

NOTICE OF MEETING

Cabinet

TUESDAY, 18TH SEPTEMBER, 2012 at 18:30 HRS – COUNCIL CHAMBER, CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillor Claire Kober (Chair), Councillor John Bevan, Councillor Nilgun Canver, Councillor Joe Goldberg, Councillor Alan Strickland, Councillor Bernice Vanier, Councillor Ann Waters and Councillor Richard Watson.

AGENDA

1. APOLOGIES

To receive any apologies for absence.

2. 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 17 below. New items of exempt business will be dealt with at Item 23 below).

3. 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.

4. MINUTES (PAGES 1 - 22)

To confirm and sign the minutes of the Cabinet meeting held on 10 July 2012 and the Special Cabinet Meeting held on 19 July as a correct record.

5. DEPUTATIONS/PETITIONS/QUESTIONS

To consider any requests received in accordance with Standing Orders.

6. FINANCIAL (BUDGET) MONITORING (PAGES 23 - 32)

(Report of the Assistant Director Finance - to be introduced by the Cabinet Member for Finance and Carbon Reduction). To advise Cabinet of the forecast revenue and capital outturns for 2012/13 based on actual performance to 31 July 2012 and to consider proposed management actions and budget adjustments in response to monthly budget management during the financial year to date.

7. PERFORMANCE ASSESSMENT 1ST QUARTER 2012/13 (PAGES 33 - 68)

(Report of the Assistant Chief Executive – to be introduced by the Leader of the Council). To provide an update on progress against the Council's priorities and other major responsibilities in the first quarter of 2012/13.

8. WELFARE BENEFIT REFORMS - IMPLICATIONS FOR HOUSING SERVICES

(Report of the Director of Adult and Housing Services to be introduced by the Cabinet Member for Housing). **REPORT TO FOLLOW**

9. DECLARATION OF AN ARTICLE 4 DIRECTION AREA FOR CONTROLLING PROBLEMATIC HOUSES IN MULTIPLE OCCUPATION (HMOS) (PAGES 69 - 126)

(Report of the Director of Place and Sustainability – to be introduced by the Cabinet Member for the Environment). The report seeks approval to withdraw certain permitted development rights to improve the management of Houses in Multiple Occupation (HMOs).

10. LOCAL IMPLEMENTATION PLAN ANNUAL SPENDING SUBMISSION FOR TRANSPORT 2013/14 (PAGES 127 - 136)

(Report of the Director of Place and Sustainability – to be introduced by the Cabinet Member for the Environment). The report seeks approval of the submission of the Local Implementation Plan (LIP) Annual Spending Submission for 2013/14 to Transport for London (TfL).

11. OPTIONS FOR THE FUTURE OF THE JOHN LOUGHBOROUGH SCHOOL (PAGES 137 - 238)

(Report of the Director of Children's Services – to be introduced by the Cabinet Member for Children). The report seeks approval to commence consultation with regard to the closure of the school.

12. HOUSING RELATED SUPPORT CONTRACT - HOME IMPROVEMENT AGENCY (PAGES 239 - 252)

(Director of Adult and Housing Services – to be introduced by the Cabinet Member for Housing). To approve a waiver of tendering requirements and approve an award of contract with Metropolitan Care and Repair for the Home Improvement Service (HIA) for two years at the current contract value.

13. AWARD OF LEISURE MANAGEMENT CONTRACT (PAGES 253 - 316)

(Report of the Director of Place and Sustainability – to be introduced by the Cabinet Member for Communities). To consider the award of a contract to manage Tottenham Green Leisure Centre, Park Road Leisure Centre, Broad Water Farm Community Centre and Whitehart Lane Sports Centre.

14. MINUTES OF OTHER BODIES (PAGES 317 - 324)

To note the minutes of other bodies as set out below:

- Cabinet Member Signing 18 July 2012
- Cabinet Member Signing 26 July 2012
- Cabinet Member Signing 15 August 2012
- Cabinet Member Signing 16 August 2012

15. SIGNIFICANT AND DELEGATED SIGNIFICANT ACTIONS (PAGES 325 - 338)

(Report of the Assistant Chief Executive): To inform the Cabinet of delegated decisions and significant actions taken since the last Cabinet meeting on 10 July 2012.

