

Appendix 4

ALMO MANAGEMENT AGREEMENT – DRAFT HEADS OF TERMS

Contract Period

The contract starts on the date of the agreement for a term of 5 years, subject to earlier termination. The agreement allows an extension by the Council for one or more periods of up to five years. Notice of such an extension must be served on the Organisation no later than six calendar months before the date on which the Agreement would otherwise expire.

Parties

Mayor and Burgesses of the London Borough of Enfield (1)
Enfield Homes Limited (2)

Delivery Plan

The agreement contains a plan outlining what is expected of Enfield Homes Limited and the Services to be provided ("the Organisation")

Equal Opportunities

The Organisation must carry out its obligations in accordance with Equal Opportunities legislation and Council policies.

Tenant Compact

The Organisation must honour the Council's compact with tenants and leaseholders, annexed to the contract.

Annual Performance Plan

Both parties must work to ensure the contract and the services represent best value for the Council and achieve efficiency for the Council.

ALMO Service Reviews

The agreement contains a timetable for performance reviews.

Assignment and Subletting

The Organisation may not assign the benefit of the agreement. It may sub contract provision of the Services subject to the Council's consent.

Data Protection and Freedom of Information

The contract contains standard Data Protection and Freedom Of Information clauses.

Insurance

The Council is broadly responsible for insuring the premises included in the agreement, unless any lease or licence specifies otherwise.

The Premises will be defined in a schedule to the agreement.

The Organisation must maintain all other insurances relevant to performance of the Services.

Exclusion of Liability

A clause will be inserted to protect the Council's interests in the event of negligence or non performance on behalf of the ALMO.

Right to use Surpluses

If the Organisation outperforms the Delivery Plan, it may with the Council's consent use surpluses in accordance with the provision in the agreement.

TUPE

The contract contains TUPE provisions.

Tenant Management Organisations

The Council is legally responsible for dealing with all aspects of any tenants' proposals for setting up such an organisation. The Council may seek assistance from the Organisation.

Termination

The contract contains standard terminations provisions exerciseably by the Council e.g on insolvency of the Organisation or breach of the Agreement. This includes suspension, part termination, and full termination clauses.