1. The Council has powers under section 123 of the Local Government Act 1972 to dispose of land, which includes the grant of a new lease, subject to this being for the best value reasonably obtainable. In addition the general power of competence under section 1 of the Localism Act 2011 grants the Council the power to do anything that a private individual may generally do.

6.2.2. The new lease will be in a form approved by the Assistant Director (Legal and Governance).

6.3. Property Implications

See part 2

7. KEY RISKS

See part 2

8. IMPACT ON COUNCIL PRIORITIES

8.1. Fairness for All

8.1.1. Any additional revenue generated will be pooled and help fund spending priorities within the general fund, which in turn will help protect those front line functions and services that are deemed essential.

8.2. Growth and Sustainability

8.2.1. The annual rent will help fund priorities within the general fund.

8.2.2. It will provide an opportunity for new and local businesses to plan and build for the future.

8.3. Strong Communities

8.3.1. The proposal will help the Council build stronger communities within the borough as the Council will remain the freeholder.

9. EQUALITIES IMPACT IMPLICATIONS

9.1. An equality impact assessment/analysis is not deemed relevant or proportionate for the proposed lease.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1. The lease will have clauses and conditions that will bond the performance of the tenant to the land and the Council will retain oversight as landlord.

11. HEALTH AND SAFETY IMPLICATIONS

Not applicable.

12. PUBLIC HEALTH IMPLICATIONS

12.1. There is a greater chance of the creation of job opportunities within the borough as the Centre could be renovated fully providing a clean and safe environment producing a more appealing centre. The additional income from the centre will assist in supporting front line services benefitting the health and wellbeing of the borough.

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.)

MUNICIPAL YEAR 2016/2017

DECEMBER 2016

- 1. Quarterly Corporate Performance Report** Rob Leak

This will provide performance information against the indicators contained in the Corporate Performance Scorecard, which shows the progress being made in delivering the Council's priorities. **(Key decision – reference number 4330)**
- 2. October 2016 Revenue Monitoring Report** James Rolfe

This will present the October 2016 revenue monitoring report. **(Key decision – reference number 4367)**
- 3. 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)**
- 4. Approval of Cycle Enfield Proposals for Enfield Town** Ian Davis

This will seek approval of Cycle Enfield proposals for Enfield Town for implementation. **(Key decision – reference number 4112)**
- 5. Approval of Cycle Enfield Proposals for the A1010 (North)** Ian Davis

This will seek approval of Cycle Enfield proposals for the A1010 (North) for implementation. **(Key decision – reference number 4115)**
- 6. Award of Substance Misuse Recovery Service Contract** 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)**
- 7. 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)**

8. **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)**
9. **Ponders End Delivery Programme** Ian Davis
This will outline for approval the Ponders End Delivery Programme. **(Key decision – reference number 4382)**
10. **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)**
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)**
12. **Claverings Industrial Estate** James Rolfe
(Key decision – reference number 4381)
13. **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)**

JANUARY 2017

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)**
3. **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)**

4. **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)**

5. **Broomfield House** Ian Davis

The report will refer to the Broomfield Conservation Management Plan and Options Appraisal and will set out options for the next steps. **(Key decision – reference number 4419)**

6. **Local Heritage Review** Ian Davis

A local heritage review and preparation of draft local list has been undertaken in conjunction with community volunteers. Following completion of public consultation the draft local list will be presented for approval following consideration by the Local Plan Cabinet Sub-Committee. **(Key decision – reference number 4321)**

7. **New Avenue Development Agreement** Ian Davis

This will update Cabinet on the Development Agreement and timescales for delivery. **(Key decision – reference number 4425)**

8. **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)**

FEBRUARY 2017

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. **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)**

4. **Flexible Housing – Capital Programme** Ray James/Ian Davis
This will seek approval of capital funding to deliver flexible housing. **(Key decision – reference number 4333)**
5. **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)**
6. **High Value Voids** Ian Davis
This will seek approval of the preferred options, processes and approval routes to enable the council to meet the Government’s High Value Voids levy. **(Key decision – reference number 4416)**
7. **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)**