16. URGENT ACTIONS TAKEN IN CONSULTATION WITH CABINET MEMBERS (PAGES 339 - 344)

(Report of the Assistant Chief Executive) To note urgent actions taken in consideration with Cabinet Members since the previous Cabinet meeting.

17. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at Item 2 above.

18. EXCLUSION OF THE PRESS AND PUBLIC

Note from the Head of Local Democracy and Member Services

Items 19, 20, 21, 22 and 23 allow for the consideration of exempt information in relation to Items 4, 12, 13, 14 and 17 respectively, which appear earlier in the agenda.

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, Part 1, schedule 12A of the Local Government Act 1972.

19. EXEMPT MINUTES (PAGES 345 - 348)

To confirm the exempt minutes of the Cabinet meeting held on 10 July 2012 as a correct record.

20. HOUSING RELATED SUPPORT CONTRACT - HOME IMPROVEMENT AGENCY (PAGES 349 - 350)

To consider exempt information with respect to Item 12 above.

21. AWARD OF LEISURE MANAGEMENT CONTRACT (PAGES 351 - 412)

To consider exempt information with respect to Item 13 above.

22. EXEMPT MINUTES OF OTHER BODIES (PAGES 413 - 414)

To note the exempt minutes of the Cabinet Member Signing held on 26 July 2012.

23. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at Item 2 above.

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Head of Local Democracy
and Member Services
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Councillors Councillor Claire Kober (Chair), Councillor John Bevan, Councillor Nilgun Canver, Councillor Joe Goldberg, Councillor Alan Strickland, Councillor Bernice Vanier, Councillor Ann Waters, Councillor Richard Watson.

Also Present: Councillor Richard Wilson.

MINUTE NO.	SUBJECT/DECISION	ACTON BY
CAB185	<p>APOLOGIES</p> <p>There were no apologies for absence received.</p> <p>The Leader informed the meeting that the following items had been withdrawn from the agenda. They were: item 15(Annual School Place Planning 2012) item 16 (Proposals to expand Belmont Infant School and Belmont Junior School from two to three from entry and item 10 (Essential Service Permits).</p> <p>In relation to the withdrawal of agenda item 16, the council had received a letter from the Belmont School governing body, at the weekend, raising a number of issues about the proposed expansion. By the early afternoon of today it had become apparent that not all the issues could be addressed in time for the Cabinet meeting and it was felt necessary to postpone consideration of this report and decision to allow responses to the remaining issues.</p> <p>The Leader explained that she had just met with the parent deputation party who had hoped to put forward their representations regarding the proposals in the report. A commitment had been made to hold a special Cabinet meeting before the end of the school term, next week, to facilitate parent's attendance at this meeting.</p> <p>The report on School Place Planning was also deferred to the planned special Cabinet meeting as it related to the report on the expansion of Belmont Infant and Junior School and similarly there was a need to consider issues raised by local stakeholders following publication of the report.</p> <p>The report on Essential User Permits would be considered by Cabinet in the Autumn.</p>	<p>All to note</p> <p>Clerk</p>
CAB186	<p>URGENT BUSINESS</p> <p>There were no items of urgent items of business to consider.</p>	
CAB187	<p>DECLARATIONS OF INTEREST</p> <p>There were no declarations of interest made.</p>	

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CAB188	<p>MINUTES</p> <p>RESOLVED:</p> <p>That the minutes of the meeting held on 12 Jun 2012 be confirmed as a correct record.</p>	
CAB189	<p>DEPUTATIONS/PETITIONS/QUESTIONS</p> <p>Two deputations put forward in respect of Item 16: Proposals to Expand Belmont Infant School and Belmont Junior School were deferred for consideration at the planned special Cabinet meeting.</p>	Clerk
CAB190	<p>RESPONSE TO OVERVIEW AND SCRUTINY REVIEW OF MEN'S HEALTH</p> <p>Cabinet considered a report that set out the proposed response to the Scrutiny Review of Men's Health that was received by Cabinet on 12 June 2012.</p> <p>The Cabinet Member for Health and Adult Services commended the review which had provided pertinent information useful to the delivery of outcome two, of the Health and Wellbeing strategy, on reducing the life expectancy gap.</p> <p>In relation to recommendation 13, the Cabinet Member for Housing sought an understanding of the latest position in regards to the performance appraisal of GP practices. The Director of Public Health agreed to provide this information to the Cabinet Member following the meeting.</p> <p>Recommendation 2, essentially involved providing male champions at surgeries to encourage men to seek earlier advice on their health problems. It was explained that there would be detailed exploration of the feasibility and cost of providing this service at surgeries which would be considered by the Care Commissioning Group.</p> <p>RESOLVED:</p> <p>That service response to the Scrutiny Review of Men's Health, as detailed in the report, be approved.</p>	Dir Public Health
CAB191	<p>RESPONSE TO OVERVIEW AND SCRUTINY REVIEW OF MISSING CHILDREN</p> <p>Cabinet considered a report that set out the proposed response to the Scrutiny Review of Children Missing from Care and from Home that was received by Cabinet on 12 June 2012.</p> <p>The Cabinet Member for Children welcomed this report which set out how the recommendations from the scrutiny review would be put into place. The only modification was in relation to the arrangements for the independent return home interviews for young people. There would be</p>	

