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THE CABINET

**Wednesday, 15th March, 2017 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 Oykenar (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.

Cabinet are advised that any recommendations included within the reports being considered by Cabinet as part of this agenda, that are for noting only, will not be subject to the Council's call-in procedures. Such recommendations are not deemed to be decisions of the Cabinet, but matters of information for the Executive.

AGENDA – PART 1

1. APOLOGIES FOR ABSENCE

2. DECLARATION 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

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.

4. DEPUTATIONS

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

5. ITEMS TO BE REFERRED TO THE COUNCIL

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

1. Report Nos. 221 and 226 – Small Housing Sites Update

6. REVENUE MONITORING REPORT 2016/17: JANUARY 2017 (Pages 1 - 18)

A report from the Executive Director of Finance, Resources and Customer Services is attached. **(Key decision – reference number 4369)**

(Report No.216)

(8.20 – 8.25 pm)

7. UPDATE REPORT: EDUCATION SERVICES: A NEW MODEL OF SERVICE DELIVERY (Pages 19 - 28)

A report from the Chief Education Officer is attached. This provides an update report for Members' consideration. (Non key)

(Report No.217)
(8.25 – 8.30 pm)

8. ENFIELD TOWN MASTER PLAN AND A STRATEGY FOR VACANT SHOP PREMISES IN CHURCH STREET (Pages 29 - 38)

A report from the Executive Director of Regeneration and Environment is attached. **(Key decision – reference number 4474)**

(Report No.218)
(8.30 – 8.35 pm)

9. DOMESTIC ABUSE REFUGE PROVISION - AWARD OF SERVICE CONTRACT (Pages 39 - 50)

A report from the Executive Director of Health, Housing and Adult Social Care is attached (Report No.223, agenda part two also refers). **(Key decision – reference number 4409)**

(Report No.219)
(8.35 – 8.40 pm)

10. HOUSING DEVELOPMENT AND ESTATE RENEWAL PROGRAMME REPORT (EDMONTON FUTURES) (Pages 51 - 68)

A report from the Executive Director of Regeneration and Environment is attached (Report No.224, agenda part two also refers). **(Key decision – reference number 4272)**

(Report No.220)
(8.40 – 8.45 pm)

11. SMALL HOUSING SITES UPDATE

A report from the Executive Director of Regeneration and Environment **will be circulated as soon as possible**. (Report No.226, agenda part two also refers). **(Key decision – reference number 4298)**

(Report No.221)
(8.45 – 8.50 pm)

TO FOLLOW

12. REPROVISION PROJECT - BUSINESS PLAN (Pages 69 - 142)

A report from the Executive Director of Health, Housing and Adult Social Care and Executive Director of Finance, Resources and Customer Services is attached. (Report No.225, agenda part two also refers). **(Key decision – reference number 4309)**

(Report No.222)
(8.50 – 8.55 pm)

13. ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE

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

14. CABINET AGENDA PLANNING - FUTURE ITEMS (Pages 143 - 146)

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

15. MINUTES (Pages 147 - 164)

To confirm the minutes of the previous meeting of the Cabinet held on Wednesday 8 February 2017.

INFORMATION ITEMS

16. ENFIELD STRATEGIC PARTNERSHIP UPDATE

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

17. DATE OF NEXT MEETING

To note that the next meeting of the Cabinet is scheduled to take place on Wednesday 26 April 2017 at 8.15pm.

CONFIDENTIAL ITEMS

18. EXCLUSION OF THE PRESS AND PUBLIC

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

MUNICIPAL YEAR 2016/2017 REPORT NO. **216**

MEETING TITLE AND DATE:

Cabinet
15th March 2017

REPORT OF:

Executive Director of Finance,
 Resources & Customer Services

Agenda – Part: 1	Item 6
Subject: Revenue Monitoring Report 2016/17: January 2017 Wards: ALL Key Decision No: 4369	

Contact officer and telephone number:

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1. EXECUTIVE SUMMARY

- 1.1 This report sets out the Council's revenue budget monitoring position based on information to the end of January 2017. The report forecasts an outturn position of £5.4m overspend for 2016/17 and the mitigating actions to bring the budget into balance.

2. RECOMMENDATIONS

Cabinet is recommended to note:

- 2.1 The £5.4m overspend revenue outturn projection. This position is a reduction of £0.7m from that last reported to Cabinet in December 2016.
- 2.2 That Cabinet Members will continue to work with Executive Directors to implement action plans to reduce the forecast overspend in 2016/17.
- 2.3 The mitigating actions proposed to date by Executive Directors of overspending departments as set out in Appendix A.

3. BACKGROUND

- 3.1. The Council's revenue expenditure against budget is monitored by regular monitoring reports to the Corporate Management Board and Cabinet. These reports provide a snapshot of the revenue position for each Department and for the Council as a whole, and provide details of any projected additional budget pressures and risks, or any significant underspends.
- 3.2. The Revenue Monitoring Report is a result of the monthly monitoring process carried out by Departments, which is based on the following principles to ensure accuracy, transparency and consistency:
- Risk assessments, to enable greater emphasis to be placed on high-risk budgets throughout the year.
 - Comparisons between expenditure to date, current budgets and profiles.
 - Expenditure is predicted to the year-end, taking account of seasonal fluctuations and other determinants of demand.
 - The 'Key Drivers' that affect, particularly, the high-risk budgets are monitored and reported to Department Management Teams.
 - Action plans to deal with any areas that are predicting or experiencing problems staying within agreed budgets are produced.
- 3.3. This report provides information on the main budget variances and their causes that are affecting the Council across all departments. Although a full budget monitor is carried out each month, variations in this report are limited to +/- variances of £50,000 or over in order to provide a greater strategic focus.
- 3.4. A summary overview of financial performance is outlined below in Table 1. The intention of this is to provide the key highlight messages in a "dashboard" style summary. It is designed to capture the key messages across the Council's main financial areas, namely:
1. Income and expenditure;
 2. Balance sheet (liquidity, debtor/creditor management, investments and use of balances); and
 3. Cash flow forecasting and management.

Table 1: Summary performance overview

Area of review	Key highlights	Risk Rating		
		Nov	Dec	Jan
Income and Expenditure position	• Year-end variances of £5.4m overspend have been forecast to date in relation to General Fund net controllable expenditure. Mitigating actions have been implemented to offset identified pressures.	Amber	Amber	Amber
	• Budget profiling across all departmental budgets will continue to be applied in order to better reflect predicted net spending patterns throughout the year.	Green	Green	Green
	• The HRA is projecting a nil variance at year-end outturn against budget.	Green	Green	Green
Balance Sheet	• The current profile of cash investments continues to be in accordance with the Council's approved strategy for prioritising security of funds over rate of	Green	Green	Green
	• The outturn projection for General Fund balances will meet the Council's Medium Term Financial Strategy target based on the use of uncommitted reserves to meet one-off overspends in 2016/17.	Green	Green	Green
Cash flow	• The Council's cash balances and cashflow forecast for the year (including borrowing) will ensure sufficient funds are available to cover planned capital and revenue commitments when they fall due.	Green	Green	Green
	• Interest receipts forecast for the year are on target with budget.	Green	Green	Green

4. January 2017 Monitoring – General Fund

4.1. Below is a summary of the projected outturn variances broken down between departments:

Table 2: Forecast Projected Departmental Outturn Variances

January 17 Department	Net Controllable Budget					
	Original Budget	Approved Changes	Approved Budget	Projected Outturn	January Variation	December Variation
	£000s	£000s	£000s	£000s	£000s	£000s
Chief Executive	4,307	(246)	4,061	3,961	(100)	0
Regeneration & Environment	24,956	659	25,615	24,679	(936)	(872)
Finance, Resources & Customer Services	38,799	9,001	47,800	47,631	(169)	538
Health, Housing and Adult Social Care	78,003	(2,599)	75,404	79,337	3,933	3,922
Education and Children's Services	44,935	(76)	44,859	47,489	2,630	2,564
Total Department Budgets	191,000	6,739	197,739	203,097	5,358	6,152
Contribution from reserves	0	0	0	0		0
Collection Fund	(1,319)	0	(1,319)	(1,319)		0
Corporate Items	46,791	(6,739)	40,052	40,052		0
Government Funding	(128,557)	0	(128,557)	(128,557)		0
Council Tax Requirement	107,915	0	107,915	113,273	5,358	6,152

- 4.2. Each of the departments has generated a list of the variances which are contributing to the projected outturn figures. Cabinet Members and Executive Directors are expected to manage their budgets in year and contain any forecast overspends by implementing offsetting savings measures. All Executive Directors reporting overspends have worked on mitigating actions for the current year and where pressures are ongoing these are also being worked up as part of the MTFP. This report details the mitigating actions being undertaken by each department. Details of these proposed actions can also be seen in each department's appendix.
- 4.3. Through mitigating action the position is gradually improving but without further intervention a balanced position cannot be guaranteed by the end of the year. As a result, further interventions are required, these are summarised in the table below:

Overspend as at January 2017	5.4m
Transformation capitalisation	-0.6m
Underspends in Corporate Budgets	-1.0m
Departmental Mitigating Actions	-1.3m
Use of Earmarked Reserves or balances	-2.5m
Sub-total: Actions to reduce overspend	-5.4m
Forecast Outturn position 2016/17	0.0m

- 4.4. The first item is planned to be funded from the use of new in year capital receipts which Property Services are actively working on to achieve. This is in accordance with the new flexibility where the Government will permit revenue expenditure to be treated as capital expenditure, and thus funded by capital receipts, where expenditure is "incurred on projects designed to reduce future revenue costs and/or transform service delivery".
- 4.5. Any remaining overspend at the year-end will be met from a contribution from the council's general balances, though it is intended to keep this as low as possible and which will be replenished in subsequent years.

5. DEPARTMENTAL MONITORING INFORMATION – BUDGET PRESSURES & MITIGATING ACTIONS

5.1. Chief Executive's Department (Appendix A1)

This department is reporting a favourable variance to budget for January.

5.2. Regeneration & Environment (Appendix A2)

There has been an increase in the favourable variance to that which was reported in December.

5.3. Finance, Resources & Customer Services (Appendix A3)

There has been a reduction in the adverse variance that is reported for this department from December. This has resulted in a projected underspend occurring for the service.

5.4. Health, Housing & Adult Social Care (Appendix A4)

The adverse variance reported is similar to December's reported figure. Control measures are in place to attempt to decrease this adverse variance. A plan of mitigating actions can be seen in the appendix.

5.5. Children's Services (Appendix A5)

The variance in this department has remained constant from December. The appendix shows reasons.

5.6 Schools Budgets (Appendix A6)

These variations do not form part of the General Fund position but are reported for information in Appendix A6.

6. OTHER GENERAL FUND ITEMS

6.1. Treasury Management and cash flow analysis

The Council's net debt position was £497m as at 31st January 2017, an increase of £87m since 1 April 2016. The council's net borrowing is expected to increase further due to purchases relating to Meridian Water and on lending facility the council has agreed to provide for Housing Gateway Ltd so that it can continue purchasing properties in the market.

The Monetary Policy Committee (MPC) left rates unchanged at 0.25% this month and Council Treasury consultants are forecasting that base rate will be left unchanged until late 2018. Long term interest rates are still at historical low levels which offers the council the opportunity to borrow for long term while rates are low.

The Council will continue to look to minimise the cost of borrowing, as far as possible, but the cost is expected to increase in the future due to decision on long term projects.

A summary of the Treasury Management activity is set out in Appendix B.

6.2 Corporate Items (Including Contingency & Contingent Items) General Fund

The Council maintains a general contingency of £1.0m. It is expected that £0.8m of this contingency will be utilised for the funding of expenditure in Schools & Children's Services relating to No Resource to Public Funds costs as agreed by Cabinet in 2014-15.

7. HOUSING REVENUE ACCOUNT (HRA) – Nil Variance

The HRA projection for January shows a neutral position. An £684k overspend on Supervision & Management is offset by underspends of £552k on Repairs, £70k on Other Management Services and £62k on Rents.

The main reasons for the overspend within Supervision and Management are preparatory work on the Civica implementation, project costs relating to the High Value Voids and Pay to Stay Schemes, (these would have been refunded by central government had the schemes gone ahead), increased legal costs which have been caused by higher charges in the processing of Right to Buy applications, the refurbishment of the Edmonton Centre and higher than anticipated employee costs caused by additional staffing requirements and the Capital Cost of Early retirement for those staff affected by Enfield 2017.

The main areas of underspend within Repairs are voids and responsive repairs, at £379k and £475k respectively; this is a continuation of the trend identified in previous reports. These are reduced by a predicted overspend on

the boiler replacement programme of £284k, due to an increased number of boilers which have reached the end of their useful lives.

The £70k underspend on Other Management Services mainly relates to vacancies in the Communal Services team.

An additional £62k of rental income will be received from Aerials and an additional shop letting.

All other HRA budgets are currently predicted to be on target.

This year, any identified underspends which are deemed to be ongoing have been removed from managers' budgets in order to assist in addressing the impact of the Government's Social Rent Policy and Housing and Planning Act requirements. The target to find £2m of ongoing savings during 2016/17 has been exceeded, with ongoing savings of £2.3m identified (the full year effects of which will be realised in 2017/18). These are in addition to the savings of £1.955m identified in 2015/16. In 2016/17, £1.504m of one-off costs have been incurred which will deliver improved services in the future.

8. ACHIEVEMENT OF SAVINGS

- 8.1 The 2016/17 Budget Report included new savings and the achievement of increased income totaling £12.9m to be made in 2016/17.
- 8.2 Information on the progress in achieving the departmental savings is included in Appendix C of this report.

9 ALTERNATIVE OPTIONS CONSIDERED

Not applicable to this report.

10. REASONS FOR RECOMMENDATIONS

To ensure that Members are aware of the projected budgetary position, including all major budget pressures and underspends which have contributed to the present monthly position and that are likely to affect the final outturn.

11. COMMENTS OF THE EXECUTIVE DIRECTOR OF FINANCE, RESOURCES & CUSTOMER SERVICES AND OTHER DEPARTMENTS

11.1 Financial Implications

As the Section 151 Officer, the Executive Director of Finance, Resources & Customer Services is required to keep under review the financial

position of the Authority. The monthly revenue monitoring is a key part of this review process. If required, measures will be put in place to address any risks identified through the monitoring process and to contain expenditure within approved budgets. There is further work to be done to ensure a budget can be set within available resources.

11.2 Legal Implications

The Council has a statutory duty to arrange for the proper administration of its financial affairs and a fiduciary duty to taxpayers with regards to its use of and accounting for public monies. This report assists in the discharge of those duties.

11.3 Property Implications

Not applicable in this report.

12. KEY RISKS

There are a number of general risks to the Council being able to match expenditure with resources this financial year and over the Medium Term Financial Plan:-

- Achievement of challenging savings targets.
- Brexit and the state of the UK economy - which impacts on the Council's ability to raise income from fees and charges and on the provision for bad debt.
- Impact of the fall in the pound on inflation and pay
- Demand-led Service Pressures e.g. Adult Social Care, Child Protection etc.
- Potential adjustments which may arise from the audit of various Grant Claims.
- Movement in interest rates.

Risks associated with specific Services are mentioned elsewhere in this report.

13 IMPACT ON COUNCIL PRIORITIES

13.1 Fairness for All – The recommendations in the report fully accord with this Council priority.

13.2 Growth and Sustainability – The recommendations in the report fully accord with this Council priority.

13.3 Strong Communities – The recommendations in the report fully accord with this Council priority.

14. EQUALITIES IMPACT IMPLICATIONS

The Council is committed to Fairness for All to apply throughout all work and decisions made. The Council serves the whole borough fairly,

tackling inequality through the provision of excellent services for all, targeted to meet the needs of each area. The Council will listen to and understand the needs of all its communities.

The Council does not discriminate on grounds of age, colour, disability, ethnic origin, gender, HIV status, immigration status, marital status, social or economic status, nationality or national origins, race, faith, religious beliefs, responsibility for dependants, sexual orientation, gender identity, pregnancy and maternity, trade union membership or unrelated criminal conviction. The Council will promote equality of access and opportunity for those in our community who suffer from unfair treatment on any of these grounds including those disadvantaged through multiple forms of discrimination.

Financial monitoring is important in ensuring resources are used to deliver equitable services to all members of the community.

15. PERFORMANCE MANAGEMENT IMPLICATIONS

The report considers the financial impact of changes arising from reduced funding. The projections and future pressures on the budget are viewed with due consideration of financial management and the most efficient use of resources.

16. HEALTH AND SAFETY IMPLICATIONS

Not applicable in this report.

17. HR IMPLICATIONS

Not applicable in this report.

18. PUBLIC HEALTH IMPLICATIONS

Not applicable in this report.

Appendix A1

Chief Executive	Budget Variation January 2017 (£'000)
The department is currently projecting an over recovery of income against budget of £1.6m relating to the Matrix Agency rebate for 2016/17.	(53)
Other Minor variances	(47)
Chief Executive Total	(100)

Appendix A2

Regeneration and Environment	Budget Variation January 2017 (£'000)
Director & Programme Office - efficiencies identified following an on-going project to review services across the Regeneration and Environment department & HRA	(189)
Community Safety - police contract and community salaries underspend, Prevent project income and additional budget contribution from Env efficiencies to offset a loss of a grant from Home Office	(100)
Corporate Health and Safety - Contract and salary underspend and additional income received from undertaking asbestos surveys in HGL properties and Schools SLAs.	(90)
Development Management - this is a £50k variance in the Planning Applications Team, due to additional income from Planning applications, pre-application and PPA process.	(50)
Street Lighting - Festive Lighting Costs	50
Traffic and Transportation - Salary Recharge to Capital Schemes (LIP and Cycle Enfield) and additional Temporary Traffic Order income.	(130)
Commercial Services - Salary Underspend	(51)
Cemeteries Operations - Income Overachievement	(146)
Waste Client - £245k variance is related to the BIFFA comingled contract over spend. The over spend is due to the waste composition and contractual costs reflecting current difficult commodity and trading conditions.	245
Commercial Waste - this is due to salary underspend and additional income generated from the successful marketing of the commercial waste services	(138)
Commercial Service (Parks) - due to Parks events additional income and Parks Assets rental income overachievement	(85)
Regeneration Services - underspend in the revenue cost of consultancy, advertising and publications plus salary recharges to capital projects (Meridian Waters and Ponders End project).	(150)
Plus Other Minor Variances - Minor variances under 5k added up	(102)
Regeneration and Environment Total:	(936)

Finance, Resources & Customer Services	Budget Variation January 2017 (£'000)
Information & Communications Technology (ICT) - Overspend is due to continued revenue pressure as ICT picks up all revenue costs for new projects with no new revenue budget identified, i.e. Enfield 2017 Platform. A review of the capital programme is being undertaken to re-profile revenue pressures. This is now in a position where the overspend can be funded from capacity in the IT Investment Fund reserve.	0
Legal & Corporate Governance Services - Overspend within this service area is due to staffing cost overspends in Legal and Corporate Governance (£100k), Income target in registrars (£107k) no longer achievable because of a change in Home Office fees, offset by underspend in Audit due to restructure (96k) and held vacant posts in Scrutiny members support (50k).	98
Property Services Facilities Management (+£642k) Variance due to shortfall in rental income of £680k , Edmonton Centre of £245k, Swan Annexe & others £120k, Community house £160k, the Ark & others £155k. In addition a rent review of Triangle House £160k, an increase in rent at St Andrews of £90k, overspend in running costs of admin buildings & Civic Centre of £320K , which is offset by underspend in salaries & over achievement in income of £345k, giving a net adverse variance of £905k. The shortfall of the Ark rental income of £128k & £135k shortfall in income from the Community house Buildings will be funded by the Capacity Building fund bringing the net variance reported to £642k. Strategic Property Services (-£140k) Anticipated Bund income of £300k & £40k demolition income is forecast , this is offset by an overspend in GVA contract/staffing of £60k & a shortfall income of £140k giving a net favourable variance of £140k.	502
Other Items - most notably Former Employees cost centre with an underspend of £40k.	(269)
Use of reserves and other control measures	(500)
Finance, Resources & Customer Services Total	(169)

Mitigating actions being taken to reduce overspend position - FRCS	
Property - Commercial Rents: Income shortfalls being reviewed with action plan to come to CMB, e.g. Claverings - £35k; Churchfields £25k. Proposals for additional income are included in the 2017/18 budget proposals .	
IT - Cloud / Civic / Serco Contract: A review of the capital programme is being undertaken to see whether any re-profiling could take place to pick up any of the revenue pressures. This exercise has so far reduced the overspend from £850k to the £300k currently being reported. Further staffing and contractual changes are currently in hand, with full year effects in 2017/18.	
Staffing cost overspends in Legal and Corporate Governance - Legal costs across the Council are being reviewed, with a view to reducing use of more expensive external legal firms.	

5.4 Health, Housing & Adult Social Care (Appendix 4)

Health, Housing and Adult Social Care	Forecast Budget Variation December 2016 (£'000)
Adult Social Care	
Key assumptions within the forecast are based on projected activity and year to year trends. In future years there is an increased budget pressures due to demographic pressures, provider cost pressures and a growing demand for social care services.	
Strategy & Resources - There is a minimum of £130k of transport pressures. This is dependant on all the savings being achieved. This is offset by Service Development budgets being £120k under	16
Mental Health - The service is currently projecting an overspend for the year on care packages.	350
Learning Disabilities - The service continues to project an overspend position as a result of managing demand led services. Substantial savings have been made in year however, demand for services continues to rise as a result of demographics and Ordinary Residence clients. Not included in the monitor are additional risks of £530k for Ordinary Residence.	2,726
Older People and Physical Disabilities (the Customer Pathway) - The service is projecting care purchasing overspends against a net budget of £30.4m, due to demand led services. Substantial savings have been made in year however, demand for services continues to rise as a result of demographics	4,961
Independence & Wellbeing Services - Client income at the two in-house residential homes is less than expected. With the provision of the new home, running costs will be reduced in the longer term.	200
Public Health Grant The Departmental forecast also includes ring fenced Public Health Grant. Public Health grant allocated in 2016/17 is now £17.7m, this reflects a reduction in grant of £409k, with additional reductions of £1.3m planned over the next three years. There is a risk that demand led sexual health services could result in additional pressures. The Public Health grant is ring fenced and used as per the Department of Health guidance.	0
Other control measures - Use of the Better Care Fund £1.5m and the use of one off monies and further management actions.	(4,255)
Adult Social Care	3,998
Housing Related Support - The savings in 16/17 were £2.6m in Housing Related Support. The overspend is from Housing Related Support contracts. Savings have already been made in this area in 16/17 and the variance is as a result of delayed savings. This service will be closely monitored to ensure the achievement of future year savings.	835
Homelessness and temporary accommodation - There is forecast favourable variance of £0.900m for 2016/17. However, this area of spend remains volatile and the underlying pressure due to the increased volume of homelessness still remains. There has been a £1m net budget increase in 16/17 to reduce these pressures but there is on-going mitigation work being carried out looking at cost avoidance schemes which will manage both service demand and costs of all forms of temporary accommodation.	(900)
Housing-General Fund	(65)
Adult Social Care & Public Health	3,933

Mitigating actions being taken to reduce overspend position - HHASC	
Reducing personal budgets by target rate of 20%	
Re-provision of services no longer fit for purpose or cost effective (including reprovisions 1 & 2)	
Recommissioning the VCS to provide more integrated & outcome focused early intervention support	
Decommissioning/recommissioning preventative housing related support services	
Delivering an LATC to deliver commercially viable (what were in-house run) services	
Implementation of new supported living framework for LD services with improved quality framework and vfm (with same being developed for MH services)	
Development of new Positive Behaviour Support model in LD services to deliver improved outcomes and reduced support costs	
Development of strategic commissioning and procurement of residential/nursing services across the NCL area to reduce costs	
Ongoing review programme to target high cost placements to deliver against outcomes in different ways/reduce personal budgets)	
Development of a Personal Assistant market to provide more responsive, personalised support for people at home and improved vfm	
Further integration of services including establishment of integrated locality teams to prevent hospitalisation	
Reduction in people admitted to more expensive residential care through development of more supported living and post dementia diagnosis support services	
Further expansion of the enablement service to reduce the number of people both in community and from hospital needing ongoing support	
Additional funding available for increased DoLS applications	

Children's Services	Budget Variation January 2017 (£'000)
Catering The over achievement of income has increased. This is mainly due to the primary schools projecting a higher update of school meals coupled with a food rebate from suppliers.	(120)
SEN Transport is currently anticipating the same level of expenditure as last year. This will mean that the service will be overspent by approximately £2.1m this year.	2,167
External Care Placements This is an increase of £43k reported more than last month due to: • 1 extended secure order placement • 3 new parent and child foster placement	370
In House Fostering Allowances There is an overall overspend of £224k with an increase in allowances projected due to 6 new placements. The projected cost for sessional workers has also increased due to increased numbers of SGO assessments however this was mostly offset by a growth in income associated with consortium placements. There is a risk that this overspend could rise further, as there is no provision for any unknown future placements.	224
In House Fostering Staff The projected underspend has reduced by £9k due to posts previously projected as vacant until year end, now being filled with redeployed staff.	(63)
Adoption Allowances This service area has seen a budget growth in 2016-17 of £350k, however the service is still projecting an overspend. Since last month there is a net increase of £27k due to some placement extensions. This budget area presents a high risk of overspending further.	220
Leaving Care - Client Costs This budget has increased by £870k in 2016-17. The significant pressure is the change of age and the volume of children coming into care and those in remand to care by criminal courts. The change from last month is due to 3 new placements and other placement extensions for existing clients.	287
Unaccompanied Asylum Seeking Children (131k) The increase (effective from July 2016) in the rates paid in the Home Office grant are for legacy cases coming in from July and does not apply to retrospective clients. A national transfer protocol of UASC's has been created to enable the safe transfer of unaccompanied children from one local authority to another. Enfield was one London Borough that had more than its share of UASCs within its overall LAC population however it has now fallen below the threshold so may be required to accommodate new arrivals. Former UASC 18 + (12k) Increase from last month of £11k due to reduced grant income.	144
Cheviots Centre, Overnight Breaks and Direct Payments - vacant post being held vacant in advance of a service restructure and demand for short-term breaks being less than originally anticipated.	(54)
Youth & Family Support Service - savings generated through reductions in the Youth strategy & Support programme, use of the Innovation grant balances and holding posts vacant.	(534)
Childrens Services Legal Costs	434
Other Minor Variations	(445)
Children's Services Total	2,630

Mitigating actions being taken to reduce overspend position - Children's Services	
<u>Families with No Recourse to Public Funds:</u>	
·	Enhanced assessment processes involving fraud and legal officers at an early stage.
·	More consistent application of policies and procedures
·	Better monitoring/performance management.
·	Liaise with Home Office for new resource to speed up decision-making processes.
·	Review of cohort to ensure eligibility.
·	Social worker now located in Housing Services to ensure a corporate response.
·	Better use of website to clarify expected service.
<u>Looked After Children's (LAC) Placements:</u>	
·	Resolute focus on helping families to care for their children.
·	Reshaping the offer for targeted and preventative interventions.
·	Best value through regional commissioning arrangements.
·	Opportunities for invest to save initiatives.
·	Develop services through DfE and DCLG grants.
<u>Reduction in Number in Care:</u>	
·	Further improvements in support to family in order to prevent family breakdown aimed at increasing family resilience to further reduce family breakdown.
·	The DfE funding that was just for one year has been well managed and will allow for the maintenance of this service until March 2017. This will allow more resource to be focussed on preventing family breakdown.
·	Troubled Families funding is being well targeted at the most needy families in a timely manner to reduce risk of family breakdown.
·	Reduction in UASC being accommodated. The London UASC protocol has been renegotiated and there is now a national UASC protocol and both aim for a fairer distribution of UASC. As a result no UASC arriving in Enfield will stay for more than a few weeks before being transferred to national scheme and Enfield will no longer take permanent responsibility for new arrivals in the next few months.
·	Where it is in their best interests, families are being supported to move from the borough and have a fresh start in other areas of the country. 9 families, including 24 children, have moved this year giving a potential saving of at least £0.5million per annum.
·	Consistent decision making about admissions to care.
·	Review of the accommodation service for 16/17 year olds to ensure fewer of these young people enter care by increasing family mediation services.
<u>Reduction in the cost of care provision/increased efficiency in system:</u>	
·	Improved, faster, foster carer recruitment process to increasing the quality and quantity of in house foster carers available to reduce the use of more expensive agency placements. Ernst and Young estimate that agency foster care costs £100 per week more than in house even when all hidden costs of in house are accounted for.
·	Reviewing our foster care allowances to ensure we remain competitive
·	More assessments of foster carers being undertaken by independent assessors to speed up process.
·	Restructuring of the fostering service to reduce management costs.
·	Better use of joint funding for placements with health via the complex issues panel.
·	Commissioned research into the increase in referrals.
<u>Home School Travel Assistance for Eligible Children and Young People (SEN Transport) :</u>	
A major cross-departmental project led by Children's Services is underway to review all policies and processes related to travel assistance. Savings will be delivered as a result of the following actions:	
·	Review of council travel assistance policy so that it is fully compliant with new SEND legislation and less likely to be challenged.
·	Improved consultation and engagement with parents.
·	New online access to information and application process.
·	Regular review of eligibility and mode of appropriate travel assistance.
·	Establishment of new Travel Brokerage Service for parents that offers different modes of travel assistance and no automatic assumption of directly provided transport.
·	New routing software to ensure more efficient use of resources.
·	Ensuring the most efficient, effective and economical option is used.
·	Better monitoring and improved IT system that allows individual financial tracking for each child.
·	New procurement exercise underway for external transport providers.
·	Review of terms and conditions and training for Drivers and Personal Assistants.
·	Closer working with schools to identify children capable of developing independent travel.
·	New approaches to Council provided transport e.g. communal pickup/drop off points, walking buses.

Appendix A6

Schools Budget	Budget Variation January 2017 (£'000)
Education Services	
Behaviour Support: The Secondary Behaviour Support service is projecting a 143k overspend. Of this £62k is due to the charges for schooling of children in hospital as this was transferred from the NHS but no budget allocated. £30k relates to the increased costs of placements and £51k is the cost of increased pupil numbers requiring college provision from Dec 16. This is offset by the £17k underspend in the Primary Sector due to vacancies.	126
Unplaced pupils Unplaced pupils spend increase above budget of £117k last month. This month there is a reported overspend of £48k on college places and £60k budget advances to schools for ESOL provision which has reduced the overspend by 12k to £105k. The overspend on the cost of placements is due to an increasing number of Y11 Students needing placements before the end of the financial year. Where there are underspends in this budget code, they will be pooled to this subjective code to reduce the outturn deficit.	105
Early Years. This service is reporting an underspend due to placements for 2 yr olds and 3&4 year olds being over estimated and take up less than anticipated. Part of this may be a result of a cut in promoting the 2 yr old placements. The forecast for February and March is as planned and no extra expenditure is forecasted. The service is not expecting any further income. However year end charges may increase to 70k with trajectory money.	(3,105)
Reduction in DSG Early Years Block. Actual 16/17 allocation reflecting numbers as at Jan 2016 census lower than estimated. Offset by lower placement costs reported above	1,911
Asset Management: This relates to unforeseen security maintenance at a particular site and other overheads and that cannot be capitalised.	75
Special Education Needs	
Mainstream Tuition. Significant increase in pupils since September 2016.	396
LA Special Day provision: Increase of 17 pupils since September 16.	632
Independent Day Increase of 33 new pupils (41 starters 8 leavers) this represents a 32% increase in provision since April 16 .	1,081
Independent Residential. There has been a 31% increase in pupils since April 16 from 24 to 35	378
School Revenue Budget Increase in Educ, Health & Care Plans 670 (270 Summer, 300 Autumn and estimated 100 Spring). Overspend in this area offset by reduction in nursery funding for Primary Schools (30). Saving in rates costs due to Academy Conversion an in year revaluations (530)	110
Home and Hospital Service - Overspend due to increased costys of service in 15-16 & 16-17. Measures are now in place to bring the cost of this service back within budget provision	160
High Needs Post 16 Overspend caused by cost increase in high needs places and fluctuations in the volume of high needs places	659
Special School Provision: Overspend reflects increased number of special school places created during 2016/17.	684
High Needs Contingency Contingency for high needs pressures not yet utilised but is expected to be fully used during the financial year (see School Budget Risks below)	(2,086)
Budgets with no/ minor variances	(110)
Total Variation – Schools Budget	1,016

Schools Budget Risks A detailed review of the cost of SEN pupils placed in independent and other LA provision is currently being undertaken and early indications are that expenditure projections in these areas will significantly increase. N.B. There are a number of pupils waiting to be assessed (60) and although a contingency has been built into the monitoring to allow for some costs, the outcome of assessment may result in further budget overspends . An increase in Post 16 SEN is also expected based on the contracts for the 17/18 academic year that are currently being finalised.

