

MUNICIPAL YEAR 2017/2018 REPORT NO.

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

PORTFOLIO DECISION OF:

Cabinet Member for Children's
Services and Protection

JOINT REPORT OF:

Executive Director – Children's
Services

Contact officer and telephone number:

Keith Rowley Tel: 020 8379 2459

E mail: keith.rowley@enfield.gov.uk

Agenda – Part: 1

KD Num: 4479

Subject: West Lea School – Contract award
for Enabling works, including demolition and
associated Works

Wards: Upper Edmonton

Cabinet Members consulted:

Cllr Ayfer Orhan - Cabinet Member for
Education, Children's Services and Protection

1. EXECUTIVE SUMMARY

- 1.1** This report covers the next decision in line with the November 2016 Cabinet report (KD4395) on the strategy and approach to deliver pupil places.
- 1.2** This report seeks approval to award a contract to “Contractor A” for construction works and approval for scheme expenditure including related services, fixed furniture & equipment. This approval is required to enable the provision of a new school extension and associated works at West Lea School (“School”).

2. RECOMMENDATIONS

That the Cabinet member for Education, Children's Services and Protection:

- 2.1** Approves the contract award to “Contractor A” for the construction work relating to the part demolition and new build of teaching accommodation and associated works at West Lea School, as further detailed in Part 2 of this report.
- 2.2** To approve expenditure relating to the Enabling Works of £329,000 as detailed in Part 2 of this report.
- 2.3** To note that a further report will follow for the main contract award and remaining expenditure to complete the scheme.

3. BACKGROUND

3.1 The November 2016 Cabinet report (KD4395) on the strategy and approach to deliver pupil places which included:

1. Support continued delegated authority to the Cabinet Member for Education, Children's Services and Protection and the Cabinet Member for Finance and Efficiency in consultation with the Director of Finance, Resources and Customer Services, the Chief Education Officer or the Assistant Director of Strategic Property Services, to take decisions on:
 - a. The individual schools, sites and preferred partners for expansions, and decisions on statutory requirements, to meet the demand for extra pupil places, both mainstream and special, up to 2020/21.
 - b. Conducting suitable procurement exercises and either calling off EU-compliant framework agreements or conducting suitable procurement exercises, entering into contractual arrangements with successful contractors and placing orders for any capital works required for the projects in accordance with the limits set out in the Council's Contract procurement rules; and
 - c. Conducting any necessary land transactions, including acquisitions by way of freehold or leasehold up to the value of £500,000, as individual schemes were developed.
2. Support continued delegated authority to the Director of Finance, Resources and Customer Services and the Chief Education Officer to take decisions on the:
 - a. Programme management arrangements and operational resourcing, including procurement of any required support services.
 - b. Commencing feasibility or initial design to inform pre-application discussions with planning and procurement of resources for this activity.
 - c. Cost estimates, budgets and spend for projects in advance of updates to the Capital Programme.
 - d. Submission of planning applications; and
 - e. The appropriate procurement routes for professional support services and construction for individual schemes.

4. PROPOSAL

- 4.1. After detailed consultation, a design has been agreed with the Governing Body.
- 4.2. Planning approval dated 9 May 2016 for the provision of new teaching accommodation involving demolition of Blocks B, C, D and E and partial demolition of Block A, 'Phase A' single storey extensions to provide main entrance, main hall and dining hall together with single storey and two storey

extensions to provide teaching accommodation, provision of hard and soft play areas, covered seating, cycle parking and reconfiguration of car park and vehicular/pedestrian access arrangements approval for award of contract for this work 'Phase A'; a further report will follow for that main contract award.

- 4.3 This award of contract is for the Enabling Works Contract, which is seeking for the demolition of Blocks B, C, D, and E and partial demolition of Block A and contractor site set-up.
- 4.4 The construction works have been procured following a competitive quotation process via the London Tenders Portal in accordance with the Council's CPRs. The form of contract will be the JCT Minor Works Building Contract, 2011 Edition including Amendment 1 issued March 2015 and the JCT 2011 Public Sector Supplement. The Insurance for the works will be Clause 5.4B under the contract, which is 'Insurance of existing structures and the Work by the Council in Joint Names'; the Council has this insurance in place with retrospective notification.
- 4.4 The tender had been conducted through a single stage process. The tendering procedure in accordance with JCT Practice Note 2012, Alternative 2 is to apply, which means that contractors must either standby or amend their tender for any arithmetical or pricing errors identified in the tender evaluation.
- 4.5 Five contractors were invited. The tenders were evaluated in accordance with the tendering procedure to arrive at the recommendation for contract award to Contractor 'A' as detailed in Part 2 of this report.
- 4.6 All tenderers met the programme requirements as set out in the Preliminaries / General Requirements; however there was an issue with risk of delay relating to Statutory services authorities. There were no alternative time tenders offered by the contractors.
- 4.7 The construction work will be carried out over the school summer holiday period commencing on 24th July 2017 with completion on 25th August 2017.
- 4.8 An Operational Decision was signed by the Assistant Director - Education on 21st June 2017 to authorise a Letter of Limited Liability to Contractor 'A', which underwrites mobilisation costs. This action was required to mitigate the risk of not completing the Enabling works during the school summer holiday period. The risk to the Council of this action is the abortive mobilisation costs if this key decision is not approved; please note that works will not commence on site until the key decision becomes effective.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Not to proceed with this project would mean that West Lea School, would not have enough school places to meet the council's needs in the special education needs sector.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The tender from Contractor 'A' is compliant and is the most economically advantageous tender.
- 6.2 The design has been future-proofed to enable the kitchen and dining provision to provide free hot school meals to all pupils if this becomes a statutory requirement in the future.
- 6.3 Any delay will severely affect the ability of the authority in meeting its statutory responsibilities in providing enough school places from the Autumn Term 2017.
- 6.4 Poor quality surplus teaching accommodation to be removed.
- 6.5 Health and Safety issues to be addressed with regard to pupil/visitor circulation around the school site.
- 6.6 Significant reorganisation and refurbishment to the to improve wellbeing, behaviour and access.
- 6.7 Improvements to the external learning and teaching environment for pupils.

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

7.1 Financial Implications

The overall funding provision within the SCS capital programme for this scheme is £4.881m, entirely funded from government grant. The proposed capital expenditure profile authorised by this decision is:

	2017/18 £'000	2018/19 £'000	TOTAL £'000
Total Expenditure	323.0	6.0	329.0

Further detail is provided in the Part 2 report.

These works will result in additional places at the school and the revenue funding for these places will come from the Dedicated Schools Grant (DSG). These works support the authority's strategic plans to create additional places for special needs children in borough which will avoid placing them in outborough independent schools and reduce revenue costs overall.