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	<p>further discussion with partners about who could most appropriately take these meetings forward with a child/young person.</p> <p>RESOLVED:</p> <p>That service response to the Scrutiny Review of Children Missing from Care and from Home, as detailed in the report, be approved.</p>	
CAB192	<p>FINANCIAL PLANNING 2013/14 - 2015/16</p> <p>Cabinet considered a report that set out the financial issues for the three year period to 2015/16 and the proposed process for setting the Council's 2013/14 Budget and Medium Term Financial Plan (MTFP). The report also drew member's attention to further anticipated cuts in government funding in years 2015/16 and 2016/17 which local authorities would also have to contend with and make plans for.</p> <p>The Cabinet noted that the closing date for applications to the One Borough One Future fund was Friday July 13th. There had been positive and significant interest in the scheme which had attracted a considerable number of applications. These would now begin to be analysed and processed in the coming weeks.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the forecasts and changes to the funding context set out in the report be noted. ii. That Directors should identify draft proposals to save £12.5m in both 2013/14 and 2014/15 to deliver a balanced MTFP for consideration by Cabinet on 13 November 2012. iii. That the draft process, as set out in the report and the timescales detailed in Section 10 of the report, be endorsed. iv. That the potential for further real term cuts in funding of 8.2% and 6.2% in 2015/16 and 2016/17 respectively, equating to an estimated further reduction of £11.6m in government support be noted. 	
CAB193	<p>COUNCIL TAX BENEFIT SCHEME - OPTIONS FOR CONSIDERATION AND FINAL APPROVAL</p> <p>Cabinet considered a report that set out what the Government's proposals with regard to the transfer of Council Tax support to local authorities from 2013/14 would mean for Haringey and the proposals to mitigate its financial impact.</p> <p>It was noted that the Government was abolishing Council Tax Benefit (CTB) and requiring local authorities to establish their own systems to rebate Council Tax. This change was coupled with a 10% reduction in the level of funding being given to local authorities for this purpose,</p>	