MARCH 2017

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)**

APRIL 2017

1. **Quarterly Corporate Performance Report** Rob Leak
This will provide performance information against the indicators contained in the Corporate Performance Scorecard, which shows the progress being made in delivering the Council’s priorities. **(Key decision – reference number 4330)**
2. **February 2017 Revenue Monitoring Report** James Rolfe
This will present the February 2017 revenue monitoring report. **(Key decision – reference number 4370)**

NEW MUNICIPAL YEAR 2017/2018

- 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 - 19.10.2016

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 19 OCTOBER 2016****COUNCILLORS****PRESENT**

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

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

ABSENT

Alev Cazimoglu (Cabinet Member for Health and Social Care) and Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development)

OFFICERS:

Rob Leak (Chief Executive), Ian Davis (Director of Regeneration & Environment), James Rolfe (Director of Finance, Resources and Customer Services), Tony Theodoulou (Director of Children's Services), Asmat Hussain (Assistant Director Legal & Governance Services), Jayne Middleton-Albooye (Head of Legal Services), Detlev Munster (Head of Property Programmes), Mohammed Lais (Senior Asset Management Surveyor), Bindi Nagra (Assistant Director - Health, Housing and Adult Social Care), Grant Landon (ESCB Business Manager), Nicky Fiedler (Assistant Director - Public Realm, Environment), Jonathan Stephenson (Public Realm), Gary Barnes (Assistant Director - Business Development), Christine Williams (Public Health) and Andrew Golder (Press and New Media Manager) Jacqui Hurst (Secretary)

Also Attending:

Councillor Derek Levy (Chair of the Overview and Scrutiny Committee)
Geraldine Gavin (Independent Chair – Enfield Safeguarding Children Board)

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1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) and Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development).

2

DECLARATIONS OF INTEREST

NOTED, that there were no declarations of interest in respect of any items listed on the agenda.

3

URGENT ITEMS

NOTED,

1. 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.108 – Upper Secondary Autistic Provision (Minute No.16 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.

2. **Decision taken by the Leader of the Council under the Cabinet Urgent action Procedure – Purchase of Property Block by Housing Gateway**

That a decision had been 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 had been subsequently agreed at the Council meeting held on 21 September 2016 (Report Nos. 83 and 84 – Council – 21 September 2016 – key decision number 4326 referred).

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**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.95 – Enfield Safeguarding Adults Board Annual Report 2015-16 (for information and noting only)
2. Report No.96 – Enfield Safeguarding Children Board Annual Report 2015-16 (for information and noting only)
3. Report Nos. 110 and 116 – Refurbishment and Re-provision Work of Enfield Highway Library Building

**6
ENFIELD SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2015-16**

Councillor Doug Taylor (Leader of the Council) introduced the report of the Director of Health, Housing and Adult Social Care (No.95) presenting the Enfield Safeguarding Adults Board Annual Report 2015-16.

Bindi Nagra (Assistant Director – Health, Housing and Adult Social Care) presented the Annual Report to Members, highlighting a number of issues as set out below.

An apology for absence had been received from Marian Harrington, Independent Chair of the Board, who had been unable to attend.

NOTED

1. The progress being made in protecting vulnerable adults in the Borough as set out in the Annual Report of the Safeguarding Adults Board.
2. That the Safeguarding Adults Board had a number of responsibilities as set out by the Care Act 2014 and statutory guidance. The Annual Report set out the significant accomplishments over 2015/16.
3. The Board was proud of its success in “Making Safeguarding Personal” and had been previously acknowledged as gold level standard.
4. The establishment of, and work undertaken by, the Multi Agency Safeguarding Hub (MASH) as set out in the report (paragraph 3.3 referred).

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5. That the Safeguarding Adults Board had a strong assurance role and in holding partners to account, as detailed in section 3 of the report. The valuable role of “quality checkers” was acknowledged.
6. That the Board now had a statutory duty to report on all Safeguarding Adult Reviews, paragraph 3.5 of the report referred.
7. That every partner on the Board had a strong commitment to safeguarding adults.
8. That the Annual Report had been considered by the Health and Wellbeing Board.
9. In response to a question raised, Members noted the comparison of figures stated within the report against previous years.
10. Councillor Taylor, on behalf of the Cabinet, expressed his thanks and appreciation to the Board for their valuable work. In particular, he acknowledged the role which had been undertaken by Marian Harrington, Independent Chair, over a number of years, and extended best wishes to her for her forthcoming retirement.

