

NOTICE OF MEETING

CABINET

Tuesday, 12th July, 2016, 6.30 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Claire Kober (Chair), Peray Ahmet, Jason Arthur, Eugene Ayisi, Ali Demirci, Joe Goldberg, Alan Strickland, Bernice Vanier and Elin Weston

Quorum: 4

1. **FILMING AT MEETINGS**

Please note that this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on.

By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

2. **APOLOGIES**

To receive any apologies for absence.

3. **URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under Item 16 below. New items of exempt business will be dealt with at Item 19 below).

4. **DECLARATIONS OF INTEREST**

A Member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A Member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. **NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS**

On occasions part of the Cabinet meeting will be held in private and will not be open to the public if an item is being considered that is likely to lead to the disclosure of exempt or confidential information. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (the "Regulations"), members of the public can make representations about why that part of the meeting should be open to the public.

This agenda contains exempt items as set out at **Item [18]: Exclusion of the Press and Public**. No representations with regard to these have been received.

This is the formal 5 clear day notice under the Regulations to confirm that this Cabinet meeting will be partly held in private for the reasons set out in this Agenda.

6. **MINUTES (PAGES 1 - 8)**

To confirm and sign the minutes of the meeting held on the 14th of June 2016 as a correct record.

7. **MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE (PAGES 9 - 40)**

For Cabinet to note:

The Scrutiny Review of Youth Transition and agree the proposed Cabinet responses to the recommendations of the review set out at appendix 2.

The Children and Young People's Scrutiny Panel, chaired by Councillor Hearn, has been undertaking a piece of in-depth work regarding the challenges facing young people growing up and reaching adulthood in Haringey. It began this work in 2014-15 and reported its preliminary findings to the Panel meeting on 9 July 2015. The Panel commissioned further work with the aim of enabling it to make final conclusions and recommendations. The scrutiny report will outline the outcome of this further work and the findings, conclusions and recommendations that the Panel has made and Cabinet will provide a response to these recommendations.

8. DEPUTATIONS/PETITIONS/QUESTIONS

To consider any requests received in accordance with Standing Orders.

9. ESTATE RENEWAL RE-HOUSING AND PAYMENTS POLICY - FINAL POLICY TO BE ADOPTED (PAGES 41 - 94)

[Report of the Assistant Director for Regeneration. To be introduced by the Cabinet Member for Housing, Regeneration and Planning.] This report will give the outcome of consultation on the draft Estate Renewal Rehousing and Payments Policy and propose the adoption of a final version

10. SEND HASLEMERE ROAD (PAGES 95 - 142)

[Report of the Assistant Director for Commissioning and the Assistant Director for Early Help and Prevention. To be introduced by the Cabinet Member for Children and Families.] Cabinet will be asked to consider the options appraisal of the Haslemere Road Centre following a Commissioning Review.

11. SMOKE & CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015 - FIXED PENALTY SANCTION (PAGES 143 - 160)

[Report of the Assistant Director for Environment and Community Safety. To be introduced by the Cabinet Member for Environment.] The report will seek agreement to the amount of penalty charge to be paid for non compliance of a remedial notice in relation to the Smoke and Carbon Monoxide Alarm Regulations 2015 and any concession for early payment.

12. NEW COUNCIL HOMES PHASE 1 (PAGES 161 - 174)

[Report of the Director for Planning, Regeneration and Development. To be introduced by the Cabinet Member for Housing, Regeneration and Planning.] The report will seek determination of tenures and rent levels for new homes

nearing completion as part of the first phase of the Council's new build programme.

13. TOTTENHAM HALE: STRATEGIC DEVELOPMENT PARTNERSHIP (PAGES 175 - 206)

[Report of the Director for Planning, Regeneration and Development . To be introduced by the Cabinet Member for Housing, Regeneration and Planning.] The report will set out the aims, objectives and terms of a Strategic Development Partnership to drive forward the development of a new urban centre at Tottenham Hale.

14. MINUTES OF OTHER BODIES (PAGES 207 - 220)

To note the minutes of the following:

Corporate Parenting Advisory Committee – 4th April 2016

Cabinet Member signing on the 21 June 2016

15. SIGNIFICANT AND DELEGATED ACTIONS (PAGES 221 - 228)

To note the significant and delegated actions taken by Directors in June 2016.

16. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at Item 2 above.

17. EXCLUSION OF THE PRESS AND PUBLIC

Note from the Democratic Services & Scrutiny Manager

Items 18 and 19 allow for the consideration of exempt information in relation to items, 13 and 3 respectively.

RESOLVED:

That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under paragraph, 3 and 5 Part 1, schedule 12A of the Local Government Act 1972.

18. TOTTENHAM HALE STRATEGIC DEVELOPMENT PARTNERSHIP (PAGES 229 - 278)

To consider exempt information relating to item 13.

19. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at Item 3 above.

Ayshe Simsek, Principal Committee Co-ordinator

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Bernie Ryan

Assistant Director – Corporate Governance and Monitoring Officer

River Park House, 225 High Road, Wood Green, N22 8HQ

Monday, 04 July 2016

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MINUTES OF THE MEETING OF THE CABINET HELD ON TUESDAY, 14TH JUNE, 2016 6.30pm

PRESENT:

**Councillors: Claire Kober (Chair), Peray Ahmet, Jason Arthur,
Alan Strickland, Bernice Vanier and Elin Weston**

19. FILMING AT MEETINGS

The Leader advised that the meeting was taking place in Committee rooms 1 and 2 as the election team required the Council Chamber for the statutory duties of postal vote counting. On this occasion, the meeting was not being webcast by the Council, but this did not preclude any members of the public from recording, filming or reporting on the meeting as set in the statement, on the agenda, at item 1.

20. APOLOGIES

Apologies for absence were received from Councillor Goldberg, Cllr Demirci and the Chief Executive. There were also apologies for lateness from Councillor Ayisi.

21. URGENT BUSINESS

There are no new items of business to consider, but there was an addendum to be considered with item 9, Financial Outturn 2015/16, which had been circulated prior to the meeting and was also tabled.

22. DECLARATIONS OF INTEREST

There were no declarations of interest put forward.

23. NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS

No representations had been received and there was no private business to consider at this meeting.

24. MINUTES

The minutes of the Cabinet meeting held on the 17th of May 2016 were agreed as an accurate record of the meeting.

25. DEPUTATIONS/PETITIONS/QUESTIONS

There are no deputations, petitions or public questions to consider.

The Leader advised that a response to the petition, put forward by the Friends of Wolves Lane group, at the meeting on the 17th of May, was set out in the minutes at part 7.

26. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE

There were no matters put forward by Overview and Scrutiny Committee.

27. FINANCIAL OUTTURN 2015/16

The Cabinet Member for Finance and Health introduced the report which set out the final financial outturn position for 2015/16, the impact on the Council's General Fund and earmarked Reserves, and the movement from the provisional outturn provided to Cabinet on the 15th of March 2016.

Cabinet noted that the current overspend stood at £6.8m which was a £4.3m improvement from the position reported in the provisional outturn report in March. This would mean less of a draw down from reserves, than expected, but there was still work to do on reducing expenditure. This would include focus on the speed of the transformation in demand led areas of Adult Services, Children Services and Temporary accommodation to avoid significant overspends in 2016/17.

The Cabinet Member was pleased to report a £4m surplus in Council Tax collection as a result of the growth in the Council Tax base. However the £3m deficit in business rates collection fund highlighted the types of risks to be held by the Council with the devolution of business rates and the need to have a robust process in place for business rate appeals.

In response to a question from Cllr Engert on the Council's commitment to building new homes, the Cabinet Member for Finance and Health highlighted the challenges of the Government's housing policy and the government interventions which were stretching the capacity of Councils to meet their housing commitments. The Council would try hard to achieve its commitments to building new homes but the national context also needed to be recognised.

The Cabinet Member referenced the Council's work in procuring a development vehicle partner to support building homes in the borough with a decision on an appointment likely in the spring of 2017.

RESOLVED

1. To note the report and the Council's 2015/16 Final Outturn position in respect of net revenue and capital expenditure;
2. To note the principle that the carry forward of resources will only be permitted once agreed by the Chief Finance Officer and where the expenditure is backed by an approved reserve or external funding source; and
3. To note the risks and issues identified in this report in the context of the Council's on-going budget management responsibilities.

4. To agree the revenue carry forwards, at appendix 1, and capital carry forwards at appendix 2.

Reasons for decision

A strong financial management framework, including oversight by Members and senior management, is an essential part of delivering the Council's priorities.

Alternative options considered

This is the 2015/16 Final Outturn report, as such there are no alternative options.

28. CAPITAL STRATEGY

The Leader of the Council introduced the report which provided a long term view of the assets required to deliver its Corporate Plan Priorities and to support its Medium Term Financial Strategy. The 10 year capital programme had been considered by Overview and Scrutiny at their meeting on the 6th of June and had been noted. The Capital Programme would next go forward to full Council in July for approval.

In response to Cllr Engert's question, the Leader provided the reasoning behind the Council's indicative allocation of capital funding to future Council headquarters which took account of the type of sites likely to be available, together with their likely cost, and needing to consolidate the workforce to a site that cost less to run in the long term. It was important to note that these were indicative figures, contained at appendix 1, for what would happen if the council developed large amounts of Council land for much needed housing as part of the regeneration of Wood Green, but there was no specific proposal on the Council's headquarters.

In response to Councillor Engert's second question, the Leader outlined that the Greenman site was included at Appendix 2 [schemes that require further business case] because, importantly , there was a current consultation exercise on this site and the outcome of this consultation exercise could not be pre -determined. The Leader provided assurance that the Greenman site had not been excluded from the capital programme but the business case would likely need further work and refinement as other sites included at appendix 2.

RESOLVED

1. To recommend to full Council the approval of the 10 year capital programme (Appendix 1) which replaces the current capital programme.
2. To note the programme of schemes being developed for future Business Case approval through the Capital Board (Appendix 2).
3. To note the affordability position and proposed capital financing arrangements.
4. To note the proposed Governance and role of Capital Board in developing scrutinising and challenging the programme.

Reasons for decision

To update approved capital programme aligned to the Capital Strategy.

To set out governance arrangements for future development of programme and strategy.

Alternative options considered

The Council could continue to determine and approve an annual Capital Programme based on its immediate needs; however this approach had been discounted as it would tend to prioritise those projects which can be developed quickly rather than those that support a more strategic view of the Council's needs and supports the Corporate Plan. It would also potentially be limited by short-term decisions on funding options which may not be the most effective approach.

There were a number of funding approaches that had also been considered ranging from restricting expenditure to the extent to which capital receipts can continue to be generated, to a longer-term view based on leveraging additional external resources and anticipating revenue streams in support of borrowing. There was a need to keep under review the balance between the Council's ambition and the risks associated with borrowing in a challenging financial climate. By taking a longer-term view these risks could be mitigated and managed over time. The Council's MTFs would continue to be updated with the on-going revenue effects of capital decisions.

29. SEVEN SISTERS REGENERATION - APEX HOUSE (APPROPRIATION OF LAND FOR PLANNING PURPOSES)

The Cabinet Member for Housing, Regeneration and Planning introduced the report which was presented solely to ensure that decisions previously taken by Cabinet were upheld in light of the Housing and Planning Bill becoming an Act of Parliament (law). Members were asked to support the recommendation in the report to safeguard the progression of the Apex House redevelopment against any legal impediments that might be caused by the replacement of this clause with a similar provision.

RESOLVED

That its resolution made at the 15th July 2014 Cabinet meeting (Seven Sisters Regeneration, Tottenham – Apex House & Wards Corner Report) to approve the appropriation of the Apex House site for planning purposes, pursuant to Section 122 Local Government Act 1972 and subject to the powers provided by Section 237 Town and Country Planning Act 1990, is intended to attract the application not only of Section 237, but also the replacement provisions contained in Section 203 of the Housing and Planning Act 2016.

Reasons for decision

The reason for the recommendation is that the Housing and Planning Bill has been progressing through Parliament and received Royal Assent on the 12th May 2016. The new Act contains Section 203 and will repeal Section 237.

The new section also applies “where—

- (a) there is planning consent for the building or maintenance work,
- (b) the work is carried out on other qualifying land,
- (c) the qualifying authority in relation to the land could acquire the land compulsorily for the purposes of the building or maintenance work, and
- (d) the building or maintenance work is for purposes related to the

purposes for which the land was vested in, or acquired or appropriated by, the qualifying authority in relation to the land” and therefore should capture appropriation of land that occurred prior to coming into force of the new Act.

It was felt however that the Council should in any event resolve that its resolutions under Sections 122 of the Local Government Act 1972 to appropriate and to dispose under Section 233 of the Town and Country Planning Act 1990 are intended to attract the application not only of Section 237 but also its replacement under Section 203. Similar decisions have been made in other recent cases in Haringey, for example in the case of Tottenham Hotspurs Stadium redevelopment and Olympia Trading Estate.

Alternative options considered

The alternative option to consider would be not to resolve that the Cabinet’s original decision of the 15th July 2014 to appropriate the land for the Apex House site is intended to attract the application not only of Section 237, but also the replacement provision under Section 203 of the Housing and Planning Act 2016 .

This could lead to uncertainty over the Council’s intentions, given the changes to the legislation and it has been advised by legal counsel in other similar cases in Haringey to clarify the Council’s position on the issue. There would be an increased risk of challenge through judicial review process if the recommended resolution is not made, on the basis that the Cabinet’s intention on the 15th July 2014 was that only Section 237 should apply and this has now been repealed.

30. N17 DESIGN STUDIO: MEMORANDUM OF UNDERSTANDING 2016/17

The Cabinet Member for Housing, Regeneration and Planning introduced the report which sought to formalise the arrangements between the Council and JMP [John McAslan and Partner architects] for their continued operation at the vacant shop premises at 451-453 Tottenham High Road until November 2016.

This arrangement had started in November 2014 and had allowed JMP, an internationally recognised architectural firm, to utilise the building and provide a traditional architecture office on Tottenham High Road whilst also providing an educational and community outreach programme which had included apprenticeships, work experience, field trips, and workshops with local schools.

The Cabinet Member for Housing, Regeneration and Planning referred to the review of the arrangements, the community outreach work with schools, and felt JMP had made a difference to the local community.

Cabinet noted that JMP were committing to the Tottenham base until November and would continue their education and employment programme whilst paying the market rent for use of the premises.

In response to Councillor Engert’s question, the Cabinet Member acknowledged the challenges with filling apprenticeship positions and this involved identifying young people with the right skills match to take forward and feel the employment benefits of this type of technical apprenticeship position. This also involved, generally, schools encouraging the take up of this vocational option with students. Cllr Engert could

further be provided with more details of the Council's work on improving the take up of apprenticeships.

The Cabinet Member further clarified that the figures contained at paragraph 6.1.2.2 both of the references to the £12,400 figure should instead refer to a figure of £18,400 (which corresponds with the accompanying text and the table directly above it).

RESOLVED

1. Following the pilot project review, the 2016 arrangements for the N17 Design Studio project as set out in this report and the revised Memorandum of Understanding (MoU) are agreed.
2. To let the N17 Design Studio space to JMP at commercial rent, and to let out the remainder of the ground floor of the building, not let to JMP, as a commercial property, subject to the consent of the freeholder being secured.
3. That a decision will be made, and publicised, in November 2016 as to whether the project will continue from December 2016 onwards.

Reasons for decision

The project review recognised the successful elements of the pilot project as being; engagement with Tottenham schools by providing focused education workshops, field trips and interview skills and training, apprenticeships, work experience and the use of the studio as a host venue for community events and talks. It was proposed that these continue in the current year under a new MoU.

Given the expenditure so far, as set out in section 6.1.2, it was recommended that no additional funding be allocated to the Design Studio project other than already spent, and required in the future under Council's responsibility as lessee of the building. No further funding will be provided to JMP.

JMP lease approximately 60% of the total space available in the building from the Council. The rear ground floor is also suitable for occupation, albeit no refurbishment works have been carried out to this space. However it was considered it may be suitable for let and opportunities to maximise the value of the space should be explored. The upper floor is not suitable for occupation due to structural issues that would require further capital investment.

Alternative options considered

To stop the N17 Design Studio project altogether and to let the space out to another operator. This was not recommended as some of the positive elements of the pilot project identified in the review have scope to be continued and developed in 2016 to have a positive impact on the regeneration of Tottenham, particularly on providing education and training opportunities for young people. In addition JMP had committed to paying full market value rent for the premises under current occupation, and to cover all of their costs. Therefore there was no further financial commitment required from the Council other than in its capacity as head leaseholder of the building.

To allocate additional funding into the N17 Design Studio project. This was not recommended due to the fact that the pilot project has already received Council funding.

31. VARIATIONS TO THE APPROVED PRIORITIES IN THE HOUSING CAPITAL PROGRAMME 2016/17

The Cabinet Member for Housing, Regeneration and Planning introduced the report which sought agreement to including 80 homes in Tamar Way in the Housing Capital programme.

Tamar Way was previously excluded from the Housing Capital Programme to allow consideration on whether this estate could be included in the estate renewal programme. These considerations had now been concluded, and it was recommended to include homes in the mainstream Housing capital programme.

RESOLVED

1. That homes on Tamar Way (80 homes in the Tottenham Hale ward) be included in the Housing Capital Programme and improvements undertaken in-line with the approved Haringey Standard. Works are in addition to the priorities previously agreed through the July 2015 Housing Investment Cabinet report. Works will be undertaken using existing framework arrangements for consultancy services (CRCS) and contractors (Major Works framework) which have previously been approved by Cabinet.
2. That approval of the detailed scheme budget, following survey work, be delegated to the Director of Planning, Regeneration and Development in consultation with the Lead Members for Regeneration and Housing and Resources and Culture.

Reasons for decision

Tamar Way was previously excluded from the Housing Capital Programme through the 2013 Estate Renewal Strategy to allow for further considerations around possible re-development and investment. These considerations have now been concluded, and it is recommended to include homes in the mainstream investment programme.

On the basis that the homes were excluded from investment by Cabinet in 2013, a decision is required to allow for investment to go ahead.

Alternative options considered

Do nothing – this option was discounted on the basis that stock condition information indicates that investment is required. The required investment is comparable with unit costs for other homes across the borough who have received investment under the Decent Homes Programme.

Redevelopment – this option was discounted on the basis that there are greater priorities for the Council elsewhere in the borough. Feedback from residents indicated

that a significant number felt strongly that Decent Homes investment was necessary and important.

32. MINUTES OF OTHER BODIES

RESOLVED

To note the minutes of the following meetings:

- Cabinet Member signing on 06 May 2016
- Leader's decision on the 20th of May 2016

33. SIGNIFICANT AND DELEGATED ACTIONS

RESOLVED

To note the significant and delegated actions taken by directors in April/May 2016.

34. NEW ITEMS OF URGENT BUSINESS

There were no new items of business to consider.

35. EXCLUSION OF THE PRESS AND PUBLIC

No applicable to this meeting.

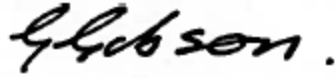
36. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

Report for: Cabinet, 12th July 2016

Item number:

Title: Youth Transition - Response to Review by Overview and Scrutiny



Report

Authorised by: Gill Gibson, Assistant Director of Assistant Director for Children's Services - Quality Assurance, Early Help, and Prevention

Lead Officer: Sean May, 020 8489 5044, sean.may@haringey.gov.uk, Strategic Lead for Young People and Post 16

Ward(s) affected: ALL

Report for Key/

Non Key Decision: N/A

1. Describe the issue under consideration

- 1.1 Under the agreed terms of reference, scrutiny panels can assist the Council and the Cabinet in its budgetary and policy framework through conducting in-depth analysis of local policy issues and can make recommendations for service development or improvement. The panels may:
- Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - Conduct research to assist in specific investigations. This may involve surveys, focus groups, public meetings and/or site visits;
 - Make reports and recommendations, on issues affecting the authority's area, to Full Council, its Committees or Sub-Committees, the Executive, or to other appropriate external bodies.
- 1.2 In this context, the Children and Young People's Scrutiny Panel conducted a review that focussed on young people who are considered at risk of becoming a "NEET" i.e. not in education, employment or training. Amongst the issues considered were the following:
- The choices available to a young person;
 - The influences on the decisions that they make in response to them; and
 - Interventions that may deliver the best outcomes.
- 1.3 The final report of the second part of this review is attached at Appendix 1. This outlines the conclusions and recommendations of the Panel, which were approved by the Overview and Scrutiny Committee on 8 March 2016.

2. Cabinet Member Introduction

This review of youth transitions provides a powerful set of evidence and a steer for how Haringey Council and its partners can enhance and develop the range of services they provide, or facilitate, for young people. The life chances of young people are greatly affected by the choices they make while at school and the influences around them. The recommendations of this scrutiny review help to set out a way of supporting young people to make effective choices and so improve their lives. I would like to thank the Scrutiny Panel and all those who participated in the review for their hard work.

3. Recommendations

- 3.1 That the Cabinet approve the responses to the recommendations of the Overview and Scrutiny Committee as outlined in **Appendix 2** of the report.

4. Reasons for decision

- 4.1 The evidence supporting the Panels' recommendations is outlined in the main body of the report (**Appendix 1**).

5. Alternative options considered

- 5.1 The evidence supporting the Panels' recommendations is outlined in the main body of the report (**Appendix 1**). The Cabinet could choose not to accept the recommended response by officers to them, as outlined in Appendix 2. The potential implications of alternative courses of action are referred to within this, as appropriate.

6. Background information

- 6.1 The Children and Young People's Scrutiny Panel has undertaken a piece of in-depth work regarding the challenges facing young people growing up and reaching adulthood in Haringey. It began this work in 2014-15 and reported its preliminary findings to the Panel meeting on 9 July 2015. It was of the view that, at this stage, it did not yet have sufficient evidence to reach final conclusions and recommendations. It therefore commissioned further work with the aim of enabling it to make final conclusions and recommendations. The report attached as Appendix 1 outlines the outcome of this further work and the findings, conclusions and recommendations that the Panel has made, which were approved by the Overview and Scrutiny Committee on 8 March 2016.

7. Contribution to strategic outcomes

- 7.1 The work undertaken by the Panel will contribute to Priority 1 of the Corporate Plan – "Enable every child and young person to have the best start in life, with high quality education" and Priority 4 'Drive growth and employment from which everyone can benefit'.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

The recommendations following from this report will have to be met from existing resources within the Youth service. This may involve the re-prioritisation of existing work programmes to ensure that they are affordable.

Most of the recommendations are low cost and the service is seeking joint funding where appropriate and sponsorship for the year 11/12 careers event.

Legal

Under Section 9F Local Government Act 2000 (“LGA”), Overview and Scrutiny Committee have the powers to make reports or recommendations to Cabinet on matters which affect the Council’s area or the inhabitant of its area. The Constitution provides that the Scrutiny Review Panels must refer their findings/recommendations in the form of a written report to the Overview and Scrutiny Committee for approval. Afterwards, final reports and recommendations will be presented to the next available Cabinet meeting together with an officer report where appropriate. The Overview and Scrutiny committee must by notice in writing require Cabinet to consider the report or recommendations.

Under Section 9FE of the LGA, there is a duty on Cabinet to respond to the report. That response must indicate what (if any) action Cabinet, proposes to take, within 2 months of receiving the report or recommendations.

Equality

The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:

- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- Advance equality of opportunity between people who share those protected characteristics and people who do not;
- Foster good relations between people who share those characteristics and people who do not.

The report highlights the need to ensure that there are opportunities for all young people within the borough as well as a number of areas where there are particular challenges in respect of this.

9. Use of Appendices

Appendix 1 – Report of Scrutiny Panel

Appendix 2 – Response by the Children’s Service to recommendations

Appendix 3 – Haringey Guarantee

10. Local Government (Access to Information) Act 1985

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Report for: Children and Young People's Scrutiny Panel – 3 March 2016
Overview and Scrutiny Committee – 8 March 2016

Item number:

Title: Panel Project on Youth Transition – Findings Part Two,
Conclusions and Recommendations

Report authorised by : Cllr Hearn, Chair of Children and Young People's Scrutiny Panel

Lead Officer: Robert Mack, 020 8489 2921 rob.mack@haringey.gov.uk

Ward(s) affected: All

**Report for Key/
Non Key Decision:**

1. Describe the issue under consideration

- 1.1 The Children and Young People's Scrutiny Panel has been undertaking a piece of in-depth work regarding the challenges facing young people growing up and reaching adulthood in Haringey. It began this work in 2014-15 and reported its preliminary findings to the Panel meeting on 9 July 2015. The Panel commissioned further work with the aim of enabling it to make final conclusions and recommendations. This report outlines the outcome of this further work and the findings, conclusions and recommendations that the Panel has made.

2. Cabinet Member Introduction

N/A

3. Recommendations

Children and Young People's Panel:

- 3.1 That the following recommendations be made on behalf of the Panel to the Overview and Scrutiny Committee, as outlined in Section 7 of the report:
- (i) That a specific target be set for narrowing the gap in the percentage of young people entering the top or Russell Group universities between the borough's two parliamentary constituencies. (Para 7.27)
 - (ii) That a further report be submitted to the Children and Young People's Scrutiny Panel on progress with the development of post 16 provision within the borough in autumn 2016, including 6th form provision and the vocational offer. (7.32)
- (i) That the Panel expresses its support to the proposals:

- to commission a detailed survey on the perceptions of young people on the options open to them; and
 - to arrange a Haringey wide careers event, subject to this being suitably publicised and located in an accessible venue in order to ensure a good level of attendance. (7.35)
- (ii) That work be undertaken to develop a means of monitoring the attainment of young people that is based on residence in the borough rather than attendance at in-borough post 16 provision. (7.37)
- (iii) That further work be undertaken to develop effective monitoring of progress in respect of the take up and success rate of apprenticeships and that performance in respect of these be given a higher priority as a key Corporate Plan performance indicator. (7.40)
- (iv) That a suitably ambitious target for the increase in the number of apprenticeships for 16-18 year olds by 2018 be set, with consideration given to this being to reach the same number of take-ups that was achieved in 2010-11. (7.46)
- (v) That the Council take a lead role in developing a strategic borough wide plan for young people to develop and pursue their career aspirations that focuses on improving the range of options and addresses the areas where demand for labour is high and training provision is limited locally. (7.52)
- (vi) That measures be taken to provide greater challenge to schools on their performance in respect of the number of NEETs and not knowns originating from them where data shows performance falling below expectations. (7.67)
- (vii) That the proposal to introduce a kite mark for good quality independent advice and guidance on careers be supported. (7.68)
- (viii) That, in respect of their role as corporate parents, specific guidance be provided for all Members on how independent careers advice should be provided for looked after children. (7.69)

Overview and Scrutiny Committee:

- 3.2 That the recommendations of the Children and Young People's Panel be approved and the report submitted to Cabinet for response.

4. Reasons for decision

- 4.1 The Children and Young People's Scrutiny Panel is requested to agree the recommendations so that the report can be submitted to the Overview and Scrutiny Committee for final approval. Following this, the report will be formally referred to the Council's Cabinet for response.

5. Alternative options considered

- 5.1 The Children and Young People's Scrutiny Panel could decide not to approve the report but this would mean that it would be unable to refer the report to the Overview and Scrutiny Committee so that its recommendations can be made to Cabinet. The Overview and Scrutiny Committee could decide not to approve the Panel's report which would also mean that they could not be referred to Cabinet for response.

6. Background information

Introduction

- 6.1 In 2014-15, the Children and Young Peoples Scrutiny Panel commissioned a piece of in-depth work on the transformation of services for young people within the borough. The aim of this was to look at services that provide support for young people in addressing the challenges that they face during the transition to adulthood. The work focussed especially on young people who are at risk of becoming a "NEET" (not in education, employment and training) and what kind of interventions may assist in helping them in avoiding this.

Terms of Reference/Objectives

- 6.2 The terms of reference for the review were as follows:

"To consider and make recommendations to the Overview and Scrutiny Committee in respect of the commissioning framework for young people and, in particular, the issue of young people considered at risk of becoming a NEET including;

- The choices available to a young person;
- The influences on the decisions that they make in response to them; and
- Interventions that may deliver the best outcomes."

Interim Report and Findings

- 6.3 During 2014-15, the Panel undertook a range of work including:
- Receiving a presentation by officers from the Children and Young People's Services at the meeting of the Panel on 22 January 2015;
 - Attending an event organised for the Panel on 9 March 2015 to which young people, partners and employers were invited;
 - Visiting to Bruce Grove Youth Centre, Heartlands High School and the Triangle Centre to meet with young people; and
 - Visiting a careers and training event at the Junction in Wood Green to talk to providers and young people.
- 6.4 The Panel reached a number of preliminary findings from this work and these were reported to the Panel meeting on 9 July 2015. The Panel was of the view that the evidence that had so far been gathered was limited and, in some cases, inconclusive. They felt therefore that more evidence was needed to draw firm conclusions and answer the questions that were posed at the start of the work.
- 6.5 The Panel nevertheless made some observations and comments, as follows;

- It was clear that the role of parents and carers is very important. Those young people that the Panel received evidence from who had proactive parents or carers appeared to be a lot better placed than others.
- Some young people lacked effective support. A few had plans that appeared to be unrealistic and that also lacked a back-up plan to assist them if they were not successful in their chosen field. There appeared to be a link between this and socio-economic status. Unrealistic career aspirations were frequently based around becoming professional sportsmen and women.
- Young people did not appear to be receiving support and guidance that covered the full range of options that were available. Feedback from young people spoken to suggested that schools are inclined to channel young people towards universities, which are not suitable for all young people. The Panel felt that there were other offers available that are as attractive. In particular, vocational routes could offer a viable alternative which also do not involve getting into debt due to the costs of going to university.
- It was noted by the Panel that some young people felt that there was a negative perception of the local area and that this was linked to low expectations.
- The Panel were impressed by the range of organisations and opportunities being offered at the jobs and training event that took place at the Junction and organised by the Youth, Community and Participation Service. They had noted that some of the organisations were finding it challenging to fill vacancies and/or places despite the attractiveness of what they were able to offer. They were of the view that the event could have been better attended by local young people and that it might benefit in future from being located in a larger, higher profile and more accessible venue. It was noted that efforts would be made by officers to address these issues but that this was partially dependent on suitable funding being identified.

6.6 The Panel agreed that additional evidence gathering activities would be arranged, with a view to assisting the Panel in making final conclusions and recommendations:

7. Further Evidence

- 7.1 In the light of the above, the Panel received the following additional evidence;
- A presentation by officers from the Children and Young People's Service, Economic Development and Human Resources regarding work by the Council and its partners to support young people with the development of their career aspirations at an evidence session on 24 September 2015;
 - Case studies on the approach followed by Enfield and Croydon Councils;
 - Visits to Northumberland Park and Highgate Wood schools to hear how they support young people in developing their career aspirations; and
 - A report on current 6th form provision to the evidence session on 19 January 2016.

The Corporate Plan and the Young People's Strategy

- 7.2 Strategic Priorities 1 and 4 from the Corporate Plan are the two priorities mostly strongly linked to support for young people in realising their career aspirations. Of these, priority 1 is perhaps the most relevant: “Outstanding for all – Enable every child and young person to have the best start in life, with high quality education”. Objective 3 under this priority is “There will be excellent education and training opportunities for young people aged 16 plus, enabling all to develop the right skills and experience for good quality, sustainable employment”.
- 7.3 Ambitious targets for improvement have been set out under this objective and these are focussed on three specific areas:
- *Attainment*; Level 3 (A level and equivalent) point score per student and exam to be in the London top quartile by 2018.
 - *Participation*; Education, employment and training levels to overtake the national average by 2017 and London average by 2018.
 - *Higher Education Entry*; The proportion of young people entering higher education and the top universities to be above the national and London average by 2018.
- 7.4 Strategic priority 4 is also of relevance: “Sustainable housing growth and employment – Create homes and communities where people choose to live and are able to thrive”. Objective 3 of this is “We will take advantage of growth by ensuring that residents have the training, skills and support necessary to find and keep good quality employment”. The targets for this are:
- *Increase earnings*; To reduce the gap between Haringey and London by 15% by 2018; and
 - *Increase earnings of lowest 25 percentile*; To reduce the gap between Haringey and London by 15% by 2018.
- 7.5 Since the Panel's interim report, the Cabinet Meeting has approved a Young People's Strategy for the borough at its meeting on 14 July 2015. This Strategy is intended “to provide the basis of increasing coordination, cooperation and targeting of services to improve the lives and outcomes of young people in the borough”. It sets out principles, priorities and success criteria and is intended to complement the strategic objectives set out in the Council's Corporate Plan.

Strategic Priorities for Youth

- 7.6 The Young People's Strategy sets four strategic priorities in respect of youth. Priority 2 relates specifically to the issues that the Panel have been looking at; “Ensure clear pathways into an attractive and relevant range of employment, learning and enterprise opportunities”.
- 7.7 It is intended to ensure the following;
- All young people are engaged in learning, employment or enterprise;
 - All young people have aspirations and the employability skills to achieve their potential; □
 - A curriculum which gives young people the skills to meet their career aspirations;

- All young people will have greater access to apprenticeships, traineeships and work experience;
- The quality in pathways (particularly in Tottenham) will enable young people to continue their studies into Higher Education including Russell Group Universities.

7.8 It states that the following will be required in order to make improvements:

- High quality training, advice and guidance for careers delivered in and by schools, colleges and training providers;
- Earlier identification in schools and colleges of young people without a clear post 16-19 option so they can be supported to make positive choices about courses and careers;
- Providing quality pathways and skills to develop and support aspiration in order to help all young people to take up learning, employment and enterprise opportunities;
- Information, advice and careers services delivered where vulnerable young people are;
- Partnerships and engagement with employer and higher education networks to promote internships, apprenticeships, work experience and other opportunities;
- Better informing parents and carers about the range and implications of individual pathway choices on future opportunities;
- Promoting high quality provision and choice for all young people and their families;
- All young people provided with an offer of learning through the September Guarantee process.

7.9 Feedback from young people in respect of this priority was as follows;

- Post 16 education and training in Haringey is not as good as in other areas;
- Careers advice and guidance needs to improve so young people can make effective choices about their future;

7.10 The Council's response to this was as follows:

- Post 16 provision in Haringey continues to improve at a faster rate than nationally, with some strong provision, but there are still areas that need to improve more rapidly. We will work with, and challenge, schools and colleges to ensure all young people get the highest quality education;
- Over the next 2 years we will work with key partners including Prospects, schools and the National Careers Service to develop, embed and enhance quality careers advice and guidance. We will ensure young people are linked to the opportunities regeneration brings in Tottenham and to the wider global opportunities.
- We will celebrate the excellent provision locally and the success of young people.
- We will improve on-line information and support by piloting an online search tool, revamping Youth Space and introducing a Haringey Careers Facebook page.
- We will get advice to young people earlier and where they need it through an early help localities based model of needs analysis and support.
- We will fulfil and enhance the commitment to our 100 scheme and lead by example by employing youth worker apprentices.

Early Help

- 7.11 The Young People's Strategy is an integral part of the Council's Early Help approach and recognises that it is better to identify and deal with problems early. The Council is now focussing its activity in respect of youth towards this. Job descriptions of staff working with young people are now specifically focussed on supporting NEETs. There are staff whose role is to work with young people within each of the three locality teams and there will be targets in respect of reducing the number of NEETs. In addition, there will be provision for data collection and some capacity for careers advice. The new structure went live on 5 October 2015. The budget for youth has been reduced considerably in recent years and the new structure reflects this.

Statutory Duties

- 7.12 Responsibility for careers advice transferred from local authorities to schools in 2011, introducing a new statutory duty on schools to provide impartial careers advice and guidance. Local authorities have a range of duties to support young people to participate in education or training which overlap with this:
- Schools should work with local authorities to identify young people who are in need of targeted support or who are at risk of not-participating post-16;
 - Local authorities should have arrangements in place to ensure that 16-17 year olds have agreed post 16 plans and receive an offer of a place in post-16 education or training;
 - Schools should also work in partnership with local authorities to ensure they know what services are available and how young people can be referred for support;
- 7.13 In addition to having a specific responsibility to provide impartial advice on careers to young people, there is also an expectation that schools will have links with local employers. If there are high levels of "not knowns" or young people not in education, employment or training (NEETs) originating from specific schools, the Council can challenge them on their performance and this is increasingly being done. Schools are required to provide data in respect of this. Young people are tracked up to the age of 19 and up to 25 in the case of young people with a learning disability assessment.
- 7.14 Local authorities nevertheless have some statutory responsibilities of their own. These are;
- Delivering, with schools and colleges, the September Guarantee (offers of learning to all year 11 and year 12 young people); and
 - Tracking and supporting young people Not in Employment, Education and Training (NEET).

Policy Developments

- 7.15 The Panel noted that there have been a number of recent relevant policy developments:
- Area Reviews; The government is beginning a review of the further education sector, with recommendations published in 2017. Each review

will start by taking stock of the skills landscape in local areas and assessing the economic and educational needs of the area and the implications for post-16 education and training provision. This will include school sixth forms, sixth form colleges, FE colleges and independent providers. This process is likely to lead to significant change, including mergers.

- There is an increased emphasis on apprenticeships and they are being heavily promoted as a good alternative to more academic courses.
- 'A' levels and Level 3 qualifications are to become more challenging for students. This is likely to make schools more selective about who they accept onto such courses. This is likely to make schools more selective about who they take on to courses and potentially result in the less academically gifted young people being steered towards colleges or apprenticeships.

NEETs

- 7.16 The Panel noted that performance relating to corporate plan targets for participation in education, employment or training is not currently on track. It stalled in 2014-15 after a previous 3 year improvement and NEET levels are higher than national, statistical neighbours and the London average. The Panel noted that if the "not known" figure was reduced to zero, it would probably lead to an increase in NEETs to 8%. Although an adjustment is made in the NEETs figures to take into account the number of "not knowns" who are likely to be NEETs, it is felt that this is likely to be an under estimate of the true figure.
- 7.17 Participation is higher than the national average but lower than London. It tends to be higher at the end of the academic year, suggesting better recording and data management would improve the results. Haringey's 2014/15 rate of 81.3% of 16–19 year olds in education, employment and training is the 3rd lowest in London. and below the target trajectory.

NEETs 16-19

	June 12	June 13	June 14	June 15
Haringey	4.6%	3.6%	4.5%	4.9%
Statistical Neighbours	5.1%	5.7%	4.2%	3.7%
London	4.5%	4.8%	4.1%	3.6%
National Average	5.9%	5.9%	5.5%	4.9%

Not knows 16-19

	June 12	June 13	June 14	June 15
Haringey	15.9%	11.5%	7.4%	9.2%
Statistical Neighbours	8.5%	8.4%	8.8%	10%
London	8.3%	7.4%	6.5%	6.9%
National Average	8.8%	7.2%	8.6%	7.3%

Participation figures (RPA 16-18)

Area/ Date	December 13	December 14	December 15 Projections
Haringey	87.4%	83.3% (88.9% – January)	90%
London	90.1%	92%	93%
National	89.9%	90.2%	90.5%

7.18 The Panel noted that it is more difficult to collect data for young people who chose to go out of borough. An external provider has been commissioned to target NEETs and encourage them into education, employment or training.

Post 16 Provision

7.19 The Panel noted that corporate plan targets relating to attainment are currently being met. Provisional 2015 'A' Level results suggested performance per exam was above the national and London averages for the first time. Performance per student is now above the London average but behind the national. The average point score for Haringey in 2015 was 689, which puts it on track to be within the top quartile for London by 2018 for which the average currently needs to be 718.

7.20 However, the Panel received evidence that 47% of young people go out of borough for education and training. In the east of the borough, this figure is 85%. Statistics show that young people with higher rates of ability in the east of the borough are more likely to go out-of-borough, whilst in the west it tends to be those with lower levels of ability.

- 7.21 There are a number of reasons for this, including lack of capacity. There are currently places for 3590 young people but the total number of places required is approximately 7000. This is not necessarily a problem provided there is sufficient good quality capacity elsewhere. There is an argument that it is good for young people to travel but each young person who stays within the borough brings in £6000 of funding so there is a clear financial benefit.
- 7.22 Feedback on post 16 destinations was obtained by officers in the Children and Young People’s Service from schools and careers leads and this indicated that;
- Students are prepared to travel and many want a fresh start out of their local area;
 - Many like pastoral support;
 - Not all young people are aware of the full range of available options;
 - The views and perceptions of their peers and parents are a big influence when choosing where to go;
 - Pupils are highly aspirational; and
 - Some west Haringey schools do not effectively promote their offer to other Haringey schools.
- 7.23 An analysis of two schools in Haringey - one in the west and one in the east - was also undertaken by officers. Only 6% of the highest ability students in the school in the east stayed in borough compared to 70% of the school in the west of the borough. 23% of the school in the east of the borough’s lowest ability group stayed in borough compared to 30% of the school in the west of the borough. This suggests students in lower ability range in the west are more likely to go out of borough.

Destinations for the west borough school students	Destinations for the east borough school.
<ul style="list-style-type: none"> • Stayed at the West School – 46% • CANDI – 10% • Woodhouse 7.6% • Camden SG – 5.8% • Another Haringey School – 3.6% • CoHENEL – 3.6% • Barnet and SC -3.1% 	<ul style="list-style-type: none"> • Sir George M – 36% • CANDI – 12% • WFC - 8.6% • HSFC – 7.9% • Woodhouse 7.1% • Barnet SC -7% • CoHENEL 5.7% • Leyton 3.6% • Another Haringey School – 2.9%

7.24 The Panel noted that value added performance scores for provision within the borough are better than many of the post 16 options outside of the borough that are typically taken up by young people in the borough, several of which have negative “value added” scores. It is a challenge to counter the perception that provision outside of the borough is better.

Academic Options and Entry into Higher Education

7.25 Performance against corporate plan targets relating to entry of young people into higher education is mixed, with university entry (52%) below the inner London average (56%) but higher than the national (48%). Entry to top or

Russell Group universities is lower – 8% - than both the England (11%) national and London average (12%).

7.26 The Panel has noted the very low levels of young people from Tottenham that are entering the top or Russell Group universities. If the figures are split between the two parliamentary constituencies within the borough, they are as follows:

- Hornsey and Wood Green; 14%
- Tottenham; 1%

7.27 Whilst this shows a figure for the west of the borough compares well with that of other areas, it also shows a figure for the east that the Panel feels is disproportionately low. It would therefore recommend that a target should be set for narrowing the gap between the two sides of the borough for entry into the top universities.

- *Recommendation 1: That a target be set for narrowing the gap in the percentage of young people entering the top or Russell Group universities between the borough's two parliamentary constituencies.*

7.28 The Panel expressed concern at the lack of academic provision in the east of the borough, which may be a factor in the low rates of young people entering top universities. Of particular relevance is the fact that there are currently no school sixth forms in Tottenham. Several closed down with the opening of the Haringey Sixth Form Centre. Results at Haringey 6th Form College have not always met expectations but a new Principal has been appointed and action is taking place to improve standards. There is currently considerable spare capacity at the College with only 700 of the 1000 places available currently filled. Its long term future needs to be determined though and will need to be considered by the governors.

7.29 The Panel was also of the view that the lack of school sixth forms could also impact on the recruitment of teachers, who generally prefer to work in schools with sixth forms. However, it noted that the new Digital College and the Harris Free School will both have 6th form provision.

7.30 Exam results from schools in Tottenham have improved considerably since the Sixth Form Centre was established. There is scope for more post 16 places but it is a competitive market and it will be necessary to attract young people away from other provision. 6th forms also need to be sufficiently large to be viable. In particular, they need to be of sufficient size to offer a range of subjects and combinations of subjects.

7.31 Where provision within the borough is of good quality, the current intention is to encourage expansion. A new 6th form in the east of the borough could nevertheless now be viable and potentially offer both academic and vocational options.

7.32 The Panel noted that the position in respect of 6th form provision was likely to be different in 6 months time. In particular, the Area Review process would be starting in March. The Panel has therefore agreed to return to this issue later in

the year.

- *Recommendation 2: That a further report be submitted to the Children and Young People's Scrutiny Panel on progress with the development of sixth form provision within the borough in autumn 2016.*

7.33 The Panel noted that development options that are currently being considered by the Council and its partners are:

- A detailed survey on the perceptions of young people on the options open to them; and
- A Haringey wide careers event.

7.34 The Panel would support both of these options. Although the Panel has already undertaken some work with young people to determine their views and aspirations, this was limited in scope and a more extensive piece of work would be valuable when considering the development of provision within the borough.

7.35 In addition, the Panel attended a careers event as part of its earlier work and were of the view that the event could have been better attended by local young people and that it might benefit in future from being located in a larger, higher profile and more accessible venue. It would welcome a borough wide event as a useful means of increasing awareness amongst young people of the range of options available to them.

- *Recommendation 3: That the Panel expresses its support to the proposals:*
 - *to commission a detailed survey on the perceptions of young people on the options open to them; and*
 - *to arrange a Haringey wide careers event, subject to this being suitably publicised and located in an accessible venue in order to ensure a good level of attendance. (7.35)*

7.36 The Panel noted that the majority of young people go out-of-borough for post 16 education, including some of the most able students. They are therefore not included in the current post performance statistics for the borough, which makes them of questionable value. Of particular note is the fact that only 6% of the highest ability students in the east stay in the borough. One school in the east of the borough has also successfully obtained scholarships in private schools outside the borough for some of their most able students. In borough institutions are also attended by out-of-borough students, which further undermines the value of the current statistics.

7.37 The Panel feels that better tracking is needed so that a more accurate picture can be obtained of attainment. In particular, statistics and targets needs to be focussed on how young people who live in Haringey are performing rather than just the performance of those who attend in-borough provision. Amongst other things, more accurate attainment information would assist in indentifying needs for further post 16 provision within the borough and which areas this should be focus upon. The Panel is therefore of the view that work should be undertaken to develop an effective means of monitoring attainment of young people that is based on residence in the borough. This may be possible through data sharing agreements with neighbouring boroughs or the use of relevant ONS data.

- *Recommendation 4: That work be undertaken to develop a means of monitoring the attainment of young people that is based on residence in the borough rather than attendance at in-borough post 16 provision.*

Vocational Options

7.38 The Panel noted that there is a lack of vocational provision in some areas of the borough, particularly in the west, and young people following vocational options are more likely to go outside of the borough. The range of courses available is also limited. Popular out-of-borough vocational courses include business management, social care and motor vehicle engineering, whilst popular in-borough courses include sport and leisure, public services and construction.

7.39 The Young People's Strategy set out four additional key outcome indicators in respect of Objective 3 of Priority 4 within the Corporate Plan which relate to apprenticeships. These are:

- Increase in apprenticeship take up by 16-19s is above the London average increase.
- The success rate of apprenticeships (16-19) is above the London and national average.
- Increase in those young people who are in work staying in work (16-19) from the 2014 baseline.