7.2 Legal Implications

- 7.2.1 The Council has a general responsibility for education and to secure efficient primary education to meet the needs of the population in its area under Section 13 of the Education Act 1996 (as amended).
- 7.2.2 Section 111 of the Local Government Act 1972 further enables local authorities to do anything, including incurring expenditure, borrowing, which facilitate or are conducive or incidental to the discharge of their functions and the Council has the power under section 1(1) of the Localism Act 2011 to do anything that individuals generally may do, provided it is not prohibited by legislation and subject to Public Law principles. The recommendations within this report are in accordance with these powers.
- 7.2.3 A formal mini competition tender process was undertaken through the London Tenders Portal and the Council has conducted the evaluation and award of contract process in a fair, transparent, proportionate and non-discriminatory manner.
- 7.2.4 The fees associated with this works contract fall below the threshold for Public Service Contracts under the Public Contracts Regulations 2015 and therefore the full EU procurement procedures do not apply. However, the Council must ensure that it complies with the EU general principles of equality, transparency, proportionality, non-discrimination and mutual recognition when awarding any contract.
- 7.2.5 The Council must comply with all requirements of its constitution and CPRs. Throughout the engagement of Contractor A as a provider, the Council must comply with its obligations of obtaining best value, under the Local Government (Best Value Principles) Act 1999. The Council must keep a clear audit trail of its decision to award these services to Contractor A, in order to demonstrate that best value has been and will continue to be obtained for the Council. For procurements of between 100k and the EU threshold, the Council is required to receive 5 quotes and 2 of those must be from a local supplier. Where this is not possible, the Council must give reasons. In addition, the Divisional Director or Head of Service must approve the award subject to discussion with the Assistant Director of Procurement.
- 7.2.6 All legal agreements (including all associated documentation) arising from the matters described in this Report must be approved in advance of contract commencement, by the Assistant Director of Legal & Governance Services. Contracts whose value exceeds £250,000 are required to be executed under seal and performance security should

be obtained unless the Director of Finance Resources and Customer Services considers this to be unnecessary.

7.3 Property Implications

- 7.3.1 The design and build of the new teaching areas should be implemented so that it does not cause a hindrance or redesign to any new or modified school on site in the future. It should link to the new school seamlessly.
- 7.3.2 Future proof systems engineering should be envisaged at this stage to avoid high costs later in the development life cycle. These should be carried through the options appraisal and be weighted high accordingly to any evaluation criteria.
- 7.3.3 Any future evaluation of the school options should include consultation with all relevant stakeholders and departments.
- 7.3.4 To meet statutory requirements it is vital to ensure that the Council's financial accounts do not include buildings (or parts of buildings) that have been demolished. To ensure we have high quality records and meet our statutory obligations Education Asset Managers will complete a demolition notification form and return to Property Services. This will enable Strategic Property Services to advise Insurance, Finance (Asset Register) energy management teams and various other departments within the Council of the changes.
- 7.3.5 All new data regarding the new development including revised site plans, floor plans and room data will be sent by the Project Manager to Strategic Property Services for input onto the Asset Management Data System, ATRIUM.
- 7.3.6 An inventory list of any material procured and produced will need to be kept. In the event of failure, appropriate arrangements will need to be made for these supplies to be retained and secured for the Council until a decision is made on how best to dispose of them.
- 7.3.7 To meet statutory requirements it is vital to ensure that the Council's financial accounts do not include buildings (or parts of buildings) that have been demolished. To ensure we have high quality records and meet our statutory obligations Education Asset Managers will complete a demolition notification form and return to Property Services. This will enable Strategic Property Services to advise Insurance, Finance (Asset Register) energy management teams and various other departments within the Council of the changes.

- 7.3.8 Adequate measures should be taken including the safe passage of teachers, pupils and members of the public when construction is taking place when the school is operational.

7.4 Procurement Implications

- 7.4.1 All procurement must be carried out in line with Contract Procedure Rules and compliant to UK & EU regulations.
- 7.4.2 Where the minimum number of responses has not been met then under CPRs approval to proceed must be sort from Procurement and Commissioning Hub; as best value must be demonstrated.
- 7.4.3 All information and contracts must be managed and loaded into the London Tenders Portal.

7.5 VAT Implications

7.5.1 VAT Recovery

The council is generally able, under the provisions of S33 of VAT Act 1994, to recover VAT incurred in relation to expenditure for which it is responsible. The Council can therefore recover VAT incurred in relation to its supply of statutory education in LA maintained schools such as West Lea School.

8. KEY RISKS

- 8.1 The key risks to this term contract relates to the possible poor performance of the Consultant/Contractors. This risk is mitigated by the recommended Consultant being an approved supplier within a major framework contract let as part of the London Construction Programme.

9. IMPACT ON COUNCIL PRIORITIES

9.1 Fairness for All

This term contract will assist the Council to deliver its construction related projects and programmes which in turn help support the delivery of services to the benefit of the community.

9.2 Growth and Sustainability

This term contract will assist in the procurement of construction related activity within the borough and its associated employment and economic benefits. The Borough needs to ensure appropriate infrastructure is in place to allow for the growth of the population.

9.3 Communities

The provision of good quality schools helps to ensure a stable strong community.

10. EQUALITY IMPACT IMPLICATIONS

- 10.1 The provision of local schools across the borough ensures quality of rights to good education provision

11. PERFORMANCE MANAGEMENT IMPLICATIONS

- 11.1 The contract requires the consultant to meet the professional standards of the Royal Institute of British Architects and the Framework Contract. The performance of the consultant will be monitored by Corporate Maintenance and Construction Team.

12. HEALTH AND SAFETY IMPLICATIONS

- 12.1 There are no direct health and safety implications arising from this contract.

13. PUBLIC HEALTH IMPLICATIONS

- 13.1 There are no direct public health implications arising from this term contract.

Background Papers

None.

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Cabinet Member for Finance & Efficiency and Cabinet Member for Education, Children's Services and Protection

JOINT REPORT OF:

Executive Director of Finance, Resources and Customer Services and Executive Director, Children's Services
Contact officer and telephone number:
Keith Rowley,
telephone: (020) 8379 2459
e-mail: keith.rowley@enfield.gov.uk

Agenda - Part: 1	Item:
Subject: Minchenden Autistic Centre – Main Works Tender Acceptance Report	
Wards: All Key Decision No: KD4537	
Cabinet Member consulted: Cllr A Orhan and Cllr D Lemonides	

1. EXECUTIVE SUMMARY

1.1 This report covers the next decision in the delivery of the Minchenden Autistic Centre at High St, Southgate, N14 6BS, with the contract award for the Main Works.