Alternative Options Considered: The Care Act placed a duty on Safeguarding Adults Boards to publish an annual report. The statutory requirement for an annual report negates any alternative options (section 4 of the report referred).

RECOMMENDED TO COUNCIL, that the Enfield Safeguarding Adults Board Annual Report 2015-16, be received for information.

Reason: To bring to the attention of Cabinet, the progress which had been made to support and enable adults at risk to be safe from harm, abuse and neglect.
(Non key)

7
ENFIELD SAFEGUARDING CHILDREN BOARD ANNUAL REPORT 2015-2016

Councillor Ayfer Orhan (Cabinet Member for Education, Children’s Services and Protection) introduced the report of the Director of Children’s Services (No.96) presenting the Enfield Safeguarding Children Board Annual Report 2015-2016.

Geraldine Gavin, Independent Chair of the Safeguarding Children Board, was welcomed to the Cabinet meeting and invited to present the Annual report to Members.

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NOTED

1. The progress being made to safeguard children and young people as outlined in the report and the Enfield Safeguarding Children Board Annual Report 2015-2016.
2. That 2015/16 had been a successful year for the work of the Board with continued effectiveness in assessing and driving forward safeguarding practice which kept children and young people at risk safe. There was a good multi-agency response to safeguarding concerns with strong systems and structures in place across the partnership. Councillor Orhan acknowledged the enormity and value of the work carried out by the Board and the partner organisations. Thanks and appreciation, were expressed to all involved including the members and officers and in particular, to the leadership and tremendous contribution of the Chair of the Board, Geraldine Gavin. Councillor Orhan as a member of the Board stated the commitment of all involved in continued improvement and effectiveness in keeping children and young people safe from harm.
3. Geraldine Gavin acknowledged the work which had been achieved by the Board in 2015/16 as set out in the annual report. She paid tribute to the contribution made by two exceptional lay members and highlighted the significance of their work.
4. The membership of the Board and its sub-committees which was regularly reviewed and refreshed to ensure continued effectiveness and improvement.
5. Geraldine Gavin drew Members' attention to the main aims of the Board as set out in full in the annual report. It was noted that the annual report had previously been considered by the Health and Wellbeing Board where the main issue of discussion had focused on awareness raising around the issue of female genital mutilation (FGM).
6. Members welcomed the annual report and acknowledged the valuable work which continued to be undertaken. Suggestions were made for increasing awareness among parents on issues such as PREVENT – the national anti-radicalisation agenda.
7. Members also acknowledged the commitment of Councillor Ayfer Orhan to the Board and the work undertaken.
8. Councillor Doug Taylor, on behalf of the Cabinet, expressed his thanks and appreciation to the Board and in particular to Geraldine Gavin, Independent Chair.

Alternative Options Considered: Not applicable to this report.

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RECOMMENDED TO COUNCIL, that the Enfield Safeguarding Children Board Annual Report 2015-2016, be received for information.

Reason: Enfield Safeguarding Children Board would 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.

(Non key)

8

QUARTERLY CORPORATE PERFORMANCE REPORT

Councillor Achilleas Georgiou (Deputy Leader of the Council) introduced the report of the Chief Executive (No.97) presenting the latest available performance at the end of June 2016.

NOTED

1. The progress made towards delivering the identified key priority indicators for Enfield.
2. Councillor Georgiou drew Members' attention to a number of the performance indicators set out in the report. He acknowledged the areas that were performing well and those that were challenging and required improvement. Members noted the good work that was being carried out with regard to Safeguarding Children and in Sport and Culture. Significant work was being undertaken to address the issues around homelessness and the use of temporary accommodation. The challenges faced in the area of income collection and MEQs, Complaints and FOIs were noted.
3. Councillor Oyken reported that homelessness continued to be an area of concern. He highlighted the effects of Government policy, the statutory duties of the Council and the work which was being undertaken by Housing Gateway. A significant amount of work was being done to lessen the impact on the temporary accommodation budget. Housing Gateway was in the process of purchasing a single block containing 124 housing units.
4. Councillor Anderson highlighted a minor correction in respect of the "percentage of inspected land that has an unacceptable level of litter" which was measured 3 times a year, not monthly as stated in the report.
5. In respect of MEQs, complaints and FOIs, James Rolfe (Director of Finance, Resources and Customer Services) explained that performance levels were expected to improve following a number of changes earlier in the year to the systems and staff involved in this area of work.