7.40 However, suitable systems have not been so far set up to collect and monitor progress with these indicators. The Panel is of the view that further work needs to be undertaken to develop these. In addition, although apprenticeships are amongst key outcome indicators within the Young People's Strategy, they are not currently key Corporate Plan performance indicators. The Panel feels that apprenticeships should be a higher level of priority amongst Corporate Plan indicators so that a greater focus can be made on achieving progress in this area. This would also give vocational routes parity with the high priority that is given to academic routes under Priority 1.

- *Recommendation 5: That further work be undertaken to develop effective monitoring of progress in respect of the take up and success rate of apprenticeships and that performance in respect of these be given a higher priority as a key Corporate Plan performance indicator.*

7.41 The Panel nevertheless received figures for apprenticeship starts for young people between 16 and 18 since 2010-11 and these show a decline from what was already not a comparatively high figure. In 2010-11, there were 210 starts but by 2013-14, this figure had gone down to 140. Figures for Enfield showed an increase from 380 to 400 for the same years. However, figures for Inner London and nationally also showed declines but not quite as high as those experienced in Haringey.

Area/Date	2010-11	Change	2011-12	Change	2012-13	Change	2013-14
Haringey	210	-4.8%	200	-25%	150	-6.5%	140
Enfield	380	+5%	400	-7.5%	370	+8%	400
Inner	3530	-2%	3460	-18%	2830	+4.5%	2960

London							
National	130500	-1%	128600	-12%	113000	+4.6%	118200

- 7.42 The number of apprenticeships offered has also reduced in recent years. To some extent, this is due to the fact that London has less of an industrial base than elsewhere. Numbers are nevertheless better in Enfield where there is more industry and a stronger focus on apprenticeships.
- 7.43 The Panel noted that it can be difficult to sell apprenticeships to young people and schools and they need to be marketed effectively. The Panel noted that knowledge and awareness of them by schools is not always great.
- 7.44 The Panel heard evidence of work undertaken by the Council to provide apprenticeships. The Haringey Academy has been set up by the Council to assist in staff development of its staff. Part of its remit is to provide apprenticeships for roles within the Council. Consideration is being to areas within the Council where demand for staff is continuing and, in some cases, growing such as business administration, IT, programme development, planning and horticulture. Homes for Haringey and Veolia are also involved in the programme.
- 7.45 Level 2 apprenticeships are being offered to young people. The first group were not necessarily NEETs but school leavers were to be targeted within the second cohort. 60% of the first group were from Haringey and school leavers with a Haringey connection have been strongly encouraged. The young people will be assisted in looking for work when their placements were coming to an end. There were also 100 young people on the scheme at Veolia and Homes for Haringey. Efforts are being made to encourage suppliers and contractors to take on suitable young people.
- 7.46 The Panel notes that the target within the Young People's Strategy to that has been set to increase apprenticeship take up to "above the London average increase". The increase in the number of apprenticeships has set 2014 as its baseline. However, this is a low baseline and the Panel is of the view that a more challenging target could be set. An increase that is above the inner London average would equate to a minimum of only 7 additional take-ups and would not take the borough back to the level achieved in 2012-13. The Panel would therefore recommend that a more ambitious target should be set of increasing the number of apprenticeships.
- *Recommendation 6; That a suitably ambitious target for the increase in the number of apprenticeships for 16-18 year olds by 2018 be set, with consideration given to this being to reach the same number of take-ups that was achieved in 2010-11.*

Career Options

- 7.47 The Panel noted that there is a need for young people to be made aware of career options which offer good opportunities. Science, technology, engineering and maths (STEM) have already been highlighted as particular areas where demand by employers outstrips supply. However, STEM is not

appropriate for some young people.

- 7.48 There are not enough jobs in the borough for everyone and it is necessary to look at the wider labour market. Opportunities outside of Haringey are therefore also being promoted. As part of this, a routes to work promotional campaign is being launched.
- 7.49 An Employment and Skills Board has been set up for the borough, which is chaired by the Cabinet Member for Economic Development, Social Inclusion and Sustainability. This includes education and training providers, employers, Job Centre Plus and the Chamber of Commerce.
- 7.50 In addition, Tottenham School Age Careers Programme is looking at the needs of 12 – 14 year olds and, in particular, how to ensure that they are able to make better informed choices about their future. Prospects, the national careers service, is also working within three schools in Tottenham – Park View Academy, Gladesmore and Northumberland Park. However, the Panel heard that grant funding for support to schools can often be subject to complex contracting processes, which can also reduce the amount of money available for delivery. The amounts of money can, in any case, be relatively modest and it would arguably be more cost effective to merely divide it up between individual schools.
- 7.51 On-line tools are also being developed to assist young people and work is taking place with employers. In particular, Siemens are keen to work with schools in the borough. They have an ageing work force and are therefore keen to recruit younger people. Birkbeck College is also working in Tottenham with the intention of encouraging people into higher education. Good opportunities exist but it is necessary to ensure that young people are aware of them and responsive.
- 7.52 The Panel is of the view that, with the regeneration of Tottenham and other areas of the borough, there is an opportunity for the Council to take a lead role in developing a strategic borough wide plan for young people to develop and pursue their career aspirations. This should focus on developing the range of options available and accessible to young people and addressing the areas where demand for labour is high and relevant training provision is limited locally. In particular, there is a clear need for vocational training to be developed in retail, construction and motor mechanics.

(ix) Recommendation 7: That the Council take a lead role in developing a strategic borough wide plan for young people to develop and pursue their career aspirations that focuses on improving the range of options and addresses the areas where demand for labour is high and training provision is limited locally.

Other Boroughs

- 7.53 The Panel noted the approach followed in the boroughs of Croydon and Enfield. The importance of effective tracking in reducing the numbers of NEETs was highlighted by each of them. Croydon emphasised the importance of access to multiple indicators, including benefits data and information from other local

authority databases which they felt helped them to be more proactive in tackling NEETs.

- 7.54 Enfield attribute their reduction in the number of NEETs to strong partnership work. There is a provider group that includes the vast majority of education and training providers within the borough and this is felt to help to ensure that there is a co-ordinated offer for young people and that they progress seamlessly into post 16 provision.
- 7.55 Their careers service is provided in-house. It is a fully traded service that the vast majority of schools in Enfield have bought into. Special attention is given to those young people who are either particularly talented or those who are uncertain about their future plans. Those within the latter group who are considered to be at risk could be referred onwards for appropriate interventions and support. They feel that having an in house careers service is helpful as it enables them to intervene earlier if necessary.

The Role of Schools

- 7.56 The Panel visited two schools in the borough to gain an understanding of how they provided independent advice and guidance for young people. The Panel was very impressed by the successful work that has been undertaken by Northumberland Park School to reduce the number of NEETs originating from the school. A few years ago, a quarter of the year 11 group had been either NEETs or “not knowns”. In response to this, work was undertaken with the Council’s Regeneration Team to address the issue.
- 7.57 Provision for careers guidance is funded directly by the school and embedded within it. The budget for it is circa £200,000. The work on careers has helped to change the ethos of the school. At the time of the Panel’s visit, there were no “not knowns” from the school and only one ex-student who potentially might become a NEET.
- 7.58 Work with young people starts in Year 7 and there is now a clear expectation that students will progress onto college or similar provision. The school has close links with CoHENEL and all students take part in a “have a go” day at the College. There are also lot of links between the school and universities and employers, who can offer taster days. Many have targets for working with schools and the local community and it is seen as part of their corporate responsibility. Linklaters, who were a large legal company, and the Cabinet Office are examples of two organisations that they have links with.
- 7.59 Careers staff undertake a wide range of duties, including ensuring that young people attend interviews and college. There is a counsellor and a psychologist available, as and when required. Mentoring is used to assist the hardest to reach students. The school seeks to keep in touch with ex students and determine where they have so that they can use some as role models for current students.
- 7.60 The Panel noted that when the responsibility for providing impartial careers advice and guidance had passed to schools, no additional funding to provide for this had been made available. The school had made a decision to invest in the

team. It had built support into its structure and made it top of its list of priorities but this had meant that other areas had been squeezed. They were less keen on buying in external support. In particular, they felt that there was not the same opportunity to develop a relationship with the young people.

- 7.61 The Panel also visited Highgate Wood School. Careers were first explored in Year 7 and further work undertaken in Year 8. This included games based around jobs and CV writing. Later on, a range of work was undertaken and this included reference to apprenticeships. In addition, visits to Oxford and Cambridge were also arranged for the more academically able.
- 7.62 Further work took place before pupils chose their GCSE options. Lots of advice is provided for pupils and they are also able to attend careers fairs. Advice and guidance on careers is provided externally and pupils are able to meet with the school's provider a number of times if they so wish.
- 7.63 An 'A' Level taster day is provided. In addition, colleges are invited to visit the school to talk to potential students. This year, 41% of pupils had gone onto the sixth form. The 6th Form was academically focussed but some subjects are difficult to fill, such as languages.
- 7.64 Those young people on the supported pathway have slightly more chance of becoming a NEET. There were currently 25 "not knowns" from last year. Of these, around 10 were probably NEETs. The figure for the previous year had been lower but last years cohort had been a particularly challenging group. The school was nevertheless aiming to get the figures down to single figures.
- 7.65 On results day, the school's careers advice and guidance provider attended to provide assistance for any pupils requiring it. The Panel noted that exam results will be available on-line in the future. This could be a problem as pupils will not have any incentive to contact the school following their results and it will therefore make tracking of progress even more difficult. The school felt that it might be necessary to undertake home visits in the future as a consequence of this.
- 7.66 Panel Members are of the view that the independent advice and guidance on careers provided by Northumberland Park School should provide a template for other schools in the borough. It also provides a clear indication of what is achievable. The school is particularly effective in identifying young people who are at risk at an early stage and taking action to address this. The school has made the issue a high priority and provided the resources necessary for an effective in-house service.
- 7.67 The Panel feels that schools should be held more accountable for the number of NEETs and not knowns that originate from them and challenged robustly where performance does not meet expectations. Each school is required to provide data to the Council and this should provide the necessary basis on which to motivate schools to improve their performance. The availability of GCSE results on-line will make the task of tracking young people more challenging and it is therefore essential that a proactive approach is adopted by all schools.

- *Recommendation 8: That measures be taken to provide greater challenge to schools on their performance in respect of the number of NEETs and not knowns originating from them where data shows performance falling below expectations.*

7.68 The Panel concurred with the view of officers that careers guidance in schools is variable and noted that one option that is being looked at by partners was the introduction of a kite mark for good quality independent advice and guidance. The Panel would strongly support this as a means of encouraging schools and colleges to improve their offer and achieve a greater level of consistency across institutions.

Recommendation 9: That the proposal to introduce a kite mark for good quality independent advice and guidance on careers be supported.

7.69 The Panel noted that Councillors, as corporate parents, have an important role to play in ensuring that looked after children are being provided with appropriate advice and guidance in respect of their career aspirations. They are of the view that specific guidance for them on this issue would enable them to perform this role better.

- *Recommendation 10; That, in respect of their role as corporate parents, specific guidance be provided for all Members on how independent careers advice should be provided for looked after children.*

8. Contribution to strategic outcomes

8.1 As outlined in detail in the report, the issues in question are closely related to Corporate Priority 1 (Outstanding for All) and Corporate Priority 4 (Sustainable Housing Growth and Employment)

9. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

9.1 This report sets out the recommendations of the Scrutiny Panel Project on Youth Transition. If the recommendations are accepted by the Overview and Scrutiny Committee they will be considered by the Cabinet who will respond. The Cabinet will only be able to accept recommendations if resources are identified for their implementation. In the light of the current financial climate it is very difficult to identify sufficient resources and so recommendations must be rigorously prioritised against existing work programmes.

9.2 Many of the recommendations outlined here should be low cost and can be met from existing resources. There will be a one off cost from carrying out the detailed survey in recommendation three and there may be costs from the development of the kitemark in recommendation nine. The provision of independent careers advice to Looked After Children would be a new cost but it may be possible to identify funding from existing budgets including the LAC pupil premium

Legal

- 9.3 The recommendations of the Children & Young People's Panel outlined in the report meet the strategic priorities from the Corporate plan and are within the general powers of the local authority under the Localism Act 2011 which provides the authority with a general power of competence.
- 9.4 Part Three of the Constitution provides for the OSC to receive reports and recommendations of its Scrutiny Review Panels and to further make reports or recommendations to the Cabinet or full Council.
- 9.5 The recommendations of the fall within the ambit of the Council's duties and powers.

Equality

- 9.6 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- Tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
- 9.7 The Panel has aimed to consider these duties within this project and, in particular;
- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
 - Whether the impact on particular groups is fair and proportionate;
 - Whether there is equality of access to services and fair representation of all groups within Haringey;
 - Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

10. Use of Appendices

None

11. Local Government (Access to Information) Act 1985

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Appendix 2: Recommendations

Recommendation from the Scrutiny Review	Response (Agreed/ Not agreed/ Partially agreed)	Who and when
<p>1. That a target be set for narrowing the gap in the percentage of young people entering the top or Russell Group universities between the borough's two parliamentary constituencies.</p>	<p>Partially Agreed There is a large gap between resident young people in Tottenham accessing top Universities against those in the rest of the borough or Nationally. Raising Tottenham's performance is key to raising the boroughs performance and is monitored through the Corporate Priority 1 board. A range of new post 16 provision is planned to open in Tottenham which will have an academic focus enabling Tottenham residents to access Russell Group Universities. This provision includes The London School of Excellence Tottenham, Harris Academy Tottenham and The National College for Digital Skills.</p> <p>A target for Tottenham will be considered</p>	<p>Cabinet Member for Economic Development, Social Inclusion and Sustainability and The Post 16 and Young Peoples Strategy Lead.</p> <p>End of August</p>
<p>2. That a further report be submitted to the Children and Young People's Scrutiny Panel on progress with the development of sixth form provision within the borough in autumn 2016.</p>	<p>Agreed Arrangements will be made to provide an update report and briefing to the Children and Young People's Scrutiny Panel.</p>	<p>Post 16 and Young Peoples Strategy Lead and the Principal Scrutiny Support Officer.</p> <p>Date to be set in Autumn Term by the end of August 2016.</p>
<p>3. That the Panel expresses its support to the proposals:</p> <ul style="list-style-type: none"> • to commission a detailed survey on 	<p>Agreed The council has commissioned Prospects to</p>	<p>Post 16 and Young Peoples Strategy Lead.</p>

<p>the perceptions of young people on the options open to them; and</p> <ul style="list-style-type: none"> to arrange a Haringey wide careers event, subject to this being suitably publicised and located in an accessible venue in order to ensure a good level of attendance. 	<p>deliver a pilot school age careers project, initially in Tottenham. As part of this pilot, a careers event for year 9 students across the three schools took place in February; this will now be an annual event.</p> <p>A yr11/yr12 careers event has been organised for November 16th 2016 which will include a range of post 16 education and employment options and opportunities. Sponsorship is being sought to embed the event annually. Surveys will be conducted as part of the event.</p> <p>Over the past 18 months, we have also worked with a number of employers/organisations to arrange events to offer job/career advice and opportunities to local people, including: Stansted, Siemens. VolkerFitzpatrick, North Middlesex Hospital, Tottenham Hotspur and the British Hospitality Association.</p>	<p>Event Planned for 16th November 2016</p>
<p>4. That work be undertaken to develop a means of monitoring the attainment of young people that is based on residence in the borough rather than attendance at in-borough post 16 provision.</p>	<p>Agreed</p> <p>Data on residents attainment and progress is now accessible and being monitored. 2014 data suggests progress for residents is significantly higher in borough but with attainment similar. Pathways in borough will be better advertised and promoted through events including the careers fair and will be supported by the expanding of provision in borough through the Digital Skills College, London School of Excellence Tottenham and the Harris Free School Tottenham Hale.</p>	<p>Post 16 and Young Peoples Strategy Lead</p> <p>Resident data is available each June.</p>
<p>5. That further work be undertaken to</p>	<p>Partially Agreed</p>	<p>Cabinet Member for Economic</p>

<p>develop effective monitoring of progress in respect of the take up and success rate of apprenticeships and that performance in respect of these be given a higher priority as a key Corporate Plan performance indicator.</p>	<p>A range of data sources are considered when evaluating the boroughs performance to support the successful delivery of apprenticeships including success rates and starts for different age groups.</p> <p>The council's Haringey 100 apprenticeship initiative has been successful in securing over 100 apprenticeship opportunities for local people. It has been challenging to attract residents to these opportunities with 34 vacancies filled. The challenge now is matching the right candidates for the opportunities and, as part of this, changing the negative perceptions that young people, parents and schools may have of apprenticeships. We will work with schools and colleges to promote apprenticeship opportunities more widely.</p> <p>While the council can ensure that there is effective monitoring of success rates for Haringey 100 brokered apprenticeships, the ultimate responsibility for apprenticeship performance more broadly sits with the Education Funding Agency and Skills Funding Agency.</p> <p>The success of the council's 100 apprenticeship initiative is monitored through the corporate Priority 4 board and contributes significantly to Priority 1 outcomes. It is currently not a key</p>	<p>Development, Social Inclusion and Sustainability.</p> <p>A decision made by April 2017 on the status of apprenticeship in the new corporate plan.</p>
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	outcome measure; consideration will need to be given to raising the status of apprenticeships in the new corporate plan.	
6. That a suitably ambitious target for the increase in the number of apprenticeships for 16-18 year olds by 2018 be set, with consideration given to this being to reach the same number of take-ups that was achieved in 2010-11.	Agreed Targets for apprenticeships exist in the Corporate Plan under Priority 4; to have 50 new starts by March 2016 and another 150 by March 2017. We will set targets to reach at least the 2011 figure by 2018.	Cabinet Member for Economic Development, Social Inclusion and Sustainability, the Head of Economic Development and Growth and the Post 16 and Young Peoples Strategy Lead Targets set by December 2016
7. That the Council take a lead role in developing a strategic borough wide plan for young people to develop and pursue their career aspirations that focuses on improving the range of options and addresses the areas where demand for labour is high and training provision is limited locally.	Agreed Improvements to careers delivery is now a key theme within the post 16 plan and the Tottenham Regeneration Plan The STEM (Science, Technology, Engineering and Maths) commission has been established to ensure that the Haringey education system is open to and accessing opportunities from industry; recommendations will be published in July. Young People will be linked to opportunities arising out of Tottenham Regeneration through section 106 agreements and corporate social responsibility initiatives. Schools will routinely be challenged on careers delivery (see Recommendation 8)	Post 16 and Young Peoples Strategy Lead. On going.
8. That measures be taken to provide greater challenge to schools on their performance in respect of the number of NEETs and not knowns originating from them where data shows performance falling below expectations.	Agreed Challenge is already provided to schools on the numbers of NEETs and unknowns originating from schools. Challenge to schools has been embedded into school improvement processes supported by a new careers effectiveness tool. This challenged will be extended to where young	Post 16 and Young Peoples Strategy Lead. On going.

	people do not have an offer of learning before leaving school.	
9. That the proposal to introduce a kite mark for good quality independent advice and guidance on careers be supported.	Partially Agreed A Haringey Entitlement has been drafted which shows the minimum service and support a young person will receive (see appendix 3). Discussions are being held with schools on the adoption of this guarantee.	Post 16 and Young Peoples Strategy Lead. On going.
10. That, in respect of their role as corporate parents, specific guidance be provided for all Members on how independent careers advice should be provided for looked after children.	Agreed A briefing, and guidance notes, to be arranged for members on how they should deliver their duty to provide independent careers advice to looked after children.	Post 16 and Young Peoples Strategy Lead and the Virtual School Head September 2016

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Appendix 3

Haringey Ambitions Guarantee (DRAFT)

Centres signed up to the Haringey Ambitions Guarantee; pledge to provide:

1. A clear and supportive induction programme to your post 16 study programme.
2. The highest quality teaching that fully: tracks, assesses and supports your learning needs enabling you to achieve ambitious goals.
3. Tailor made revision programmes and exam practice.
4. Access to a range of appropriate quality learning resources.
5. A clear pastoral point of regular contact and support to discuss your needs and progress including financial needs.
6. A quality programme of independent, impartial and personalised careers advice and guidance.
7. Full, and appropriate, preparation for your next steps including:
 - University Visits;
 - A Russell Group application event with practical pathway advice, and course guidance, offered by a range of leading Universities including Oxbridge;
 - Employers linked to the curriculum through visits, employment tasks and research activities;
 - A broad range of work related activities to develop the skills and knowledge of potential career paths to help you make informed choices and preparation for your future.
8. Mapping of your skills and abilities to produce a detailed CV and University or employment application.
9. Access to a wide range of enrichment activities to develop you as an independent and mature individual.
10. Provide you with the ability to play an active role in shaping the quality and direction of your study.

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Report for: Cabinet, 12 July 2016

Item number: 9

Title: Estate Renewal, Rehousing and Payments Policy – Final policy for adoption

Report authorised by : Lyn Garner, Director of Regeneration, Planning and Development

Lead Officer: Mustafa Ibrahim, Head of Housing Commissioning, Sites and Investment

Ward(s) affected: All

Report for Key/

Non Key Decision: Key

1. Describe the issue under consideration

1.1 In June 2015, Cabinet authorised consultation with stakeholders on the draft Estate Renewal, Rehousing & Payments Policy. This report sets out the results of the consultation exercise that has been carried out, which focused particularly on the views of tenants, leaseholders and freeholders on the draft policy. As a result of consultation a number of changes to the policy are recommended, and approval is sought for the final policy set out in appendix 2.

2. Cabinet Member Introduction

2.1 The Council's estate renewal programme is a key component in the delivery of our Corporate Plan priority to create homes and communities where people choose to live and are able to thrive, and in the implementation of our new Housing Strategy for the borough. We have ambitious targets for the supply of new affordable homes and for improving the quality of existing homes in the borough. When dealing with estate renewal, we recognise that some disruption and distress may be caused and this policy sets out our approach to minimising this and dealing with affected residents fairly and consistently.

2.2 The principles of this policy reflect that we are determined to put residents at the heart of our estate renewal programme. Residents will be fully engaged in the process from an early stage, their statutory rights will be safeguarded and they will be supported by independent advisors. Tenants will have the opportunity to bid for new homes and all residents who may need to move as a result of an estate renewal scheme will be well-informed about the rehousing commitments and financial compensation available to them. We are aiming to make estate renewal a positive experience for as many residents as possible, not only providing new homes but also improving neighbourhoods and boosting opportunity and life chances for as many residents as possible.

2.3 We have conducted an extensive and lively consultation campaign with residents and in particular engaged with those most likely to be directly affected

by the policy. The report shows that as a result of consultation, in some cases we have decided that amendments to the draft policy were required, while in others, it sets out the reasons why we have not made changes suggested by residents to the policy. The final policy is one which I believe is fair, balanced and reasonable and marks a positive way forward for future estate renewal schemes.

3. Recommendations

It is recommended that Cabinet:

- 3.1 Notes the responses to the consultation with tenants, leaseholders and freeholders on the proposed Estate Renewal Rehousing and Payments Policy.
- 3.2 Approves for immediate adoption the Estate Renewal, Rehousing and Payments Policy set out in appendix 2, as amended in the light of consultation and having considered the Equalities Impact Assessment.
- 3.3 Delegates authority to the Director of Regeneration, Planning and Development to make any minor changes to the Policy that may be required as a result of legislative change.

4. Reasons for decision

- 4.1 A decision to adopt the Estate Renewal, Rehousing and Payments Policy is required to ensure that the Council applies a consistent policy across the whole borough for all estate renewal schemes. This will ensure that tenants and leaseholders will have a clear understanding of what they may expect if an estate renewal scheme is proposed for their estate and also ensure that tenants and leaseholders are treated fairly and consistently, wherever they live and whenever the scheme starts.
- 4.2 A delegation to the Director of Regeneration, Planning & Development to make minor amendments to the policy is required. The policy includes statutory provisions that will need to be maintained in line with any legislative changes, which may include matters arising from the Housing and Planning Act.

5. Alternative options considered

- 5.1 The alternative options of developing an estate renewal rehousing policy only or a set of procedures for staff covering the issues in appendix 2 were considered. It was concluded that it was important to bring together all the policies relevant to rehousing and compensating residents in one document, rather than just cover rehousing matters. Also, a set of procedures would not best represent a statement by the Council of its commitments to affected residents, which is an important objective of the proposed policy.
- 5.2 In developing the proposed policy, alternative approaches to how the policy should be applied to individual estate renewal schemes were considered. Broadly, 3 approaches were considered:
 - (a) Apply the statutory entitlements and relevant existing policy commitments across all schemes;

- (b) Consider the rehousing and payment commitments to residents on a scheme by scheme basis;
- (c) Apply (a) above, but consider additional discretionary entitlements on a scheme by scheme basis.

- 5.3 The approach set out in paragraph 5.2(a) above has been broadly adopted within the policy at appendix 2, as this provides consistency across different schemes and amongst residents from different areas. It also provides a better balance between meeting the rehousing needs of residents affected by estate renewal and other households on the Housing Register. It should be noted that the proposed policy provides consistency in key areas, such as rehousing and compensation for tenants. However, the proposed policy does provide for flexibility on a scheme by scheme basis, when dealing with the right of residents to return to the same estate, options for leaseholders and the provision when appropriate of local lettings plans.
- 5.4 Option (b) was rejected, because it was felt that it was important to ensure that as far as possible residents everywhere were treated consistently. Option (c) was rejected, because additional discretionary housing and payments would have a detrimental effect on remaining tenants who are not subject to estate renewal.

6. Background information

- 6.1 In June 2015, Cabinet considered a report which proposed a draft Estate Renewal, Rehousing and Payments Policy. The proposed policy was approved for consultation. This policy aims to provide a consistent borough-wide approach to the rehousing and payment offer made by the Council to all households required to move as a result of estate renewal schemes. The policy applies to all estate renewal schemes, where 10 or more units are being demolished or redeveloped.
- 6.2 The Land Compensation Act 1973 sets out what the Council is obliged to pay to tenants and home owners who are displaced by redevelopment. The policy covers in one document all the relevant statutory provisions (e.g. in respect of Home Loss and Disturbance Payments) and refers to relevant existing Council policies (e.g. the Allocations Policy 2015). This aims to facilitate the Council's estate renewal programme by more effectively rehousing and compensating residents who are required to move to provide vacant possession for development works to take place.
- 6.3 On 16 December 2014, Cabinet approved the proposed estate renewal scheme at High Road West. During the course of the implementation of this scheme, a range of issues relating to the rehousing of tenants and leaseholders were considered and a policy developed. This made some specific provisions for that scheme that are currently being implemented, but are limited to that scheme. Although this experience has been taken into account in the development of the proposed borough-wide policy, the approach taken balances core consistent principles with discretionary elements that will be determined scheme by scheme. This experience at High Road West has enabled the Council to consider the best approach in the future that strikes the right balance between residents who have the benefit of regeneration, and

those tenants where no such proposals are being brought forward. Therefore there are differences in the final policy for adoption and the measures provided for High Road West, the first regeneration scheme. The specific differences are set out as part of the response to consultation in appendix 1.

6.4 The Estate Renewal, Rehousing & Payments Policy reflects some core principles:

- Estate renewal can only be undertaken where there is support for change and consensus will need to be built as far as possible by fully involving residents in the development of any proposals.
- Full consultation will be undertaken with residents on estates where renewal is being considered and normally, an Independent Leaseholder and Tenant Advisor will be appointed to ensure residents can participate meaningfully.
- Rehousing will be in accordance with the council's Allocations Scheme and the priority afforded to households currently on the Housing Register.
- Tenants will be able to bid for homes under the choice based lettings scheme
- Residents will be put in the best possible position to secure homes on the new estate, even if the right of return cannot be guaranteed
- Residents' statutory entitlements to compensation will apply in full and no residents should be financially worse off as a result of estate renewal.

6.5 Discretion will be exercised on a scheme by scheme basis for the following:

- Arrangements for the right of residents to return to the same estate;
- Options for leaseholders; and,
- Provision when appropriate of local lettings plans.

How this discretion is exercised will be subject to extensive scheme by scheme consultation with residents. The aim in all cases will be to put the tenants and leaseholders in the best possible position of being able to secure replacement homes in the new scheme, stay with their existing communities if they choose to do so and ensure that they are financially not worse off.

6.6 The extent to which discretion can be applied will depend on scheme parameters for cost and design, as each scheme will need to aim to be self-funding - there are no additional available resources at this time, and it is likely that this will be an increasing challenge. When the scheme design has been agreed and costed, it may be possible to provide a right of return for example in schemes where it is possible to build sufficient numbers of affordable units of the right size in the same location. However, where the costs of the scheme cannot be met, then additional units for sale may need to be considered, which will reduce the available number of units for rent of the size required by the population on the estate.

6.7 The same consideration will have to be applied to the number of shared ownership or equity units available for leaseholders in the development of the scheme. Although best endeavours will be made to provide a home ownership unit in the same location for existing leaseholders on the estate, it may be the case that this cannot be guaranteed. In practice, this is rarely a problem either

for leaseholders or tenants, because there are usually sufficient numbers of both, who wish to move away from the area, as part of the process.

Consultation on the Draft Policy

- 6.8 This proposed policy has been the subject of extensive discussion and formal consultation with stakeholders and in particular potentially affected tenants, leaseholders and freeholders and their advisors. The formal consultation on the draft policy started on 17th November 2015 and closed on 14th February 2016.
- 6.9 A consultation leaflet summarising the proposed policy was drafted and a questionnaire developed, asking both general and specific questions on the subjects of the proposed policy. These were distributed and made available on the Council's website.
- 6.10 The questionnaires completed both on paper and online are an important part of the consultation. In addition officers attended eight consultation meetings and it proved extremely helpful to have the opportunity of discussing the proposals with tenants, face to face at a range of meetings. There were two borough wide meetings – one for tenants, and one for leaseholders. In addition, those estates already identified as estates that might be the subject of estate renewal were targeted for specific meetings, so that tenants and residents most likely to be affected by the proposals would have the opportunity of commenting on the proposals. These estates have established Resident Steering Groups (RSG), typically consisting of 6-10 residents per estate. RSG meetings are not usually public although Park Grove/Durnsford Rd residents opted for a public meeting as part of this consultation. Meetings took place as follows:

Date	Meeting	Numbers in attendance
19/11/15	Turner Avenue and Brunel Walk Residents Steering Group meeting (not public)	6
1/12/15	Borough wide Tenants Panel. Invitations sent to all tenants who have expressed an interest in being involved (800 invitations sent by email and mail)	25
9/12/15	Borough wide Leaseholder Panel. Invitations were sent to 200 leaseholders by email and mail.	23
15/12/15	Tunnel Gardens and Blake Road Residents Steering Group meeting (not public)	10
16/12/15	Park Grove and Durnsford Road Residents Steering Group meeting (public meeting)	18
14/1/16	Love Lane Residents Association meeting	5
25/1/16	Northumberland Avenue Residents Association Executive Committee Meeting	9
9/2/16	Imperial Wharf Residents Steering Group meeting (not public)	5

- 6.11 Articles were also placed in newsletters targeted at those estates most likely to be affected by future estate renewal plans - Park Grove/Durnsford Road,

Tunnel Gardens/Blake Road, Leabank View/Lemsford Close, Reynardson Court, Woodside Avenue, Northumberland Park, Turner Avenue/Brunel Walk and Imperial Wharf. These estates were given additional opportunities to comment on the policy as they had been identified in various previous decisions as estates where estate renewal may occur in the future.

- 6.12 In total 96 written responses were received to the consultation. 53 responses were in the form of the questionnaire provided (12 online and 41 paper) and 43 responses were received via e-mail, without the completion of the questionnaire. In addition, a range of issues have been raised through the public meetings. An analysis of the demography and views of the respondents is set out in summary form in appendix 1.

Policy Changes Arising from Consultation

- 6.13 A number of changes to the draft policy are proposed in the light of comments received, as follows:

- (a) A number of respondents stated that in general the proposed policy did not sufficiently acknowledge the major disruption that estate renewal brought, and the distress it caused. This has been reflected better in the new draft, specifically in paragraph 1.2.
- (b) Many respondents were concerned about the type of tenancy that they will be offered, when they are obliged to move. It is clear in the policy that if a tenant is obliged to move to suitable alternative accommodation as a result of a court order, then the tenure of the alternative accommodation must be considered when determining suitability. However, if the provider of alternative homes is not the Council, then it is not possible for these homes to be on secure tenancies, as only a local authority landlord can offer secure tenancies. If a tenant bids for an alternative home with a housing association, then that home will be on a tenancy of the type that the association offers under its own policies. If the provider of the replacement homes is the Haringey Development Vehicle (HDV), then the Council will seek to match the tenure and rent level that the tenant currently has, but this is dependent on negotiations with the HDV partner which have not been concluded. This has been made explicit in the new draft policy in paragraphs 7.29 and 7.30.
- (c) As a result of recent legislation, the council will have to offer fixed term tenancies to its new tenants. The new draft clarifies that the security of tenure that is offered will match the security of tenure that the tenant currently has, whether it is a lifetime or a fixed term tenancy.
- (d) Many respondents expressed concern about the level of rent and service charges that they would be obliged to pay in their new homes. Some asked that guarantees are provided that rents will not rise, and service charges will cost no more than in their current homes. Whilst it is not possible to give a guarantee on rent levels, as these are governed to a large extent by national government policy, it is possible to express a commitment to keeping rents affordable and this has been done in the new draft, paragraph 7.30.

- (e) Similarly, with service charges, service charges on Council properties are set on a cost recovery basis and it would not be possible to set them higher than this. If Council service charges are set lower than the cost of the service, then the costs have to be met through the overall Housing Revenue Account, which is funded by rents and service charges received from all Council tenants. It is proposed in the final policy that there is a commitment made to minimising Council service charges through design; and also to consulting on any new services that are introduced, for which a charge will be made. The service charges applied to housing association tenancies are set by the individual housing association and are not controlled by the Council. This is set out in paragraph 7.31 of the policy.
- (f) Some respondents expressed concern about the absence of a minimum period for bidding under the Choice Based Lettings scheme the council operates, prior to a 'direct offer' being made under the policy. The proposed policy stipulated that tenants could bid freely under Choice Based Lettings, in Band A, up to a date 12 months prior to demolition, after which they would be made one suitable 'direct offer' of accommodation. However, this means that tenants would not know how long they would be able to bid freely under Choice Based Lettings, before this "bidding window" closed and they would then receive their one 'direct offer'.

It is agreed that this is a potential problem, in that people may bid differently, depending upon how long they think that they have, before they are required to make a forced move. The policy has therefore been amended to introduce a minimum required 'bidding window' of 6 months that will close before the 12 months deadline, prior to the date when the Council requires vacant possession i.e. 18 months overall. Applicants will be able to continue to bid after the 6 months has elapsed until they receive their 'direct offer' of suitable alternative accommodation. This is set out in paragraph 7.24. In response to some consultation comments, the policy has also been amended to allow tenants to opt for only receiving a 'direct offer' rather than bid under Choice Based Lettings. This is set out in paragraph 7.25.

Other Comments

- 6.14 There were a number of other comments made in the consultation exercise where it is not proposed to change the policy. This is because either there was not widespread support for such changes, or because they are considered to have an unfair impact on other groups of tenants, such as those on the Housing Register. In some cases, the comments were seeking guarantees and compensation that would make schemes unaffordable, or impractical. These comments addressed issues such as the request for a guaranteed right of return, to have their adult children housed separately when they were required to move, and that they should be paid higher levels of compensation over and above their statutory entitlement. It is important to note that the policy makes clear that the Council will always offer tenants the right to return, where this is possible on a scheme by scheme basis.
- 6.15 A frequent concern raised by tenants and leaseholders was that the fact that they were being consulted on this policy indicated that the council has firm plans for their estates. This perception goes back to November 2013, when

Cabinet approved consultation with residents of a number of “medium” estates. In 2015, Cabinet approved a procurement process to seek a partner for the Haringey Development Vehicle (HDV), and this decision also involved identifying potential estates for renewal. As a result many respondents were aware of the potential HDV, which if created will be charged with the delivery of projects that may affect them. The proposed policy is intended to apply to estate renewal that the HDV undertakes.

- 6.16 As set out in 6.10 and 6.11 above, some particular estates were targeted for this consultation as it was felt that the views of these residents would be of particular interest. It is clear that regular dialogue with these residents needs to be maintained to ensure that accurate information about the council’s plans and intentions are communicated and resident expectations are informed and realistic. An update on these estates will be provided as part of the Stock Investment and Estate Renewal Plan, which will be brought forward later in 2016.

Conclusion

- 6.17 All the comments and points raised during the consultation exercise are set out in the consultation report which will be published on the Council’s web site.
- 6.18 There has been a good range of responses to the consultation on the proposed Estate Renewal, Rehousing & Payments Policy. It is clear that there is some opposition to estate renewal itself and the Council will need to be sensitive to the feelings and circumstances of residents when bringing forward such proposals. In some cases, this opposition is based on the uncertainty of what will replace the current homes and whether new homes will be similar or better in terms of quality, communities and affordability.
- 6.19 Estate renewal can only be undertaken where there is support for change and consensus will need to be built as far as possible by fully involving residents in the development of any proposals. There is a careful balance to be struck to ensure that the council, which increasingly has to manage with reduced resources to address the quality of homes and estates, adopts an approach to estate renewal that is affordable for the council. The proposed policy is recommended for approval as it provides the right balance of consistency and discretion within an affordable framework, as the basis for working in partnership with residents to achieve better housing in the borough.

7 Contribution to strategic outcomes

- 7.1 Priority 4 of the Corporate Plan includes an objective that states: “Local communities and residents will be involved in shaping all our estate renewal projects.”
- 7.2 Priority 5 of the Corporate Plan states that the Council will “Create homes and communities where people choose to live and are able to thrive.” One of the key objectives is to “drive up the quality of housing for all residents.” This will be achieved by the stated aim: “We will improve some council owned estates by building new, good quality energy efficient and affordable homes for rent and for sale.”

7.3 This policy will support the objective of driving up the quality of housing for all, by putting in place fair and consistent arrangements for tenants, leaseholders and freeholders affected by an estate renewal project.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

8.1 This report clarifies some of the costs involved with undertaking estate renewal projects as it provides a consistent policy for payments to affected residents. At present no budget exists for the type of payments specified, for example home loss and disturbance payments and the costs of an Independent Tenants and Leaseholder Adviser, with the exception of the ongoing High Road West estate renewal programme where a budget has been identified.

8.2 It is expected that the relevant budget will be agreed for each individual estate renewal project on a scheme by scheme basis. These costs should be built into any master-planning work and viability assessment for each scheme. In most cases the Council would be statutorily obliged to make payments to affected residents and this policy will need to be updated to ensure it remains current as relevant legislation changes.

Comments of the Assistant Director of Corporate Governance and Legal Implications

8.3 The Assistant Director of Corporate Governance has been consulted in the preparation of this report and makes the following comments.

8.4 The Council's resident involvement agreement gives rise to a legitimate expectation that the Council will consult on the discretionary matters included within the Estate Renewal, Rehousing and Payments Policy. In the case of R (Moseley) v Haringey the Supreme Court endorsed the following general principles of consultation:

- That consultation must be at a time when proposals are still at a formative stage;
- That the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
- That adequate time must be given for consideration and response; and
- That the product of consultation must be conscientiously taken into account in finalising any proposals.

The consultation in respect of this policy and the consideration of the responses has been conducted in accordance with the Moseley principles.

8.5 Tenants, leaseholders and other occupiers who are being displaced as a result of the Council's estate renewal or regeneration proposals have various statutory rights. Those rights include the rights of secure tenants to be re-housed. The statutory entitlements are set out in the policy at appendix 2.

- 8.6 The version of the policy that went out to consultation proposed that secure tenants having to move as a result of regeneration would be offered lifetime tenancies. However, in December 2015 Parliament made amendments to the Housing and Planning Bill. The amendments proposed that all new secure tenants must be offered fixed term tenancies with an exception for those tenants moving as a result of being offered a replacement tenancy e.g. being forced to move as a result of regeneration. The Bill has received Royal Assent and is enacted as the Housing and Planning Act 2016. Under the Act the old style secure tenancies may only be granted where there is a replacement tenancy and the tenant did not ask to move. All new secure tenancies will have to be fixed for a term of between 2 and 10 years. Further regulations are proposed under the Act and the delegation set out at recommendation 3.3 is therefore required. Some new Council tenants will be on fixed term tenancies by the time that they have to move as a result of regeneration. The policy has therefore been amended to reflect the fact that new tenants on fixed term tenancies who are being rehoused in Council properties as a result of regeneration will only be offered the type of tenure to which they are legally entitled.
- 8.7 In deciding whether to approve the Policy the Cabinet will have to comply with the Council's Public Sector Equality Duty under the Equality Act 2010 taking into account the EqIA at appendix 3.

Equality

- 8.8 An Equalities Impact Assessment (EqIA) has been completed. With regards to the proposed policy, it finds that there are both negative and positive impacts on some of the groups with protected characteristics. Single parent households (which are more likely to be women), households containing an older person, and households containing a disabled person are more likely to find the process of moving, possibly twice, more distressing and difficult than other households. However, experience of managing moves on the High Road West scheme shows that these impacts can be mitigated by one to one work with individuals affected and this approach will be applied to future estate renewal schemes. Where there are negative impacts on groups with protected characteristics rehousing officers will provide dedicated individual support to enable such households to move with minimum disruption. In particular, the council will take action to mitigate the disruptive effect of moving on vulnerable households.
- 8.9 The Tottenham experience was that of the 16 single parent households on the High Road West estate, 9 moved themselves without difficulty. The remainder received assistance such as moving with the Council's nominated contractor, arranging moving dates at weekends (where they were working), referral to furniture assistance schemes and assistance with the disposal of large items. This range of assistance, and further support as required, will be made available on future schemes. This will include, for example:
- Assistance with bidding under the Choice Based Lettings scheme for those residents who need it;
 - Use of occupational therapists to assess the medical needs of any household containing a disabled member; and,

- Where moving involves changes of schools, GPs and health services, or other changes, providing assistance to support effective resettlement.

8.10 The replacement homes arising from estate renewal will be more modern, well designed, energy efficient and adapted to their needs than the current homes they occupy, a positive impact identified in the EqlA.

8.11 In terms of whether groups of such households are more likely to be affected by estate renewal, a separate EqlA will be completed for each project, when specific estates are identified. If those estates have a higher proportion of people with protected characteristics living on them, then this will be identified as part of the EQiA process and appropriate mitigating action identified and implemented, such as the measures set out above.

8.12 Residents have been consulted on the draft policy through a variety of mechanisms, including through a series of meetings held on estates. The consultation sought to gain views from as wide a range of residents as possible, including those that share the protected characteristics. The findings of the consultation are summarised within section 7 of the EqlA and in appendix 1 of this report. A number of changes have been made to the policy to take account of residents views following the consultation. In particular:

- The policy now provides greater reassurance to residents on the levels of rents and service charges they will be charged on new homes
- The policy now emphasises the importance of providing early and accurate information to affected residents
- The policy now clarifies the type of tenancy to be offered when a tenant is required to move
- It has been agreed that additional support will be provided for those who find the Choice Based Lettings process more difficult, an issue which particularly affects elderly residents.

9. Local Government (Access to Information) Act 1985

Background papers

Full consultation report

Housing Investment and Estate Renewal Strategy - Cabinet report 28th

November 2013

10. Appendices

Appendix 1 – Results of the consultation on the draft policy

Appendix 2 – Estate Renewal Rehousing and Payments Policy, as amended

Appendix 3 – Equalities Impact Assessment

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Appendix 1: Summary of Consultation Responses Estate Renewal Rehousing and Payments Policy

1. Introduction

This report summarises the feedback received for the consultation carried out on the proposed Estate Renewal, Rehousing and Payments Policy. The formal consultation period started on 17th November 2015 and ended on 14th February 2016.

Feedback was received in a number of ways:

- Questionnaires completed by hand or on line
- Written submissions by e-mail
- Views expressed orally by attendees of consultation events (some of whom subsequently used the questionnaire)

2. Questionnaire Results

Response Rate

There were 12 online responses, and 41 paper returns, a total of 53 completed questionnaires.

Other feedback

Staff attended 7 meetings, and received comments from tenants, leaseholders at those meetings, as well as responses from the Independent Tenant and Leaseholder Advisors. A further 43 text responses were received by email. 22 of these were identical, suggesting a coordinated campaign.

Demographic data

Tenure: Of the respondents, 36% were tenants, 32% tenants, and 30% owner occupiers. 2% did not provide tenure information.

Age: 2% were between 16 and 24; 14% were between 25 and 44; 32% were aged between 45 – 64 and 32% were over 65. The remainder preferred not to say what their age was.

Physical or Mental health condition lasting more than 12 months: 24% of respondents indicated that someone in their household had a physical or mental illness lasting more than 12 months.

Ethnicity: 31% of respondents were White British; 8% were White Irish and 6% were White (Other). 10% were Asian, 14% were Black and 12% were mixed race. The remainder preferred not to say what their ethnicity was.

Gender: 39% of respondents were male, and 54% were female. The remainder preferred not to say what their gender was.

Sexuality: 58% of respondents indicated that they were heterosexual. The remainder preferred not to say what their sexuality was.