Treasury Management Cashflow Investments & Borrowing as at 31st January 2017

The Treasury Management position as at month end:

	Jun-16	Jul-16	Aug-16	Sep-16	Oct-16	Nov-16	Dec-16
	£000's	£000's	£000's	£000's	£000's	£000's	£000's
Long term borrowing	362,241	362,241	430,736	429,236	428,565	429,315	449,315
Short-term borrowing	64,000	81,000	89,000	89,000	74,000	84,000	96,000
Total borrowing	426,241	443,241	519,736	518,236	502,565	513,315	545,315
Total investments	28,150	7,325	74,375	62,050	40,500	21,140	42,000
Net debt	398,091	435,916	445,361	456,186	462,065	492,175	503,315
Increase in Net debt past 8 months	0	37,825	47,270	58,095	63,974	94,084	105,224

Movement in debt

	31-Dec-16	Debt repaid	New debt	31-Jan-17
	£000's	£000's	£000's	£000's
Long Term PWLB	374,974	0	0	374,974
Long Term Commercial Loan	30,000	0	0	30,000
Long Term Local Authority	28,000	0	0	28,000
Long Term Salix Loan	942	0	0	942
Short Term Local Authority	96,000	(12,000)	0	84,000
Long Term LEEF	5,699	(302)	0	5,397
Long Term European Investment Bank	9,700	0	0	9,700
Total borrowing	545,315	(12,302)	0	533,013

London Borough of Enfield Investments

Financial Institution	Principal	Effective Maturity	Rate
Call Accounts			
HSBC Call Account	11,945	On demand	0.20%
Svenska Handelsbanken	6,100	On demand	0.15%
Fixed Deposit Accounts			
Pension Fund	0		
Money Market Funds			
HSBC Sterling MMF	0	On demand	0.24%
Deutsche Bank	8,000	On demand	0.24%
Goldman Sachs	1,200	On demand	0.23%
Ignis Liquidity Fund	14,100	On demand	0.29%
Total - Investments	41,345	Average	0.23%
Number of Investments	4		

London Borough of Enfield Short Term loans

Financial Institution	Principal	Start Date	Effective Maturity	Rate	Days to Maturity
MILTON KEYNES COUNCIL	£10,000,000	29/11/2016	28/11/2017	0.40%	301
WEST YORKSHIRE COMBINED AUTHORITY	£10,000,000	15/04/2016	13/04/2017	0.55%	72
SEDGEMOOR DISTRICT COUNCIL	£5,000,000	02/06/2016	03/04/2017	0.60%	62
POLICE AND CRIME COMMISSION FOR WEST YORKSHIRE	£5,000,000	07/06/2016	07/04/2017	0.58%	66
WEST YORKSHIRE COMBINED AUTHORITY	£5,000,000	15/07/2016	18/04/2017	0.47%	77
LONDON BOROUGH OF EALING COUNCIL	£5,000,000	11/07/2016	11/04/2017	0.49%	70
CHELMSFORD BOROUGH COUNCIL	£5,000,000	15/07/2016	14/07/2017	0.42%	164
LONDON BOROUGH OF EALING COUNCIL	£5,000,000	19/07/2016	18/07/2017	0.39%	168
LONDON BOROUGH OF HILLINGDON	£10,000,000	30/08/2016	30/05/2017	0.35%	119
MILTON KEYNES COUNCIL	£5,000,000	29/11/2016	28/11/2017	0.40%	301
TAMESIDE METROPOLITAN BOROUGH COUNCIL	£5,000,000	29/11/2016	28/11/2017	0.42%	301
WANDSWORTH BOROUGH COUNCIL	£10,000,000	22/12/2016	21/12/2017	0.50%	324
WOKINGHAM BOROUGH COUNCIL	£4,000,000	01/12/2016	28/11/2017	0.40%	301
Total	£84,000,000		Average	0.46%	179

Savings Monitoring 2016/17
Summary Position - December

Appendix C

Department	Red		Amber		Green		Blue		Total
	£000's	%	£000's	%	£000's	%	£000's	%	£000's
Regeneration & Environment	0	0%	0	0%	(2,180)	100%	0	0%	(2,180)
Finance, Resources & Customer	0	0%	0	0%	(331)	100%	0	0%	(331)
Housing, Health & Adult Social Care	(400)	6%	(4,557)	66%	(1,912)	28%	0	0%	(6,869)
Schools & Children's Services	(250)	7%	(84)	3%	(2,847)	90%	0	0%	(3,181)
Chief Executive	0	0%	0	0%	(300)	100%	0	0%	(300)
Total New Savings for 2016/17	(650)	5%	(4,641)	36%	(7,570)	59%	0	0%	(12,861)
									(12,861)

MUNICIPAL YEAR 2016/2017 REPORT NO. 217

MEETING TITLE AND DATE:

Cabinet 15 March 2017

REPORT OF:

Chief Education Officer

Jenny Tosh

Telephone: 0208 379 3250

Email: jenny.tosh@enfield.gov.uk

Agenda - Part: 1	Item: 7
Subject: Update report: Education Services: a new model of service delivery	
Wards: All	

1. EXECUTIVE SUMMARY

- 1.1 Education Services has a long history of success in supporting improvement in schools and settings including developing a range of well-regarded and popular Traded Services/Service Level Agreements (SLA).
- 1.2 We have developed a brand – Ensen – with a website and marketing plan to ensure we promote the services we offer and maximise our opportunities to raise income.
- 1.3 In August 2016 Cabinet members gave their approval for the Chief Education officer to investigate alternative models of future service delivery that would enable the council to work with all schools, whatever their status, and:
 - continue to meet its statutory responsibilities;
 - provide the appropriate support to and with schools and settings;
 - place services in a strong position to offer support to other local authorities (LAs);
 - maintain strong and effective relationships with the Enfield learning community;
 - ensure Education Services contribute to delivering the council's savings agreed in the Medium Term Financial Plan (MTFP).
- 1.4 It was agreed that a follow up report to Cabinet would be produced setting out the options for the formal establishment of a trading company with a distinct legal entity based on the most advantageous model and structure. This would also include a business and financial plan for the company.
- 1.5 An analysis of the ongoing financial situation, changes to government education and funding policy and increasing pressure on school budgets is demonstrating that the establishment of a separate company would currently present too great a financial risk to the Council.
- 1.6 This report therefore proposes that the development of the company as a separate legal entity is put on hold until there is greater clarity as a result of the new funding arrangements for Local Authorities and schools but that we should continue to develop Ensen as the recognised and trusted trading brand.

2. RECOMMENDATIONS

This reports recommends that

- 2.1 the development of Ensen as a separate legal trading company is put on hold until there is greater clarity of the impact of the new funding arrangements for Local Authorities and Schools. The government is currently consulting on a new funding formula for schools. It is intended that the new formula for schools will be in place by April 2018/19 ;
- 2.2 teams within Education Services already trading within the Education Department portfolio of Children's Services continue to do so, under the title of Ensen, offering full cost recovery, effective traded services to schools and settings, remaining under the direction of the AD Education / Chief Education Officer;
- 2.3 Education Services continues to use the name Ensen as the umbrella term to combine all the trading elements from across the council offered to schools and settings, in order to develop a consistent marketing strategy, to continue to provide excellent services which maximise existing income from Enfield schools and to expand the opportunities for income generation outside the borough.

3. BACKGROUND

- 3.1 In August 2016 Cabinet approved the report of the Chief Education Officer (CEO) which sought to establish Ensen, during 2016/17, as a virtual trading company with a pooled single budget across the services. It also agreed to an assessment of the future viability of Ensen as a separate trading entity. The outcome of which assessment, including an analysis of the most suitable form of trading model, was to be included in a future report to implement phase 2.
- 3.2 Since this first report, however, there have been major changes to council and school funding as a result of government policy. The full impact of all of these changes is not yet completely clear but they will have a major impact on schools' ability to purchase services. These include:
- 3.2.1 Cessation of the Education Support Grant (ESG) from September 2017 will mean a £3million budget gap for 2017/18. This cut will impact on services currently provided to maintained schools only. A small element of the ESG (£870,000) for certain statutory duties for all children (including those in academies and free schools) will be transferred to the DSG in 2017/18. The Council is currently considering how to bridge the funding gap and is proposing a range of further savings to Education Services in addition to those already identified in the MTFP;

- 3.2.2 Current pressures on the DSG have resulted in the LA working with Schools Forum to consider options for meeting the projected budget gap for 2017/18. In order to close the gap, further cuts have been agreed to central services funded from the DSG. These amount to 1.8m in total for 2017/18. These services are now setting up new SLAs or considering ceasing provision.
- 3.2.3 Schools are experiencing reductions to their budgets and an increasing number are projecting deficit budgets over the current or coming years. The most recent projected figures are as follows:

No. of schools with actual or projected deficit				
Sector	31 Mar 16	31 Mar 17	31 Mar 18	31 Mar 19
Primary	1	1	3	8
Secondary	5	5	6	7
Special		1	3	3
Total	6	7	12	18

- 3.2.4 Schools are currently identifying their buy backs for 2017/18 and the need to manage with fewer resources. There are early indications that the level of buy back will be reduced and schools have already given notice of their intention not to renew some contracts. For example, although schools have indicated that they value the clerking service provided by Governor Support Service, 12 schools have advised they will be transferring a service provided and subsidised by another local authority;
- 3.2.5 The implementation of the government's National Funding Formula (NFF) has been delayed but it is anticipated NFF will be implemented from 2018/19. Current modelling indicates that Enfield will gain under NFF by £4.7 million. However:
- 3.2.5.1 Any gain would not be evenly distributed across all schools and academies and current Government assessments indicate around half of Enfield schools will receive reduced funding following implementation.
 - 3.2.5.2 There is likely to be a bigger impact on primary schools due to a 32% reduction in the lump sum and the reduction in numbers of pupils eligible for free schools meals due to Welfare Benefit Reforms.
 - 3.2.5.3 The majority of the increase in funding will be seen by secondary and all through schools
- 3.3 In spite of the increasing pressure on funding over recent years Education Services have prioritised the development of strong and effective relationships with schools and settings so that the Enfield Learning Community is focussed on raising achievement for all children and young people. The impact of this approach is illustrated by Ofsted inspection judgements, 97% of Enfield schools

are judged to be Good or Outstanding, which is above the national and London figures.

- 3.4 The strength of this relationship has been evidenced by the development of effective traded services over a number of years, provided and brokered by the council, that consistently achieve a high level of buy back from schools. In addition to this schools have demonstrated their support for Enfield Education Service by agreeing to the ongoing funding of Central services from the DSG. An example of this is that Primary heads have commissioned school advisor support from School, Standards and Support Service and all phases have agreed to continue the funding for Behaviour Support. Evidence of the impact of this support is regularly recognised in Ofsted reports. Schools are indicating that they intend to buy back wherever possible as the services are highly valued.
- 3.5 It was anticipated that the proposed new model of service delivery would have the potential to develop additional income streams through wider trading beyond the Borough of Enfield and through applying for funding not generally available to the Council. Although continuing as LA services will limit the potential to apply for external grant programmes it is still intended that Ensen will market its services outside the borough to seek additional income.
- 3.6 As part of the investigations into the viability of the proposed trading company legal and financial advice was sought. The formation of the company would require the TUPE of staff into the new organisation, once it began trading independently. Due to the many uncertainties with regard to future funding and income from all sources, government, council and schools, it has become apparent that the level of risk to staff in terms of pension liabilities and possible redundancy costs is currently too high to proceed. In addition the business model would not be sustainable with this level of liability.
- 3.7 It is proposed, therefore, that the Ensen branding is used to operate as the trading arm of all services which are offered to schools and settings but that these services remain as part of the LA. This will mean Education Services will be able to:
 - continue to meet its statutory responsibilities,
 - provide the appropriate support to and with schools and settings,
 - trade with other LAs,
 - maintain strong and effective relationships with the Enfield learning community,
 - contribute to delivering the council's savings agreed in the MTFP.
- 3.8 A number of additional services which are part of Education Services and trade with schools and setting are not currently part of Ensen. It is proposed that they would become part of Ensen as soon as possible, as long as they could demonstrate their financial viability.
- 3.9 In addition it is proposed that other Enfield services which currently trade with schools and settings as "Enfield Trading Services", but which are outside of Education Services, develop a formal link with Ensen and are marketed under

the same banner. Their inclusion would be subject to full market testing and be dependent on their strategic fit and financial viability.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1 Form a separate legal entity

The option to form a separate legal entity operating outside of the LA was the subject of the initial DAR. However, work and advice undertaken as part of investigating this option strongly indicates that it is unlikely this would currently be a viable option and presents too big a financial risk to the LA.

4.2 Cease trading altogether

Education Traded Services have formed a long standing part of our relationship with schools; they are highly regarded and demonstrate a high level of buy back. Schools are indicating that they wish them to continue. Services already operate on a full cost recovery basis and going forward the pricing strategy will ensure that they continue to do so. Traded Services have provided an important source of early information about our schools and settings which has helped us both provide quality assured support to those who need it and equips us with the information to broker support which will be part of our new role in the future.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Continuing to use Ensen as a trading brand ensures that all schools and settings, whether they are academies/free or maintained schools, can see continuity in the level and type of services offered and comparative value for money which should encourage them to continue to commit to them. It means existing expertise and knowledge can be maintained and give customers confidence in the services offered.
- 5.2 Government Policy suggests that the role of the LA will continue to develop from a provider to a broker of services. Maintaining the Ensen brand will mean the Council will be in control of the type and quality of the services offered and can use this knowledge to ensure they are offering the services schools want as well as aligning them closely to the needs of schools and settings. Thus enabling the Council to fulfil its new monitoring and brokerage role.
- 5.3 Currently a number of the services trade outside the borough, both nationally and internationally, in which brings additional income into the borough. For example the School Standards and Support Service were recently successful in a bid for government funding to provide training and best practice for schools to support pupils with English as an Additional Language (EAL) who are newly arrived in schools or settings across England and in Denmark. Maintaining Ensen as a trading arm of Education Services will allow us to maximise the potential for additional income generation.
- 5.4 Establishing Ensen as a separate trading company is not recommend at present as the level of uncertainty in terms of future LA and school funding is too high. Therefore the financial risk to the authority and staff is currently too great. However, the option for all or parts of the service to form individual or

joint enterprises in the future will be kept under review and may well be reconsidered in the future

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

6.1 Financial Implications

There are no specific financial implications in respect of this proposal and the current financial arrangements for these services will continue. This includes achieving the additional income targets for traded services over the 3 year period 17/18 to 19/20.

6.2 Legal Implications

6.2.1 A local authority may, in certain circumstances, make a profit when trading with other public bodies by using the powers contained in the Local Authorities (good and Services) Act 1970. This is a useful power but it is limited by the fact that it can only be used to trade with public bodies classified as such by that act. The list has not been materially updated since 2003. Accordingly, it will cover other local authorities and maintained schools but not academies or other bodies not so classified. Accordingly, the Council cannot rely on this power to trade at a profit with (for example) academies, and the bodies listed under this Act should be checked before the Council seeks to rely on it in order to trade at a profit.

6.2.2 The Education Act 1996 does contain a number of additional powers to charge for services. If the Council intends to rely on this Act, it should consider in more detail the specific the services it is not possible to work out whether this act allows for the activities envisaged by these proposals. However, it should be noted that this Act requires that any charges are made only “at cost”.

6.2.3 Outside of these provisions, the most common powers to charge for the provision of services are s.93 Local Government Act 2003 (“LGA 2003”) and s.3 Localism Act 2011 (“LA 2011”). Where the authority is proposing to provide services for a charge, s.93 permits this where: the authority is entitled (but not obliged) to provide the relevant service; is not otherwise prohibited from charging for it; and does not have any other power, other than that set out at s.93 to charge. However, the authority must ensure that its income from charging does not exceed its costs. s.3 LA 2011 is very similar, and provides that the authority: must not be under a statutory obligation to provide the service; the person must agree to it being provided; and (ignoring the s.3 provisions and those set out at s.93 LGA 2003) there is no other power to charge for providing the services. If the council wishes to trade using this power then, similarly, it must ensure that its income from charging does not exceed its costs. If these

criteria are met, then these provisions give the council the power to charge, providing that a surplus / profit is not made.

6.2.4 When assessing costs - for charging purposes - guidance requires authorities to ensure that: "taking one financial year with another, the income from charges does not exceed the cost of provision". The guidance also refers to CIPFA Best value accounting code of practice for the methodology of how best to establish base cost for the service. Financial colleagues should be consulted about how they work out this base cost and ensure that any charging falls within the relevant statutory provisions.

6.2.5 Of course, the Council will have greater discretion to set charges, and make a surplus, should it in the future decide to establish a trading company.

7. KEY RISKS

7.1 The key risks identified with not accepting the recommendations in this report are as follow:

7.1.1 The current lack of clarity regarding the future funding for LAs and schools means that decisions about establishing a trading company will not be based on sound or evidenced financial predictions;

7.1.2 It is imperative that all traded services with schools and settings are and continue to be based on a full cost recovery model, to reduce the risk to the LA. This needs to be achieved before a trading company is established;

7.1.3 There are a wide range and number of traded services/buy backs which operate with schools and settings across the Council. A consistent approach is required to all these services to both charging policies and quality assurance before setting up any standalone trading company.

7.1.4 it limits the opportunities for services to seek additional income from outside the LA. The Ensen website, along with direct marketing both inside and outside of the borough, will ensure the Ensen brand is recognised for the quality it provides.

7.2 A SWOT analysis was also carried out as part of the analysis of risk and is attached at Appendix 1.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

Ensen will deliver on Fairness for All by continuing to offer schools and settings the support and challenge they need to deliver high quality education, improving standards and narrowing education gaps for all children and young people across the Borough.

8.2 Growth and Sustainability

Ensen aims to offer good level of support for schools, ensuring that they are able to cater for the changing needs and growth of the population of Enfield. Through the services offered by Ensen schools will contribute to the growth and sustainability of communities, with good schools attracting more families and businesses to all areas of Enfield.

8.3 Strong Communities

Schools are hubs of the community and so by ensuring the quality of education in schools, services offered within Ensen will be contributing to creating stronger community hubs within Enfield, reaching across all areas and demographics.

9. EQUALITIES IMPACT IMPLICATIONS

The recommendations of this DAR will not impact the current delivery of Education Services and so no Equalities Impact Assessment has been undertaken. Education Services continue to be committed to ensuring equal opportunities for all children and young people across Enfield.

10. HR IMPLICATIONS

As detailed in this report, the branding of existing service under the title of Ensen presents no immediate implications for staff currently working within the services proposed to be considered as part of the traded offer. The staff remain Council employees on their current terms and conditions of service.

Should this situation change in the future and a further proposal be brought forward to form a separate entity, as originally envisaged, TUPE will apply and the appropriate consultation will need to take place with affected staff and Trade Unions.

11. PUBLIC HEALTH IMPLICATIONS

Public Health promotes best outcomes for all children and young people in Enfield and reduces inequalities. The service will continue to ensure that it considers the impacts on Public Health priorities in the local area and improves the wellbeing of children and young people. As this report does not propose

any changes to current service delivery there are no specific public health implications.

Background Papers

None

Appendix 1

SWOT Analysis - Ensen Model of a separate legal entity trading company	
<p>Strengths History of well-known and trusted services Staff TUPEd over would be known to schools and have good relationships Staff have an in-depth knowledge of schools and can therefore broker services more effectively</p>	<p>Weaknesses Lack of certainty about school finances and ability to purchase services The department has limited experience in business management Need to “buy in” additional services to run the business e.g. accountancy, legal advice etc.</p>
<p>Opportunities Wider range of opportunities to apply for grant funding Greater flexibility and agility in dealing with business processes such as recruitment and finances Potentially wider opportunities to trade outside of the borough</p>	<p>Threats External providers In terms of business planning pensions and redundancy liabilities place too high a financial risk on the company meaning it is not viable Cuts to school funding are reducing their ability to purchase services Currently most SLAs are purchased on a 1 year basis, with a few extending to 3 years, therefore there is limited ability to forward plan.</p>

SWOT Analysis - Ensen Model as an internal trading brand	
<p>Strengths History of well-known and trusted services Staff are known to schools and have good relationships Staff have an in-depth knowledge of schools and can therefore broker services more effectively Strong internal leadership and support structure within Children’s Services Department</p>	<p>Weaknesses Although the department has traded with schools for a long while it has limited experience in marketing services Internal charging processes are not transparent and out of the control of the manager</p>
<p>Opportunities Can apply for some grant programmes Ability to tailor services more closely to market needs Make more effective links between services across the council Will give internal services more time to test the market and realise the full impact of funding changes</p>	<p>Threats Cuts to school funding are reducing their ability to purchase services External providers are able to be more agile and have less restrictions e.g. subsidising services to gain market share Internal charges could make the services more expensive and therefore less competitive</p>

MUNICIPAL YEAR 2016/2017 REPORT NO. 218**MEETING TITLE AND DATE:**

Cabinet – 15 March 2017

REPORT OF:

Executive Director – Regeneration & Environment

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Agenda – Part: 1

Item: 8

Enfield Town Master Plan and a Strategy for Vacant Shop Premises in Church Street**Wards:** Town & Grange**Key Decision No:** 4474**1. EXECUTIVE SUMMARY**

- 1.1 Enfield town is the borough's principal town centre and the Council is bringing forward a masterplan to guide planning and investment decisions for its successful future. However, since January 2016, a number of vacant shop premises in Church Street has increased to a level that is now impacting on the viability and trading of the street and negatively affecting the character and appearance of the conservation area. Given the length of time and persistent nature of the vacancies along Church Street, options to address this situation require consideration.
- 1.2 The Council is preparing a framework Master Plan for Enfield Town, which will include planning and development options for the north side of Church Street between the Market Square and Little Park Gardens. This will form the basis of consultations with affected property owners and occupiers.
- 1.3 This report sets out the work being undertaken and initiatives being explored as part of the master planning process.

2. RECOMMENDATIONS

- 2.1. That Cabinet approves the preparation of a development strategy for vacant shop units on Church Street, as part of the Enfield Town Framework Master Plan.
- 2.2. That Cabinet supports ongoing dialogue with owners and occupiers of affected properties to explore options, as set out in paras. 3.13 to 3.15, in advance of any future reports to Cabinet to implement the reuse of the vacant premises, including, as a last resort, acquisition.

3. BACKGROUND

- 3.1 Enfield Town is identified in the current London Plan (published March 2016) as one of London's 35 major town centres and is the only major centre within the borough. As such, it serves a distinct and critical role as a hub of economic and commercial business activity. Enfield's Local Plan Core Strategy (approved in 2010) supports Enfield as the main destination for comparison goods shopping and as the priority for new retail development. The Core Strategy also identifies a need for developments that will foster a diverse evening and night time economy. Further to this, recent analysis as part of the preparation work currently being undertaken for the local plan have highlighted the growth potential of the centre to accommodate more retail, office, leisure and residential uses.
- 3.2 However, despite the positive outlook overall, since January 2016 the number of vacant shop premises in Church Street has remained at a level that is impacting negatively on the viability and trading of the street. This particularly affects premises towards the Chase end and the northern side of Church Street with several long-term vacancies having deleteriously affected the economic and environmental well-being of the town centre, and is negatively affecting the character or appearance of the conservation area. This also impacts on the perceived health of the town to visitors, particularly as these vacant units are located on one of the town's principal shopping streets. For this character to be so diminished by such a level of vacancies obliges the Council to consider action.
- 3.3 Visual surveys to record the level of vacancies on Church Street undertaken in January 2016 and January 2017 recorded a significant level of vacancies on the north side and confirmed that the level of vacancies had increased with the units vacant a year earlier remaining so. The vacancy rate within the identified survey area along Church Street is 24% compared to the rest of the town centre that has a current vacancy rate of 8%. This vacancy rate clearly compares unfavourably to the rest of the town centre, which would indicate that the presence of these vacancies is due to more than just 'churn' or readjustment of the market and points to a more fundamental, structural set of circumstances involved.
- 3.4 The closest major centres to Enfield Town, located in neighbouring Outer London Boroughs Barnet and Waltham Forest, are Edgware and Walthamstow respectively. Their overall vacancy rates stand at 9% in Walthamstow (Waltham Forest AMR, 2016) and 5.9% as an average across Barnet's town centres (LB Barnet unpublished data, 2016). This compares to the current vacancy rate in Enfield Town of approximately 8%. However, it is worth noting that neither Walthamstow nor Edgware harbour pockets of vacancies similar to the situation on Church Street.

- 3.5 Following conversations with the commercial agents for property owners on Church Street it is confirmed that they make a balance of judgement between accepting lower rentals on shorter terms and holding out for higher rentals on longer terms. They perceive they get criticised if they either fill up the high street with short-term occupiers, such as charity and betting shops, or if they risk nil income for a period in the hope of getting a better quality tenant. Long vacancy periods may affect expected rentals of nearby shops, and property owners are in competition with each other for good quality occupiers, but need to some extent to collaborate on actions to maintain rental levels from tenants. However, there has been little evidence to date of property owners and agents working together in support of any wider area strategy, which is symptomatic of the disparate pattern of ownership in Church Street.
- 3.6 Feedback from agents also confirms that the ceiling heights and frontage width of premises constrain the number of potential occupiers, many of whom seek higher ceilings and more flexible retail space. Consequently, they tend to look to occupy vacancies in Palace Exchange or Palace Gardens, before considering Church Street as a location.
- 3.7 In short, there appears to be no single factor that prevents the units from being let, and market investigations have revealed that all have relatively standard lease arrangements and are being advertised on common terms. The single biggest factor is likely to be the level of rent being asked for the units, which in the case of Market Chambers in particular seems very high for the town. There is also no significant change in the rental profile of the town as you move west along Church Street, with asking rents still broadly the same as in the more prime locations despite there being lower levels of footfall and weaker 'frontage' for these units.
- 3.8 Much of the town centre is a designated Conservation Area. All of the vacant properties along the north side of Church Street are noted to make a positive contribution with buildings that still reflect some of the ambience of a market town. "*Church Street's distinctive character derives from its numerous red brick 'parades' of shops from the late 19th and early 20th centuries*".¹ Conservation Management proposals specifically recommend shopfront fabric improvements to 1-15 Church Street, and 1-13 Church Street have recently been nominated for Local Heritage Listing so that their character is taken into consideration in considering planning applications and other applications for alterations or additions.
- 3.9 Given the length of time and persistent nature of the vacancies on Church Street, potential options to address the situation have been

¹ Extract taken from Enfield Town Conservation Area Character Appraisal 2015

considered by officers. A proactive approach is advocated, as supported by the National Planning Policy Framework (paragraph 23) *“where town centres are in decline, local planning authorities should plan positively for their future to encourage economic activity”* and under the Council’s duty under section 71 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to prepare proposals for the preservation and enhancement of conservation areas.

- 3.10 The Council is currently preparing a framework master plan for Enfield Town, to be taken forward for adoption in late 2017. This masterplan will set a vision for the centre for the next 5-15 years, and will form a background report for the new Local Plan, currently in the early stages of preparation. The master plan will cover the whole town centre, including the vacant properties on Church Street. During its preparation local owners and stakeholders are being consulted on its content and scope. This consultation includes workshops with landowners and agents, including those associated with the vacant properties on Church Street, to explore various options and strategies to tackle underlying issues and respond successfully to the growth potential of the centre. The next round of workshops is confirmed for the 3rd March 2017 and part of this process will explore the future vision and strategy for these vacant properties on Church Street.
- 3.11 Following the workshops in March, a public consultation Draft Masterplan will be presented to Cabinet articulating a clear direction and implementation strategy for Enfield Town.
- 3.12 In addition, the Council is also commissioning a health check and investigation into the wider economy within Enfield Town. This will also help shape the strategy for the vacant properties on Church Street. This piece of work is currently being commissioned and will provide market intelligence to inform options going forward.
- 3.13 The objective is to work with landlords and agents to bring these vacant units into sustainable use through ongoing dialogue. Options are being explored through the Master Plan to look at an alternative and flexible planning response, taking into consideration Church Street is adopted primary shopping frontage and within the conservation area, which particularly limits options for uses such as residential at street level. The types of initiatives set out below will be subject to further investigation and dialogue with property owners and there may be other options that follow from this. These options are not exhaustive but are likely to include investigating the following:
 - a. Establishment of an Enfield Town Retail Action Group or similar body as a partnership between landlords, agents, stakeholders and the Council to promote and drive the revitalisation of vacant units.
 - b. Explore the appetite to establish of a local agent/owner group such as a Business Improvement District (BID).

- c. Measures to incentivise new business start-ups/community initiatives to occupy the units.
 - d. Promote vacant units to cater for restaurant, café uses, with support for complementary public realm improvements and infrastructure with the aim of creating an evening economy cluster along Church Street.
 - e. Review adopted Local Plan policies for the shopping frontage to allow for more flexible uses beyond A-class.
 - f. Promote vacant units to cater for restaurant, café uses, with support for complementary public realm improvements and infrastructure with the aim of creating an evening economy cluster along Church Street.
 - g. As part of (e) above, investigate the potential for the Little Park Gardens car park to be opened beyond 8pm, enabling it to support evening economy uses.
 - h. Maximise the potential for new residential development on the site opposite Little Park Gardens car park to encourage greater local footfall in the immediate area.
 - i. The refresh of shop fronts and units as part of a shopfront improvement scheme to attract new businesses.
 - j. Other options to complement the above including extending the public realm works to improve connections between Church Street, the Markets and Palace Gardens / Exchange.
- 3.14 As part of the Master Plan, property ownerships and interests will be identified and valuations for development options for reuse of the vacant premises will be sought. Once options are explored, further reports will be presented to future meetings of Cabinet, including the funds needed to implement any acquisition and property improvements.
- 3.15 The Master Plan will also develop a framework to allow for owners to work together and collaborate in addition to competing for tenants and occupiers. Discussions on the establishment of a local agent/owner group such as a Business Improvement District (BID) could be opened up as part of the Master Plan consultation. A BID is business-led and funded body formed to improve a defined commercial area and could form part of a sustainable longer term strategy for Enfield Town. BIDs have already been established elsewhere in London in similar-sized major centres to Enfield. The most developed example is Kingston-upon-Thames, where the town centre is managed comprehensively, including marketing, through a team of 11 sponsored by BID members.
- 3.16 As a last resort the Council can consider acquisition, either by agreement or via the use of Compulsory Purchase powers under section 226 of the Town and Country Planning Act 1990. Section 226 of the 1990 Act allows a local authority to acquire land and premises if it thinks that the acquisition will facilitate the carrying out of “development, re-development or improvement” on or in relation to the land or it is required for a purpose which it is necessary to achieve in

the interests of the proper planning of the area in which the land is situated.

- 3.17 Before acquisition is considered, the Council must have in place a strategy to secure the economic, social or environmental improvements alongside a strategy to cover both financial implications and risk.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council could decide to not intervene, leaving the market to determine the future of the vacant units on Church Street. However, the vacancies on Church Street are now longstanding and have over a one-year period increased further in number. Vacancy levels are unbalanced when compared with the underlying vacancy rate across the rest of the town centre. Feedback from local agents has indicated a lack interest for longer-term rents, and a reluctance to consider shorter term rents due to the risk of direct criticism. There is also an absence of any strategy to consider alternative options to fill the units on a shorter term basis as a catalyst to revitalise the area.

- 4.2 Although the Council has acquisition options available to it, the use of these without an agreed strategy and before exhausting all alternative actions and initiatives with owners and agents would be premature. Acquisition would also require resources to be allocated, based on a full survey and assessment of the type and value of the business premises involved. These costs are difficult to quantify to any degree of accuracy at this stage as they will be dependent on the acquisition strategy and the properties affected. In addition, threat of acquisition may bring with it a level of blight to these properties that could be avoided by continuing the collaborative approach with landlords and agents through ongoing dialogue and the master plan process. Should discussions and exploring all alternative options with shop owners, however, prove unsuccessful, then the significant harm of vacant shops would require the Council to pursue acquisition. This could be as soon as later this year.

- 4.3 The Council has a number of options available to it to intervene, and is already pursuing measures such as using enforcement powers under section 215 of the Town and Country Planning Act 1990 to ensure work is undertaken to tidy up the current vacant and unsightly empty units. However, this action will only address the environmental impacts of these vacant units and will not in itself bring these units back into active use.

5. REASONS FOR RECOMMENDATIONS

- 5.1 The National Planning Policy Framework states that “where town centres are in decline, local planning authorities should plan positively

for their future and encourage economic activity” (Paragraph 23). Although the bulk of Enfield Town clearly does not fall into the category of a declining centre, this end of Church Street clearly does exhibit characteristics of a declining retail area, with long term vacancies and numbers of vacant properties continuing to increase.

- 5.2 Although the Council is undertaking measures including enforcement in the short term, this only addresses the environmental aspects and will not in itself lead to these units becoming occupied. The options outlined in paragraph 3.13 supported by an agreed strategy, would include measures for the longer-term reuse and occupation of these units.