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	<p>which was justified on the basis that the level of claimants would fall; however, in Haringey over the last three years there had actually been an 11% increase in the number of claimants and this trend was expected to continue. A further factor, that the local scheme would need to accommodate, was the exemption of pensioners from the scheme as the associated funding had also been equally reduced. The factors above culminated in an expected reduction of council tax funding between 18% and 22% and Cabinet noted the projected financial loss to the council as a result of this.</p> <p>The Cabinet Member for Finance and Carbon Reduction continued to draw Member's attention to likely impact of the welfare reforms and reductions in housing allowance to families in the borough.</p> <p>In response to a question about contingency funds allocated to respond to the anticipated reduction in Council Tax Benefit subsidy set out in the Medium Term Financial Plan in February 2012, it was pointed out that the legislation on welfare reforms had not been passed at this time and therefore it had not been possible to fully calculate the expected budget pressure. The contingency amount of £4m, related to expected decrease in council tax collection rates.</p> <p>It was noted that the new scheme would need to accommodate the reduction in funding and must be approved by 31 January 2012 to come into affect by 1 April 2013.</p> <p>RESOLVED:</p> <p>1) That the following proposals for consultation with the GLA be approved:</p> <ul style="list-style-type: none"> a) That the Council look to adopt a scheme that would reduce CTB payments for all claimants in line with the reduction in Government grant. In real terms, this will mean a reduction of benefit payments of between 18% and 22%. b) As a consequence, that CTB rules are changed to mitigate the financial loss to the Council as follows: (these are listed in Appendix A) <ul style="list-style-type: none"> • Calculate Council Tax reduction allowing savings and investments up to £10k • Council Tax reduction not granted if less that £1 per week <p>2) That it be noted that following consultation with the GLA on the proposals set out above and having considered the GLA's response:</p> <ul style="list-style-type: none"> a) A draft CTB reduction scheme will be published and consultation on that scheme would be carried out with impacted groups b) That the findings of the consultation and an equalities impact assessment would inform the final scheme which will be put to 	<p>ACE</p> <p>ACE</p>
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	<p>Members to consider at full Council in January 2013.</p> <p>3) That it be agreed that, with effect from the date on which the provisions in the Local Government Finance Bill at clause 10 ('Power to determine further discounts for certain dwellings') and clause 11 ('Power to determine further discounts') come into force, the Council Tax exemptions and discounts are also changed to mitigate the financial loss to the Council. These are outlined in Appendix B of the report.</p>	ACE																
CAB194	<p>ESSENTIAL SERVICE PERMITS</p> <p>This item was withdrawn from the agenda.</p>																	
CAB195	<p>HARINGEY DRAFT PRELIMINARY CHARGING SCHEDULE FOR A COMMUNITY INFRASTRUCTURE LEVY (CIL)</p> <p>Cabinet considered a report that provided an update on progress in preparing for the introduction of Haringey's Community Infrastructure Levy (CIL).</p> <p>It was noted that the CIL Regulations 2010 allowed local authorities and the Greater London Council (GLA) to introduce a CILs on new net floor areas comprising 100msq or more of new internal floor space to contribute towards any new infrastructure required as a result of the development. CIL would replace the s106 tariff, although the s106 tariff would continue to be applicable for over ten units of housing and anything which was site specific.</p> <p>The report set out the proposed preliminary charging schedules for consultation which had been compiled following research and a viability study.</p> <p>RESOLVED:</p> <p>i. That consultation should proceed between July and September 2012 on the Preliminary Charging Schedule for Haringey's CIL based on the following rates for residential development:</p> <table><tr><th>Area</th><th>Haringey CIL</th><th>Mayoral CIL</th><th>Total Charge</th></tr><tr><td><u>West</u> Highgate Hornsey Muswell Hill Finsbury Park</td><td>£265</td><td>£35</td><td>£300</td></tr><tr><td><u>Central</u> Wood Green</td><td>£165</td><td>£35</td><td>£200</td></tr><tr><td><u>North East</u> Seven Sisters Tottenham Hale Tottenham</td><td>£15</td><td>£35</td><td>£50</td></tr></table> <p>ii. That a nil rate be charged on smaller retail, office and industrial development to reflect the paucity of such development currently</p>	Area	Haringey CIL	Mayoral CIL	Total Charge	<u>West</u> Highgate Hornsey Muswell Hill Finsbury Park	£265	£35	£300	<u>Central</u> Wood Green	£165	£35	£200	<u>North East</u> Seven Sisters Tottenham Hale Tottenham	£15	£35	£50	Dir Place &Sustai nability
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	<p>coming forward in Haringey and its tenuous viability in the current economic climate. A rate of £95 per square metre is recommended for supermarkets and £25 per square metre for retail warehouses exclusive of Mayoral CIL:</p> <table><tr><th>Area</th><th>Haringey CIL</th><th>Mayoral CIL</th><th>Total</th><td></td></tr><tr><td>Borough wide – <u>Supermarkets</u></td><td>£95</td><td>£35</td><td>£130</td><td></td></tr><tr><td>Borough wide – <u>Retail warehouse</u></td><td>£25</td><td>£35</td><td>£60</td><td></td></tr></table>	Area	Haringey CIL	Mayoral CIL	Total		Borough wide – <u>Supermarkets</u>	£95	£35	£130		Borough wide – <u>Retail warehouse</u>	£25	£35	£60		Dir Place and Sustain ability
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Borough wide – <u>Supermarkets</u>	£95	£35	£130														
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	<p>iii. That the responses received should be reported to the Cabinet Member for Economic Regeneration and Social Inclusion prior to revising the schedule as appropriate and proceeding to consultation on the Draft Consultation Schedule for a statutory period of four weeks in November and December 2012.</p> <p>iv. That a report should be brought back to Cabinet in February 2013 on the feedback received as a result of the second round of consultation and recommending a final submission draft Charging Schedule for an independent examination.</p>	Dir Place and Sustain ability Dir Place and Sustain ability															
CAB196	<p>LYMINGTON AVENUE N22, SITE A – APPROPRIATION TO PLANNING PURPOSES</p> <p>Cabinet considered a report that sought authority for the appropriation of Site A Lymington Avenue, Wood Green, N22, comprising of 1-6 Noel Park Road, N22 and 11-25 Lymington Avenue, N22, for planning purposes to enable the site to be redeveloped in accordance with the Council’s regeneration objectives for the area.</p> <p>RESOLVED:</p> <p>That the appropriation of Site A Lymington Avenue, Wood Green, N22 (the site) for planning purposes, under Section S.122 of the Local Government Act 1972 as set out in the appended plan no. 0342u, be approved.</p>	Dir Place and Sustain ability															
CAB197	<p>DRAFT MYDDLETON ROAD LOCAL SHOPPING CENTRE – PLANNING POLICY GUIDANCE NOTE</p> <p>Cabinet considered a report that sought approval to go out to public consultation on the draft ‘Myddleton Road Local Shopping Centre – Planning Policy Guidance Note’.</p> <p>This document set out the planning policies in relation to Myddleton Road and would be essential in guiding the: design, conversion and improvement of the shops and properties in this shopping parade. Cabinet members commended the guidance which was well written and they advocated a similar approach is undertaken in other conservation areas and small regeneration schemes.</p>																