1.2 Key Decision 4293, by Cabinet on 19th October 2016, approved the redevelopment of the Farbey Building (including workshop and Mews building) into new teaching facilities to provide a 120 place upper secondary autistic unit (Detailed in background):

- Continued delegated authority to the Cabinet Member for Education, Children's Services and Protection and the Cabinet Member for Finance and Efficiency in consultation with the Executive Director of Finance, Resources and Customer Services, the Executive Director of Children's Services or the Assistant Director of Strategic Property Services to take decisions on: Conducting suitable procurement exercises and either calling off EU-compliant framework agreements or conducting suitable procurement exercises, entering into contractual arrangements with successful contractors and placing orders for any capital works required for the projects

- Continued delegated authority to the Executive Director of Finance, Resources and Customer Services and the Executive Director, Children's Services to take decisions on the Programme management arrangements and operational resourcing, including procurement of any required support services, commencing feasibility or initial design to inform pre-application discussions with planning and procurement of resources for this activity, cost estimates, budgets and spend for projects in advance of updates to the Capital Programme, submission of planning applications. The appropriate procurement routes for professional support services and construction for individual schemes

1.3 Key Decision 4009, by Chief Education Officer and the Executive Director of Finance, Resources and Customer Services on 18th April 2016, approved Procurement Strategy and Resourcing of Professional Services.

1.4 This report follows the key decision 4453 for contract award of the Demolition and Enabling Works contract.

2. RECOMMENDATIONS

2.1 To approve Contract Award to "Contractor A", for the Minchenden Autistic Centre Main Works contract, as further detailed in Part 2 of this report.

2.2 To approve total scheme expenditure of £11.0m, as further detailed in Part 2 of this report.

3. BACKGROUND

3.1 The need for additional Special School places in the Borough was identified within the July 2015 Cabinet Report on school places (KD4141) and further reiterated the need within the USAP Report presented in January 2016 to Cabinet and Council.

3.2 Key Decision 4293, by Cabinet on 19th October 2016, approved the redevelopment of the Farbey Building (including workshop and Mews building) into new teaching facilities to provide a 120 place upper secondary autistic unit.

- 3.3** Key Decision 4453 was approved for the Enabling works ahead of the main scheme to reduce risk and to address building condition issues in advance of this main contract for the refurbishment and conversion of the Farbey Building, Mews building and workshop on the former Minchenden school site to provide the Minchenden Autistic Centre.
- 3.4** This Contract award is for the construction of a new facility at the former Minchenden School site for Autistic Pupils. The scope of the works includes refurbishing the current Farbey Building, Mews building and workshop to provide new accommodation comprising classrooms, one large double height hall, one dining hall, common rooms, specialist teaching classrooms, meeting rooms, staff rooms, WC's, storage and plant rooms. A range of external works will be provided, including car parking, fencing, access control measures, and general landscaping.
- 3.5** Planning approval was granted by Decision Notice on 20th April 2017 Reference: 16/04677/RE4 for the proposal of subdivision of the site to provide a specialist autistic school, involving alterations to modify and extend to Farbey Building, installation of fence south façade, alterations to mews building and open sided workshop, installation of new boundary fence around the school, new external hard play area, reconfiguration of carpark and vehicular/pedestrian access from Leigh Hunt Drive.
- 3.6** This is an EU compliant tender process via the Londontenders.org electronic portal. An OJEU notice was issued on 30th December 2016 under the Restricted Procedure. Thirteen Pre-Qualification Questionnaire responses were received by the deadline. Tenderers were selected by scoring and ranking submissions to provide the shortlist of five contractors, which is the number required to be invited under the Public Contract Regulations 2015 and as stated in the OJEU notice. See Part 2 of this Report for further detail.
- 3.7** The Invitation to Tender document was issued on 20th March 2017. Two subsequent tender addendums were issued on 13th April 2017 and 5th May 2017. During the tender process 66 queries were received from the tenderers. Due to requests received the original tender return date of 25th April 2017 was extended to 3rd May 2017 and then again to 10th May 2017.
- 3.8** Tenders were received from the four contractors on 10th May 2017; one contractor did not submit a tender. Tenders were evaluated strictly in accordance with the award criteria set out in the Invitation to Tender documents. See Part 2 of this Report.
- 3.9** A Tender Report has been prepared by the Quantity Surveyor, Stace LLP, who recommended contract award to "Contractor A" on the basis that their

tender was the most economically advantageous and programme compliant. Tenders were evaluated in accordance with the award criteria, and arithmetic or pricing errors were dealt with in accordance with the Tender procedure set out in the Invitation to Tender document.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1** To do nothing. This will mean the Local Authority will fail in its statutory duty to provide pupil places for these very vulnerable young people.
- 4.2** Providing all additional special needs places required out of borough; this is not feasible financially to the authority as it would cost on average in the region of £50,400 plus transport costs per pupil per year, however some of the very complex specialist needs places that would be required can cost in the region of £90,000.
- 4.3** There are no realistic alternatives but provision of additional places on the former Minchenden site meets the increase in pupil rolls and importantly, particularly for this cohort of pupils, provides fit for purpose accommodation.

5. REASONS FOR RECOMMENDATIONS

- 5.1** The decision is necessary to provide authority for contract award in order that work can start on site on 18th September 2017 for completion on 17th August 2018] ahead of the start of the academic year. Any delay will severely affect the ability of the School to open as per the current programme.

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

6.1 Financial Implications

The overall funding provision within the SCS capital programme for this scheme is £11.0m, entirely funded from government grant. The proposed capital expenditure profile authorised by this decision is:

Up to Mar17 £'000	2017/18 £'000	2018/19 £'000	2019/20 £'000	TOTAL £'000
917.1	4,927.4	5,072.0	83.5	11,000.0

A scheme Contingency allowance is required for the residual risks; this represents growth against the £10.5m approved by Cabinet but this can be funded from the existing provision in the SCS Capital Provision against this scheme.

Further detail is provided in the Part 2 report.

There are no revenue costs implications arising from these recommendations.

6.2 Legal Implications

- 6.2.1** Section 14 of the Education Act 1996 (as amended) (the "Education Act") requires a local education authority to ensure that sufficient school places are available within the borough, for children of compulsory school age. In exercising their functions under this section, local authorities shall in particular have regard to (among other things) the need for securing that special education provision is made for pupils who have special educational needs. Case law upon this statutory duty confirms that compliance with the duty requires an education authority to actively plan to remedy any shortfall. Section 16 of the Education Act allows a local authority to establish schools for the purpose of fulfilling their obligations under the Education Act.
- 6.2.2** Section 27 of the Children and Families Act 2014 places a duty on local authorities to keep education and care provision under review. A local authority must consider the extent to which the educational, training and social care provision it makes for children and young persons who have special educational needs or a disability is sufficient to meet the needs of those persons. A local authority is also required to make arrangements to secure any special educational provision specified for an individual child or young person.
- 6.2.3** The Council has the power under section 1(1) of the Localism Act 2011 to do anything that individuals generally may do provided it is not prohibited by legislation and subject to Public Law principles. There is no express prohibition, restriction or limitation contained in a statute against use of the power as described in this report. Section 111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of any of its functions. The proposals set out in this report will facilitate the Council to discharge its functions in relation to the provision of school places for children of compulsory school age with special educational needs.