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

6.1 Financial Implications

6.1.1 This report seeks that Cabinet approves:

- The preparation of a development strategy for vacant shop units on Church Street, as part of the Enfield Town Framework Master Plan.
- And supports continued consultation with owners and occupiers of affected properties to explore options to implement the reuse of the vacant premises, including, as a last resort, acquisition.

6.1.2 The report contains a variety of future options but does not in itself commit the Council to additional expenditure. Any future proposals with cost implications would need to be subject to separate reports and full financial appraisal.

6.1.3 The cost of consultation will be met from the existing Planning Policy Budget.

6.2 Legal Implications

6.2.1 The Council has a general duty to monitor its area and take steps to encourage the use of land and premises in accordance with national and local planning policy and the Core Planning Strategy.

6.2.2 The Council has a power of compulsory purchase under section 226 of the Town and Country Planning Act 1990 if this requires to be used to achieve the development, redevelopment or improvement of land or in the interests of proper planning for its area. In order for a local authority to be able to exercise the s.226 power it needs to be able to demonstrate that the development, re-development or improvement is likely to contribute to the achievement of any one or more of the following objects—

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

6.2.3 The proposals recommended by this report are within the Council's powers

6.3 Property Implications

6.3.2 Should the Council wish to pursue the option to purchase assets by agreement, consideration must be given to the revenue position that this would incur on the council in managing and maintaining the asset and this must factor in void periods.

6.3.3 Should there be a requirement to consider letting the asset at Less than Market Value, further consideration will need to be given as to the requirements of Section 123 of the Local Government Act 1972, the General Disposal Consent and state aid.

7. KEY RISKS

7.1 As the strategy for these vacant units has yet to be determined, the risks for any given action remain a relative unknown at this stage. However, as the strategy is developed through consultation and the master plan process a full risk analysis will accompany future recommendation/s for a particular course of action.

7.2 There is potential reputational risk for the Council if consultation is not undertaken in an appropriate way with local agents and owners. However, the consultation process set out for the master plan, which will develop the strategy for these units, will adhere to the Council's Local Development Scheme and will meet legal requirements to adopt the master plan as Supplementary Planning Document in due course.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

8.1.1 Effective implementation of the development strategy for vacant shop units on Church Street will improve the shopping offer for all residents visiting Enfield Town.

8.2 Growth and Sustainability

8.2.1 Reducing the number of vacant shops in Church Street will increase the footfall and ensure that Enfield Town remains a popular, sustainable shopping destination.

8.3 Strong Communities

- 8.3.1 Town centres providing a range of retail outlets contribute to the development and maintenance of strong local communities.

9. EQUALITIES IMPACT IMPLICATIONS

- 9.1 Corporate advice has been sought in regard to equalities and an agreement has been reached that an equalities impact assessment is neither relevant nor proportionate for the approval of this report to support the development of a strategy for vacant shop units on Church Street.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

- 10.1 Implementation of an effective development strategy will contribute to achieving the Council priority outcome - 'diverse and attractive town centres and retail areas'

11. PUBLIC HEALTH IMPLICATIONS

- 11.1 There are no public health implications of preparing a development strategy, rather the implications will be dependent upon what that strategy states and its implementation.

Background Papers

None.

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MUNICIPAL YEAR 2016/2017 REPORT NO. 219

MEETING TITLE AND DATE:
Cabinet – 15 March 2017

REPORT OF:
Executive Director of
Health, Housing and Adult
Social Care

Agenda – Part: 1	Item: 9
Subject: Domestic Abuse Refuge Provision - Award of Service Contract	
Wards: All	
Key Decision No: 4409	

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1. EXECUTIVE SUMMARY

- 1.1. For the reasons detailed in this report, Cabinet is recommended to agree to the contract award of Domestic abuse refuge accommodation and support services.
- 1.2. Domestic abuse is a crime that affects a large number of people from all backgrounds nationally and locally. The Crime Survey of England and Wales (CSEW) 2016 estimated that 8.2% of women and 4.0% of men reported experiencing any type of domestic abuse in the last year (that is, partner/ex-partner abuse (non-sexual), family abuse (non-sexual) and sexual assault or stalking carried out by a current or former partner or other family member). This is equivalent to an estimated 1.3 million female victims and 600,000 male victims.
- 1.3. Enfield has the highest rate of referrals of all London Boroughs to the Multi Agency Risk Assessment Conference (MARAC). The MARAC is a panel that assesses and manages high risk cases. Enfield rates of referral to MARAC are 43 per every 10,000 of the population whereas the national average is 33 referrals per 10,000 of the population. In addition, domestic violence is the most cited risk factor in Enfield's Children Social Care risk assessment and is a leading cause of child protection proceedings and children being taken into care. Initial analysis of the Single Point of Entry referrals found that approximately 80% of cases included some form of domestic abuse.
- 1.4. Alongside other statutory and community service, Domestic Abuse support services play an important role in improving the safety and wellbeing of victims of domestic abuse and their children, along with reducing the damage caused by perpetrators.
- 1.5. Tackling domestic abuse remains a priority of Enfield Council as evidenced by Enfield Council's Cabinet commitment to sign the White Ribbon Pledge in November 2016. The aim of which is to promote education and awareness of violence against women, and to engage men in these issues.

- 1.6. Enfield currently commission Domestic abuse refuge provision and floating support services through two separate Contracts with one Provider. The Current Contract expired in October 2015 and a 6 (six) month extension was granted to enable the completion of a tender exercise.
- 1.7. At the start of the tender exercise the Enfield Procurement and Commissioning team engaged with other boroughs to gain insight into their Refuge provisions and current arrangements. As a result of these conversations it was decided to launch a multi-borough joint Procurement led by Enfield. It was agreed this would increase transparency within the limited Provider marketplace, facilitate joint-working between local authorities for example sharing of information regarding issues and trends in provision, and discussion of common issues in joint contract meetings with the successful Provider(s).
- 1.8. This report summarises the tender process and approach that has been undertaken to secure high quality refuge provision which is affordable and delivers value for money for the Council.
- 1.9. Information is provided on the current arrangements and any sensitive financial and contractual information appears in the accompanying Part 2 report.

2. RECOMMENDATIONS

- 2.1. This report advises Members of the result of the tendering exercise for the provision of refuge accommodation and, floating support services to women and their children who are fleeing from, or are at risk of, domestic abuse and seeks approval for the recommendation on contract award as detailed in Part 2 of this report.

3. BACKGROUND

3.1. Nature of the Service

- 3.1.1. This report is seeking approval to award a contract for the provision of domestic abuse refuge accommodation and floating support services to women and their children that are fleeing

domestic abuse. The service is targeted at women at risk of domestic and sexual violence. The service aims to prevent homelessness and address the needs of women and children at risk of harm to secure their safety and the safety of their children. This is achieved through a combination of advice, advocacy and housing related support provided to service users in a safe and inclusive refuge environment, putting clients on the path to long term safety and sustainable, stable accommodation.

- 3.1.2. Our understanding of domestic violence follows the Home Office (March 2013) definition as “any incident or pattern of incidents of controlling, coercive or threatening behaviour, violence or abuse between those aged 16 or over, who are or have been intimate partners or family members regardless of gender or sexuality”. This encompasses but is not limited to psychological, physical, sexual, financial and emotional abuse.
- 3.1.3. Refuges provide a safe and supportive environment for households fleeing domestic violence with short term, intensive support. Enfield’s domestic violence refuge offers a safe haven for individuals seeking refuge from other parts of the county, just as refuges in other parts of the country offer refuge to our own residents fleeing abuse. 70% of referrals to refuge services in England are from local authority areas outside the one in which the service is located. This is because most refuges prefer to accommodate victims at a ‘safe’ distance from where the offence has been committed in order for them to be safe from the perpetrator. The majority of Enfield residents are referred into refuges outside of the borough.
- 3.1.4. Legislatively, the Care Act (2014) specifies that freedom from abuse and neglect is a key aspect of a person’s wellbeing, and local authorities have a duty to provide advice and support to prevent the arising or worsening of care and support needs arising from abuse. In addition, the Housing Act (1996) and Homelessness Act (2002) specify that local authorities have a duty to provide housing advice to anyone who is homeless or threatened with homelessness – the former including those who are living in a refuge.
- 3.1.5. The borough currently provides 21 units of refuge accommodation for women over 16 with or without children in a purpose built accommodation block, aiming to resettle them into a new community via interventions lasting from six to twelve months. When examining this service as part of the tender exercise it was deemed important to maintain the current level of provision in order to meet the needs of the Borough and the prevalence of Domestic abuse.

3.1.6. The Women's aid Annual survey 2015 found that;

- On just one day, 92 women and 75 children were turned away from refuge. For nearly half of the women (45%), it was because there was not enough space for them.
- Over 66% of referrals to refuges were declined and only a third 34% were accepted
- Nearly a quarter (23%) of the total referrals were declined due to the refuge's lack of available bed space.
- The Enfield refuge continues to be 100% utilised at all times, with demand continuing to outstrip supply.

3.1.7. Enfield continues to see a year on year rise in reported domestic abuse incidents. In the 12 months (to 14th October 2016) there have been 2906 reported domestic abuse offences. This constitutes a 3% increase in Domestic Abuse offences in the previous 12 months and a 49% rise from 2011/12 baseline figures.

3.2. Tender Approach and Objectives

3.2.1. When officers began reviewing the service and exploring options for tendering Enfield engaged with a number of other boroughs to better understand domestic abuse refuge provision in other London boroughs. Enfield held a number of working sessions with the London Boroughs of Haringey and Islington. When comparing service provision and current contractual arrangements it became clear that all services were due to expire in a similar time frame. As such the three Boroughs elected to jointly procure these services with the view to procure better value for money services by increasing transparency of provision across boroughs, exemplify collaboration between local authorities and provide a consistent level of refuge accommodation and floating support services across boroughs.

3.2.2. The three boroughs worked collaboratively to develop a common specification and tender objectives for this service. Within the tender each borough had a Lot which specified individual borough requirements (such as the number of units and refuge accommodation provision).

3.2.3. The boroughs identified three overarching aims for these services;

- **Delivering independence and preventing homelessness:** through the provision of housing with support, giving people the opportunity to stabilise their lives and move on

- **Creating opportunities:** offering vulnerable and socially excluded people the chance to improve their quality of life and increase their independence;
- **Providing efficiently managed services and value for money;** through the delivery of high quality, strategically planned and personalised services which are well managed, reliable, cost effective and work well with other support and care services, placing service users at the heart of the service development and delivery.

3.2.4. The Boroughs worked hard to ensure the Specification focused on outcomes rather than a prescriptive route for service delivery as such the main aims of the Service that Providers were asked to deliver were;

- Provide refuge accommodation and housing related support to women and their children who are fleeing from or at risk of domestic abuse
- To offer both single women and women with children a safe place to live, and to support service users through the provision of an inclusive, sensitive, non-judgemental and non-oppressive support service.
- Identify collaborative ways to work with women to raise their self-esteem and achieve their goals. Where required identify counselling support to help them to overcome the negative relationships experienced in their past.
- To be culturally sensitive and flexible in its approach to dealing with referrals and deliver timely responses in order to meet the needs of the wide range of domestic violence issues affecting the lives of women and their children referred to them.
- To deliver the service in a manner that take account of residents racial and or religious background and respects individual dignity and privacy.
- To deliver services which promote good practice, are compliant with all relevant government legislation and follow published guidance with regard to the implementation of national and local strategies.
- Develop partnerships with agencies and communities to make job opportunities easily accessible and to increase the potential of women living in the refuge.
- Display innovation via delivery of supplementary services
- Be proactive in identifying and applying for additional sources of funding to provide additionality to the services provided.
- Develop pathway referrals with agencies and communities to ensure women are able to access a wide range of services.

3.2.5. All boroughs agreed to procure a contract with an initial term of 3 (three) years with the ability to extend the Contract by a further

two years on a 1 year + 1 year basis. This will allow for a degree of flexibility in the future if required.

- 3.2.6. Whilst Enfield has conducted a joint tender process with the two other London Boroughs, each borough will award a separate block contract with the successful Provider. This is to simplify Contractual arrangements and administration and to maintain a level of control over the service without adversely affecting the services of the other boroughs

3.3. Tender Process

- 3.3.1. There were 4 (four) Lots in the tender and Providers were invited to bid for one or more Lots. Identical quality and pricing award criterion were developed together with a common overarching service specification to facilitate bid submissions from Providers for multiple Lots.
- 3.3.2. A Market engagement event was held in April 2016 to better understand the market appetite and capability to deliver these services. 13 Providers attended the event representing a mix of national, local and SME organisations. It soon emerged that there are only a few organisations who are experienced at delivering specialist domestic abuse accommodation based services.
- 3.3.3. The overall contract value for the Enfield part of this procurement is above OJEU thresholds. Therefore an OJEU notice was published prior to going out to tender. This procurement is also subject to the light touch procurement regime.
- 3.3.4. The opportunity was advertised widely, using all appropriate communication mechanisms, including the London Tenders Portal and the OJEU. Invitations were also sent directly to all Providers that either attended or expressed an interest in the market engagement event
- 3.3.5. An Open procurement procedure was utilised. The tender was launched in November 2016 and responses were due on the 12th January 2017. At the close of the tender process three bids were received. Upon receipt of tenders all minimum standards and compliance checks were conducted.
- 3.3.6. The overall evaluation was based on a ratio of Quality 60% and Price 40%. The sub-criterion for the evaluation was detailed in the tender documentation. Officers with the requisite expertise and experience were selected to evaluate the tenders and comprised representatives from all participating boroughs. Providers were expected to deliver a high quality of service meeting all

requirements whilst providing value for money throughout the term of the Contract.

3.3.7. The quality evaluation assessed key areas of the service specification and included case study scenarios. In addition two questions were developed and evaluated by a panel of past Service Users. The pricing evaluation was based on the Providers completion of a pricing schedule.

3.3.8. The detailed evaluation outcomes and recommendations are contained within the Part 2 report.

3.3.9. The Contract award is planned for March 2017 with the service becoming effective from July 2017 at the end of the current contract extension period. This will enable time for an appropriate transition and mobilisation period.

3.3.10. The Procurement exercise considered the value and nature of the contract to be awarded and was fully compliant with the Council's Contract Procedure Rules and the Public Contract Regulations 2015.

3.3.11. There is clear direction provided in the detailed specification with regards to the performance management and regular monitoring of the service to ensure both timely delivery and quality.

4. ALTERNATIVE OPTIONS CONSIDERED

4.1. The project team considered de-commissioning this service, however, despite the financial pressures on the Council this option was discounted early on. If no refuge provision was funded it would result in worse outcomes for victims of domestic abuse. Furthermore given the increase in domestic abuse incidents within the borough no provision would put increased pressure on other parts of the Council.

4.2. We have also considered re-procuring the service by ourselves. This would have enabled us to work to our own timescales and the autonomy to write an individual service specification reflecting our needs as a council. However, jointly re-procuring the service with other London Boroughs enables us to increase transparency of provision across boroughs and lightening the resource needed to complete the re-procurement. Collaboration also gave us the opportunity to include best practices and lessons learned from other boroughs.

5. REASONS FOR RECOMMENDATIONS

Please see Part 2 Report.

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

6.1 Financial Implications

Please see Part 2 Report.

6.2 Legal Implications

6.2.1 Under section 6 of the Crime and Disorder Act 1998 the Council has a duty to formulate and implement a strategy for the reduction of crime and disorder in its area. The provision of the domestic violence accommodation and floating support service forms part of the Council's Crime and Disorder Strategy.

6.2.2 The Housing Act 1996 (as amended by the Homelessness Act 2002 & The Homelessness (Priority Need for Accommodation) (England) Order 2002) gives local authorities a duty to secure suitable accommodation for households experiencing domestic violence who are unable to remain in the family home and who are assessed as being unintentionally homeless and in priority need. It also creates a new ground for possession in relation to domestic violence.

6.2.3 Section 1 of the Localism Act 2011 permits the Council to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles.

6.2.4 The procurement exercise as described in the report, being in accordance with the Public Contracts Regulations 2015 (" the Regulations ") and the Light Touch Regime of the Regulations, allied to the evaluation principles and methods used, as laid out in the report , means that the award of the contracts , as envisaged , should present negligible, if any risk in actioning the awards.

6.2.5 The resulting contract to be entered into, must be in a form approved by the Assistant Director, Legal Services, Finance, Resources, and Customer Services.

6.3 Property Implications

6.3.1 The proposal is for the supplier to use suitable and safe accommodation provided by others for the purposes of this Contract. On that basis there are no adverse property implications in accepting the tender.

6.4 Procurement Implications

6.4.1 In accordance with the Public Contract Regulations 2015 the resulting contract which will be awarded pursuant to this tender process is deemed to be subject to the light touch procurement regime for social and other specific services in accordance with Section 7 of the Public Contracts Regulations 2015. The Authority has used an Open procurement process which it deems appropriate to this opportunity and ensures compliance with the regulations ensuring the process is transparent, fair and treats all Providers equally.

6.4.2 The opportunity was advertised widely, using all appropriate communication mechanisms, including the London Tenders Portal and the OJEU. Providers were also invited to attend a market engagement event. The Authority's Contract Procedure Rules state that for Contracts above EU procurement thresholds at least five written quotations must be received. Due to the specialist and complex nature of the services only 3 (three) tender submissions were received. The project team are satisfied that the three submissions received offer choice and present value for money to the Authority.

7. KEY RISKS

Please see Part 2 Report.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

8.1.1 Domestic Abuse services work with some very vulnerable women and their families. The refuge service can make a huge difference in meeting their immediate needs and ensuring their future safety and well-being.

8.2 Growth and Sustainability

8.2.1 The proposals within part 2 of the report deliver a sustainable service to very vulnerable service users.

8.3 Strong Communities

8.3.1 Research shows that services such as domestic violence refuges have a massive impact on the lives of vulnerable women and their families and can help prevent homelessness and further violence. (St Mungo's rough sleeper survey (2011) found that 35% of women sleeping rough were found to have left their homes due to domestic violence).

8.3.2 This support service gives women back the confidence to feel safe, participate in their local community and help to shape the service for future users.

9. EQUALITIES IMPACT IMPLICATIONS

Please see Part 2 report.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

10.1 Within the Service specification the Boroughs have included a number of performance indicators which the successful Provider(s) is required to report on to enable the Council to determine how well the service is performing in improving people's lives and meeting the Councils objectives. Providers will need to report on this on a Quarterly basis and at all Provider performance meetings. These measures include;

- Number of Service Users accessing refuge accommodation
- Number of Children at the Service
- Number of Service Users who maintain their independence after 6 months
- Number of Service Users who have a positive placement end
- Number of Service Users who have no further incidents of domestic abuse 6 months after exiting the service
- Number of Service Users being supported through criminal justice proceedings (as a victim)
- % of Service Users identified and being assisted to access meaningful occupation when they leave the service
- Number of Service Users with a safety plan in place within one month of accessing the service
- % of service users reporting improvements to health and well being
- % of Service Users reporting support around tenancy management. Employment, education and training, debt management and benefits
- % of Service Users who attend DV Workshops or address this in one-to-one case work sessions

11. HR IMPLICATIONS

The Provider who currently delivers the Service and the new Provider(s) will be required to adhere to TUPE regulations (where applicable) on award of the Contract.

12. PUBLIC HEALTH IMPLICATIONS

Domestic violence has a significant effect on health; research suggests that women will see health professionals some 36x before seeking support for violence and it is documented that violence against the woman is often accompanied by violence against any children present. Even where direct physical violence does not occur the psychological effects can be traumatic.

The effects of violence on a victim's health are severe. In addition to the immediate injuries from the assault, battered women may suffer from chronic pain, gastrointestinal disorders, psychosomatic symptoms, and eating problems. Although psychological abuse is often considered less severe than physical violence, health care providers and advocates around the world are increasingly recognizing that all forms of domestic violence can have devastating physical and emotional health effects. Domestic violence is associated with mental health problems such as anxiety, post-traumatic stress disorder, and depression. Women who are abused suffer an increased risk of unplanned or early pregnancies and sexually transmitted diseases, including HIV/AIDS. As trauma victims, they are also at an increased risk of substance abuse. According to a U.S. study, women who experience intimate partner abuse are three times more likely to have gynaecological problems than non-abused women.

Domestic violence can be fatal; women are both intentionally murdered by their partners and lose their life as a result of injuries inflicted by them. The WHO estimates that 38% of all women murdered are killed by an intimate partner. Studies in the United States have focused on strangulation, a tactic often used by batterers. Because strangulation rarely leaves vivid external physical marks, police may not recognize the victim's need for medical assistance or the seriousness of the violence. Injuries resulting from strangulation can often be lethal; such injuries "may appear mild initially but they can kill the victim within 36 hours. Whether or not strangulation results in death, it has been recognized to increase the risk of death at the hands of the intimate partner. A 2008 study in the Journal of Emergency Medicine found that 43% of women murdered by an intimate partner and 45% of women who had been a victim of attempted murder by an intimate partner had been strangled by that partner in the past year.

Background Papers

None

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MUNICIPAL YEAR 2016/2017 REPORT NO. 220

MEETING TITLE AND DATE:
Cabinet: 15th March 2017

REPORT OF:
Executive Director –
Regeneration & Environment

Agenda – Part: 1	Item: 10
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<p>Subject: Housing Development and Estate Renewal Programme report (Edmonton Futures)</p>

<p>Wards: Upper Edmonton</p>

<p>Key Decision No: KD4272</p>

Contact officer and telephone number:

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1. EXECUTIVE SUMMARY

- 1.1 The purpose of this report is to update members on the progress of the estate renewal programme, part of which has now been supported through the GLA Housing Zones 2 funding, since the initial Cabinet approval in October 2015 (KD 3980). This report also follows on from the Cabinet report in September 2016 to approve the signing of the GLA funding agreement (KD 4334)
- 1.2 This report focuses the programme of further estate renewal schemes for 2016-2025 and to prioritise key estates. The schemes now recommended are proposed to be major estate regeneration to be developed over the coming years.
- 1.3 It should be noted that, given the continued pressure on the Council's budgets, both HRA and General Fund schemes will only be delivered if cost neutrality can be achieved, i.e. the schemes are financially viable. Alternative options are considered in this report in order to expedite delivery of some schemes, for example, delivery by a Registered Provider or Housing Developer
- 1.4 Estate renewal contributes to improving the overall condition of the Council's housing portfolio and other assets and helps towards the London Mayor's minimum house building target for the council of 798 homes per year minimum between 2015/16 and 2024/25
- 1.5 As well as contributing towards the housing target the proposed estates will contribute to an improvement in the areas in which the estates are located and the lives of those leaseholders and tenants living on those estates.

2. RECOMMENDATIONS

- 2.1 That Cabinet notes this report and recent project progress and approves the following:-
- 2.2 The appointment of a feasibility architect and Resident Engagement consultants and other supporting consultants (e.g. Structural and Highways engineers, planning consultants, landscape architects etc.)
- 2.3 The progression of work on two key named Housing Zone schemes; Upton and Raynham & Joyce and Snells. This will involve starting a comprehensive resident engagement process at Joyce and Snells estate to consider all possible regeneration options and implications for all stakeholders
- 2.4 That project officers work with planning officers to consider the potential for an Area Action plan to establish planning objectives
- 2.5 That further estate regeneration feasibilities be deferred for the time being to focus on the selected named estates

3. BACKGROUND

- 3.1 Within the last Cabinet report in October 2015 we identified a number of estates which presented opportunities worth exploring further for long term regeneration and developing new homes. Following the approval of Cabinet, initial feasibility work was progressed on the short list of considered sites, leading to a bid to the GLA in March 2016 to designate a second focused Housing Zone within Enfield. This has resulted in a further review and rationalisation of the short listed estates to prioritise over coming years those estates within the approved Housing Zone 2 area
- 3.2 Karakusevic Carson Architects (KCA) were appointed following cabinet approval to undertake capacity studies for the agreed shortlisted estates. These assessments were then considered by planning and highways colleagues, and formed the basis for the GLA bid for Housing Zone 2 status funding.
- 3.3 Estate renewal schemes contribute to the physical regeneration of the council owned estates and offer existing residents the opportunity to influence and contribute towards the improvement of their homes and neighbourhood. They should also have the opportunity of moving to new homes that may better meet their housing needs. Any further feasibility studies will explore a range of regeneration options, including full estate redevelopment, partial and infill development or a combination of these to be determined through any further stages of resident consultation
- 3.4 The sites proposed within Housing Zone 2 are generally in close proximity to the Meridian Water Masterplan Area, and Housing Zone 1, therefore fitting into the Council's strategic housing and regeneration objectives.

London-wide strategic infrastructure projects such as Crossrail 2 and increased capacity on the Liverpool Street line through eastern Enfield should support future estate renewal schemes and increased density of accommodation on those estates.

The housing regeneration aspirations for Housing Zone 2, will effectively become Phase 3 of our estate renewal programme, progressing completed and ongoing earlier phases of estate renewal, which have successfully taken place over the last seven years:

3.4.1 Phase 1 Estate Regeneration

- I. Highmead – a completed scheme of 118 homes, retail, community space and a GP surgery, in Edmonton (now known as Silverpoint)
- II. Ladderswood – this scheme is on site and will see the provision of 517 homes, a hotel, commercial (non office) space, and community space

3.4.2 Phase 2 Estate Regeneration

- I. Alma estate – The redevelopment of a total of 993 new homes (and approved for phase 1 for 228 homes), a GP surgery, community and retail space, with the first phase through Countryside Properties now underway
- II. New Avenue – a development of 408 homes, a nursery and community space, which received planning consent in November 2016 and is planned to start on site in September 2017 with Countryside Properties, subject to Cabinet update and approval in March

3.4.3 Phase 3 Estate Regeneration

- I. Upton and Raynham and Joyce and Snells Estates

See **Appendix A** for location map of Housing Zones 1 and 2

3.5 The scale of Meridian Water means that its impact needs to be felt in surrounding areas. This newly awarded Housing Zone 2 designation demonstrates how by extending the housing zone status into neighbouring communities, the GLA and the Council in partnership can help unlock the housing potential and meet the housing needs of an even wider area of Enfield

3.6 Housing Zone 2 - Edmonton Futures GLA Submission

3.6.1 A submission was made in February 2016 to seek GLA funding support and a further Housing Zone designation, as well as raising the profile and commitment to the estate regeneration initiative. The bid was to support the vital place-making agenda around housing led regeneration and included investment in clean affordable energy through the Lee Valley Heat Network (LVHN), potential transport infrastructure and public realm interventions.

3.6.2 The selected sites were considered to compliment and support the existing local regeneration projects. The Council has bid for a £30.25m recoverable

grant and a £3.25m grant to cover these interventions. Alongside the Meridian Water Housing Zone, and those in neighbouring Tottenham (Northumberland Park) and Blackhorse Lane, made a strong case for the Housing Zone status to be extended to the Edmonton Futures (previously referred to as Heartlands) area.

- 3.6.3 Enfield Council was successfully awarded the Housing Zone status by the GLA in March 2016 and the funding has been offered subject to the agreement of the Overarching Borough Agreement (OBA). In November 2016 the GLA announced that it would no longer require a legally binding OBA and would instead accept a Memorandum of Understanding (MoU) in an initiative to accelerate Council approvals. The Council would still be required to sign legal funding agreements on specific interventions once they have been fully worked through and agreed with the GLA
- 3.6.5 The bid detailed six potential estates or sites where the architect's capacity studies showed opportunities for potential regeneration and significantly increased housing numbers and associated area interventions

Site	Existing homes		
	Leasehold	LBE Rented	Total
Joyce & Snells	309	435	744
Osward, Dorman & Newland	60	88	148
The Mews	65	76	141
Upton & Raynham	-	-	42
Potential site acquisition			120
Totals	434	599	1,195

- 3.6.6 The Council have continued meeting the GLA to discuss the potential schemes and they remain open to amending the housing zone funding to better suit an agreed programme once we have clearer recommendations on selected sites, to progress or acquire and Cabinet approval. The expectation from the GLA is however to deliver further phased delivery of over 3000 new homes within this Housing Zone over the next 10 years plus.

3.7 Preferred option sites and objectives – KCA Capacity Studies

- 3.7.1 Having reviewed the initial KCA capacity studies, collated further estate data and internal feedback it is clear that Upton and Raynham and Joyce and Snells estates offer the greatest opportunity and potential to achieve the future aspirations of the Council, the GLA, our existing residents and stakeholders. From the initial estate scoring matrix Joyce and Snells were one of the key shortlisted estates. There were a small number of other estates which scored higher on the initial indicative scoring methodology,

however after further consideration Joyce and Snells were considered to offer greater overall regeneration potential and positive local impact.

- 3.7.2 Upton and Raynham already had Cabinet approval in December 2015 to proceed and the architectural proposals have progressed through to an anticipated planning submission in the Spring 2017. Cabinet should note that further site options are still being explored to ensure we achieve the best possible scheme for the future
- 3.7.3 Although we have recommended Joyce and Snells as our priority regeneration estates, any new housing options and opportunities will need to be carefully considered through a resident and stakeholder engagement process, which we would recommend starting as soon as possible, subject to the approval from Cabinet
- 3.7.4 One of the estates initially considered was Archers Drive, near Durants Park which has now been discounted. The KCA capacity study indicated that the necessary increased housing density to justify progressing a viable scheme would be extremely challenging and potentially unsupportable in planning terms
- 3.7.5 Two further estates progressed through a basic feasibility, these being, The Mews (Edmonton) and Oswald, Dorman, Newdales estate (Edmonton Green). At this stage it is recommended to defer any further feasibility work and focus resources on the larger estate opportunities. These may be revisited further in the programme

3.8 Housing Zone 2 - Vision and Objectives

- 3.8.1 The Council will need to agree clear objectives for further large scale estate regeneration, taking into account lessons learnt from current schemes and council financial constraints, but in summary these should be considered;
- Achieve the Council aspiration for 40% affordable homes within the schemes, with no net loss of affordable homes and objective to provide additional if possible
 - Objective to achieve a significant net increase the number of new homes on the selected estates
 - Improve transport, community and infrastructure links within the area and into the key regeneration at Meridian Water.
 - It is a priority of Meridian Water to extend prosperity into neighbouring deprived wards and an explicit aim of the Meridian Water Regeneration Strategy is to take Edmonton wards out of the top 10% most deprived in the country
 - Objective to be cost neutral for the HRA through housing and land sales and construction partnerships, and to be delivered within the early years' funding constraints.
 - Objective to retain an agreed level of Council housing to provide homes for Council residents, ensure a long term revenue stream and asset value

- Early and effective resident engagement building on the achievements of other estate regeneration and infill housing. Objective to set up a residents' panel with a clear and agreed residents offer for both tenants and leaseholders
- Effective working with key partners and stakeholders – GLA, Council members, TfL, local schools and business, Registered Providers (RP), Developer partners, internal stakeholders etc
- Effective co-ordinated approach with adjacent LB Haringey to optimise the opportunities and public services presented through the regeneration around Tottenham and White Hart Lane as well as Meridian Water
- Local town centre improvement to upgrade the retail offer, create local jobs and opportunities as part of a wider 'place making' strategy.
- Objective to seek to link new developments into the Lee Valley Heating Network (LVHN) to provide affordable heat and energy through Energetik
- Estate renewal schemes contribute to the physical regeneration of Council owned estates and offer existing residents the opportunity to move to new homes to meet their housing needs. As well as ensuring a new supply of homes for existing residents, additional homes can be developed for affordable rent, other affordable housing tenures, market sale and private rent thereby helping to create mixed communities and meeting the diverse housing needs in the borough
- The estate regeneration also offers the opportunity to consider providing essential key worker homes and older persons housing provision. The need for these will be assessed during the feasibility stages

3.8.2 Vision

These projects provide the council the opportunity to support, enable and create holistic local area transformation, and a more prosperous community. This has to be facilitated through open consultation and acceptance of existing estate problems, the increasing need for affordable housing in the area and other challenges. We will aspire and be committed to creating sustainable housing, local business and retail areas for Edmonton where people choose to live, bringing in much needed investment and jobs into the area.

All new homes built within the programme will be designed and delivered to the current quality standards (working to the London Housing Design Guide) for rent and sale, to create a desirable place to live, whilst remaining realistic to achieve financial viability and deliverability to ensure long term success for the council and all stakeholders. Any regeneration schemes would also seek to follow current best practice, as set out the new GLA guidance, 'Homes for Londoners', December 2016

3.9 Next stages and Procurement options

3.9.1 We would recommend the next stage of the project is to appoint an architect from our framework to progress the concept stage through further

feasibility studies. We would also require the support services of a resident engagement consultant to meet and question the residents about their feelings and aspirations for their estates and to actively involve them all in the feasibility options over the coming months. This would lead to the setting up of a Residents' Board should the scheme proceed. We would also recommend the appointment of supporting cost consultants, planning advisors and necessary legal support.