Responses to the questionnaire

Questions	% of respondents who Agreed	% of respondents who disagreed	% of respondents who had no opinion
Do you agree with the proposals generally set out?	47%	47%	6%
Do you agree that the current Allocations Policy should apply to all tenants who are under occupying inc Estate renewal tenants?	55%	28%	17%
Approach to paying Home Loss and disturbance payments. Tenants can opt to be paid through submitting itemised receipts or can choose to receive a lump sum. Do you agree with this approach?	83%	2%	15%
Right to return. The Council will aim to offer tenants a right to return but this may not always be possible so will be assessed on a scheme by scheme basis. Do you agree with this approach?	62%	25%	13%

Tenants with adult children Which Option do you prefer?	Option 1 Tenants with adult children being moved as a result of estate renewal should be treated in the same way as other similar households on the housing register	Option 2 Tenants who are having to move as a result of estate renewal should be awarded additional priority (such as re-housing adult children separately)	No opinion
% of respondents	52%	41%	6%

Homeless and disturbance payments Which Option do you prefer?	Option 1 Tenants affected by Estate Regeneration should be paid the set amount in line with the requirements of legislation	Option 2 Tenants affected by Estate Regeneration should be paid additional discretionary sums	No opinion
% of respondents	35%	63%	2%

3. Other comments from organisations and individuals

Topic	Issue raised	Council response
Choice based lettings	Views were also expressed about the Choice Based Lettings scheme, and whether they could have a direct offer, rather than being obliged to bid for properties. This was particularly true for elderly or more vulnerable residents who found the system quite difficult to use.	The Council recognises that some applicants do find bidding online difficult. However, Choice Based Lettings is a very popular scheme as it does give additional choice to applicants to decide for themselves what they would like to bid for. It is proposed that applicants who find Choice Based Lettings more difficult will have additional support from officers working both in the Lettings Section and on the re-housing programme. It is not proposed to change this part of the policy as this would reduce choice for those who prefer to use it; direct offers will be made to all households who have not bid in the period up to 12 months before the demolition date.
Amount of time tenants will be given to bid for a property	Some residents were concerned that they would not be given enough time to bid for a property before they would allocated a property that met their needs by the Council	The Council agrees that this is a potential problem, in that people may bid differently, depending upon how long they think that they have, before they are required to make a forced move. The policy has therefore been amended to set a minimum required free bidding window of 6 months, before the period when a direct offer may be made. This is set out in paragraph 7.24.
Distress caused by estate renewal process	A number of respondents stated that in general the proposed policy did not sufficiently acknowledge the major disruption that estate renewal brought, and the distress it caused.	The Council agrees that there is insufficient recognition within the policy of the disruptive nature of estate renewal. This has been reflected better in the new draft of the policy, specifically in paragraph 1.2 and 5.1.
Future rent levels	Many respondents expressed concern about the level of rent and service charges that they would be obliged to pay in their new homes.	The Council recognises that the costs of a new home are a major concern of residents. Whilst it is not possible to give a guarantee on rent levels, as these are governed to a large extent by Central Government policy, it is possible to express a commitment to keeping rents affordable and this has been done in the new draft policy, paragraph 7.30.
Future Service Charges	Many respondents expressed concern about the level of service charges that they would be obliged to pay in their new homes.	The Council recognises that there are concerns about the level of service charges that residents may have to pay in their new homes. This is not entirely within the Council's control, however. It is proposed in the final policy that there is a commitment made to minimising service charges through design; and also to consulting on any new services that are introduced, for which a charge will be made. This is set out in the new draft policy, paragraph 7.31.
Compensation	The majority of respondents felt that they	Although the Council acknowledges that there was a majority in favour of paying

Topic	Issue raised	Council response
issues	should be paid higher levels of compensation over and above the minimum legal obligation.	more than the legal minimum compensation it is not proposed to change this policy. Home loss and compensation payments have a financial impact on all tenants, as they are paid from the Housing Revenue Account, and therefore reduce the resources available to improve the homes of tenants who do not benefit from estate renewal.
Nature of future tenancy	Many respondents were concerned about the type of tenancy that they will be offered, when they are obliged to move.	The Council recognises that the type of tenancy is a difficult issue, which has been made more complicated by recent changes in legislation. Generally, tenants who move to another Council tenancy, either voluntarily or through a direct offer will retain the same security of tenure. However, if a resident chooses to move to a Housing Association tenancy, or returns to a tenancy held by the developer of the site (which may be the Haringey Development Vehicle, this is simply not possible in law. The key is to ensure that tenants are fully informed of their options, and the consequences. This has been made explicit in the new draft policy in paragraphs 7.30.
Right to return	Respondents were concerned on behalf of both tenants and leaseholders about the breakup of communities, and many expressed the view that they should have been able to return to the same area, or same estate when regeneration had taken place in order to maintain community links. If they could not remain on the same estate, some expressed the wish to remain in the same area.	The Council is committed to enabling communities who wish to do so, to remain together. The Council will endeavour to ensure tenants have the right to return but this may not always be possible and so this is a matter that will be discussed with affected tenants and residents as part of the communications plan on a scheme by scheme basis.
Leaseholder issues	There were many respondents who expressed concern at the way in which the valuation will be carried out, and whether it would be independent, and fair. One Association asked whether it would be possible to offer temporary accommodation for leaseholders, if there were a gap between sale, and purchase of a new	The Council acknowledges that the valuation of their home will be an important issue for leaseholders. Valuations are carried out by independent valuers, and households can appeal to the Leasehold Valuation Tribunal if they dispute the offer made. This has been well covered in the new policy, and no change to the policy is required in this area.

Topic	Issue raised	Council response
	property	
Private tenants	Some individuals expressed concern about what would happen to private tenants, if they were displaced by estate regeneration. The current policy states that they will receive advice and assistance.	The Council has sympathy for tenants whose private tenancies have come to an end. However, the Council does not have the resources to re-house all those displaced. The Council has a duty to provide advice and assistance, and the policy makes it clear that this will be provided.
General Comments	Several respondents, particularly those who wrote in, felt that the package of measures overall, was not as generous as that given to the tenants at High Road West, and felt that the package given to tenants there should be extended to tenants and leaseholders everywhere.	<p>The Council agrees that the package of measures offered to tenants and leaseholders in the estate renewal scheme at High Road West is relatively generous. This is a small scheme affecting around 200 tenants. However, forthcoming schemes are likely to be much larger, and it would be difficult to provide such a package of measures again as it would be likely to make estate renewal schemes less viable financially. It is not proposed to offer exactly the same package in all future estate renewal schemes. There are key elements of the proposed arrangements which will be a matter of a decision on a scheme by scheme basis; these issues will themselves be subject to consultation on a scheme by scheme basis, when the design and costs of the individual scheme are known.</p> <p>The differences between the proposed policy and the High Road West package are set out below.*</p>
The consultation process	One Association wanted more time, to respond to the consultation process, and one Association felt that the questions were too general	The Council does not agree that there was insufficient time for consultation. The consultation period was 12 weeks, and responses were received from all over the Borough. 12 weeks is in line with Government practice. In addition, 8 meetings were held in all parts of the Borough. The consultation was extensive and it would not be fair to those people who responded to prolong consultation and delay consideration of the results and adoption of the final policy. There were both general and specific questions. Many of the questions were agreed by Cabinet when the authorised the policy to go out to consultation.

* This table sets out the differences between the Residents Charter for High Road West and the proposed final policy:

High Road West	Estate Renewal, Rehousing and Payments Policy
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High Road West	Estate Renewal, Rehousing and Payments Policy
Tenants	
<u>Guarantee</u> of return to the area; “choice of home” – The Residents Charter states “you will be offered a secure home in the High Road West Area”	<i>No guarantee of the right to return but there is a commitment to do so where possible.</i>
<u>Size</u> – a home that meets your needs; The Residents Charter states that if you are overcrowded, you will get the right size home in accordance with Allocations Policy. If you are under occupying now, then you will be allowed to keep a spare bedroom (although the Charter does mention that the rehousing officer will discuss with the tenant whether they can afford it (e.g. impact of bedroom tax)	<i>The proposed policy is line with the current Allocations Policy and says that the tenant can keep an extra spare bedroom if they are giving up a 4 bedroom home or a 3 bedroom adapted home.</i>
<u>Rent guarantee</u> – The Charter says “you will continue to pay a social rent”	<i>The proposed policy does not offer a rent guarantee, but says that the Council is committed to keeping rents affordable</i>
<u>Adult Children:</u> The issue of adult children and whether they will be rehoused separately is not mentioned in the High Road West guide	<i>Our proposed policy says that adult children are housed with the family, and can register on the Housing Register for a home of their own but get no special priority; treated in line with Allocations Policy</i>
Leaseholders	
<u>Choice:</u> The Leaseholder Guide offers leaseholders displaced a range of choices, including <ul style="list-style-type: none"> • Purchase a property in the regeneration area • Purchasing LCHO built by the Council • Leaseholder swap • Option to purchase elsewhere 	<i>The proposed policy states that options for leaseholders will be developed on a scheme by scheme basis</i>
Non resident leaseholders to receive 7.5% “home loss” compensation.	<i>The proposed policy states that options for leaseholders will be developed on a scheme by scheme basis. However, this is not a statutory obligation.</i>
If Decent Homes work was carried out, leaseholder to get the money they paid for this back, if it is not reflected in the value of their home	<i>The proposed policy states that options for leaseholders will be developed on a scheme by scheme basis.</i>
Commitment to an Independent Tenants and Leaseholder Adviser.	<i>The proposed policy says that an ITLA will normally be provided.</i>

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ESTATE RENEWAL RE-HOUSING AND PAYMENTS POLICY

Contents

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1. Introduction

- 1.1 The Re-housing and Payments Policy (“The Policy”) is to be used when renewing or redeveloping the Council’s housing stock. It aims to meet the needs of the Council and residents when it is necessary to move households in order to facilitate estate renewal works. In particular, the policy aims to ensure that residents receive good quality, timely and appropriate support, together with accurate information on the entitlements they may have to re-housing and financial compensation. The policy will apply to all estate renewal schemes, where 10 or more units are being redeveloped.
- 1.2 The Council recognises that estate renewal is very disruptive to the lives of the residents affected and can cause upset and distress to residents. The Council therefore aims to:
- Ensure that no resident is financially worse off as a result of estate renewal.
 - Maximise the ability of residents to return to replacement homes in new developments where they wish to do so.
 - Enable residents to move to comparable homes in the borough where they would prefer to move to affordable accommodation elsewhere as part of the moving process.
 - Implement Local lettings policies for new schemes where there is support for this approach.
- 1.3 The Policy aims to provide a consistent borough-wide approach to the re-housing and financial payment commitments made to households who need to move as a result of estate renewal schemes, with a clear approach to managing these arrangements efficiently and fairly. It also aims to minimise the distress to residents, by the provision of clear and timely information, and providing additional support to vulnerable residents who may find the process difficult and stressful. It provides an outline process by which the Council will obtain vacant possession of properties needed for development works to take place.

When estate renewal is being considered, residents can expect:

- Full consultation
- Support and advice from an Independent Leaseholder and Tenant Advisor to enable tenants and residents to participate in full.

Where estate renewal is agreed, residents can expect:

- A range of compensation and financial assistance in accordance with their entitlements set out in legislation
- That the council will use its best endeavours to accommodate resident choice, of either returned to the area, or moving to affordable accommodation elsewhere within the financial limits of the scheme.

Housing in Haringey

- 1.4 Haringey is facing a serious housing problem. Since 1996, property prices in the borough have increased by 303% (Haringey SHMA, 2014) and in the 12 month period 2015 to 2016, houses prices grew by 12% with the average house price in Haringey standing at £569,939 (Rightmove). Combined with rising rents in the private sector, housing is increasingly being priced out of the reach of many local residents.
- 1.5 At the same time that house prices have been rising, the supply of new homes has failed to keep up with demand which serves only to continue the upward pressure on house prices as more and more people compete for an increasingly scarce resource. Since 2009 a total of 1486 new affordable homes have been built in the borough, which represents 79% of the target set for the borough by the Mayor of London for that period. The Mayor's affordable housing target for Haringey will increase to 820 per year for the 10 year period 2015 to 2025.
- 1.6 The Council is strongly committed to providing a mix of housing, and the provision of good quality, affordable housing is a high priority for the Council within the current Corporate Plan 2015 - 2018.

Create homes and communities where people choose to live and are able to thrive

Priority 5 - Housing, Haringey Corporate Plan, 2015 - 2018

- 1.7 Good quality affordable housing is recognised as a significant contributor to achieving many of the other 2015-2018 corporate plan priorities, notably providing children and young people the best start in life (Priority 1) and delivering growth (Priority 4).
- 1.8 The Local Plan: Strategic Priorities, adopted in March 2013 promotes the creation of balanced neighbourhoods that are sustainable and offer local residents the chance to meet their housing aspirations.

New housing investment will be targeted at fostering the development of balanced neighbourhoods where people choose to live, which meet the housing aspirations of Haringey's residents and offer quality and affordability, and are sustainable for current and future generations.

Policy SP2 (Housing) - Haringey Local Plan: Strategic Priorities, 2013

- 1.9 The Council's draft Housing Strategy 2015 – 2020, which is approved for consultation, includes a vision for housing centred on people and communities and sets objectives which support the provision of more good quality affordable housing of all tenures, with estate renewal as one approach to achieving this.

Housing is about people and communities, not just bricks and mortar. This means mixed and inclusive neighbourhoods where residents can lead happy and fulfilling lives

Vision – Haringey draft Housing Strategy, 2015 – 2020

Drive up the quality of housing for all residents

Draft Objective 3 - Haringey draft Housing Strategy, 2015-2020

Achieve a step change in the number of new homes being built

Draft Objective 2 - Haringey draft Housing Strategy, 2015-2020

2. Policy Statement

- 2.1 This Policy focuses on the needs of residents in situations where an estate renewal proposal has been agreed. It covers a range of existing statutory provisions and Council policies relevant to the re-housing and financial compensation for residents who need to move as a result of estate renewal schemes. (It should be noted that some existing provisions and policies refer to this process as “decanting”. “Decanting” is a technical term which has been used to describe the process where residents are required to move, because either their landlord or an authority with compulsory purchase powers has redevelopment plans for their home.)
- 2.2 The Policy is to be used, where necessary, to enable estate renewal to take place within the borough and to provide support to residents affected by such proposals. The policy will apply to all estate renewal schemes, where 10 or more units are being demolished or redeveloped. It will not be used in cases of emergency repairs, where the relevant aspects of the Allocations Scheme (section 15.14) and existing procedures will be used.
- 2.3 It outlines a managed re-housing and payments process, which offers alternative accommodation in line with our current Allocations Scheme 2015 as well as compensating for expenses incurred, disturbance and inconvenience in line with legal requirements.
- 2.4 The policy will ensure no person will receive less favourable treatment on the grounds of race, gender, religion or belief, age, sexual orientation, physical disability, economic or marital status.
- 2.5 This policy will be reviewed regularly, to reflect changes in the levels of payments and to ensure it is consistent with the Allocations Scheme.

3. Legal Framework

- 3.1 This policy covers all tenants, leaseholders, freeholders and other residents on sites where estate renewal of occupied housing is proposed.

3.2 The list of relevant legislation below has been considered when drawing up this policy:

- Homelessness Act 2002
- Housing Act 1985
- Housing Act 1996
- Housing Act 2004
- Housing and Regeneration Act 2008
- Human Rights Act 1998
- Land Compensation Act 1973
- Planning and Compulsory Purchase Act 2004
- Town and Country Planning Act 1990

4. Policy Framework

4.1 This policy brings together in one place existing Council policies which set out how households are moved as a result of estate renewal schemes, what they are entitled to, and the financial compensation that these households will receive.

4.2 The list of Council policies which are relevant to this policy is set out below:

Allocations Scheme (2015)

- Paragraphs 3.3.1 and 3.3.2 define the households who can apply for accommodation
- Section 5.8 makes provision for leaseholders and freeholders to be placed on the Housing Register in limited circumstances and to have their application assessed
- Paragraph 6.5.7 makes provision for proxy bidding
- Paragraph 6.8.1 makes provision for direct offers of supported housing
- Section 15.15 makes provision for re-housing (decanting) of secure tenants for the purposes of redevelopment/estate renewal
- Section 15.22 makes provision for prioritising tenants with a home bigger than they need
- Paragraph 15.23.3 makes provision for tenants willing to transfer from a large adapted home
- Section 15.28 concerns the discretionary powers of the Exceptions Panel

5. Consultation and Communication

Consultation when using the Re-housing and Payments Policy

5.1 The Council recognises that estate renewal is very disruptive. Households affected by it will have concerns about what will happen to their homes and families and what will happen to the familiar surroundings which they know and depend upon. The Council believes that it is very important for residents

to receive early and accurate information about proposals that affect their homes. Consultation will take place early in the estate renewal scheme process, before a decision is taken to conduct estate renewal in an area.

- 5.2 A separate consultation must take place in regards to re-housing tenants, as detailed in Section 105 (consultation on matters of housing management) of the Housing Act 1985. It should take into account all secure tenants' views.
- 5.3 Consultation processes will take into account existing resident groups and associations.
- 5.4 The consultation period will be in accordance with current legislation, and will be for a minimum of 28 days.

Equal Opportunities

- 5.5 An Equalities Impact Assessment, specific to the area of estate renewal, will need to be completed before a decision is taken to proceed with an estate renewal scheme and in applying this Policy to such a scheme.

Site Specific Re-housing and Payments Plans

- 5.6 The Policy provides a borough-wide policy which will be applied across all estate renewal schemes. However, some site specific plans may need to be developed, in consultation with residents, for example, in respect of:
 - (a) Local Lettings Policies (if applicable);
 - (b) The level of commitment that it is possible to give to secure tenants to return to a new permanent home on their estate. This will depend upon who will be providing the new homes, the number, tenure and size of the new homes and the timing of the estate renewal.
 - (c) Options for leaseholders

The aim in all cases will be to provide the maximum opportunity for residents to return to replacement homes in new developments, where they wish to do so. Decisions about the scheme specific matters will be made as part of the dialogue and consultation with tenants and leaseholders, when such an individual scheme is developed. The level of commitment that can be made, to provide the best opportunity for a right of return to tenants and leaseholders will depend upon the design and costs of each scheme. If the scheme costs cannot be met from within existing resources, additional funding may need to be raised, by building a greater number of homes for sale, and fewer for rent. The replacement design may also need to meet planning requirements on size and tenure, which will not necessarily match the existing population. However, when these matters have been taken into account, the aim will be to provide as many homes for the existing residents who wish to remain, as possible.

Communications Plan

- 5.7 With every estate renewal scheme, it is necessary to produce a clear communication plan to ensure active resident awareness and involvement, in addition to statutory consultation.

Independent Tenant and Leaseholder Adviser

- 5.8 An Independent Tenant and Leaseholder Adviser will normally be engaged by the Council for each estate renewal scheme at an appropriate stage, to provide support to tenants and leaseholders on the issues set out in this policy.

6. The Re-housing and Payments Process

- 6.1 This Policy should only be used once a formal Council decision has been made to implement an estate renewal project. Consultation and discussion with residents will have happened before this decision is taken. The effective date for activation of this policy in respect of an individual estate renewal project (or phases of that project) will be decided by the Assistant Director for Regeneration, in consultation with the Cabinet Member for Housing and Regeneration, taking into account the circumstances of each project. The effective date will act as the trigger for “decant status” under the Allocations Scheme and Band A priority being awarded to households eligible for re-housing under this policy.
- 6.2 The Policy will provide the means to manage the re-housing and payments process for residents affected by estate renewal proposals, ensuring sufficient priority and time is given to support residents, manage the process effectively and ensure all legal requirements are fulfilled.
- 6.3 The re-housing and payments process is split into the different tenures, with one section dedicated to eligible tenants and a second section for freeholders and leaseholders.

7. The Re-housing and Payments Process - tenants

- 7.1 The Policy will be applied to both temporary and permanent moves, where the Council is carrying out works in estate renewal schemes, where 10 or more units are being demolished or redeveloped.
- 7.2 The Council will aim to offer secure tenants the option of returning to a new home on their estate where possible if they choose to do so, on a scheme by scheme basis. The Council is committed to helping residents who wish to stay together, but because the number and type of homes replacing the estate will depend upon a number of factors which are not fully known at the beginning of this process, it would be misleading to suggest that the Council can guarantee a return to the same estate in all cases. Therefore, tenants may need to move on a temporary basis whilst accommodation on their estate is being provided. Alternatively, tenants may choose to move directly to accommodation elsewhere.

- 7.3 The term “decant” is used in a number of our existing policies. A permanent “decant” is when a resident is moved out of their property to another property where they will remain permanently. A “temporary decant” is when a resident is moved to a property temporarily until a permanent property is available.

Housing Needs Assessments

- 7.4 Housing Needs Assessments of all occupiers on the affected estate renewal site will be completed to:
- (a) Better understand the specific requirements of the proposed estate renewal scheme and
 - (b) Ensure a suitable re-housing programme is followed, by establishing which occupiers are eligible for assistance under this policy and assessing their re-housing needs.

The Housing Needs Assessments will be started after the Cabinet decision to implement an estate renewal scheme and should normally be completed prior to the effective date for activation of this policy in respect of an individual project (see paragraph 6.1 above).

- 7.5 The results of the Housing Needs Assessments will need to be updated during the course of the estate renewal scheme until the re-housing occurs, and should be carried out as often as necessary for each estate renewal scheme. Residents eligible for assistance will be encouraged to provide updates on any significant changes in their circumstances.

Qualifications and exclusions

- 7.6 In line with the legislation and existing best practice, the following people will be eligible for assistance and possible re-housing under this policy:
- a) Secure tenants, their children and partners/spouses who are identified as eligible through a Housing Needs Assessment and where those included on the application constitute a household as defined in the Council’s Allocations Scheme.
- 7.7 The Council will not re-house unauthorised occupants, sub-tenants, lodgers, licensees, other non-secure occupants and persons included on applications for re-housing but are not considered to be part of the tenant’s household, as defined in 7.6 above. In cases of fraudulent applications the Council will actively consider what sanctions might be pursued.
- 7.8 In assessing the eligibility of occupiers under this policy, account will be taken of their length of occupation (which should be recorded during the Housing Needs Assessments) Assessment Criteria.
- 7.9 Assistance and re-housing will only apply to tenants and authorised household members identified as part of a Housing Needs Assessment

- 7.10 Secure tenants are entitled to Home Loss Payment and Disturbance Payments, as detailed in paragraphs 7.42 – 7.52 below.
- 7.11 Tenants will be offered a new home based on their assessed needs in accordance with the council's Allocations Scheme.
- 7.12 Tenants with a home bigger than they need who are willing to transfer from a large family home with 4 or more bedrooms may, at the Council's discretion, be allowed to under-occupy their new home by one bedroom, as set out in paragraph 15.22.7 of the Allocations Scheme.
- 7.13 Tenants who are willing to transfer from a family home that has 3 or more bedrooms and has been substantially adapted to meet the needs of a wheelchair user or someone with very limited mobility may, at the Council's discretion, be allowed to under-occupy their new home by one bedroom, as set out in paragraph 15.23.3 of the Allocations Scheme.
- 7.14 Medical need for a particular type/size of accommodation will be assessed in line with the Allocations Scheme for all residents who have a medical need indentified in the Housing Needs Assessments. Where a previous medical assessment has been carried out, the Council reserve the right to seek a new medical assessment.

Hidden Households, including non-dependent Adult Children

- 7.15 Under this policy, hidden households including non-dependent adult children of secure tenants will be re-housed as part of the tenant's household if they fall within the eligibility criteria detailed in paragraph 7.6 above. "Hidden households" are where there are adults living with the head of household, but would choose, if they could to live independently as a household. They may be grown up children, who have not been able to move out; or extended family members who have nowhere of their own to live. Where hidden households do not comply with the eligibility criteria in paragraph 7.6 and/or wish to be housed independently, the Council will provide advice and assistance, for example, to help them secure private rented accommodation.
- 7.16 Consideration will be given to providing separate housing (in two smaller properties) for families that are under-occupying their home; however, such moves must always achieve a net reduction of at least 2 bedrooms, as set out in paragraph 15.22.5 of the Allocations Scheme.
- 7.17 In exceptional cases, for example to alleviate severe overcrowding and/or to achieve a re-housing move necessary for an estate renewal scheme to progress, the separate re-housing of hidden households (including adult children) will be considered by the Exceptions Panel at the Council's discretion, as provided for in section 15.28 of the Allocations Scheme.
- 7.18 Hidden households, including non-dependent adult children, must leave the property first to avoid the necessity of legal action to remove them later in the

process. Where possible, we will try to house an eligible hidden household in separate accommodation first.

- 7.19 If a hidden household remains in the affected property when other members of the household have been re-housed, the tenant will be liable for use and occupation charges until vacant possession is achieved, either voluntarily or through possession action in the courts.
- 7.20 The size of any property allocated to a hidden household will be decided in accordance with the Allocations Scheme.

Service tenancies

- 7.21 Any residents with service tenancies, for example resident caretakers, will be offered re-housing in accordance with the Allocations Scheme and on the same terms as the current arrangements in place for service tenants, depending on the circumstances of each case.

Re-housing tenants

- 7.22 Offers of accommodation will be made taking into account the Housing Needs Assessments and any subsequent medical assessment(s), to ensure accommodation meets the requirements of the households. Tenants will receive advice and support throughout the re-housing process, with a view to achieving positive outcomes for all tenants and avoiding the risk of possession action.
- 7.23 Extra assistance will be offered in line with the Disturbance Payments and any specific support packages arranged in accordance with this policy.
- 7.24 Qualifying households will be offered alternative accommodation in accordance with section 15.15 of the Allocations Scheme. Qualifying households will be able to bid for accommodation under the Council's Choice Based Lettings scheme for a minimum period of 6 months, starting on a date agreed by the Assistant Director (Regeneration). This bidding period will normally be planned to end 12 months prior to demolition. After this "free" bidding period has elapsed, qualifying households will be able to continue to bid on Choice Based Lettings but may be made a 'direct offer' of suitable alternative accommodation. In other words, qualifying households will always have a minimum of 6 months to bid and will usually be able to continue bidding after the 6 month period has elapsed, unless they receive a 'direct offer' of suitable alternative accommodation after the 6 month period has elapsed.
- 7.25 Qualifying households who would prefer to only receive a 'direct offer' of accommodation rather than bid under Choice Based Lettings may do so, but will normally be expected to confirm this in writing prior to the date the 'bidding window' opens.

- 7.26 Tenants will need to be clearly advised that only one 'direct offer' will be made. If the offer is refused, a review of the suitability of the accommodation offered will be conducted. A further offer will only be considered if the first direct offer was unsuitable. In the absence of a further offer or exceptional circumstances, the Council will, as a last resort, commence possession proceedings to ensure vacant possession of the property within a timely fashion to permit the estate renewal scheme to proceed.

Type of Tenancy

- 7.27 Where the secure tenant moves to another council owned property they will be given a tenancy which will match what they currently have. This is also the case if the offer is a "temporary decant", in which case both the final move to a permanent property and the temporary move will be a tenancy which matches what the tenant currently has.
- 7.28 Where the secure tenant chooses to move to a property owned by a registered provider (housing association) they may be given an Assured Tenancy depending on the policy of the particular registered provider. Alternatively, they may only be offered a fixed term tenancy. Registered provider properties will not normally be used for a "temporary decant".
- 7.29 If a tenant chooses to return to the estate, then it cannot be guaranteed that the type of tenancy will be a secure tenancy if, the replacement homes are owned by an alternative landlord. This may for example be the Council's own Haringey Development Vehicle (HDV), or a Registered Provider.
- 7.30 If the tenant moves to an alternative Council tenancy, then this will be a tenancy which matches the security that the tenant currently has, and the rent will be set in line with Government and Haringey policy on rents for all other Council tenants. However, if the alternative homes are provided by a Registered Provider then the type of tenancy and rents will be set by the individual Registered Provider, in line with their policy for all their residential property. Haringey is committed to keeping rents affordable for residents on lower incomes, and will work with the new provider to ensure that rents are set at affordable levels. If the provider of the replacement homes is the Haringey Development Vehicle (HDV), then the Council will always seek to match the security of tenure and rent level that the tenant currently has, but this is dependent on negotiations with the HDV partner once these are concluded.
- 7.31 Service charges will be set on a cost recovery basis, and efforts will be made through the design of the new homes, to keep service charges as low as possible as is consistent with a desirable environment for the area. In addition, the Council will consult on any new service charges that are introduced, for which a charge will be made. The service charges applied to housing association tenancies are set by individual housing associations and are not controlled by the Council.

Local Lettings Policies

- 7.32 The Allocations Scheme allows the Council to establish local lettings policies. A local lettings policy may be set up as part of an estate renewal scheme when this policy applies, in order to ensure that households required to move have the opportunity to remain in their community and ensure that voids created by the estate renewal re-housing process are used effectively and do not represent a wasted asset. Where local lettings policies involve Council nominations to registered provider properties, tenancies and rent levels comparable to council tenancies will be negotiated where possible.

Gaining possession

- 7.33 Once decant status is authorised, tenants will be placed into Band A, possibly on a phased basis, to bid for an alternative home. Tenants will be guaranteed a period of at least 6 months in which they may bid freely, before the bidding window closes. If the tenant has not bid for and been offered accommodation 12 months prior to the Council requiring vacant possession, the Council will reserve the right to make a direct offer of accommodation. If this offer is refused a further offer of accommodation will only be considered if the first offer is unsuitable or in exceptional circumstances and, if neither of these conditions apply, the Council may decide to take legal action to gain possession.
- 7.34 Legal action to gain possession of tenanted properties under Grounds 10 and 10A, Schedule 2 of the Housing Act 1985 as set out in the table below. This will be a last resort, but will be taken where necessary to ensure that timely vacant possession is obtained. Depending on the circumstances, possession may be sought under Housing Act 1985 or, alternatively, by using the Council's CPO powers under Town and Country Planning Act 1990 (as set out in paragraph 7.36 below).

Ground 10:

"The Landlord intends, within a reasonable time of obtaining possession of the dwelling-house: a) to demolish or reconstruct the building or part of the building comprising the dwelling-house, or
b) to carry out work on that building or on land let together with, and thus treated as part of, the dwelling-house, and cannot reasonably do so without obtaining possession of the dwelling-house."

Ground 10A

"The dwelling-house is in an area which is the subject of a redevelopment scheme approved by the Secretary of State or the Housing Corporation in accordance with Part V of this schedule and the landlord intends within a reasonable time of obtaining possession to dispose of the dwelling-house in accordance with the scheme" or

"Part of the dwelling-house is in such an area and the landlord intends within a reasonable time of obtaining possession to dispose of that part in accordance with the scheme and for that purpose reasonably requires possession of that dwelling-house."

- 7.35 Possession proceedings may be started on one of these grounds to ensure vacant possession of the properties. The Court has discretion on whether to order possession, and needs to be satisfied that suitable alternative accommodation is available at the date of the hearing. Therefore, in practice, a tenant would normally have the opportunity to accept and move into, suitable alternative accommodation around the time of the hearing, rather than face eviction and would need to be advised accordingly. If, in an exceptional case, the tenant opted to not accept alternative accommodation found to be suitable and a possession order was granted, the household would be entitled to make a homelessness application which would need to be assessed to establish what re-housing or advice and assistance duties, if any, were owed to the household.
- 7.36 Alternatively, the Council can, as a last resort, use its CPO powers under s226 of Town and Country Planning Act 1990 (subject to Secretary of State Approval) to acquire the interests in land owned by secure tenants, where attempts to acquire such land by agreement have failed.

Tenancies in breach

- 7.37 Proceedings against tenants in breach of the terms of their tenancy must be pursued separately to the estate renewal re-housing process.

Suspension of Right to Buy

- 7.38 The “Right to Buy” of any affected council housing stock will be suspended from the date an initial demolition notice is served on the tenants concerned as defined in the Housing Act 1985 Section 138 A-C and Schedule 5 paragraph 13 – 16.

Appeals against offers of alternative accommodation

- 7.39 Tenants can ask for a review of the property allocated to them under the Choice Based Lettings scheme or as a direct offer. This review will follow the procedure laid out in the Allocations Scheme. There will be no further right of appeal from the decision on review.
- 7.40 For estate renewal re-housing programmes the bidding window period specified will supersede any other bidding period specified in the Allocations Scheme.
- 7.41 Further guidance on appeals can be found in the Government’s Compulsory Purchase Guidance Booklets 1 and 4.
- 7.42 Secure tenants will be entitled to Home Loss payment and Disturbance Payments as set out below.

Home Loss Payments

- 7.43 Home Loss Payments are statutory payments, which are paid to freeholders, leaseholders and tenants following a compulsory purchase order or displacement by housing orders, and are not to pay for the cost of moving, as detailed in Sections 29-33 of Land Compensation Act 1973.
- 7.44 Home Loss payments are subject to maximum and minimum thresholds. Tenants receive a flat rate of £5,300 effective from October 2015 (subject to review), which is equal to the minimum payment to owner-occupiers. To qualify, the property must be the claimant's only or main residence for a year prior to the date of displacement.
- 7.45 The levels of payment will be reviewed annually in line with the Guidance published by the Secretary of State.
- 7.46 Where a tenant does not qualify for a statutory Home Loss payment, for example, because they have been a tenant for less than a year, the Council may, in exceptional circumstances, make a discretionary Home Loss payment not exceeding the statutory amount.

Home Loss Payment Procedure

- 7.47 A suitable payment procedure for estate renewal schemes under this Re-housing and Payments Policy will include the following: -
- a) Payments will be made directly to the tenant
 - b) Claims can be made for up to 6 years after the offer of accommodation, and must be paid within 3 months of receiving the claim. Under the Land Compensation Act 1973, there is a right of appeal to the Lands Tribunal.
 - c) Payments will normally be made only after the return of keys to the property the tenant is vacating, however, an earlier advance payment of at least part of the total payment may be considered in exceptional cases of financial hardship.
 - d) All arrears will normally be offset against any Home Loss payment. This includes rent arrears for tenants.

Disturbance Payments

- 7.48 Disturbance Payments are made to financially compensate the displaced tenant, resident freeholder or resident leaseholder for expenses associated with the need to move.
- 7.49 Disturbance Payments will be made under the Land Compensation Act 1973.
- 7.50 In cases where it is necessary to move tenants and resident leaseholders twice, Disturbance Payments may need to be paid twice where a resident is required to make a temporary move before moving into permanent accommodation.

7.51 Disturbance Payments will be paid to tenants to cover reasonable costs associated with moving, and the list of items for which payment is considered reasonable under the Land Compensation Act 1973 is shown below:

- Removal costs from the current home to the new home, which will be paid directly to the Council's approved removal firm or to the tenant's removal firm where the tenant obtains two estimates which have been approved by the Council prior to the move. For vulnerable residents, this might include additional support, such as furniture packing and unpacking.
- Redirection of mail for each authorised surname living at the address.
- Telephone and internet disconnection and reconnection, including additional lines.
- Disconnection of any television aerials or satellite dishes connected either to an existing television or that allows the proper operation of television equipment. Reconnection will only apply with the express approval of the landlord at the new address. New homes may have television aerials and systems installed as part of the specification.
- Washing machine, cooker, dishwasher and plumbed fridge disconnection and reconnections to be carried out by the removal firm's operatives (who must be suitably qualified to the appropriate trade standards).
- Curtain and Carpets options: It is generally expected that relocating residents will refit existing carpets wherever possible, and the costs of this will be covered by the Disturbance Payment. However, where this is not possible, the cost of new carpets to an equivalent standard will be covered through the Disturbance Payment. The existing carpet will be assessed and a quote obtained based on this. Any additional rooms in the new home will be carpeted, but the cost will be deducted from the Home Loss Payment.
- Special locks and alarm refitting if these are currently fitted at the old property. They must be dismantled and refitted by a qualified locksmith or recognised Alarm Company and all locks and alarms must meet the relevant British standard for security. Front door and window grilles would not be covered.
- Home improvements that have been notified and approved by the Council, less the cost of depreciation. Receipts are not required, but the improvement must have been approved by the Council, as improvements carried out without the Council's consent could amount to a breach of tenancy.
- Dismantling and re-fitting of fitted resident owned furniture (such as kitchen units and wardrobes).
- Any extra costs of new school uniform if moved to a different area, which necessitates a change of school (supported by letters from the respective schools).
- Where the costs of adaptations in the old home were previously met by the tenant, the Council will reimburse the tenant subject to relevant receipts being available.

- Reimbursements for wage or salary loss on the day of the removal, provided loss of earnings is certified by the employer, for up to 2 members of the household
- Other reasonable costs incurred by the tenant if approved in writing by the Council prior to the cost being incurred, for example travel to viewings, replacement of sheds, additional childcare paid for pre-school children on the day of the move and outside furniture which cannot be dismantled, etc.

Disturbance Payments Procedure

7.52 Disturbance payments will be made directly to the tenant. Tenants will normally be offered two payment method options:

a) A “fixed payment” option, with pre-determined fixed payment levels based on the size of the property being vacated, updated periodically. The current fixed payment levels (as of September 2014) are set out below:

- 1 bedroom property - £1,650
- 2 bedroom property - £2,000
- 3 bedroom property - £2,400

For all 3 bedroom plus properties £380 will be added to the 3 bedroom figure above (i.e., £2,400) for each additional bedroom.

b) A claim option, with the tenant submitting a Disturbance Payment claim form for any legitimate expenses they incur in relation to moving home, enclosing receipts or proof of expenses. However, the level of payment assessed by the Council under this option will be progressed, even if this is less than the “fixed payment” quoted under (a) above.

Appeals

7.53 The Council has a two-stage complaints process, which can be used in relation to appeals against the application of this policy.

8. The Re-housing and Payments Process - Leaseholders and Freeholders

8.1 This Policy should only be used once a Cabinet decision has been made to implement an estate renewal project. Consultation and discussion with residents will have happened before this decision is taken. The effective date for activation of this policy in respect of individual estate renewal projects or phases of those projects will be decided by the Assistant Director for Regeneration, in consultation with the Cabinet Member for Housing and Regeneration, taking into account the circumstances of each project.

Assessment, qualifications and exclusions

- 8.2 All leaseholders and freeholders will be entitled to receive the full market value of their property. The Council will enter into negotiations with leaseholders and freeholders to seek a voluntary arrangement to buy their home, which will normally include valuations by both the Council and the leaseholder or freeholder.
- 8.3 Leaseholders and freeholders will receive full market value plus any Home Loss Payment and Disturbance Payment to which they may be entitled (as detailed below), to allow them to buy a new property on the open market.

Additional Assistance for Resident Leaseholders and Freeholders

- 8.4 Leaseholders and freeholders who have been resident for 12 months prior to the date of eligibility and who do not own any other leasehold or freehold interests may qualify for additional assistance from the Council.
- 8.5 Additional options may be offered to resident leaseholders and freeholders affected by estate renewal to assist them purchase an alternative home. These options will be decided for each estate renewal scheme, but could include options such as purchasing a new outright sale property or shared ownership home in the new development, or purchasing elsewhere.
- 8.6 A duty to re-house leaseholders or freeholders only applies where suitable alternative residential accommodation on reasonable terms is not available to the residential occupier (as detailed in Section 39 of the Land Compensation Act 1973). In most circumstances it is anticipated this will be achieved on the open market, through the purchasing of a new property.
- 8.7 There is a possibility that existing leaseholders or freeholders will not be able to purchase a suitable home on the open market. Under section 5.8 of the Allocations Scheme, such leaseholders or freeholders may be placed on the Housing Register in limited circumstances (for example, where they are aged over 50 or disabled requiring adapted accommodation) and their application assessed, as set out in paragraphs 5.8.4 to 5.8.6 of the Allocations Scheme.

Non-Resident Leaseholders and Freeholders

- 8.8 Non-resident leaseholders and freeholders will not be offered options other than the full market value, plus Disturbance Payments, where applicable.

Gaining possession

- 8.9 A voluntary agreement will be sought to acquire the property, with vacant possession. However if this cannot be obtained, a Compulsory Purchase Order (CPO) can be applied for under Section 226 of the Town and Country Planning Act 1990, detailed below:

“Compulsory acquisition of land for development and other planning purposes

(1) A local authority to whom this section applies shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area which—

(a) is suitable for and required in order to secure the carrying out of development, redevelopment or improvement; or (b) is required for a purpose which it is necessary to achieve in the interests of the proper planning of an area in which the land is situated.”

8.10 The Council will use informal negotiations with landowners in parallel with formal compulsory purchase order proceedings to increase the likelihood of acquiring the land. Given the length of time that CPO applications can take, for practical purposes the application for CPOs will take place at the same time as informal negotiations.

8.11 All estate renewal schemes which propose a CPO must be justified on a number of grounds (including financial viability and the public interest) and consideration should be given to the rights of residents given under the Human Rights Act 1998.

8.12 For residential properties, two forms of payment will be paid to tenants, leaseholders and freeholders under this policy:

Home Loss Payments

8.13 Home Loss Payments are statutory payments, which are paid to freeholders, leaseholders and tenants following a compulsory purchase order or displacement by housing orders, and are not to pay for the cost of moving, as detailed in Sections 29 -33 of Land Compensation Act 1973.

8.14 Home Loss payments are subject to maximum and minimum thresholds. Home Loss Payments equate to 10 per cent of the Market Value of the property (with a minimum payment of £5,300 and a maximum payment of £53,000 from October 2015 (subject to review)). To qualify, the property must be the claimant's only or main residence for a year prior to date of displacement.

8.15 Given the thresholds are subject to change annually by the Secretary of State, the levels of payment will be reviewed each time this policy is used.

8.16 Where a leaseholder or freeholder does not qualify for a statutory Home Loss payment, for example, because the property has not been their only or main residence for a year prior to displacement, the Council may, in exceptional circumstances, make a discretionary Home Loss payment not exceeding the statutory amount.

Home Loss Payment Procedure

8.17 A suitable payment procedure for estate renewal schemes under this Policy will include the following:

- a) Payments will be made directly to the resident leaseholder or freeholder.
- b) Claims can be made for up to 6 years after the purchase of accommodation, and must be paid within 3 months of receiving the claim. Under the Land Compensation Act 1973, there is a right of appeal to the Lands Tribunal.
- c) Payments will normally only be made after sale completion/return of keys to the property the leaseholder/freeholder is vacating, however, an earlier advance payment of at least part of the total payment may be considered in exceptional cases of financial hardship.
- d) All arrears will normally be offset against any Home Loss Payment. This includes service charge or major works arrears for leaseholders.

Disturbance Payments

- 8.18 Disturbance Payments are made to financially compensate the displaced resident freeholder or leaseholder for expenses associated with the need to move.
- 8.19 Disturbance Payments will be made under Land Compensation Act 1973.
- 8.20 In cases where it is necessary to move resident leaseholders twice, Disturbance Payments may need to be paid twice.
- 8.21 Emergency payments may be made available to those who will need this payment to secure a new home.
- 8.22 In addition to the agreed components of the Disturbance Payment for tenants, leaseholders and freeholders are also entitled to claim any additional costs associated with selling their current property and purchasing a new one. The payment of these additional costs is dependent on the option taken by each individual leaseholder and freeholder in regards to re-housing, and can include:
 - Solicitor's costs
 - Conveyancing costs
 - Surveyor's fees
 - Stamp Duty Land Tax
 - Land registry fees
 - Local search fee
 - Possible other associated costs with moving in addition to those offered as part of the Disturbance Payments for secure tenants.

Disturbance Payment Procedure

- 8.23 A suitable payment procedure will be agreed for each estate renewal scheme using the Policy. It will typically include the following:
 - Payments will be made directly to the resident leaseholder or freeholder.

- The resident leaseholder or freeholder will have to complete a Claim for Disturbance Payment form for any legitimate expenses they incur in relation to moving home, enclosing receipts or proof of expenses.

Appeals

- 8.24 The Council has a two-stage complaints process, which can be used in relation to appeals against the application of this policy.

9. The Re-housing and Payments Process – Additional Areas

Adaptations

- 9.1 Any necessary adaptations to properties identified through the Housing Needs Assessments will be provided for tenants, leaseholders and freeholders re-housed under this policy, either through the Council's aids and adaptations budget for HRA properties, by the Haringey Development Vehicle or by the Disability Facilities Grant procedure.
- 9.2 Existing adaptations will be taken into account and re-used where possible.
- 9.3 Priority will be given in line with our current Allocations Scheme for affected residents with medical need.

Private tenants of affected leaseholders and freeholders

- 9.4 Private tenants have a right to re-housing advice and may have a right to re-housing under homelessness legislation. In most circumstances it is anticipated that suitable alternative accommodation will be available on the open market. If a CPO is applied for, a notice will be served on the occupier and the owner.

Non-authorised residents

- 9.5 Non-authorised residents have no right to re-housing under this Policy. This category includes sub-tenants, lodgers and licensees. The Council will provide advice and assistance on finding alternative housing options.

Squatters

- 9.6 The approach taken to squatters varies depending upon whether the Council has vacant possession of the property at the point when squatting is identified:

a) Where the Council has control of a property or estate, it will use its powers as detailed in the relevant legislation to remove squatters. Where squatters are found in tenanted properties, the Council will take the necessary action to ensure vacant possession of the property.

b) Squatters in leasehold properties will be the responsibility of the leaseholder. The Council will alert the leaseholder to the problem and if necessary action will be taken against the leaseholder.

Practical help

9.7 Practical help may be offered to affected residents in the following ways:

Independent Tenant and Leaseholder Adviser

An Independent Tenant and Leaseholder Adviser will normally be engaged by the Council for each estate renewal scheme, to provide support to tenants and leaseholders on the issues set out in this policy.

General advice

General advice will be given, in conjunction with the Council's housing advice services, on:

- (a) Housing options;
- (b) Accessing a solicitor, and getting information on their legal rights;
- (c) Benefits entitlement;
- (d) Completing forms and legal paperwork;
- (e) Assistance and advice on how to move home, the bidding process and viewings; and
- (f) The processes involved in compulsory (or voluntary) purchase.

Assistance to view the property offered to them

Applicants may be offered the opportunity of assistance on an accompanied viewing of any property that they are offered.

Housing benefit claims

If a tenant is in receipt of housing benefit, the Council will consider whether it can pay housing benefit on two homes at once, if there is a period of overlap in the moving process.

Clearance of unwanted items

Assistance might be offered to help clear unwanted items from the properties, but the cost would be deducted from the Disturbance Payment.

Support for vulnerable residents

If an eligible resident is an older person, or identified as being particularly vulnerable, for example due to physical, sensory or mental health impairment, and likely to have difficulty with the move, then extra support will be offered. This may include support with bidding under Choice Based Lettings, including proxy bidding (as set out in paragraph 6.5.7 of the Allocations Scheme) and direct offers of supported housing in appropriate cases (as set out in paragraph 6.8.1 of the Allocations Scheme). Support for vulnerable households may also include packing and help on the day of the move and help with viewings. Effective joint work with Adult Services and other agencies will be important to achieving effective support for vulnerable households.

- 9.8 The above is a recommended list which will be considered when estate renewal is being progressed in an area, and in each estate renewal scheme there will be flexibility to decide what practical support is offered to affected residents.

Empty properties on an estate renewal site

- 9.9 Void properties and properties purchased by the Council through the buyback provisions will be made safe and secured using appropriate means. This may include using the property as temporary accommodation.
- 9.10 Following the re-housing of secure tenants needing to move, the Council will consider placing households into vacant units on the site on a temporary basis until the whole site has been vacated and works can begin.
- 9.11 It will be decided on a scheme by scheme basis at what stage the empty properties become the responsibility of the developer. This will include taking on the responsibility for the security of the site.
- 9.12 Before this agreed date, the Council will be responsible for its property. Action will be taken to ensure vacant possession and appropriate security measures will be applied to the empty properties and to the site as a whole.



Haringey Council

Equality Impact Assessment

Name of Project

Estate Renewal Rehousing and Payments Policy

Cabinet meeting date
If applicable

12th July 2016

Service area responsible

Housing Commissioning, Sites and Investment

Name of completing officer

Sue Witherspoon

Date EqIA created

12th January 2016

Approved by Director / Assistant Director

Lyn Garner, Director of Regeneration Planning and Investment

Date of approval

The Equality Act 2010 places a 'General Duty' on all public bodies to have 'due regard' to:

- Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advancing equality of opportunity between those with 'protected characteristics' and those without them
- Fostering good relations between those with 'protected characteristics' and those without them.