- 6.2.4** The Council must comply with its obligations of obtaining Best Value, under the Local Government (Best Value Principles) Act 1999. The Council must keep a clear audit trail of its decision to award the works contract to Contractor A, in order to demonstrate that best value has been and will continue to be obtained for the Council.
- 6.2.5** The Council must comply with the Public Contracts Regulations 2015, its constitution and its Contract Procedure Rules. A tender process was undertaken through the London Tenders Portal and Part 2 of this Report gives further details about how the Council conducted the evaluation and award of the contract process in a fair, transparent, proportionate and non-discriminatory manner. Fewer than five quotes were received. Therefore the Divisional Director or Head of Service must approve the award subject to discussion with the Assistant Director of Procurement. The decision must be recorded in writing and all documentation supporting the decision retained.
- 6.2.6** All legal agreements arising from the matters described in this report must be approved in advance of contract commencement by the Assistant Director of Legal Services and Governance. Contracts whose value exceeds £250,000 are required to be executed under seal and performance security should be obtained, unless the relevant Director and the Director of Finance Resources and Customer Services considers this to be unnecessary.
- 6.2.7** Due to the value of the contract, the Council must ensure that it follows the Key Decision Procedure in accordance with its constitution.
- 6.2.8** The terms of the resultant contract (and any other ancillary documentation) must be in a form approved ahead of contract commencement by the Assistant Director of Legal and Governance.

6.3 Property Implications

A report to Cabinet and Council on the 20th January 2016 under KD 4209 approved the acquisition of the former Minchenden School site, Southgate from the College for the provision of an autistic upper secondary school. The Minchenden School site has been acquired for the Council (in July 2016) followed by a report to cabinet under KD4453 which approved the enabling works.

- 6.3.1** The Strategy set out in this report will provide additional primary places in local areas of need.
- 6.3.2** To meet statutory requirements it is vital to ensure that the Council's financial accounts do not include buildings (or parts of buildings) that have

been demolished. To ensure we have high quality records and meet our statutory obligations Education Asset Managers will complete a demolition notification form and return to Property Services. This will enable Strategic Property Services to advise Insurance, Finance (Asset Register) energy management teams and various other departments within the Council of the changes.

- 6.3.3 Property Services are to be sent the new data being generated for the expansion and reconfiguration of the Farbey. These include floor plans with room data for the purposes of the Asset Management System, Atrium.
- 6.3.4 Regarding contractor performance, these should be financial and ongoing targets in line with the milestones of the development programme. The financial performance of the contractor should be measured against their tender quote.
- 6.3.5 Once the development is completed, Building Control will need to sign off on the completed development. All warranties and guarantees will be available in the event that building failure occurs. These guarantees will be assigned after practical completion occurs and held on behalf of the Council by Legal Services.
- 6.3.6 There should be a requirement upon the contractor at certain set dates for snagging inspections. These inspections will be organised by the Council's CA's

6.4 Procurement Implications

- 6.4.1 That procurement of any goods/services/works will need to be in accordance with the Council's Constitution, in particular contract Procedure Rules and UK and EU Regulations.

6.5 VAT Recovery

- 6.5.1 The School performs a statutory function which, for VAT purposes, is deemed to be non-business activity for local authorities. Enfield council is generally able, under the provisions of S33 of VAT Act 1994, to recover VAT incurred in relation to expenditure for which it is responsible. The Council can therefore recover VAT incurred toward its supply of statutory education, but subject to the normal rules for VAT recovery. These require the Council to procure/contract for the works, receive the supply, receive a VAT invoice in its name and pay with its own (Corporate) funds.

6.5.2 Partial Exemption

This project is not expected to have any significant impact on the council's partial exemption position.

7.0 KEY RISKS

- 7.1** The risk in not accepting the tender is that the contractor will fail to deliver a newly refurbished building so the Authority will fail to provide the statutory places required.

8.0 IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

This proposal will provide additional special provision school places which serves the entire Borough.

8.2 Growth and Sustainability

This proposal will provide additional school places in an area of the community of high demand. The places will increase the numbers of pupils and parents being assisted.

8.3 Strong Communities

The school places will be offered to the young people of Enfield who need them from all wards. The accommodation will incorporate, where possible the ability to be used outside the normal school day by the community.

9.0 EQUALITIES IMPACT IMPLICATIONS

An Equalities Impact Assessment was completed.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

The provision of additional places at this School will assist the Authority in meeting its statutory duty to ensure the availability of sufficient pupil places in the Borough and to meet projected demand.

Their current provision is at capacity, with restricted outdoor space. Most recently an art room was refurbished to accommodate additional pupils. There are no more available spaces to accommodate any additional pupils.

There are a number of implications that arise from developing a site such as this. Issues that arise during the main construction phase will be

monitored closely and contractors will be required to work in accordance with the Considerate Constructors Scheme.

11. HEALTH AND SAFETY IMPLICATIONS

Requisite notices under the Building Acts and Health and Safety information will be issued to the contractor for any works.

12. HUMAN RESOURCES IMPLICATIONS

None

13. PUBLIC HEALTH IMPLICATIONS

In the short term the school site will need to be made secure. All health and safety precautions should be undertaken by the awarded contractor.

Background Papers

None

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PORTFOLIO DECISION OF:

Cabinet Member for Education,
Children's Services & Protection

REPORT OF:

Assistant Director – Education

Contact officer and telephone number:

Keith Rowley

Tel: 020 8379 2459

Email: keith.rowley@enfield.gov.uk

Agenda – Part: 1

KD Num 4504

Subject: St. John's Church Hall, Three
External Classrooms within the Parsonage
Garden: Extension of Lease of premises for
the use by West Lea School

Wards: Upper Edmonton

Cabinet Members consulted:

Cllr Ayfer Orhan

Education, Children's Services & Protection

1. EXECUTIVE SUMMARY

- 1.1** This report provides details for the extension of the lease of premises at St. John's Church Hall, three external classrooms within the Parsonage Gardens and additional area at the front of the church, Dysons Road Edmonton N18 to initially decant pupils from West Lea School to facilitate extensive building works and in the long term to provide additional special education need places at Dysons Road until 2027.
- 1.2** A decision is now required on extending the current lease ("Headlease") from 2020 to 2027 to enable long term planning for pupils with Special Educational Needs and to recover the capital invested in to the accommodation making it suitable for pupils with Special Educational Needs.

2 RECOMMENDATIONS

- 2.1** That the Assistant Director –Strategic Property Services
- 2.1.2** Approves the proposed extension of the existing lease until 2027 with the owners of the current premises the London Diocesan Fund (LDF), Incumbent of the Benefice of St Mary with St John's Dysons Road, N18 and Parochial Church Council (PCC) to initially decant pupils from West Lea School to facilitate extensive building works and in the long term to provide additional special education need places at Dysons Road until 2027.
- 2.1.3** and is authorised to agree terms for the granting of a sub-lease ("under-lease") of the premises to the governors of West Lea School until 2027.