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	<p>RESOLVED</p> <ul style="list-style-type: none"> i. That the draft 'Myddleton Road Local Shopping Centre – Planning Policy Guidance Note' as set out in Appendix 1 of the report be approved for public consultation. ii. That the utilisation of the draft Planning Policy Guidance Note as an interim guide for planning and regeneration decisions on all planning applications prior to its full adoption be approved. 	<p>Dir Place and Sustain ability</p> <p>Dir Place and Sustain ability</p>
CAB198	<p>HOUSING RELATED COMMISSIONING PLAN 2012 - 2015</p> <p>Cabinet considered a report that presented the Housing Related Commissioning Plan 2012-2015.</p> <p>Housing Related support provided much needed services for vulnerable people in Haringey, enabling them to live independently as far as possible in their community. The savings required to be achieved by the Housing related support service (previously Supporting People programme) provided the opportunity to look at the service provision as a whole and develop a commissioning plan that included priorities on assisting independent living, targeting services to those who required it most, and improving intervention to prevent homelessness. As 25% of the budget was spent on Older people there was consultation with these users, through the Older People's Champion, and Cabinet heard about their requirements of the commissioning plan.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the Housing Related Support Commissioning Plan 2012-2015 and the strategic priorities set out in it as the basis of commissioning be approved. ii. That the findings of the HRS Needs Assessment and the outcome of the Equalities Impact Assessment, set out in Appendix 2 of the report, be noted. iii. That the work being pursued in relation to the re-commissioning of the Council's older people's support service, as set out in section 6.15-6.22 of the report, and agree to proceed to consultation on this. iv. That the approach to managing the Housing Related Support programme, as set out in section 6.26 of the report, be endorsed. 	<p>Dir Adults and Housing</p>
CAB199	<p>ANNUAL SCHOOL PLACE PLANNING 2012</p> <p>This report was withdrawn from the Cabinet Agenda and would be considered at a planned special Cabinet meeting.</p>	
CAB200	<p>PROPOSALS TO EXPAND BELMONT INFANT SCHOOL AND BELMONT JUNIOR SCHOOL FROM TWO TO THREE FORMS OF</p>	