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Haringey Council also has a 'Specific Duty' to publish information about people affected by our policies and practices.

All assessments must be published on the Haringey equalities web pages. All Cabinet papers MUST include a link to the web page where this assessment will be published.

This Equality Impact Assessment provides evidence for meeting the Council's commitment to equality and the responsibilities outlined above, for more information about the Councils commitment to equality; please visit the Council's website. Stage 1 – Names of those involved in preparing the EqIA	
1. Project Lead – Sue Witherspoon – Housing Strategy and Projects	5.
2. Equalities / HR - Kathryn Booth, Policy and Equalities	6.
3. Legal Advisor (where necessary) – Michelle Williams, Legal	7.
4. Trade union	8.

Stage 2 - Description of proposal including the relevance of the proposal to the general equality duties and protected groups. Also carry out your preliminary screening

This report sets out the results of consultation on a draft policy, which was initially considered by Cabinet in June 2015. The Cabinet approved the policy, subject to consultation, and following consultation, approval for the final policy is being sought. The policy covers the impact on tenants, leaseholders and owner occupiers when an estate is renewed to such an extent, that the residents have to move. It applies to all estate regeneration schemes, when 10 or more homes are involved. It sets out

- Rehousing policies for all residents, and in particular what will happen when their families have grown since they first moved in, and they now have adult children living at home;
- Rehousing policies where household sizes have changed, so that the occupants now have a spare room;
- The extent of compensation paid for home loss, and disturbance, both for tenants, leaseholders and for freeholders
- The arrangements for the payment of home loss and disturbance payments
- The commitment to return tenants to the new homes on the estate after regeneration where possible (but not guaranteed)
- Arrangements for advice and assistance to all residents

This proposal will affect all residents in any estate regeneration scheme equally. However, the impact of the disruption of a forced move is likely to have a greater impact on certain residents, such as elderly residents, single parents, and households with school age children.

<p>Stage 3 – Scoping Exercise - Employee data used in this Equality Impact Assessment Identify the main sources of the evidence, both quantitative and qualitative, that supports your analysis. This could include for example, data on the Council's workforce, equalities profile of service users, recent surveys, research, results of recent relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national.</p>	<p>Data Source (include link where published) This report does not have an impact on Haringey staff</p>	<p>What does this data include?</p>
<p>Stage 4 – Scoping Exercise - Service data used in this Equality Impact Assessment This section to be completed where there is a change to the service provided</p>	<p>Data Source (include link where published) OHMS – existing information on customers</p>	<p>What does this data include? Tenant and leaseholder data</p>
<p>Joint Strategic needs assessment</p>	<p>http://www.haringey.gov.uk/social-care-and-health/health/joint-strategic-needs-assessment-jsna</p>	<p>Brings together data about the demographics, providing information on population characteristics</p>

**Stage 5a – Considering the above information, what impact will this proposal have on the following groups in terms of impact on residents and service delivery:
Positive and negative impacts identified will need to form part of your action plan.**

Sex	Positive	Negative	Details	None – why?
	<p>Estate Renewal programmes are designed to replace poor quality housing and environments with improved housing. Estate renewal also improves the quality of the environment, provides opportunities for community development, and work opportunities.</p>	<p>Single parent households may struggle to cope with a requirement to move home less well than two parent households. Moving home involves costs, which are reimbursed, but do involve organising removals, connections and disconnections, forwarding mail, and furnishing a new home. It may also involve having to find a new doctor, dentist and school for any children.</p>	<p>Single parent households are more likely to be headed by a woman, and therefore this proposal may have a greater impact on women, than men.</p>	
Gender Reassignment				<p>No impact currently identified as insufficient data available.</p>
Age	<p>Estate Renewal programmes are designed to provide improved quality of housing.</p>	<p>Rehousing is very disruptive to older people. Facing the disruption of a move can be particularly distressing in older age.</p>	<p>Older people may be more reliant on neighbours that they know community facilities, and proximity to families that provide care and support.</p>	
Disability	<p>All new homes designed on the</p>	<p>Rehousing is very disruptive to households</p>		

	<p>replacement estate will be built to planning requirements, which include a target for wheelchair homes in line with the London Plan, and Lifetime homes and neighbourhoods as set out in the London Plan. There will in effect be a greater supply of specially designed and built properties for people with disabilities.</p>	<p>with a disability. Homes may already have been adapted to their needs, and there may be considerable changes to the layout of the home, kitchen bathroom, entrance, parking arrangements and the environment to suit their needs. The household may have developed local support links with family, friends and neighbours, which have the potential to be broken by a forced move.</p>	
Race & Ethnicity			<p>No differential impact. All tenants of different racial backgrounds are likely to be equally affected by the proposals.</p>
Sexual Orientation			<p>No impact currently identified as insufficient data available.</p>
Religion or Belief (or No Belief)			<p>No impact differential impact. All tenants and leaseholders of different religious backgrounds are likely to be equally affected.</p>
Pregnancy & Maternity	<p>Estate Renewal is designed to improve</p>	<p>Rehousing is very disruptive, and likely to</p>	

<p>Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))</p>		<p>the quality of homes in the local environment and will provide improved homes for all residents</p>		<p>be difficult for households including a pregnant woman.</p>			<p>No impact differential impact. All tenants and leaseholders of different whether married, in a civil partnership or otherwise are likely to be equally affected.</p>
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Stage 5b – For your employees and considering the above information, what impact will this proposal have on the following groups: Positive and negative impacts identified will need to form part of your action plan.

Sex	Positive	Negative	Details	None – why?
Gender Reassignment				The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees
Age				The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees
Disability				The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees
Race & Ethnicity				The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees

<p>Sexual Orientation</p>				<p>The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees</p>
<p>Religion or Belief (or No Belief)</p>				<p>The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees</p>
<p>Pregnancy & Maternity</p>				<p>The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees</p>
<p>Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))</p>				<p>The proposals in the Estate Renewal Rehousing and Payments Policy do not have a direct impact on employees</p>

Stage 6 - Initial Impact analysis

This EQiA identifies that there are impacts both positive and negative on all members of the community, and a disproportionate impact on certain sections of the community. The groups with protected characteristics, where there is a disproportionate impact, are households containing older people, female headed single parent households, and households containing someone with a disability or households containing a pregnant woman. The positive impacts are that the replacement homes, built after a renewal programme has been completed, will be better designed and more appropriately laid out for the needs of older people, and people with disabilities. However, the immediate negative impact will be a period of severe disruption, which households have to move, and arrange to move all their household goods, and make new arrangements to access local services. In some cases, this may occur twice, if they move away from an estate, and then return once the estate renewal programme has been completed.

Actions to mitigate, advance equality or fill gaps in information

On balance it is the view of the Council that the benefits to the whole community of estate renewal will outweigh the temporary disbenefits suffered by those households falling into these groups. In addition, the Council will take action to mitigate the immediate disruptive effect of moving for vulnerable households. Experience from the Tottenham scheme at High Road West, shows that these impacts can be well managed by one to one work with individuals affected. For example, of the 16 single parent households moved to date, 9 were able to move without assistance. The remainder received assistance such as being moved by the Council's nominated contractor, having their move at the weekend, where they were working; referral to furniture assistance schemes and arrangements for the disposal of large unwanted items.

It is the standard practice of the Council to employ dedicated workers assigned to each estate renewal scheme, to assist households with the bidding process, so that they are able to select a home of their choice to move to, in the period whilst they are in Band A of the Choice Based Lettings Scheme. Once the period in the 12 months prior to the demolition has started, officers will visit each household to make sure that their housing, and any medical needs are understood, and make sure that all offers of accommodation are appropriate for the needs of the household.

Where the household is particularly vulnerable, and has no supporting family members, then the Council will assist with essential arrangements for a move to take place. This may include single parent households.

Where a household has a disability, an occupational therapist will be involved in assessing the medical needs of any household containing a disabled member are accommodated.

Where moving involves changes of schools, GPs and health services, or other changes, assistance will be provided to support effective resettlement.

Stage 7 - Consultation and follow up data from actions set above

Data Source (include link where published)

Consultation has taken place on the Council's website: <http://www.haringey.gov.uk/housing/housing-strategies-policies-and-plans/estate-renewal-re-housing-and-payments-policy-consultation>
 The Policy has also been promoted at seven public meetings.
 One public meeting involved inviting 800 tenants via email and 720 tenants via letter to a Tenants Panel. These tenants are ones who have indicated an interest in being consulted on policies.
 In addition 2,000 emails have been sent to leaseholders, and 700 snail mail invitations have been sent to leaseholders to invite them to a Leaseholder Panel.

The remaining five meetings were held on estates which have been publicly named, as estates where residents will be consulted about potential refurbishment or regeneration proposals.

91 responses were received in all, either through the website and online survey, or in paper form. In addition, there were specific comments from the meetings, and some individuals who commented directly to the Council through the Council's Strategy In Box.

What does this data include?

A summary of the proposals was produced in leaflet form, and also placed on the Council's website. A Questionnaire was also produced and has been placed on the Council's website.

Specific questions have been asked in the Questionnaire about specific issues that have been raised during the course of previous estate renewal schemes. Tenants, leaseholders and owner occupiers affected have also been invited to give general comments on the proposals in the Questionnaire.

As a result of the Consultation, amendments to the policy were made.

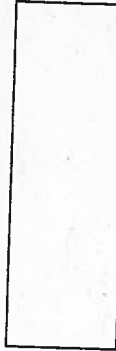
- A recognition of the disruption and distress that rehousing can cause;
- Clarification of the types of tenancy that will be offered when tenants are required to move
- Greater emphasis on information and consultation in the early stages of developing estate renewal schemes
- Certainty to tenants who are bidding on Choice Based Lettings when they have been given Band A "decant" status, setting out the minimum period of time that they will be able to bid freely for a new home, before the bidding window closes, and they are offered a final offer of accommodation which they will be required to accept, or make their own arrangements
- Reassurance on the level of rents and service charges, that will be charged on the new homes
- Clarification on what can be claimed for, under a Disturbance payment claim.

Stage 8 - Final impact analysis

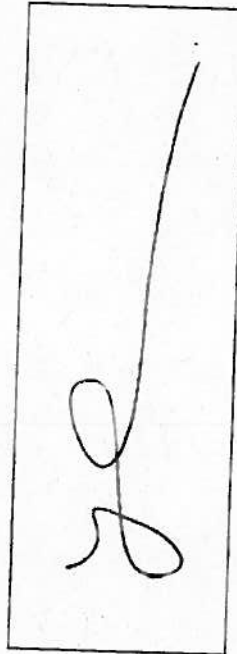
Although estate regeneration is highly disruptive, its aim is to improve the housing, environment and opportunities of local people for an improved quality of life. Therefore, the negative impacts of renewal are therefore considered to be outweighed by the positive impact of improved neighbourhoods, improve quality of housing, and the increased number of homes provided through the estate renewal programme. The Council also plans to take mitigating action, so that vulnerable households who are disproportionately affected by the disruption of estate regeneration are supported through the process, and benefit from the changes to the design and layout of the new homes on the replacement estates.

Stage 9 - Equality Impact Assessment Review Log

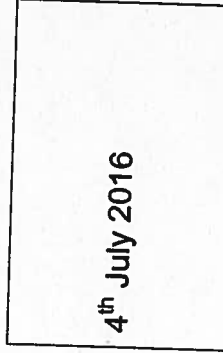
Review approved by Director / Assistant Director



Date of review



Review approved by Director / Assistant Director



Date of review

Stage 10 - Publication

Ensure the completed EqIA is published in accordance with the Council's policy.

Report for: Cabinet 12 July 2016

Item number: 10

Title: Special Educational Needs and Disability Strategy –
Haslemere Commissioning Review

Report

authorised by : Gill Gibson – Assistant Director for Early Help and Prevention



Charlotte Pomery – Assistant Director for Commissioning



Lead Officer: Victor Roman

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:**

1. Describe the issue under consideration

- 1.1 This report forms part of the Special Educational Needs and Disability (SEND) Strategy, which includes the Access and Inclusion Policy, the SEND Commissioning Strategy and the Travel Policy.
- 1.2 Haslemere Road Respite Centre is a current specialist unit providing respite accommodation and day services for children with disabilities or other special additional needs. The unit as it currently operates is not cost effective and has received a “Requires Improvement” judgement from Ofsted.
- 1.3 This report looks at exploring options for the future provision of respite at Haslemere Road Respite Centre.

2. Cabinet Member Introduction

- 2.1 In Haringey we are committed to enabling every child and young person to have the best start in life, and empowering all children and adults to live healthy and fulfilling lives. Everyone should have access to high quality education, healthcare and to the opportunities that our borough and community offers. As a result, we are committed to ensure that all children, young people and adults with special educational needs and disability are at the centre of our vision to

promote independence to the fullest extent to engage meaningfully in leisure, independent living and employment.

- 2.2 As part of this vision the Council is working on the Special Educational Needs and Disability (SEND) Strategy, which will look at Access and Inclusion, Strategic Commissioning and a new Travel Policy.
- 2.3 Inclusion means that every child, young person and adult's uniqueness is valued and their aspirations, well being and achievement matter. Differences are respected and as a result children and families can thrive. With the right support and improved access and inclusion within mainstream and everyday activities, those with special educational needs and disabilities will achieve their highest potential and lead a fulfilling life with a maximum range of opportunities.
- 2.4 The SEND Joint Commissioning Strategy is aligned to the principles of the SEND Strategy and examines how they can be implemented through a commissioning approach. The Strategy identifies respite provision as a key support to families in maintaining children and young people within the home, and is supportive of moving to a more flexible model of delivering respite.
- 2.5 The Travel Policy went to Cabinet in March 2016 and will go out for consultation this summer. The policy strengthens the independence principles as prescribed in the Children and Families Act 2014 and the Care Act 2014.
- 2.6 As part of the SEND Strategy, the Council is reviewing its short breaks and respite provision at Haslemere Road Respite Centre.

3. Recommendations

- 3.1 It is recommended that:-

3.1.1 Cabinet approves an option where the Council will commission Haslemere Road Respite Centre either under a block contract with a specialist provider, or by renting out the Centre to a specialist provider from whom the Council and parents can spot purchase beds. This is 'Option 2' on the list of options.

3.1.2 If the Cabinet approves option 2, it delegates to the Assistant Director of Commissioning, after consultation with the relevant Cabinet Member, the decision whether to commission the Centre under a block contract or by renting out the Centre.

4. Reasons for decision

- 4.1 The Council has gone through a robust Commissioning Review of Haslemere Road Respite Centre, through which three options have been appraised (more details can be found in Appendix 1).
- 4.2 By commissioning the Centre (Option 2), the Council will ensure that:
- 4.2.1 The Centre would be commissioned to a single specialised provider, which would provide the packages of respite we need under a block contract.
- Or
- 4.2.2 The Centre would be commissioned to a single specialised provider through a rental agreement of the premises, which provider would provide the packages of respite we need on a spot purchasing basis.
- 4.3 This option would offer the possibility of fully utilising the centre on Mondays, and Tuesdays and during the day on Wednesdays, Thursdays and Fridays.
- 4.4 By commissioning the centre, service users would get better Value for Money (VfM), both in terms of Quality (all the suppliers we engaged have Good or Outstanding Ofsted Ratings) and Price.
- 4.5 Through commissioning the Centre, the Council would keep its service local to the community, thus keeping transport costs down and families happy.
- 4.6 Through block-contracting, the Council would continue to be able to manage the prioritisation of cases and the acceptance criteria for the Centre's use.
- 4.7 Through renting out the Centre to a specialist provider the Council would:
- 4.7.1 Have more flexibility in reviewing this provision in the future.
- 4.7.2 Offer the supplier the possibility of having a more sustainable model, as they can develop a business model that fully utilises the asset, without relying on the Council for full funding
- 4.7.3 Offer the possibility for other Boroughs to use the centre through spot purchasing (with the possibility of the Council receiving preferential rates from the supplier)
- 4.7.4 Be receiving rent for the building (currently estimated at £71k per annum).
- 4.7.5 Transferring Ofsted accountability to the new provider.
- 4.8 Through commissioning the Centre, the Council has the potential to address the overspend and come back to budget, in time even be able to have a surplus of cc £50k-£121k.
- 4.9 Under this option, the 14 staff assigned to the Centre would most likely transfer to the new provider under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE"). Terms and conditions would be protected at the point of transfer. If following the TUPE transfer the new provider sought to change the contracts of the transferring staff, and the sole or

main reason for its seeking to make those changes was the transfer, then unless the contracts allowed the new provider to make the changes, then :-

- 4.9.1 the staff would need to agree to the changes; and
- 4.9.2 the new provider would need to have an ETO reason for the changes. An 'ETO' reason is an 'economic, technical or organisational reason entailing changes in the workforce'
- 4.10 The maintenance of the building will remain the Council's responsibility, unless it is differently stipulated in the Contract or Rental Agreement with the supplier.
- 4.11 This option also offers the opportunity for the Council to plan and review the location of the Centre in the future, in line with our Regeneration objectives and the proximity to young people's homes (most being in Tottenham and Wood Green).
- 4.12 An Equality Impact Assessment (Appendix 5) has been carried out for the service users group and staff. It has found that the changes proposed would have a positive impact on the service user groups and little to no impact on staff.

5. Alternative options considered

Option 1 – Keep the Centre In-House

- 5.1 By keeping the Centre in-house we would maintain the resource locally, however we would be still held to account by Ofsted on the service provision.
- 5.2 Moreover, based on current costs, the Centre would be forecast to have a yearly overspend of £150k.
- 5.3 The Centre would continue to be underutilised by keeping it closed Monday-Tuesday, and during the day Wednesday-Friday.
- 5.4 This option cannot be recommended, as it does not change the status quo and does not improve the outcomes we seek for our children and young people with SEND.

Option 3 – Sell the Centre to a Specialised Provider at Market Value

- 5.5 In this option, the Council would be selling off the building (at market value) to a private provider and would have spot purchasing packages with that provider or with other providers.
- 5.6 The provider that expressed interest in buying the Centre said that they would not be using it solely for short breaks but also residential, with a 10%-90% split. As a result, we would have to spot purchase most of the beds we require from other providers.
- 5.7 At the 17th of May 2016, nearby providers had only 20 beds available for the rest of the year, if we were to spot purchase from other providers. Thus, for the

remaining 24 of our current service users there would be no service provision in the proximity of Haringey. Moreover, transport costs to out-of-borough providers would increase.

- 5.8 Through selling the Centre, children, young people and parents would be losing a local resource to which they have become attached to.
- 5.9 However, through this option, the Council could gain around £2.9m worth of capital receipts by selling the building.
- 5.10 This option cannot be recommended, despite the gain in capital funding, as it would not be in the best interests of children and young people with SEND.

6. Background information and current usage

6.1 The Haslemere Centre is a large detached house based in a residential area of Crouch End, North London. The Centre's primary role is to offer short breaks to disabled young people from 10 to 17 years old in a variety of forms:

6.1.1 Weekend residential breaks - Up to 6 young people at a time stay at the Centre participating in a range of activities. From Friday 4pm to Sunday 4pm

6.1.2 Weekend day activities - Young people attend the Centre during the day either on Saturday or Sunday for activities. From 9am-4pm

6.1.3 The club - This is a club for up to 6 young people at a time who are on the autistic spectrum (every fortnight) or with Complex Needs (every fortnight). It is run on Wednesdays for 13 weeks at a time.

6.1.4 My independence - This is a club for young people with disabilities (from 14 to 17) who are at the transition stage of moving towards adulthood. It will run for 26 weeks at a time. Every Thursday between 4.30-7.30pm.

6.1.5 Holiday Play schemes - We run a variety of play schemes throughout the year.

6.2 The Centre had a financial overspend in 2015/16 of £135k for a £400k budget. This overspend has decreased from 2014/15 by £80k, but it still poses a problem.

6.3 The Centre currently runs at a cost of £365k per annum for overnight stays and £170k per annum for the day or evening Activities.

6.4 There are two main factors explaining the costs of the Centre. The first concerns the operating costs of the Centre:

6.4.1 The Centre is being underutilised, as it is not open at all Monday-Tuesday nor during the day Wednesday-Friday. We are therefore not

using the resource to its full potential. The issue is there is not sufficient budget available to open the Centre for a full week.

- 6.4.2 The Centre has high staffing costs due to the 'Green Book' Agreement. This is the national collective agreement between local government employers and the trade unions. As a result, staff receive enhanced rates of pay for working weekends and evenings, when the Centre is open. This results in significantly higher costs than the available budget.
 - 6.4.3 If the Centre is to be maintained in-house, with a focus on meeting the complex needs of our target group of children to support them more locally, the pressures of high staffing costs will continue. These children require higher staffing ratios to meet their needs, which will be more costly.
 - 6.4.4 Under the management of a specialist provider (private, independent or voluntary sector), the Centre would be able to operate within budget to offer provision for more complex children. This is because a specialist provider will be able to expand the opening hours of the Centre, be commissioned by other local authorities and explore alternative staffing structures in order to achieve economies of scale.
- 6.5 The second concerns the quality standards achieved by the Centre.
- 6.5.1 The Centre currently has an Ofsted rating of 'Requires Improvement'. As part of the Ofsted recommendations, the Council needs to focus on the management of the Centre and the recording of risk assessments and care plans. There has been intensive work on this area with the staff, which now shows sustained improvement.
 - 6.5.2 Despite targeted efforts by staff at the Centre and the management of the Disabled Children's Team, on number of occasions, to improve the Ofsted rating, it has not been possible to sustain a judgement of Good. This is because there is not the necessary experience or capacity within the service to understand or achieve the actions necessary for a sustained judgement of Good. An experienced provider would be better able to meet the required standards in a sustainable way, and would be able to use knowledge and skill set across their settings to support the standards needed. This could include, for example, shared use of a nurse or practitioner with medical knowledge across several sites.
 - 6.5.3 As a result of the 'requires improvement' judgement, the Council has not been able to offer other boroughs the opportunity to commission respite from the Centre. In the past, we have been approached by Islington, Camden and Hackney who would like to use Haslemere, but due to the Ofsted judgements we have received in recent years, this has not been possible as it would not be considered best practice. Indeed, we do not as an authority commission services from external providers with a less than good rating. Thus, we have not been able to pursue this option as a cost-saving strategy.

- 6.6 As a result of the issues set out in paragraphs 6.1 to 6.5, the Council has decided to review the provision of Haslemere Road Respite Centre through a commissioning review. The project has conducted benchmarking and soft market research with 5 providers (ranging from the private to the voluntary sector) in order to inform the options. The findings are:
- 6.6.1 Out of the 33 London Boroughs, only 15 still have an in-house short breaks respite centre for children and young people with SEND. However, none of the 15 is on the North London Corridor, the Council being the last remaining North London authority with an in-house respite centre for children and young people with SEND. This means that boroughs like Enfield, Camden, Islington and Hackney are interested in buying provision from Haslemere Road Respite Centre and have made such requests in the past.
 - 6.6.2 At the 17th of May 2016, nearby providers had only 20 beds available for the rest of the year, if we were to spot purchase from other providers. This means that, if we were to close the Centre down, we would put more pressure on the market in North London, without even fulfilling our need of currently 44 beds.
 - 6.6.3 The centre is currently used by 44 service users (25% from the west of the Borough, 50% from Tottenham and 25% from Wood Green). Parents really like that it is local to Haringey.
 - 6.6.4 Twelve Haringey service users used short breaks from spot purchasing from other providers in 2015/16. Currently only one service user is accessing short breaks from other providers directly commissioned by us.
 - 6.6.5 The Centre has been evaluated by Corporate Property and the rental valuation is c£71k per annum, whilst the capital value is £2.9m.
 - 6.6.6 There was limited information from the suppliers we engaged as part of the soft market test on costs, especially as they structure their packages differently. They mainly focused on hourly rates (based on 1:1 and 2:1 support for clients) and standard overnight costs. However, their costs presented as being £100 -180 per night lower than ours, whereas the day/evening activities were also 1/3 cheaper than Haslemere's.
 - 6.6.7 An Equalities Impact Assessment has been carried out; the findings for the recommended options show a positive impact for the service users and little to no impact for staff.
- 6.7 All of the information presented in paragraph 6.6 has informed the recommendation of this report, the detail of the information can be found in the appendices attached.

7. Contribution to strategic outcomes

- 7.1 This report falls in line with Priority 1 - Enable every child and young person to have the best start in life, with high quality education.
- 7.2 The underlying vision of the report is to make sure that children and young people with SEND have access to better quality services, as prescribed in the Children and Families Act.
- 7.3 Furthermore, the recommended option also strives to bring the budget to balance, by reducing spend on the Haslemere Road provision.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Chief Finance Officer Comments

- 8.1 As noted in the report Haslemere is a relatively high cost provision and has incurred budget overspends in the past two years. In addition it sits within the Service for Children with Additional Needs and Disabilities from which the MTFS includes an expectation of savings of £1.5m over two years. For these reasons it is important that the Council should consider whether it is possible to improve the overall value for money spent on this provision.
- 8.2 The report rules out option one on the grounds of cost, under utilisation and also quality of provision which would be reasonable grounds for rejection of this option.
- 8.3 The report also rules out option three on the grounds of insufficient alternative provision for children with disabilities. It is not clear whether there has been consideration of whether this market could be encouraged and developed. However, given the current timescales for bringing the budget to line, this would not be an immediately practical option, but could be considered in the medium term future following the re-commissioning process. This would be co-dependent on the Tottenham regeneration future options.
- 8.4 This report presents some evidence that value for money may be improved by adopting option two – that is outsourcing the provision to another specialist provider- as on the basis of the soft market testing it appears that the cost of an outsourced service may be lower than the current in house provision; however this cannot be regarded as certain at this stage. In particular the impact of TUPE, the costs of paying rent to the Council and the actual needs of the current cohort of clients may result in a different range of prices. Another value for money assessment should be carried out after any procurement exercise has been undertaken.
- 8.5 The Recommendation to adopt option two would be a compliant procurement route, further work needs to be undertaken to identify the best route to market within option two.
- 8.6 The impact of TUPE, the costs of paying rent to the Council and the actual needs of the current cohort of clients may result in a different range of prices, which will need to be carefully evaluated.

Assistant Director of Corporate Governance Comments

- 8.7 It is likely that under option 2 Council employees assigned to the Centre would TUPE transfer to the new provider. Under TUPE, the Council would be obliged prior to the transfer to give certain information to the representatives of UNISON, GMB and UNITE , including the implications of the transfer for any affected employees and the measures which the Council envisages the new provider will take in connection with the transfer in respect of the transferring employees. Further, TUPE requires the Council to give the new provider at least 28 days before the transfer “employee liability information” concerning any employee assigned to the Centre. “Employee liability information” would include the name and age of the employee and the information the Council would be obliged to give to the employee in its written particulars of employment.
- 8.8 As a consequence of the Best Value Authorities Staff Transfers (Pensions) Direction 2007, if the Council commissioned the Centre under a block contract to a specialist provider, then in that contract the Council would have to require the new provider to ensure that TUPE transferring Council employees either continued to have access to the Local Government Pension Scheme (LGPS), or have access post-transfer to another pension scheme under which their rights to acquire pension benefits were the same as, broadly comparable to or better than their rights under the LGPS. In order for the employees to continue to have access to the LGPS the new provider would have to enter into an admission agreement with the Council. If the Council was to enter into a rental agreement with a new provider, and then spot purchased from the new provider the packages of respite it needed, then the Direction may not apply. However it would be advisable for the Council to proceed on the basis that the Direction did apply, as if it did not require the new provider to provide pension protection for the transferring employees, there would be a risk that those employees would bring successful unfair dismissal claims against the Council under Regulation 4(9). This Regulation says that where a TUPE transfer involves or would involve substantial changes in the working conditions to the material detriment of an employee who transfers or would transfer, the employee may treat themselves as having been dismissed by the employer.

Equalities Comments

- 8.9 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- 8.9.1 tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - 8.9.2 advance equality of opportunity between people who share those protected characteristics and people who do not;

- 8.9.3 foster good relations between people who share those characteristics and people who do not.
- 8.10 An Equality Impact Assessment (EqIA) has been undertaken to assess the potential impact of commissioning out the centre to a specialist provider for service users and staff that share protected characteristics.
- 8.11 Haslemere Centre currently has 44 service users (both male and female), all of which have a special educational need or disability and are aged between 10-17 years old. The centre is used by service users from all over the borough, the geographical split of which broadly reflects the borough's needs profile. Informal consultation with Haringey Involve and a parents user group found strong support and value realised from the centre and its staff, with their main concern being to ensure that the service remains local and that access to places continues to be secured for Haringey residents in need.
- 8.12 The EqIA finds that the proposed new model has the potential to improve the quality of the services provided from Haslemere (through bringing in a provider rated good or outstanding by Ofsted) as well as increased utilisation of its facilities with an expanded range of services and placements. This should advantage all groups of service users. The preferred option will also keep the provision local (unlike the alternative options), which was one of the most important considerations highlighted from all groups of service users and residents during the informal consultation.
- 8.13 The following mitigating actions will be put in place to ensure that short break respite services from the Haslemere Centre under a commissioned model remain accessible for all groups of eligible service users and opportunities to enhance services from the centre are realised:
- 8.13.1 The Council will ensure that prioritisation and accessibility for Haringey Service Users will be written into any contractual agreement for using the centre with a commissioned provider.
- 8.13.2 Quality assurance and oversight arrangements will be built into the commissioning and contract management process, with equalities considerations forming a key part of this.
- 8.14 The EqIA also considers the potential impact on staff working at Haslemere should the service be commissioned out. The intention would be to transfer all 14 of the existing staff on a TUPE arrangement, protecting their existing terms and conditions at the point of transfer. We would expect the new provider to adhere to the Equalities Act 2010 in their activity and treatment of staff, including having robust policies in place on equality of opportunity and harassment and bullying.
- 8.15 The Equality Impact Assessment will be updated as the commissioning process takes place, and an updated version will accompany any future decision to award a contract to a preferred bidder.

9. Use of Appendices

- 9.1 Appendix 1 – Haslemere Road Commissioning Review
 - 9.2 Appendix 2 – Benchmarking with London Boroughs
 - 9.3 Appendix 3 – Soft Market Testing with Providers
 - 9.4 Appendix 4 – Haslemere Updated Activity Costs
 - 9.5 Appendix 5 – Equalities Impact Assessment
 - 9.6 Appendix 6 – Consultation with Parents
- 10. Local Government (Access to Information) Act 1985**

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SEND Strategy

Appendix 1 - Haslemere Road Respite Care Centre Commissioning Options

Cabinet

12 July 2016

Haringey's SEND Strategy: Promoting fairness, inclusion and opportunity for all

We are working with Stakeholders to develop an overarching strategy:

- To bring **together and join up** all the different strands of work for SEND in **one place and with a common set of principles and vision**
– at the moment our work on SEND is spread across different Council departments and partner agencies
- To build up a **shared vision and 'buy in' among partners and children, young people and adults with special education needs and disability** when it comes to Haringey's overall approach to SEND and respective responsibilities/contributions
– we want this to be a strategy endorsed by the CCG, Schools Forum and Haringey Involve
- Help us **prepare for new Ofsted inspection regime** for SEND
- Ofsted will be looking at our borough-wide approach across education, health and care

What will a strategy cover?



- **Principles:** aspiration, early support (2012) and early help, fairness, co-production and professionalism
- **Effective Commissioning**
 - Joint Commissioning Strategy for Children and Young People with Haringey CCG
 - Haringey Travel Policy
 - Haringey's Assistive Communication Pathway
- **Promoting inclusion in our communities**
 - Inclusion and accessibility across Haringey's schools, early years and further education settings
 - Independence promoted to the fullest extent to engage meaning fully in leisure, independent living and employment
 - Equalities considerations in all public policy and service delivery decisions
 - The local Parents Forum
 - Disability champion for Haringey
- **Embedding a new framework for education, health and care support**
 - Information, advice and guidance, and the Local Offer
 - Identifying SEN and role of early years and schools
 - Education, health and care plans
 - Care and support plans
 - Safeguarding

Options review into Haslemere Road Centre

- The Haslemere Road Respite Centre is a 6 bed detached house based in a residential area of Crouch End, North London.
- The centre's primary role is to offer short breaks to 44 disabled young people from 10 to 17 years old in a variety of forms.
- The Centre currently has an Ofsted rating of Requires Improvement
- For 2015/16 the Centre was **overspent by £135k** (a reduction of overspend from 2014/15 of £80k) for a budget of £400k/year.
- The Centre has been evaluated by Corporate Property and the rental **valuation is c£71k/pa whilst the capital value is £2.9m.**
- We have met with **5 Providers ranging from the Private and Voluntary Sector** in order to do soft-market testing.

Options Considered

We have carried out an options appraisal of the provision at the Centre to determine how best to ensure provision of respite in the borough going forward to support families to stay together and to offer breaks to parent carers.

1. Continue to develop the Centre as In-house Provision
2. Commission the Centre through an alternative provider
3. Close the Centre and dispose of the asset.

Haslemere Road Respite Centre – Current Use



- Current Packages at Haslemere:
 - **Weekend residential breaks** - Up to 6 young people at a time stay at the centre participating in a range of activities. From Friday 4pm to Sunday 4pm
 - **Weekend day activities** - Young people attend the centre during the day either on Saturday or Sunday for activities. From 9am-4pm
 - **The club** - This is a club for up to 6 young people at a time who are on the autistic spectrum (every fortnight) or for Complex Needs (every fortnight). It is run on Wednesdays for 13 weeks at a time.
 - **My independence** - This is a club for young people with disabilities (from 14 to 17) who are at the transition stage moving towards adulthood. It will run for 26 weeks at a time. Every Thursday between 4.30-7.30pm.
 - **Holiday Play schemes** - We run a variety of play schemes throughout the year.
- The Centre currently runs at a cost of **£365k per annum for Overnight Stays** and **£170k per annum for the Day or Evening Activities** (hourly rate between £35-£40/h)

Continue to develop the Centre In-house



Benefits	Financial Implications
<ul style="list-style-type: none">• Keep an internal resource and be able to manage the prioritisation of cases and acceptance criteria.• Keeping the Centre Local, as Parents really like it.	<ul style="list-style-type: none">• Based on 2015/16, the centre will be running at a loss of £150k/ year.
Risks	Issues
<ul style="list-style-type: none">• That the Ofsted ratings do not improve.• The budget will not be brought to balance.	<ul style="list-style-type: none">• The building is not being utilised Mon-Tuesday and during the day on Wednesday, Thursday and Friday.

Commission the Centre as through an alternative provider

Benefits	Financial Implications
<ul style="list-style-type: none"> • Better quality provision. • Better Value for Money • Keeps the Centre Local, which Parents really like. • More flexibility to review our offer in the future, including extending the use of personal budgets. • Being able to manage the prioritisation of cases and the acceptance criteria. • Other boroughs could use the centre, we could negotiate preferential rates. • More likely to be a sustainable model for the provider, as they can develop a business model that fully utilises the asset, without relying on Haringey for full funding. 	<ul style="list-style-type: none"> • The centre could present savings of £150k/ annum on overnight packages and £58k on day activities (based on current usage). • Possibility of £71k/ year rental income • Funding will follow the individual costs, not sunk into a setting.
Risks	Issues
<ul style="list-style-type: none"> • Supplier might default or increase • Offer may not meet local need or parents' requirements. 	<ul style="list-style-type: none"> • The arrangements for use of the building will need to be negotiated with a future provider • There could be opportunities for the new delivery site to provide space for more integrated assessment and provider functions

Close provision and dispose of asset

Benefits	Financial Implications
<ul style="list-style-type: none"> • Capital Receipt • Increased use of Personal Budgets and choice. 	<ul style="list-style-type: none"> • Capital receipt of £2.9m • Whilst the overspend might disappear, alternative respite care will still be required (at a cost)
Risks	Issues
<ul style="list-style-type: none"> • More expensive packages on spot purchase from other suppliers • We might not have sufficient capacity for provision of short breaks (currently only 20 spaces available at nearby providers for the rest of the year). • Increased Travel Costs 	<ul style="list-style-type: none"> • Does not fit with the 'Stay Local' Agenda. • Families really like the centre and want to keep on using it. • Families who don't use the centre want access to it.

Recommendation

- The recommendation to Cabinet will be **Option 2 – To Commission the Centre through an alternative provider** as it presents:
 - Better value for money in terms of both quality and price
 - A valuable opportunity to keep the provision local and to support more families to support their children and young people in the borough
 - Responsiveness to parents' needs – most families using the Centre are from the centre and east of the borough
 - Flexibility to review the nature of the provision in the future
 - Capacity for other local boroughs who need to commission respite

Timeline

Date	Activity
9 June 2016	Consultation Event with Parents at the Centre
12 July 2016	Cabinet decision
August 2016 – April 2017	Implementation

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Appendix 2 – In-house Respite Provision in London

London Boroughs	In-house respite centre(s) for children / young people with disabilities?
1. Barking and Dagenham	x
2. Barnet	x
3. Bexley	✓
4. Brent	✓
5. Bromley	✓
6. Camden	x
7. City of London	x
8. Croydon	✓
9. Ealing	x (Heller House closing down soon)
10. Enfield	x
11. Greenwich	x
12. Hackney	x
13. Hammersmith and Fulham	✓
14. Haringey	
15. Harrow	✓
16. Havering	x
17. Hillingdon	✓
18. Hounslow	✓
19. Islington	x
20. Kensington and Chelsea	x
21. Kingston upon Thames	✓
22. Lambeth	x
23. Lewisham	✓
24. Merton	✓
25. Newham	✓
26. Redbridge	x
27. Richmond upon Thames	✓
28. Southwark	x
29. Sutton	x
30. Tower Hamlets	x
31. Waltham Forest	✓
32. Wandsworth	✓
33. Westminster	x

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Appendix 3 - Soft Market Testing

Question	Supplier 1	Supplier 2	Supplier 3	Supplier 4	Supplier 5
Background and experience					
Please can tell us a bit more about your organisation and your experience and the types of service you currently provide? Please can tell us a bit more about your organisation and your experience and the types of service you currently provide?	A 5 bed semi-independent living unit. Caters for the needs of young people with additional needs. They operate seven days a week - 24 hours per day. Current case load of 35 young people for overnight and 15 during the day.	4 homes - 1 unregistered. Long-term home - 8 permanent beds + 1 short break bed. Provide overnight respite but not day centre support or community packages.	Large Jewish charity - not just for Jewish users. Overnight short break service. Mainly adult residential care with 3 family centres and nursery. Day centre support provided. No community packages. 45 children currently. Weekends / holidays most popular.	Overnight short breaks centre. Provide community packages and day centre support (the latter is a similar model to Haslemere). Centres in Hampshire, Bristol, Midlands.	Children's Hospice. Currently building a residential service. Short breaks are provided by community packages (Family Link model). They offer specialist play service/specialist carer service/ sibling support programmes
Where do you currently deliver services and who commissions them?	Barking, Essex. Combination of Personal Budgets and LA commissioning.	Leytonstone, Bushwood. They are commissioned by Harrow, Hackney, Islington and Barking and Dagenham.	Haringey, Westminster, Barnet, Enfield, Harrow, Kensington & Chelsea, Redbridge	Local authorities (Hackney, Islington, Camden, Waltham Forest) and personal budgets (only a small %) from parents	Barnet, Haringey, Camden.
What status does your organisation have? (Charity/Private Sector etc.)	They are a private sector organisation.	Private sector	Charity (if option is for block contract, the charity cannot contribute to the deficit)	Small to medium charity	Charity - voluntary sector.
What age group do you cater for?	8 – 18 year olds	0-18 years	0 - 19 and 1/2 as part of their Statement of Purpose, but registered up to 25	0 - 25 years	0 - 18 years
What level of needs do you currently meet? (In terms of both physical and behavioural)	Challenging behaviours, learning disabilities, multiple disability, developmental delay and autism. Offer support from 1:1 to 3:1 (professional:young person)	Learning disabilities and challenging behaviours. No physical disabilities as house cannot be adapted. If the house has alterations they are willing to expand their practices.	Complex health needs, wheelchair users, challenging behaviours	Across the board - both physical and behavioural	Life limiting / threatening conditions. - physical disability
Service Provision					
What services would you be able to offer our clients?	Individualised activity schedule for each child's activity, outcomes tracker which monitors the child's development, levels of distress and identifies trends (i.e. in behaviour). Looking to expand to High Complex Needs from August 2016.	Home for full time occupants and short breaks. Transport, activities, behaviour support work	Similar to what it is currently offered by Haslemere. Also, can use the centre more broadly and not only the timings it currently operates.	All that Haslemere currently offers. Any other activities to fill up the closed days. Family groups programmes and programmes for young people (i.e. after school clubs).	
What type of activities would you offer?	Local community activities, travel training, independent living skills, Easter Egg Hunt.	Trampoline clubs, swimming, travel training, bowling	Whatever is currently being offered, i.e. keep the services that are currently being offered at Haslemere.	Similar activities to Haslemere. Any to meet the needs of the children. Person centred planning.	Play specialism - they are about to advertise for a creative therapist. - volunteer support, peer to peer programmes and sibling group activities.

How would you manage demand effectively to ensure full use of the resource, given that weekends are likely to be most popular?	Parents have the option to book online. Partnership working with parents. Staffing electronic systems are currently used to see shifts over the month. Financial budgets are monitored for each client and the budgets are increased for activities.	Don't currently do weekends only, the provision is spread out across the week so weekends are not as challenging.	Booking systems. Request letters to parents sent every quarter and bookings are allocated accordingly. Have regard to have children/ young people in the centre that fit together and get along.	Early planning, staffing model, advance bookings, encouraging parent to choose different days. They have both Core staff and flexible staff.	
Quality and Assurance					
Are you registered with CQC and/or OFSTED? What are your quality ratings?	Currently registering for CQC. A full Ofsted inspection was undertaken in September 2015 and a good rating was awarded.	Ofsted rating of outstanding. CQC not required for children's service; only for adult units.	CQC registered. Ofsted rating - good (last year)	CQC registered. Chelsea ofsted rating was good; early years in the West Midlands was outstanding.	CQC registered. Not Ofsted.
How would you meet the health needs of children with complex disabilities?	Developing their service to meet the needs of high complex needs children (i.e. those with PMLD).	Outcome focused support plan Manager read these plans, attend team meetings and the plans are updated as required.	Any training to suit the needs of the children i.e. tube feeding, Epipen training. Anything permitted with insurance cover. For more complex needs a nurse is required.	Work closely with community health workers. Training HCA for feeding, stoma care.....HIT squad do training for each child's needs.	
What is the skill set of your team?	Social workers, 24hr support staff, Residential Support Workers, Operations Managers, Registered Manager (NVQL5). All staff are currently qualified at Level 3 or are undergoing qualification.	All staff have at least level 3 diploma or higher. Autism level 3. Some are on level 4 or 5.	All staff (including casual staff) must have at least Level 3 QCF.	Depends on the centre. At least level 3 NVQ. Coaching developments, E-learning, online training (i.e. safeguarding) face-to-face first aid training, makaton. These are supplemented by coaching and development by managers and refresher training every 2-3 yrs.	
What training do you offer staff to ensure they are competent for their position, especially in relation to clinically delegated tasks?	All staff members must attend an external restraint training programme ('CALM') and they are assessed on this each year ('CALM' is the nationally recognised de-escalation training programme). Also, all staff undergo 32 courses as part of their Induction.	Staff attend 25 - 30 annual training sessions (i.e. FGM, sexual exploitation).	E-learning courses. Classroom based training. Training courses included safeguarding, fire safety, data protection....	Training Packages on Safeguarding, First Aid, other.	
Cost/Business					
How do you cost your current packages?	Hourly	Standard flat rate. Night rate packages.	Per night. Hourly rate for daycare.	Typically by hourly rate. Depends on Local Authority commissioning	Depends on the services offered.
What is the cost per package?	1:1 = £24.50 per hour, 2:1 = £44 per hour	£420 a night for short breaks (transport included). £2500 per week for long-term.	Standard rate £461 per night (24 h). Additional health needs - £470. 1:1 - £25.60 per hour. 2:1 - £51.20 per hour.	General hourly rates are around £20 -22 for 1:1; and around £40-£44 for 2:1	

Category of need	Service offer	No of clients	Weekend overnight places	Day only weekend play places	Midweek overnights	After school club evenings	Holiday play scheme days	Cost per client	Cost of cohort
Universal	Not eligible for service provided by The Haslemere Centre	0	0	0	0	0	0	£0	
Low (Option A)	One weekend day activity every 5 weeks (Excluding August) per year + One week summer play scheme (Total 16 days)	11		11			5	£4,123	£45,353
Low (Option B)	26 weeks of My independence (Thursday night) Transportation home included + One weeks summer play scheme	4				26	5	£4,669	£18,678
Medium (Option Ai)	One weekend overnight every month + One weeks summer play scheme	2.5	11				5	£8,444	£21,111
Medium (Option Aii)	One Saturday and Sunday day activity every month + One weeks summer play scheme	2.5		11			5	£4,123	£10,307
Medium (Option B)	26 weeks of My independence (Thursday night) Transportation home included + One weeks summer play scheme plus christmas play scheme	2				26	10	£6,058	£12,115
High (Option A)	One full weekend per month (two overnights) + minimum of one weeks summer play scheme plus christmas play scheme.	20	22				10	£16,889	£337,774
High (Option B)	13 weeks of The Autism club including overnight stay (Wednesday night). Minimum of one weeks summer play scheme plus Christmas play scheme	6			13		10	£9,962	£59,775
High (Option C)	13 weeks of The Complex Needs club including overnight stay (Wednesday night). Minimum of one weeks summer play scheme plus Christmas play scheme	3			13		10	£9,962	£29,887
Exceptional	As per package of high + additional provision as determined by individual need.	0	0	0	0	0	0	£0	£0
Totals		51	33	22	26	52	60		£535,000

Based on Model 2	Total cost for this activity	£299,888	£36,920	£64,676	£19,688	£113,828	£535,000
	Maximum number of units	552	368	228	228	552	
	Unit cost if 100% full	£589	£249	£351	£107	£255	
Based on activity identified above	Occupied places	467.5	148.5	117	156	410	
	Percentage occupancy	85%	40%	51%	68%	74%	
	Unit costs	£641	£249	£553	£126	£278	
	Total costs	£299,888	£36,920	£64,676	£19,688	£113,828	£535,000

Note. The previous calculations for Day only weekend play places were based on 80% occupancy, attributing a proportion of the week end costs. An adjustment has been done to recognise that it is only running at half that rate, so £37k of the cost of DOWPPs has been shifted to Weekend overnight places. Be careful to reverse this if an updated profile of costs is available.