3.9.2 The architectural and financial viabilities will help assess and consider various procurement options to deliver the scheme and offer best value for the Council. Often it is in the Council's long term interest to retain ownership of land and new homes, however this may not prove to be financially achievable. This would determine whether we are better to dispose of land and properties, partner with a developer, an RP, develop the project ourselves, or a combination of these. In all methods of delivery, the Council will consider negotiating with adjoining land owners where land assembly could lead to a better scheme.

3.10 Procurement Options

3.10.1 **Development Agreement/ Developer led regeneration:**

Under this approach the Council will enter into a contract, (Development Agreement), with a developer (or developer/RP consortium). The contract will set out the respective roles and responsibilities of the Council and the developer. The agreement will provide for the pre-conditions and terms of transfer of the land and, on larger opportunities govern a phased process of decant, transfer and development. The new affordable units built will most likely then pass to an RP on completion unless the Council can afford to retain some.

3.10.2 **Enfield led Regeneration**

The Council acts as master-developer for the development. Under this approach the Council takes the lead developer role, retaining substantive control of the development. We will assemble the development sites, and undertake design and planning activities. The Council may directly employ a contractor to build out the development, or a phase of it using traditional JCT build contracts rather than a DA, and may parcel up the sites and procure separate developers for them. We could also work with an RP from the early stages, who should be more closely aligned to the Council's objectives, as opposed to working with a more profit driven private developer.

3.10.3 **Recommendation** - is for the Council to control and determine the next stages of feasibility and planning development through the resident and stakeholder consultation. This will allow the council to better establish a more robust deliverable regeneration scheme to then offer to the commercial developer and RP market to competitively bid for. The scale of Joyce and Snells may offer the opportunity for more than one competing developer partner, however we would need to aware that that this approach would present potential conflicts on site, in communication, construction

and servicing and would therefore require clear objectives from all partners. These options will be further investigated during the feasibility stage and then reported back to Cabinet on proposals which may take the projects further.

3.11 Resident Engagement

3.11.1 This report seeks Cabinet approval to progress the project through consultation with residents and other stakeholders for the Joyce and Snells and Upton/Raynham estates. The plan is to appoint specialist resident consultation consultants to support the next stage of the architectural feasibility studies and advice on a detailed consultation strategy. The aim is to establish what residents like and dislike about their homes and neighbourhood and what future regeneration options they would actively support.

3.11.2 This initial consultation will give residents the opportunity to give their input to the redevelopment proposals and most importantly whether or not if they generally support a preferred option. Residents support is vital in progressing ambitious estate renewal schemes and their continued involvement through further consultation events and resident panels will be developed once schemes are approved and underway

3.11.3 Each estate will have a proportion of leaseholders; either tenants who have exercised the right to buy or people who have bought ex-RTB properties on the open market. The level varies from estate to estate and within this group there will be a split between those still resident and those who have moved off the estate. While the view of non-resident leaseholders will be sought it is the views of those still resident that require the most consideration as it is their homes that are being redeveloped. Leaseholders will be offered advice and support and resident leaseholders wishing to remain on the estate will be consulted upon housing options to do so. The priority is to establish and approve an offer document to all residents. This will be in line with what we have offered on other Enfield regeneration schemes, however also taking into account current best practice and lessons learnt from previous scheme such as the successful resident consultation of Highmead/Silverpoint on Fore Street which local residents will be aware of.

3.11.4 Decanting of residents is a likely implication of any estate regeneration and was covered in some detail in the October 2015 Cabinet report.

3.11.5 Where larger estates are proposed to be redeveloped, these should be linked to smaller nearby sites to help meet the requirements of tenants wishing to move. Should the need arise newer developments could be used for decanting off the estate. The proximity of the decant unit should help ensure that tenants can continue to maintain existing social networks and access to schools and work, etc.

3.12 Next Stages and Draft Programme

- **March 2017** – Brief and mini competition to select feasibility Architect from our framework (Include for resident engagement specialist and planning consultant)
- **March 2017** – Update on progress and recommended approach to Cabinet
- **January/March 2017** – Tenancy and leaseholder audit checks
- **April to September 2017** – Architects feasibility and stakeholder consultation stage. This period will also require further necessary estate surveys for example, structural, legals, commercial leases and utility services requirements. Financial viability will also be assessed as the options are considered as well as ongoing discussions with planning officers
- **September 2017** – Prepare initial invitation to tender (ITT) for the selection of a developer partner
- **September/October 2017** – Cabinet report on recommended regeneration and procurement options

(Further progress subject to Cabinet approval and viability options)

- **September to February 2017** – Appointment process Developer/RP partner. Continued resident engagement stages
- **February to September 2018** – Development of masterplan and sites with Developer/RP working towards an agreed form of Development Agreement
- **September 2018** – Council submit outline planning application for masterplan
- **October 2018** – submit agreed Phase 1 site or sites
- **March 2019** – Phase 1 site planning approval
- **August 2019** – Start on site, Phase 1

There will be a need to consider necessary council approval stages to ensure these do not impact on the indicative delivery programme

3.12.1 The recommended approach to Cabinet would be to appoint an architect to review and progress the RIBA stages 0, 1 and 2 to progress the core brief, business case and feasibility.

- Stage 0, Strategic Definition; Identify the business case and client's brief. Establish and the project programme and consider options for project team and procurement
- Stage 1, Preparation and Brief; Develop the project objectives, outcomes, sustainability aspirations and project budget. Progress feasibility studies and review all site information. Continue assembling the project team and options for delivery. Prepare Project Execution Plan, communication strategies and consideration of project standards. Early planning pre application discussions
- Stage 2, Concept Design; Preparing concept design. Agreeing the final project brief. Preliminary cost information in line with the developing design programme. Developing the procurement strategy

They would also appoint the resident engagement consultants and work through the potential options and concepts in close consultation with the local stakeholders.

The programme will be considered by the selected supporting consultant team to ensure we have a robust procurement programme and strategy

The intention would be to tender to appoint a developer partner, once we have clearer ideas from the initial resident engagement stage. The developers would then work together with the Council and architect through to an agreed masterplan and phase 1 planning submission stage. Through this route the chosen developer would be involved at a relatively early stage in the design process and contribute through commercial knowledge and buildability to potentially avoid abortive design and planning work. However, this approach would allow the opportunity to better define the required Council outcomes and planning aspirations from any development partner and development agreement

3.13 Upton and Raynham - Update

The Council is currently reviewing the financial viability of the scheme, and reviewing funding and delivery options for this key Housing Zone 2 site. One of the advantages of bringing forward this site earlier is that it could provide greatly needed decant homes to enable the adjacent estate regeneration at Joyce and Snells. The housing mix of one and two bedroom homes for Upton and Raynham has been considered with future decanting needs in mind.

4. **ALTERNATIVE OPTIONS CONSIDERED**

4.1 The report gives Cabinet the option of supporting proposals to progress the key selected schemes.

4.2 The estates have been carefully selected as ones offering the greatest potential and need for regeneration. During the next stage of consultation and feasibility alternative options for the estates will be considered, however these are limited within:

- Estate infill development – The challenge being there is limited available land and this option does not achieve the net increase in new homes needed
- The schemes have to represent value for money, achieve financial viability within the parameters to be agreed and be affordable to the Council, particularly in the early years
- Existing stock improvement programme – Limited funding available for this option as this does not achieve any additional homes
- A 'do nothing' strategy has been considered, which effectively continues the cyclical maintenance investment and minimum investment. This option does not achieve any of the housing and area regeneration objectives of the Council or our stakeholders and will inevitably increase the challenges already on the estate over the coming years. This option

simply pushes the problems further into the future, with maintenance and management costs rising in the meantime.

5. REASONS FOR RECOMMENDATIONS

5.1 The report recommends a next phase of estate renewal schemes so that the Council can deliver:

- Better condition housing stock
- Improved housing estates, retail and other facilities
- Contribute to meeting London Mayor and Council house building targets
- Increased net housing stock
- The Council's responsibilities and duties to provide accommodation for those that need it and those that choose to live in Enfield
- Better economic and social outcomes for the borough's residents
- Improved energy efficiency by potentially connecting to the LVHN
- An estate renewal programme that can be delivered on an overall cost neutral basis that is affordable to the Council, particularly over the next five years

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

6.1 Financial Implications

6.1.1 This report seeks approval to undertake feasibility and design work and to carry out consultation on the next phase of housing development and estate renewal. The costs associated with these are included in the current HRA 30-Year Business Plan. Before any scheme progresses further, the projected costs and other financial impacts (rent loss, reduction in major repairs works etc.) will need to be modelled through the Business Plan to test affordability. Each scheme will also need to be tested for financial viability.

6.1.2 Given that the Business Plan will be constrained over the next five years, the Council will need to consider alternative financial solutions to continue to meet its estate renewal aspirations. Schemes so far have been developed through Housing Associations, the use of Council-owned companies, the sale of assets to fund projects and positive negotiation with developers. The Governments "Right to Buy one for one replacement scheme", the Council's status as a Greater London Council Investment Partner, the award of Housing Zone status by the GLA and the setting up of the Council's own Registered Provider Company will all also present opportunities to lever in funding to contribute towards scheme development.

6.2 Legal Implications

6.2.1 The proposals set out in this report are in accordance with the Council's main powers and duties, as local housing authority, contained in Part II of the Housing Act 1985.

- 6.2.2 Local authorities have a general power of competence which is set out in s. 1.1 of the Localism Act 2011 and states that “a local authority has power to do anything that individuals generally may do. Ss (2) states that “Subsection (1) applies to things that an individual may do even though they are in nature, extent or otherwise— (a) unlike anything the authority may do apart from subsection (1), or (b)unlike anything that other public bodies may do.” Where the authority can do something under the power, the starting point is that there are to be no limits as to how the power can be exercised. For example, the power does not need to be exercised for the benefit of any particular place or group, and can be exercised anywhere and in any way. Section 2 sets out the boundaries of the general power, requiring local authorities to act in accordance with statutory limitations or restrictions. Further, section 111 of the Local Government Act 1972 confers on a local authority power to do anything which is incidental or conducive to the discharge of any of its functions.
- 6.2.3 When procuring the architect, resident engagement consultants and supporting cost consultants, planning advisors and necessary legal support referred to in 3.9.1 above, the Council must comply with its Contract Procurement Rules, the terms of any framework agreement(s) and (where applicable), the requirements of the Public Contracts Regulations 2015.

6.3 Property Implications

- 6.3.1 The estate renewal programme is supported by Strategic Property Services as one of the strands for the Council’s house building target of 798 homes a year between 2015/16 and 2024/25
- 6.3.2 Following the high level review of urban capacity, it is essential that further feasibility review work is undertaken to better understand the local context and in particular further due diligence including but not limited to the following
- Town Planning opportunities and constraints
 - Title report and potential encumbrances including rights of way, easements, wayleaves and any other rights granted to leaseholders and third parties on land affected by the proposals.
 - Highways capacity (on and off street provision)
 - Utility Services (location and capacity)
 - Impact on Public Realm and amenity space
- 6.3.3 Further consideration will also be required in terms of method of sale, joint venture or direct development following completion of the feasibility studies on identified estates.

6.3.4 Decanting arrangements may be required depending upon the quantum, scale and type of proposal on each estate which may involve additional development costs which should be fully considered at the viability stage.

7. KEY RISKS

7.1 The Council has responsibility to ensure that it is:

- meeting the needs of its tenants and leaseholders
- contributing to house building targets
- maintaining its accommodation both to ensure its physical fabric is sound but also ensuring that value for money is being obtained by not investing in buildings that are becoming uneconomical to repair
- to provide housing for people that are living in the borough both to whom the Council has a statutory duty towards e.g. the homeless or those seeking accommodation via the open market

7.2 By not having a continuous supply of sites for new development the Council will find it harder to achieve the above objectives. By using its own land resources it can help deliver the wide range of targets in 7.1 without being wholly reliant on others.

7.3 Scheme financing is a key risk due to the pressures on the HRA business plan and alternative methods of developer partnering and procurement will need to be considered if the schemes are to achieve a cost neutral position. Whilst the Council may wish to develop and retain its own housing stock this may not be a viable option, which will be tested through the feasibility stage. We need to carefully consider the costs of buy backs, decanting and home loss to enable the schemes to progress.

7.4 GLA Loan – the loan is recoverable and therefore the impact of this significant borrowing (£30m) and payback period through to 2025/30 will need to be allowed for within the financial viability. A land value will therefore need to be realised to cover any outstanding loan. The Housing Zone status brings with it aspirational new homes targets which if not achieved could have reputational implications for the Council. The specific interventions and housing targets will need to be agreed on a site by site basis with continuous engagement with the GLA to ensure mutual agreement to any revisions to numbers or the programme.

7.5 Residents and leaseholders – the buy in of all stakeholders is essential for any estate regeneration. Any change in tenancy conditions or existing rights are likely to be objected to unless the wider benefits can be effectively presented.

7.6 Existing Housing Association (RP) properties – There are a number of existing properties within the estates that may have to be bought back or potentially compromise the masterplan. Early engagement with the relevant RP's will be essential to ensure they are understanding and supportive of the overall regeneration objectives.

- 7.7 Additional land acquisition and use of Compulsory Purchase Orders (CPO) – these are an obvious risk to the projects as they present uncertainty. The early land assembly and support from adjacent land owners is essential. Any requirement for a CPO which would legally permit us to acquire necessary land at properties at agreed market values set by the District Valuer, which would have to be allowed for, however members should be aware a positive outcome to a CPO is by no means a certainty.
- 7.8 Selection of partner contractor – This procurement process needs to be carefully considered to ensure we can select from approved frameworks without necessarily starting an OJEU procurement route. If this is required, it will add significant time to the programme.
- 7.9 Improvements for leaseholders – any estate improvements which impact on Section 20 notices and recoverable money will need to be carefully considered. All costs will need to be fully justified and clarified throughout to reduce the risk of objections and arbitration. There may be the need for major costs to be considered within the wider regeneration budget and not recharged back to leaseholders
- 7.10 Retail and business decanting – There will likely be the need to relocate local businesses in order to release sites. These need to be carefully considered in line with their leases and future sustainability of the local retail provision
- 7.11 Planning designation – It would be advantageous to agree a clear planning Area Action Plan in order to set out our regeneration intentions for the estates and therefore support any necessary CPO process. Planning approvals will always remain a manageable risk through continuous engagement with the planning team.
- 7.12 Lee Valley Heating Network – Although it is an aspiration for the project to tie into the wider district heating system there is a risk that the implementation could compromise the scheme financial viability. This will need to be assessed against alternative energy provision and ongoing considerations for other projects
- 7.13 Existing trees and car parking levels – these are both significant considerations, as in order to densify the estates these will both be lost or reduced, potentially creating planning and objections risks which again will need to be carefully managed

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The proposed redevelopments of these sites can provide replacement accommodation to a much higher standard, and provide an increase in the supply of much needed new housing for different tenures and income levels, along with higher quality related facilities.

New housing for mixed tenure, delivered by the Council can help tackle inequality and provide high quality, affordable and accessible accommodation for Enfield residents.

8.2 Growth and Sustainability

Increasing the supply of new housing can satisfy market demand in the borough for new housing, and help meet the borough's housing needs.

New homes will be designed to meet relatively high standards for sustainability. The Code for Sustainable Homes is being superseded but the Council will insist on Code for Sustainable Homes Level 4 or equivalent for its new developments.

8.3 Strong Communities

Increasing housing supply, designing new mixed tenure homes and schemes with strong urban design principles will encourage activity, interaction and community cohesion will have a positive impact on the local communities.

Residents living in close proximity to proposed developments, and those with interests affected by scheme proposals will be consulted on the design of new housing development proposals.

9. EQUALITIES IMPACT IMPLICATIONS

An Equalities Impact Assessment is yet to be undertaken for these schemes. These will be undertaken if the Council proceeds with the schemes.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

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

11. PUBLIC HEALTH IMPLICATIONS

- 11.1 Housing is fundamental to health; housing-related hazards that increase the risk of illness are discussed later but include damp, mould, excess cold and structural defects that increase the risk of an accident (such as poor lighting, or lack of stair handrails). Excess ill-health is estimated to cost the NHS some £600 million a year through cardiovascular diseases; respiratory diseases; rheumatoid arthritis; depression and anxiety; nausea and diarrhoea; infections; allergic symptoms; hypothermia and physical injury from accidents. In themselves cold homes are linked to in more than 30,000 excess deaths a year.

Housing has further social implications; there is evidence that people who live in cold homes may face social isolation as they may become

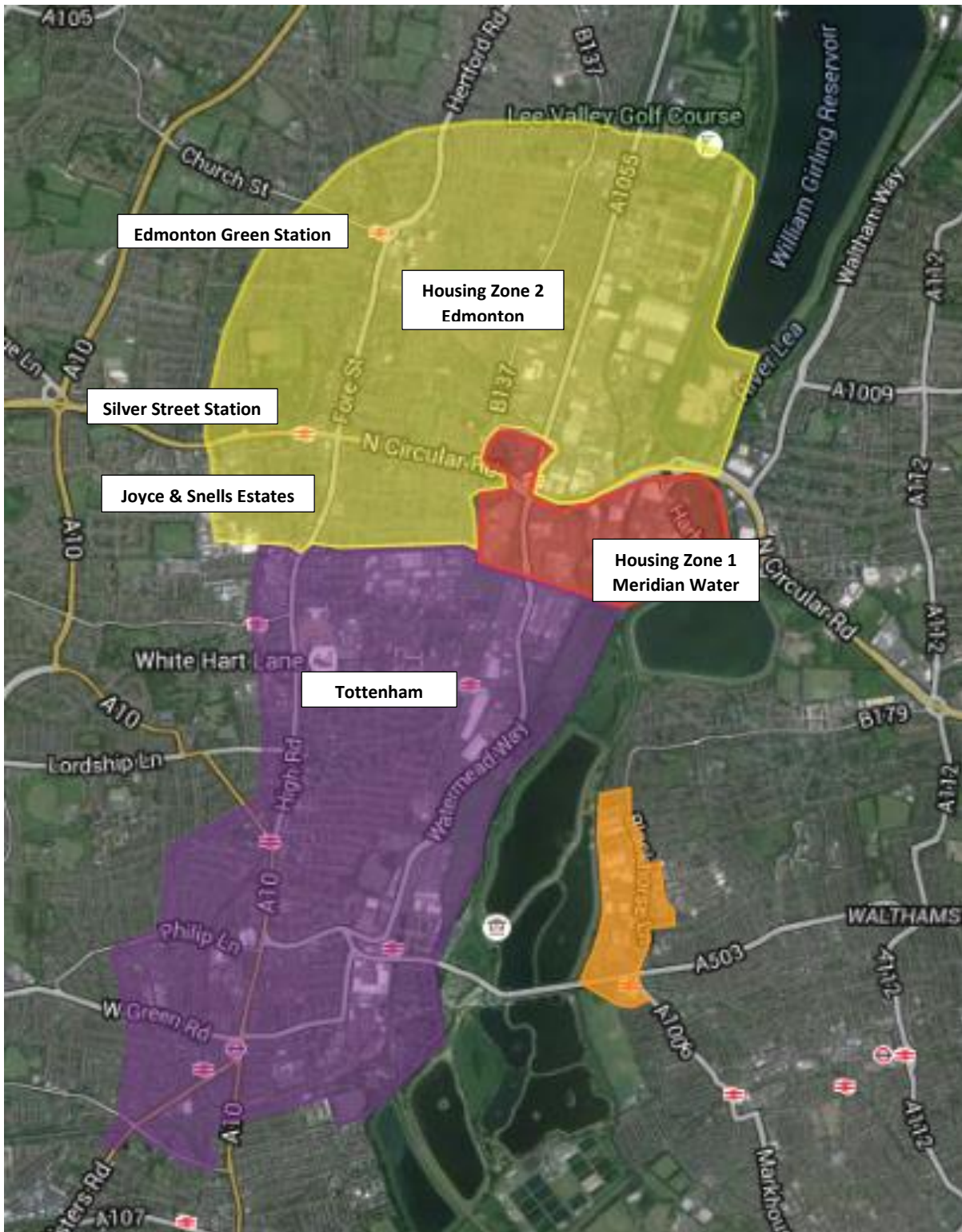
embarrassed and not wish to invite people into their home. This will compound physical and mental health issues.

Background papers

None

Appendix A for location map of Housing Zones 1 and 2

APPENDIX A – HOUSING ZONE 2. Location Map



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MUNICIPAL YEAR 2016/2017 REPORT NO. **222**

MEETING TITLE AND DATE;

Cabinet – 15 March 2017

JOINT REPORT OF:

Executive Director of Health,
Housing and Adult Social Care
and Executive Director of
Finance, Resources and
Customer Services

Agenda – Part: 1	Item: 12
Subject: Reprovision Project – Business plan	
Wards: All	
Key Decision No: KD 4309	

Contact officer and telephone number:

Bindi Nagra

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020 8379 4274

1. EXECUTIVE SUMMARY

- 1.1 In January 2017 Cabinet, having received a report on the reprovision, resolved as shareholder to write to Independence and Well-being Enfield Ltd (“the Company”) to update its business plan to incorporate operating a dual registered 70 bed care home and undertake necessary mobilisation ahead of any approval of the business plan
- 1.2 In addition Cabinet asked for the updated business plan to be brought to Cabinet for approval having undergone the necessary due diligence.
- 1.3 Cabinet as shareholder is also asked to note and approve the articles of association for the Company and the extension of the management agreement to extend the scope of the management agreement to include the operation of a dual registered 70 bed care home.

2. RECOMMENDATIONS

Cabinet is asked to:

- 2.1 Note the contents of the Part 2 report; and
- 2.2 activate the Council's contingency arrangements, which are to expand the role of the Company by extending the scope of the management agreement to include the operation of a dual registered 70 bed care home, so that it can also undertake service delivery at the Home; and
- 2.3 as shareholder note and approve the company Articles of Association; and
- 2.4 Delegate to the Executive Director of Health, Housing and Adult Social Care, in consultation with the Executive Director of Finance, Resources & Customer Services, the negotiation of the terms and the signing of the service, and management agreement between the Company and the Council.

3. BACKGROUND

- 3.1 In July 2013, Cabinet and Full Council agreed to commission the design and construction of a dual registered care home and to then procure the service delivery aspect separately through a tender process.
- 3.2 The new care home will be a 70-bed dual registered care home for older people, on the former Elizabeth House site in the East of the Borough, and is due to open in early 2017 (the “Home”)
- 3.3 The new facility will provide 70 beds of care and accommodation for older people initially catering for the resident population transferring from the two care homes Bridge House and Coppice Wood Lodge and following this to become a high need residential and nursing care facility.
- 3.4 The Company commenced trading in September 2016, following approval by Cabinet in December 2015.
- 3.5 The purpose of establishing the Company was to enable the Council to continue to deliver high quality independence and wellbeing services, and to pursue commercial opportunities, otherwise not permitted under the local authority regulatory framework.
- 3.6 The Company currently delivers and manages a number of services, including:
 - Wellbeing services
 - Outreach services
 - ICES
 - Wheelchair Service
 - Safe and Connected
 - New Options
 - Formont
 - Community Link
 - Park Avenue
 - Rose Taylor
 - Adult Placement Scheme
 - Enablement Service
- 3.7 Bridge House and Coppice Wood Lodge, which the Company currently manages on behalf of the Council are residential care homes for older people. They have both been rated by the Care Quality Commission as delivering ‘Good’ services.
- 3.8 The Company will be well placed to deliver the Council’s contingency arrangements within the appropriate time frame, subject to approval being given to amend the current management arrangements.

3.9 THE BUSINESS PLAN

- 3.9.1 As previously reported to Cabinet in KD 4194 (Setting up the Council's Trading Company) in December 2015 Cabinet approved a recommendation to establish a trading company. The Company currently provides a variety of services (as set out in 3.3) which deliver support to people within their own homes, day centre based activities and support, community equipment and residential based services for people with dementia, including respite provision and end of life care with nursing support co-ordinated by the homes from within the district nursing service. The management agreement will now be expanded to include a requirement by the Council of the Company to directly provide, in addition to support for people with dementia in a residential care setting, nursing care and care for continuing healthcare patients. Such nursing care and care for continuing healthcare patients to be provided within the parameters set out in paragraphs 6.2.6 to 6.2.9 of the legal implications.
- 3.9.2 The Company –were formally asked to submit a costed proposal to the Council for running the new care home. This was reviewed by the Council's Commissioning and Procurement Hub and considered to meet the requirements for value for money. Cabinet subsequently agreed, as shareholder, to write to the Company asking them to update their company business plan to incorporate operating a dual registered 70 bed care home. The updated business plan for the company as a whole is attached at **Appendix 1**.
- 3.9.3 As this is a new venture for the Company the Directors of the Company at their board meeting on 25th January 2017 received a report and were asked to consider the business plan and resolve that they have considered this expansion of scope for the company and are satisfied they can meet the necessary requirements for including the additional service. The board gave approval to proceed with the business plan and proposal to run the new care home, on behalf of the Council.

3.10 COMPANY ARTICLES OF ASSOCIATION AND SERVICE AND MANAGEMENT AGREEMENT.

- 3.10.1 The Articles of Association (attached at **appendix 2**) define the responsibilities of the directors, the kind of business to be undertaken, and the means by which the shareholders exert control over the board of directors. Cabinet is asked to note and approve these as the sole Shareholder for the Company.
- 3.10.2 The Service Agreement and Management Agreements between the Company and the Council set out the range of services to be provided, the financial arrangements as well as other operating requirements the Council wish to see delivered by the Company, and the services provided by the Council to the Company. It is proposed that Cabinet delegate the

negotiation of terms and signing of these documents to the Executive Director of Health, Housing and Adult Social Care.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council has undertaken a number of procurements in relation to the provision project and these have not brought forward proposals which have been acceptable to the Council.
- 4.2 If no additional action is taken the new 70 bed care home would remain vacant and the Council would not be able to decommission the two currently owned local authority residential homes (Coppice Wood Lodge and Bridge House). These two homes fall below the current Care Quality Commission minimum requirements for residential based accommodation. The Council has a duty to ensure adequate affordable and good quality residential and nursing home care for local residents.
- 4.3 Expanding the scope of the Company Management Agreement to include provision for the company to deliver the service at the Home will enable the Council to activate its contingency arrangement to deliver services in a new facility.

5. REASONS FOR RECOMMENDATIONS

- 5.1 Building works for the new scheme will be completed by late January 2017. Approval of the recommendation contained within this report means that the mobilisation plans, (that is to transition residents from Coppice Wood Lodge and Bridge House to the new care home), will be able to take place in a timely and effective manner. This will also reduce any risks associated with a leaving a new building empty for any prolonged period of time.
- 5.2 The Cabinet Report of the 15th July 2015 summarised the history and reconfirmed their intention regarding the "Reprovision project" The Reprovision Project remit has been to re-organise and improve care provision to older people through the Reprovision of two Local Authority run Care Homes (Coppice Wood Lodge and Bridge House) that in the future will not be suitable to be registered by CQC and to re-provide a high-quality service within a single new purpose built building.
- 5.3 It is planned that the new facility, which is sited on the former Elizabeth House site, 1 Old Road, EN3, will provide care and accommodation for 70 bed spaces for older people initially catering for the transferring resident population from the two care homes, Bridge House and Coppice Wood. The home will be registered by CQC as a Care Home with Nursing. Staff from Bridge House and Coppice Wood Lodge will be subject to a TUPE transfer.
- 5.4 In the intervening time, residents, relatives and staff have been fully engaged and kept informed of the progress with regular engagement and

briefing about the progress with the new care home build and attempts to appoint a contractor to manage the home going forward.

- 5.5 It should be noted that for some time, permanent admissions to both Bridge House, and Coppice Wood Lodge had been ceased given the impending transfer to the new home being planned. The decision detailed in the recommendations to ask the Local Authority Trading Company – Independence and Wellbeing to manage the new home, will certainly be welcomed in bringing to an end a protracted period of uncertainty.

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

6.1 Financial Implications

- 6.1.1 A validation exercise was undertaken by Finance working with the Project Team in order to determine a fair and reasonable price for running and operating the dual registered home. This validation exercise reviewed staff complement and costs in line with expected staff mix and ratios and salary requirements including London Living Wage and contribution to the Local Government Pension scheme. The operating costs were also reviewed in line with industry standards. This exercise was undertaken with regards to the three external bids and the Council's contingency arrangements (IWE). With regards to the Council's contingency arrangements the cost breakdown submitted by IWE has also been reviewed together with the Project Team and is affordable as detailed below;
- 6.1.2 The current available gross budget for the delivery of the residential services that will be moved to the new premises stands at £2,480,300.
- 6.1.3 In addition, the council will be selling to Enfield CCG through a block purchasing arrangement, 12 Continuing Health Care (CHC) beds at £1200 per week. This will generate £750,800 per annum.
- 6.1.4 There is a budget reduction of £300,000 in 2017/18 which reflects the budget required in line with the fair and reasonable cost of running the new service and this was included in the Council's medium term financial plan. Therefore the total gross budget for 2017/18 is £2,931,100.
- 6.1.5 There is an income budget (fees and charges to Service Users) of £954,600 and the responsibility for these will remain with the Council.
- 6.1.6 Funded Nursing Care (FNC) income will be the responsibility of IWE as the provider.
- 6.1.7 The provider (IWE) submission will cost the council £2,926,965 (gross) in a full year, this being less than the gross budget of £2,931,100.

6.1.8 From the IWE perspective there will be a part year effect for the first year of operation as the nursing provision is phased in during the year. The cash flow and Income and Expenditure statements for the IWE submission reflecting this part year effect in 2017/18, followed by the full year effect in 2018/19 are shown at Appendix 3 annex 1&4 within the part 2 report.

6.2 Legal Implications

6.2.1 The Council has the power as shareholder to agree to expand the scope of the management agreement of the Company to include the provision of nursing and respite care as well as residential care and this is an area which the Company must obtain Council consent on as a reserved matter.

6.2.2 The Council has established the Company to operate on a commercial basis and therefore will be relying on the powers under the Localism Act 2011 to expand the scope of the Company.

6.2.3 Section 1(1) of the 2011 Act provides that "a local authority has power to do anything that individuals generally may do", often referred to as the general power of competence or GPOC. Whilst GPOC is not geographically limited, it is always subject to any pre-existing limitations in legislation enacted prior to implementation of the 2011 Act and specific limitations in legislation post implementation of the 2011 Act.

6.2.4 However, it is important to note that there are limits on the utilisation of the GPOC when using it for a commercial purpose. If the GPOC is to be used by a local authority, then Section 4 of the 2011 Act provides:

- "(1) The general power confers power on a local authority to do things for a commercial purpose only if they are things which the authority may, in exercise of the general power, do otherwise than for a commercial purpose.
- (2) Where, in exercise of the general power, a local authority does things for a commercial purpose, the authority must do them through a company.
- (3) A local authority may not, in exercise of the general power, do things for a commercial purpose in relation to a person if a statutory provision requires the authority to do those things in relation to the person.
- (4) In this section "company" means—
 - (a) a company within the meaning given by section 1(1) of the Companies Act 2006, or
 - (b) [a registered society within the meaning of the Co-operative and Community Benefit Societies Act 2014 or a society registered or deemed to be registered under] the Industrial and Provident Societies Act (Northern Ireland) 1969."

6.2.5 Nursing services - Section 22 of the Care Act sets out the limits on what a local authority may provide by way of healthcare and so, in effect, sets the boundary between the responsibilities of local authorities for the

provision of care and support, and those of the NHS for the provision of health care.

- 6.2.6 This general rule is intended to provide clarity and avoid overlaps, and to maintain the existing legal boundary. However, there is an exception to this general rule, in that the local authority may provide some limited healthcare services as part of a package of care and support, but only where the services provided are “incidental or ancillary” (that is, relatively minor, and part of a broader package), and where the services are the type of support that an authority whose primary responsibility is to provide social services could be expected to provide.
- 6.2.7 However, while the limits of local responsibility have not been changed, the Care Act 2014 does provide local authority and NHS organizations with more flexibility about how they integrate, cooperate and work in partnership on their respective responsibilities. Section 22(4) of the Care Act 2014 gives local authorities power to arrange the provision of accommodation which includes the provision of nursing care by a registered nurse (a term that is defined in section 22(8)), provided it has first obtained the agreement of the relevant NHS body (the body that would be responsible for meeting the cost of that nursing element)
- 6.2.8 The relevant body will be Enfield Clinical Commissioning Group who have already agreed to purchase 12 CHC beds. Further any additional patient placed at the home requiring nursing care will be eligible, subject to assessment, to receive an NHS free Nursing Care contribution and as such consent from the relevant CCG(s) under section 22(4) of the Care Act 2014.