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	<p>ENTRY, TO TAKE EFFECT FROM SEPTEMBER 2013 AT BELMONT INFANT SCHOOL AND SEPTEMBER 2016 AT BELMONT JUNIOR SCHOOL</p> <p>This report was withdrawn from the agenda and would be considered at a planned special Cabinet meeting.</p>	
CAB201	<p>OUT OF HOURS TELEPHONE CONTRACT</p> <p>The current Out of Hour's service contract was due to expire on 30th September 2012 Haringey. This service enabled Haringey residents to have out of hours contact with Children's Safeguarding service, Adult Social Services and allowed reporting of major emergencies, dangerous structures and Highways emergencies. Haringey participated in a Pan London Out of Hours and Optional Daytime Customer call handling service with other boroughs. The Council was required to sign an access Agreement under this Framework Agreement to allow the new contract to commence on the 1st of October.</p> <p>Exempt information pertaining to the report was considered under Item 29 below.</p> <p>RESOLVED</p> <p>That a call-off contract under the Out of Hours and Optional Daytime Customer Call Handling Service Framework Agreement be awarded.</p>	ACE
CAB202	<p>AWARD OF CONTRACT FOR THE PROVISION OF FAST TRACK MENTAL HEALTH SCREENING AND ASSESSMENT SERVICE</p> <p>The Cabinet was asked to agree an award of contract for the provision of Fast Track Mental Health Screening and Assessment service for Looked after Children. The Cabinet Member for Children advised that this was a necessary and valuable service to help children and young people with emerging or low level mental health issues. The post tender clarification delivered the best available provision; also taking into account the declining numbers of looked after children.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> That the procurement process and award of contract to the successful Tenderer listed in Part B (exempt information) attached to this report in accordance with the Contract Standing order (CSO)9.7.1(d) be approved. That the contract be awarded for a period of three years commencing from 3rd September 2012 to 2nd September 2015 with an option to extend for a further period of up to 2 years. 	Dir Children's Service
CAB203	<p>LIFT MODERNISATION - GROUP 1: 1 - 47, CORDELL HOUSE, NEWTON ROAD, N15 4PR, 1 - 28, DOWDING HOUSE, NORTH HILL, N6 4HD, 1 - 28, MOUNTBATTEN HOUSE, NORTH HILL, N6 4HJ, 1 - 60, TRULOCK COURT, TRULOCK ROAD, N17 0PE, 1 - 40, WARREN COURT, HIGH CROSS ROAD, N17 9PE, 1 - 28, WAVELL HOUSE,</p>	

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	<p>NORTH HILL, N6 4HH</p> <p>Cabinet was asked to agree to award a contract, in principle, for required lift modernisation works at the above listed council owned housing blocks.</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. That an in principle contract award of contract for the above project as allowed under Contract Standing Order (CSO) 9.071(a) and (d) be approved. This was based on the lowest tender received from the contractor set out in Appendix 2.1 ii. That the total estimated cost excluding fees as detailed in paragraph 2.1 of Appendix A be approved. iii. That the finalisation of the award be delegated to the Director of Adult and Housing Services , Mun Thong Phung after the expiry of the Section 20 consultation. 	Dir Adults and Housing
CAB204	<p>LIFT MODERNISATION - GROUP 2: 9-67 RUSSELL ROAD N15, 35-52 LOWERY HOUSE, N17, 2-53 PRIORY ROAD, N8, 1-28 SPANSWICK LODGE, N15</p> <p>Cabinet was asked to agree to award a contract in principle for required lift modernisation works at the above listed council owned housing blocks.</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. That the contract for the above project be awarded to the contractor(listed in the exempt appendix), as allowed under Contract Standing Order(CSO)9.07.1(d)(a) based on the lowest tender received. ii. That the total cost including fees as detailed in paragraph 3.1 of appendix A be noted. 	Dir Adults and Housing
CAB205	<p>LIFT MODERNISATION - GROUP 3: 1 - 37, ACACIA HOUSE, DOUGLAS ROAD, N22 5RS, 1 - 46, CARLTON LODGE, LANCASTER ROAD, N4 4NJ, 1 - 26, CEDAR HOUSE, ACACIA ROAD, N22 5RU, 1 - 26, DAPHNE HOUSE, ACACIA ROAD, N22 5RX, 1 - 37, MILDURA COURT, CHURCH LANE, N8 7NS</p> <p>Cabinet was asked to agree to award a contract in principle for required lift modernisation works at the above listed council owned housing blocks.</p> <p>RESOLVED</p> <ul style="list-style-type: none"> i. That an in principle award of contract for the above project be approved, as allowed under Contract Standing Order(CSO)9.07.1(d) and (a) , based on the lowest tender received from the contractor set out in appendix 2.1. 	