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Equality Impact Assessment

Name of Project	Haslemere Road Commissioning Review	Cabinet meeting date If applicable	12.07.2016
Service area responsible	Integrated Services for SEND		
Name of completing officer	Victor Roman	Date EqIA created	31.05.2016
Approved by Director / Assistant Director	Gill Gibson	Date of approval	10.06.2016

The Equality Act 2010 places a ‘**General Duty**’ on all public bodies to have ‘**due regard**’ to:

- **Eliminating discrimination, harassment and victimisation and any other conduct prohibited under the Act**
- **Advancing equality of opportunity between those with ‘protected characteristics’ and those without them**
- **Fostering good relations between those with ‘protected characteristics’ and those without them.**

In addition the Council complies with the Marriage (same sex couples) Act 2013.

Haringey Council also has a ‘**Specific Duty**’ to publish information about people affected by our policies and practices.

All assessments must be published on the Haringey equalities web pages. All Cabinet papers MUST include a link to the web page where this assessment will be published.

This Equality Impact Assessment provides evidence for meeting the Council’s commitment to equality and the responsibilities outlined above, for more information about the Councils commitment to equality; please visit the Council’s website.

Stage 1 – Names of those involved in preparing the EqIA	
1. Victor Roman	5.
2. Ben Ritchie	6.
3. Cliff Malinder	7.
4. Edmund Jankowski	8.

Stage 2 - Description of proposal including the relevance of the proposal to the general equality duties and protected groups. Also carry out your preliminary screening (Use the questions in the Step by Step Guide (The screening process) and document your reasoning for deciding whether or not a full EqIA is required. If a full EqIA is required move on to Stage 3.

Haslemere Road Centre is a short breaks respite centre for children and young people (aged 10 – 17) with special educational needs and disabilities. Haringey Council currently owns and runs the centre. The centre is located in Crouch End, and is the only specialist short breaks respite centre operating both in the borough and North London. It currently has 44 service users and offers the following packages:

- Weekend residential breaks - Up to 6 young people at a time stay at the centre participating in a range of activities.
- Weekend day activities - Young people attend the centre during the day either on Saturday or Sunday for activities.
- The club - This is a club for up to 6 young people at a time who are on the autistic spectrum (every fortnight) or for Complex Needs (every fortnight). It is run on Wednesdays for 13 weeks at a time.
- My independence - This is a club for young people with disabilities (from 14 to 17) who are at the transition stage moving towards adulthood.
- Holiday Play schemes – they run a variety of play schemes throughout the year.

Haslemere Road Centre as it currently operates is not cost effective and is forecast to have a £150,000 overspend this year. Ofsted has also rated the quality of the provision as ‘requiring improvement.’ With these challenges in mind, the Council has considered a range of future options for Haslemere, including keeping provision in-house, commissioning a specialist provider to deliver short-respite services from the centre, or selling the centre to a specialist provider.

The preferred option being recommended to Cabinet is for the operation of the centre to be commissioned out to a single specialist provider

(option 2). Haringey Council would either block contract or rent out the centre to the specialist provider to spot purchase beds for short breaks respite for eligible Haringey residents. The advantages of this model would mean that we can ensure that the centre remains a local short breaks respite centre accessible to Haringey service users, with opportunities for a specialist provider to offer better value for use of public money, improve the quality of services offered and increase its utilisation as part of its new business model. Existing staff at the centre would most likely TUPE transfer to the new specialist provider.

This Equality Impact Assessment (EqIA) assesses the potential impact of commissioning out the centre to a specialist provider for different groups of service users and staff, identifying actions to mitigate any discriminatory effects and opportunities to improve access and quality of services.

Should the Cabinet decide to proceed with option 2, the final impact on different groups of service users and staff will be dependent on the outcome of the procurement exercise. This Equality Impact Assessment will therefore be updated as the commissioning process takes place, and an updated version will accompany any future decision to award a contract to a preferred bidder.

Stage 3 – Scoping Exercise - Employee data used in this Equality Impact Assessment

Identify the main sources of the evidence, both quantitative and qualitative, that supports your analysis. This could include for example, data on the Council’s workforce, equalities profile of service users, recent surveys, research, results of recent relevant consultations, Haringey Borough Profile, Haringey Joint Strategic Needs Assessment and any other sources of relevant information, local, regional or national.

Data Source (include link where published)	What does this data include?
EqIA Profile of Staff (please see Appendix 1 of EQIA)	<p>Haslemere Road Centre currently has 14 members of staff. The characteristics of these staff include:</p> <ul style="list-style-type: none"> • Gender – higher representation of female members of staff (9/14) • Ethnicity/race – higher representation of black members of staff (9/14) • No staff have declared disabilities • Older working age profile, with 10/14 members of staff over the age of 45 and 6 of these over the age of 55 <p>Terms and conditions - Staff currently have a ‘Green Book’ agreement where they receive a ‘top-up’ for working weekends and evenings</p>

Stage 4 – Scoping Exercise - Service data used in this Equality Impact Assessment

This section to be completed where there is a change to the service provided

Data Source (include link where published)	What does this data include?
Profile of service users	<p>Haslemere Road Centre currently has 44 service users. The characteristics of these service users include:</p> <ul style="list-style-type: none"> • Higher representation of male compared to female service users (24 males and 20 females) • The targeted age profile of the centre’s service users is 10-17 year olds. The centre also runs a special club called ‘my independence’ for 14-17 year olds who are at the transition stage moving towards adulthood • All service users have a special educational need or disability. Alongside other residential and activity services, the centre runs a fortnightly club called ‘the club’ specifically for those on the autistic spectrum or with complex needs. • The centre is used by service users from all over the borough, the split of which broadly reflects the borough’s needs profile: 25% come from the west of the borough, 50% from the Tottenham area and

	25% from the Wood Green area
Utilisation of the centre	<p>Commissioning a specialist provider to deliver short break respite services from Haslemere has the potential to increase utilisation and capacity at the centre, as our analysis shows that there is likely to be high demand for places if quality of the offer and opening hours was increased:</p> <ul style="list-style-type: none"> • The centre is being under-utilised as a resource; it is not open Monday-Tuesday or during the day on Wednesday-Friday • 12 service users in Haringey are currently using their personal budgets to spot purchase short breaks provision from alternative providers other than Haslemere Road • Haringey is the last remaining north London authority with an ‘in-house’ short breaks respite centre for children and young people with special educational needs or disabilities – in May 2016 an analysis showed that nearby providers only had 20 beds available for the rest of the year.

Stage 5	Actions to mitigate, advance equality or fill gaps in information
	<p>The following actions will be put in place to ensure that short break respite services from the Haslemere Centre under a commissioned model remain accessible for all groups of eligible service users from Haringey and opportunities to enhance services from the centre are realised:</p> <ul style="list-style-type: none"> • The Council will ensure that prioritisation and accessibility for Haringey Service Users will be written into any contractual agreement for using the centre with a commissioned provider. Offering placements and activities for service users outside of the borough will be possible, but Haringey Service Users will always have priority. • Quality Assurance will be provided by the new provider, and monitoring and oversight arrangements will be built into the commissioning process. All providers that the Council has engaged with as part of the soft market testing have a higher Ofsted rating than Haslemere currently has, and it is our intention to commission a provider that is rated 'good' or 'outstanding'. • This proposal offers greater flexibility to families and Haringey Council to use the centre, and is expected to increase its utilisation with the possibility of an expanded range of services and placements. <p>We will also ensure that existing staff are not adversely impacted upon through the change:</p> <ul style="list-style-type: none"> • Commissioning the service means that all 14 staff would most likely transfer by TUPE to the new provider. Existing terms and conditions would be protected at the point of transfer. If following the TUPE transfer the new provider sought to change the contracts of the transferring staff, and the sole or main reason for its seeking to make those changes was the transfer, then unless the contracts allowed the new provider to make the changes, then the staff would need to agree to the changes and the new provider would need to have an ETO reason for the changes. An "ETO" reason is an "economic, technical or organisational reason entailing changes in the workforce". • As part of the procurement process, we will require the new provider to adhere to the Equalities Act 2010 in their activity and treatment of staff, including having robust policies in place on equality of opportunity and harassment and bullying.

Stage 6– Considering the above information, what impact will this proposal have on the following groups in terms of impact on residents and service delivery:

Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?
Sex	X		<p>The Council will ensure that prioritisation and accessibility for Haringey Service Users will be written into any contractual agreement for using the centre with a commissioned provider. There would be no discriminatory impact on the protected characteristics. The identified advantages of a commissioned model for all groups of service users is to:</p> <ul style="list-style-type: none"> • Improve quality - it is our intention to commission a provider that is rated 'good' or 'outstanding'. • Increase the centre's utilisation 	
Gender Reassignment	X			
Age	X			
Disability	X			
Race & Ethnicity	X			
Sexual Orientation	X			
Religion or Belief (or No Belief)	X			
Pregnancy & Maternity	X			
Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))	X			

			<p>with the possibility of an expanded range of services and placements</p> <ul style="list-style-type: none">• Keep the provision local – service users won't have to travel out of borough	
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Stage 5b – For your employees and considering the above information, what impact will this proposal have on the following groups: Positive and negative impacts identified will need to form part of your action plan.

	Positive	Negative	Details	None – why?
Sex			The intention would be to transfer all 14 of the existing staff on a TUPE arrangement, protecting their existing terms and conditions at the point of transfer. We will also require new provider to adhere to the Equalities Act 2010 in their activity and treatment of staff, including having robust policies in place on equality of opportunity and harassment and bullying.	X
Gender Reassignment				X
Age				X
Disability				X
Race & Ethnicity				X
Sexual Orientation				X
Religion or Belief (or No Belief)				X
Pregnancy & Maternity				X
Marriage and Civil Partnership (note this only applies in relation to eliminating unlawful discrimination (limb 1))				X

Stage 7 - Consultation and follow up data from actions set above

Data Source (include link where published)	What does this data include?
<p>Informal Consultation with Haringey Involve (parents group)</p> <p>9th of June Consultation with all Service Users</p>	<p>Findings:</p> <ul style="list-style-type: none"> • The biggest worry for the parents was about closing the centre. • They loved the centre and the staff and wanted assurance of continuity of staffing if future arrangements were different. • They said the centre made sure the children felt safe and was developing the children’s independence skills by having meaningful interactions with other young people their age. • They emphasised that it was the only place where children with complex physical needs could stay overnight at the moment and that they feel their children are safe and well taken care of. • As parents they particularly valued the overnights and wanted more and over a longer time period, with the centre open longer during the week. • They said that they preferred this type of offer to having support from agency staff in the home • They would potentially buy more respite if they also had a personal budget (some families have both the Haslemere Road offer and personal budget but the budget cannot be used for Haslemere at the moment) • They liked the location -but they valued the staff more than the site.

	<p>Comments around the Proposed Option</p> <ul style="list-style-type: none"> • They were cautiously supportive of someone else managing it, as long as there was staff continuity and assurance of the 'offer'. They would prefer a charity to a profit making organisation and wanted to be re-assured that there respite offer was the same or better. They emphasised that the staff in the centre needed proper training and support and did recognise that a larger organisation may be able to provide this (e.g. nursing training and advice over several different settings would be more efficient than employing a nurse for only one setting). • They wanted to make sure that Haringey children as a group got first call on the respite offer and slots were not given away to other boroughs. • They seemed to quite like the idea of the site used for playgroups or other things for children and young people with SEND during the week when the respite offer was not running.
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Stage 8 - Final impact analysis

Haslemere Road Centre as it currently operates 'in-house' is not cost effective and Ofsted has rated the quality of the provision as 'requiring improvement.' The preferred option being recommended to Cabinet is for the operation of the centre to be commissioned out to a single specialist provider (option 2).

This Equality Impact Assessment (EqIA) has been undertaken to assess the potential impact of commissioning out the centre to a specialist provider for service users and staff that share protected characteristics.

Haslemere Centre currently has 44 service users (both male and female), all of which have a special educational need or disability and are aged between 10-17 years old. The centre is used by service users from all over the borough, the geographical split of which broadly reflects the borough's needs profile. Informal consultation with Haringey Involve (parents user group) found strong support and value realised from the centre and its staff, with their main concern being to ensure that the service remains local and that access to places continues to be secured for Haringey residents in need.

The EqIA finds that the proposed new model has the potential to improve the quality of the services provided from Haslemere (through bringing in a provider rated good or outstanding by Ofsted) as well as increased utilisation of its facilities with an expanded range of services and placements. This should advantage all groups of service users. The preferred option will also keep the provision local (unlike the alternative options), which was one of the most

important considerations highlighted from all groups of service users and residents during the consultation.

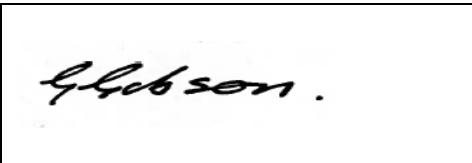


The following mitigating actions will be put in place to ensure that short break respite services from the Haslemere Centre under a commissioned model remain accessible for all groups of eligible service users and opportunities to enhance services from the centre are realised:

- The Council will ensure that prioritisation and accessibility for Haringey Service Users will be written into any contractual agreement for using the centre with a commissioned provider.
- Quality assurance and oversight arrangements will be built into the commissioning and contract management process, with equalities considerations forming a key part of this.

The EqIA also has considered the potential impact on staff working at Haslemere should the service be commissioned out. The intention would be to transfer all 14 of the existing staff on a TUPE arrangement, protecting their existing terms and conditions at the point of transfer. We would expect the new provider to adhere to the Equalities Act 2010 in their activity and treatment of staff, including having robust policies in place on equality of opportunity and harassment and bullying.

The Equality Impact Assessment will be updated as the commissioning process takes place, and an updated version will accompany any future decision to award a contract to a preferred bidder.

Stage 9 - Equality Impact Assessment Review Log

Review approved by Director / Assistant Director		Date of review	10.06.2016
Review approved by Director / Assistant Director		Date of review	

Stage 10 – Publication

Ensure the completed EqIA is published in accordance with the Council's policy.

Haslemere Centre EqIA Summary 31 May 2016

Race Analysis

Grade Group	Total No. Staff	Black		Asian		Mixed		Other		White Minorities		BME Total		White		Not Declared	
		No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	6	60	2	20	0	0	0	0	0	0	8	80	2	20	0	0
SC6-SO1	1	1	100	0	0	0	0	0	0	0	0	1	100	0	0	0	0
PO1-PO3	3	2	67	0	0	0	0	0	0	1	33	2	67	0	0	0	0
PO4-PO7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PO8+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	14	9	64	2	14	0	0	0	0	1	7	11	79	2	14	0	0

Gender Analysis

Grade Group	Total No. Staff	Male		Female	
		No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	3	30	7	70
SC6-SO1	1	0	0	1	100
PO1-PO3	3	1	33	2	67
PO4-PO7	0	0	0	0	0
PO8+	0	0	0	0	0
TOTAL	14	4	29	10	71

Disability Analysis

Grade Group	Total No. Staff	Disabled Staff		Non Disabled Staff		Not Declared	
		No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	0	0	6	60	4	40
SC6-SO1	1	0	0	1	100	0	0
PO1-PO3	3	0	0	1	33	2	67
PO4-PO7	0	0	0	0	0	0	0
PO8+	0	0	0	0	0	0	0
TOTAL	14	0	0	8	57	6	43

Age Analysis

Grade Group	Total No. Staff	16-24		25-34		35-44		45-54		55-64		65+	
		No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	0	0	2	20	1	10	3	30	4	40	0	0
SC6-SO1	1	0	0	0	0	0	0	0	0	1	100	0	0
PO1-PO3	3	0	0	0	0	1	33	1	33	1	33	0	0
PO4-PO7	0	0	0	0	0	0	0	0	0	0	0	0	0
PO8+	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	14	0	0	2	14	2	14	4	29	6	43	0	0

Sexual Orientation

Grade Group	Total No. Staff	Bi-Sexual		Gay Man		Hetrosexual		Lesbian		Prefer not to say		Not Declared	
		No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	1	10	0	0	7	70	0	0	0	0	2	20
SC6-SO1	1	0	0	0	0	1	100	0	0	0	0	0	0
PO1-PO3	3	0	0	0	0	1	33	0	0	0	0	2	67
PO4-PO7	0	0	0	0	0	0	0	0	0	0	0	0	0
PO8+	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	14	1	7	0	0	9	64	0	0	0	0	4	29

Religion or Belief

Grade Group	Total No. Staff	Buddhist		Christian		Hindu		Jewish		Muslim		None		Rastafarian		Sikh		Other		Prefer not to say		Not Declared	
		No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	0	0	5	50	0	0	0	0	0	0	0	0	0	0	1	10	0	0	0	0	4	40
SC6-SO1	1	0	0	1	100	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PO1-PO3	3	0	0	1	33	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	67
PO4-PO7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
PO8+	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	14	0	0	7	50	0	0	0	0	0	0	0	0	0	0	1	7	0	0	0	0	6	43

Marital Status

Grade Group	Total No. Staff	Married		Single		Divorced		Separated		Widow		Not Declared	
		No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group	No. Staff	% Grade Group
SC1-SC5	10	1	10	1	10	0	0	0	0	0	0	8	80
SC6-SO1	1	0	0	0	0	0	0	0	0	0	0	1	100
PO1-PO3	3	0	0	0	0	0	0	0	0	0	0	3	100
PO4-PO7	0	0	0	0	0	0	0	0	0	0	0	0	0
PO8+	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	14	1	7	1	7	0	0	0	0	0	0	12	86

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Appendix 6 – Consultation with Parents about Haslemere Road Respite Centre

1. General Comments:

- The biggest worry for the parents was about closing the centre.
- They loved the centre and the staff and wanted assurance of continuity of staffing if future arrangements were different.
- They said the centre made sure the children felt safe and was developing the children's independence skills by having meaningful interactions with other young people their age.
- They emphasised that it was the only place where children with complex physical needs could stay overnight at the moment and that they feel their children are safe and well taken care of.
- As parents they particularly valued the overnights and wanted more and over a longer time period, with the centre open longer during the week.
- They said that they preferred this type of offer to having support from agency staff in the home
- They would potentially buy more respite if they also had a personal budget (some families have both the Haslemere Road offer and personal budget but the budget cannot be used for Haslemere at the moment)
- They liked the location -but they valued the staff more than the site.

2. Comments around the Proposed Option:

- They were cautiously supportive of someone else managing it, as long as there was staff continuity and assurance of the 'offer'. They would prefer a charity to a profit making organisation and wanted to be re-assured that their respite offer was the same or better. They emphasised that the staff in the centre needed proper training and support and did recognise that a larger organisation may be able to provide this (e.g. nursing training and advice over several different settings would be more efficient than employing a nurse for only one setting).
- They wanted to make sure that Haringey children as a group got first call on the respite offer and slots were not given away to other boroughs.
- They seemed to quite like the idea of the site used for playgroups or other things for children and young people with SEND during the week when the respite offer was not running.

3. Questions Parents Asked:

- How would we be buying services from Haslemere in the future?
 - Same as at present or in a similar way, by accessing Personal Budgets.
- Will the provision change?

- We will endeavour to have similar provision and we can specify that in the contract.
- Will Haringey young people be prioritised compared to other boroughs potentially using the centre?
 - Yes.
- Will the packages be reduced?
 - We hope that would not be the case, however this is a decision independent on who runs Haslemere Road Respite Centre.
- How can we support you? Can we volunteer or fundraise?
 - We cannot change the amount of money we receive from Central Government. However, we can change the packages and be innovative on how we provide them, thus you supporting us in this change is much appreciated.
- Can we be part of the service design once the contract goes out for competitive process?
 - We would really like your input, thus we are aiming to involve you in the design process of the contract.

4. Qualitative Quotes:

- “This is the first place my daughter came without crying”
- “My child is wonderful when he comes here, he learned how to cook”
- “This is the place where they get a social life and experience independence”
- “I feel my child is safe here for a weekend”

Report for: Cabinet

Item number: 11

Title: The Smoke & Carbon Monoxide Alarm (England) Regulations 2015

Report authorised by : Tracie Evans

Lead Officer: Steve Russell

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key decision

1. Describe the issue under consideration

- 1.1. The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (“the Regulations”) impose obligations on the Council to inspect premises and enforce the requirements of the Regulations against landlords to which they apply.
- 1.2. The Regulations give power to the Council to impose Penalty Charges for failure to comply with the requirements of a Remedial Notice and require the Council to publish the principles upon which it calculates any such Penalty Charge.
- 1.3. This report invites Cabinet to adopt a statement of policy for the Council’s enforcement of the Regulations, to approve the principles upon which penalty charges to be paid for non-compliance with the Regulations are to be calculated and to agree how any sums recovered as Penalty Charges are to be applied.

2. Cabinet Member Introduction

- 2.1. This legislation is mandatory and it is important to note that it applies to all rented accommodation. The 2011 census gave a figure of 33,000 private rented properties which is likely to have increased over the last five years, all are subject to this legislation. Houses in Multiple Occupation (HMO) have always had legislation specifically designated to fire protection and means of escape and that legislation will continue to be used as it provides a far higher standard. However, these regulations now incorporate a vast number of single family dwellings, which previously only warranted advice.
- 2.2. To apply this legislation is going to be onerous and resource intensive to the authority, It is important therefore to promote dialogue with private sector tenants and small landlords about their rights and responsibilities. The cost of

installation is very small and the fire service have a large number of detectors that they will allocate free of charge to meet this requirement.

2.3. It is important that we promote a communication strategy to alert all relevant landlords and agents of our new statement of principles and penalty charge process, to give them the opportunity of not being in breach of this legislation.

2.4. The legislation will need to be used for all landlords/agents who fail to take action following a communication strategy and individual warning. It would be then clear that the welfare of the occupying tenants is not important to the landlord/tenant and enforcement action should be taken. I would therefore support the adoption of the penalty charge to be fully implemented following a communication strategy for all relevant properties, I would also support the limited use of this legislation during the communication period.

2.5. The use of a sliding scale penalty charge with the added weighting factor is an effective way of reflecting all the different types of properties and occupancies that are captured within this legislation, applying a flat rate in these circumstances would therefore not be considered fair in Haringey.

3. Recommendations

That Cabinet:

3.1. Adopt the policy statement set out at Appendix 1.

3.2. Agree that Penalty Charges Notices (PCN) administered follow the Statement of Principles as set out in Appendix 3.

4. Reasons for decision

4.1 A penalty charge of up to £5000 can be imposed for failure to comply with a Remedial Notice served under these regulations. However, as per Appendix 3 and the guidance provided by the legislation we are recommending a sanction which is based on a sliding scale and an early discount for not progressing to the review and appeal stage.

4.2 In keeping with this it is our recommendation that each landlord should be charged accordingly based on each individual offence, thus averting any challenges by landlords or variations following First Tier Tribunal hearings.

4.3 Any penalty charge should be set at a level which is proportionate to the risk posed by non-compliance with the requirements of the legislation and which will deter non-compliance. It should also cover the costs incurred by the Council in administering and implementing the legislation. The authority has no other means of recovering the cost of remedial action than by imposition of a penalty charge.

4.4 Fire and Carbon Monoxide are two of the 29 hazards prescribed by the Housing Health and Safety Rating System and can result in death and serious injury. In the case of fire, the absence of working smoke alarms in residential premises is a significant factor in producing worse outcomes.

4.5 As previously stated, the provision of smoke detectors and carbon monoxide alarms does not place an excessive burden on a landlord. The cost of the alarms is low and in many cases they can be self-installed without the need for a professional contractor. The impact on occupiers, damage to property and financial costs resulting from a fire or Carbon Monoxide poisoning event are far out of proportion to the cost of installing alarms.

4.6 For these reasons, an effective incentive to comply with these Regulations must be set, as the enforcement of these regulations and the attributed penalty charge is the deterrent in these cases. It is understood that the imposition of the maximum potential fixed penalty charge, that being £5,000 under the regulations or the penalty proposed under our sliding scale, can present an excessive financial burden in relation to the low cost of the works. This is however balanced against the risk and the fact that all reasonable opportunity will have been given to landlords to comply with the regulations prior to any penalty charge being levied. A recipient of a fixed penalty charge has a right of appeal.

4.7 Having an effective penalty charge to act as a deterrent in these cases is being sought. It is however hopeful that with an effective communications strategy in place the need to use these regulations, certainly the issuing of a Fixed Penalty Notice for failing to comply should be substantially reduced .

4.8 It is proposed that a successful communications program that targets both landlords, letting agents and tenants will reduce if not eliminate the need for Council intervention under these regulations. Informing landlords and agents of their duty and through promoting the Fire Authorities free smoke detectors we hope landlords will proactively respond to such a campaign and ensure that detectors are in place and that existing detection works.

4.9 It is also essential that the communications programme is designed in such a way that it educates tenants on their rights at the same time as empowering them to also be responsible for their own safety, to take action for themselves, to check that these measure are in place, especially at the beginning of new tenancies and to confront agents and landlords who have failed in their duty themselves before involving the local authority.

5. Alternative options considered

5.1 The Regulations oblige the Council to enforce them, and to publish a statement of the principles upon which it will calculate penalty charges. It is not therefore open to the authority to opt-out.

5.2 The issuing of a civil penalty is what the Regulations provide as a sanction for non-compliance. The alternative option to be considered would be to charge the maximum sanction on each occasion non compliance takes place.

5.3 The £5000 figure is specified within the regulations as the upper figure for the penalty sanction.

5.4 This is not considered appropriate; the structure of the Regulations assumes that the amount of the penalty charge will be determined by the application of

stated principles, and the landlord affected is entitled to appeal to the First Tier Tribunal on the ground that the penalty charge imposed is unreasonable.

5.5 If it had been intended that a local authority should have power to impose the maximum penalty for any and every breach of the Regulations, then the First Tier Tribunal would not have been given power to reduce a charge as “unreasonable”.

5.6 The requirement to publish a statement of principles on the basis of which the charge will be calculated would be unnecessary if there were no requirement to take the circumstances of each case into account in calculation of the charge.

5.7 Furthermore, breaches of Housing legislation punishable as offences rarely attract, on conviction, a fine of the maximum available. The punishment is tailored to fit the crime. By analogy, so must the penalty charge.

6. Background information

6.1 The Regulations became operative for all new tenancies after 1st October 2015.

6.2 They place an obligation on landlords who are renting properties to provide smoke detectors to each floor, where there are rooms used for residential living and the installation of carbon monoxide detectors where there is solid fuel combustion. Responsibility for enforcement, including provision of detectors in default, is placed upon the authority.

6.3 This legislation joins other legislation which is already in place which also deals with fire protection and means of escape from rented properties. This legislation is mainly focussed at single family rented units and requires only the most basic fire detectors that can be purchased from any DIY store. Whereas the Housing Health and Safety Rating System would consider fire detection in a single family house as a low priority and generally advise smoke detectors, this legislation has now transformed that advice in to a statutory function.

6.4 Under this legislation the authority are under an obligation to ensure that smoke detectors are in place for certain specified tenancies, or where they are in place, that they have been checked at the start of new tenancies. The processes and responsibilities are as follows:

- Must serve a Remedial Notice within 21 days from the date that it is believed that a landlord is in breach of his duty.
- The landlord is under a duty to comply within 28 days from the date of the notice.
- The Landlord can make written representations to the authority within 28 days from date of notice and the authority must consider and respond in writing to reject or confirm them.
- If the landlord fails to comply and is in breach of the duty, the landlord must be advised in writing that the council will arrange for an authorised person to take remedial action.
- A notice of entry must be sent to the occupiers giving 48 hours notice to undertake the remedial action.

- If the occupier does not give consent, remedial action cannot be taken and the case is closed.
- Any remedial action must be taken within 28 days from the date of the breach.
- To be recoverable, a penalty charge notice (PCN) must be sent to the landlord within 6 weeks from the date that the council first became aware of the breach.
- The Landlord can request a review of the PCN and a decision letter must be sent to the landlord explaining the outcome of review.
- The Landlord can appeal to first tier tribunal regarding the review decision.
- Finally, the Council can start the process to recover the debt owed once the case has been won.

6.5 The process to enforce this legislation is onerous and resource intensive and therefore essential that the sanction focuses the landlords as to their responsibilities. The Council has no option as it is a mandatory responsibility to act, with a small amount of flexibility as to when that burden starts. The Council would not necessarily apply this to HMO's as other legislation applies and the standards expected are much higher, but may be useful in a number of cases as a short term measure.

6.6 This legislation does not apply when licensing is in place, through mandatory, additional or selective schemes as this is built in to licensing conditions.

6.7 It is essential that the sanctions are robust to ensure landlords respond immediately to install smoke and carbon monoxide alarms. Therefore, the Penalty Charge Notice is set so that the vast majority of Landlords will comply enabling officers to focus on more complex and higher risk cases of which there are many.

6.8 There are approximately 33,000 private rented units within the borough according to the census, however the figure is projected to be higher. It could be considered that 12,000 may be HMO properties, which also contain those in self contained units, leaving somewhere in the region of 20,000 that may fit this category. A sensible and strategic approach needs to be adopted to use this as one of our private sector tools for improvement. The legislation will be used when it is reasonable to do so and its enforcement will be a key task across the community safety and regulatory services frontline officers.

7. Contribution to strategic outcomes

7.1 This links to Priority 5 with emphasis on safe housing conditions and links with the Council's Housing Strategy intentions on improving the rented housing sector.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

8.1 Any Penalty Charge Notice fees collected will be credited to the Housing Services Budget. The cost of administering and enforcing the Regulations will need to be contained within the approved budget.

Legal

8.2 The Assistant Director of Governance has been consulted in the preparation of this report and comments as follows.

8.3 The general effect of the Regulations is set out in the body of this report.

8.4 The Regulations do not make contravention a criminal offence; instead, the relevant local authority is given powers of civil enforcement, including power to impose a penalty charge “of such amount as the authority may determine”.

8.5 Regulation 13 requires the local authority to publish a statement of the principles which it will follow when determining the amount of the penalty charge.

8.6 A penalty charge notice must (among other requirements) state:

- (a) The reasons for imposing the penalty charge.
- (b) The amount of the penalty charge.
- (c) That the landlord must (within the period stated in the notice) either pay the penalty charge or give written notice that s/he wishes the landlord to review the charge.

8.7 There is a two-stage process for challenging a penalty charge; initially, an internal review, and subsequently an appeal to the First Tier Tribunal.

8.8 The appeal process is to ensure that the enforcement process is administered fairly, Regulation 11 provides landlords with a means of appeal against penalties'. A person served with a penalty notice may appeal to the First- tier Tribunal if it is confirmed or varied by a local housing authority after a review. If an appeal is lodged the penalty cannot be enforced until the appeal is disposed of.

8.9 The grounds for appeal to the First Tier Tribunal against a decision on review to confirm the amount of the penalty charge include that the amount of the penalty charge is unreasonable. The penalty charge imposed by the authority must therefore be not unreasonable; a robust statement of principles upon which the charge will be determined demonstrating that appropriate factors have been taken into account will significantly assist the authority in showing the reasonableness of the charge on challenge.

8.10 Another ground of appeal against a decision on review to confirm the penalty charge notice was based on errors of fact, law or was otherwise unreasonable. There are general advantages for example of consistent decision-making in having a robust and clear policy outlining the Council's approach to enforcement of these Regulations, Having such a policy will also assist in resisting challenges on these grounds.

Equality

- 8.11 The legislation is national and we have no option but to implement its terms. There is an impact on business as all private sector landlords will be required to buy and install the prescribed smoke alarms and check that they are working at the start of each new tenancy. The impact however is very low with the average costs of an alarm being £5.00. It is estimated that by installing an alarm up to 231 deaths and 5860 injuries over 10 years will be prevented.
- 8.12 There is no impact on landlords responsible for the social housing as they are not covered by this piece of legislation. This is due to the fact that they are asked to install greater fire safety measure within the homes that they own under other prescribed legislation and codes of practice.
- 8.13 The Regulations have a positive impact for those living in the private rented sector many of whom are forced to do so due to the financial and social economic circumstances they are faced with. Putting the onus on a landlord to install and maintain such a basic fire safety measure is a positive outcome for tenants and their families.
- 8.14 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to; tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation); advance equality of opportunity between people who share those protected characteristics and people who do not; and foster good relations between people who share those characteristics and people who do not.

9. Use of Appendices

- Appendix 1 – Smoke & Carbon Monoxide Policy Document
- Appendix 2 – Smoke & Carbon Monoxide Procedure
- Appendix 3 – Smoke & Carbon Monoxide Alarm Statement of Principles
- Appendix 4 – Draft Copy of Penalty Notice .

10. Local Government (Access to Information) Act 1985

Important Additional Guidance on Accessibility **Categories of Exemption**

APPENDIX 1

THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015

POLICY STATEMENT

Introduction

From the 1st October 2015, the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 (“the Regulations”) require relevant landlords to install smoke and Carbon monoxide alarms in rented residential accommodation and to check to ensure that the alarms are in proper working order at the start of a new tenancy.

The Regulations apply to houses and to flats. Where the relevant landlord fails to comply, the Council has a duty to serve a Remedial Notice requiring the landlord to take the necessary action to ensure compliance. The Council may also serve a penalty charge notice requiring a landlord who fails to comply with a Remedial Notice to pay a penalty charge of up to £5,000. The aim is to bring the private rented sector in line with the Building Regulations which requires all new-build properties to have a smoke alarm installed on at least each storey of the property and a carbon monoxide alarm in each room where a solid fuel burning appliance is installed.

These regulations do not cover domestic gas appliances as the risk of carbon monoxide poisoning is believed to be very low as a result of the safety features required to be incorporated into the appliance by Gas Appliances (Safety) Regulations and the gas safety certificate requirements.

Changes are also made to the licence requirements in relation to licensed houses in multiple occupation (HMOs) and the Council’s HMO licensing conditions have been amended.

General requirements

The regulations require landlords to install smoke alarms on every floor of their property, and test them at the start of every new tenancy. They also need to install carbon monoxide alarms in rooms where a solid fuel heating system is installed.

- This new legislation came into force on the 1st October 2015.
- These alarms should meet the relevant European and British Standards.
- Councils have a duty to ensure compliance with this legislation.
- Landlords will receive a penalty charge of up to £5000 if they do not comply with a Remedial Notice.

Policy and Objectives

The aim of the regulations is to address tenants’ health and safety from fire and carbon monoxide in residential premises. These are two of the hazards assessed and enforced by local housing authorities under the Housing Health and Safety Rating System and Housing Act 2004. The regulations also amend the licensing regimes for Houses in Multiple Occupation (HMOs) in respect of the requirements for fire and carbon monoxide alarms.

The Council supports the aim of the regulations *to reduce* the risk of injury or death caused by smoke or carbon monoxide in the private rented sector.

Penalty Charge Notices

The Council has discretion to serve a Penalty Charge Notice (PCN) on a landlord who is in breach of his duty to comply with a Remedial Notice. It is Council policy that a PCN will normally be issued.

Any penalty charge should be set at a level which is proportionate to the risk posed by non-compliance with the requirements of the legislation and which will deter non-compliance. It should also cover the costs incurred by the Council in administering and implementing the legislation.

Supporting information and Justification for PCN

Fire and Carbon Monoxide are two of the 29 hazards prescribed by the Housing Health and Safety Rating System and often result in death and serious injury.

Fire

The objective of the policy is to prevent unnecessary fatalities and injuries from fire occurring in households which do not have a working smoke alarm installed. The regulations should help prevent fire fatalities and injuries to private tenants by ensuring all private rented properties have a smoke alarm installed on each floor. This is in line with current Government Fire Safety advice to install at least one device on each floor in the home.

The absence of working smoke alarms in residential premises is a significant factor in producing worse outcomes. This is particularly so at night, as without the early warning they provide, a small fire can develop unnoticed rapidly to the stage where smoke and fumes block escape routes or render a sleeping occupant unconscious. Working smoke alarms alert occupiers to a fire at an early stage before it prevents physical escape to safety.

The majority of fire deaths and injuries are preventable. According to government statistics, the value of each life saved in 2015 is £1.77m and the value of each injury avoided is £39,110. Nearly 40% of fire related deaths occur in properties without a working smoke alarm. Only 83% of properties in the private rented sector have a working smoke alarm and tenants in this sector remain less likely to be protected by working alarms than owner occupiers and social housing tenants. Therefore, increasing the percentage of private rented homes with a smoke alarm on each floor of the home should reduce the number of preventable fire deaths and injuries to private tenants.

The Department of Communities and Local Government estimate that 231 deaths and 5860 injuries could be prevented over ten years accruing a saving of almost £606.7m by the provision of smoke alarms.

Carbon monoxide

The Regulations encourage uptake of alarms in those properties where the risk of carbon monoxide poisoning is highest. The objective of the policy is to help prevent carbon monoxide fatalities and injuries to private tenants by ensuring all private rented

properties which are of higher risk to carbon monoxide poisoning have a Carbon monoxide alarm installed.

Carbon Monoxide is a colourless, odourless and extremely toxic gas. At high concentrations it can cause unconsciousness and death. At lower concentrations it causes a range of symptoms from headaches, dizziness, weakness, nausea, confusion, and disorientation, to fatigue, all symptoms which are sometimes confused with influenza and sometimes with depression. For all these reasons Carbon Monoxide is often dubbed “the silent killer”. Open fires and solid fuel appliances can a significant source of Carbon Monoxide. Carbon Monoxide alarms alert occupiers to the presence of the gas at an early stage before its effects become serious.

Each year there are around 40 deaths from accidental carbon monoxide poisoning in England and Wales and in excess of 200 non-fatal cases that require hospitalisation. A recent Department of Health (DH) estimate based on the A&E Hospital Episode Statistics database shows that approximately 4,000 attend A&E each year diagnosed with Carbon monoxide poisoning. The latest data available from the English Housing Survey shows that only 15% of homes have a Carbon monoxide alarm. Solid fuel appliances are responsible for a disproportionate number of carbon monoxide deaths and injuries compared to other combustion appliances.

The Department of Communities and Local Government estimate that six to nine deaths and 306 to 460 injuries could be prevented over ten years accruing a saving of almost £6.8 million by the provision of Carbon Monoxide alarms.

Summary

The provision of smoke detectors and carbon monoxide alarms does not place an excessive burden on a landlord. The cost of the alarms is low and in many cases they can be self-installed without the need for a professional contractor. The impact on occupiers, damage to property and financial costs resulting from a fire or Carbon Monoxide poisoning event are far out of proportion to the cost of installing alarms.

For these reasons, an effective incentive to comply with these Regulations is fully justified.

It is understood that the imposition of the maximum potential fixed penalty charge, being £5,000 under the regulations, can present an excessive financial burden but this is balanced against the risk, the low cost of compliance and the fact that all reasonable opportunity will have been given to comply prior to any penalty charge being levied. A recipient of a fixed penalty charge has a right of appeal.

For these reasons a penalty charge of up to £5,000 is set for non-compliance based on risk on a sliding scale.

APPENDIX 2

Procedure-The Smoke and Carbon Monoxide (England) Regulations 2015

1. Where relevant landlord is in breach of one or more of the duties outlined in Regulation 4 namely,
 - (a) on or after 1 October 2015 to install smoke alarms or CO alarm where the property is occupied under a specified tenancy or
 - (b) to check such alarms are in proper working order at the start of a new specified tenancy

the Council must serve a Remedial Notice (Document 1).
2. The Council must serve the Remedial Notice within 21 days beginning with the day on which it decides that it has reasonable grounds to believe that the landlord is in breach of his duty.
3. The landlord is under a duty to comply with the requirements of the Remedial Notice within 28 days from the date on which the notice is served.
4. If the landlord makes written representations within 28 days from the day on which the notice is served, the Council must consider them and either reject or confirm them. The response must be made in writing to the landlord.
5. If, after the expiry of the period for compliance with the Remedial Notice, the Council is satisfied that the landlord is in breach of his duty to comply with the Remedial Notice, the landlord should be advised in writing of this and that the Council will arrange for an authorised person to take the remedial action required by the notice.
6. A Notice of Entry letter must be sent to the occupiers giving 48 hours' notice of the remedial action to be taken (Document 2).
7. Where the occupier does not give the necessary consent, the remedial action cannot be taken and the case should be closed.
8. The Council must ensure that the authorised person takes the remedial action within 28 days beginning with the day on which the Council is first satisfied that the landlord is in breach of his duty to comply with the requirements of the Remedial Notice.
9. A Penalty Charge Notice ("PCN") (Document 3) must be sent to the landlord within 6 weeks beginning with the day on which the Council is first satisfied that

the landlord is in breach of his duty to comply with the requirements of the Remedial Notice.

10. The Council's Finance Department must be advised of the PCN and the costs incurred and recoverable by the Council.
11. Where the penalty charge is paid by the landlord the case should be closed.
12. If the landlord serves notice on the Council requesting a review of the PCN, the Council must consider representations made and serve a Decision Review Notice (Document 4), which will confirm, vary or withdraw the PCN. Where the PCN is withdrawn, the case should be closed.
13. Where the landlord appeals against the Council's review decision (see Appenidix 5 for appeal process), the PCN is suspended until it is determined by the First-Tier Tribunal. If the appeal is dismissed, action to recover the penalty charge may not be started before the end of the period of 28 days beginning with the day on which the appeal is determined or withdrawn.
14. If the PCN is paid, the Finance Dept at the Council must be advised and the case must then be closed.
15. If the PCN is not paid (but see Paragraph 13 above in relation to an appeal to the First Tier tribunal), the officer dealing with the case should request a certificate from the Chief Finance Officer (Document 5) stating that the penalty charge has not been received by the date specified in the certificate.
16. The Council's legal department should be advised that the penalty charge has not been paid. The certificate from the Chief Finance Officer should be sent to the legal department with instructions to commence action to recover the outstanding amount.
17. Sums recovered from debt recovery should be paid into the Department's budget for use by it for any of its housing functions.
18. The landlord has a right to seek a review of the penalty charge notice by writing to the Authority (details on the Notice) within 28 days of the Notice being issued. On consideration of any representation and evidence, the penalty charge notice can be confirmed, varied or withdrawn. This decision is confirmed by issuing a decision notice on the landlord. If varied or confirmed, the notice shall state a further appeal can be made to a Residential Property Tribunal and details given.
19. Any representation shall be considered on its individual merit, and be in line with any concession policy approved by the Council. Any extenuating circumstances will be considered by the Council in deciding whether to reduce the cost of the penalty charge.
20. The Local Housing Authority may recover the penalty charge as laid out in the regulations. Due to costs incurred by the Council, any penalty charge notice shall be pursued for payment.

APPENDIX 3

THE SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015

STATEMENT OF PRINCIPLES

Introduction

The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 introduced legal requirements on private sector landlords from the 1st October 2015 in respect of premises occupied under tenancies starting on or after that date. The requirements are to:

1. Equip a smoke alarm on each storey of the premises on which there is a room used wholly or partly as living accommodation;
2. Equip a carbon monoxide alarm in any room of the premises which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and
3. Carry out checks by or on behalf of the landlord to ensure that each prescribed alarm is in proper working order on the day the tenancy begins if it is a new tenancy

For the purposes of the legislation, living accommodation is a room that is used for the primary purposes of living, or is a room in which a person spends a significant amount of time, and a bathroom or lavatory is classed within this definition.

Standard of Alarm Provision

The type of smoke alarms to be required are alarms powered by a 10 year duration battery and where more than one alarm is required they are to be interlinked so that all will sound on activation of any single alarm.

Carbon Monoxide alarms are to be stand-alone alarms powered by a 10 year duration battery.

Enforcement

In those situations where the Local Authority has reasonable grounds for believing that:

1. There are no or insufficient number of smoke and / or carbon monoxide alarms in the property as required by the regulations; or
2. The smoke and / or carbon monoxide alarms were not working at the start of the tenancy or licence,

then the Local Authority shall, within 21 days, serve on the landlord a Remedial Notice detailing the actions that must be taken to comply with the regulations, and the Notice shall be in line with the requirements of the regulations.

If after the given period, being 28 days, the Notice has not been complied with, then a Penalty Charge will be levied by service of a Penalty Charge Notice on the landlord.

Penalty Charge Principles

Introduction:

Fire and Carbon Monoxide are two of the 29 hazards prescribed by the Housing Health and Safety Rating System and often result in death and serious injury.

In the case of fire, the absence of working smoke alarms in residential premises is a significant factor in producing worse outcomes. This is particularly so at night, as without the early warning they provide, a small fire can develop unnoticed rapidly to the stage where smoke and fumes block escape routes or render a sleeping occupant unconscious. Working smoke alarms alert occupiers to a fire at an early stage before it prevents physical escape to safety.

The Department of Communities and Local Government estimate that 231 deaths and 5860 injuries could be prevented over ten years accruing a saving of almost £607.7 million by the provision of smoke alarms.

Carbon Monoxide is a colourless, odourless and extremely toxic gas. At high concentrations it can cause unconsciousness and death. At lower concentrations it causes a range of symptoms from headaches, dizziness, weakness, nausea, confusion, and disorientation, to fatigue, all symptoms which are sometimes confused with influenza and sometimes with depression. For all these reasons Carbon Monoxide is often dubbed “the silent killer”. Open fires and solid fuel appliances can be a significant source of Carbon Monoxide. Carbon Monoxide alarms alert occupiers to the presence of the gas at an early stage before its effects become serious.

The Department of Communities and Local Government estimate that six to nine deaths and 306 to 460 injuries could be prevented over ten years accruing a saving of almost £6.8 million by the provision of Carbon Monoxide alarms.

The provision of smoke detectors and carbon monoxide alarms does not place an excessive burden on a landlord. The cost of the alarms is low and in many cases they can be self-installed without the need for a professional contractor. The impact on occupiers, damage to property and financial costs resulting from a fire or Carbon Monoxide poisoning event are far out of proportion to the cost of installing alarms.

Any penalty charge should be set at a level which is proportionate to the risk posed by non-compliance with the requirements of the legislation and which will deter non-compliance. It should also cover the costs incurred by the Council in administering and implementing the legislation. Repeat offences should incur the maximum penalty charge.

Factors to be taken into account:

Against this background, the threat of imposition of a Penalty Charge should constitute an effective incentive to comply with the Regulations. The Council acknowledges that the imposition of the fixed penalty charge, of up to £5,000 under the regulations, can

present a financial burden but against this is the risk, the low cost of compliance and the fact that all reasonable opportunity will have been given to comply prior to any penalty charge being levied.

The starting point in calculating the penalty charge – the standard charge - reflects the cost to the Council of dealing with enforcement of the Regulations (including an element of the cost of recovery) together with a punitive and deterrent element to encourage compliance. The figures to be taken account of in this part of the calculation are set out in the appended table; an example is given of a 2 storey single family property, requiring 3 detectors, where the starting point is £1,550.