3. BACKGROUND

3.1 The November 2016 Cabinet report (KD4395) on the strategy and approach to deliver pupil places which included:

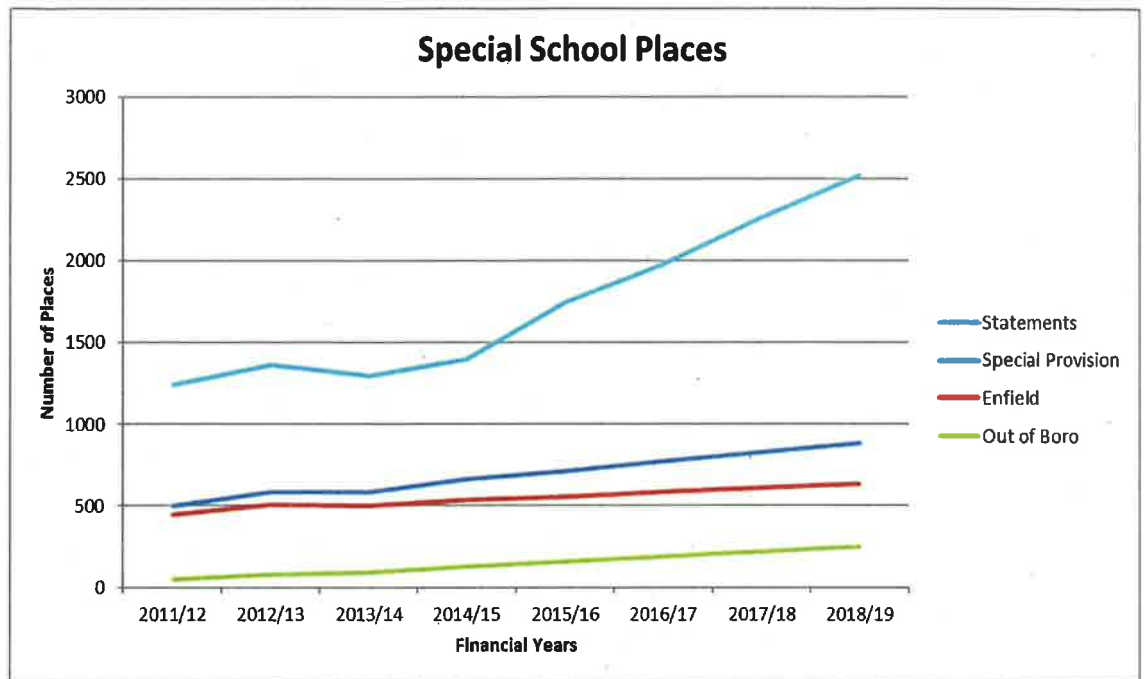
- To support continued delegated authority to the Cabinet member for Education, Children's Services and Protection and the Cabinet Member for Finance and Efficiency in consultation with the Director of Finance, Resources and Customer Services, the Chief Education Officer or the Assistant Director of Strategic Property Services, to take decisions on:
- The individual schools, sites and preferred partners for expansions, and decisions on statutory requirements, to meet the demand for extra pupil places, both mainstream and special, up to 2020/21;
- Conducting suitable procurement exercises and either calling off EU-compliant framework agreements or conducting suitable procurement exercises, entering into contractual arrangements with successful contractors and placing orders for any capital works required for the projects; and
- Conducting any necessary land transactions, including acquisitions by way of freehold or leasehold up to the value of £500,000, as individual schemes are developed.

3.2 Increasing capacity in special schools and establishments that provide education services for some of the most acute special need categories subject to further approval as to the manner in which this is to be achieved.

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

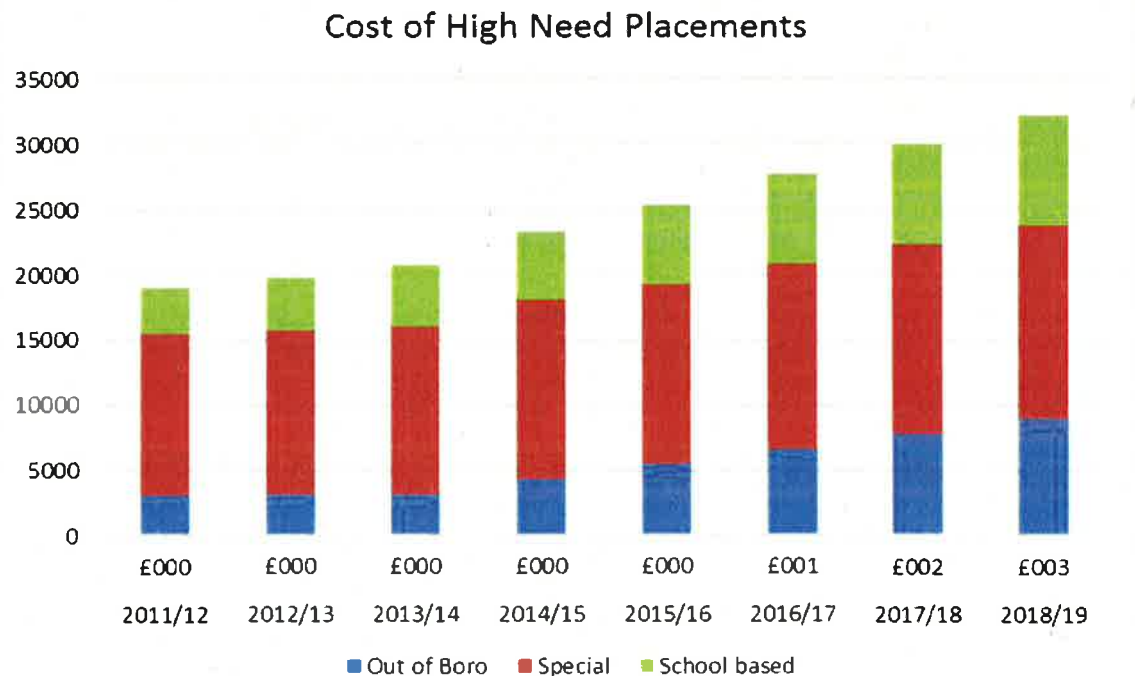
3.4 Special School Projections

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



3.5 Special School Costs

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



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

- 3.6 Key Decision No. 3611 in August 2014 authorised entering into a lease with the owners of the current premises the (LDF, incumbent of the Benefice of St Mary with St John's Dysons Road, N18 and PCC) for the purpose of St Matthew's CE Primary School, Edmonton Annex until 2020.
- 3.7 Authorised granting of a sub-lease ("under-lease") of the premises to the London Community Learning Trust (LCLT) for the purpose of the new Meridian Angel Primary (Free) School until 2016.
- 3.8 It was agreed that once Meridian Angel Primary School move into new accommodation on the Ladysmith Road, N18 site, the accommodation on the Dysons Road site would be used for other educational purposes until the lease expires on 30 September 2020, details of which would be agreed at a later date.
- 3.9 Under the terms of the original lease if the premises are no longer required there is a break clause in which states that Enfield as the lessee "may terminate the lease at any time giving the Lessor not less than 6 months' notice after 12 July 2017" It was therefore recommended that future usage should be reviewed at this time. An investment of 2.4m has been made up 2014 in the provision of the classrooms at St John' church. An estimated £600k of further investment is required to make the premises suitable for pupils with special educational needs. The further investment needed will be the subject to a separate report.