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	<p>ii. That the total estimated cost excluding fees as detailed in paragraph 2.1 of appendix A be approved.</p> <p>iii. That the finalisation of the award be delegated to the Director of Adult and Housing Services, Mun Thong Phung after completion of the section 20 notice.</p>	Dir Adults and Housing
CAB206	<p>LIFT MODERNISATION - GROUP 4: SHELTERED BLOCKS: 45-63 PALACE GATES (BRAEMAR AVE), 1-34 SOPHIA HOUSE, 1-27 THE LINDALES, 1-34 BEDALE HOUSE, 1-34 & 37-44 CRANLEY DENE, 1-32 HILLDENE COURT</p> <p>Cabinet was asked to agree to award a contract in principle for required lift modernisation works at the above listed council owned housing blocks.</p> <p>RESOLVED</p> <p>i. That the award of contract for the above project, as allowed under Contract Standing Order (CSO) 9.07.1(d) (a) based on the lowest priced tender received.</p> <p>ii. That the total cost including fees as detailed in Para3.1 of Appendix A be noted.</p>	Dir Adults and Housing
CAB207	<p>MINUTES OF OTHER BODIES</p> <p>RESOLVED:</p> <p>That the minutes of the following meeting be noted:</p> <p>Cabinet Member signing - 20 June 2012</p>	
CAB208	<p>SIGNIFICANT AND DELEGATED SIGNIFICANT ACTIONS</p> <p>Cabinet received a report that detailed the delegated decisions and significant actions taken by directors since the previous Cabinet meeting.</p> <p>RESOLVED</p> <p>That the report be noted.</p>	
CAB209	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of urgent business.</p>	
CAB210	<p>EXCLUSION OF THE PRESS AND PUBLIC</p> <p>That as the following items contained information classified as exempt under Schedule 12A of the Local Government Act 1972 as amended, which related to the amount of expenditure proposed to be incurred by the Local Authority and information relating to the financial and business</p>	

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	affairs of individuals, the press and public should be excluded for the remainder of the meeting.	
CAB211	NORTHUMBERLAND PARK REGENERATION, TOTTENHAM - OPPORTUNITY TO PURCHASE PROPERTIES Details of this are set out in the exempt minutes of the meeting.	
CAB212	MINUTES RESOLVED That the exempt minutes of the 12 th June Cabinet meeting be approved.	
CAB213	OUT OF HOURS TELEPHONE CONTRACT Cabinet considered exempt information contained in Item 17 above. Details of this are set out in the exempt minutes of the meeting.	
CAB214	AWARD OF CONTRACT FOR THE PROVISION OF FAST TRACK MENTAL HEALTH SCREENING AND ASSESSMENT SERVICE Cabinet considered exempt information contained in Item 18 above. Details of this are set out in the exempt minutes of the meeting.	
CAB215	LIFT MODERNISATION - GROUP 1 : 1 - 47, CORDELL HOUSE, NEWTON ROAD, N15 4PR, 1 - 28, DOWDING HOUSE, NORTH HILL, N6 4HD, 1 - 28, MOUNTBATTEN HOUSE, NORTH HILL, N6 4HJ, 1 - 60, TRULOCK COURT, TRULOCK ROAD, N17 0PE, 1 - 40, WARREN COURT, HIGH CROSS ROAD, N17 9PE, 1 - 28, WAVELL HOUSE, NORTH HILL, N6 4HH Cabinet considered exempt information contained in Item 19 above. Details of this are set out in the exempt minutes of the meeting.	
CAB216	LIFT MODERNISATION - GROUP 2: 9-67 RUSSELL ROAD N15, 35-52 LOWERY HOUSE, N17, 2-53 PRIORY ROAD, N8, 1-28 SPANSWICK LODGE, N15 Cabinet considered exempt information contained in Item 20 above. Details of this are set out in the exempt minutes of the meeting.	
CAB217	LIFT MODERNISATION - GROUP 3: 1 - 37, ACACIA HOUSE, DOUGLAS ROAD, N22 5RS, 1 - 46, CARLTON LODGE, LANCASTER ROAD, N4 4NJ, 1 - 26, CEDAR HOUSE, ACACIA ROAD, N22 5RU, 1 - 26, DAPHNE HOUSE, ACACIA ROAD, N22 5RX, 1 - 37, MILDURA COURT, CHURCH LANE, N8 7NS Cabinet considered exempt information contained in Item 21 above. Details of this are set out in the exempt minutes of the meeting.	