To this starting point will be added a weighting reflecting the additional risks deriving from increased numbers of occupants and units in the Premises. These factors are likely to result in an increase in the rental value disproportionate to the cost of installation, thus reducing the deterrent effect of the standard charge

The Council may exercise discretion and reduce the penalty charge if there are extenuating circumstances following a representation made by the landlord. This discretion will not normally be exercised when:

1. The person / company served on has obstructed the Authority in the carrying out of its duties; and / or
2. The person / company has previously received a penalty charge under this legislation;

Review of Statement

This Statement of Principles shall be reviewed and amended to reflect any change in legislation, corporate policy or official guidance. Any amendment shall be in line with meeting the requirements of the legislation and in the public interest. A review shall take place annually should no other change have occurred.

Penalty Charge Tables - Standard charge calculation

Action	Cost										
Inspection and warning letter regarding potential breach	£100										
Inspection and service of remedial notice	£100										
Re-inspections and warning letter	£100										
WID providing 10 year battery operated detectors	£100 per detector										
Service of penalty charge notice and processing of payment	£100										
Review and response process	£100										
Appeal to First Tier Tribunal	£250										
Debt recovery	£400										
Example											
Standard penalty charge for 2 storey single family property with 3 detectors	<table border="0"> <tr> <td>3 detectors (@ £100)</td> <td style="text-align: right;">£300</td> </tr> <tr> <td>Letters and notices</td> <td style="text-align: right;">£400</td> </tr> <tr> <td>Review process</td> <td style="text-align: right;">£100</td> </tr> <tr> <td>Appeal</td> <td style="text-align: right;"><u>£750</u></td> </tr> <tr> <td>Debt recovery</td> <td></td> </tr> </table>	3 detectors (@ £100)	£300	Letters and notices	£400	Review process	£100	Appeal	<u>£750</u>	Debt recovery	
3 detectors (@ £100)	£300										
Letters and notices	£400										
Review process	£100										
Appeal	<u>£750</u>										
Debt recovery											

	Total	£1,550
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A discount will be applied to those who accept the penalty awarded based on the above, therefore those who do not progress through the review and appeal process.

A weighting factor is added to the standard charge depending upon the number of detectors and the increased risk factor of size of property and increased number of occupants and units.

Weighting factors

Property Type	Weighting
2 Storey Single family home	Nil
3/4 Storey Single family home	+ 25%
2 Storey HMO- 5 or fewer persons	+ 50%
2 Storey HMO 6+ persons	+ 75%
2 Storey (s257HMO)- 2 units	Nil
2 Storey (s257HMO)- 3 or more units	+25%
3 Storey HMO 4 or less persons	+50%
4 Storey HMO 4 or less persons	+ 75%
3 Storey (s257HMO) 3 or less units	+50%
3 Storey (s257HMO) 4 or more units	+75%
4 Storey (s257 HMO) 4 or less units	+75%
4 or more Storey (257HMO) 4 or more units	+100%

An additional weighting will be added to any HMO that does not have 30 minute fire doors properly fitted within the frames with smoke seals and door closers to all doors of 100%, making a maximum possible weighting of 200%.

- Early payment reduction to outline costs if no review or appeal.
- Second offence of £5000 will be charged.

APPENDIX 4**Draft version requires L.B.H Formatting****Penalty Charge Notice**

Reference:

Regulation 8 of the Smoke and Carbon Monoxide Alarm (England) Regulation 2015**Relevant Landlord:****Landlord's Address:****Postcode:**

This Penalty Charge Notice relates to the property known as and located at
[] ("the Property").

The London/Royal Borough of [] ("The Council"), being the local housing authority, is satisfied that you, being the relevant landlord, are in breach of your duty to comply with the Remedial Notice dated [] which was served on you. The Remedial Notice required you to take remedial action as specified in Paragraph 3 thereof and in the Schedule thereto within 28 days from the date of service.

In accordance with Regulation 7 of the Smoke and Carbon Monoxide Alarm (England) Regulation 2015 the Council has arranged for a person authorised in writing by the Council ("authorised person"), to take the remedial action specified in the Remedial Notice. On [*date*] the authorised person has installed [*number*] [*prescribed alarm(s)*] [in the following [storey(s)][room(s)] of the Property:] on

YOU ARE HEREBY REQUIRED to pay a penalty charge in the sum of £5,000
YOU ARE HEREBY REQUIRED within [*specify period which must not be less than 28 days beginning with the day on which the penalty charge notice is served (second day after posting if sent by first class post)*]:

- (a) to pay the penalty charge of £5,000 or
- (b) to give written notice to the Council that you would like the Council to review the penalty charge notice. A notice requesting a review may be sent and the representations relating to the review may be addressed to

Name:
Address:
e-mail address

If you pay the penalty charge within 14 days beginning with the day on which this penalty charge notice is served, the amount of the penalty charge will be reduced to £2,500.

Payment of the penalty charge must be made as follows:

[*outline how payment must be made*]

Failure to pay the penalty charge within the period specified in this notice may result in court proceedings being commenced for the recovery of the penalty charge.

Signed and dated by authorised officer:

Notes
Review of penalty charge notice

If, within the period specified in this notice, you serve a notice on the Council requesting a review the Council must—

- (a) consider any representations made by you;
- (b) decide whether to confirm, vary or withdraw the penalty charge notice; and
- (c) serve notice of its decision on you.

Report for: Cabinet, 12th July 2016

Item number: 12

Title: New Council Homes (Phase 1 Infill Programme) – Affordable Rent

Report authorised by : Lyn Garner, Director of Regeneration, Planning and Development

Lead Officer: Mustafa Ibrahim
Head of Housing Commissioning, Investment & Sites

Ward(s) affected: Alexandra; Muswell Hill; Stroud Green; Tottenham Hale; White Hart Lane

**Report for Key/
Non Key Decision:** Key

1. Describe the issue under consideration

- 1.1 This report seeks approval to change the planned rent levels for the new rented council homes included within the first phase of the council's new build programme. The report also asks Members to note planned changes to the unit mix and tenure type.
- 1.2 The proposals in this report are limited to Phase 1 of the council programme and are necessary so that rent levels can be determined and advertised before the first batch of homes are completed in September 2016. Ongoing policy will be determined by a new Intermediate homes policy that will be brought forward for approval later in 2016/17.

2. Cabinet Member Introduction

- 2.1 Haringey is taking a leading role to address housing need within the borough via a number of initiatives including establishing the Housing Zones in Tottenham, Wood Green regeneration and the Haringey Development Vehicle. An important contribution is the Council's own development of mixed-tenure affordable homes and the New Build Programme (Phase 1) will deliver our first new council homes in over 25 years on small under-utilised plots of council-owned land.
- 2.2 The reduction in central government grant available for the delivery of affordable homes means that much-needed new affordable rented homes often cannot be built without cross subsidy from outright market sale homes in order to achieve financial viability. This was anticipated when the programme was formulated but subsequent changes explained in the report mean that the anticipated cross-subsidy is no longer available. Given funding reductions and

pressures on budgets, it is critical that the Council's development programme is financially viable and pays for itself as far as possible.

- 2.3 It is also the case that the housing world has moved on since the programme was first conceived and developing new homes for letting at target rent levels has become increasingly difficult. Rent levels have been re-assessed and the proposed rents are in line with the guidance contained in our draft Housing Strategy. These rent levels are within the Local Housing Allowance (LHA) and therefore available to applicants in receipt of housing benefit.
- 2.4 Increasing the rent levels but keeping them within LHA means we can avoid outright sale and maximise the number of affordable new homes. The programme is delivering a very high percentage of affordable homes (31 of 32 units) and achieves a welcome high proportion of much-needed large family homes (67% of the rented dwellings) for our residents. I support this approach to maximising affordable units while contributing to the reduction of the financial deficit, by setting rents within LHA that will not undermine the availability of these homes to those in housing need but on lower incomes.

3. Recommendations

It is recommended that Cabinet:

- 3.1. Approves the setting of rent levels for the council's Phase 1 new homes in accordance with the affordable rents guidance set out in the draft Housing Strategy, as set out in paragraphs 6.13 - 6.14.
- 3.2. Notes the revised unit type and tenure mix as described in paragraph 6.11 and detailed in table 3 in appendix B.

4. Reasons for decision

- 4.1. The council's Phase 1 new homes are anticipated to be available in phases between September 2016 and March 2017. The council needs to set rent levels on the properties for rent prior to their completion and availability in order to advertise the properties to prospective bidders.
- 4.2. Changes affecting the programme since it was originally approved mean that it will not pay back over thirty years as planned. Approval of the proposals will contribute to improving the financial viability of this phase of the council's new build housing programme.

5. Alternative options considered

- 5.1. The option of proceeding without any changes to the planned tenure mix, unit sizes and rent levels was considered. This is not favoured because it would not increase the number of units, or improve the bedroom size mix, or make any contribution to reducing the current financial deficit on the programme.
- 5.2. Outright market sale of some units was considered. This option would reduce the supply of much-needed affordable homes and in addition to this, the Council

has already drawn down monies from the GLA through the grant funding agreement with a commitment to deliver these affordable dwellings. Changing to outright sale is thus not considered a viable approach.

6. Background information

Original Programme

- 6.1 Phase 1 of the council's new build programme was approved by Cabinet in November 2013, as part of the Housing Investment & Estate Renewal Strategy. The programme was established to deliver the first new build council homes in Haringey in over 25 years, as part of longer term and wider plans to provide much needed housing supply across the borough.
- 6.2 The new housing, to be built on small under-utilised plots of council-owned land, is to provide a mix of tenures, including affordable homes for rent, low cost home ownership and outright sale homes. Funding is through a combination of Housing Revenue Account funding, grant funding from the GLA, and cross-subsidy from the schemes within the programme itself.
- 6.3 The business case for Phase 1 was based on a programme across eleven Council-owned sites to deliver up to 103 new homes with 31% private units and 69% affordable with a split of target rent and low cost home ownership units. A summary of the unit type and tenure mix is set out in tables 1 and 2, in appendix A.
- 6.4 The financial modelling for the business case was at target rent levels. This was viable within the usual 30-year planning period only because of the significant cross-subsidy provided by the outright market sale of some the units at Templeton Road, the Hillcrest estate and Cranwood House.

Changes affecting the Programme

- 6.5 A number of changes since then have affected the original programme's viability, including:
- (a) In November 2015, Cabinet decided that Cranwood House should be included within the Category 1 sites list intended to be transferred into the Haringey Development Vehicle.
 - (b) The Hillcrest estate is included within the Local Plan Site Allocations DPD and no decision will be taken with regard to any potential development on the estate until the Local Plan has been adopted.
 - (c) Templeton Road N17 is currently being progressed to a planning submission this year for affordable shared ownership rather than outright sale given the likely high demand for this tenure in this location and the potential benefits of freeing-up affordable housing elsewhere by marketing to existing Council tenants or to leaseholders on regeneration estates in the Tottenham Housing Zone.

- 6.6 The impact of the removal of sites that contained a significant number of outright sale units is that the remaining eight sites do not pay back within a 30 year period, based on the tenure split and target rent levels included within the original business case. Indeed the position has worsened as a result of the government's compulsory 1% rent cut. Unless changes are made, the current deficit of some £24m over 30 years will not be addressed.

Haringey's Draft Housing Strategy

- 6.7 A further development is that, following two rounds of consultation, the council is moving to adoption of the new Haringey Housing Strategy, which acknowledges the changed and changing housing landscape. In particular it is increasingly the case that development of new homes is unlikely to be financially viable at target rent levels and the draft strategy provides guidance on setting affordable rents for new rented homes as a percentage of market rents, as follows:

Draft Housing Strategy – Guidance on Maximum Rent Levels	
Unit Size	% of local market rent (up to)
1 bed	80%
2 bed	65%
3 bed	55%
4 bed+	45%

- 6.8 The published draft strategy states that providers should aim for average rents to be no more than 65% of local market rents. This is intended to ensure that rents remain below LHA levels and are affordable for residents who are claiming housing benefit.
- 6.9 It should be noted that this is a guide that defines *maximum* preferred levels, based on developments where usually 40% of the new homes are affordable, in line with the council's new Local Plan. In practice the unit sizes and tenure mix differs from one development to another and therefore guidance is provided rather than prescription as there may, for example, be developments achieving a higher proportion of affordable homes. In addition more work has been done on how affordability should be defined. This, and clarified guidance to developers, will be reflected the final version of the Housing Strategy.

Variations to the Programme

- 6.10 Given the scale of change since the original programme was initiated, it is timely to review it with a view to:
- Maximise the number of affordable homes achieved, whether for rent or low cost home ownership (LCHO);
 - Increase the number of family size homes achieved;
 - Improve the financial viability of the programme, without resorting to outright market sale of new homes.

- 6.11 A number of changes have been made to unit types and tenures that achieve this, as follows:
- (a) Increasing the size of LCHO dwellings at Whitbread Close from 1 to 2 beds;
 - (b) Revising the design at Fenton Road to accommodate 2 additional LCHO units; and,
 - (c) Changing the tenure of 2 flats at Anderton Court from rent to LCHO.

The revised unit type and tenure mix is set out in tables 3 and 4 in appendix B.

- 6.12 These changes reduce the 30 year deficit by about £5m, to about £19m. To further reduce the deficit, rent levels need to be above the target rent levels modelled in the original programme.
- 6.13 It is proposed to set rents at levels consistent with the draft Housing Strategy guidance and capped at LHA levels. This rent calculation is detailed in table 5, appendix C and in summary means the following weekly rent levels:

No. of Bedrooms	Target Rent 2016/17	Revised Rent (Draft Housing Strategy)
1	£88.29	£213.50
2	£104.75	£228.00 – £302.33
3	£120.06	£206.25 – £302.46
4	£136.41	£311.54
5	£157.82	£342.69

- 6.14 It is important to note that the figures quoted above and in the appendix C are guides only. A local market rent valuation will be obtained in accordance with GLA guidelines and Royal Institute of Chartered Surveyors (RICS) standards in order to calculate the actual affordable rent level. If these valuations suggest rent levels above LHA, these will not be charged - the actual rent charged will be capped at LHA.
- 6.15 This option helps to improve the overall financial position and is consistent with the new housing strategy. The average rent across all unit sizes based on the proposed methodology is 56% of market rent. The proposed rents are at the guideline percentages for all unit sizes except 1-bed units, where 70% of market rent is proposed rather than 80%.
- 6.16 The proposed rent levels would reduce the 30 year deficit to about £6m. In order to remove the deficit completely and make the programme at least break-even, other measures are being identified. One approach is to use available s106 receipts, which would remove the deficit completely. An alternative would be to provide cross-subsidy from future programmes.
- 6.17 The proposed approach is consistent with the council's commitment to delivering housing units via the grant agreement with the GLA. The GLA capital funding guide states that in order to maximise their financial capacity the GLA expects providers to set rents at up to 80% of gross market rent. Providers can

demonstrate it is appropriate to set rents at less than 80% of gross local market rents whilst still meeting local needs and delivering value for money.

- 6.18 Affordability is a core consideration in the draft Housing Strategy. The council is aiming to adopt an approach to defining affordability based on housing costs being no more than an identified percentage of net household income. The draft strategy consulted on a proposal that this should be 45% but this is being reviewed for the final strategy in the light of consultation feedback and further work being done to assess affordability in the borough. The proposed rent levels for the new Phase 1 homes will enable access by working households from the Housing Register, including those who can access housing benefit up to LHA levels, but will not be affordable for households affected by the benefit cap.
- 6.19 The proposed approach set out in this report is an interim position and does not necessarily provide a council policy to be followed in future. These proposals are limited to Phase 1 of the council programme and are necessary so that rent levels can be determined and advertised before the first batch of homes are completed in September 2016. The ongoing policy will be determined by a new Intermediate Homes policy that will be brought forward for approval later in 2016/17, as a policy underpinning the new Housing Strategy, after it has been finalised and adopted by the council.

7. Contribution to strategic outcomes

- 7.1. One of the Council's five priorities is to 'create homes and communities where people choose to live and are able to thrive'. As part of delivering this the Council aims to meet housing needs through mixed communities, which includes building the right balance of new homes in terms of their type, size, price and tenure, and making sure sufficient housing supply is available to work towards meeting the significant demand for homes in the borough.
- 7.2. The Phase 1 programme supports this by building the first new build council homes in over 25 years. This programme will provide 18 new rented homes – the majority of which are larger family dwellings. The Council also intends to provide 13 further affordable homes through low-cost home ownership (shared ownership), in the east of the borough where the majority of the borough's social housing stock is located.
- 7.3. The new-build homes are an important contribution towards meeting the Council's aims of maximising the number of affordable homes in the borough, achieving the Mayor's housing target and building balanced and mixed, sustainable communities across the local area.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Chief Financial Officer Comments

- 8.1 The full cost of the Phase 1 new build programme is £10.741m and the financing for this scheme is as follows:

	£
Capital spend	10,741,070
Financing	
HRA Capital	8,555,570
Market Sales	1,050,500
GLA Grant	735,000
S.106 Monies	400,000
	10,741,070

- 8.2 In terms of HRA resources to fund the £8.6m a decision has been made to ring-fence general HRA reserves and surpluses to investment in existing stock with the proposal that any new build is funded by borrowing. The £8,6m is part of the original £28m approved by Cabinet in February 2015.
- 8.3 The scheme is being funded by a GLA grant of £15,000 per unit for the Shared Ownership units and £30,000 per unit for Affordable Housing units. Affordable rents in this case are defined as rents at up to 80% of market rents. This grant condition would therefore be met by the current proposals for rents.
- 8.4 These dwellings will be held within the Housing Revenue Account and it is possible to charge higher rents than traditional social or target rents, although charging higher rents can have an impact on the amount of housing benefit reclaimable. The inclusion of these new affordable rent units has been modelled and it has been confirmed that charging higher rents for this programme will not breach the Rent Limitation rule in terms of the authority's entitlement to Housing Benefit subsidy. However, any further schemes will need to be similarly modelled.
- 8.5 It should be noted that new build programmes will not be subject to the new 1% rent reduction.
- 8.6 An investment appraisal of the scheme was carried out to assess the 'payback' position after 30 years. The original modelling carried out by Savills based on 103 units showed a break-even position at year 30. Based on the new scheme of 31 units and the proposals within this report the revised modelling (using the Savills original format) indicates a net deficit position of £6m at year 30. Modelling beyond this has not yet been carried out but the pay back period is likely to be in excess of 50 years.
- 8.7 The movement from a break even position to a deficit position is due to two factors. Firstly there has been a significant increase in construction costs during the period from planning stage to the tender stage. Secondly some of the sites that are no longer part of this new build project were those that had been generating significant surpluses and cross subsidising the project. The assumptions used in the modelling for the current proposals are set out below.
- 18 units of social housing at affordable rent levels
 - 13 units on a shared ownership basis

- Year 1 rents set at an average of 56% of market rents for four years with an inflationary increase at CPI+1% from year five onwards (average weekly 'affordable rents' generated were £260 per unit per week)
- Management and maintenance costs at £1000 per unit per annum with cost inflation applied at 3% per annum
- Financing costs were assumed to be at 5.41%, being the prevailing consolidated rate of interest.
- For the shared ownership units, initial valuations (subject to RICS valuation) as follows:

2Bed	£331,700
3Bed	£400,000

- An initial equity sale of 35% on completion followed by steady disposals each year until 70% equity is achieved by year 30.
- Rent is charged at 2.75% on unsold equity at the end of each year.
- House price inflation of 2.5% per annum applied.

Assistant Director of Corporate Governance/Legal Comments

- 8.8 The Assistant Director of Corporate Governance comments as follows. The Localism Act 2011 introduced self financing for Council housing and abolished the national subsidy system. The new funding regime gives the Council more autonomy to set Council rents.
- 8.9 Section 24 of the Housing Act 1985 gives the Council the authority to set rents by making such reasonable charges as it determines for the tenancy or occupation of its houses. The Council is obliged from time to time to review rents and make such changes either of rents generally or of particular rents as circumstances may require.
- 8.10 The Welfare Reform and Work Act 2016 requires social landlords to reduce the rents payable by individual tenants by 1% each year between 2016 and 2019. This requirement will apply to properties let at affordable rents.

Equalities

- 8.11 The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
 - advance equality of opportunity between people who share those protected characteristics and people who do not;
 - foster good relations between people who share those characteristics and people who do not.

8.12 The Housing Investment & Estate Renewal Strategy, adopted by Cabinet in November 2013, gave approval to the Phase 1 new build programme. The strategy aims to support equality, fairness and inclusion as follows:

(a) So that social housing activity in Haringey meets identified needs, the Council will:

- collect and analyse socio-economic data to understand need and demand;
- test design solutions and housing development against the requirements of both young and old people;
- involve tenants and leaseholders in investment decisions on both existing and new stock.

(b) In order to improve accessibility, the Council will:

- build all new housing to high standards of accessibility, and review the accessibility of existing stock as part of stock condition surveys;
- explore the viability of improving accessibility in existing stock, as part of the capital investment programme;
- aim to better meet the housing needs of younger people, and particularly those who are adversely affected by changes flowing from the Welfare Benefits Reform programme;
- help to meet the needs of people who are unable to achieve their aspirations for owner occupation.

(c) To promote inclusion, the Council will:

- invest in estates to improve “kerb appeal” and overcome any stigma attached to those locations;
- seek to deliver mixed and balanced communities, in existing stock, in estate renewal and in new build activities. This will include promoting housing ladder type products such as discounted market rent, rent-to-buy, shared ownership and shared equity.

(d) In order to tackle socio-economic exclusion, the Council will:

- deliver new development in locations with good access to transport and services, and provide high standards of management and maintenance service;
- develop a spectrum of cost levels (both for rent and sale) to meet a wider range of housing needs and demands;
- improve the energy efficiency of existing and new stock, to mitigate fuel poverty.

8.13 The aims of the Housing Investment and Estate Renewal Strategy outlined above have informed this report’s recommended changes to the planned rent levels and the unit mix/tenure type for Phase 1 of the new build programme. The Council’s priority has been to retain as many of the new units as possible at affordable levels, with a mixture of rent or low cost home ownership, maximising accessibility for priority groups.

8.14 As the new builds are made available, the Council will monitor and evaluate the profile of the tenancy mix, including protected characteristics. This will help

inform housing investment, allocations and affordability policy and the delivery of housing programmes going forward.

- 8.15 The availability and allocation of new homes for rent or low cost home ownership is subject to current policies (e.g. the Council's Allocations Policy) or developing policies (e.g. the Council's Housing Strategy and Intermediate Homes). All such policies have been or will be subject to an Equalities Impact Assessment and targeted action to ensure fair access and promote inclusion.
- 8.16 An Equalities Impact Assessment has been prepared for this proposal and this demonstrates that there are both positive and negative impacts on households with protected characteristics. The negative impacts relate to the level of rents which are higher than originally planned, and likely to have a negative impact on low income households which disproportionately include some households with protected characteristics, such as single person households, who are more likely to be headed by women, and households including a person with a disability. However, the Equalities Impact Assessment acknowledges that unless rents are charged at affordable rent levels, rather than the originally proposed target rent levels, such schemes would not be financially viable, and would not be able to proceed. On balance therefore, the recommendations within this report will have a greater positive impact overall on households with protected characteristics in the borough, than a negative one.

11 Use of Appendices

Appendix A – Original Programme: unit type and tenure mix
Appendix B– Proposed Programme: unit type and tenure mix
Appendix C - Proposed rent calculation

12 Local Government (Access to Information) Act 1985

Background papers:

- (a) Haringey Draft Housing Strategy 2015-20
- (b) Haringey Development Vehicle, Cabinet report November 2015
- (c) The Housing Investment & Estate Renewal Strategy, November 2013

Appendix A

Table 1 – Original Programme: unit size and tenure mix

Original - Unit Type & Tenure Mix											
Site	Unit Size (Beds)						Tenure				
	1	2	3	4	5	Total	ORS	LCHO	Target	Aff	Total
Fenton Road	2	1	2	0	0	5	0	5	0	0	5
10-12 Muswell Hill Place	0	0	0	2	0	2	0	0	2	0	2
82 Muswell Hill Place	0	0	0	1	0	1	1	0	0	0	1
Anderton Court	0	2	2	1	0	5	0	0	5	0	5
Barnes Court	0	0	4	0	0	4	0	0	4	0	4
Whitbread Close	4	0	0	0	0	4	0	4	0	0	4
Connaught Lodge	1	5	2	0	0	8	0	0	8	0	8
Ednam House	0	0	0	0	2	2	0	0	2	0	2
Templeton Road	6	4	0	0	0	10	10	0	0	0	10
Cranwood	5	17	11	4	0	37	10	0	27	0	37
Hillcrest	4	11	10	0	0	25	11	0	14	0	25
11	22	40	31	8	2	103	32	9	62	0	103

Table 2 – Original Programme: tenure mix %

Original - Tenure Mix		
Tenure Mix	%	
Private	31%	31%
LCHO	9%	69%
Target Rent	60%	
Affordable Rent	0%	

Appendix B

Table 3 – Proposed Programme: unit type and tenure mix

Proposed - Unit Type & Tenure Mix												
Site	Unit Size (Beds)						Tenure					Change Commentary
	1	2	3	4	5	Total	ORS	LCHO	Target	Aff	Total	
Fenton Road	0	6	1	0	0	7	0	7	0	0	7	Two additional LCHO units provided and unit mix adjusted
10-12 Muswell Hill Place	0	0	0	2	0	2	0	0	0	2	2	No change
82 Muswell Hill Place	0	0	0	1	0	1	1	0	0	0	1	No change
Anderton Court	0	2	2	1	0	5	0	2	0	3	5	Two flats have changed tenure from rental to LCHO
Barnes Court	0	0	4	0	0	4	0	0	0	4	4	No change
Whitbread Close	0	4	0	0	0	4	0	4	0	0	4	One beds increased to two beds
Connaught Lodge	1	5	1	0	0	7	0	0	0	7	7	No change
Ednam House	0	0	0	0	2	2	0	0	0	2	2	No change
Templeton Road												Omitted from programme
Cranwood												Omitted from programme
Hillcrest												Omitted from programme
8	1	17	8	4	2	32	1	13	0	18	32	

Note: All properties are proposed to move from target to affordable rent.

Table 4 – Proposed Programme: tenure mix %

Revised - Tenure Mix		
Tenure Mix	%	
Private	3%	3%
LCHO	41%	97%
Target Rent	0%	
Affordable Rent	56%	

The proposed programme provides 97% affordable units, compared with 69% in the original programme.

Appendix C

Table 5 Proposed rent calculation - Draft Housing Strategy Guidance Rent Levels (inclusive of service charge)

Note: Rent levels are illustrative only – actual market rents will reflect RICS rent valuation of individual properties.

Property Details					Rent Levels				
Unit Schedule					Local Market Rent (MR)		Proposed Affordable Rent levels		
Site	Unit No.	LHA Area	Unit Type	No. of Beds	Monthly Market Rent	Weekly Market Rent	LHA Cap	Housing Strategy Rent Levels	% MR
10-12 Mus. Hill Pl.	1	Outer	House	4	3,000	692	388.65	311.54	45%
10-12 Mus. Hill Pl.	2	Outer	House	4	3,000	692	388.65	311.54	45%
Anderton Ct	3	Outer	House	3	2,200	508	315.12	279.23	55%
Anderton Ct.	4	Outer	House	3	2,200	508	315.12	279.23	55%
Anderton Ct.	5	Outer	House	4	3,000	692	388.65	311.54	45%
Barnes Ct.	1	Outer	House	3	1,625	375	315.12	206.25	55%
Barnes Ct.	2	Outer	House	3	1,625	375	315.12	206.25	55%
Barnes Ct.	3	Outer	House	3	1,625	375	315.12	206.25	55%
Barnes Ct.	4	Outer	House	3	1,625	375	315.12	206.25	55%
Connaught Ldg.	1	Inner	Flat	2	1,520	351	302.33	228.00	65%
Connaught Ldg.	2	Inner	Flat	2	1,600	369	302.33	240.00	65%
Connaught Ldg.	3	Inner	Flat	2	1,600	369	302.33	240.00	65%
Connaught Ldg.	4	Inner	Flat	3	2,383	550	354.46	302.46	55%
Connaught Ldg.	5	Inner	Flat	2	1,520	351	302.33	228.00	65%
Connaught Ldg.	6	Inner	Flat	2	1,600	369	302.33	240.00	65%
Connaught Ldg.	7	Inner	Flat	1	1,320	305	213.50	243.69	70%
Ednam Hse.	1	Inner	House	5	3,300	762	417.02	342.69	45%
Ednam Hse.	2	Inner	House	5	3,300	762	417.02	342.69	45%
18							Ave.	260.86	56%

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Report for: Cabinet 12th July 2016

Item number: 13

Title: Tottenham Hale Strategic Development Partnership

Report authorised by: Helen Fisher, Tottenham Programme Director or Lyn Garner, Director of Regeneration, Planning and Development

Lead Officer: Peter O'Brien, Area Regeneration Manager, Tottenham Hale & South Tottenham, peter.obrien@haringey.gov.uk

Ward(s) affected: Tottenham Hale and Tottenham Green

**Report for Key/
Non Key Decision:** Key Decision

1. Describe the issue under consideration

- 1.1. Tottenham is a major regeneration area for Haringey and London. The Tottenham Strategic Regeneration Framework (SRF), approved by Cabinet on 18th March 2014, identifies Tottenham Hale as being London's next great neighbourhood and sets out an ambitious vision for the transformation of this area. How that growth is managed and steered is a key challenge for the council, its partners and stakeholders.
- 1.2. This report is seeking approval to enter into a Strategic Development Partnership with Argent Related Limited Partnership ("Argent Related"), which will involve the disposal of a number of council owned sites to Argent Related in order to secure the comprehensive delivery of a new District Centre at the heart of Tottenham Hale and a significant part of the first phase of the Tottenham Housing Zone.
- 1.3. The council has prepared a Tottenham Hale District Centre Framework, containing a number of delivery strategies, which focus on important themes, such as the quality of the public realm and our green and open spaces in order to guide and steer development sites as they come forward. The District Centre Framework and associated strategies are the subject of a further report which went to Cabinet on 09 February 2016. That report provides important context for this report.

2. Cabinet Member Introduction

- 2.1. We have made great progress in setting out an exciting vision for the future of Tottenham. This vision speaks of Tottenham Hale as London's next great affordable neighbourhood of choice, one with a different kind of housing market that affords Londoners a greater range of quality housing choices. At the heart

of Tottenham Hale, around the new station interchange, there will be a thriving district centre, with new places to live, work, shop and enjoy.

- 2.2. I'm really grateful to all the residents and businesses for feeding their views into the Tottenham Strategic Regeneration Framework, Tottenham Area Action Plan and Tottenham Hale District Centre Framework. To help us deliver on these ambitions, we bid for and were successful in securing the largest Housing Zone allocation anywhere in London. All this will help to deliver a genuinely mixed community with a range of affordable and market homes, to rent and to buy. This first phase of the District Centre will bring forward 600-800 new homes.
- 2.3. Though a Housing Zone, this is about so much more than just bricks and mortar. This is an example of an integrated regeneration scheme that transforms the whole place, bringing jobs and homes along with the community infrastructure, public realm, and shops and workplaces that together are the help to make a successful place.
- 2.4. The approach set out in this report will see the heart of the Tottenham Hale come forward in a coherent and timely fashion and to a quality standard we can all be proud of, bringing substantial benefits to existing and future residents. I look forward to embracing the opportunity which Tottenham Hale represents and harnessing that potential for the benefit of Tottenham, Haringey and London.

3. Recommendations

Cabinet agrees:

- 3.1. To the Council entering into a Strategic Development Partnership Agreement with Argent Related based on the draft Heads of Terms attached in the exempt part of this report and to grant delegated authority to the Director for Regeneration, Planning and Development in consultation with the Chief Operating Officer, the AD Corporate Property and Major Projects and the Assistant Director of Corporate Governance and after consultation with the Lead Member for Housing, Regeneration and Planning and the Lead Member for Finance and Health to agree the final Heads of Terms and the final contract.
- 3.2. That the following Council owned freehold sites shown edged in red on the plan ("Plan") in Appendix 1A be declared surplus to requirements and subject to title investigations be disposed of and for the considerations as set out in the draft Heads of Terms (attached in the exempt part of this report) Argent Related:
 1. Welbourne Centre Site
 2. 4 Ashley Road
 3. 5 Ashley Road
 4. Land to rear of 4/5 Ashley Road, along Monument Way
 5. Land at the corner of Station Road and Hale Road
 6. Tottenham Hale Bus Station, Bus Stand lands
 7. Land at corner of The Hale and Hale Road
 8. Land fronting Watermead Way to the east of Ashley Road

9. Land to the south of Station Road, along Ferry Lane/The Hale
10. BP Garage Site, Hale Road, Ashley Road

- 3.3. That the disposal of the Welbourne Centre site referred to in recommendation 3.2 shall comprise both of a cash consideration and a long lease back (terms to be agreed as per recommendation 3.1) to the Council of the health centre to be constructed on the site (to shell and core) and that a further report be brought back to Cabinet at a later date once an agreement has been reached with NHS England on the financial and operational arrangements for the health centre.
- 3.4. To the sales receipts from the disposals set out in recommendation 3.2 above being used by the council to support the provision of affordable housing within the Tottenham Housing Zone and capital projects in the Tottenham Hale DCF.

4. Reasons for decision

- 4.1. The proposed new Tottenham Hale District Centre is the first phase of the Tottenham Housing Zone and will be key to achieving long term sustainable change in the area. The aim is to provide a new mixed use development at the heart of the District Centre, along with the necessary infrastructure through a new north/south street, and to provide a new health facility.
- 4.2. The sites within the Strategic Development Partnership Area (see figure at section 4.3) and which will be the subject of the Strategic Development Partnership Agreement are critical to the delivery of the Tottenham Hale District Centre. The sites are held in a small number of ownerships including some owned or about to be acquired by the council. However, in order to ensure co-ordinated and comprehensive delivery the land ownerships must be pulled together in a cohesive fashion.
- 4.3. Figure 1 below shows the key landowning parties, who either control or are in advanced negotiation to control, key sites.
- 4.4. A key part of the SDP Area is the Ferry Island Retail Park (site 11) has been acquired by Argent Related. Given the significant extent of the Argent Related controlled land, it has become clear that it would not be possible to deliver on the Council's policy position (as set out in the Tottenham Area Action Plan) for a comprehensive redevelopment of this District Centre without entering into a partnership with this landowner.
- 4.5. In particular, it is only by entering into a partnership with Argent Related that the Council can deliver the new north-south link that will connect the Ashley Road area, through the centre of the District Centre and ultimately onwards into the Retail Park.
- 4.6. These two points form the core of the Council's Exclusive Right's rationale for treating solely with and entering into the Strategic Development Partnership Agreement with Argent Related.

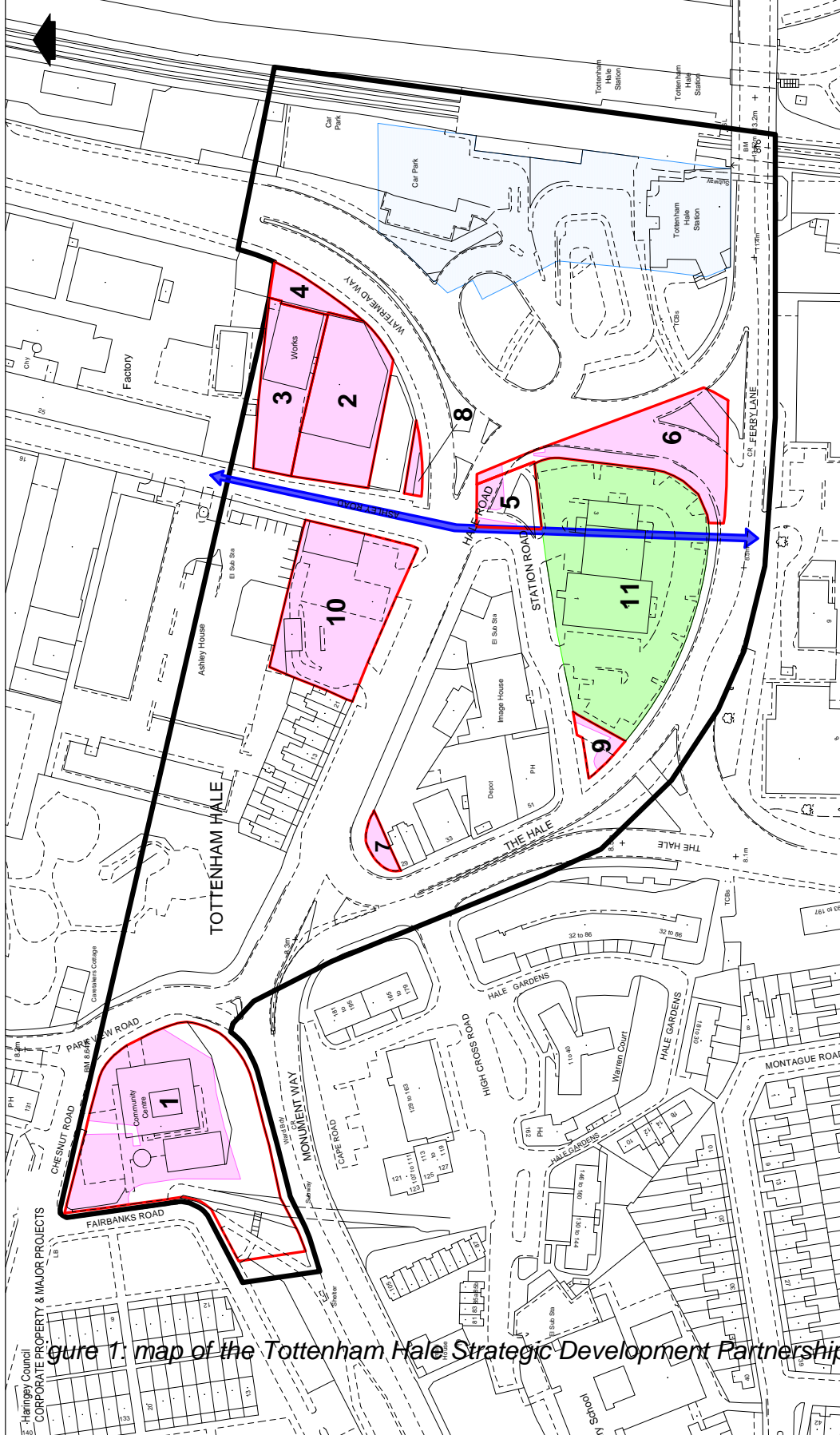


Figure 1: map of the Tottenham Hale Strategic Development Partnership Area

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Scale 0 8 16 24 32 40 m

Scale 1:12500 @ A3
Overlay: RegenJAD

Plan produced by Janice Dabnett on 20/06/2016
BVES Drawing No. A3 0379c Revision 2

Strategic Development Partnership Area & Key Sites

- 1. Former Wellbourne Centre 3816m2
- 2. Site 4 Ashley Road 1383m2
- 3. Site 5 Ashley Road 958m2
- 4. Land rear of sites 4 & 5 Ashley Road 241m2
- 5. Land on SE side of junction Station Road & Hale Road 383m2
- 6. Tottenham Hale Bus Station, Bus stands land 1372m2
- 7. Land on S side of junction Hale Road & The Hale 111m2
- 8. Land fronting Watermead Way (E of Ashley Rd) 92m2
- 9. Land on SE side of junction Station Road & The Hale 173m2
- 10. BP garage 187m2
- 11. Ferry Lane Retail Park 4079m2

Thick black verging - Strategic Development Partnership Area
Pink shading - Haringey Council ownership
Blue shading - TfL ownership
Green shading - Private ownership
Blue arrow - DCF North-South Link

- 4.7. It is recommended therefore that the Council enters into a Strategic Development Partnership Agreement with Argent Related as one of the key means of delivering on the vision for the comprehensive development of a Tottenham Hale District Centre as set out in the Tottenham Area Action Plan and as a key element of the Tottenham Housing Zone.
- 4.8. It should be noted that this would include the disposal of the Council land assets (referred to in recommendations 3.2) with the land being drawn down by Argent Related subject to specific conditions precedents being met.
- 4.9. In seeking to progress the development of a new District Centre at Tottenham Hale a number of options were considered (see section 5). The preferred option is to enter into a contractual partnership with Argent Related for the reasons set out in this report.
- 4.10. In addition, given the proximity and importance of the Over Station Development site, the Council will work with Transport for London to understand how best the site can be brought into the same or similar arrangement in due course. This will take some time, due to uncertainties generated by the emerging Crossrail 2 proposals.

5. Alternative options considered

- 5.1. The Council has long been committed to the regeneration of Tottenham Hale and it has for some time been earmarked as a Growth Area (Haringey Local Plan: Strategic Policies, Tottenham Hale Urban Centre Masterplan SPD, Strategic Regeneration Framework, Physical Development Framework). These plans include the development of a new mixed-use urban centre, or district centre.
- 5.2. In deciding whether or not to enter into a Strategic Development Partnership with Argent Related, the following other options were considered:

Option 1: Minimal intervention
- 5.3. In this option, the Council would have relied solely on the planning system to steer and control development. This option would have seen the Council disposing of its sites on the open market.
- 5.4. This option was discounted on the basis that it would have resulted in fragmented land ownership, an uncertain and risky outcome and would not have resulted in comprehensive, well managed development of the District Centre. In addition, this option would have not allowed for development of the substantial land interest held by Argent Related. Non-development of these areas would substantially hinder the Council's ability to deliver on the Tottenham Area Action Plan. Furthermore, this option would have resulted in a number of small parcels of land being impossible to develop.

Option 2: Council build

- 5.5. This option would have seen the Council taking forward direct development on each of the sites which it owns.
- 5.6. This option was discounted as the scale of development envisaged is substantially greater than the Council's capacity to deliver. In addition the Council lacks the expertise to deliver a complicated mixed use District Centre of this type. This option would also have resulted in the same issues identified for option 1.

Option 3: Secure a development partner for the Council sites by procurement

- 5.7. A third option would have seen Council (and possibly other public sector) lands put out to tender either through an OJEU procurement procedure, or through a developer framework, such as the London Development Panel.
- 5.8. The Council undertook soft market testing of the London Development Panel and participants. Residential developers, in particular, were interested in taking forward some sites at Tottenham Hale. While this option would have had some benefits, in particular gaining a variety of expressions of interest from the market, there were also significant shortcomings connected with this approach.
- 5.9. The primary reasons for discounting this option are the same as for option 1 in that the Council does not control the majority of land at the core of the District Centre and so any developer working with Council owned assets would not be able to deliver a comprehensive redevelopment of the District Centre, unless the Council were to exercise its compulsory purchase powers. Given the proportion of land owned by the Council and the presence of landowners with their own development aspirations, the CPO case was far from clear. As a result, there would have been a significant risk that this option would not help to pull in other lands into a comprehensive development and management structure and so would fail in terms of delivering a new approach to the delivery and long term management of the District Centre.

Option 4: Comprehensive approach – a Strategic Development Partnership

- 5.10. This approach is the preferred option and is described in greater detail in this report. The option is based on the principle of working in partnership with a key significant landowner and developer within the core of the District Centre ("SDP Area").
- 5.11. The land at Ferry Island Retail Park, site 11 on the Plan has been identified as key to the delivery of a comprehensive development of the District Centre (in particular the N-S link) and was acquired on 8th June 2016 by two subsidiary companies which are holding the site in trust for a subsidiary of Argent Related. As a result, the partnership arrangement has been negotiated directly with Argent Related (as the holding company) on the basis that the Exclusive Rights exemption applies in this case.
- 5.12. This exemption relies on the characteristics of Argent Related's land ownership within the SDP Area and its importance to delivering the comprehensive approach envisaged by the Tottenham AAP. Working with the Council, Argent Related will be in a position to deliver on the Council's ambitions to bring forth both the comprehensive delivery described in the Tottenham Area Action Plan,

but also the long-term and coordinated approach to maintenance and management envisaged by the Tottenham Hale District Centre Framework. No other land owner, nor any of the other options considered above will ensure the delivery of the comprehensive redevelopment required.

6. Background information

- 6.1. The Tottenham Strategic Regeneration Framework (SRF), adopted in 2014, sets out the following vision for Tottenham Hale.

“Tottenham Hale will be a destination where people can easily access the open spaces and waterways of the Lea Valley Park whilst enjoying a range of retail, leisure and business opportunities. The Hale will feel like a new town centre with an attractive network of streets and public spaces. Through transport improvements, master planning and targeted promotion, key sites will be made ready for major new investment”.

- 6.2. The Council’s strategy to the regeneration of Tottenham Hale covers a number of key strands, including:

- Developing appropriate planning policies (through the Tottenham Area Action Plan)
- Developing a flexible delivery framework (through the Tottenham Hale District Centre Framework and associated delivery strategies) (see section 1.6 below)
- Site acquisitions to support the AAP’s approach to comprehensive development
- Securing funding to support delivery (through a variety of sources, but including the Housing Zone)
- Identifying and/or working with development partners to see key sites coming forward, including a strategic development partnership for the first phase of the Tottenham Hale District Centre (the subject of this report)
- Delivering a social dividend, for example investment in a Tottenham Hale Health Centre and investment in green and open spaces
- Engaging local residents and businesses
- Protecting the long term legacy by developing novel approaches to maintenance and management issues

Planning policy – a new District Centre and growth area

- 6.3. The Haringey Local Plan: Strategic Policies adopted by Full Council on 18th March 2013 and the London Plan (Upper Lea Valley Opportunity Area Planning Framework) identify Tottenham Hale as a key growth area as part of the wider Upper Lea Valley growth corridor. The Tottenham AAP include ambitious targets of 5,000 homes and 4,000 jobs to be delivered in Tottenham Hale across a number of specific development sites. The Tottenham AAP will be considered at an Examination in Public (EiP) this Summer, with the scheduled date of adoption set for November 2016.

- 6.4. Key to this is the designation of Tottenham Hale as a District Centre, envisaging a range of new commercial, retail, residential, leisure and entertainment uses at the heart of Tottenham Hale.
- 6.5. In terms of an approach to design and planning, the borough has put in place a robust quality review process which includes external evaluation of applications by an independent quality review panel. With regard to uses and housing types the partners will work together to utilise their planning and delivery tools to seek to achieve a balanced delivery of housing types and tenures, work space and community provision across Tottenham Hale.
- 6.6. In parallel with the preparation of the AAP, the Council is also preparing a Development Management DPD. Two policies are proposed which are of particular relevance. The first policy (DM55) concerns regeneration and aims to ensure that proposals which come forward deliver comprehensive regeneration. The policy recognises that sites allocated for development are often in multiple ownership. In such instances, individual parcels of land should not be prevented from coming forward for development in the absence of proposals for the neighbouring parcels. Where they do, the Council needs to ensure they do not compromise the development potential of the adjacent property or properties. The new policy (DM55) therefore requires the applicant to prepare a masterplan for the entire site allocation, showing how their proposal contributes to meeting the site allocation's objectives and outcomes and would integrate with future development on neighbouring parcels. The second additional Policy (DM56) is related as it supports land assembly, where necessary to facilitate and optimise comprehensive development. The Policy confirms that the Council will use compulsory purchase powers where necessary, and where certain requirements are met.