4. PROPOSALS

- 4.1 For Enfield Council to extend its current lease with the LDF and St John's PCC from 30 September 2020 to 30 September 2027 of the premises at St John's Church Hall and of the Parsonage Gardens, Dysons Road, N18 as a School and ancillary uses as required.
- 4.2 With the effect from 1 September 2017, approximately 60 pupils will decant from West Lea School, Edmonton to facilitate building works.
- 4.3 By extending the lease this would enable the Council to recover the capital invested into the accommodation in order to make it suitable for pupils with Special Educational Needs and allows scope for improved Special Educational Needs pupil place planning.
- 4.4 Negotiations have taken place with the LDF and St John's PCC regarding the extension of the current lease to 2027 for the use of St John's Church Hall, part of the Parsonage Garden and additional space at the front of St John's Church for educational use.

- 4.5. The accommodation at St John's CofE Church, Dysons Road, Edmonton, N18 has been hired at a rent of £42,200.00 (Forty Two Thousand and Two Hundred Pounds) per annum in respect of the Church Hall Premises, three external classrooms in the Garden Premises and the additional area at the front of the Church as edged red on the attached plan and £1 in respect of the Garden Premises.
- 4.6 The cost of outer borough placements vary depending upon the level of need, to place 60 students out of borough for 10 years; could cost in excess of £27m which is significantly higher than maintaining the placements at Dysons Road over the same period.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 West Lea Special School, originally a maintenance project to replace life expired buildings has been incorporated into the Schools Expansion Programme and the project scope increased to include additional places. However, to proceed with the works safely it is necessary to decant some of the pupils to the surplus Key Stage 2 building, with minor adaptations, at Garfield School. However, the feasibility study confirmed that this option would cost in excess of £1.2m and that the adaptations to make the building suitable for pupils with Special Educational Needs would take too long and would delay the start of the building works at West Lea School in Haselbury Road. The alterations needed at Dysons Road are estimated to cost £600k and can be completed before for the start of autumn term 2017.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The Council will want to ensure that it gets a return for the capital investment put into the building and ensure the potential for long term pupil places until 2027.

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

7.1 Financial Implications

- 7.1.1 The current rent for use of St John's church is £42,200.00 per annum. This will be paid centrally whilst the adaptation works are being completed and will then be paid by West Lea School. As this is an additional cost for the school, funding will be allocated to them from the Dedicated Schools Grant to cover this cost.

7.1.2 VAT Implications

Land and property transactions are normally Exempt from VAT unless specifically excluded or the supplier has waived exemption by opting to tax.

The Council will not incur VAT on the lease of the site if the Parochial Church Council (PCC) is not VAT registered - the lease will be outside the scope of UK VAT. If the PCC is VAT registered, the lease will be either Exempt from UK VAT or Standard rated at 20% VAT- if the PCC has waived exemption.

The grant of the sub-lease to the governors of West Lea School will be Exempt from UK VAT. Therefore any VAT incurred towards the sub-lease (e.g. standard rated lease from PCC, solicitors fees, etc.) will be recovered if the Partial Exemption requirements are met. To facilitate this, the council must be the contracting person, receive the supply, pay with its own funds and receive the relevant VAT invoice(s).

The long term future use of the Garfield KS2 building is subject to a further report but it should be noted that if the site will be used for other than the supply of statutory education, the VAT implications must be reviewed to protect the council's VAT position.

8.2 Legal Implications

8.2.1 The Council, as the Local Education Authority, has a duty to ensure that there are sufficient school places to provide for the needs of its area under the Education Act 1988. Section 111 of the Local Government Act 1972 includes the power to do anything ancillary to, incidental to or conducive to the discharge of its statutory functions. The recommendations within this report are in accordance with these powers.

8.2.2 The form of lease and under lease will be approved by the Assistant Director Legal Services.

8.2.3 The freeholder's agreement, in the form of a formal Licence, will be required or the sublease to be granted.

9 Property Implications

9.1 The proposed project will ensure that sufficient accommodation and play space is available to enable West Lea School with the effect from 1 September 2017 to accommodate a total of 60 pupils.

- 9.2 The extension of the lease at the current rent is regarded as best value due to the savings that it will bring by not sending these children to outer borough costly placements.
- 9.3 Due to the levels of investment the Council have put into this site, the lease has been structured so that at the end of the term there are no dilapidations claims, repairing and re-painting clauses.
- 9.4 The rent level of circa £41,000 represents best value in terms of space available for D1 uses, as space of this kind is relatively more expensive to rent and up to £15.00psf. These types of properties are in high demand as there is a lack of supply and available properties in the market.

10 Procurement Implications

- 10.1 All procurement should be carried out in line with the council CPR's, Public Contract Regulations and EU Contract Regulations.

11 KEY RISKS

- 11.1 The risk is that once the current lease expires in 2020 the PCC may grant a lease to another organisation and the Council may lose its considerable investment in refurbishment and construction.

12. IMPACT ON COUNCIL PRIORITIES

12.1 Fairness for All

- 12.1.1 The school expansion programme is delivering local school places to parents across the borough. Approving the recommendations made by this report will facilitate the delivery of school and education projects that increase capacity and therefore access for communities.

12.2 Growth and Sustainability

- 12.2.1 The Borough needs to ensure appropriate infrastructure is in place to allow for the growth of the population.

12.3 Strong Communities

- 12.3.1 The provision of good quality schools helps to ensure a stable strong Community.

13. EQUALITIES IMPACT IMPLICATIONS

- 13.1 The provision of local schools across the borough ensures quality of rights to good education provision

14. PERFORMANCE MANAGEMENT IMPLICATIONS

- 14.1 School expansions have only been undertaken in schools which are either good or excellent in terms of OFSTED ensuring high quality provision.

Background Papers

None

MUNICIPAL YEAR 2017/2018 REPORT NO.