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6. In considering the positive performance indicators with regard to safeguarding children, Members took this opportunity to extend their congratulations to Tony Theodoulou on his recent appointment as Director of Children's Services.

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.

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

(Key decision – reference number 4330)

9

EMPTY PROPERTY COMPULSORY PURCHASE ORDER (CPO X)

Councillor Ahmet Oykenner (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director of Finance, Resources and Customer Services (No.98) seeking authority to make compulsory purchase orders on two empty residential properties.

NOTED

1. The significant work which had been undertaken in reaching this stage with the aim of bringing such empty properties back into housing use.
2. That the properties would have to be disposed of in compliance with the Council's Property Procedure Rules.

Alternative Options Considered: NOTED that the alternative options which had been considered were set out in full in section 4 of the report.

DECISION: The Cabinet agreed to authorise:

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 attached to the report.
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.

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3. (a) 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

(b) 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).
4. the disposal of the properties in accordance with the Council's Property Procedure Rules.

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

(Key decision – reference number 4338)

10

ASSETS OF COMMUNITY VALUE

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Director of Finance, Resources and Customer Services (No.99) setting out suggested changes to the procedures adopted by the Council to comply with its obligations, as set out in the Localism Act 2011.

NOTED

1. That in January 2014, the Council had adopted new procedures for the Council to manage Assets of Community Value nominations. As this was a new area of law it had been decided that the Council's existing procedures should be reviewed following an initial implementation period. The report set out suggested changes to the procedures adopted by the Council to comply with its obligations, as set out in the Localism Act 2011.
2. That since the introduction of the procedures, 11 nominations had been received with 9 being unsuccessful. The Council's procedures were robust and addressed an evolving area of law. There were a number of inconsistencies nationally with test cases being worked through.
3. Members noted the detailed amendments which were being proposed and the reasons for them. Consultation had taken place with representatives of the Conservative Group.

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4. Councillor Brett suggested that all Cabinet Members receive training on the processes to be followed and participate in consideration of the applications as and when required.
5. In response to an issue raised, it was noted that the Council was prohibited from making its own nominations for assets of community value. Councillor Taylor highlighted to need to be clear on the criteria for determining assets of community value and outlined the discussions which had taken place with local community groups to provide such clarification.

Alternative Options Considered: As set out within the report.

DECISION: The Cabinet agreed

1. the modified management approach for the implementation of the Community Right to Bid and delegated 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 might be considered necessary from time to time.
2. The modified Nomination Form and the modified Guidance Note.
3. The amended evaluation criteria for assessing nominated assets of community value.
4. That any additional costs be contained within existing services and contingency budgets in 2016/17.
5. To the establishment of a “pool” of officers to evaluate or review nominations and delegated responsibility to respective Directors to allow staff to be co-opted into the ACV “pool”.

Reason: To ensure that the Council continued to adopt best practice and respond to its own experience and that of other councils in implementing the requirements of the Localism Act 2011.

(Key decision – reference number 4388)

11

HOUSING REVENUE ACCOUNT (HRA) AFFORDABLE RENT LEVELS TO APPLY TO NEW HOMES

Councillor Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director – Regeneration and Environment (No.100) setting out the proposed affordable rent levels for apply to newly built and newly acquired HRA properties for the 2016/17 year.

NOTED

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1. That the Government definition of “affordable rent” was described as up to 80% of market rent. However, Enfield Council had always been clear that it intended to set rents that were 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 (section 3 of the report referred).
2. The proposed weekly rent levels for the 2016/17 year as set out in paragraph 3.7 of the report.
3. The proposals for going forward as detailed in the report.

Alternative Options Considered: NOTED the following alternative options which had been considered:

1. The Council could continue to set its HRA rents at social rent levels. However, it had received GLA funding and participated in the Government’s Right to Buy One for One Replacement Scheme on the understanding that properties funding through these two income streams would be let at affordable rent levels. In addition, the Welfare Reform and Work Act 2015 required that social rents would reduce by 1% per annum over the four years commencing 2016/17. This had put pressure on the 30-Year HRA Business Plan – setting affordable rents would contribute to alleviating that pressure and create more flexibility to fulfil aspirations to manage, improve and renew stock to a higher standard.
2. The Council could set HRA affordable rents by reference to market rent levels. However, these vary across the Borough and were subject to constant change in the current financial climate. This would make rent-setting both difficult to administer and confusing for tenants.
3. The Council could set higher rent levels. However, it had agreed to “ensure that any homes let at affordable rent levels remained affordable for people in Enfield”.