Delivering a new District Centre at Tottenham Hale

- 6.7. The Council has prepared a Tottenham Hale District Centre Framework (DCF) to shape the development of the new District Centre. The vision is to transform the heart of Tottenham Hale, currently an area dominated by surface car parking and out of town retailing, into a safe, open and attractive series of streets and spaces for people, flanked by shops, cafes and community facilities. The DCF is based on the following five themes:
- A Revitalised Heart: A place with a range of shops and leisure options where people enjoy spending time.
 - An Affordable 21st Century Neighbourhood Of Choice: A mix of affordable and market homes to rent and buy. The social and community infrastructure to support a growing community.
 - A Well Connected Centre: Well-connected and accessible spaces, promoting walking and cycling.
 - A Network Of Green And Open Spaces: High quality, green and open spaces, which are well managed/maintained, clean and safe.
 - A Working Centre: A good place to start up and grow businesses and create jobs. A mix of job types at varying skill levels

The Housing Zone and delivery

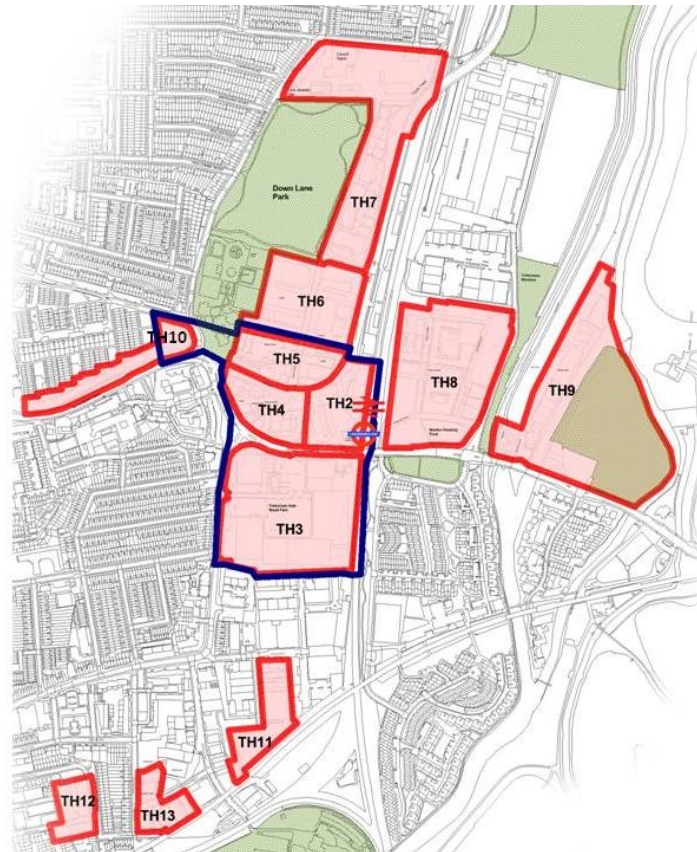
- 6.8. In February 2015, recognising Tottenham's importance to London's housing and jobs growth ambitions, Tottenham was designated as one of the first Housing Zones. It is an expression of joint commitment by the Council and the Mayor of London to accelerate the regeneration of Tottenham and in the first phase, Tottenham Hale. The main Housing Zone development sites are set out in the figure below.

Tottenham AAP

— Tottenham Hale District Centre

Site Allocations

- TH2: Tottenham Hale Station
- TH3: Tottenham Hale Retail Park
- TH4: Station Square West
- TH5: Station Square North
- TH6: Ashley Road South Employment Area
- TH7: Ashley Road North
- TH8: Hale Village
- TH9: Hale Wharf
- TH10: Welbourne Centre & Monument Way
- TH11: Fountayne Road TH12: Herbert Road
- TH13: Constable Crescent



Haringey
LONDON

Tottenham AAP Site Allocations with District Centre boundary

- 6.9. In September 2015, Haringey became the first London Borough to sign its Housing Zone Overarching Borough Agreement, confirming £44.115m worth of investment into Tottenham Hale and Seven Sisters. The bulk of resources secured focus on putting the infrastructure in place to support a growing Tottenham Hale. This includes funding to better connect the neighbourhoods of Tottenham Hale to each other, to the future urban centre, and to the green and blue of the Lee Valley Regional Park.
- 6.10. The Housing Zone sites are closely located and linked but do vary in character, from ones which sit in or on the edge of the Lee Valley Regional Park, to those which are immediately adjacent to existing residential development, to those that sit at the heart of the future District Centre.
- 6.11. Given this diverse nature of sites, the Council's policies and strategies support a portfolio approach which is responsive to each site's specific characteristics. Some sites will be predominantly residential, as with the site on Monument Way or the Ashley Road depot site, others will have a major emphasis on workspace

and educational uses, such as the Ashley Road area, others will include community infrastructure, such as the Health Centre on the Welbourne Centre site, while the core of the District Centre will have a focus on providing a thriving new urban centre with a mix of retail, leisure, commercial and residential uses.

- 6.12. While the District Centre will provide a minimum of 25% affordable low cost ownership homes, members should note that officers' proposal, in accordance with the 'Portfolio Approach to Sites' is to use council land value in the District Centre to further supplement affordable homes in other parts of the Housing Zone as set out in recommendation 3.4. We will therefore concentrate our efforts to secure affordable housing on the fringes of the District Centre.
- 6.13. A number of Housing Zone interventions fall within the SDP Area and will be delivered through the SDP. Details of the interventions are set out in the exempt draft Heads of Terms (Appendix 2). The type of intervention being progressed includes public realm improvements, site specific enabling (including decontamination) and loan funding to support the sites coming forward quicker than they otherwise would.

Objectives of the Strategic Development Partnership

- 6.14. It is envisaged that the SDP will have a significant role to play in building the heart of the new District Centre and the following objectives are proposed in the terms of the agreement:
- Tottenham Area Action Plan and Place Stewardship: to realise the Tottenham Area Action Plan's objectives for Tottenham Hale by securing the **coordinated** and **comprehensive** delivery of a new mixed-use District Centre, including larger and better development plots to allow for greater delivery ambition
 - Strategic Regeneration Framework: to deliver on the Strategic Regeneration Framework vision for Tottenham Hale by working to deliver a range of **social infrastructure** to support a growing community. The SDP will deliver a Health Centre on the site of the former Welbourne Centre
 - Tottenham Housing Zone: to secure the delivery of a range of **homes**, including a mix of market and affordable homes to rent and buy
 - District Centre Framework: to work with others to deliver key **physical infrastructure** at the core of the new District Centre, including a new north-south link, a southern extension of Ashley Road
 - Management and maintenance: To allow for a partnership approach in relation to **maintenance and management** issues, including the possible establishment of an area-wide management company under the SDP
 - Social dividend: to seek to meet the Council's broader objectives for regeneration by working in partnership to achieve benefits for the community e.g. **employment and training** opportunities

Roles, Responsibilities and Governance

- 6.15. The Strategic Development Partnership (SDP) would be a 50/50 partnership between the Council and Argent Related. The SDP would be governed by a board with equal representation from the Council and Argent Related.
- 6.16. The role of the SDP would be to operate as a strategic contractual collaboration. Argent Related will be the developer in relation to land interests owned (or to be acquired) by the Council (as per 3.2) and its own land interests:
- 6.17. The SDP would have control and/or influence over certain identified decisions in relation to the land ownership of both parties and other matters including:
- Delivery of the District Centre Framework within the SDP Area, including the phasing of site delivery and the coordination of infrastructure delivery
 - The development of a Business Plan covering:
 - A utility infrastructure plan
 - A housing and tenure strategy
 - A retail, commercial tenant and marketing strategy
 - A community engagement strategy
 - A management and maintenance plan
 - An approach to delivering a social dividend
 - Strategic design considerations, including sign off of planning applications prior to submission for planning permission
 - Liaison and cooperation with surrounding landowners and developers
 - The development of a cooperation agreement regarding the Tottenham Hale Retail Park site
 - Financial monitoring

Council Land in the Strategic Development Partnership

- 6.18. It is proposed that the following sites belonging to the Council are included in the SDP and disposed to Argent Related (subject to the Heads of Terms) for the purposes of comprehensive development of the new District Centre:

Welbourne Centre

- 6.19. The site of the former Welbourne Centre (Number 1 on the Plan) forms the outside edge of the proposed new District Centre, this site could be brought forward early into development providing a new health facility to service the area as well a significant number of new homes. Some of the land which forms part of the site are in the process of being acquired from Transport for London. The financial position regarding the Health Centre will be subject to a further update to Cabinet in due course, however, for the purposes of commercial valuation it is proposed that the flexibility to use the land to bring forward a new health facility be included (and the value of the land is reflected on this basis).

4 Ashley Road

- 6.20. This site (Number 2 on the Plan) is currently in use as a mechanic yard and is let on a lease set to expire in mid 2017.

5 Ashley Road

- 6.21. A former London Ambulance repair depot, this site (Number 3 on the Plan) is currently home to a meanwhile use, in the form of the RIFT theatre project. This facility is let on a short term lease.

Tottenham Hale Bus Station, Bus Stand land

- 6.22. The Council has been working with Transport for London through the District Centre Framework to ensure that various parcels of land come together in a coherent and comprehensive manner. As part of this a number of improvements to the station environs have been identified. These changes to the bus station would free up some of the bus stands to the west of the bus station. This land (Number 6 on the Plan), when pooled with Argent Related land form a single development site. Any sale of this land will be subject to two conditions precedents being met. The first being traffic modelling of the Tottenham Hale area to ensure that the agreed changes are viable. The second being that the development meets the costs of the required changes to the bus station.

Smaller sites

- 6.23. There are five other small patches of land to be disposed of through the SDP, namely:
- Land to rear of 4/5 Ashley Road, along Monument Way (Number 4 on the Plan)
 - Land at the corner of Station Road and Hale Road (Number 5 on the Plan)
 - Land at corner of The Hale and Hale Road (Number 7 on the Plan)
 - Land fronting Watermead Way to the east of Ashley Road (Number 8 on the Plan)
 - Land to the south of Station Road, along Ferry Lane/The Hale (Number 9 on the Plan)

Land in the process of being acquired by the council

- 6.24. The Council is in the process of purchasing an additional site (BP Garage) in line with a Cabinet Report of 10th November 2015. This is in use as a petrol station. The disposal of this land to Argent Related through the SDP will be dependent on the successful completion of the purchase.
- 6.25. There are small areas of land which are currently unregistered within the land parcels above and these will be included subject to an agreed mechanism with Argent Related to register the land in the Council's ownership.

Commercial considerations

- 6.26. It is proposed that Argent Related will act as the developer in relation to land interests set out in section 3.2 which are owned (or to be acquired) by the Council and its own land interests.
- 6.27. Council land assets will be drawn down by Argent Related at agreed points and the Council will not itself be taking development risk. Draft Heads of Terms are set out in exempt part of this report (Appendix 2).

- 6.28. The Council is obliged to meet its statutory requirement to obtain best consideration reasonably obtainable. The development agreement which captures the SDP will include agreed values for each site which will be signed off by an RICS red book valuation as part of the delegated decision process which will reflect the final heads of terms and to ensure best consideration is achieved in the context of the overall terms. The values will be agreed for a period of 30 months and will increase annually by the RPI until the disposal is completed on each site. Should completion not take place within 30 months, the price for each site will be subject to a new red book valuation.
- 6.29. In each case the Council will derive a land value from the disposal of its land to Argent Related, however members should note that:
- 6.30. The District Centre requires considerable investment in infrastructure including new roads and utility diversions, many of which will be facilitated through the Housing Zone funds themselves. However, where it can be demonstrated that deferment of land receipts can assist with the viability and deliverability of the scheme as a whole, the Council's land receipts may be deferred.
- 6.31. The financial appraisal for the Council's land at the former Welbourne Centre includes for the provision of a substantial (1,500 sqm) new health centre facility. At this point the financial appraisal assumes the council will forgo the land value in order to facilitate the delivery of this building to shell and core subject to ongoing negotiations with NHS England.

Management & Maintenance of public realm

- 6.32. A significant amount of public investment will go into delivering the new District Centre at Tottenham Hale. With that investment comes a significant ongoing maintenance liability. This represents a challenge at a time of shrinking local authority resources. As part of the development of the District Centre Framework and the development of the Strategic Development Partnership, the council has been exploring means of putting the maintenance and management required on a sound and financially sustainable footing. Establishing an agreed approach is a key objective of the Strategic Development Partnership.

Delivery of the District Centre – Key Milestones

- 6.33. Delivering the first phase of the District Centre will take a minimum of five years. The key milestones for development sites coming forward are set out in Table 1 below.

Table 1: District Centre Delivery Milestones

Site	Delivery	Planning Determined	Start on Site	Completion	Net residential units (Tottenham Area Action Plan)
In District Centre					
Underground and Rail Station	Transport for London	2015	2016	2018	-
Welbourne Centre,	Argent	2017	2017	2018	298

including Health Centre (SDP)	Related				(including Monument Way)
Station Square West: Island Site Nth (SDP/Others)	Argent Related & Others	2017	2019	2020	297
Ferry Island Retail Park (SDP)	Argent Related	2017	2018	2020	
Station Square North: BP and 4/5 Ashley Road (SDP)	Argent Related	2017	2018	2019	213
Over Station Development	Transport for London	2017	2019	2020	138
Tottenham Hale Retail Park	TBC	2018/19	2020-25 in phases	2025 onwards in phases	992
Out of District Centre					
Ashley Road South, incl. NCDS	Others	2016	2017-19 in phases	2018-20 in phases	444
Hale Village Tower	Others	2017	2017	2018	253
Hale Wharf	Others	2016	2017-19 in phases	2018-20 in phases	405
Ashley Road North (part of depot site)	LBH	2017	2018-19 in phases	2019-20 in phases	147
Monument Way	Others	2016	2017	2018	Included in the Welbourne Centre figure above
Hale Village	Others	2006	2007-2018 in phases	2010-2020 in phases	2175
Total					5,362

7. Contribution to strategic outcomes

7.1. The resolutions outlined in this report will contribute towards the following strategic priority outcomes in the Corporate Plan:

- *Priority 3 – Clean and Safe: A clean, well maintained and safe borough where people are proud to live and work:* By working through the SDP to develop an attractive and safe urban environment and by developing a management plan to bring forward a step-change in the quality of maintenance of the public realm.
- *Priority 4 – Sustainable housing, growth and employment: Drive growth and employment from which everyone can benefit. (Transport, broadband, skills, carbon reduction, strategic development):* By bringing forward quality development with 600-800 new homes and 70-80,000 sq ft of retail and commercial land uses.
- *Priority 5 – Sustainable housing, growth and employment: Create homes and communities where people choose to live and are able to thrive. (Housing):* By bringing forward affordable housing in its own right and through contributing to the portfolio approach to sites which allows for additional affordable housing to be delivered on nearby sites.

8. Statutory Officers comments (Chief Operating Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance and Procurement

- 8.1. The main finance implications resulting from the specific proposals within this report relate to the acquisition of private land and then the sale of this land to Argent Related together with the sale of land originally owned by the Council.
- 8.2. Any land transferred should be disposed of at the best consideration that can reasonably be obtained. The Council has received independent assurance that the sum agreed represents “best consideration” for the land.
- 8.3. For the land acquired it is expected that the minimum price at disposal is equal to the price the Council paid for the land. The land transfers will only take place when the conditions set out within sections 6.4.1 and 6.4.2 of exempt draft Heads of Terms (Appendix 2) have been satisfied and in line with the agreed valuation methodology.
- 8.4. In the case of the Welbourne Centre site the Council has sought to secure the delivery of a district health centre as part of the regeneration of Tottenham Hale. In this instance, the Council will receive a mixture of a land receipt and a health centre. Independent advice has assessed the combination of the two elements as representing best consideration to the Council given the assumption of the provision of the health centre.
- 8.5. Any costs relating to the acquisition of non-Council owned land will need to be met from the Acquisitions Fund scheme and for 2016/17 there is an approved budget of around £16m for this purpose although this fund will be used for other schemes as well. As with all capital schemes there may also be borrowing costs associated with the scheme.
- 8.6. This report recommends that the capital receipts received from the disposal of sites at 3.2 above being allocated to support the provision of affordable housing in the Tottenham Housing Zone and capital projects in the Tottenham Hale DCF. It should be noted that a decision to allocate resources in this way represents an exception to the normal capital strategy financing process. This should not be taken as a precedence for future decisions and reflects the borough's specific commitment to supporting the Tottenham Housing Zone.
- 8.7. The Council is taking a land receipt from the disposal of the lands listed at section 3.2. The Council is therefore not participating in the risks and benefits of developing the sites. The only financial risk to the Council is that the value of the land receipt could be less than anticipated, should the receipt be calculated after the “initial period”, when market value would be attributed and if market values have reduced. When development is completed the Council has the potential to benefit from overage payments in terms of planning (e.g. a better planning outcome is achieved than the baseline level) and also allows for further profit participation above agreed levels. The agreed levels are set out in the exempt draft Heads of Terms.

- 8.8. Any increase in housing or commercial premises would also lead to an increase in the Council Tax and Business Rate base.
- 8.9. The development sites covered by this agreement are also expected to benefit from Housing Zone funding agreed with the Greater London Authority in 2015, and assurance has been given that the proposed partnership ensures that the Council is in a position to utilise related elements of this grant funding.
- 8.10. The cost of the work to date in developing the district centre proposal and documents related to this agreement have been contained within existing budgets. The main costs comprise of officer time and external commercial and legal support, it is expected that the agreement can be concluded within the allocated budget for these items but if not Cabinet approval will be required for additional funding.
- 8.11. Any further site development outside the District Centre (as highlighted in paragraph 5.17) will be need to subject to further business cases so that funding can be appropriately considered at that stage.
- 8.12. There are further Finance comments contained in the exempt report at item 18 on the agenda.
- 8.13. The Construction Procurement Group (CPG) note the recommendations contained within this report. These recommendations are based upon the external legal advice on the Council's ability to rely on upon exclusive right exemption from the Public Contract Regulations 2015. This advice is set out in the Appendix 4 of the exempt report.
- 8.14. The CPG have no objection to the Cabinet approving the recommendations.

Legal

- 8.15. The Council is seeking to dispose of various pieces of land, these will be subject to title investigations and registration at the land registry if the land is unregistered. Legal advice must be obtained as to the appropriate authority to be relied on for these disposals. The Council has a statutory obligation to obtain best consideration and where this is not possible the Council will require the consent of the secretary of state.
- 8.16. There are further legal comments contained in the exempt report at item 18 on the agenda.

Equality

- 8.17. The Council has a public sector equality duty under the Equalities Act (2010) to have due regard to:
 - a) *tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership,*

pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;

b) advance equality of opportunity between people who share those protected characteristics and people who do not;

c) foster good relations between people who share those characteristics and people who do not

- 8.18. Through entering a Strategic Development Partnership arrangement with a major existing landowner (and prospective developer) in the area where the Tottenham Hale District Centre is to be developed, this will help ensure that the landowner and developer engages and works with the Council on achieving social, economic and environmental strategic priorities, as well as minimising disruption from construction works.
- 8.19. An [Equality Impact Assessment \(EqIA\)](#) informed the Cabinet's decision on the 9th February to adopt the Tottenham Hale District Centre Framework and accompanying strategies. This EqIA should also be read in conjunction with this Cabinet report, as the proposed Strategic Partnership arrangement is to be tasked with the delivery of key parts of the Tottenham Hale District Centre in line with these strategies.
- 8.20. The EqIA identifies that all groups of residents should benefit from the proposals set out in the Tottenham Hale strategies including improved transport links and the local network of streets, improvements in access to green open spaces and new public spaces, a mixture of new housing developments and plans to increase jobs and training opportunities in the area.
- 8.21. Robust monitoring and evaluation arrangements are to be put in place to analyse the impact of the Tottenham Hale development programme on different groups of residents, under the oversight of the Joint Strategic Forum and Tottenham Delivery Board. A community engagement strategy has been adopted ensuring different groups of residents in the Tottenham Hale area can continue to input into the design and delivery of the new district centre developments and have their voice heard in minimising any potential disruption.
- 8.22. The governance arrangements for the proposed Strategic Development Partnership for Tottenham Hale will also be expected to consider and evaluate equality implications as part of its own decision making functions. In addition the Strategic Development Partnership should show a strong commitment to tackling discrimination, enhancing equality of opportunities and fostering good relations between groups in and around the Tottenham Hale area.

9. Use of Appendices

1. Map of Strategic Development Partnership and key sites
2. Tottenham Hale Strategic Development Partnership: Draft Heads of Terms [NOT FOR PUBLICATION by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. This report is not for publication as it contains information classified as exempt under Schedule 12A of the Local

Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).]

3. Tottenham Hale Strategic Development Partnership: Best Consideration Letter and Commercial Terms

[NOT FOR PUBLICATION by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972. This report is not for publication as it contains information classified as exempt under Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).]

4. Tottenham Hale Strategic Development Partnership: Consolidated Procurement Advice

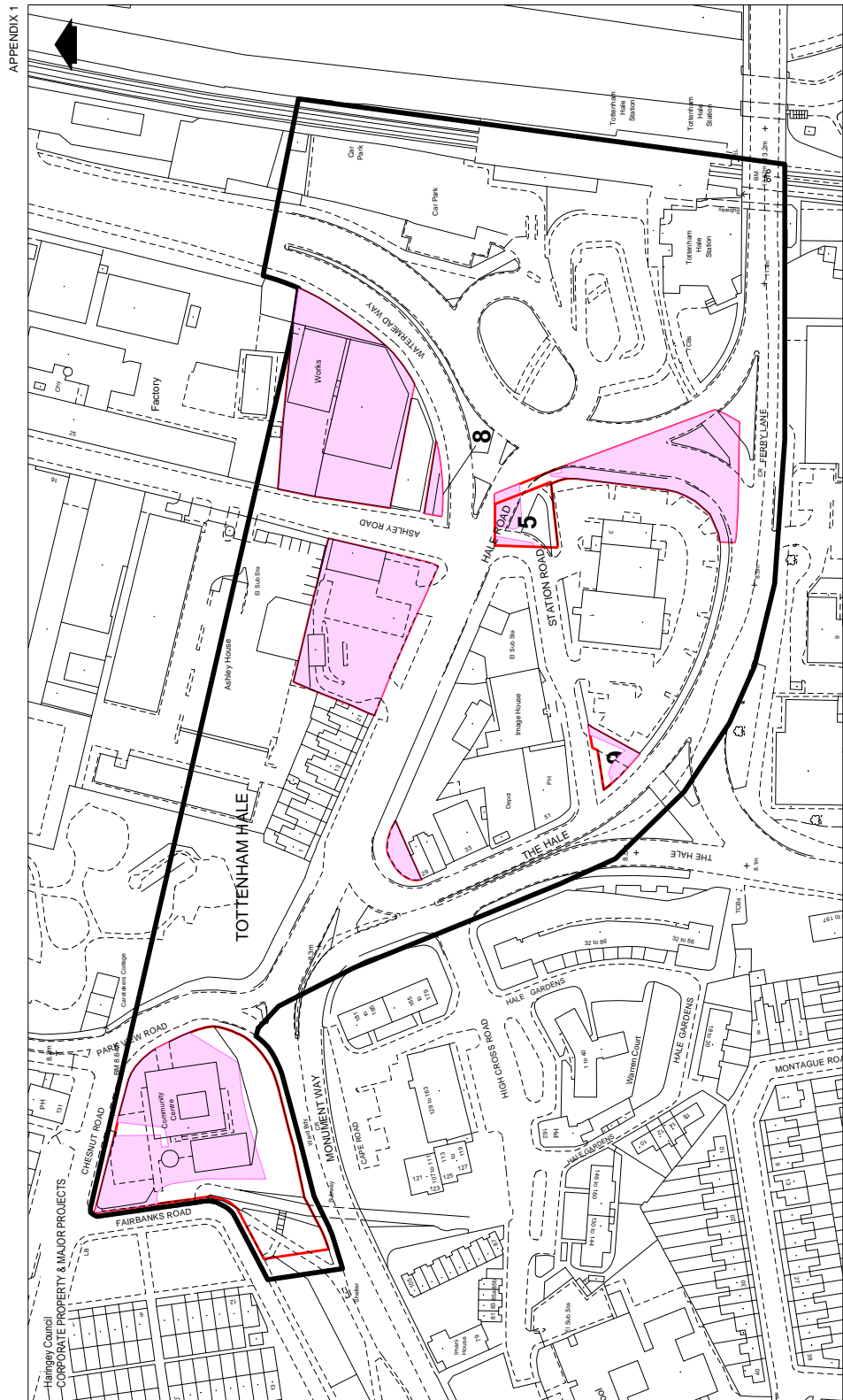
[NOT FOR PUBLICATION by virtue of paragraphs 3 and 5 of Part 1 of Schedule 12A of the Local Government Act 1972. This report is not for publication as it contains information classified as exempt under Schedule 12A of the Local Government Act 1972 in that it contains: information relating to the financial or business affairs of any particular person (including the authority holding that information); and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.]

10. Local Government (Access to Information) Act 1985

- a. Tottenham Hale District Centre Framework
<http://www.haringey.gov.uk/regeneration/tottenham/tottenham-regeneration/tottenham-hale#delivery>
- b. Tottenham Area Action Plan
<http://www.haringey.gov.uk/planning-and-building-control/planning/planning-policy/local-development-framework-ldf/local-plan-consultation>
- c. Tottenham Hale Regeneration Programme, Cabinet Report, Haringey Council, July 2014
<http://www.minutes.haringey.gov.uk/documents/s53959/Tottenham%20Hale%20Regeneration%20-%20PUBLIC%20covering%20report%20Appendix%201.pdf>

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Appendix 1: Map of Strategic Development Partnership Area and Key Sites



APPENDIX 1

APPENDIX 1

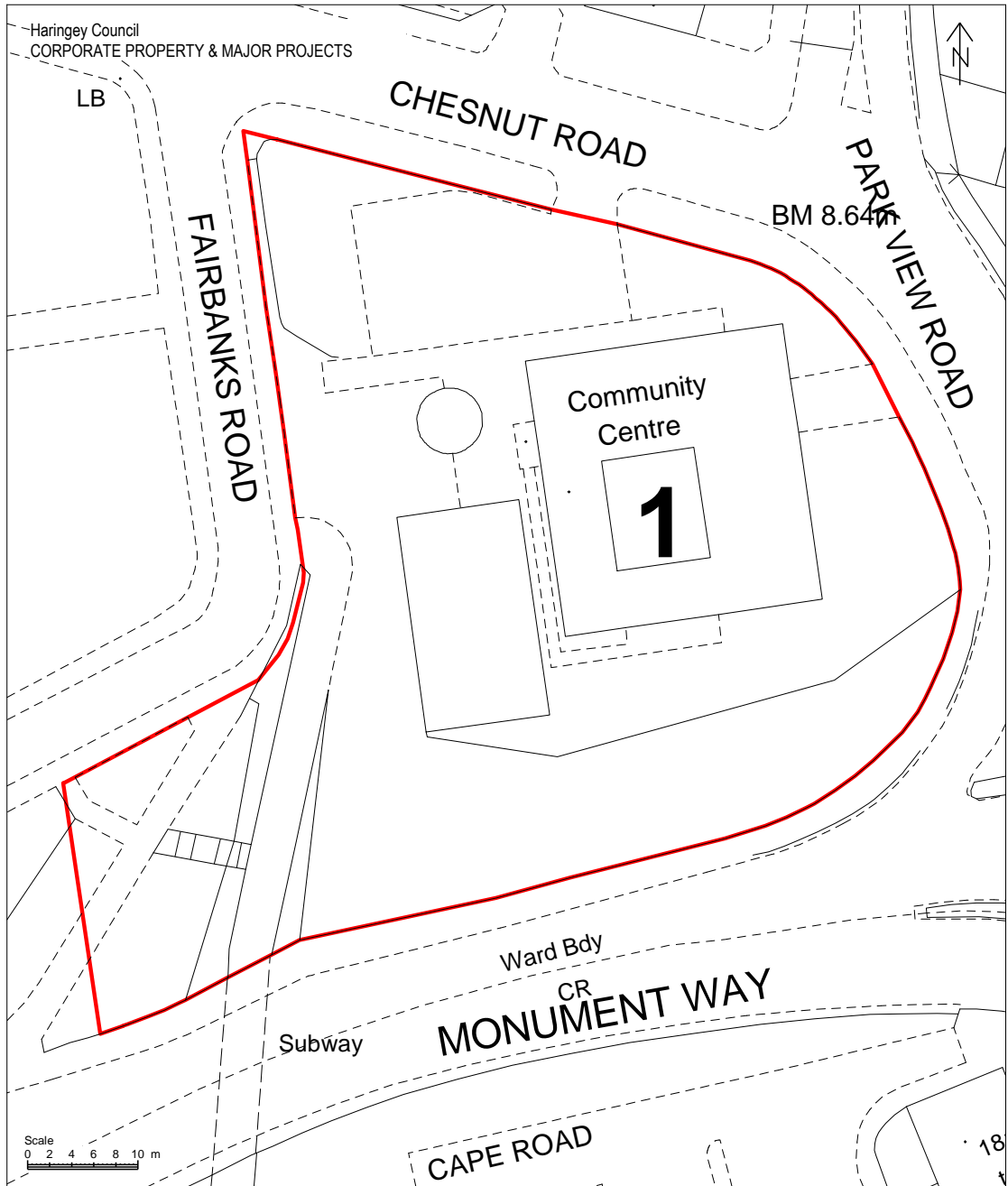
Scale 0 8 16 24 32 40 m

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Scale 1:1250 @ A3
Overlay: Regm JAD
Plan produced by Janice Dabnett on 20/06/2016
BVES Drawing No. A3 0379d Revision 2

- Strategic Development Partnership Area & Key Sites**
- Thick black wering - Strategic Development Partnership Area
Pink shading - Haringey Council ownership
- Haringey Council sites**
1. Fomer Weboume Centre 3816m2
 2. Site 4 Ashley Road 1383m2
 3. Site 5 Ashley Road 956m2
 4. Land rear of sites 4 & 5 Ashley Road 241m2
- Haringey Council sites**
5. Land on SE side of junction Station Road & Hale Road 383m2
 6. Tottenham Hale Bus Station, Bus stands and 1372m2
 7. Land on S side of junction Hale Road & The Hale 111m2
 8. Land fronting Watermead Way E of Ashley Rd 92m2
 9. Land on SE side of junction Station Road & The Hale 172m2

SITE 1



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Former Welbourne Centre
Chesnut Road
Tottenham
LONDON
N17

Red verging - Extent of site

Deed document no. : 5280, 6040

LR title no. : NGL298625, MX260038, unregistered,
NGL420080 (TfL land)

Site Area : 3816 m2

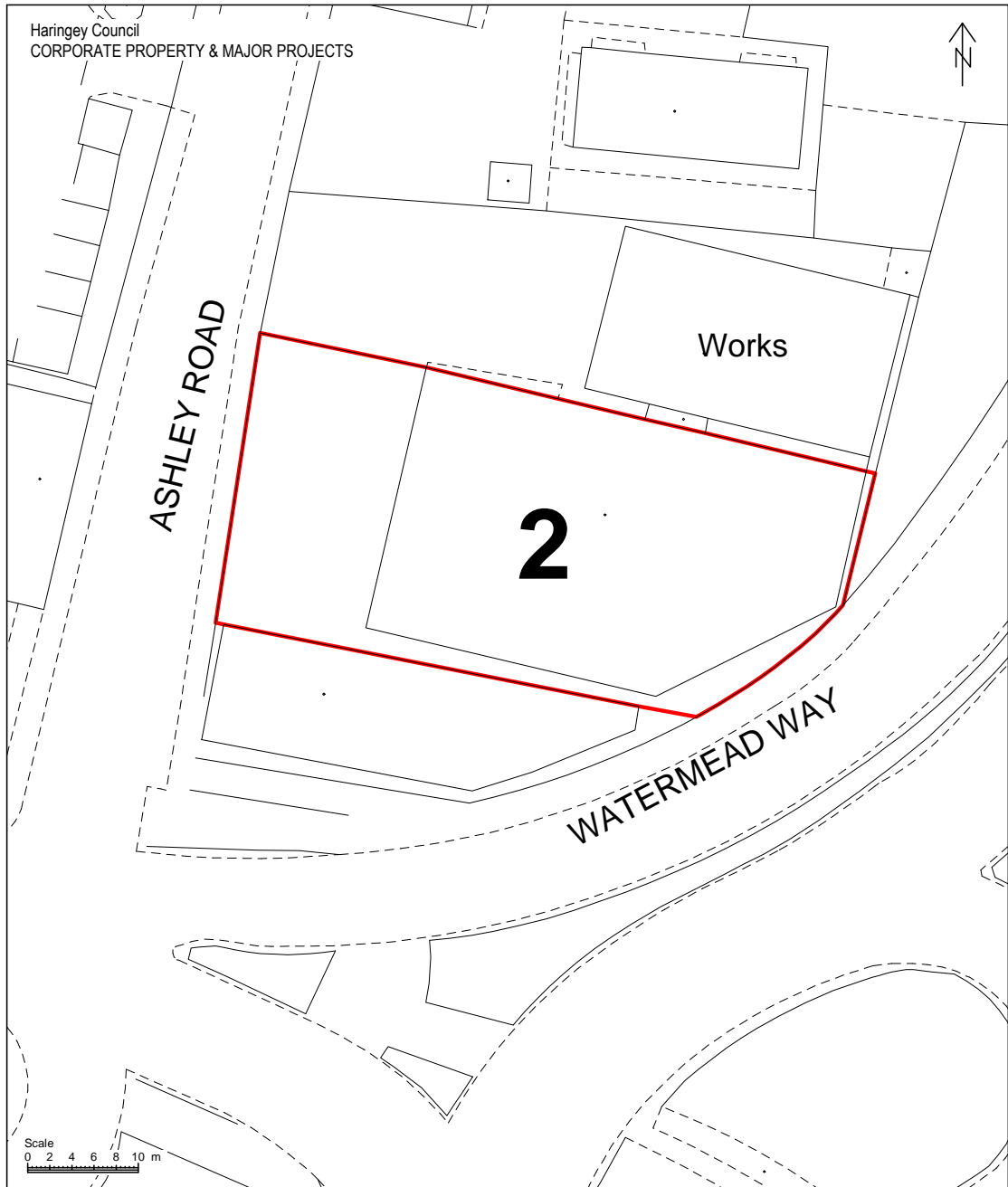
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Scale 1:500

Plan produced by Janice Dabinett on 20/06/2016

Drawing No. BVES A4 2834 revision 2

SITE 2



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Site 4 Ashley Road
Tottenham
LONDON
N17 9LJ

Red verging - Extent of site

Deed document no. :

LR title no. : EGL296632

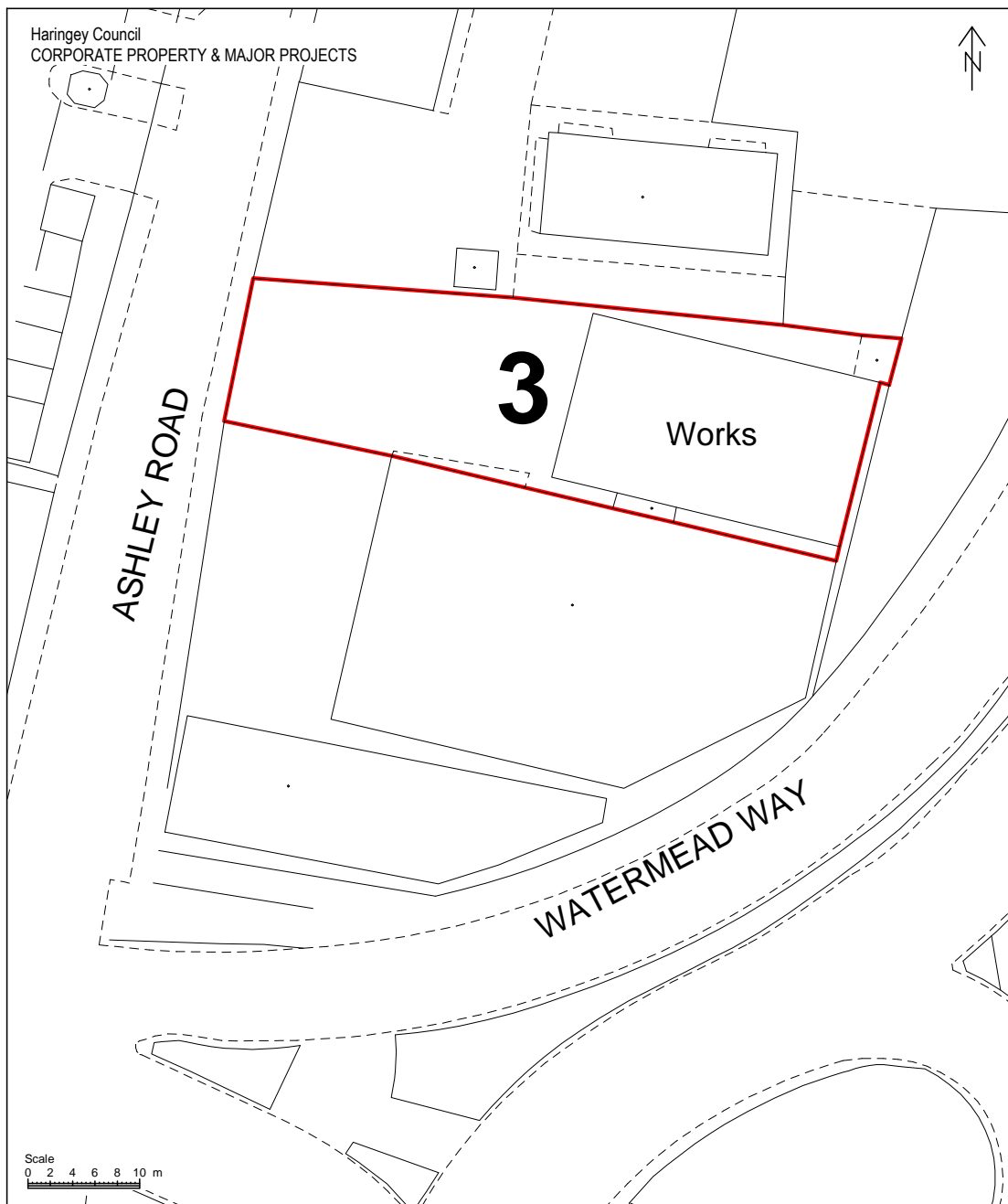
Site Area : 1382 m2

Scale 1:500

Overlay : Regen - JAD

Plan produced by Janice Dabinett on 09/06/2016

Drawing No. BVES A4 2834a



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Site 5 Ashley Road
Tottenham
LONDON
N17 9LJ

Red verging - Extent of site

Deed document no. : 2756, 1590, 1589, 2063

LR title no. : MX231243, NGL102598, MX71279, MX246959

Site Area : 958 m2

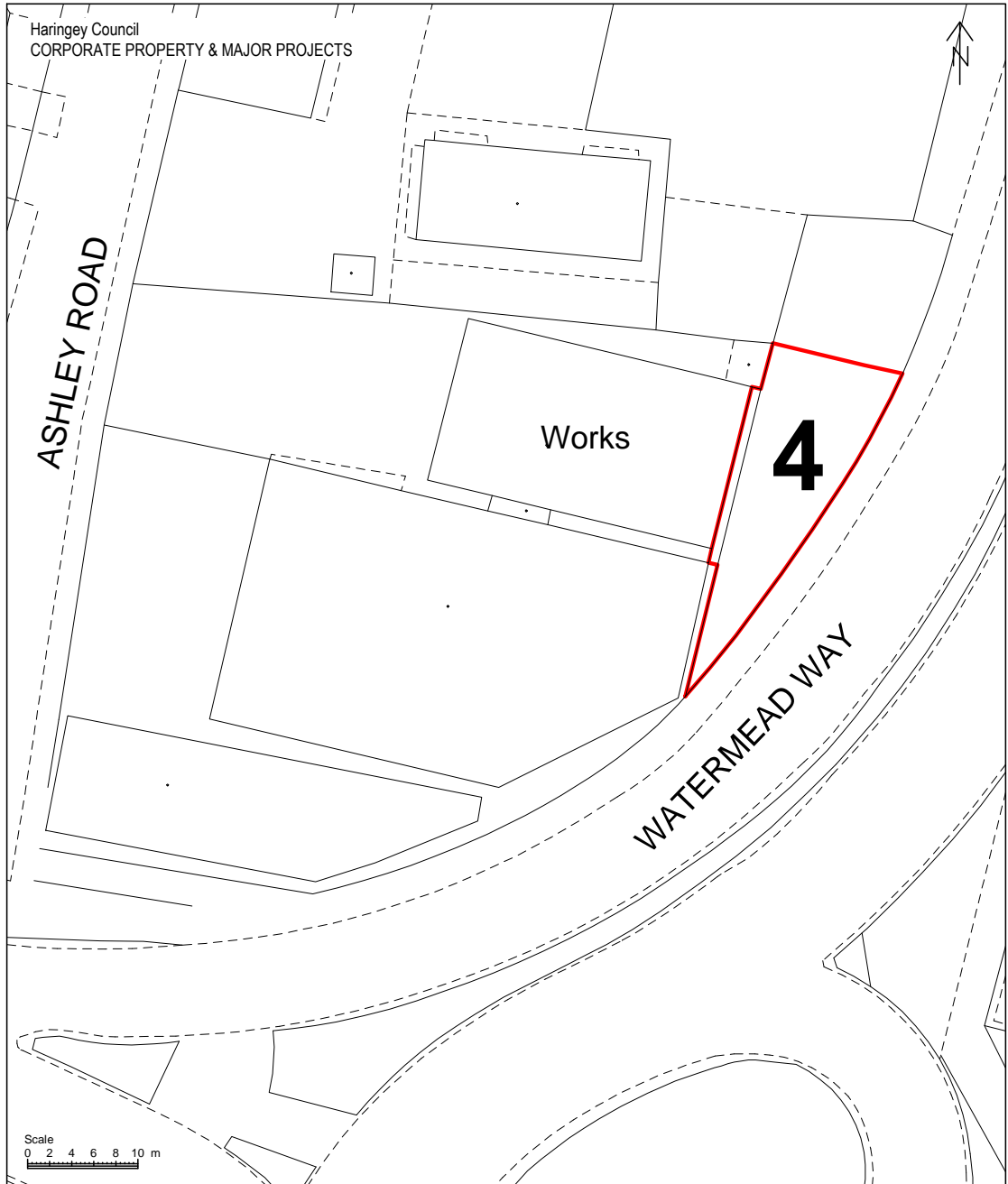
Overlay : Regen - JAD

Scale 1:500

Plan produced by Janice Dabinett on 09/06/2016

Drawing No. BVES A4 2834b

SITE 4



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Land rear of Sites 4 & 5 Ashley Road
Tottenham
LONDON
N17 9LJ

Red verging - Extent of site

Deed document no. : Former highway : Brograve Road, 1590

LR title no. : Unregistered, NGL102598

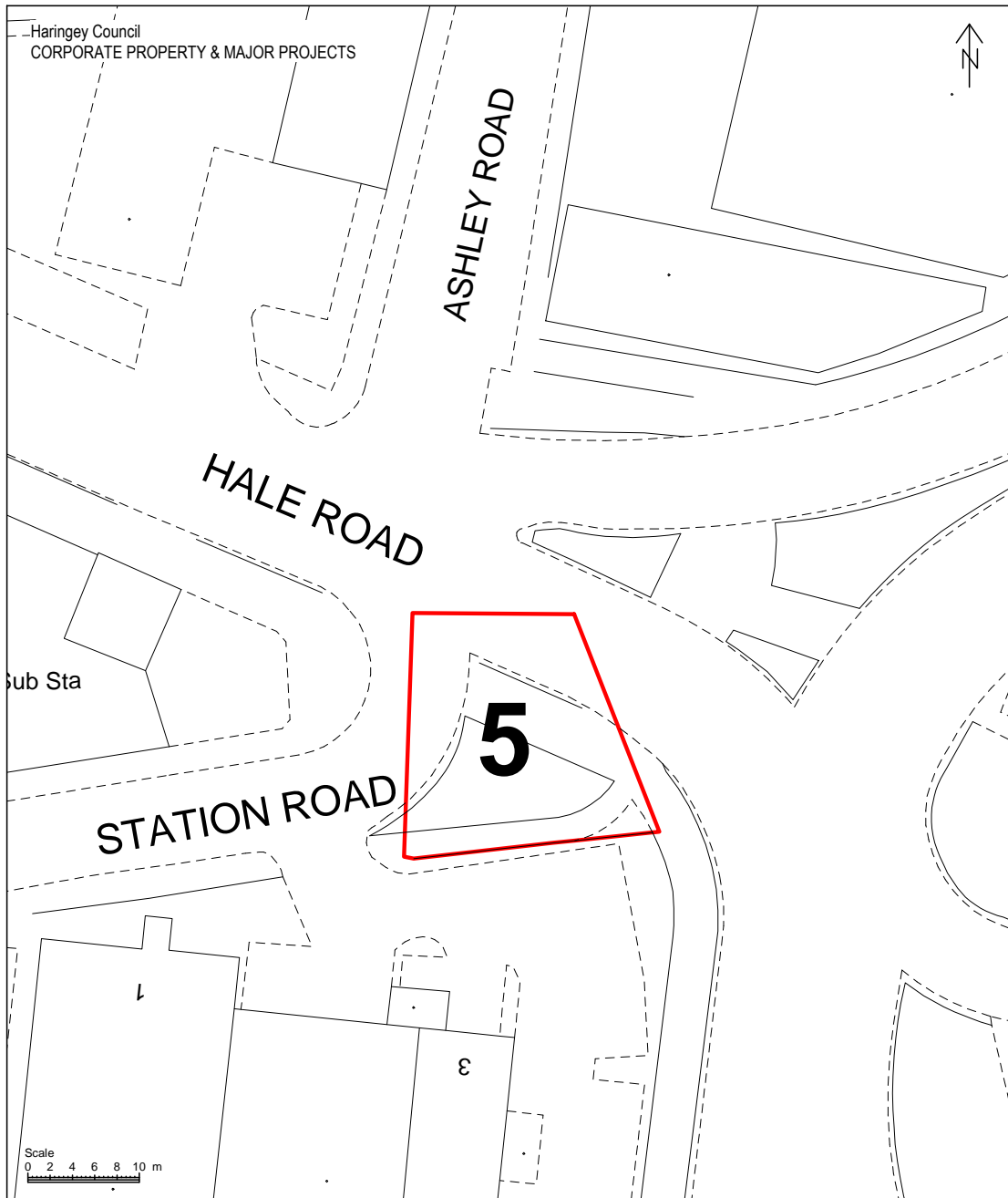
Site Area : 241 m2

Scale 1:500

Overlay : Regen JAD

Plan produced by Janice Dabinett on 10/06/2016

Drawing No. BVES A4 2834c



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Land at SE side of junc. Station Road & Hale Road
Tottenham
LONDON
N17