6.3 Property Implications

- 6.3.1 The procurement proposes that the liability to keep the external and structural parts of the property in good repair falls upon the council. The costs for this will need to be met from the corporate Repairs and Maintenance Programme over the period of the contract. The costs of the maintenance of internal and non-structural parts, including inspection, testing and maintenance of Building Services, are proposed to fall to the tenant.
- 6.3.2 To protect the Council’s property interests, the terms of the agreement for the Operator to occupy the premises must be in a form approved by the Assistant Director for Strategic Property Services. It is essential that the Operator’s right to occupy is limited to only the period during which the Operator is supplying services to the Council.
- 6.3.3 The independent and well-being services transferred to the Company from 1st September. The properties within the trading company will continue to be used to run the same services but with the company running the services instead of the Council.

- 6.3.4 Elizabeth House will be provided on the basis of a short-term lease which is coterminous with the services agreement. As such the lease, would be on the basis of a period less than 7 years. For the reasons set out in Part 2 to this report, the grant of the lease does not constitute State Aid.”

6.4 Procurement Implications

- 6.4.1 The Council will be utilising its contingency arrangements and expanding the role of the Company to undertake service delivery at the Home. The Council will do this in accordance with regulation 12 of the Public Contract Regulations 2015.

7 KEY RISKS

- 7.1 Independence and Wellbeing Enfield (IWE) management team have and continue to manage both Bridge House and Coppice Wood Lodge Care Homes and therefore have a proven track record of delivering successful and high quality residential services for older people with dementia. Both care homes operated by IWE are rated by the Care Quality Commission as good. Current experience of delivering nursing care support does exist within the IWE through support sourced by IWE from the district nursing service for service users requiring that level of support. Within the new home provision (in terms of the cost and directly employed staff) has been included. This includes an appropriately skilled leadership team (Manager, deputy manager and clinical lead) as well as an appropriate whole time equivalent number of qualified nursing staff.
- 7.2 IWE will work closely with the Care Quality Commission to support timely registration of the new scheme and to ensure that the service meets regulatory requirements

8 IMPACT ON COUNCIL PRIORITIES

a. Fairness for All

Approval of the recommendation contained within this report will ensure the continued provision of high quality, affordable and accessible care services to all sections of Enfield’s community. It will also provide a nursing home facility in an area where they are scarce, giving access to those who may live in this area the ability to remain in their community and close to family and local connections, improving the equality of access to services in the local area.

b. Growth and Sustainability

As a Local Authority Trading Company, Independence and Wellbeing Enfield may seek opportunities to pursue profit making activities. Any profits which are realised will be reinvested in the local community.

c. Strong Communities

The new service will contribute to the community by providing a quality service to vulnerable older people in the Borough, and enabling them to maintain family relationships by staying in the local area. The new service may provide employment opportunities to Borough residents and potentially be of benefit to other local businesses. Independence and Wellbeing will be required to demonstrate commitment to developing strong working relationships with local advocacy and community groups and access resources within the Enfield community. Carer, Resident and Local Community Advocacy Group representatives will be pivotal to working in partnership with the Authority to ensure that the service meets the diverse needs of the Enfield community.

9 EQUALITIES IMPACT IMPLICATIONS

- 9.1 The service will be available to vulnerable older people who are Enfield citizens and require nursing or residential care. Staff will be recruited from the local area wherever possible, and will access the Council's diversity and equalities training.
- 9.2 There is an under-representation of nursing and residential provision in the East of the borough, where this new scheme will be located. The new scheme will address this under-representation.

10 PERFORMANCE MANAGEMENT IMPLICATIONS

A new nursing residential dementia care unit will contain adequate contract provision to ensure that the required performance management measures are met to deliver quality provision and service user satisfaction to optimum effect. The additional capacity in the new care home will contribute to national performance indicators, including minimising delayed transfers of care (DTtoC).

11 HEALTH AND SAFETY IMPLICATIONS

- 11.1 Independence and Wellbeing Enfield will ensure that trained, registered nurses and a clinical lead are recruited to the team, to ensure effective oversight of the nursing element of the service. As part of the mobilisation considerations Independence and Wellbeing Enfield will factor in a lead in time for recruitment of specialist staff and whether agency staff will be required to support the mobilisation and start-up of the new service.

- 11.2 All staff will undertake appropriate training to ensure that they are fully aware of and adhere to approved health and safety standards in delivering nursing and residential care. The Management Team, including the clinical lead will be responsible for undertaking appropriate checks and ensuring the safety and wellbeing of residents.
- 11.3 The service will also be supported by the Council's Contract Monitoring and Quality Teams to ensure that the service operates to the highest standards.

12 HR IMPLICATIONS

Independence and Wellbeing Enfield will take appropriate legal advice to guide staff transfer and recruitment arrangements.

13 PUBLIC HEALTH IMPLICATIONS

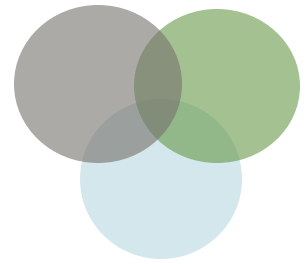
There are approximately 40,000 adults over the age of 65 in Enfield with national data indicating that 58% of those aged over 60 have at least one long-term condition (LTC). Older people continue to need greater support with daily living tasks due to physical frailty, chronic conditions or multiple impairments including dementia which affects more than 3,100 people in the borough. Where practicable and safe the Council will always try to assist people with dementia to carry on living independently within their own homes. However, the demand for residential and nursing care for people with advanced dementia continues to increase and providing this very vulnerable group of people with an appropriate living environment and level of support is increasingly challenging due to shortages of residential and nursing capacity locally within the borough. The provision of a new residential/nursing dementia facility in the north east of the borough where there are currently capacity gaps is timely and will ensure that there are sufficient high quality placement options available to local people to ensure that where necessary older people's needs continue to be met within the borough.

Background Papers

None

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INDEPENDENCE & WELL BEING
ENFIELD Ltd.



Business Plan

2017 - 2021

INDEPENDENCE & WELL BEING
ENFIELD Ltd.

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Executive Summary

Independence and Well Being Enfield Ltd. (IWE) is a Local Authority Trading Company, wholly owned by the London Borough of Enfield. It was established to ensure that good quality Adult Social Care services continue to be available now and in the future.

The blend of services to promote independence and well being is as relevant in Residential and Nursing provision as it is in Community settings. Promotion of independence and activities to generate feelings of well being, continue to be important to people as they reach the later stages of their journey.

This business plan reflects the strategic relevance of all services within the existing portfolio as well as those also currently in scope.

Portfolio

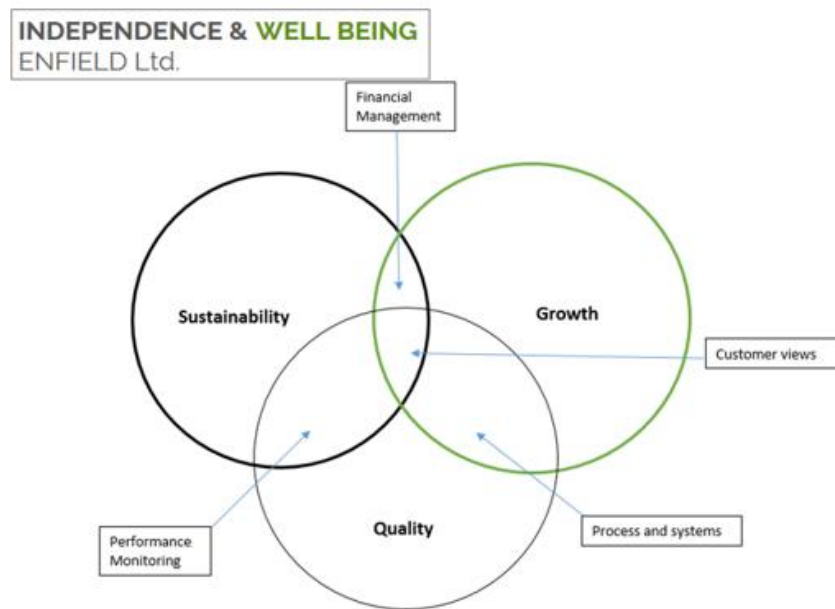
Independence Services	Well Being Services	Nursing and End of Life Care
Outreach	Formont	BridgeWood (in scope)
Re-ablement	Community Link	
Community Equipment	New Options	
Shared Lives	Park Avenue	
Wheelchair Service	Shopmobility	
Safe and Connected (in scope)	Inclusive cycling scheme	

Objectives

The core objectives of Independence and Well Being Enfield are:

- To provide good Quality of service for vulnerable people
- To develop and provide Sustainable services
- To Grow our business

Delivery against core objectives is monitored by applying a balanced scorecard methodology.



MG/CM 2016



Where each circle overlaps there is an action in place to ensure that the company is able to report on it's activity.
 BUSINESS PLAN - JANUARY 2017

To ensure *sustainability* and *growth* IWE monitors income and expenditure formally on a monthly basis however tracking of invoices, purchase orders, peripheral income, salaries and overtime monitors are monitored throughout the accounting period. This ensures we are able to operate within our cash limits and make adjustments accordingly.

In order for *quality services* to be delivered IWE has to ensure all of the appropriate systems and processes are in place. Many procedures around Health and Safety, H.R and ICT are similar if not the same to those utilised by LBE. Governance structures however are different although ultimately report to LBE as the parent company. All policies, processes and systems are subject to review and update where required. Having the appropriate systems and processes in place contributes to IWE's capacity for *growth*.

Sustainability of the *quality* of services is ensured through monthly monitoring of key performance metrics. Each service is clear as to the relevant performance indicators and should an area repeatedly miss those targets, the Senior Management Team take action to remedy. Performance Monitor is a standing item on the IWE Executive Board who make active contributions to ensure the quality and sustainability of company activities.

What our customers think about our services helps us to understand perceived *quality* and subsequently affects the *sustainability* and potential *growth* of the company. IWE has established a stakeholder forum the self named, 'Enfield Independence and Well Being Partnership' who have an interest in contributing to the direction of travel of the company. Feedback on provision is a key feature.

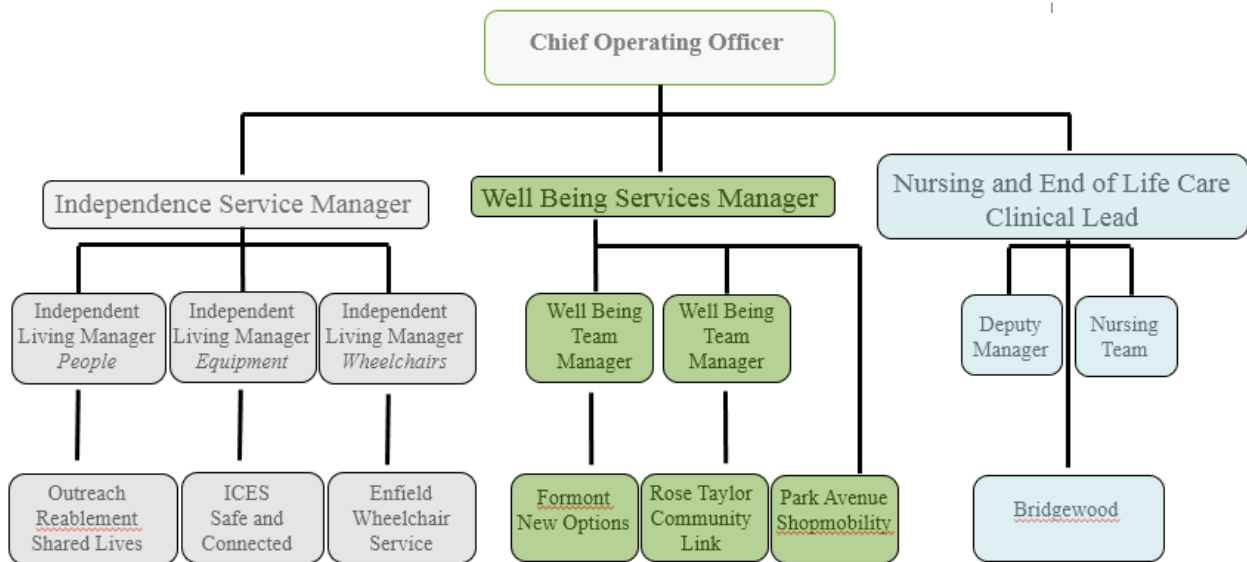


Quality Checkers and Dignity Panel provided by LBE are actively involved in customer experience collection with IWE and as well as regular informal ‘check ins’ with customers, additional focus groups are formed for key activities and an annual customer satisfaction survey is conducted.

Mission Statement

Independence and Well Being Enfield exists to enable vulnerable people to be as Independent and Well as possible.

Structure



Description of Business

Company Ownership/Legal Entity

IWE is a Local Authority Trading Company wholly owned by the London Borough of Enfield(LBE). Services have been transferred to IWE under a Teckal exemption allowing 20% of revenue to be generated by activities outside of

LBE business. The company satisfies both the control and function tests for Teckal. The Company operation is overseen by an Executive Board which reports to an Oversight Committee acting on behalf of the Shareholder.

Location

IWE registered address is:

Independence and Well Being Enfield Ltd. Civic Centre Silver Street Enfield EN1 3XA

The company operates across Enfield from a number of sites as well as in peoples own homes.

Hours of Operation

Well Being Services core service 8am – 4 pm Mon – Fri however extension plans in progress to include Breakfast clubs and more weekend offers.

Outreach Service core – 07:00 – 22:00 with ‘On Call’ arrangement between 22:00 and 07:00

Enablement – 07:00 – 22:00 7 days per week

Safe and Connected 24/7

Bridgewood 24/7

Shared Lives 24/7

Community Equipment 08:00 – 16:00 inc. weekends where required

Wheelchairs – 09:00 – 17:00 Mon - Fri

Services

Wheelchair Service

Enfield Wheelchair Service provides wheelchairs and associated equipment to adults and children living in Enfield who have no or reduced walking ability, a permanent or long-term medical condition, or a projected prognosis of six months or over. We provide a welcoming, tailored made service to meet the individual's needs.

The service provides:

- Clinical assessment to consider physical, postural, social and environmental needs
- Provision of a wheelchair and equipment tailored to meet the assessed needs
- Full instruction and handover on the use, care, basic safety and maintenance of the equipment
- Access to an Approved Repairer who provide a repair, delivery, modification, planned maintenance and collection service.
- Reassessment and review at the individuals request.

Community Equipment Service

The Integrated Community Equipment Service provides equipment and adaptations which enables vulnerable people to live as independently as possible.

The service is run in partnership with the Clinical Commissioning Group for both Paediatric and Adults Services and is responsible for the management of Enfield's community equipment loan service. This includes procurement, delivery/collection, recycling, storage, decontamination, maintenance and disposal.

Equipment includes hoists, foam/dynamic mattresses, profiling beds, seating, shower chairs and toileting equipment. The service is also responsible for arranging and providing minor adaptations including stand-alone assistive technology, grab rails, portable ramps and concrete steps.

Equipment is provided on a short or long-term basis to individuals to use in their own homes to either aid their independence, maintain or improve their state of health, to facilitate hospital discharge, or to assist others to provide care.



Outreach

The service provides care and support to adults living with dementia, learning disabilities, autistic spectrum disorder, older people and people with a sensory or physical impairment, either in the community or home based.

We focus on supporting individuals to regain confidence, maximise independence to live at home and access to the community.

Long or short term and crisis support is provided.

Shared Lives

The service recruits and trains family carers to provide care and support to adults over the age of 18 with disabilities, long term-conditions or who may be older or otherwise vulnerable. The support is provided within the carers' homes. The family carers receive payment from the Council for doing this and support through the matching and placements process.

Young people gain independence skills and there is End of Life support for people in need of this.

Respite and place of safety are offered during crisis or emergency situations.

Re-ablement

The main focus of this service is enabling people to regain lost skills and confidence typically after hospital discharge.

Short term support packages are put in place for up to six weeks in order to support people's independence to manage at home.

The service also helps people avoid going into hospital for non-medical reasons (Hospital Avoidance)

Safe and Connected

There are three options for this service.

Safe Alert

- Easy to use equipment provided Emergency centre staff available day and night
- Friends, relatives or nominated key holders contacted if you need them

Safe Response

- Includes all the benefits of Safe Alert
- Response officer available to visit you at home
- Lifting equipment available to assist if you fall

Safe In-touch

- Includes all the benefits of Safe Alert and Safe Response
- Easy to use equipment provided allowing you a daily 'I'm okay' check call
- Pre-arranged 'keep in touch' call from a member of the Safe and Connected team
- Additional sensors can be provided to support you in your home

BUSINESS PLAN - JANUARY 2017

A member of the Safe and Connected team will visit you at home to discuss the options, prices and equipment available. Depending on which service is chosen, it can cost less than 50p a day to have the 24/7 reassurance the Safe and Connected service can provide.

It is simple and easy to use. All that's needed is a telephone line to link to the service. No computer is necessary. Other alternatives are possible and can be discussed.



Handy Person Service

Examples of what we can offer to meet your requirements:

Supply and fitting

- Key safes

Fitting

- Net and curtain rails
- Roller, vertical and venetian blinds

BUSINESS PLAN - JANUARY 2017



- Flat pack furniture assembly
- Putting up mirrors and pictures

Repairs

- Minor carpentry tasks

Installing

- Grab rails, stair handrails, bannisters
- External rails
- Steps



Garden and outside

- General gardening (lawn cutting, hedge trimming, digging, tree pruning and weeding)
- Fencing (repairs and construct)
- Shed (repairs and construct)
- Paving and path mending
- Jet washing

Formont

Formont provides extensive specialised environments and an established staff team with significant experience to support adults with profound and multiple learning disabilities. We provide a service which is flexible and meets the emotional, intellectual, social and physical needs of adults in order to encourage independence and choice designed in partnership with parents, carers and wider support services in Enfield.

What do we do?

We provide a daily programme of personalised support and activities including Art Therapy, Music and Movement, Drumming Therapy, Cinemax club, Photography, Drama, Horticulture, Health and Beauty and opportunities for work experience.

Support with health needs is also provided and includes: Food and nutritional advice, swimming, physiotherapy, on site nurses visits for weight and blood pressure checks.

We work with specialist advisers and will refer for:

Nutritional support, wheelchair services, speech and language assessments and occupational therapy.

We have an extensive community access programme which enables our service users to experience community based activities what takes the place at centre.

The Pool - The heated sensory pool enables individuals to relax and complements physiotherapy which enables movement that is otherwise difficult to be achieved.



Sensory Room - Provides a tranquil environment with sound, visual and sensory touch equipment.

Reflection Room - A place to reflect and wind down in a calm environment for one to one support.

Gardens - Extensive gardens with a service user led gardening club and a secret garden.

Well Being Room - Access to well being and physio specialist equipment. Health and well being sessions run by our resident physio specialists.

New Options

New Options provides a flexible day service to adults with moderate learning disabilities based on a person-centred approach, offering choice and variety but most importantly independence. An engaging programme of activities is provided to stimulate and stretch the abilities of our service users designed in partnership with customers and wider support services in the borough. The well established staff team bring a wealth of experience to the service.

The centre is a purpose built light, bright, modern building. The interior design features a training suite, fully accessible wheelchair adapted large kitchen, a large hall with innovative sound, lighting and visual equipment. Each room has access to its own outside area. The single storey building layout enables our more independent service users to roam freely to access the multiple areas.

What do we do?

We provide a programme of support and activities designed and influenced by our service users personalised to meet their needs and promote independence. Activity sessions include;

Art and Design, History and Culture, Crafts and Sewing, Floristry, Woodwork, Music and Movement, Horticulture, Information Technology and Media, Health and Beauty.

Our life skills programme includes; Healthy meals preparation, Relationship Advice and Guidance, Hate crime prevention forum, public transport training, Current Affairs, Admin and Reception work experience.

As well as weekly visits from nurses at our centre to provide a check on blood pressure and weight, we also work with specialist advisers and will refer for specialist support regarding nutrition, wheelchair services, speech and language assessments and occupational therapy.

We have an extensive community access programme which enables our service users to experience community based activities as well as what takes place at the centre. Our immediate environment provides both direct access to Albany Park and to Albany Leisure centre.



Community link

A service providing person centred support to adults with learning disabilities to meet individual needs. We listen, empower, promote confidence and co-produce services with our customers. We also work in partnership with families, carers, social workers, health professionals and independent organisations.

Community Link has two sites; Edmonton and Enfield. The experienced staff teams support service users with learning skills for independent living including travel on public transport, personal finance, accessing health support and information, leisure, sports, drama workshops, volunteer work, women and men's groups, self-advocacy, social interaction and cultural awareness.

All Community Link customers have access to a training flat facility to learn and experience independent living skills.

Rose Taylor

The service provides for older people and those with varying degrees of need. The team promote and facilitate activities with the aim of improving the health, physical and emotional well-being of people who use the service.

Activities include cookery, fitness, music, reminiscence, bingo, arts and crafts, gardening, quizzes, hairdressing, massage, physiotherapy and for any 'silver surfer' iPads with appropriate applications.

Our customers enjoy morning refreshments and a cooked lunch. We are supported by a number of sessional workers and Tottenham Hotspur Foundation to provide activities. The primary outcome is social interaction, companionship

The centre has an adjoining allotment where the produce grown is cooked in an adapted kitchen which is also used for baking. This aims to help people to learn new skills or maintain the skills they already have. The reminiscence areas are popular with the service users where they have the use of the cinema and old style pub environment RemPods™.



Shopmobility

Shopmobility provides a free daily loan service of manual wheelchairs, powered wheelchairs and electric scooters. They are for anyone wishing to use the Edmonton Green Shopping Centre, whether an older person, those with a mobility difficulty or are temporarily immobile.



Park Avenue

As a fully accessible building, Park Avenue is a unique community resource for physical disabilities and sensory impairments, which respects peoples own identity, abilities and choices. We provide a service that motivates and empowers people to learn new skills, join in friendly therapeutic activities and meet friends in a friendly environment.

Every day is different and people can attend on a full day basis, half day or on a drop-in basis. Everyone has the opportunity to get involved in our activities, which are facilitated by therapists or professionals in their field such as:

- Photography Lip reading Gardening Music Technology Drama Leisure Community trips of
Interest Therapies Cookery Knit & Chat

And many more as we change what we offer to meet demand.

We have a Café area where refreshments, snacks and light lunches can be bought. Park Avenue can simply be a great place to meet up with friends and chat over coffee or a cup of tea.

We also have links to many community groups held at Park Avenue, such as:

- Cancer Life
- Stoke club
- Deaf club
- Visually impaired
- Facefront
- Employment support

Our aim is to maximise confidence, self-esteem and independence.

Park Avenue has rooms and a hall available to hire. These can be booked through the receptionist.

Inclusive Cycling Scheme



This cycling scheme takes place in Bush Hill Park and is free to Enfield residents.

It is run by Support Workers from Community Link, New Options and Formont.

There are all types of cycles, for example, two seater, tandems and tricycles, available to cater for a range of abilities.

Bridgewood

This new build Residential and Nursing care home provides quality care and support for some of the most frail members of our community. Bridgewood has 70 bedrooms divided into 6 units over 3 floors. Each floor has a Nursing station between the units. There are dining rooms and lounges on each floor as well as fully accessible bathrooms. All bedrooms have en-suite and are above COC floor space.



Ground and first floors are fitted for track hoists. Laundry and Kitchen areas are full large areas that can be used to develop activities to improve resident experience. Residents have access to on site coffee shop, store, gym and salon. On site Nursing staff and Clinical Care Assistants ensure the best possible, personalised care is provided at Bridgewood. Beds, pressure care and assistive technology are all provided and maintained to the highest standards. Independence and Well Being Equipment Service.

Suppliers

IWE benefits from frameworks already in existence within LBE. Additional contracts developed with new providers as required. Review of buyback arrangements with LBE to be scheduled based on review of company development and opportunity to increase value for money for IWE.

Registration




Services


Bridgehouse Good

 1 Forty Hill, Enfield, EN2 9HT
(020) 8369 0045

Carterhatch Domiciliary Care Service Good


 1st Floor St Andrew's Court, 1-4 River Front, Enfield, EN1 3SY
(020) 8379 5729

Coppice Wood Lodge Good


 10 Grove Road, New Southgate, London, N11 1LX
(020) 8361 0800

Enablement Service

We have not inspected this service yet

 14 Centre Way, Claverings Industrial Estate, London, N9 0AH
(020) 8379 1594

Enfield Adult Placement Scheme Good

 1st Floor St Andrew's Court, 1-4 River Front, Enfield, EN1 3SY
(020) 8379 5735

Regulated activities

- › Accommodation for persons who require nursing or personal care
- › Personal care

Working in partnership



Clinical Commissioning Group



Performance

Aids for Daily Living

Description	Current Target	Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Latest Note
		Value	Value	Value	Value	Value	Value	Value	
D55A Prescriptions issued for Simple aids to Daily Living		3,293	3,421	3,610	3,800	4000	4200	4400	There is a total of 3610 prescriptions issued for SADLS between April and November 2016
D55B Number of unique clients receiving Simple aids to Daily Living		1,169	1,224	1,307	1,390	1,470	1,540	1,600	

Day Care Provider Activity Data and % Occupancy

Description	Current Target	Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Latest Note
		Value	Value	Value	Value	Value	Value	Value	
IWE008(f) Cumulative count of maximum sessions available for Community Link based on daily capacity of 60 – 2016/17		15,360	17,880	20,520	22,920	25,440	27,840	30,500	
IWE008(f2) Actual number of sessions attended at Community Link		11,234	12,789	14,541	16,037	18,062	19,766	21,655	
IWE008(g) Community Link monthly percentage occupancy rate taking into allocated sessions not attended	83.0%	71.0%	72.0%	71.0%	70.0%	71.0%	71.0%	71.0%	
IWE009(f) Cumulative count of maximum sessions available for Formont based on daily capacity of 55 – 2016/17		14,080	16,390	18,810	21,010	23,320	25,520	28,050	
IWE009(f2) Actual number of sessions attended at Formont		12,863	14,952	17,126	19,430	21,454	23,478	25,806	
IWE009(g) Formont monthly percentage occupancy rate taking into allocated sessions not attended	83.0%	84.0%	91.0%	91.0%	92.0%	92%	92%	92%	

IWE010(f) Cumulative count of maximum sessions available for New Options based on daily capacity of 35 – 2016/17
IWE010(f2) Actual number of sessions attended at New Options
IWE010(g) New Options monthly percentage occupancy rate taking into allocated sessions not attended
IWE012(f) Cumulative count of maximum sessions available for Rose Taylor based on Mon-Fri capacity of 42 and Sat/Sun of 10 – 2016/17
IWE012(f2) Actual number of sessions attended at Rose Taylor
IWE012(g) Rose Taylor monthly percentage occupancy rate taking into allocated sessions not attended

	8,960	10,430	11,970	13,370	14,840	16,240	17,850	
	8,495	9,924	11,344	12,601	13,949	15,265	16,779	
83.0%	95.0%	95.0%	95.0%	94.0%	94%	94%	94%	
	11,798	13,763	15,772	17,593	19,518	21,359	23,452	
	11,473	12,621	14,633	16,790	18,542	20,291	22,279	
83.0%	97.0%	92.0%	93.0%	95.0%	95%	95%	95%	

Independence for older people through rehabilitation/ intermediate care

Description
NI125 Achieving independence for older people through rehabilitation/ intermediate care
NI125(A) Number of clients living independently 3 months after ICT service
NI125(B) Number of clients discharged from hospital with ICT

Current Target	Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Latest Note
	Value	Value	Value	Value	Value	Value	Value	
	82.25%	83.48%	83.13%	84%	84%	84%	84%	
	315	369	404	453	495	537	596	
	383	442	486	540	590	640	710	

Outreach Service

Description	Current Target	Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Latest Note
		Value	Value	Value	Value	Value	Value	Value	
IWE004(c) Number of client contact hours of support delivered by Outreach Service			3,042.53	3,053.57	3,072	3,075	3,080	3,080	Information only currently available for active clients. Not for clients who ceased service during December and previous months. Data from CM2000. The following December hours are in addition to the client contact. Duty = 15. Admin = 41. Supervision = 8. Training = 17.
IWE004(d) Number of people being supported by Outreach Service			62	67	70	71	73	73	Information only currently available for active clients. Not for clients who ceased service during December and previous months. Data from CM2000.