DECISION: The Cabinet agreed that

1. HRA affordable rents would be set by reference to Local Housing Allowance (LHA) rates applying to Enfield.
2. In order to ensure local affordability, HRA affordable rents would be set by reference to median income in Enfield.
3. The affordable rent levels set out in paragraph 3.7 of the report, which were inclusive of service charges, would apply to newly built and newly acquired HRA properties for the 2016/17 year.
4. HRA affordable rents would only apply to newly built or newly acquired properties – current properties, or new properties where the Council had already undertaken to offer properties at social rent levels (for

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example, those let to decanted tenants on the Alma and New Avenue schemes), would continue to be let at social rent levels.

5. HRA affordable rents would be subject to an annual review to ensure consistency and continuing affordability.

Reason: The proposed methodology for calculating and reviewing HRA affordable rents would ensure transparency and affordability. Annual review by reference to LHA rates and median income would ensure that rent levels remain affordable for local people. The rent levels proposed in the report had been tested for affordability.

(Key decision – reference number 4341)

12

ENFIELD'S LOCAL IMPLEMENTATION PLAN (LIP) SPENDING PROPOSALS FOR 2017/18

Councillor Daniel Anderson (Cabinet Member for Environment) introduced the report of the Director – Regeneration and Environment (No.101) outlining Enfield's proposals for spending the anticipated £4.8m 2017/18 grant funding to be provided by Transport for London (TfL) to help implement the Mayor's Transport Strategy.

NOTED

1. The significant investment in Enfield through the TfL grant funding outlined in the report. Members noted the three main programmes of investment and the proposed overall allocations for 2017/18 as set out in section 4 of the report and appendix 1 to the report.
2. The contribution to the delivery of Cycle Enfield including the ongoing delivery of a number of Greenways and Quietways.
3. The major schemes including Ponders End and enhancements to the public realm around Bush Hill Park station.
4. Noted the allocations which could be sought in future years, paragraph 4.7 referred. Members noted the priorities of the Mayor of London as detailed in the report.
5. Councillor Brett took this opportunity to reiterate her concerns regarding the lack of public conveniences on the North Circular Road and the negative impact that this had on anti-social behaviour in the area. The issue had been noted and raised at appropriate meetings, however this grant funding could not be used for such provision. It was acknowledged that there was no simple solution to this problem; Councillor Anderson undertook to discuss and explore further alternative options with Councillor Brett.

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Alternative Options Considered: NOTED the alternative options which had been considered and the constraints on the proposals as set out in full in section 5 of the report.

DECISION: The Cabinet agreed to approve

1. The expenditure proposals and prioritisation for 2017/18 outlined in Appendix 1 to the report for submission to Transport for London and for these proposals to be implemented.
2. The expenditure of 2017/18 funding allocated by TfL for the on-going Major Schemes set out in paragraph 4.7 of the report.
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.

Reason: To seek the necessary approvals that would 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 was essential in order to obtain release of the allocated funds ready for expenditure in the financial year 2017/18.

(Key decision – reference number 4373)

13

THE DEVELOPMENT OF EDMONTON CEMETERY

Councillor Daniel Anderson (Cabinet Member for Environment) introduced the report of the Director – Regeneration and Environment (No.102) outlining the Council's proposals to extend Edmonton Cemetery.

NOTED

1. The growing demand for burial space within the Borough and the proposals being put forward following an extensive study of all potential options, as detailed in the report.
2. That the proposals would enable the provision of 1718 new burial plots.
3. That Table 2 in the report set out the financial summary over a 20 year period. Members noted a correction to the Business Case figures appended to the report with the summary figure for year 22 being -396 rather than -388 as stated.
4. Councillor Fonyonga outlined the results of the surveys which had been undertaken on the usage levels of the current 14 tennis courts. It was noted that the maximum number of courts in use at any one time had been recorded as 3. The proposals, supported by Sports England and the Lawn Tennis Association, subject to planning approval and

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consultation, would result in a £250k investment into tennis facilities and the development of sport across the borough, as set out in detail in the report.