ACTION TO BE TAKEN UNDER DELEGATED AUTHORITY

PORTFOLIO DECISION OF:

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

James Rolfe
Director of Finance, Resource and
Customer Services

Contact officer and telephone number:
E mail: Jane.Senior@Enfield.gov.uk
0208 379 5719

Agenda – Part: 1	KD Num:
Subject: Increase in Residential & Nursing Care Rates	
Wards: All Key Decision No:	
Cabinet Member consulted: Alev Cazimoglu	

1. EXECUTIVE SUMMARY

- 1.1 The cost of providing care in a residential setting has increased year on year due for the most part to legal requirements to pay National Living Wage and auto-enrolment into pension schemes (increasing from 1% in 2016 to 3% in 2019/20). Typically staffing costs account for around two thirds of providing the cost of care within these types of setting. In addition to this the cost of goods, supplies, materials has also increased due to inflationary pressures.
- 1.2 The Care Act 2014 requires that Local Authorities must work to develop markets for care and support that ensure the overall provision of services remains healthy in terms of the sufficiency of adequate provision of high quality care and support needed to meet expected needs (S 4.33) and that Local authorities must not undertake any actions which may threaten the sustainability of the market as a whole by setting fee levels below an amount which is not sustainable for providers in the long-term (S 4.35)
- 1.3 Enfield has a large provider market with 12 nursing homes and 80 residential homes in the borough and around 725 Council funded people in care at any given time.
- 1.4 Historically there has been a shortage of nursing care capacity and competition with other local authorities and CCGs for placements which has exerted an upward pressure on prices. Work has been done across the NCL sub-region to manage price, discussions are underway with Enfield CCG to jointly commission CHC nursing beds and a new purpose built dual registered home has been built by the Council to increase capacity
- 1.5 Work is also underway to develop accommodation services with support which provide a viable, cost effective and appropriate alternative to some residential placement activity to reduce demand.
- 1.6 The proposed uplift of 1.5% for all provision reflects an assessment of the increased costs of care which providers have incurred and will cost £558,673. Provision for this has been made within the MTFP.

- 1.7** Full provision for the proposed uplift of 1.5% was included in the Budget for 2017/18 and Medium Term Financial Plan (General Fund) that was approved on 28 February 2017 (KD4371).

2. RECOMMENDATIONS

- 2.1** To agree an uplift of 1.5% for residential and nursing provision with effect from 1 September 2017, across all areas of service (LD, MH, PD and Older People). To be met from MTFP pressure funding allocated for the specific purpose of funding contractual inflation (including other factors such as NLW & pensions).
- 2.2** To note the Council's duties with regards to maintaining a sustainable provider market under the Care Act 2014.

3. BACKGROUND

- 3.1** The residential and nursing care market for adult social care costs Enfield Council £37M per year and provides 24/7 care to 725 vulnerable adults across approximately 54 nursing and residential providers within Enfield, and 184 out of borough providers. Package fees for purchasing residential and nursing care have been established through a combination of provider demands, ongoing and annual negotiations between Enfield Council and its social care providers, the recent implementation of a price-banding exercise undertaken as part of the North Central London (NCL) partnership, and reliance on historical guide rates. However, some spot purchasing outside of the agreed rates takes place. The reasons for this include responding to busy periods of demand (e.g. winter pressures), and ensuring that the needs of customers with more complex care requirements can be met.
- 3.2** The NCL price bandings established for buying residential and nursing care in Enfield, which were effective from 1st April 2017 are as follows:

Residential	Resi EMI	Nursing	Nursing EMI
£455-£660	£505-£750	£510-£680	£535-£740

- 3.3** Residential and nursing care providers are under significant financial pressure due to a number of factors, including: an increase in the London Living Wage (up from £9.40 to £9.75 for 17/18); employer pensions contributions (currently 1%, rising to 3% by 19/2020), and inflation. The Apprenticeship Levy has also taken effect from 2017, which although unlikely to affect smaller, local providers will impact upon larger and national providers.

- 3.4 The rates that Enfield Council are able to pay for residential and nursing care are increasingly insufficient to support a sustainable market.
- 3.5 Local authorities within the NCL sub-region are paying significantly higher rates for residential and nursing care provision within Enfield, than Enfield Council is paying for the same care (see table below).

Local Authority	Residential	Resi EMI	Nursing	Nursing EMI
Camden	£570-£1,130	£565-£890	£695-£950	£750-£900
Haringey	£475-£700	£480-£700	£530-£800	£560-£715
Islington	£550-£710	£650-£810	£640-£825	£650-£735

- 3.6 The spot purchasing team within the Procurement & Commissioning Hub ("P&C Hub") has reported that a significant number of residential and nursing providers in the borough are either refusing to accept Enfield customers, seeking a higher rate from the Council or giving preference to self-funders or customers from other authorities that pay higher fees. This has implications for the Council being able to implement discharges from hospital within appropriate timescales, and to make timely arrangements more generally for customers to receive care.
- 3.7 In order to respond to this challenge and meet the needs of Enfield customers, the P&C Hub is having to operate more flexibly, for example by block purchasing beds to address periods of high demand, or spot purchasing at higher rates in order to effect a discharge. These workarounds set a precedent that makes it difficult for the P&C Hub to negotiate more favourable fees for future placements. Volatile placement fees also make it difficult to rebut uplift requests from providers during the annual inflationary process or in response to ad hoc requests for additional support.
- 3.8 Increasingly, local nursing and residential providers are finding it difficult to recruit and retain good quality staff at the hourly rates that providers can afford to pay. This is particularly the case where providers rely heavily on agency staff, and particularly for nursing providers who struggle to recruit nurses willing to work for the pay rates offered for a demanding remit. This problem is exacerbated by nearby authorities paying higher weekly fees to their care providers, who are then able to pay more to their staff. The residential market is similarly affected by other employers, such as large retailers, also now paying at least the National Living Wage.
- 3.9 Due to the extremely challenging financial context experienced by local authorities nationally over recent years a large number of local authorities have frozen or reduced rates to the sector. Enfield has consistently recognised the legitimate cost pressures experienced by the sector and has uplifted rates, with the exception of 2015, as follows despite challenging savings targets:

YEAR	UPLIFT
2008	2.0%
2009	2.0%
2010	1.3%
2011	1.0%
2012	0.8%
2013	£5.00 per client per week
2014	£5.00 per client per week
2015	No Uplift
2016	1.0%

- 3.10 With some exceptions, HHASC contracts with residential and nursing homes state that fees may be uplifted at the discretion of the Council and the formula to be applied for uplift if any will be the 70/30 weighted average formula. This is derived from 70% NJC pay award & 30% RPIX (RPI minus mortgage interest payments). The formula recognises that the bulk of provider's fees are made up from staff costs. The information below illustrates what weighted averages would be derived using various RPIX figures and the NJC pay award for 2016/17 and 2017/18 which has been agreed at 1%.

Using RPIX from December 2016:

$$\begin{aligned}
 &70\% \text{ of } 1.0\% = 0.70\% \\
 &30\% \text{ of } 2.7\% = 0.81\% \\
 &\text{TOTAL} = \underline{1.51\%}
 \end{aligned}$$

- 3.11 Rounding down from 1.51%, increasing the residential and nursing rates by 1.50% will make a contribution to provider sustainability in the short term by narrowing the gap between the average fees that other London boroughs pay to place service users in Enfield, and what Enfield pays to place service users in Enfield. This will enable the Council to further consider options for managing the residential and nursing market, which could include reinstating provider forums, and further developing long-term market facilitation approaches thus supporting initiatives to sustain the market.
- 3.12 Full provision for the proposed uplift of 1.5% was included in the Budget for 2017/18 and Medium Term Financial Plan (General Fund) that was approved on 28 February 2017 (KD4371). This paper sets out the operational implementation for the increase in residential & nursing care rates included within that decision.

from hospitals where service users have not previously been known to social services.