Safe and Connected

Description	Current Target	Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Latest Note
		Value	Value	Value	Value	Value	Value	Value	
LI50 Number of clients on Safe and Connected Packages		2206	2219	2237	2252	2267	2282	2297	

Wheelchair Service

IWE007(b) Number of children referred to Wheelchair Service for assessment		3	3	4	5	3	3	3	Oct: 9 total referrals, 3 new and 6 re referrals Nov: 9 total referrals, 4 new and 5 re-referrals Dec: total referral = 13, 5 new referrals and 7 re referrals
IWE007(c) Percentage of referrals seen within 13 weeks (Adults)	70%	100%	100%	100%	100%	100%	100%	100%	Oct - 5 weeks referral to first clinic appointment Nov - 6 weeks referral to first offer of clinic appointment Dec - average 5 weeks referral to first clinic appt
IWE007(d) Percentage of referrals seen within 13 weeks (Children)	70%	100%	100%	100%	100%	100%	100%	100%	Oct - 5 weeks referral to first clinic appointment Nov - 6 weeks referral to first offer of clinic appointment Dec - average 5 weeks referral to first clinic appt

Financial

Cash flow

	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
Projected Income					
Well Being Services income	-3,824,578	-3,921,498	-4,038,285	-4,140,752	-4,245,948
Value of contract - ICES	-1,679,646	-1,696,442	-1,730,371	-1,764,979	-1,800,278
Value of contract - Outreach and APS	-955,047	-964,597	-983,889	-1,003,567	-1,023,639
Service Management	-328,032	-331,312	-337,939	-344,697	-351,591
Value of contract - Safe and Connected	-936,057	-945,418	-964,326	-983,612	-1,003,285
Wheelchair Service	-776,168	-783,930	-799,608	-815,600	-831,912
Value of Enablement (Provider) contract	-2,187,275	-2,209,148	-2,253,331	-2,298,397	-2,344,365
Bridgewood - Contract		-2,926,965	-3,005,993	-3,087,155	-3,170,508
Bridgewood - FNC		-82,487	-131,979	-131,979	-131,979
TOTAL INCOME	-10,686,803	-13,861,797	-14,245,721	-14,570,739	-14,903,506
Projected Expenditure					
Employee Costs (Various)	6,295,304	6,358,497	6,422,082	6,486,302	6,551,165
Governance and Company costs	12,000	12,120	12,241	12,364	12,487
Client Amenities	34,544	35,235	35,939	36,658	37,391
Repairs and Maintenance	4,128	4,211	4,295	4,381	4,468
Utility costs	50,063	51,064	52,085	53,127	54,189
Rents, rates and accommodation charges	157,338	160,485	163,694	166,968	170,308
Hiring of venues	13,008	13,268	13,534	13,804	14,080
Cleaning and waste	81,295	82,921	84,580	86,271	87,997
Insurance	10,538	10,749	10,964	11,183	11,407
Transport	140,158	142,962	145,821	148,737	151,712
Subscriptions and Registration	8,057	8,218	8,383	8,550	8,721
Professional fees	9,757	9,952	10,151	10,354	10,561
Furniture - equipment	14,340	14,627	14,919	15,218	15,522
Equipment purchase	37,578	38,330	39,096	39,878	40,676
Fire Equipment	860	877	894	912	930
Client Equipment and Prescriptions	949,320	968,306	987,672	1,007,426	1,027,574
Catering	23,015	23,476	23,945	24,424	24,912
Clothing - Personal Protective Equipment	9,459	9,648	9,841	10,037	10,238
Stationery, Printing and Licencing	32,319	32,965	33,624	34,297	34,825
Communications	33,393	34,061	34,742	35,437	36,146
Trade waste	8,985	9,164	9,348	9,535	9,725
Photocopying and other Misc	6,935	7,074	7,215	7,360	7,507
Wheelchair Service	776,168	783,930	799,608	815,600	831,912
Enfield Council SLA (currently uncontrollables)	1,599,875	1,631,873	1,664,510	1,697,800	1,731,756
One off implementation costs	302,607	0	0	0	0
BridgeWood		2,866,965	2,945,993	3,027,155	3,110,508
TOTAL EXPENDITURE	10,611,044	13,310,976	13,535,177	13,763,780	13,996,721
Surplus/Deficit	-75,759	-550,822	-710,544	-806,960	-906,785

Pricing

Independence Services

Outreach	£14.50 p/h for spot purchased hours. Block purchased by LA
Re-ablement	£0 up to 6 weeks - eligibility criteria applies. Fully LA funded
Community Equipment	Free of Charge - eligibility criteria applies Fully LA/CCG funded
Wheelchair Service	Free of Charge - eligibility criteria applies Fully CCG funded
Safe and Connected	£3.50 } £5.50 } Per week £7.50 }
Shared Lives	Contribution is means tested. Non client contribution funded by LA

Well Being Services

Formont	£98.90 – daily rate
Community Link	£91.46 – daily rate
New Options	£94.66 – daily rate
Park Avenue	All sessions individually charged
Rose Taylor	£53.86 – daily rate
Shopmobility	Free of Charge
Inclusive Cycling Scheme	Free of Charge

Private hire

Park Avenue	£25.00 p/h
Formont – Sensory room	£25.00 p/h
New Options	£27.00 p/h min 2 hours at a time
Hydrotherapy Pool	£35.00 p/h
Rose Taylor	£25.00 p/h

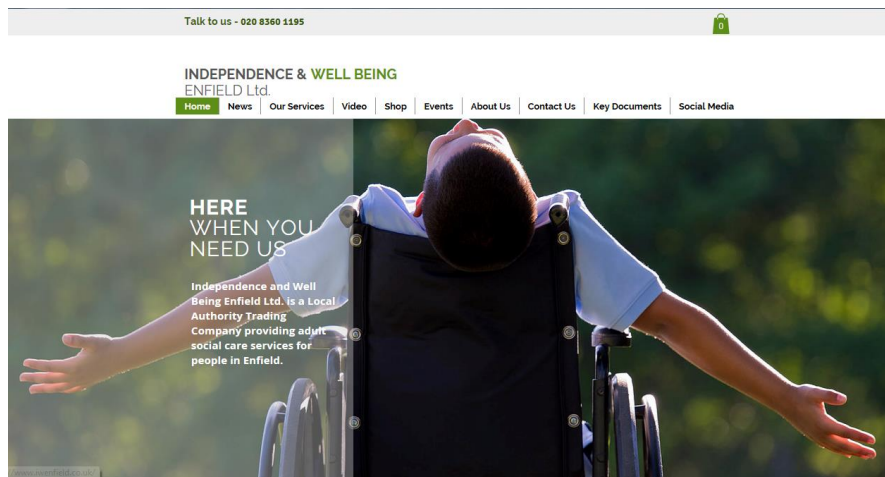
Nursing and End of Life Care

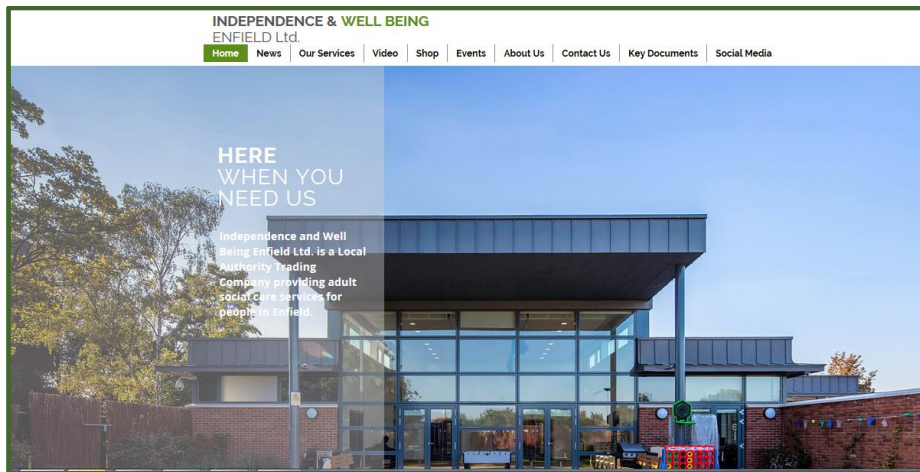
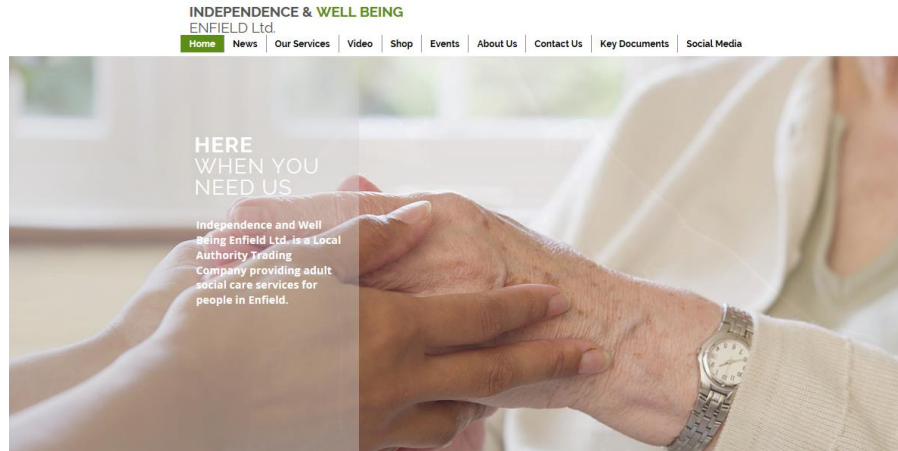


Residential Care	£705.00	Per unit per week - Fully funded block contract
Nursing Care	£861.25	Per unit per week - Fully funded block contract
Continuing Health Care	£1036.25	Per unit per week - Fully funded block contract

Marketing

Independence and Well Being Enfield has it's own webpage and active Social Media accounts

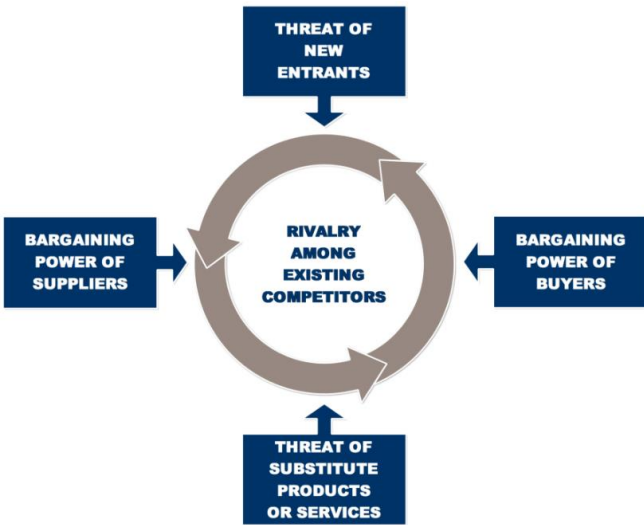






The IWE Marketing Strategy links directly to the Competitive strategy. Analysis of Stakeholders and Market Attractiveness illustrated that we implement a strategy whereby we communicate directly with customers and carers offering the opportunity to co-produce their outcome based service. It is also the case that much of our business comes from the provision of services against large contracts on behalf of Local Authorities and Clinical Commissioning Groups. Given that IWE staffing costs are not that of cost leaders we communicate directly with commissioners differentiating ourselves from competitors with specialist services providing demonstrable ‘good’ services.

Market Attractiveness



Rivalry differs depending on service. Well Being Services compete directly with other Day Activities and rivalry can be high. Outreach, equipment and Re-ablement, however, occupy specialist areas with reduced rivalry. Integration of Health and Social Services influences public sector rivalry. Private and 3rd does not see fierce competition. Opportunities exist for the Entrepreneur with the right resources. We are filling gaps in the market and respond to need.

Fair priced Residential and Nursing care is in high demand and the market has responded to this. BridgeWood is more competitively priced than some rivals however is a block funded arrangement so impact of rivalry is minimal.

Threat of New Entrants - Medium

Barriers to entry for registered Services are reasonably high owing to registration and legal requirements. Sizeable capital required for start ups in most service areas. Very much the case for large Nursing Care and Reablement Providers.

Smaller profit margins over recent years reduces attractiveness of industry for small organisations. Organisations competing on volume to achieve margins compromise on quality necessitating Provider Concerns intervention. Provider of last resort position is unlikely to be threatened by new entrants. Small organisations unlikely to achieve economies of scale required to create capacity in Enablement.

Threat of Substitutes - Medium

Personalisation has raised the threat of substitutes however the strategy of the LATC is based on the offers being differentiated from existing offers or non specialist activities. Advances in assistive technology present substitutes for care and support for some, however equipment requires monitoring and services require the capability to respond.. Stand alone alerts meet finite needs only. Ability to enable people to stay at home rather than be admitted to Residential Care may impact Residential beds at Bridgwood. The Strategy to mitigate this however is to convert residential beds to Nursing where demand is high and placement availability is lower.

Buyer Power - High

Personal Budget customers will determine the survival or otherwise of Well Being Services. Council and NHS partners determine the activities to be delivered as part of Service Level agreements. Opportunities to expand into other authorities and private markets re-enforces buyer power via procurement activities. Bridgwood block purchased by Host Authority who have overall influence on delivery and strategic direction.

Power of Suppliers - Medium

Referral from multi-disciplinary teams may reduce, enhancing the need for good marketing strategy. Homecare Agencies challenged by DP rates, increased provider concerns, higher risk of poor CQC ratings owing to lack of training and supervision.

Procurement and logistics continue to present some Business Process re-engineering opportunities. Nurses reported to be difficult to recruit which does raise potential power of organisations or individuals supplying Nurses

Corporate Strategy

	Existing Products	New Products
Existing Markets	Market Penetration	Product Development
New Markets	Market Development	Diversification

IWE has no one generic strategy, moreover deploys different resource and capability to address opportunities in new and existing markets with new and existing offers.

Well Being Services and Safe and Connected will expand their market share by increasing sales of existing services to both known and new customers market share within existing market segments. To date there has been some examples of customers or competitors being re-directed to IWS. Growth will emerge from an intelligent marketing strategy. (Value Chain analysis highlights previous under resourcing in this area). Market penetration, increasing volume has the potential to reduce unit price creating flexibility in differentiated services.

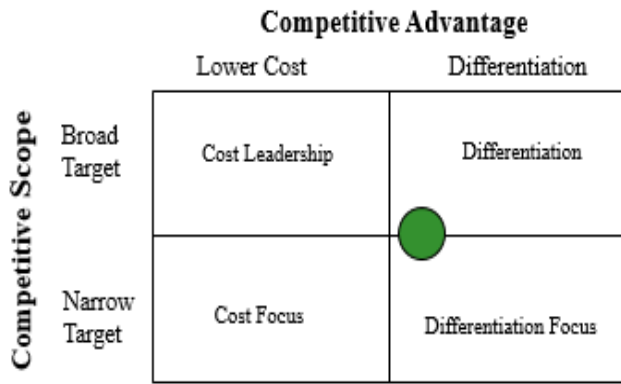
ICES, Safe and Connected, Outreach and Enablement offers will continue to develop new services in existing markets. The assistive technology and Enablement agendas are key in this area. Mainstreaming telecare and telehealth in Enfield will further reduce delayed transfers of care as well as generate care purchasing efficiencies. Given the experience of being a CQC registered provider and a gold standard end of life care provider, opportunities exist to respond to the Nursing Care demand in Enfield as represented by Bridgewood.

Equipment and Well Being services have the capability of expanding into new markets. The service has been approached by another Local Authority regarding delivering their equipment solutions for them and also Enfield Clinical Commissioning Group to operate their Wheelchair service.

At this point it is assumed that the Trading Company will continue to focus on delivering services synonymous with the sector.

Competitive Strategy

Independence and Well Being Enfield has elements of a mixed competitive strategy. In Independence Services, customers are segmented on the basis of specialism and high quality. Staff terms and conditions make a cost leadership strategy difficult to achieve on the grounds that unit prices may be slightly higher than external homecare providers for example. Broad target cost focus exercise is also demonstrated by the development of initiatives such as the Handy Person scheme in a market where the previous local market leader folded when grant allocations reduced.



Well Being Services, whilst also differentiating themselves on the basis of quality and specialism, as in the case of Formont, focus on reducing costs on aspects of the business which do not maintain competitive advantage but also seek to generate revenue from sources supplemental to the core offer. Examples include, sales of greetings cards and snacks, private hire of the Formont Hydrotherapy pool and New Options being rented out evenings and weekends to local community groups.

Nursing and End of Life Care delivered via Bridgewood is Differentiated in terms of the mixture of Residential, Nursing and Continuing Health Care expertise within a 70 bed campus. Responsibility for funded nursing care applications to the CCG (FNC) will sit with IWE and it is anticipated that this, together with the 2% operating margin will generate an annual full year effect income to IWE of around £196,000 per annum once the home is fully operational. As LBE Provider of last resort being able to run Bridgewood offers a solution and added value to the commissioning authority.

This mixed approach to competitive strategy facilitates the fluid movement of resources between parts of the estate as activities and priorities within the company change. Economy of scale allows for new contracts to be delivered within the existing infrastructure presenting opportunity for competitive pricing structures as the business matures.

Risk	Like-likelihood	Impact	Risk Score	Existing Controls	Action to Improve Controls	Like-likelihood	Impact	Risk Score	Action Owner	Target Date
Identify and list the relevant risks for each objective and the potential impact / consequence of each	1=Remote 2=unlikely 3=possible 4=probable 5=highly probable	1=Insignificant, 2=minor, 3=moderate 4=major, 5=cat-astrophic, systemic failure	Like-likelihood x Impact (Red Amber Green)	What existing processes / mitigations are in place to manage the risk? Actual Controls.	What further action (if deemed necessary) is planned to treat the risk to "Green" status?	1=Remote 2=unlikely 3=possible 4=probable 5=highly probable	1=Insignificant, 2=minor, 3=moderate 4=major, 5=cat-astrophic, systemic failure	Like-likelihood x Impact	Who is responsible for the action?	What is the target completion date for this action?
Strategic Risk										
Failure to launch summer 2016	3	3	9	Gant chart - weekly Project meetings - monthly Shadow Board	Recruitment of Project Team - 1 x LATC Development Manger 2 x Project leads	2	3	6	MG	
Full consultation not completed	3	4	12	MG attended Team Meetings - Consultation events and launch in planning	Allocation of 1 x project lead to comms and Consultation	2	4	8	MG/MB	
Impact of Consultation raises significant barriers to Summer 2016 launch	3	4	12	Stakeholder Management plan developed. Earlier discussions with teams has prepared many for change	Face to face events - Consultation Mail box - Newsletter - continued visitation of teams	2	4	8	MG/MB	
Communication plan unfit for Stakeholder Management	2	4	8	Allocation of 1 x project lead to comms and Consultation	Stakeholder and Communication Management overseen by MBA	1	4	4	MG/MB	
IWE is not sufficiently geared up to be able to manage Bridgewood at point of go live	3	4	12	Business plan developed. Due diligence process with Exec. Board. Considerable experience of managing and	Full mobilisation plan, highly skilled steering group. Significant support from LBE teams.	2	4	8	MG/LMD/BN	Bridgewood
People Risk										
Large numbers of staff decide they do not wish to be part of Trading Company	3	4	12	Staff from most teams have been engaged with change management over a long lead in	Positive message of LATC development to continue to be shared by Senior Managers	2	4	8	LMD/MG/BN	
Relocation of some teams disrputs service delivery	3	4	12	Transparent communication with staff where re-location is a possibility	Individual delivery plans to be developed for each workstream	2	3	6	MG	
Failure to recruit appropriate Non- Executive Directors	3	3	9	Allocation of 1 x project lead to NED recruitment	Same process as with Housing Gateway to be followed	2	3	6	MB	
Relocation of some teams has an impact on safety of practice	3	3	9	Premises Compliance complete - Managers Self Audits complete - Senior Manager Tours complete	Risk Assessments and Business continuity Assessments to be updated	2	3	6	Operational Managers MG/LMD	
Care Staff insufficiently trained or prepared to deliver quality service in Bridgewood	3	4	12	Training logs have been kept and all staff are currently up to date with all mandatory training. CQC rating 'Good'	All staff new or those transferred from LBE will undertake full training programme ahead of reposition 'go live'	2	4	8		Bridgewood
Less staff than anticipated transfer to Bridgewood from CWL and BH	3	4	12	List has been maintained of those planning to transfer	1-1 with Service managers to clarify position.	2	4	8		Bridgewood
Inability to recruit qualified staff	3	4	12	Recruitment of Consultant to progress recruitment to nursing and clinical posts	Engage with Recruitment organisations as required	2	4	8		Bridgewood
Operational Risk										
IT Infrastructure not in place for launch	3	4	12	Much of the IT infrastructure will remain the same however some services require updates	Early engagement with services, for example EWS allows time for troubleshooting and problem solving	2	4	8	MG/GD	
Marketing Material not in place for launch	3	3	9	Included in the high level timeline	Marketing plan to be develop	3	3	9	MB	
Fit out stage fails to prepare Bridgewood sufficiently to accept admissions	3	3	9	Budget in place for fit out costs. List of equipment fixtures and fittings developed.	development of team to plan fit out	1	3	3	JG	Bridgewood
Insufficient training provided to enable IWE to operate the bridgewood building	3	3	9	Contractor planning 2+ training days to introduce Property Services to Building controls	Recruitment of caretaker as part of implementation. Technicians from other IWE sites to be invited to training	2	3	6	BS/MG	Bridgewood
All appropriate policies and procedures to deliver Nursing Care, not in place	3	4	12	Current residential and IWE provisions have policies and procedures in place	List of all required policies and procedures developed. These are now being drafted and will be approved as per IWE Governance agreement. Engagement with Local Pharmacies as part of Implementation	2	4	8	MG/MM	Bridgewood
Financial Risk										
Costs associated with implementation unavailable	3	4	12	Implementation costs built into cash flow/ P&L	Spend tracker to be developed with Finance/LATC Development Manager	2	4	8	MG	
Ability to Trade not in place for launch	3	4	12	Shadow Trading informing Activity	Appointment of LATC Development Manager	2	4	8	MG	
Budgets not transferred to LATC	3	4	12	CMB approved LATC Development	Finance HOS included on Shadow Board	2	4	8	OA/MG	
LATC exposed to unacceptable level of 'Buy Back'	3	4	12	CMB approved LATC Development	LATC Steering Group to include IB and BN	2	3	6	LMD	
Open Pension Scheme not approved by Pensions Board	3	4	12	Actuaries report received	MG attended meeting with Pensions Board Members to clarify business and risk	3	4	12	MB/JB	
Financial processes not in place for launch	3	4	12	All processes being mapped	Finance HOS included on Shadow Board	2	4	8	TBC	
BridgeWood pricing model does not cover costs	2	4	8	Costs based on known provision of Residential Care plus market analysis of Nurse and Clinical lead costs. Indicative Overhead provided by FRCS - recharged as with wider IWE SLA.	Due Diligence carried out by LBE and IWE Executive Board to ensure the service can be delivered within the proposed financial envelope. Revised formula for inflation to be added.	1	4	4	IWE Executive Board - OA/MG	Bridgewood
Regulatory Risk										
Preferred LATC name already registered with Companies House	1	3	3	MG has already checked availability of this and Domain name	With Browne and Jacobson to establish	1	3	3	JMA	
Teckal Plan fails to protect Council and LATC	3	4	12	Clarity around implication of Teckal exemption	LATC Development Manager in recruitment	2	4	8	MG/LATC DM	
Transfer of Registered Services to LATC cannot happen	3	4	12	Registered Managers transfer with Services	LMD remains Responsible Person	2	4	8	LMD	
Extension of Company Registration to include Nursing Care is not granted by CQC.	3	4	12	Regular contact with CQC - proprietors visits on Residential Services - CQC 'Good' rating	Meeting with CQC planned for 23/01/2017. Plan to recruit Clinical consultant to aid with set up. Recruitment of Clinical lead and Registered Manager to be included in this workstream	2	4	8	MG/CM/SB	Bridgewood
Articles of Association not fit for purpose	3	3	9	To be commissioned from Legal	Shadow Board Members will scrutinise	2	3	6	Board	
Contract between Council and LATC not in place	3	4	12	BN part of LATC Steering Group	Appointment of LATC Development Manager	2	4	8	LMD/BN	
Duties not appropriately discharged to the LATC	3	4	12	Details to be included in LBE/LATC contract	Support from Legal rep on Board	2	4	8	JMA	
Insufficient Insurance in place for new ventures	3	4	12	Arrangements in place for existing portfolio however Nursing care not included	Include Insurance requirements for Bridgewood Operation in new IWE Insurance schedule	2	4	8	MG/MM/VU	Bridgewood

END OF REPORT

APPENDIX 2

THE COMPANIES ACT 2006

PRIVATE COMPANY LIMITED BY SHARES

ARTICLES OF ASSOCIATION OF INDEPENDENCE AND WELL BEING ENFIELD LIMITED

APPENDIX 2

PART 1

INTERPRETATION AND LIMITATION OF LIABILITY

1 Model articles not to apply

The model articles for private companies limited by shares contained in Schedule 1 of The Companies (Model Articles) Regulations 2008 (SI 2009/3229) as amended prior to the date of adoption of these Articles shall not apply to the Company. References to the “**Articles**” shall be to the following articles of association as amended from time to time.

2 Defined terms

2.1 In these Articles, unless the context requires otherwise—

“**Act**” means the Companies Act 2006;

“**bankruptcy**” includes individual insolvency proceedings in a jurisdiction other than England and Wales or Northern Ireland which have an effect similar to that of bankruptcy;

“**board**” means the board of directors of the Company;

“**business day**” means any day (other than a Saturday, Sunday or public holiday in the United Kingdom) on which clearing banks in the City of London are generally open for business;

“**chairman**” has the meaning given in article 14;

“**chairman of the meeting**” has the meaning given in article 45;

“**Companies Acts**” means the Companies Acts (as defined in section 2 of the Act), in so far as they apply to the Company;

“**conflict**” has the meaning given in article 17.1;

“**council**” means the London Borough of Enfield or any successor body thereto;

“**councillor director**” means an elected member of the council who is appointed as a director of the Company;

“**director**” means a director of the Company, and includes any person occupying the position of director, by whatever name called;

“**distribution recipient**” has the meaning given in article 37.2;

“**document**” includes, unless otherwise specified, any document sent or supplied in electronic form;

“**electronic form**” has the meaning given in section 1168 of the Act;

APPENDIX 2

“eligible director” means a director who would be entitled to vote on the matter at a meeting of directors (but excluding any director whose vote is not to be counted in respect of the particular matter);

“executive director” means each director who is a councillor director or an officer director;

“fully paid” in relation to a share, means that the nominal value and any premium to be paid to the Company in respect of that share have been paid to the Company;

“hard copy form” has the meaning given in section 1168 of the Act;

“holder” in relation to shares means the person whose name is entered in the register of members as the holder of the shares;

“independent director” means a director of the Company (who is not a local authority person);

“instrument” means a document in hard copy form;

“local authority person” means any person:

- a) who is a member of the council;
- b) who is an officer of the council (which for these purposes shall not include employees with non-managerial posts);

“officer director” means an officer of the council who is appointed as a director of the Company;

“ordinary resolution” has the meaning given in section 282 of the Act;

“paid” means paid or credited as paid;

“participate”, in relation to a directors’ meeting, has the meaning given in article 12;

“proxy notice” has the meaning given in article 51;

“shareholder” means a person who is the holder of a share;

“shares” means shares in the Company;

“special resolution” has the meaning given in section 283 of the Act;

“subsidiary” has the meaning given in section 1159 of the Act;

“transmittee” means a person entitled to a share by reason of the death or bankruptcy of a shareholder or otherwise by operation of law; and

“writing” means the representation or reproduction of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

APPENDIX 2

- 2.2 Unless the context otherwise requires, words and expressions which have particular meanings in the Act shall have the same meanings in these Articles.
- 2.3 Headings in these Articles are used for convenience only and shall not affect the construction or interpretation of these Articles.
- 2.4 A reference in these Articles to an "article" is a reference to the relevant article of these Articles unless expressly provided otherwise.
- 2.5 Unless expressly provided otherwise, a reference to a statute, statutory provision or subordinate legislation is a reference to it as it is in force from time to time, taking account of—
- 2.5.1 any subordinate legislation from time to time made under it, and
- 2.5.2 any amendment or re-enactment and includes any statute, statutory provision or subordinate legislation which it amends or re-enacts.
- 2.6 Any phrase introduced by the terms "including", "include", "in particular" or any similar expression shall be construed as illustrative and shall not limit the sense of the words preceding those terms.

3 Liability of members

The liability of the members is limited to the amount, if any, unpaid on the shares held by them.

4 Unrestricted objects

Nothing in these Articles shall constitute a restriction on the objects of the Company to do (or omit to do) any act and, in accordance with section 31(1) of the Act, the Company's objects are unrestricted.

PART 2

DIRECTORS

DIRECTORS' POWERS AND RESPONSIBILITIES

5 Directors' general authority

- 5.1 Save as set out in article 5.2, the directors are responsible for the management of the Company's business and, subject to these Articles and directions given by special resolutions of the Company, they may exercise all the powers of a company for this purpose. No such special resolution of the Company invalidates anything which the directors have done before the passing of the special resolution.
- 5.2 The matters listed below ("reserved matters") shall not be carried out without the prior written consent of an elected member or officer of the council with authority to give that consent and each of the directors shall use their respective rights and powers to procure, so far as they are each able, that no such matter is carried out unless the required consent has been given:

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- 5.2.1 the making of any political or charitable donation;
- 5.2.2 a change in the status of the Company from a limited company to a public limited company or from a company limited by guarantee to any other form of legal entity;
- 5.2.3 the admittance of any new shareholder or the issue of any shares;
- 5.2.4 issuing any loan capital in the Company or entering into any commitment with any person with respect to the issue of any loan capital;
- 5.2.5 making any borrowing or incurring any indebtedness;
- 5.2.6 altering the name of the Company or its registered office;
- 5.2.7 changing the nature of the Company's business or commencing any new business by the Company which is not ancillary or incidental to its current business;
- 5.2.8 forming any subsidiary or acquiring shares in any other company or participating in any partnership or joint venture (incorporated or not);
- 5.2.9 amalgamating or merging with any other company or business undertaking;
- 5.2.10 any acquisition or disposal by the Company of any material asset(s) otherwise than in the ordinary course of business;
- 5.2.11 creating or granting any encumbrance over the whole or any part of the business, undertaking or assets of the Company or agreeing to do so other than liens arising in the ordinary course of business;
- 5.2.12 making any loan or granting any credit or giving any guarantee (other than in the normal course of trading) or indemnity;
- 5.2.13 appointing any agent or other intermediary to conduct any of the Company's Business;
- 5.2.14 entering into any arrangement, contract or transaction outside the normal course of its business or otherwise than on arm's length terms other than arrangements to sub-let or rent the rooms in certain premises occupied by the Company but subject to the terms of the leases of such premises (being the premises at (1) Waverley Road, Enfield EN2 7BP (also known as "Formont"); (2) 25 Connop Road, Enfield, EN3 5FB (also known as "New Options"); (3) Ground Floor, 65c Park Avenue, Enfield EN1 2HL (also known as "Park Avenue"); and (4) 55b The Sunny Road, Enfield EN3 5EF (also known as "Rose Taylor"));
- 5.2.15 declaring or paying any distribution;

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- 5.2.16 incurring any capital expenditure in excess of £10,000 (in respect of individual items and/or where the aggregate capital expenditure for the same project exceeds this sum);
- 5.2.17 taking any step to wind up the Company (except where it is insolvent (within the meaning of section 123 of the Insolvency Act 1986));
- 5.2.18 taking any step to place the Company into administration;
- 5.2.19 proposing or entering into any arrangement, scheme, moratorium, compromise or composition with its creditors (whether under Part I of the Insolvency Act 1986 or otherwise);
- 5.2.20 applying for an interim order under Part 1 of the Insolvency Act 1986 or inviting the appointment of a receiver or administrative receiver over all or any part of the Company's assets or undertaking;
- 5.2.21 approving any merger, liquidation, dissolution or acquisition of the Company;
- 5.2.22 employing the chief operating officer of the Company (or his replacement) and setting or amending the terms applicable to such employee or dismissing such employee;
- 5.2.23 instituting, settling or compromising any legal proceedings (other than debt recovery proceedings in the ordinary course of business) instituted or threatened against the Company or submitting to arbitration or alternative dispute resolution any dispute involving the Company except in the case of employment disputes or proceedings involving the Company and its employees whereby the quantum of any compromise agreements and/or settlements is under £10,000 provided the council is notified of such settlements or compromise agreements (including the sums involved) at least 5 working days in advance; or
- 5.2.24 making any decisions regarding the use of trust funds received by the Company which were gifted to the council for the benefit of service users.

6 Shareholders' reserve power

- 6.1 The shareholders may, by special resolution, direct the directors to take, or refrain from taking, specified action.
- 6.2 No such special resolution invalidates anything which the directors have done before the passing of the resolution.

7 Directors may delegate

- 7.1 Subject to the Articles the directors may delegate any of the powers which are conferred on them under the Articles—
 - 7.1.1 to such person or committee;

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- 7.1.2 by such means (including by power of attorney);
- 7.1.3 to such an extent;
- 7.1.4 in relation to such matters or territories; and
- 7.1.5 on such terms and conditions,

as they think fit, and the directors may make any rule which they think fit about how any such delegation should operate.

- 7.2 If the directors so specify, any such delegation may authorise further delegation of the directors' powers by any person to whom they are delegated.
- 7.3 The directors may revoke any delegation in whole or part, or alter its terms and conditions.

8 Committees

- 8.1 Committees to which the directors delegate any of their powers must follow procedures which are based as far as they are applicable on those provisions of the Articles which govern the taking of decisions by directors.
- 8.2 The directors may make rules of procedure for all or any committees, which prevail over rules derived from the Articles if they are not consistent with them.

DECISION-MAKING BY DIRECTORS

9 Directors to take decisions collectively

- 9.1 The general rule about decision-making by directors is that any decision of the directors must be either a majority decision at a meeting (subject to article 9.3) or a decision taken in accordance with article 10.
- 9.2 If—
 - 9.2.1 the Company only has one director for the time being, and
 - 9.2.2 no provision of the Articles requires it to have more than one director,

the general rule does not apply, and the director may (for so long as he remains the sole director) take decisions without regard to any of the provisions of the Articles relating to directors' decision-making.

- 9.3 At a meeting of the board any eligible director who is an executive director shall have the right to determine that the executive directors should have an enhanced vote on any resolution. Where such right is exercised the executive directors shall have in aggregate such number of votes upon such resolution as shall establish between the eligible directors a majority in favour of the executive directors.

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10 Unanimous decisions

- 10.1 A decision of the directors is taken in accordance with this article when all eligible directors indicate to each other by any means that they share a common view on a matter.
- 10.2 Such a decision may take the form of a resolution in writing, where each eligible director has signed one or more copies of it, or to which each eligible director has otherwise indicated agreement in writing.
- 10.3 A decision may not be taken in accordance with this article if the eligible directors would not have formed a quorum at such a meeting.

11 Calling a directors' meeting

- 11.1 Any director may call a directors' meeting by giving notice of the meeting to the directors or by authorising the company secretary (if any) to give such notice.
- 11.2 Notice of any directors' meeting must indicate—
 - 11.2.1 its proposed date and time;
 - 11.2.2 where it is to take place; and
 - 11.2.3 if it is anticipated that directors participating in the meeting will not be in the same place, how it is proposed that they should communicate with each other during the meeting.
- 11.3 Notice of a directors' meeting must be given to each director, but need not be in writing.
- 11.4 Notice of a directors' meeting need not be given to directors who waive their entitlement to notice of that meeting, by giving notice to that effect to the Company at any time before or after the date on which the meeting is held. Where such notice is given after the meeting has been held, that does not affect the validity of the meeting, or of any business conducted at it.

12 Participation in directors' meetings

- 12.1 Subject to the Articles, directors participate in a directors' meeting, or part of a directors' meeting, when—
 - 12.1.1 the meeting has been called and takes place in accordance with the Articles; and
 - 12.1.2 they can each communicate to the others any information or opinions they have on any particular item of the business of the meeting.
- 12.2 In determining whether directors are participating in a directors' meeting, it is irrelevant where any director is or how they communicate with each other.

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- 12.3 If all the directors participating in a meeting are not in the same place, they may decide that the meeting is to be treated as taking place wherever any of them is.

13 Quorum for directors' meetings

- 13.1 At a directors' meeting, unless a quorum is participating, no proposal is to be voted on, except a proposal to call another meeting.
- 13.2 Subject to article 13.3, the quorum for the transaction of business at a meeting of directors shall be three eligible directors, which must include at least one councillor director and one officer director.
- 13.3 For the purposes of any meeting (or part of a meeting) held pursuant to article 17 to authorise a director's conflict, if there are fewer directors in office of any class other than the conflicted director(s) who would constitute a quorum, the quorum for such meeting (or part of a meeting) shall be the remaining eligible directors.
- 13.4 If the total number of directors in office for the time being is less than the quorum required, the directors must not take any decision other than a decision—
- 13.4.1 to request that the council appoint further directors in accordance with the Articles, or
- 13.4.2 to call a general meeting so as to enable the shareholders to appoint further directors.

14 Chairing of directors' meetings

- 14.1 The directors may appoint a councillor director to chair their meetings. The first chairman shall be the councillor director holding the office of Cabinet Member for Health and Adult social care.
- 14.2 The person so appointed for the time being is known as the chairman.
- 14.3 The directors may terminate the chairman's appointment at any time and appoint a replacement.
- 14.4 If the chairman is not participating in a directors' meeting within ten minutes of the time at which it was to start, the participating directors must appoint a councillor director or officer director present to chair it.