5. That the skate park would be unaffected by the proposals.
6. The current arrangements for the use and leasing of burial plots.

Alternative Options Considered: NOTED the five alternative options which had been considered as set out in full in section 5 of the report and listed below:

- 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 (the 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

DECISION: The Cabinet agreed to approve

1. Option 2, the redirection of capital expenditure, funding through borrowing, of £1.8 million to extend Edmonton Cemetery onto part of the land owned by the Council adjacent to the A10. This would enable the provision of 1718 new burial plots to assist in meeting the future burial demand, subject to planning approval.
2. 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 £2.05 million budget, to assist the development of tennis within the borough.
3. Subject to 1 and 2 above, and consultation with stakeholders, to appropriate the land for planning purposes and to delegate to the Director – Regeneration and 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.

Reason: The recommended option was option 2 this option retained the skateboard park and 4 tennis courts on the site meeting the public's demand and usage (the full reasons were set out in section 7 of the report)

(Key decision – reference number 4234)

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14

THE APPROPRIATION OF LAND AT THE ELECTRIC QUARTER FOR PLANNING PURPOSES

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Director – Regeneration and Environment (No.103) seeking approval for the Council to use its powers to appropriate the acquired land for planning purposes.

NOTED, the technical processes to be followed. Members' attention was drawn to paragraphs 4.2 and 4.3 of the report. The rights and covenants that were "overridden" were effectively converted to a right to compensation.

Alternative Options Considered: 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. Not appropriating the Additional Land for planning purposes would also put the Council in breach of the Development Agreement that had been entered into with the developer Lovells.

DECISION: The Cabinet agreed, in accordance with section 122 of the Local Government Act 1972 to resolve to appropriate land acquired from the Secretary of State for Education (as detailed on Annex 1 to the report) from its present holding purposes to planning purposes.

Reason: To help enable the development of the Electric Quarter, the council must ensure that any council owned land within the Order Land would be held for planning purposes to enable the development to continue ahead without the encumbrance of third party rights.

(Key decision – reference number 4392)

15

GREEN BIN SERVICE CHANGE

Councillor Daniel Anderson (Cabinet Member for Environment) introduced the report of the Director – Regeneration and Environment (No.104) outlining the Green Bin Service Change.

NOTED

1. The Council's challenging savings target, as set out in the report. In the preparation to find further savings, the green bin collection service had been considered in terms of alternative service provision as it was a non-statutory service, unlike refuse and recycling.
2. That, two alternative options had been consulted on as set out in the report. The detailed results arising from the consultation were noted. Over 3,000 responses had been received with 87% of responses in favour of the free fortnightly collection option.

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3. The outcome of efficiency reviews during 2014/15 on parks, streets and waste services as set out in section 3.5 of the report. Members' attention was also drawn to the benchmarking information set out in section 3 of the report.
4. That, it was intended to introduce the service change in March/April 2017, as detailed in the report. A robust communication plan would be key to ensuring that residents understood and engaged with the new service and, to address key issues that had been raised by residents through the consultation. The detailed proposals were set out in section 3 of the report. Residents with the smaller 140 litre green bins would have the opportunity to swap these bins for a larger 240 litre bin free of charge as part of the implementation of the scheme. A detailed implementation programme would be developed.
5. In discussion, Members asked that the communication with residents include a fact sheet on how to avoid "smelly bins". A request was made to provide all Councillors with a briefing sheet responding to frequently asked questions that might be raised with ward councillors. Members also noted the potential positive impact on air quality and traffic reduction with less frequent green bin collections.

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

DECISION: The Cabinet agreed to approve

1. 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 of the report.
2. the delegation 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.
3. The redirection of capital expenditure, funded through existing borrowing of up to £377k required to implement the service change.

Reason: The detailed reasons for the above recommendations were set out in section 5 of the report.

(Key decision – reference number 4376)

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16

UPPER SECONDARY AUTISTIC PROVISION

Councillor Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection) introduced the report of the Director of Finance, Resources and Customer Services, the Chief Education Officer and Director of Children's Services (No.108) outlining proposals for the delivery of the upper secondary autistic provision.