- 5.2 This uplift particularly recognises the pressure on nursing providers, particularly relevant to the challenges they face in recruiting and retaining high-quality, motivated nursing staff.
- 5.3 This uplift further recognised the pressure on residential providers whose current packages are priced at the floor of the NCL price bandings, owing to the cumulative effect of Enfield's budget pressures on annual uplifts.

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

6.1 Financial Implications

The increase of £558,673 will be met from Care Purchasing budgets within Adult Social Care. As part of the budget setting process for 17/18, inflation contract increases and Living Wage increases of £1.78m were calculated and built into the Medium Term Financial Plan, which was agreed by Council as part of the Budget Report. The increase will be funded from this pressure increase. This increase will be built into the financial monitor as part of the budget scrutiny process and any variances to the increase will be reported as part of the budget monitoring process.

6.2 Legal Implications

- 6.2.1 The Council has a duty under section 1 of the Care Act 2014 to promote individuals' wellbeing, including care and support provided to the individual and the way in which it is provided.
- 6.2.2 Pursuant to section 5 of the Care Act 2014, the Council must promote the efficient and effective operation of a market in services for meeting care and support needs with a view to ensuring that, among other things, there are a variety of providers and high quality services to choose from. In performing this duty, the Council must ensure that it is aware of the current and likely future demand for services and how providers might meet that demand, and the importance of ensuring the sustainability of the market. The Council must also have regard to the need to ensure that sufficient services are available for meeting the care and support needs of adults in its area.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The Council could do nothing and maintain its' current rates with providers. This position would be consistent with the NCL approach. However, this would have a serious impact in terms of ongoing market sustainability, particularly in view of points already noted that Enfield's rates are consistently lower than those paid by our NCL partners. The consequences of Enfield Council maintaining existing rates are likely to be: an increasing number of providers ceasing to provide services to Enfield customers; reduced quality of care, and an increase in the number of providers ceasing to be viable. It would also mean that the Council would not be able to secure sufficient, safe supply to meet the needs of our customers. Furthermore, there is a danger of this approach resulting in inflationary drift caused by increased negotiation of guide rates on the spot market. Doing nothing would also likely result in increased provider requests to engage in negotiations, which would further protract the rate setting process for FY17/18 and lead to increased uncertainty as to total impact on the adult social care budget.
- 4.2 The Council could increase residential and nursing rates by 1.0% at an additional cost of £372,447 per annum. Given that this uplift rate is consistent with the approach adopted by the Council for FY16/17, it would reflect a precedent that was not challenged in the courts last year. However, this increase does not adequately address the points already noted that reflect the increase in the actual cost of providing care.
- 4.3 The Council could increase residential and nursing rates by 3.0% at an additional cost of £1,117,343 per annum which would address market sustainability. However, this increase is unaffordable to the Council at the present time.
- 4.4 The Council could increase residential and nursing rates by 1.50% at an additional cost of £558,673 per annum. This option is recommended.

5. REASONS FOR RECOMMENDATIONS

- 5.1 It is recommended that the Council increase the rates paid for residential and nursing care by 1.50% for FY17/18, and to backdate the increase from the start of the financial year which is when Enfield has historically applied annual inflationary uplifts. This is likely to be sufficient to support the market in the short term, to allow alternative and longer-term commissioning arrangements to be considered. These longer term arrangements could include active market management of supply, including increased engagement with the voluntary care sector, to ensure a choice from a range of high quality suppliers, further work being done to deliver increased supported living options with support to reduce the need for residential care and work underway to reduce the number of placements made directly

- 6.2.3 The Department of Health's Care and Support Statutory Guidance (February 2017) provides that local authorities must not undertake any actions which may threaten the sustainability of the market e.g. by setting fee levels below an amount which is not sustainable for provision in the long run. Furthermore, the Council should commission services having regard to the cost-effectiveness and value for money that the services offer for public funds.
- 6.2.4 Section 111 of the Local Government Act 1972 gives a local authority power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The Council has a general power of competence under section 1(1) of the Localism Act 2011 to do anything that individuals may do, provided it is not prohibited by legislation and subject to Public Law principles.
- 6.2.5 The recommendations in this report are in accordance with the duties and powers set out above.
- 6.2.6 Any budget spend must be in accordance with the Council's Constitution and Budget and Policy Framework.

6.3 Property Implications

There are no property implications.

7. KEY RISKS

There are a number of key risks associated with doing nothing, including:

- The Council will be unable to maintain a viable market in Enfield, with an increasing number of providers exiting the market in an unplanned way.
- Existing nursing and residential care providers will not deliver an appropriate quality service to Enfield customers, potentially placing customers at risk.
- The Council will be unable to secure sufficient safe supply to meet the needs of customers.
- There will be insufficient capacity to meet the requirements of hospital discharge and respond to customer needs.
- In a shrinking market, nursing and residential care providers will refuse to accept service users without a reasonable uplift during

FY17/18 and will only agree packages at rates they demand which are likely to be above both Enfield's current guide rates and the NCL price bandings for residential and nursing providers.

8. IMPACT ON COUNCIL PRIORITIES

8.1 Fairness for All

The availability and choice of good quality, safe and sustainable provision to support individuals, particularly older people, to have their care needs met in dignity and at a reasonable standard of quality.

8.2 Growth and Sustainability

To support the sustainability of local providers, including SMEs, in delivering care to local people.

8.3 Strong Communities

To support local services to meet local needs by being able to recruit a high calibre workforce from the local community which is reflective of the borough's diverse ethnic mix.

9. EQUALITIES IMPACT IMPLICATIONS

Providing a sustainable residential and nursing care market and facilitating choice and control to enable people and particularly older people to have their care needs met in dignity and at a reasonable standard of quality.

10. PERFORMANCE MANAGEMENT IMPLICATIONS

Performance of the market and of nursing and residential care providers will be monitored through existing contract monitoring processes. The department will also continue to monitor the availability and use of alternative options to placement both for under 65s and over 65s to ensure appropriate services are in place as viable alternatives.

11. HEALTH AND SAFETY IMPLICATIONS

Uplifting residential and nursing care fees will address risks to health, safety and wellbeing, caused by poor quality care and insufficient capacity within the market to meet demand.

12. HUMAN RESOURCES IMPLICATIONS

There are no human resources implications.

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 to carry on living independently within their own homes. However, the Council is committed to ensuring the safe and sufficient supply of nursing and residential provision for vulnerable people who require it.