15 Casting vote

- 15.1 If the numbers of votes for and against a proposal at a meeting of directors are equal, the chairman or other director chairing the meeting has a casting vote.
- 15.2 Article 15.1 shall not apply in respect of a particular meeting (or part of a meeting) if, in accordance with the Articles, the chairman or other director is not an eligible director for the purposes of that meeting (or part of a meeting).

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16 Transactions or other arrangements with the Company

- 16.1 Subject to sections 177(5) and 177(6) and sections 182(5) and 182(6) of the Act and provided he has declared the nature and extent of his interest in accordance with the requirements of the Companies Acts, a director who is in any way, whether directly or indirectly, interested in an existing or proposed transaction or arrangement with the Company—
- 16.1.1 may be a party to, or otherwise interested in, any transaction or arrangement with the Company or in which the Company is otherwise (directly or indirectly) interested;
 - 16.1.2 shall be an eligible director for the purposes of any proposed decision of the directors (or committee of directors) in respect of such existing or proposed transaction or arrangement in which he is interested;
 - 16.1.3 shall be entitled to vote at a meeting of directors or of a committee of the directors, or participate in any unanimous decision, in respect of such existing or proposed transaction or arrangement in which he is interested;
 - 16.1.4 may act by himself or his firm in a professional capacity for the Company (otherwise than as auditor) and he or his firm shall be entitled to remuneration for professional services as if he were not a director;
 - 16.1.5 may be a director or other officer of, or employed by, or a party to a transaction or arrangement with, or otherwise interested in, any body corporate in which the Company is otherwise (directly or indirectly) interested; and
 - 16.1.6 shall not, save as he may otherwise agree, be accountable to the Company for any benefit which he (or a person connected with him (as defined in section 252 of the Act)) derives from any such contract, transaction or arrangement or from any such office or employment or from any interest in any such body corporate and no such contract, transaction or arrangement shall be liable to be avoided on the grounds of any such interest or benefit nor shall the receipt of any such remuneration or other benefit constitute a breach of his duty under section 176 of the Act.
- 16.2 For the purposes of this article, references to proposed decisions and decision-making processes include any directors' meeting or part of a directors' meeting.
- 16.3 Subject to article 16.4, if a question arises at a meeting of directors or of a committee of directors as to the right of a director to participate in the meeting (or part of the meeting) for voting or quorum purposes, the question may, before the conclusion of the meeting, be referred to the chairman whose ruling in relation to any director other than the chairman is to be final and conclusive.

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- 16.4 If any question as to the right to participate in the meeting (or part of the meeting) should arise in respect of the chairman, the question is to be decided by a decision of the directors at that meeting, for which purpose the chairman is not to be counted as participating in the meeting (or that part of the meeting) for voting or quorum purposes.

17 Directors' conflicts of interest

- 17.1 The directors may, in accordance with the requirements set out in this article, authorise any matter or situation proposed to them by any director which would, if not authorised, involve a director (an "**Interested Director**") breaching his duty under section 175 of the Act to avoid conflicts of interest (a "**Conflict**").

- 17.2 Any authorisation under this article 17 will be effective only if—

17.2.1 the matter in question shall have been proposed by any director for consideration in the same way that any other matter may be proposed to the directors under the provisions of these Articles or in such other manner as the directors may determine;

17.2.2 any requirement as to the quorum for consideration of the relevant matter is met without counting the Interested Director; and

17.2.3 the matter was agreed to without the Interested Director voting or would have been agreed to if the Interested Director's vote had not been counted.

- 17.3 Any authorisation of a Conflict under this article 17 may (whether at the time of giving the authorisation or subsequently)—

17.3.1 extend to any actual or potential conflict of interest which may reasonably be expected to arise out of the matter or situation so authorised;

17.3.2 provide that the Interested Director be excluded from the receipt of documents and information and the participation in discussions (whether at meetings of the directors or otherwise) related to the Conflict;

17.3.3 provide that the Interested Director shall or shall not be an eligible director in respect of any future decision of the directors in relation to any resolution related to the Conflict;

17.3.4 impose upon the Interested Director such other terms for the purposes of dealing with the Conflict as the directors think fit;

17.3.5 provide that, where the Interested Director obtains, or has obtained (through his involvement in the Conflict and otherwise than through his position as a director of the Company) information that is confidential to a third party, he will not be obliged to disclose that information to the Company, or to use it in relation to the Company's affairs where to do so would amount to a breach of that confidence; and

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- 17.3.6 permit the Interested Director to absent himself from the discussion of matters relating to the Conflict at any meeting of the directors and be excused from reviewing papers prepared by, or for, the directors to the extent to which they relate to such matters.
- 17.4 Where the directors authorise a Conflict the Interested Director will be obliged to conduct himself in accordance with any terms and conditions imposed by the directors in relation to the Conflict.
- 17.5 The directors may revoke or vary such authorisation at any time, but this will not affect anything done by the Interested Director, prior to such revocation of variation, in accordance with the terms of such authorisation.
- 17.6 A director is not required, by reason of being a director (or because of the fiduciary relationship established by reason of being a director), to account to the Company for any remuneration, profit or other benefit which he derives from or in connection with a relationship involving a Conflict which has been authorised by the directors or by the Company in general meeting (subject in each case to any terms, limits or conditions attaching to that authorisation) and no contract shall be liable to be avoided on such grounds.
- 17.7 For the purposes of sections 175 and 180(4) of the Act and for all other purposes, it is acknowledged that a director may be or become subject to a Conflict as a result of his also being or having been (or being party to an agreement or arrangement or understanding or circumstances under which he may become) an employee, director, trustee, member, partner, officer or representative of, or a consultant to, or a direct or indirect investor in and/or otherwise involved with or interested in, any of the council, the Company, its subsidiaries, any of its holding companies or any subsidiary of any of its holding companies (as such terms are defined in section 1159 of the Act) or any of its shareholders.
- 17.8 No director shall be in breach of the duty to avoid conflicts of interest in section 175 of the Act as a result of, and no authorisation is required in respect of, any Conflict envisaged by article 17.7 having arisen or existing in relation to him.

18 Records of decisions to be kept

- 18.1 The directors must ensure that the Company keeps a record, in writing, for at least 10 years from the date of the decision recorded, of every unanimous or majority decision taken by the directors.
- 18.2 Where decisions of the directors are taken by electronic means, such decisions shall be recorded by the directors in permanent form, so that they may be read with the naked eye.

19 Directors' discretion to make further rules

Subject to the Articles, the directors may make any rule which they think fit about how they take decisions and hold meetings, and about how such rules are to be recorded or communicated to directors.

APPENDIX 2

APPOINTMENT OF DIRECTORS**20 Number of directors**

20.1 Unless otherwise determined by the Council, the number of directors shall not exceed seven but shall not be less than three.

20.2 The board of directors shall comprise:

20.2.1 one councillor director;

20.2.2 three officer directors; and

20.2.3 three independent directors.

21 Methods of appointing directors

21.1 Any person who is willing to act as a director, and is permitted by law and these Articles to do so, may be appointed to be a director—

21.1.1 by ordinary resolution, or

21.1.2 by a decision of the directors.

21.2 The council shall from time to time have the right to appoint, by notice in writing addressed to the company, and to maintain in office:

21.2.1 one elected member of the council as a councillor director; and

21.2.2 three officers of the council as officer directors;

and to remove any such person as a councillor director or officer director (as relevant) and to appoint a replacement. The first officer directors following the adoption of these Articles shall be those persons employed by the council, two of whom shall hold the roles of managing director of the Company and finance director of the Company respectively; and the first councillor director shall be the person elected as a member of the council holding the position of Cabinet Member of Health and Adult Social Care.

21.3 The council shall also have the right to appoint, by notice in writing addressed to the company, the first two independent directors. Thereafter, where at any time there are fewer than three independent directors in office, and subject to articles 20.1 and 20.2, the executive directors shall be entitled to appoint up to a total of two persons to be independent directors. Such persons shall be selected by the executive directors based on their skills and experiences. Otherwise, the executive directors may determine the selection process (and any other criteria) for candidates as it deems appropriate from time to time.

21.4 Subject to article 22.1:

21.4.1 each of the councillor and officer directors appointed pursuant to article 21.1 and/or article 21.2 shall be appointed for a fixed term of two years, save where a shorter term is set prior to appointment (the “Fixed Term”). Directors shall retire from the board at the

APPENDIX 2

end of the Fixed Term but shall be eligible for reappointment for a further term of two years, or such shorter term as is set prior to such reappointment, at the end of which the directors shall retire from the board; and

- 21.4.2 each of the independent directors appointed pursuant to article 21.1 and/or article 21.3 shall be appointed for a fixed term of two years, save where a shorter term is set prior to appointment.
- 21.5 Any appointment or removal of a director in accordance with article 21.2 shall take immediate effect upon receipt (or deemed receipt) by the Company of such notice in writing, or the production of such notice in writing at a meeting of the directors or, if later, the date (if any) specified in such notice.

22 Termination of director's appointment

- 22.1 A person shall be ineligible for appointment to the board and if already appointed shall cease to be a director as soon as—
 - 22.1.1 that person ceases to be a director by virtue of any provision of the Act or is prohibited from being a director by law;
 - 22.1.2 that person has for more than six consecutive months been absent without permission of the directors from meetings of directors held during that period and the directors resolve that person's office be vacated;
 - 22.1.3 a bankruptcy order is made against that person;
 - 22.1.4 a composition is made with that person's creditors generally in satisfaction of that person's debts;
 - 22.1.5 a registered medical practitioner who is treating that person gives a written opinion to the Company stating that that person has become physically or mentally incapable of acting as a director and may remain so for more than three months;
 - 22.1.6 notification is received by the Company from the director that the director is resigning from office, and such resignation has taken effect in accordance with its terms;
 - 22.1.7 that person is an employee of any shareholder in the Company and ceases to be employed as such for any reason;
 - 22.1.8 that person is removed by the council by a notice in writing to the Company;
 - 22.1.9 that person is or becomes a person disqualified from being an elected councillor of a local authority; or
 - 22.1.10 that person is removed from office by a resolution of or written notice signed by not less than three quarters of all the other directors from time to time.

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23 Directors' remuneration

- 23.1 Directors may undertake any services for the Company that the directors decide.
- 23.2 Independent directors (and not councillor directors or officer directors) are entitled to such remuneration as the directors determine—
 - 23.2.1 for their services to the Company as directors, and
 - 23.2.2 for any other service which they undertake for the Company.
- 23.3 Subject to the Articles, remuneration of an independent director may—
 - 23.3.1 take any form, and
 - 23.3.2 include any arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.
- 23.4 Unless the directors decide otherwise, such remuneration accrues from day to day.
- 23.5 Unless the directors decide otherwise, directors are not accountable to the Company for any remuneration which they receive as directors or other officers or employees of the Company's subsidiaries or of any other body corporate in which the Company is interested.

24 Directors' expenses

The Company may pay any reasonable expenses which the directors and the secretary properly incur in connection with their attendance at—

- 24.1 meetings of directors or committees of directors,
- 24.2 general meetings, or
- 24.3 separate meetings of the holders of any class of shares or of debentures of the Company,

or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relation to the Company.

25 Secretary

The directors may appoint any person who is willing to act as the secretary for such term, at such remuneration and upon such conditions as they may think fit and from time to time remove such person and, if the directors so decide, appoint a replacement, in each case by a decision of the directors.

PART 3

SHARES AND DISTRIBUTIONS

SHARES

APPENDIX 2

26 All shares to be fully paid up

- 26.1 No share is to be issued for less than the aggregate of its nominal value and any premium to be paid to the Company in consideration for its issue.
- 26.2 This does not apply to shares taken on the formation of the Company by the subscribers to the Company's memorandum.

27 Allotment of shares

- 27.1 Save to the extent authorised by these Articles, or authorised from time to time by the council, the directors shall not exercise any power to allot shares or to grant rights to subscribe for, or to convert any security into, any shares in the Company.
- 27.2 In accordance with section 567(1) of the Act, sections 561 and 562 of the Act shall not apply to an allotment of equity securities (as defined in section 560(1) of the Act) made by the Company.

28 Powers to issue different classes of share

- 28.1 Subject to the Articles, but without prejudice to the rights attached to any existing share, the Company may issue shares with such rights or restrictions as may be determined by the council.
- 28.2 The Company may issue shares which are to be redeemed, or are liable to be redeemed at the option of the Company or the holder, and the directors may determine the terms, conditions and manner of redemption of any such shares.

29 Company not bound by less than absolute interests

Except as required by law, no person is to be recognised by the Company as holding any share upon any trust, and except as otherwise required by law or the Articles, the Company is not in any way to be bound by or recognise any interest in a share other than the holder's absolute ownership of it and all the rights attaching to it.

30 Share certificates

- 30.1 The Company must issue each shareholder, free of charge, with one or more certificates in respect of the shares which that shareholder holds.
- 30.2 Every certificate must specify—
 - 30.2.1 in respect of how many shares, of what class, it is issued;
 - 30.2.2 the nominal value of those shares;
 - 30.2.3 that the shares are fully paid; and
 - 30.2.4 any distinguishing numbers assigned to them.
- 30.3 No certificate may be issued in respect of shares of more than one class.

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30.4 If more than one person holds a share, only one certificate may be issued in respect of it.

30.5 Certificates must—

30.5.1 have affixed to them the Company's common seal, or

30.5.2 be otherwise executed in accordance with the Companies Acts.

31 Replacement share certificates

31.1 If a certificate issued in respect of a shareholder's shares is—

31.1.1 damaged or defaced, or

31.1.2 said to be lost, stolen or destroyed,

that shareholder is entitled to be issued with a replacement certificate in respect of the same shares.

31.2 A shareholder exercising the right to be issued with such a replacement certificate—

31.2.1 may at the same time exercise the right to be issued with a single certificate or separate certificates;

31.2.2 must return the certificate which is to be replaced to the Company if it is damaged or defaced; and

31.2.3 must comply with such conditions as to evidence, and indemnity and the payment of a reasonable fee as the directors decide.

32 Share transfers

32.1 Shares may be transferred by means of an instrument of transfer in any usual form or any other form approved by the directors, which is executed by or on behalf of the transferor.

32.2 No fee may be charged for registering any instrument of transfer or other document relating to or affecting the title to any share.

32.3 The Company may retain any instrument of transfer which is registered.

32.4 The transferor remains the holder of a share until the transferee's name is entered in the register of members as holder of it.

32.5 The directors may refuse to register the transfer of a share, and if they do so, the instrument of transfer must be returned to the transferee with the notice of refusal unless they suspect that the proposed transfer may be fraudulent.

33 Transmission of shares

33.1 If title to a share passes to a transmittee, the Company may only recognise the transmittee as having any title to that share.

APPENDIX 2

- 33.2 A transmittee who produces such evidence of entitlement to shares as the directors may properly require—
- 33.2.1 may, subject to the Articles, choose either to become the holder of those shares or to have them transferred to another person, and
- 33.2.2 subject to the Articles, and pending any transfer of the shares to another person, has the same rights as the holder had.
- 33.3 Subject to article 21.5, transmittees do not have the right to attend or vote at a general meeting, or agree to a proposed written resolution, in respect of shares to which they are entitled, by reason of the holder's death or bankruptcy or otherwise, unless they become the holders of those shares.

34 Exercise of transmittees' rights

- 34.1 Transmittees who wish to become the holders of shares to which they have become entitled must notify the Company in writing of that wish.
- 34.2 If the transmittee wishes to have a share transferred to another person, the transmittee must execute an instrument of transfer in respect of it.
- 34.3 Any transfer made or executed under this article is to be treated as if it were made or executed by the person from whom the transmittee has derived rights in respect of the share, and as if the event which gave rise to the transmission had not occurred.

35 Transmittees bound by prior notices

If a notice is given to a shareholder in respect of shares and a transmittee is entitled to those shares, the transmittee is bound by the notice if it was given to the shareholder before the transmittee's name, or the name of any person(s) named as the transferee(s) in an instrument of transfer executed under article 34.2, has been entered in the register of members.

DIVIDENDS AND OTHER DISTRIBUTIONS

36 Procedure for declaring dividends

- 36.1 The Company may by ordinary resolution declare dividends, and the directors may decide to pay interim dividends.
- 36.2 A dividend must not be declared unless the directors have made a recommendation as to its amount. Such a dividend must not exceed the amount recommended by the directors.
- 36.3 No dividend may be declared or paid unless it is in accordance with shareholders' respective rights.
- 36.4 Unless the shareholders' resolution to declare or directors' decision to pay a dividend, or the terms on which shares are issued, specify otherwise, it must be paid by reference to each shareholder's holding of shares on the date of the resolution or decision to declare or pay it.

APPENDIX 2

- 36.5 If the Company's share capital is divided into different classes, no interim dividend may be paid on shares carrying deferred or non-preferred rights if, at the time of payment, any preferential dividend is in arrears.
- 36.6 The directors may pay at intervals any dividend payable at a fixed rate if it appears to them that the profits available for distribution justify the payment.
- 36.7 If the directors act in good faith, they do not incur any liability to the holders of shares conferring preferred rights for any loss they may suffer by the lawful payment of an interim dividend on shares with deferred or non-preferred rights.

37 Payment of dividends and other distributions

- 37.1 Where a dividend or other sum which is a distribution is payable in respect of a share, it must be paid by such means of payment as the directors may determine.
- 37.2 In the Articles, "the distribution recipient" means, in respect of a share in respect of which a dividend or other sum is payable—
- 37.2.1 the holder of the share; or
 - 37.2.2 if the share has two or more joint holders, whichever of them is named first in the register of members; or
 - 37.2.3 if the holder is no longer entitled to the share by reason of death or bankruptcy, or otherwise by operation of law, the transmittee.

38 No interest on distributions

- 38.1 The Company may not pay interest on any dividend or other sum payable in respect of a share unless otherwise provided by—
- 38.1.1 the terms on which the share was issued, or
 - 38.1.2 the provisions of another agreement between the holder of that share and the Company.

39 Unclaimed distributions

- 39.1 All dividends or other sums which are—
- 39.1.1 payable in respect of shares, and
 - 39.1.2 unclaimed after having been declared or become payable,
- may be invested or otherwise made use of by the directors for the benefit of the Company until claimed.
- 39.2 The payment of any such dividend or other sum into a separate account does not make the Company a trustee in respect of it.
- 39.3 If—

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39.3.1 twelve years have passed from the date on which a dividend or other sum became due for payment, and

39.3.2 the distribution recipient has not claimed it,

the distribution recipient is no longer entitled to that dividend or other sum and it ceases to remain owing by the Company.

40 Non-cash distributions

40.1 Subject to the terms of issue of the share in question, the Company may, by ordinary resolution on the recommendation of the directors, decide to pay all or part of a dividend or other distribution payable in respect of a share by transferring non-cash assets of equivalent value (including, without limitation, shares or other securities in any company).

40.2 For the purposes of paying a non-cash distribution, the directors may make whatever arrangements they think fit, including, where any difficulty arises regarding the distribution—

40.2.1 fixing the value of any assets;

40.2.2 paying cash to any distribution recipient on the basis of that value in order to adjust the rights of recipients; and

40.2.3 vesting any assets in trustees.

41 Waiver of distributions

41.1 Distribution recipients may waive their entitlement to a dividend or other distribution payable in respect of a share by giving the Company notice in writing to that effect, but if—

41.1.1 the share has more than one holder, or

41.1.2 more than one person is entitled to the share, whether by reason of the death or bankruptcy of one or more joint holders, or otherwise,

the notice is not effective unless it is expressed to be given, and signed, by all the holders or persons otherwise entitled to the share.

CAPITALISATION OF PROFITS

42 Authority to capitalise and appropriation of capitalised sums

42.1 Subject to the Articles, the directors may, if they are so authorised by an ordinary resolution—

42.1.1 decide to capitalise any profits of the Company (whether or not they are available for distribution) which are not required for paying a preferential dividend, or any sum standing to the credit of the Company's share premium account or capital redemption reserve; and

APPENDIX 2

- 42.1.2 appropriate any sum which they so decide to capitalise (a “**capitalised sum**”) to the persons who would have been entitled to it if it were distributed by way of dividend (the “**persons entitled**”) and in the same proportions.
- 42.2 Capitalised sums must be applied—
- 42.2.1 on behalf of the persons entitled, and
- 42.2.2 in the same proportions as a dividend would have been distributed to them.
- 42.3 Any capitalised sum may be applied in paying up new shares of a nominal amount equal to the capitalised sum which are then allotted credited as fully paid to the persons entitled or as they may direct.
- 42.4 A capitalised sum which was appropriated from profits available for distribution may be applied in paying up new debentures of the Company which are then allotted credited as fully paid to the persons entitled or as they may direct.
- 42.5 Subject to the Articles the directors may—
- 42.5.1 apply capitalised sums in accordance with articles 42.3 and 42.4 partly in one way and partly in another;
- 42.5.2 make such arrangements as they think fit to deal with shares or debentures becoming distributable in fractions under this article (including the issuing of fractional certificates or the making of cash payments); and
- 42.5.3 authorise any person to enter into an agreement with the Company on behalf of all the persons entitled which is binding on them in respect of the allotment of shares and debentures to them under this article.

PART 4

DECISION-MAKING BY SHAREHOLDERS

ORGANISATION OF GENERAL MEETINGS

43 Attendance and speaking at general meetings

- 43.1 A person is able to exercise the right to speak at a general meeting when that person is in a position to communicate to all those attending the meeting, during the meeting, any information or opinions which that person has on the business of the meeting.
- 43.2 A person is able to exercise the right to vote at a general meeting when—
- 43.2.1 that person is able to vote, during the meeting, on resolutions put to the vote at the meeting, and

APPENDIX 2

43.2.2 that person's vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other persons attending the meeting.

43.3 The directors may make whatever arrangements they consider appropriate to enable those attending a general meeting to exercise their rights to speak or vote at it.

43.4 In determining attendance at a general meeting, it is immaterial whether any two or more members attending it are in the same place as each other.

43.5 Two or more persons who are not in the same place as each other attend a general meeting if their circumstances are such that if they have (or were to have) rights to speak and vote at that meeting, they are (or would be) able to exercise them.

44 Quorum for general meetings

No business other than the appointment of the chairman of the meeting is to be transacted at a general meeting if the persons attending it do not constitute a quorum. The presence of a duly authorised representative of the council shall constitute a quorum.

45 Chairing general meetings

45.1 If the directors have appointed a chairman, the chairman shall chair general meetings if present and willing to do so.

45.2 If the directors have not appointed a chairman, or if the chairman is unwilling to chair the meeting or is not present within ten minutes of the time at which a meeting was due to start—

45.2.1 the directors present, or

45.2.2 (if no directors are present), the meeting,

must appoint a director or shareholder to chair the meeting, and the appointment of the chairman of the meeting must be the first business of the meeting.

45.3 The person chairing a meeting in accordance with this article is referred to as "the chairman of the meeting".

46 Attendance and speaking by directors and non-shareholders

46.1 Directors may attend and speak at general meetings, whether or not they are shareholders.

46.2 The chairman of the meeting may permit other persons who are not—

46.2.1 shareholders of the Company, or

46.2.2 otherwise entitled to exercise the rights of shareholders in relation to general meetings,

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to attend and speak at a general meeting.

47 Adjournment

- 47.1 If the persons attending a general meeting within half an hour of the time at which the meeting was due to start do not constitute a quorum, or if during a meeting a quorum ceases to be present, the chairman of the meeting must adjourn it.
- 47.2 The chairman of the meeting may adjourn a general meeting at which a quorum is present if—
- 47.2.1 the meeting consents to an adjournment, or
- 47.2.2 it appears to the chairman of the meeting that an adjournment is necessary to protect the safety of any person attending the meeting or ensure that the business of the meeting is conducted in an orderly manner.
- 47.3 The chairman of the meeting must adjourn a general meeting if directed to do so by the meeting.
- 47.4 When adjourning a general meeting, the chairman of the meeting must—
- 47.4.1 either specify the time and place to which it is adjourned or state that it is to continue at a time and place to be fixed by the directors, and
- 47.4.2 have regard to any directions as to the time and place of any adjournment which have been given by the meeting.
- 47.5 If a general meeting is adjourned, the Company must give notice of the time and place to which it is adjourned:
- 47.5.1 to the same persons to whom notice of the Company's general meetings is required to be given, and
- 47.5.2 containing the same information which such notice is required to contain.
- 47.6 No business may be transacted at an adjourned general meeting which could not properly have been transacted at the meeting if the adjournment had not taken place.

VOTING AT GENERAL MEETINGS**48 Voting: general**

A resolution put to the vote of a general meeting must be decided on a show of hands unless a poll is duly demanded in accordance with the Articles.

49 Errors and disputes

- 49.1 No objection may be raised to the qualification of any person voting at a general meeting except at the meeting or adjourned meeting at which the

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vote objected to is tendered, and every vote not disallowed at the meeting is valid.

- 49.2 Any such objection must be referred to the chairman of the meeting, whose decision is final.

50 Poll votes

- 50.1 A poll on a resolution may be demanded—

50.1.1 in advance of the general meeting where it is to be put to the vote, or

50.1.2 at a general meeting, either before a show of hands on that resolution or immediately after the result of a show of hands on that resolution is declared.

- 50.2 A poll may be demanded at any general meeting by any qualifying person (as defined in section 318 of the Act) present and entitled to vote at the meeting.

- 50.3 A demand for a poll may be withdrawn if—

50.3.1 the poll has not yet been taken, and

50.3.2 the chairman of the meeting consents to the withdrawal.

A demand so withdrawn shall not invalidate the result of a show of hands declared before the demand was made.

- 50.4 Polls must be taken immediately and in such manner as the chairman of the meeting directs.

51 Content of proxy notices

- 51.1 Proxies may only validly be appointed by a notice in writing (a “proxy notice”) which—

51.1.1 states the name and address of the shareholder appointing the proxy;

51.1.2 identifies the person appointed to be that shareholder’s proxy and the general meeting in relation to which that person is appointed;

51.1.3 is signed by or on behalf of the shareholder appointing the proxy, or is authenticated in such manner as the directors may determine; and

51.1.4 is delivered to the Company in accordance with the Articles and any instructions contained in the notice of the general meeting (or adjourned meeting) to which they relate,

and a proxy notice which is not delivered in such manner shall be invalid, unless the directors, in their discretion, accept the notice at any time before the meeting.

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- 51.2 The Company may require proxy notices to be delivered in a particular form, and may specify different forms for different purposes.
- 51.3 Proxy notices may specify how the proxy appointed under them is to vote (or that the proxy is to abstain from voting) on one or more resolutions.
- 51.4 Unless a proxy notice indicates otherwise, it must be treated as—
 - 51.4.1 allowing the person appointed under it as a proxy discretion as to how to vote on any ancillary or procedural resolutions put to the meeting, and
 - 51.4.2 appointing that person as a proxy in relation to any adjournment of the general meeting to which it relates as well as the meeting itself.

52 Delivery of proxy notices

- 52.1 A person who is entitled to attend, speak or vote (either on a show of hands or on a poll) at a general meeting remains so entitled in respect of that meeting or any adjournment of it, even though a valid proxy notice has been delivered to the Company by or on behalf of that person.
- 52.2 An appointment under a proxy notice may be revoked by delivering to the Company a notice in writing given by or on behalf of the person by whom or on whose behalf the proxy notice was given.
- 52.3 A notice revoking a proxy appointment only takes effect if it is delivered before the start of the meeting or adjourned meeting to which it relates.
- 52.4 If a proxy notice is not executed by the person appointing the proxy, it must be accompanied by written evidence of the authority of the person who executed it to execute it on the appointor's behalf.

53 Amendments to resolutions

- 53.1 An ordinary resolution to be proposed at a general meeting may be amended by ordinary resolution if—
 - 53.1.1 notice of the proposed amendment is given to the Company in writing by a person entitled to vote at the general meeting at which it is to be proposed not less than 48 hours before the meeting is to take place (or such later time as the chairman of the meeting may determine), and
 - 53.1.2 the proposed amendment does not, in the reasonable opinion of the chairman of the meeting, materially alter the scope of the resolution.
- 53.2 A special resolution to be proposed at a general meeting may be amended by ordinary resolution, if—
 - 53.2.1 the chairman of the meeting proposes the amendment at the general meeting at which the resolution is to be proposed, and

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- 53.2.2 the amendment does not go beyond what is necessary to correct a grammatical or other non-substantive error in the resolution.
- 53.3 If the chairman of the meeting, acting in good faith, wrongly decides that an amendment to a resolution is out of order, the chairman's error does not invalidate the vote on that resolution.

PART 5

ADMINISTRATIVE ARRANGEMENTS

54 Means of communication to be used

- 54.1 Subject to the Articles, anything sent or supplied by or to the Company under the Articles may be sent or supplied in any way in which the Act provides for documents or information which are authorised or required by any provision of the Act to be sent or supplied by or to the Company.
- 54.2 Any notice, document or other information shall be deemed served on or delivered to the intended recipient—
- 54.2.1 if properly addressed and sent by prepaid United Kingdom first class post to an address in the United Kingdom, 48 hours after it was posted (or five business days after posting either to an address outside the United Kingdom or from outside the United Kingdom to an address within the United Kingdom if (in each case) sent by reputable international overnight courier addressed to the intended recipient, provided that delivery in at least five business days was guaranteed at the time of sending and the sending party receives a confirmation of delivery from the courier service provider);
- 54.2.2 if properly addressed and delivered by hand, when it was given or left at the appropriate address;
- 54.2.3 if properly addressed and sent or supplied by electronic means, one hour after the document or information was sent or supplied; and
- 54.2.4 if sent or supplied by means of a website, when the material is first made available on the website or (if later) when the recipient receives (or is deemed to have received) notice of the fact that the material is available on the website.

For the purposes of this article, no account shall be taken of any part of a day that is not a business day.

- 54.3 In proving that any notice, document or other information was properly addressed, it shall be sufficient to show that the notice, document or other information was delivered to an address permitted for the purpose by the Act.
- 54.4 Subject to the Articles, any notice or document to be sent or supplied to a director in connection with the taking of decisions by directors may also be sent or supplied by the means by which that director has asked to be sent or supplied with such notices or documents for the time being.

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- 54.5 A director may agree with the Company that notices or documents sent to that director in a particular way are to be deemed to have been received within a specified time of their being sent, and for the specified time to be less than 48 hours.

55 Reporting

- 55.1 The directors shall procure that the Company shall at all times maintain accurate and complete accounting, financial and other records in accordance with the requirements of all applicable laws and generally accepted accounting principles applicable in the United Kingdom.

- 55.2 The Company shall provide the council with the financial and other information necessary to keep them informed about how effectively the business of the Company is performing (including any information specifically requested by the council) and in particular shall supply the council with a six monthly report addressed to the cabinet of the council in such form as the council may require.

56 Provision for employees on cessation of business

The directors may decide to make provision for the benefit of persons employed or formerly employed by the Company or any of its subsidiaries (other than a director or former director or shadow director) in connection with the cessation or transfer to any person of the whole or part of the undertaking of the Company or that subsidiary.

DIRECTORS' INDEMNITY AND INSURANCE**57 Indemnity**

- 57.1 Subject to article 57.2, but without prejudice to any indemnity to which a relevant officer is otherwise entitled—

- 57.1.1 each relevant officer shall be indemnified out of the Company's assets against all costs, charges, losses, expenses and liabilities incurred by him as a relevant officer—

- (a) in the actual or purported execution and/or discharge of his duties, or in relation to them; and
- (b) in relation to the Company's (or any associated Company's) activities as trustee of an occupational pension scheme (as defined in section 235(6) of the Act),

including (in each case) any liability incurred by him in defending any civil or criminal proceedings, in which judgment is given in his favour or in which he is acquitted or the proceedings are otherwise disposed of without any finding or admission of any material breach of duty on his part or in connection with any application in which the court grants him, in his capacity as a relevant officer, relief from liability for negligence, default, breach of duty or breach of trust in relation to the Company's (or any associated Company's) affairs; and

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- 57.1.2 the Company may provide any relevant officer with funds to meet expenditure incurred or to be incurred by him in connection with any proceedings or application referred to in article 57.1.1 and otherwise may take any action to enable any such relevant officer to avoid incurring such expenditure.
- 57.2 This article does not authorise any indemnity which would be prohibited or rendered void by any provision of the Companies Acts or by any other provision of law.
- 57.3 In this article—
- 57.3.1 companies are associated if one is a subsidiary of the other or both are subsidiaries of the same body corporate, and
- 57.3.2 a “**relevant officer**” means any director or other officer or former director or other officer of the Company or an associated Company (including any company which is a trustee of an occupational pension scheme (as defined by section 235(6) of the Act, but excluding in each case any person engaged by the Company (or associated Company) as auditor (whether or not he is also a director or other officer), to the extent he acts in his capacity as auditor).