NOTED

1. The previously identified need for additional special school places in the Borough as set out in the report.
2. The progress which had been made to date and the future proposals as outlined in the report. Members noted the identified strategic need as detailed in section 3 of the report. In considering the alternative options which had been considered, Members' attention was drawn to paragraph 4.3 of the report with the high cost of out of borough placements if no action was taken to address the identified growing demand for places. Section 6 of the report set out the financial implications of the proposals.
3. Councillor Orhan expressed her appreciation to Barnet and Southgate College for their support and effective partnership working with the Council. Thanks were also extended to the officers involved for their significant and dedicated work in progressing the proposals being presented to Members in the report.
4. That a further report would be produced in relation to the disposal of site 2b Southgate House.
5. That the costs would now be met through basic needs funding, as set out in the report.

Alternative Options Considered: NOTED the following alternative options which had been considered:

- A full sequential test had been carried out to consider other possible locations for the special school, numerous other sites had been considered in both the Council's control and in private ownership and assessed against the Building Bulletin criteria for space supplied by the Department for Education, speed of delivery/programme, cost and accessibility; Minchenden had been considered as the best fit and overriding solution.
- In particular two sites had been tested thoroughly against suitability and viability against the Minchenden Site, one in the east of the Borough and one in the west. Both of these sites were suitable for the development of an autistic provision; however the financial cost to deliver the alternatives were several million pounds more than the Minchenden site.

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- Keep the status quo and provide costly out of borough placements to an increasing cohort of ASD pupils in the Borough.

DECISION: The Cabinet agreed to

1. Approve the redevelopment of the Farbey Building (site 2a) to provide a 120 place upper secondary autistic unit.
2. Allocate £10.5m of Basic Needs funding to fund the redevelopment of the Minchenden Site.
3. Note that a further report would be produced in relation to the disposal of site 2b Southgate House.
4. Delegate authority to the Director of Finance, Resources and Customer Services and the Chief Education Officer in conjunction with the Cabinet Member for Finance and Efficiency and the Cabinet Member for Education, Children's Services and Protection to award and appoint a contractor(s) for the demolition/strip out and redevelopment of the site.
5. Continued delegated authority to the Cabinet Member for Education, Children's Services and Protection and the Cabinet Member for Finance and Efficiency in consultation with the Director of Finance, Resources and Customer Services, the Chief Education Officer or the Assistant Director of Strategic Property Services, to take decisions on:
 - The individual site and preferred partners, and decisions on statutory requirements, to meet the need for extra pupil places, both mainstream and special, up to 2020.
 - Conducting suitable procurement exercises and either calling off EU-compliant framework agreements or conducting suitable procurement exercises, entering into contractual arrangements with successful contractors and placing orders for any capital works required for the projects; and
 - Conducting any necessary land transactions, including acquisitions by way of freehold or leasehold, as the individual scheme was developed.
6. Continued delegated authority to the Director of Finance, Resources and Customer Services and the Chief Education Officer to take decisions on the:
 - Programme management arrangements and operational resourcing, including procurement of any required support services.
 - Commencing feasibility or initial design to inform pre-application discussions with planning and procurement of resources for this activity.

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- Cost estimates, budgets and spend for projects in advance of updates to the Capital Programme.
 - Submission of planning applications; and
 - The appropriate procurement routes for professional support services and construction for individual schemes.
7. Note that the total expenditure for the school development above was within the total budget approved as part of the Programme. The Programme was reported quarterly and any variations to the costs approved in this report and others, which would include the supplementary package of works, would be managed through the scheme of delegation for SEP projects.

Reason: The feasibility costs noted in the report showed that the redevelopment of the northern half of the Minchenden site could be met from existing budgets within the Schools and Children's Services Capital Programme without the requirement for cross subsidisation from other sites or borrowing from PWLB. The site represented a unique opportunity to create a specialist hub for SEN/ASD within Enfield that could be a world class offering.
(Key decision – reference number 4293)

17

REFURBISHMENT AND RE-PROVISION WORK OF ENFIELD HIGHWAY LIBRARY BUILDING

Councillor Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Finance, Resources and Customer Services (No.110) outlining proposals for the refurbishment and re-provision work of Enfield Highway Library building.