Red verging - Extent of site

Deed document no. : Adopted highway, 6311, 1964, 2150

LR title no. : Unregistered, AGL204988, MX282912, NGL149661

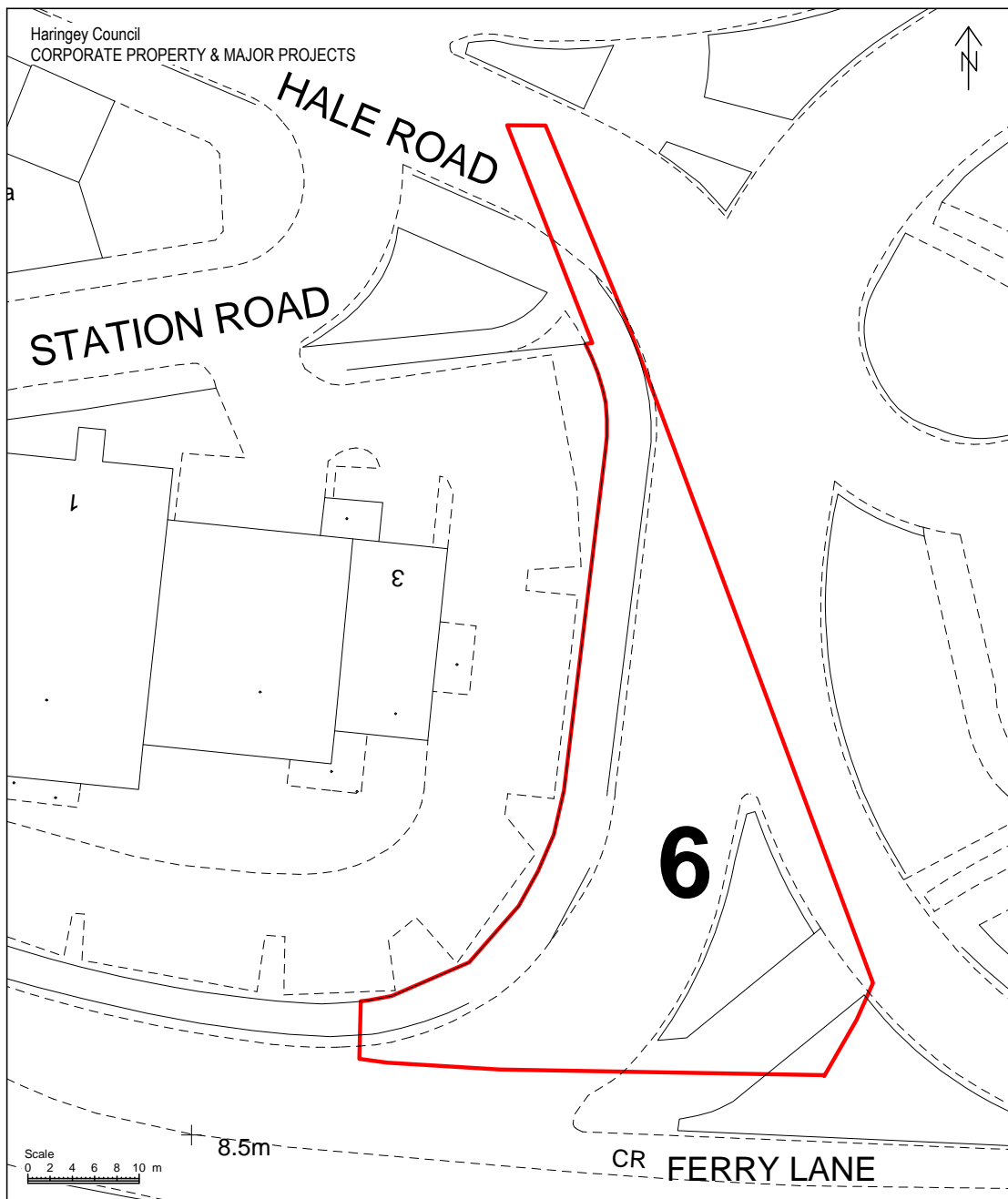
Site Area : 393 m2

Overlay : Regen JAD

Scale 1:500

Plan produced by Janice Dabinett on 17/06/2016

Drawing No. BVES A4 2834d Revision 1



Tottenham Hale Bus Station - Bus Stand lands
Tottenham
LONDON
N17

Red verging - Extent of site

Deed document no. : Watermead Way acquisition, Adopted highway, 2150, 2166
LR title no. : EGL334111, EGL295699, Unregistered, NGL149661, NGL147422

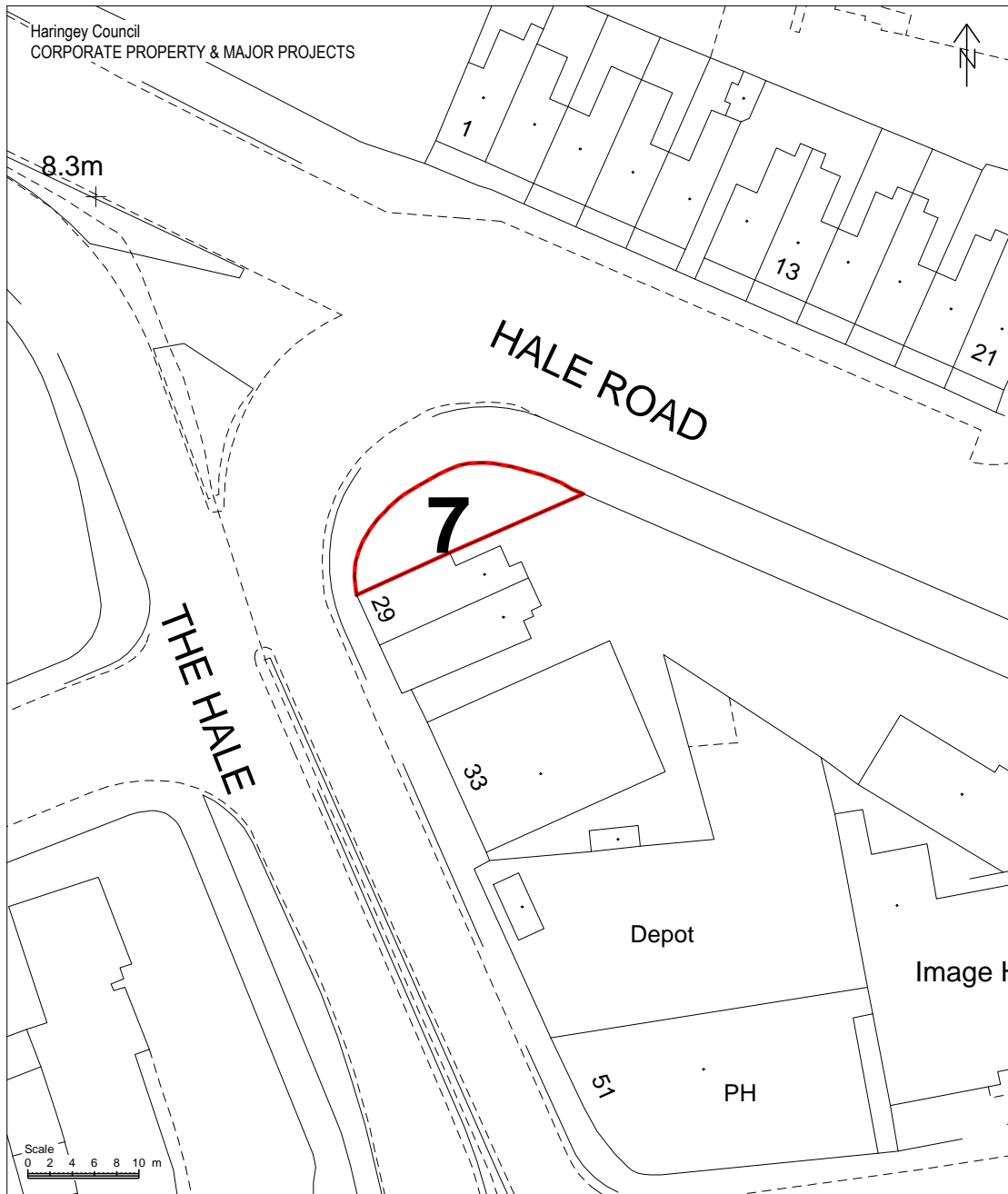
Site Area : 2834 m2

Overlay : RegenJAD

Scale 1:500

Plan produced by Janice Dabinett on 17/06/2016

Drawing No. BVES A4 2834e Revision 1



Land on S side junc. Hale Road & The Hale
Tottenham
LONDON
N17

Red verging - Extent of site

Deed document no. : 6251,

LR title no. : EGL242318, MX365018

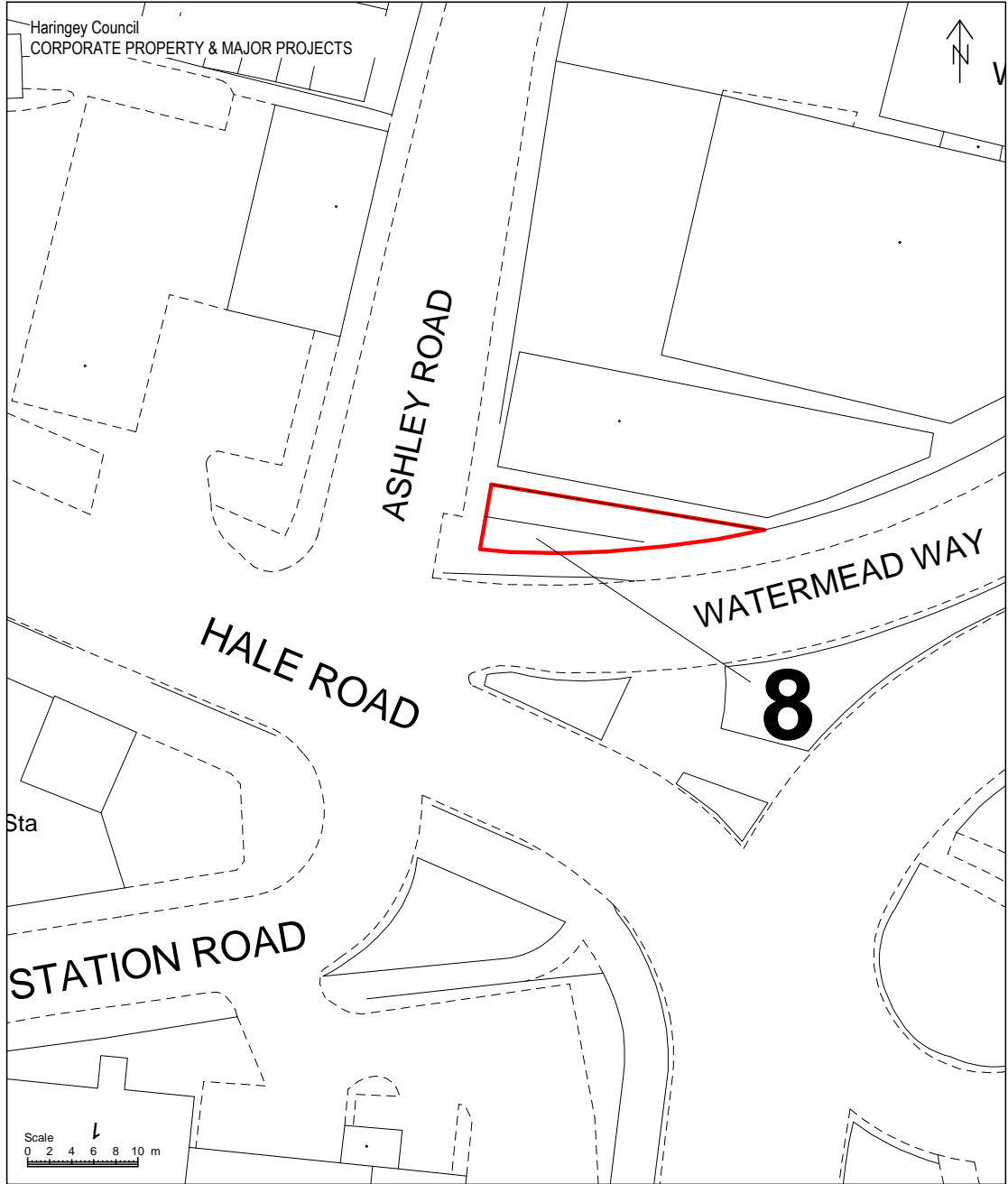
Site Area : 111 m2

Scale 1:500

Overlay : Regen JAD

Plan produced by Janice Dabinett on 10/06/2016

Drawing No. BVES A4 2834f



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Land fronting Watermead Way (E of Ashley Road)
Tottenham
LONDON
N17

Red verging - Extent of site

Deed document no. : 16azu, 16ajh, 2166, 2150

LR title no. : MX479126, MX224806, NGL147422, NGL149661

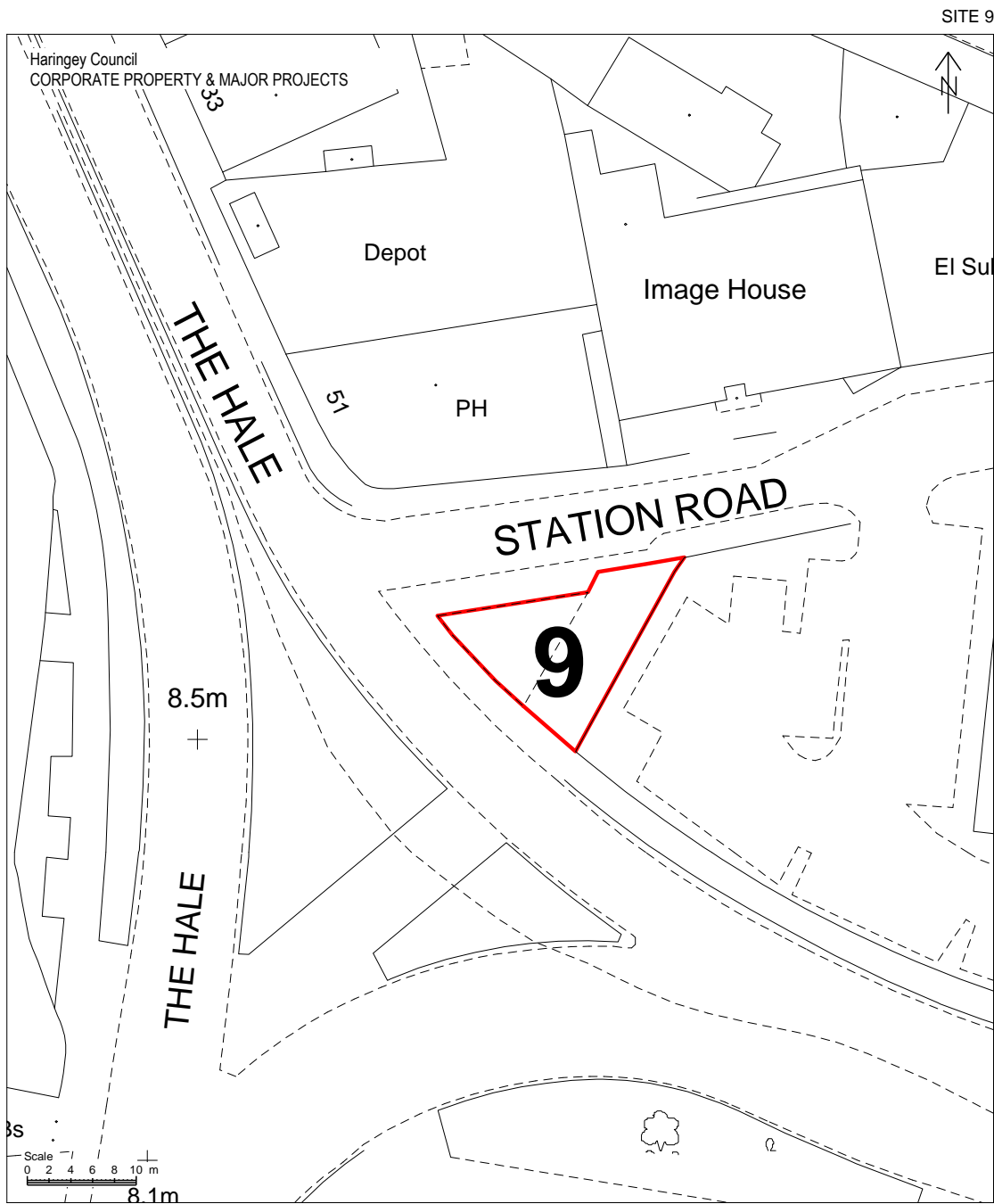
Site Area : 92 m2

Scale 1:500

Overlay : Regen JAD

Plan produced by Janice Dabinett on 10/06/2016

Drawing No. BVES A4 2834g



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Land on SE side of junc. of Station Road & The Hale
Tottenham
LONDON
N17

Red verging - Extent of site

Deed document no. : 6333b, land in highway

LR title no. : EGL315887, Unregistered

Site Area : 173 m2

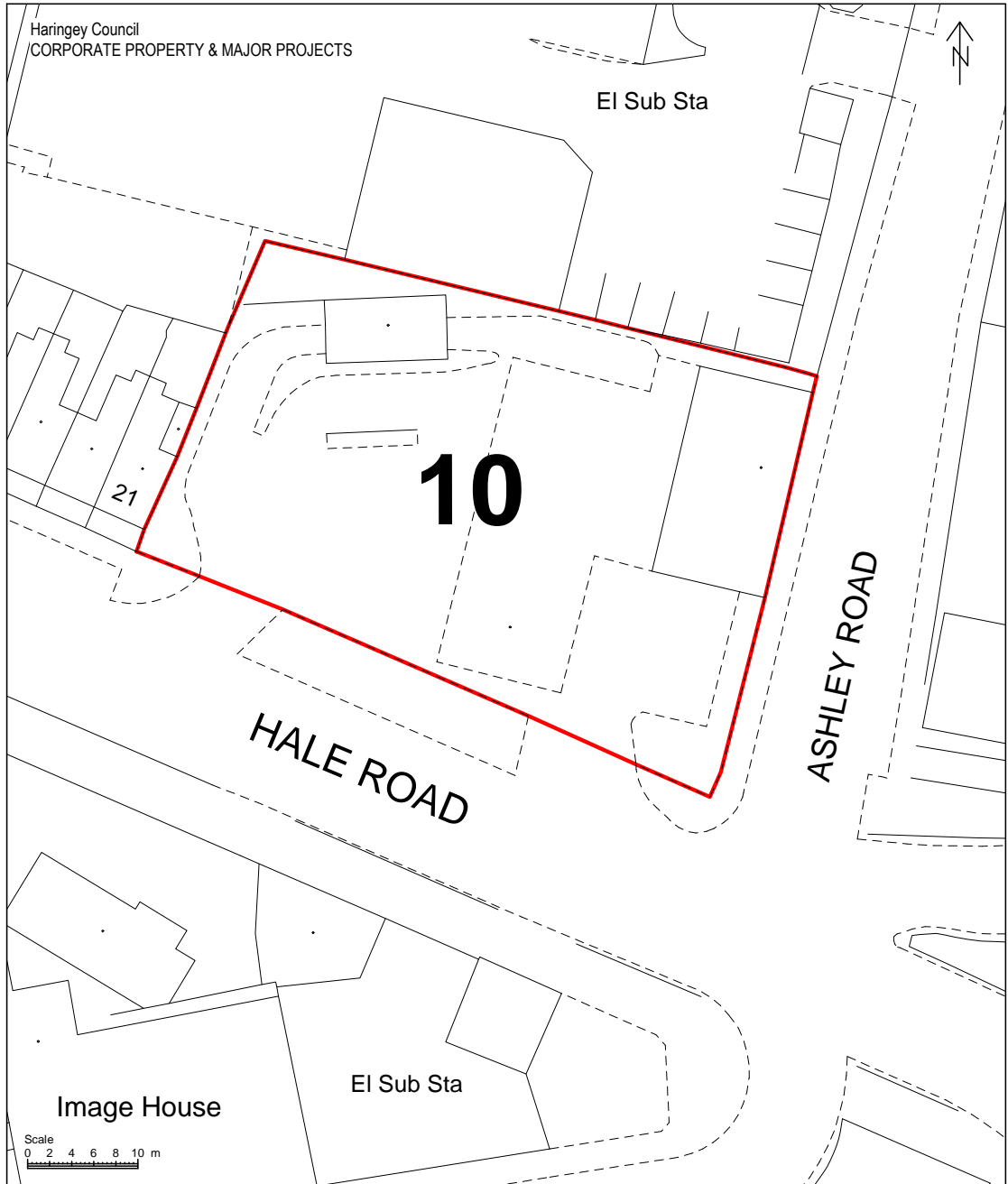
Scale 1:500

Overlay : Regen JAD

Plan produced by Janice Dabinett on 10/06/2016

Drawing No. BVES A4 2834h

SITE 10



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BP Garage site
Hale Road
Tottenham
LONDON
N17 9LB

Red verging - Extent of site

Deed document no. :

LR title no. : EGL153480

Site Area : 1877 m2

Scale 1:500

Overlay : Regen JAD

Plan produced by Janice Dabinett on 10/06/2016

Drawing No. BVES A4 2834k

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**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
TUESDAY 4 APRIL 2016**

Councillors Cllr Waters [Chair], Cllr Gunes, Cllr Weston & Cllr Stennett.

Apologies Margaret Gallagher & Dominic Porter-Moore.

Also attending Jon Abbey (Interim Director of Children's Services), Neelam Bhardwaja (Assistant Director – Safeguarding and Social Care), Annie Walker (Service Manager Children in Care), Lesley Kettles (Service Manager for Adoption and Fostering), Fiona Smith (Virtual School Head), Philip Slawther (Clerk), Lyn Carrington (Nurse - Whittington Health NHS)

CPAC337. APOLOGIES FOR ABSENCE (IF ANY)

Apologies for absence were received from Cllr Berryman, Cllr Morris & Cllr Hare.

Cllr Stennett gave apologies for lateness.

CPAC338. ACTIONS ARISING FROM THE MEETING WITH ASPIRE

NOTED: The actions listed in the notes of the meeting with Aspire.

CPAC339. URGENT BUSINESS

NONE

CPAC340. DECLARATIONS OF INTEREST

NONE

CPAC341. MINUTES

The minutes of the meeting held on 5 January 2016 were AGREED.

In relation to the previous action around circulating examples of PEP's, Care Plans & Pathway Plans, the Committee commented that they had not received the example plans to date. The Chair requested that this action be rolled forward.

Action: Dominic Porter-Moore/Fiona Smith

CPAC342. MATTERS ARISING

The Committee NOTED the Corporate Parenting Agenda Plan 2015/16

CPAC343. PERFORMANCE

**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
TUESDAY 4 APRIL 2016**

RECEIVED the report on Performance for the Year to the end of February. Report included in the agenda pack (pages 13 to 28).

NOTED in response to discussion:

- An overall improving trajectory in relation to the majority of performance indicators.
- There were 414 Children in Care at the end of February, which was 70 per 10,000 population including 32 unaccompanied asylum seeker children. The reduction in Haringey's LAC put the authority within the inter-quartile range of statistical neighbours (431 children or a rate of 69 per 10,000 population). Haringey's rate of LAC remained significantly above the London (52) and National average (60).
- A performance review system put in place by the Head of Service for Children in Care in October 2015 yielded some excellent performance improvements. The meetings with team managers were continuing and would focus on new challenges such as the recording of pathway plans and visits to children in care. At the end of February 2016, 92% of looked after children had an up to date Care Plan, a significant improvement from a low level of 49% at the end of May 2015 and now exceeding the 90% target.
- 87% of school aged children had completed and up to date Personal Education Plans (PEP) at the end of February. This was a step change in performance and only 3% short of the expected target. The results from the weekly meeting review on 17 March showed that the 90% target had been achieved. Completion of PEPs would continue to be a priority.
- At the end of February, 85% of looked after children aged 16-17 had up to date Pathway Plans. Performance in this area is at an all time high having increased significantly compared to the low level (20%) reported in June.
- 93% of LAC had an up to date review at the end of February above the 90% target.
- 85% of Children in Care visits were recorded as completed in the relevant timescales in the period. Performance in this area had improved in recent months and was now just 5% below the 90% target.
- At the end of February, 91% (362 out of 399) of children in care for over a month had an up to date health assessment, a dip from the 97% achieved at the end of January but still above target. The dip in February performance was due to a backlog and a lack of resources as two nurses were off sick during February. Some of these children have now been seen. The service expected to bring levels back on track and health assessments performance should better the 2014/15 outturn of 94%.

**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
TUESDAY 4 APRIL 2016**

- Quarter 3 data reveals that the care proceedings trend towards cases of shorter duration has been maintained with an average duration of 28 weeks and, a considerable achievement of 78% cases concluded in less than the 26 weeks statutory timescale, improved from 35% in Quarters 1 & 2. AD Safeguarding identified that far more work was being done pre-proceedings in order to improve performance in this area.
- 85 children or 21% were placed 20 miles or more from Haringey at the end of February 2016, an additional 11 children since the position at end of January 2016. Performance was worse than the 16% target and the March 2015 end of year performance figure (18%) when 77 children were placed more than 20 miles from Haringey. Although higher than national levels this proportion was only slightly above the average for London and our Statistical Neighbours (18%).
- In the year to February 2016 there were 35 legal permanency orders, 19 adoptions and 16 special guardianship orders (SGO). This equated to permanency being secured for 17% of children that ceased to be looked after but was 18 fewer legal orders achieved compared with the same period last year and behind track by 14 orders against our combined (adoption and SGO) target of 54 for 2015-16. However with three known adoption orders in March, the service would meet the end of year adoption target. 24 adoption orders are expected by the end of the financial year and 22 special guardianship orders putting the service 11 permanency orders, behind the levels achieved in 2014/15. The length of adoption proceedings had increased as a result of a higher number of leave to oppose decisions being made by the courts. The referrals for special guardianship assessments were far less than in past years and less than expected.
- In the year to February, children waited an average of 483 days from becoming looked after to being placed for adoption. This was higher than the national threshold (426 day average for 2013-16) but remained an improvement on the 589 days in 2014/15. However the three children adopted in March were placed for adoption two years after they became looked after and were not included in the 483 days, when these days are added in it will increase the average days reported for our year end 2015/16 figure.
- The Committee noted that the Parliamentary Undersecretary of State for Children and Families, Edward Timpson MP, had written a letter to all local authorities who had an average performance figure above a certain level in relation to the average number days from becoming looked after to being placed for adoption. Haringey's performance for the rolling average for 2012-15 was 691 which was 204 days over the target figure. The Committee noted that a plan was being developed which would be communicated back to the Minister.
- The plan involved undertaking work to improve permanency planning and to relaunch a more robust policy and set of procedures which would impact on planning. Coram had undertaken an adoption process mapping exercise with

**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
TUESDAY 4 APRIL 2016**

the adoption and court team service from which recommendations for reducing delay in the system would be made and implemented. Haringey were also part of a trial of the Coram permanence tracking tool that will further assist in reducing the number of days from LAC to being placed for adoption. In addition, Haringey had taken the lead with First4Adoption in a recruitment of adopters for children with complex needs which would lead to a greater number of adopters for children who are more challenging to place and whose placements reflected the largest number of days.

- 91% of LAC children had an up to date dental visit as at 31 March 2015, performance for this measure was on an upward trajectory.
- Children missing numbers were relatively stable in 2015/16 with a recent spike in January 2016. In February, 13 children were recorded as either missing from care at any point during the month. 3 children were away from placement without authorisation and 15 children were recorded as missing from home, a reduction in the number reported missing from home compared to the end of January (31).
- A more systematic way to capture data on missing children in real time was being progressed with work underway to get the recording incorporated into workflow steps on the Mosaic social care system. In addition, a Haringey Runaway and Missing from Home and Care Protocol has been completed by all agencies and is the basis for dealing with children who run away or go missing in the area. Work to capture outcomes from return to care interviews needed to be expedited.

AGREED to note the report.

CPAC344. PAN-LONDON ADOPTION BID

NOTED the verbal update given by the AD Safeguarding on the Pan-London Adoption bid. The latest update on the Pan-London Adoption bid was circulated to the Board earlier that day. The Committee noted that the bid had been narrowed down from five or six options to two. The next step was to undertake detailed investigations on the two options to assess their relative viability. The two options were noted as a local authority trading company delivery model with a strategic VAA partnership operating in a hub and spoke or a local authority/voluntary adoption agency joint venture operating in a hub and spoke.

Clerks note – Cllr Stennett arrived at the meeting at this point

In response to a question, the AD Safeguarding advised that the likely implementation date was 2018.

CPAC345. UPDATE ON NRS CONTRACT

**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
TUESDAY 4 APRIL 2016**

NOTED the verbal update given by the AD Safeguarding on the NRS Contract. AD Safeguarding advised that the contract with NRS finished some time ago but that NRS were still recruiting foster carers for the Council. NRS were currently being paid an agreed fee for each completed assessment that went through to the panel. The Committee noted that there was a programme of work being undertaken through surveys and also through Commissioning to look at the different models and costings to see whether the Council should go out to the market again or potentially bring the recruitment back in house. In response to a question on the likely timescales, the Service Manager for Adoption and Fostering advised that there was a meeting with NRS on 19th April. However, the service had to continue using NRS in the interim in order to ensure that there was capacity to undertake assessments which would continue for at least six months.

The Head of Service, Children in Care and Placements to bring a report to the next CPAC meeting to update the committee on foster carer recruitment and future models of provision.

Action: Dominic Porter-Moore

CPAC 348. MISSING CHILDREN

RECEIVED a report updating the Committee on the key factors involved and the multiple risks associated with, Children Who Are Missing. The report was included in the agenda pack (pages 19 to 23).

NOTED that

- The reasons that children go missing from home and missing from care were largely the same and the reasons for absconding from care often related to: Being unhappy; feeling that the placement was not meeting their needs; bullying in the placement; not feeling listened to; or they had been encouraged or groomed to leave the placement by those who exploit vulnerable children and young people. Similarly, the reasons children go missing from home included there being interpersonal relationship difficulties with their carers or other family members.
- Often cases needed to be seen in the broader context of recurrent instances of going missing and some of the more frequent cases often involved; CSE, gang affiliation and cannabis use.
- One of the key risks identified was the increasing use of missing children to transport drugs along a several established routes for example: London – Wrexham, Hull, Southampton, and Norwich. Integral to this is that they were also vulnerable to gang and criminal activity which was associated with a chaotic lifestyle and had implications for their sexual, physical and emotional health.

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TUESDAY 4 APRIL 2016**

- In terms of actions taken to identify and reduce risk, there was an established protocol when children go missing from care; which included a referral to the Police MISPA Team, and a strategy meeting at which information was shared and action planned. There was also weekly tracking meeting of children who are, or have been missing from care, between the DCS and Lead Member. On their return to care, a de-briefing interview was undertaken by the police MISPA Team in order to ascertain the reason behind the missing episode. A Return to Care Interview was undertaken by the CYPS Targeted Support Team. Performance had been poor in this area and a contract with an external provider had been negotiated.
- The Multi-agency Sexual Exploitation meeting (MASE) convened on a monthly basis and its key purpose was to produce and develop a detailed strategic overview of the CSE profile for the borough of Haringey. The CSE profile would enable the MASE meeting to coordinate tactical responses to direct diversionary and disruption measures in identified problem areas. Partner agencies, such as the police, share intelligence and information relating to CSE activity to inform mapping, analysing the profile of CSE in the borough, generating intelligence for investigations and identifying any trends or problem locations to ensure they were dealt with. The Service Manager Children in Care clarified that the MASE included all the relevant partner agencies including the schools.
- More recently the Missing Children and Child Exploitation Operational Panel had begun meeting every three weeks. This is a multi-agency forum which had the purpose of agreeing multi-agency safety plans for children who were missing/ engaging in risk-taking behaviour which was escalating their vulnerability and risk from all forms of exploitation. Their remit included:
 - Identify and share details of children and young people who were missing/frequent Missing Persons (MISPERs).
 - Identify potential risks and risk level, including those at risk of youth offending
 - Prioritise intervention
 - Agree agency or multi agency response required to support an agreed safety plan based on levels of risk identified by panel.
 - Identify and share details of children and young people who were at risk of child sexual exploitation/gang affiliation/ radicalisation and extremist ideology and were known to professionals as missing / frequent MISPERs
 - Agree agency or multi agency responses where required.
 - Identify missing / Frequent MISPERs approaching 18 years old who were considered to be at ongoing risk from exploitation/safeguarding issues as they enter adulthood. Concerns to be passed to adult safeguarding services.
 - The format and purpose of the meeting was to be reviewed every 12 weeks.

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- In response to a question from the Chair, the Service Manager Children in Care clarified that foster carers still had a responsibility to report missing Children i.e. those over the age of 18, but that the level of involvement from different agencies was much less and the missing from care protocol would not be applicable, for instance. The Council still had a responsibility for children missing from care until they were 24.

CPAC 348. CARE LEAVERS

RECEIVED a report updating the Committee on what the Council does to support care leavers. The report was included in the agenda pack (pages 23 to 28).

NOTED that

- The Council aims to support young people to remain in their current education and college courses. Each young person in care had a Personal Education Plan (PEP) that accompanied them during their journey through care. As an additional monitoring system there were plans to review the PEPs ongoing at the transition panel where a representative of the Virtual School was present and could provide additional advice and guidance to the current and future plans in place and ensure that all efforts were being made to sustain current educational/training provision.
- The Council continued to have marked success with higher than average numbers of care leavers attending university, with 61 current care leavers at university. To support care leavers the Council introduced a dedicated email address to keep in touch with its care leavers at university so that it could send them regular updates on funding opportunities and other important opportunities.
- In 2015 in partnership with the Chartered Accountants for England and Wales, the Council targeted its care leavers who were university students and provided them with a day focusing on them gaining quality advice, and information regarding accessing the workplace, career options and future career planning. The Council also offered each third year student a one to one appointment with Drive Forward to develop their CV and prepare them to access the job market. This offer was made in July last year and would be repeated this year.
- The Council was working to reduce the Numbers of Not In Education (NEET) and Employment and support young people to engage in education and find employment. As part of the strategic plan to reduce the numbers of NEET the service had developed a working protocol with Department for Work and Pensions (DWP) and Drive Forward to ensure the welfare benefits process was simplified and care leavers supported more robustly into sustainable employment. Current performance data which monitored care leavers at the 19th, 20th and 21st birthday in ETE, was below target. The Committee noted

**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
TUESDAY 4 APRIL 2016**

that there had been some accuracy issues on reporting, which the service was now aware of and were working to resolve.

- The E8ghteen project had been running since 2011. The project currently supported care leavers aged 16-20 being mentored by coaches from the Tottenham Hotspur Foundation. The project supported young people to remain in education and also for those out of education to engage and achieve some success. It offered opportunities to engage some the most hard to reach older children in care and care leavers to engender their interest in further education and employment.
- Housing and accommodation was another aspect of the advice and support offered. For those under the age of 18 the most likely type of accommodation they would be placed in would be with a foster carer and live as part of their family. From the age of 18 years old care leavers had a range of housing options they could consider as part of independent living.
- The options were; remaining with their foster carers under staying put arrangements, moving to semi-independent provision with key work support, moving to one of the transitional training houses managed by the YAS with volunteers on site or possibly to their permanent accommodation. Occasionally care leavers entered the private sector but this was as a last resort and based on the care leaver being unwilling to return to Haringey to take up their permanent housing offer. Housing currently offered YAS a housing quota of 60 one bed and 6 two bed quota (for care leavers who were parents). Each care leaver received a setting up home establishment grant of £2000.

Cllr Weston commented that the offer to each third year student of a one-to-one appointment with Drive Forward to develop their CV should be offered at an earlier stage in their university placement. AD Safeguarding agreed to review this arrangement and look into getting that support in place sooner, either at the end of first or second year.

Action: Neelam Bhardwaja

Cllr Gunes raised concerns that the Committee had not been able to scrutinise information in relation to unaccompanied minors seeking asylum and requested a report be produced outlining key information such as numbers, length of time in care and what the Council's responsibilities to those children were. Cllr Gunes also requested clarification on the legal status of child's immigration status and whether this was included into the care plan. AD Safeguarding advised that the child's status once they entered the LAC would be the same as any other child but that their immigration status would be set by the Home Office. The Head of Service, Children in Care and Placements to produce a report on immigration status and LAC/care leavers and the council's role around unaccompanied minors seeking asylum for the next meeting.

Action: Dominic Porter Moore/Neelam Bhardwaja

**MINUTES OF CORPORATE PARENTING ADVISORY COMMITTEE
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Cllr Weston requested that the above report include reference to whether there was a policy position on whether the Council would support a challenge to an immigration status determination and on what grounds, for example if the care leaver was attending university.

Action: Dominic Porter Moore/Neelam Bhardwaja

Clerk to speak with Stephen from Legal to get their input on the immigration paper for the next meeting.

Action: Clerk

CPAC348. NEW ITEMS OF URGENT BUSINESS

None.

CPAC348. EXCLUSION OF THE PRESS AND PUBLIC

None.

CPAC 349. NEW ITEMS OF URGENT EXEMPT BUSINESS

None.

CPAC350. ANY OTHER BUSINESS

Executive summary of the Virtual Schools annual report to be included on the agenda for the next meeting.

Action: Fiona Smith/Clerk

Future meetings

NOTED the following dates:

4th July 2016

3rd October 2016

12th January 2017

3rd April 2017

Meetings are scheduled to start at 6.30pm.

**Cllr Ann Waters
Chair**

The meeting ended at 20:30 hours.

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MINUTES OF THE MEETING OF THE CABINET MEMBER SIGNING HELD ON TUESDAY, 21ST JUNE, 2016, 10:00.

PRESENT:

Councillors: Alan Strickland, Cabinet Member for Housing, Regeneration and Planning

9. FILMING AT MEETINGS

The Cabinet Member referred those present to agenda Item 1 as shown on the agenda in respect of filming at this meeting and asked that those present reviewed and noted the information contained therein.

10. URGENT BUSINESS

None

11. MONUMENT WAY TOILETS - TOTTENHAM HIGH ROAD

Following the completion of a feasibility study and public consultation regarding future uses, the report sought approval for a strategy to bring the Monument Way toilet building on Tottenham High Road back into use.

RESOLVED

That the Cabinet Member for Housing, Regeneration and Planning;

- I. Note the outcome of the architectural feasibility study and community consultation.
- II. Declare the building surplus to Council requirements and available to be advertised for commercial let on a leasehold basis as a cafe/bar in accordance with the requirements and criteria set out in section 6.18.
- III. Approve the implementation of the delivery strategy which includes;
 - Undertaking the initial phase of construction to renovate the building.
 - Develop a lettings strategy and advertisement for the building, advertise the building for commercial let and appoint an operator.

REASONS FOR DECISION

- I. To bring this important and prominent building back into use as a commercial and community asset which will contribute positively to the regeneration of Tottenham and meet the objectives of the Growth on the High Road programme which include; improving the image and perception of Tottenham, generating increased footfall, and delivering a more attractive and vibrant High Road with restored historic buildings and attractions.
- II. The project will deliver the following positive outcomes:
 - The sensitive restoration of a building of architectural merit within the Tottenham Green Conservation Area.
 - The creation of unique new venue and space along the High Road, reinforcing the individual character of Tottenham.
 - The establishment of a new business in Tottenham, and associated jobs, training and apprenticeship opportunities
 - The activation of a traditionally quieter area of the High Road, between Tottenham Green and Bruce Grove.
 - Reinforce the role of the High Road as a destination, increasing its vitality and viability
 - Economic benefits from the letting of the premises and associated rent and business rates payments.

ALTERNATIVE OPTIONS CONSIDERED

A do nothing option would mean leaving the building as it was. This would not support the objectives of bringing the building back into use as a commercial and community asset on the High Road and contributing to physical, social and economic regeneration of the area. The building also attracts some antisocial behaviour in the form of street drinkers to the rear of the site and this proposal would make the building public and more of a destination and community asset, therefore increasing natural surveillance of the area.

Instead of retaining the freehold and leasing the building to an operator the Council could sell the building freehold and have no involvement in its future use other than in relation to any regulatory decisions (such as Planning and Licensing). This was not recommended as due to its strategic location on the High Road, architectural merit and cultural significance, and its potential to contribute to the regeneration of Tottenham. Therefore it was considered that a degree of protection and certainty was required over its future use and operation. This would have been more difficult to achieve if it was sold on a freehold basis.

The feasibility study explored a number of different uses for the building including; a residential unit, community space, office and reinstating the previous use as a public toilet. These options were not considered feasible (more information is provided in section 6.8 of the report), it was considered appropriate that the building remains open to the public given its previous use and history and a cafe/bar use would achieve this aim.

12. NEW ITEMS OF URGENT BUSINESS

N/A

CHAIR: Councillor Alan Strickland

Signed by Chair

Date

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Report for: Cabinet 12 July 2016

Item number: 15

Title: Delegated Decisions and Significant Actions

Report authorised by : Nick Walkley, Chief Executive
Bernie Ryan AD Corporate Governance

Lead Officer: Ayshe Simsek

Ward(s) affected: Non applicable

**Report for Key/
Non Key Decision: Information**

1. Describe the issue under consideration

To inform the Cabinet of delegated decisions and significant actions taken by Directors.

The report details by number and type decisions taken by Directors under delegated powers. Significant actions (decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

2. Cabinet Member Introduction

Not applicable

3. Recommendations

That the report be noted.

4. Reasons for decision

Part Three, Section E of the Constitution – Responsibility for Functions, Scheme of Delegations to Officers - contains an obligation on officers to keep Members properly informed of activity arising within the scope of these delegations, and to ensure a proper record of such activity is kept and available to Members and the public in accordance with legislation. Therefore, each Director must ensure that there is a system in place within his/her business unit which records any decisions made under delegated powers.

Paragraph 3.03 of the scheme requires that Regular reports (monthly or as near as possible) shall be presented to the Cabinet Meeting, in the case of executive functions, and to the responsible Member body, in the case of non executive functions, recording the number and type of all decisions taken under officers' delegated powers. Decisions of particular significance shall be reported individually.

Paragraph 3.04 of the scheme goes on to state that a decision of “particular significance”, to be reported individually by officers, shall mean a matter not within the scope of a decision previously agreed at Member level which falls within one or both of the following:

- (a) It is a spending or saving of £100,000 or more, or
- (b) It is significant or sensitive for any other reason and the Director and Cabinet Member have agreed to report it.

5. Alternative options considered

Not applicable

6. Background information

To inform the Cabinet of delegated decisions and significant actions taken by Directors.

The report details by number and type decisions taken by Directors under delegated powers. Significant actions) decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

Officer Delegated decisions are published on the following web page <http://www.minutes.haringey.gov.uk/mgDelegatedDecisions.aspx?bcr=1>

7. Contribution to strategic outcomes

Apart from being a constitutional requirement, the recording and publishing of executive and non executive officer delegated decisions is in line with the Council’s transparency agenda.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Where appropriate these are contained in the individual delegations.

9. Use of Appendices

The appendices to the report set out by number and type decisions taken by Directors under delegated powers. Significant actions (Decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

10. Local Government (Access to Information) Act 1985

Background Papers

The following background papers were used in the preparation of this report;

Delegated Decisions and Significant Action Forms

Those marked with ♦ contain exempt information and are not available for public inspection.

The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.

To inspect them or to discuss this report further, please contact Ayshe Simsek on 020 8489 2929.

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(Deputy Chief Executive's Directorate, Public Health Team)

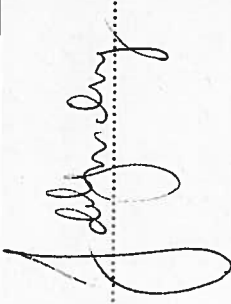
Significant decisions - Delegated Action- For Reporting to Cabinet on 12th of July 2016

◆ Denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1.	2 June 2016	Broadreach Extension	◆ The Director of Public Health has agreed to extend the contract to Broadreach for the provision of inpatient detoxification, from 17 Oct 2016 to 16 Oct 2017. Maximum value will be under £209
2.	17 June 2016	Breastfeeding Peer Support Service	◆ The director of public health has agreed to award the contract for breastfeeding peer support to Breastfeeding Network, The contract period is 21 months commencing 14 th July 2016 and the cost of the contract will be £115,026.

Delegated Action

Type	Number
The Director of Public Health approved to award the contract of Independent Chairing and Administration of Domestic Homicide Review (SEA) to Standing Together Against Domestic Violence (STADV). The contract will be for 12 months, from 1 st June 2016 to 31 st May 2017 at the maximum value of £8,000 - approved 16 May 2016	1
The Director of Public Health has agreed to extend the existing contract let to The Doctor's Laboratory for the provision of dual STI testing kits, pathology and results notification for a period of 12 months, from 1 st July 2016 to 30 th June 17 and the maximum costs of the service for the duration of extension period will be capped at £50,000 - approved 25 May 2016	2
The Director of Public Health has agreed to extend the existing contract to let Central and North West London NHS Foundation trust (CNWL) to provide the supply of condoms and related supplies, for a period of 12 months, from 8 th October 2016 to 7 th October 2017 and the maximum costs of the service for the duration of extension period will be capped at £50,000 - approved 25 May 2016	3

Director's Signature.....  Date..... 4 July 2016

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DIRECTORATE OF REGENERATION, PLANNING AND DEVELOPMENT

Significant decisions - Delegated Action 2016/2017 – June 2016

◆ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1. ◆	16.06.16	Award of shared ownership marketing and sales service contract	To award the marketing and sales services for Haringey's new-build shared ownership properties contract to Circle Housing (part of Circle Anglia Ltd) Dan Hawthorn (AD Regeneration) for Lyn Garner Contract value up to £45,000

Delegated Action

Type	Project	Value

Submission authorised by:



Lyn Garner
Director of Regeneration, Planning and Development

Date: 4 July 2016

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By virtue of paragraph(s) 3, 5 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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