58 Insurance

- 58.1 The directors may decide to purchase and maintain insurance, at the expense of the Company, for the benefit of any relevant officer in respect of any relevant loss.
- 58.2 In this article—
- 58.2.1 a “**relevant officer**” has the meaning attributed to it in article 57.3.2;
- 58.2.2 a “**relevant loss**” means any loss or liability which has been or may be incurred by a relevant officer in connection with that relevant officer’s duties or powers in relation to the Company, any associated Company or any pension fund or employees’ share scheme of the Company or associated Company, and
- 58.2.3 companies are “**associated**” if one is a subsidiary of the other or both are subsidiaries of the same body corporate.

THE CABINET

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

MUNICIPAL YEAR 2016/2017

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)**
- 3. Meridian Water Zone 1: Highway Compulsory Purchase Order (CPO)** Ian Davis

(Key decision – reference number 4484)
- 4. Meridian Water: Programme Update Contract Close and Budget Update** Ian Davis

Cabinet approval is required following the procurement of a Master Developer for the Meridian Water Project. Since the selection of the preferred bidder in May 2016, there have been detailed clarification and negotiations to finalise the Master Developer Framework Agreement which have now reached a stage at which approval will be required from the Cabinet prior to entering into the contract. **(Key decision – reference number 4469)**
- 5. Meridian Water: Programme Update and Station** Ian Davis

This will provide a commercial and financial update outlining progress and changes to the project since the last report in October 2015. **(Key decision – reference number 4470)**
- 6. Alma Estate Regeneration – Completion of Supplemental Development Agreement and Development Phase 3** Ian Davis

This will seek approval of the completion of the supplemental development agreement and the development of phase 3. **(Key decision – reference number 4441)**

7. **Claverings Industrial Estate** James Rolfe
(Key decision – reference number 4381)
8. **Meridian Water: Land Acquisition** Ian Davis
 This will seek authorisation to, and provide an update on, a number of aspects of the Meridian Water scheme. **(Key decision – reference number 4442)**
9. **Disposal of Land at Chase Farm Hospital** James Rolfe
 This will seek approval to the disposal of land to the Education Funding Agency. **(Key decision – reference number 4473)**
10. **Parks and Open Spaces Events Strategy Review** Ian Davis
 This will seek adoption of a revised Parks and Open Spaces Events Strategy. **(Key decision – reference number 4456)**
11. **Bury Street West - Development** James Rolfe/Ian Davis
 This will outline the proposed way forward for approval. **(Key decision – reference number 4008)**
12. **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)**

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)**
2. **Heritage Strategy** Ian Davis
 This will review the existing Heritage Strategy. **(Key decision – reference number 4428)**
3. **Construction of Relocated National Grid Infrastructure** Ian Davis
 This will seek approval to the construction of relocated national grid infrastructure. **(Key decision – reference number 4439)**

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

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

5. **Increased Budget Envelope for Housing Gateway Ltd.** James Rolfe

This will request, for recommendation to full Council, an increased budget envelope for Housing Gateway Ltd. **(Key decision – reference number 4444)**

6. **Flexible Housing – Capital Programme** Ray James/Ian Davis

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

7. **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)**

8. **Southgate Circus Redevelopment** James Rolfe

This will seek approval to the development of Southgate Circus Library and the Alan Pullinger Centre. **(Key decision – reference number 4432)**

9. **New Avenue Estate Renewal: Update** Ian Davis

This will update Cabinet on the New Avenue estate renewal. **(Key decision – reference number 4425)**

10. **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. **(Key decision – reference number 4321)**

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**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 8 FEBRUARY 2017****COUNCILLORS****PRESENT**

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

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

ABSENT

Yasemin Brett (Cabinet Member for Community, Arts and Culture) and Vicki Pite (Associate Cabinet Member – Enfield North)

OFFICERS:

Rob Leak (Chief Executive), Ray James (Executive Director of Health, Housing and Adult Social Care), James Rolfe (Executive Director of Finance, Resources and Customer Services), Tony Theodoulou (Executive Director of Children's Services), Asmat Hussain (Assistant Director Legal & Governance Services), Peter George (Assistant Director - Regeneration and Environment), Helen Waring (HRA Governance and Finance Manager), Detlev Munster (Head of Property Programmes), Stephen Fitzgerald (Assistant Director - Finance), Mohammed Lais (Senior Asset Management Surveyor), Andrew Golder (Press and New Media Manager), Robert Winterton (Finance Manager), Lovelace Poku (Regeneration Manager), Jan Rowley (Head of Neighbourhood Regeneration) and Colin Finlayson (Senior Planning Officer) Jacqui Hurst (Secretary)

Also Attending:

Councillor Derek Levy (Chair of the Overview and Scrutiny Committee), Councillor Katherine Chibah (Chair of School Places Scrutiny Work stream), Councillor Joanne Laban (Deputy Leader of the Opposition Group)

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1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Yasemin Brett (Cabinet Member for Community, Arts and Culture) and Councillor Vicki Pite (Associate Cabinet Member – Enfield North).

2

DECLARATION OF INTEREST

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

3

URGENT ITEMS

NOTED, that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information and Meetings) (England) Regulations 2012, with the exception of the following reports:

1. Report Nos.194 and 204 – Budget Report 2017/18 and Medium Term Financial Plan 2017/18 to 2020/21 (Minute Nos.6 and 21 below refer)
2. Report No.195 – Housing Revenue Account (HRA) 30 Year Business Plan, Budget 2017/18, Rent Setting and Service Charges (Minute No.7 below refers)
3. Report No.198 – Amendment to Governance Independence and Well Being Enfield Ltd (IWBE) (Council's Trading Company) (Minute No.10 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 reports be considered at this meeting.

4

DEPUTATIONS

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

5

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED, that the following reports be referred to full Council:

1. Report Nos. 194 and 204 – Budget Report 2017/18 and Medium Term Financial Plan 2017/18 to 2020/21
2. Report No.195 – Housing Revenue Account (HRA) 30 Year Business Plan, Budget 2017/18, Rent Setting and Service Charges

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6

BUDGET 2017/18 AND MEDIUM TERM FINANCIAL PLAN 2017/18 TO 2020/21 (GENERAL FUND)

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.194) recommending the general revenue budget and council tax for the 2017/18 financial year.

NOTED

1. That Report No.204 also referred as detailed in Minute No.21 below.
2. That Section 106 of the Local Government Finance Act 1992 required any Member who was two months or more in arrears on their Council Tax to declare their position and not to vote on any issue that could affect the calculation of the budget or the Council Tax. Any Member affected by Section 106 who failed to declare this could be subject to prosecution.
3. That in summary the report recommended:
 - A net revenue budget of £228.4m, a 3.95% decrease when compared with 2016/17.
 - A core council tax of £1,166.90 at Band D, a 1.99% increase.
 - A further £34.33 at Band D to pay for Adult Social Care as allowed by central government, a 3% increase on 2016/17.This would result in a headline charge for Enfield Council of £1,201.23 at Band D, a 4.99% increase.
4. The outcome of the recent budget consultation as set out in the report.
5. The continued pressures on service demand in the areas of Adult Social Care and Children's Services together with the ongoing reduction in public spending by the Government.
6. Members' attention was drawn to Appendix 8 of the report providing a "Statement of the Section 151 Officer under the requirements of Section 25 of the Local Government Act 2003 and robustness of budget estimates and adequacy of the services – February 2017". Members noted the forecast budget gap over the next 3 years in relation to the Medium Term Financial Plan, as set out in the report.
7. Councillor Sitkin noted the expenditure which had been incurred in relation to street lighting and festive lighting and highlighted the inaccuracy of an earlier press release regarding this issue.

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8. The recent press reports regarding the Government's funding settlement for Surrey County Council. Members expressed their concern over the apparent lack of fairness in the distribution of financial settlements to local authorities nationally and, their view that allocations to the minority should not be to the detriment of the majority of local authorities.

Alternative Options Considered: The Council operated a budget planning and consultation process during which a wide range of options were considered in detail before recommendations were made. Issues raised and discussed had greatly contributed to the report including information from the Budget Consultation set out in the report. As part of its planning for both 2017/18 and future years the Council had considered future levels of Council Tax.

RECOMMENDED TO COUNCIL

1. To draw the attention of Members to the comments in paragraph 2.14 of the report regarding S106 of the Local Government Finance Act 1992 which required any Member who was two months or more in arrears on their Council Tax to declare their position and not vote on any issue that could affect the calculation of the budget or Council Tax.
2. With regard to the revenue budget for 2017/18 to:
 - (i) Set the Council Tax Requirement for Enfield at £114.169m in 2017/18.
 - (ii) Set the Council Tax at Band D for Enfield's services for 2017/18 at £1,201.23 (paragraph 8.1 of the report), being a 1.99% general Council Tax increase and a 3.00% Adult Social Care Precept.
 - (iii) Approves the statutory calculations and resolutions set out in Appendix 10 of the report.
3. With regard to the Prudential Code and the Capital Programme to:
 - (i) Note the information regarding the requirements of the Prudential Code (section 9 of the report).
 - (ii) Agree the Approved Capital Programme for 2016/17 to 2020/21 as set out in section 9 (and Appendix 9) of the report. Also note the Indicative Capital Programme and recommend that Council agrees that these indicative programmes be reviewed in the light of circumstances at the time.
 - (iii) Agree the Prudential Indicators, the Treasury Management Strategy, the Minimum Reserve Provision policy and the criteria for investments set out in section 9 and Appendices 4 and 5 of the report.

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4. To agree the Medium Term Financial Plan, including the savings proposals set out in Appendix 2 of the report, and adopt the key principles set out in paragraph 10.9 of the report.
5. With regard to the robustness of the 2017/18 budget and the adequacy of the Council's earmarked reserves and balances to:
 - (i) Note the risks and uncertainties inherent in the 2017/18 budget and the Medium Term Financial Plan (sections 10 and 11 of the report) and agree the actions in hand to mitigate them.
 - (ii) Note the advice of the Executive Director of Finance, Resources and Customer Services regarding the recommended levels of contingencies, balances and earmarked reserves (section 12 of the report) and has regard to the comments of the Executive Director (section 13 of the report) when making final decisions on the 2017/18 budget.
 - (iii) Agree the recommended levels of central contingency and general balances (section 12 of the report).
6. Agree the Schools Budget for 2017/18 (section 5.11 and Appendix 13 of the report).
7. Agree the Fees and Charges for Environmental Services for 2017/18 (section 10.12 and Appendix 12 of the report).
8. Agree the Fees and Charges for Adult Social Care Services for 2017/18 (section 10.13 and Appendix 11 of the report), subject to consultation.
9. That the New Homes Bonus be applied as a one-off contribution to the General Fund in 2017/18.
10. Approve the adoption of the new flexible use of capital receipts as announced by the Department for Communities and Local Government for 2016/17 to 2019/20 and the proposed use of new capital receipts in 2016/17 and 2017/18 (Appendix 14 of the report). To note that, in using this flexibility, £2m of capital receipts had been used as one-off funding in 2017/18 in order to balance the budget, highlighting the need for fair funding settlements in the future.
11. Note that the Council signed up to the Government's four-year funding offer during 2016/17 and published an efficiency plan (Appendix 15 of the report). As such, it was not expected that the future years Government funding figures shown in this report would change.
12. Consider the feedback and results from the Budget Consultation and Overview and Scrutiny Committee Budget meeting on 19 January 2017 as set out in Appendix 1 of the report.

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DECISION: The Cabinet agreed to delegate authority to the Cabinet Member for Finance and Efficiency and the Executive Director of Finance, Resources and Customer Services to agree any necessary changes in preparation of the Budget 2017/18 and Medium Term Financial Plan report to Council on 28 February 2017.

Reason: To set the Council's Budget requirement and level of Council Tax for 2017/18 within the timescales set out in legislation. To agree the Treasury Management Prudential Indicators and, the Capital Programme for 2017/18.

(Key decision – reference number 4371)

7

HOUSING REVENUE ACCOUNT (HRA) 30-YEAR BUSINESS PLAN, BUDGET 2017/18, RENT SETTING AND SERVICE CHARGES

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Executive Director of Finance, Resources and Customer Services and Executive Director of Regeneration and Environment (No.195) setting out the proposed HRA 30 Year Business Plan, the detailed HRA Revenue Budget for 2017/18, the five year HRA Capital Programme and Right to Buy (RTB) One for One Receipts Programme (2017/18 to 2021/22).

NOTED

1. The report also presented the levels of rents, service charges and heating charges to be operative with effect from 3 April 2017 for HRA Council tenant and leaseholders, and rents for tenants in Temporary Accommodation.
2. That the detailed figures included in the latest version of the HRA 30 Year Business Plan were set out in Appendix A to the report. Members noted the constraint on resources.
3. The detailed programme of works and key risks in the delivery of the HRA business plan as set out in the report. Members noted that 2017/18 would be the second year of the 1% rent reduction which had been agreed over four years and its impact had been factored into the 30-year business plan and budget setting, as outlined in the report.
4. The recent publication of the Government's Housing White Paper, the future impact of which was still to be determined. Members noted that the Government's borrowing cap on the Housing Revenue Account had not been relaxed.
5. The base budget for 2017/18 as set out in section 5 of the report. During 2016/17, a project had been in place to identify ongoing savings of £2m per annum from the HRA which would start to have a full year effect in 2017/18. These savings were in addition to the savings of

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£1.955m identified in 2015/16. As at December 2016, a net £2.3m had been found.

6. The implications of the Welfare Reform and Work Act which had come into force in March 2016, as set out in the report.
7. That the report set out the service charges for tenants and leaseholders.
8. The proposed Heating Charges as set out in section 12 of the report. It was recommended that, with effect from 1 October 2017, heating charges move to being reviewed and increased or decreased on 1 October each year, rather than April. This meant that, in 2017/18, there would be two heating charge reviews, one now and one in October. Heating charges, especially electricity, were predicted to increase significantly this year. Section 12.4 set out the proposed electricity charges which would be increased by 8% now and reviewed again in October. A review of all heating charges in October of each year would also align with the setting of the Council's annual contracts. Members noted that the poor electricity generating capacity in the UK increased the grid's reliance on imports from France, the price for which would depend on the performance of the pound against the euro.

Alternative Options Considered: Currently, the Council had no choice about the level of rents it sets for Council tenants and the options available regarding Temporary Accommodation rents remain unclear. The Council could not afford to forgo available income in the current financial climate, so this had been maximised where possible. A number of different options had been considered around budget levels required both for 2017/18 and in the medium term. The preferred option, to meet the priorities of the service and the Council, was presented in the report. Service charges could be set at alternative levels, but those set out in paragraph 10 of the report would need to result in improved services to tenants and leaseholders. Advice from the Council's energy management team and energy management advisors, LASER, was that electric communal heating charges should go up by 16% with effect from 3 April 2017. However, the report proposed instead that the charges were reviewed mid-year since charges relating to October 2017 onwards were not yet subject to contract.

RECOMMENDED TO COUNCIL to

1. Approve the HRA 30-Year Business Plan.
2. Approve the detailed HRA Revenue Budget for 2017/18.
3. Approve the HRA Capital Programme and Right to Buy One for One Receipts Programme 2017/18 to 2021/22.
4. Note the rent levels for 2017/18 for HRA properties and Temporary Accommodation properties.

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5. Approve the level of service charges for 2017/18 for those properties receiving the services.
6. Approve the heating charges for 2017/18 for those properties on communal heating systems and the proposed mid-year review.
7. Approve the proposals for increases in garages and parking bay rents.
8. Delegate authority to the Cabinet Member for Housing and Housing Regeneration and the Executive Director of Regeneration and Environment to approve tenders for Major Works.

Reason: The Council must comply with the law in setting its rents for Council tenants and Temporary Accommodation rents could not be increased whilst the effect of this could not be properly understood. Setting an annual budget, capital programme and balanced HRA 30 Year Business Plan were also legal requirements. Increasing service charges would allow the Council to provide new and better services to tenants, and the charges set out in the report were supported by the Council's Housing Board and Customer Voice (the Tenant and Leaseholder representative body).

(Key decision – reference number 4451)

8

REVENUE MONITORING REPORT 2016/17: DECEMBER 2016

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.196) setting out the Council's revenue budget monitoring position based on information to the end of December 2016.

NOTED that the report forecast an outturn position of £6.2m overspend for 2016/17 and set out the mitigating actions to bring the budget into balance. Members' attention was drawn to paragraph 4.3 of the report. Councillor Lemonides reiterated the challenging national funding position and that many local authorities were in a similar position to Enfield. The Council was continuing to demonstrate responsible financial management.

DECISION: The Cabinet agreed to note

1. The £6.2m overspend revenue outturn projection. This position was a reduction of £1.0m from that last reported to Cabinet in October 2016.
2. That Cabinet Members would continue to work with Executive Directors to implement action plans to reduce the forecast overspend in 2016/17.
3. The mitigating actions proposed to date by Executive Directors of overspending departments as set out in Appendix A to the report.

Alternative Options Considered: Not applicable to this report.

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Reason: To ensure that Members were aware of the projected budgetary position, including all major budget pressures and underspends which had contributed to the present monthly position and that were likely to affect the final outturn.

(Key decision – reference number 4368)

9

**CAPITAL PROGRAMME MONITOR - THIRD QUARTER DECEMBER 2016:
BUDGET YEAR 2016-17**

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.197) informing Members of the current position up to the end of December 2016.

NOTED

1. That the overall expenditure was projected to be £230.3m for the General Fund and £55.2m for the HRA for 2016/17.
2. The additions and reductions to the Programme as detailed in Tables 3 and 4 of the report. Members noted that as part of the 2017/18 budgeting cycle, a review of the capital programme had been undertaken with each department, with the aim of reducing the revenue cost of borrowing to the Council's general fund, as detailed in the report.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet

1. Agreed the revised 2016/17 Capital Programme totalling £230.3m for the General Fund and £55.2m for the Housing Revenue Account (HRA).
2. Noted the approved full four-year programme as per Appendix A of the report and Indicative Programme in Appendix B of the report.
3. Noted the additions to the programme which were for information only and either required no additional borrowing as they were grant funded or had already been approved as part of the Council's democratic process as detailed in Table 3 of the report.

Reason: To inform Members of the current position up to the end of December 2016 regarding the Council's capital programme.

(Key decision – reference number 4364)

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10

AMENDMENT TO GOVERNANCE INDEPENDENCE AND WELL BEING ENFIELD LTD. (IWBE) (COUNCIL'S TRADING COMPANY)

Councillor Alev Cazimoglu (Cabinet Member for Health and Social Care) introduced the report of the Executive Director of Health, Housing and Adult Social Care (No.198)

NOTED

1. The governance arrangements outlined in the report and specifically in relation to the establishment of a Cabinet Sub-Committee to act as the Independence and Well Being Oversight Board.
2. That Councillor Cazimoglu was Chair of the trading company's Executive Board and would be invited to attend meetings of the Oversight Board in an advisory non-voting capacity.
3. That detailed terms of reference for the Sub-Committee would be prepared and presented for adoption at its first meeting.
4. Councillor Anderson requested that the name of the Oversight Board/Cabinet Sub-Committee be reviewed and agreed at its first meeting.
5. Councillor Lemonides reported on the work that was currently being undertaken to review the governance arrangements of all of the Council's trading companies.

Alternative Options Considered: The only other option would be not to set up the Oversight Board which would mean that the governance arrangements were not in accordance with the previous Cabinet decision.

DECISION: The Cabinet agreed

1. To establish a Cabinet sub-committee to act as the Oversight Board for Independence and Well-being Enfield and to appoint two Cabinet Members to serve on the sub-committee. The sub-committee would receive updates from the Executive board and scrutinise performance against the contract and Business Plan, review investment plans and risks. The Oversight Board was an advisory board to the Cabinet. Matters arising from the Oversight Board would be reported back to Cabinet for decision. The Cabinet Member for Health and Social Care (who was Chair of the Executive Board) would be invited to attend all meetings of the Oversight Board but in a non-voting capacity. The board would also be attended by the Executive Directors of Health, Housing and Adult Social Care, and Finance, Resources and Customer Services in an advisory capacity.

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2. To note that more detailed terms of reference for the Oversight Board would be developed and presented for approval at the first meeting of the Oversight Board.
3. To delegate authority to Councillor Taylor (Leader of the Council) to nominate the two Cabinet Members to serve on the Sub-Committee.

Reason: To formally set up the Oversight Board and to establish the terms of reference for the Oversight Board. It was necessary to demonstrate that the governance structure of IWBE Ltd. gave the Council the relevant control to satisfy the Teckal exemption.

(Non key)

11

PONDERS END HIGH STREET: PHASE 2 DELIVERY PROGRAMME

Councillor Ahmet Oykenner (Cabinet Member for Housing and Housing Regeneration) introduced the report of the Executive Director – Regeneration and Environment (No.200) seeking authorisation to initiate the Ponders End (Phase 2) programme.

NOTED

1. The excellent progress that was being made on the continued regeneration of Ponders End, as detailed in the report. The Council was providing good quality local homes. The Dujardin Mews project had now been completed and Councillor Oykenner praised the quality and standard of the new housing provision.
2. The Council would continue to find ways to deliver affordable housing. Enfield was leading the way on housing delivery and had recently been featured on LBC radio as a “champion” authority in this respect. Councillor Oykenner praised the work that had been undertaken to date and congratulated all concerned.
3. In response to Members’ questions, clarification was provided on the progress of the Alma Estate regeneration and the anticipated timescales for completion, as set out in section 4 of the report.
4. Councillor Taylor drew Members’ attention to the proposed governance arrangements set out in section 9 of the report. Members reiterated the need for continued effective community involvement and consultation with local residents in going forward.
5. The Area Objectives as set out in section 6 of the report. The Ponders End Ward Councillors were robust in their view that dedicated public community facilities should be provided in the area.
6. Councillor Orhan noted paragraph 4.5.2 of the report in relation to the Ponders End Qube. The report stated that at the end of the expiration

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of two years or when the site was required for redevelopment, an exit strategy would be in place to ensure that there was a new site to accommodate the Qube. Councillor Orhan emphasised the need to continue to consult with the local community in identifying the most appropriate alternative site for this facility. Proposals for an alternative site in the future should be robustly discussed with residents and current users. Councillor Orhan expressed the view that the provision should remain within the Ponders End Ward. Councillor Taylor acknowledged that whilst re-provision of the facility was essential, it might not be possible to identify an alternative and suitable site within the Ponders End Ward. The views of the Ward Councillors and their stated preferences in going forward were noted.

7. Councillor Cazimoglu highlighted paragraph 7.4.8 of the report regarding Boundary House which had been a source of anxiety for residents in the neighbouring Jubilee Ward. It was noted that officers were in discussions about bringing forward proposals for alternative uses of the site, as set out in the report. Officers were asked to keep both Ponders End and Jubilee Ward Councillors informed on any progress.
8. Councillor Orhan praised the exemplary community engagement that had taken place, and continued to be held, with residents in Ponders End which was an example of best practice to all concerned.
9. Councillor Anderson acknowledged the good work that was being undertaken in Ponders End for the benefit of the local area and its residents.
10. Councillor Taylor drew Members' attention to paragraph 7.4.2 of the report regarding Swan Annexe. The Swan Annexe had been identified as a building of architectural merit and had been identified in the Council's draft local heritage list. Councillor Taylor reiterated the need to ensure that the frontage of the building was retained for future heritage purposes and recognised as part of the Borough's history.

Alternative Options Considered: NOTED, that further reports would follow considering an analysis of each of the interventions described in section 7 of the report and what options might follow from this work.

DECISION: The Cabinet

1. Noted the progress made to date on the ongoing regeneration of Ponders End and agreed the next phase of the programme.
2. Agreed to authorise draw down of approved 2016-17 budget for expenditure of no more than £1.0m to progress design and architectural work across sites at Ponders End identified and in accordance with the scope detailed in section 7 of the report.

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3. Agreed to authorise draw down of approved 2016/17 budget for £100k to carry out a series of small to medium scale public realm improvements.
4. Agreed to approve the Ponders End governance arrangements.
5. Agreed to authorise draw down of approved 2016-17 budget for no more than £310k for quantity surveying, engineering and valuation advice for sites identified within the report to undertake an options appraisal as explained in section 8 of the report.

Reason: The regeneration of Ponders End was well underway but it was vital that the Council continued the ongoing development of this town centre. The recommendations sought to allow the further investigation of additional development sites so that the Council was well informed of any future decisions.

(Key decision – reference number 4382)

12

BURY STREET WEST - DEVELOPMENT

Councillor Ahmet Oykenar (Cabinet Member for Housing and Housing Regeneration) advised Members that the report of the Executive Director of Finance, Resources and Customer Services and Executive Director of Regeneration and Environment (No.201) had been deferred for consideration at the next Cabinet meeting.

Councillor Oykenar reported that the Government had issued a Housing White Paper on 7 February 2017 setting out the Government's plans to reform the housing market and boost the supply of new homes in England. In the light of this, it was recommended that discussions take place with the GLA on any potential changes which would impact on the proposals for the Bury Street West development. Following a review, a report on the proposals for the recommended way forward would be presented to the next Cabinet meeting for Members' consideration (Report No.206 also referred as detailed in Minute No.22 below).

(Key decision – reference number 4008)

13

LAND ACQUISITION AT MERIDIAN WATER (VOSA)

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.202) seeking approval to the acquisition of a site at Meridian Water, as set out in the report.

NOTED

1. That Report No.207 also referred as detailed in Minute No.23 below.

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2. The proposals set out in the report for the acquisition of land as part of the Meridian Water Programme.

Alternative Options Considered: NOTED, that the principal alternative option for acquiring this site would be via a Compulsory Purchase Order (CPO). There were strong financial and strategic reasons why it was preferable to acquire the site now rather than via CPO. The detailed reasons were set out in section 4 of the report.

DECISION: The Cabinet agreed to

1. Approve the sale price for the purchase of a 2.13 acre (0.86ha) site at Meridian Water, as detailed in Report No.207, Minute No.23 below refers.
2. Approve the terms of the sale as set out in the Contract for Sale, appended to Report No.207, Minute No.23 below refers.
3. Authorise the Assistant Director Legal and Governance to enter into the Contract for Sale.
4. Authorise all necessary expenditure associated with the purchase of this land as detailed in Report No.207 (Minute No.23 below refers), noting that it would be contained within the existing approved capital budget.

Reason: The acquisition of the site would enable the Council to exercise control over the land within the Meridian Water Masterplan area, which would help accelerate housing delivery. To provide a greater level of certainty over the timescales associated with the development of Meridian Water and to increase developer and stakeholder confidence in the delivery of the Masterplan. The purchase of the site would underpin the delivery of the Meridian Water Housing Zone and this land could support a mixed use development at a later date.

(Key decision – reference number 4377)

14

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE - SCHOOL PLACES SCRUTINY WORKSTREAM REPORT

Councillor Doug Taylor welcomed Councillor Katherine Chibah (Chair of the School Places Scrutiny work stream) to the meeting and invited her to present the report of the Scrutiny work stream to the Cabinet.

Councillor Katherine Chibah introduced the report of the School Places Scrutiny work stream (No.203).

Councillor Chibah expressed her thanks and appreciation to the Scrutiny Members and the officers who had supported the effective review of the provision of school places in the Borough and, how the local authority was

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ensuring that both current and future demand could be met for primary, secondary and special schools.

NOTED

1. That the report made a number of recommendations, designed to improve further the Council's school places planning and provision, and to support the Council in delivery in this complex and rapidly changing area.
2. The Cabinet Member and Executive Director's response to the recommendations, attached as Appendix A to the report.
3. With regard to recommendation 2.1 of the report, Councillor Chibah advised Members that she had written to the appropriate Regional Commissioner with regard to the need for early consultation with local authorities on the provision of new free schools, as detailed in the report. A positive response had been received and it was anticipated that an effective dialogue with the Director of Children's Services would be established for the future.
4. Councillor Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection) thanked the Scrutiny Members for a thorough and robust scrutiny of this area of provision. Councillor Orhan expressed her appreciation to Councillor Chibah for an excellent piece of work and supported the recommendations coming forward. Councillor Orhan noted the significant amount of work that had been carried out to date and reported on the progress being made in implementing the recommendations which had arisen from the review. The work would be on-going.
5. Councillor Taylor drew Members' attention to the recommendations in the report relating to an increase in autism, the reasons for this and the potential impact on future levels of provision to meet increasing demand. In response, Councillor Chibah advised that the evidence considering the reasons for the apparent increase was ambiguous and inconclusive at this stage. The Scrutiny work stream had not compared Enfield to other similar local authorities. Tony Theodoulou (Director of Children's Services) advised that the diagnosis of autism had improved and noted that other local authorities were experiencing similar increases in the number of identified cases. Ray James (Director of Health, Housing and Adult Social Care) reported on the current position nationally with regard to adult social care. There had been a significant effort to improve effective diagnosis of autism. It was suggested that there had been both an increase in the prevalence of autism together with an improved diagnosis of the condition.
6. Councillor Taylor recognised that further work would be required nationally with regard to autism and suggested that the issue be raised within a National Local Government journal to highlight the matter and

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seek further investigation into autism and the reasons for the identified increases.

7. Councillor Orhan accepted the recommendations of the Scrutiny work stream as set out in the report.

Alternative Options Considered: None

DECISION: The Cabinet agreed to note the report and the Cabinet Member and Director's response to the recommendations (set out in Appendix A to the report).

Reason: To assist the Council to fulfil its statutory duty to provide sufficient pupil places to meet anticipated demand.
(Non key)

15

ENFIELD COMMUNITY SUPPORT FUND CABINET SUB-COMMITTEE FOR THE REMAINDER OF THE MUNICIPAL YEAR 2016/17

AGREED, to the re-establishment of an Enfield Community Support Fund Cabinet Sub-Committee for the remainder of the municipal year 2016/17 with the following membership:

Councillor Yasemin Brett
Councillor Krystle Fonyonga
Councillor Achilleas Georgiou

NOTED, that as in previous years, the Cabinet Sub-Committee would be the Assessment Panel for the Fund. All bids that pass the quality assurance process would be prepared and passed to the Cabinet Sub-Committee (Assessment Panel) for consideration. The re-establishment of the Sub-Committee was required to manage delivery of the Fund for schemes in 2017/18. It was anticipated that the Sub-Committee would meet once during the year according to the appropriate timetable of submission.

16

CABINET AGENDA PLANNING - FUTURE ITEMS

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

17

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 18 January 2017 be confirmed and signed by the Chair as a correct record.

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18

ENFIELD STRATEGIC PARTNERSHIP UPDATE

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

19

DATE OF NEXT MEETING

NOTED, that the next Cabinet meeting was scheduled to take place on Wednesday 15 March 2017.

20

EXCLUSION OF THE PRESS AND PUBLIC

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

21

BUDGET REPORT 2017/18 AND MEDIUM TERM FINANCIAL PLAN 2017/18 TO 2020/21

Councillor Dino Lemonides (Cabinet Member for Finance and Efficiency) introduced the report of the Executive Director of Finance, Resources and Customer Services (No.204).

NOTED, that Report No.194 also referred as detailed in Minute No.6 above.

Alternative Options Considered: As detailed in Report No.194, Minute No.6 above referred.

RECOMMENDED TO COUNCIL that the Pest Control, Commercial Waste, Schedule 2 waste, clinical waste, Planning pre-application service, Parks events and outdoor facilities, People Transport Services, Fleet services and Schools Health and Safety fees and charges for Environmental Services be agreed as set out in Section 3.1 and Appendix 1 of the report.

Reason: As detailed in Report No.194, Minute No.6 above referred.

(Key decision – reference number 4371)

22

BURY STREET WEST - DEVELOPMENT

NOTED, that the report of the Executive Director of Finance, Resources and Customer Services and Executive Director of Regeneration and Environment

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(No.206) had been deferred to the next Cabinet meeting (Minute No.12 above also referred).

(Key decision – reference number 4008)

23

LAND ACQUISITION AT MERIDIAN WATER (VOSA)

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.207).

NOTED

1. That Report No.202 also referred, as detailed in Minute No.13 above.
2. The details of the site in question and the proposed terms, as set out in the report. The anticipated timescales for the development of the site and the consideration of “meanwhile use”, together with the financial implications of the proposals, were outlined to Members at the meeting and detailed within the report.

Alternative Options Considered: As detailed in Report No.202, Minute No.13 above refers.

DECISION: The Cabinet agreed to authorise

1. And approve the purchase of the site.
2. The release of funds for the agreed purchase price as detailed in recommendation 2.2 of the report, according to the agreed structured payment, noting that these were contained within the existing capital programme budget for the Meridian Water Project.
3. The release of Stamp Duty Land Tax (SDLT) on the purchase and any other expenditure associated with the acquisition of the Site, noting these could be contained from within the existing capital programme budget for the Meridian Water Project.

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

(Key decision – reference number 4377)