NOTED

1. That Report No.116 also referred as detailed in Minute No.26 below.
2. That the proposals were in accord with the Council's Library Strategy 2015-18. A procurement process had been completed for the renovation of the Enfield Highway Community Library Building to create: a modified library service consistent with the Library Strategy; the Hub clinic for Enfield Integrated Sexual Health Community Services; and, the Young Persons' Drug and Alcohol Treatment Service, as detailed in the report. This represented a good example of joint working across Departments and appreciation was expressed to Councillor Fonyonga as Cabinet Member for Community Safety and Public Health.
3. Members' attention was drawn to the library service provision as set out in section 3 of the report.

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4. Members were advised of the detailed proposals for the provision of services and their location with the library building. Disabled facilities would be available. Staff service provision would be shared within the building.

Alternative Options Considered: NOTED the detailed alternative options which had been considered as set out in section 4 of the report. There had been no alternative to tendering externally as Enfield Council had been unable to directly provide a building renovation service that was NHS compliant in-house.

DECISION: The Cabinet

1. Noted that the tender process had adhered to Corporate Procurement Procedures, EU Procurement Regulations; and
2. Agreed to approve the award of the contract to the preferred bidder as detailed in the part 2 report, subject to the recommendation to Council below (No.116, Minute No.26 below refers).
3. Agreed to 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 would be met from the existing Public Health budgets over 7 years, subject to the recommendation to Council below (as detailed in Report No.116, Minute No.26 below refers).

RECOMMENDED TO COUNCIL to approve the addition to the existing capital programme, as set out in decision 3 above.

Reason: The detailed reasons for the above recommendations were set out in full in section 5 of the report.

(Key decision – reference number 4335)

18

AMENDMENT TO GOVERNANCE INDEPENDENCE AND WELLBEING ENFIELD (COUNCIL'S TRADING COMPANY)

Councillor Doug Taylor (Leader of the Council) introduced the report of the Director of Health, Housing and Adult Social Care (No.111) requesting approval of the appointment of 1 additional non-executive director to the Executive Board of Independence and Wellbeing Enfield Ltd.

NOTED

1. That the company had been launched on 1 September 2016.

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2. The reasons for the request to appoint one additional non-executive director as outlined in the executive summary of the report. The Council Oversight Board would be unaffected.

Alternative Options Considered: That only two non-executive directors were appointed.

DECISION: The Cabinet agreed to the appointment of one additional non-executive director to the Executive Board of Independence and Wellbeing Enfield Ltd.

Reason: To enable the Company to benefit from a broader range of skills and experience from the commercial sector.

(Non key)

19

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

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

20

CABINET AGENDA PLANNING - FUTURE ITEMS

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

21

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 6 September 2016 be confirmed and signed by the Chair as a correct record.

22

ENFIELD STRATEGIC PARTNERSHIP UPDATE

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

23

DATE OF NEXT MEETING

NOTED

1. That, the next Cabinet meeting was scheduled to take place on Wednesday 16 November 2016 at 8.15pm.

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2. That, Members would be advised if an additional Cabinet meeting would be required prior to the above date.

24

AUTUMN STATEMENT 2016 - REPRESENTATION BY LONDON COUNCILS

Councillor Doug Taylor (Leader of the Council) took this opportunity to table for Members' information, a copy of the London Council's submission to the Government in respect of the Autumn Statement.

25

EXCLUSION OF THE PRESS AND PUBLIC

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

26

REFURBISHMENT AND REPROVISION WORK OF ENFIELD HIGHWAY LIBRARY BUILDING

Councillor Krystle Fonyonga (Cabinet Member for Community Safety and Public Health) introduced the report of the Director of Health, Housing and Adult Social Care (No.116).

NOTED

1. That Report No.111 also referred as detailed in Minute No. 17 above.
2. The procurement process which had been undertaken and the financial implications of the proposals as set out in the report.

Alternative Options Considered: As detailed in Report No.110, Minute No.17 above refers.

DECISION: The Cabinet agreed to

1. Note the additional information in support of the part one report (Minute No.17 above refers).
2. Approve the award of the contract to the company detailed in the report, for the refurbishment work required to Enfield Highway Library

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building at a cost as detailed in the report, subject to the recommendation to Council below.

RECOMMENDED TO COUNCIL for approval as detailed in Minute No.17 above.

Reason: As detailed in section 5 of the report.

(Key decision – reference number 4335