**MINUTES OF THE CABINET
TUESDAY, 10 JULY 2012**

CAB218	<p>LIFT MODERNISATION - GROUP 4: SHELTERED BLOCKS: 45-63 PALACE GATES (BRAEMAR AVE), 1-34 SOPHIA HOUSE, 1-27 THE LINDALES, 1-34 BEDALE HOUSE, 1-34 & 37-44 CRANLEY DENE, 1-32 HILLDENE COURT</p> <p>Cabinet considered exempt information contained in Item 22 above. Details of this are set out in the exempt minutes of the meeting.</p>	
CAB 219	<p>URGENT ACTIONS TAKEN IN CONSULTATION WITH CABINET MEMBERS</p> <p>Cabinet received a report that detailed urgent decisions taken by Directors in consultation with Cabinet Members since the previous Cabinet meeting.</p> <p>RESOLVED</p> <p>That the report be noted.</p>	
CAB220	<p>NEW ITEMS OF EXEMPT URGENT BUSINESS</p> <p>There were no new items of urgent business.</p>	
CAB221	<p>SUPPLEMENTARY INFORMATION: PROPOSALS TO EXPAND BELMONT INFANT SCHOOL AND BELMONT JUNIOR SCHOOL FROM TWO TO THREE FORMS OF ENTRY, TO TAKE EFFECT FROM SEPTEMBER 2013 AT BELMONT INFANT SCHOOL AND SEPTEMBER 2016 AT BELMONT JUNIOR SCHOOL</p> <p>This report was withdrawn and not considered.</p>	

The meeting closed at

Cllr Claire Kober

Chair

MINUTES OF THE CABINET
THURSDAY, 19 JULY 2012

Councillors Kober (Chair), Bevan, Canver, Goldberg, Strickland, Vanier, Waters and Watson

Apologies None

MINUTE NO.	SUBJECT/DECISION	ACTON BY
CAB222	APOLOGIES There were no apologies for absence received.	
CAB223	DECLARATIONS OF INTEREST There were no declarations of interest put forward.	
CAB224	DEPUTATIONS/PETITIONS/QUESTIONS The Cabinet agreed to consider two deputations in relation to Item 4, the expansion of Belmont Infant and Junior school's from two to three form entry. The first deputation was from Julie Mukherjee representing parents, governors and staff from Belmont Junior School and the second would be from Tom Anderson representing the parents, governors and staff at Belmont Infant School. The Chair invited Julie Mukherjee to address the Cabinet and put forward representations in relation to the proposed expansion of the Junior school. Ms Mukherjee addressed the committee in her capacity as a parent of children at both Belmont Infant and Junior schools but was speaking on behalf of other parents, governors and teaching staff to oppose the proposal to expand the Junior school. The arguments put forward against the expansion were: <ul style="list-style-type: none"> • That there was not enough space in the school to support the expansion – reference was made to the small playground and the already limited space in the school dinning area. • The funding envelope for the expansion of both schools was considered to be less than spent on other schools in the past and not enough to complete a suitable expansion. • The attendance of children from the Vale Special School had not been adequately considered in the plans for expansion as any 	

MINUTES OF THE CABINET
THURSDAY, 19 JULY 2012

changes to the buildings would need to accommodate the mobility and safety of children and they could not envisage how this would be achieved in an already limited space.

- The council calculation of future places needed at the school was disputed as there was already a shortfall of places at the Junior school in years 4 and 5. Therefore it was contended that a future shortfall of places would lead to a future shortfall in funding. This would have a detrimental impact on the schools income and lead to staffing reductions. The deputation was keen to protect the established good teacher leadership in the school.
- It was felt that the petitions consisting of a combination of 700 signatures opposing the expansion had not been given appropriate consideration.

The parents were keen to protect the ethos of “good local schools for all” and asked that Cabinet vote against the proposals for expansion of both Belmont Junior and Infant schools.

As part of the deputation procedure, Cabinet Members put forward questions to the deputation party and gained the following understanding of their position.

- The increased funding envelope of £3.5m was still felt not to adequately cover the expansion of two schools.
- They did not agree with the figures arrived at in the school place planning strategy.
- The higher overheads associated with a bigger school would lead to a reduced income if places were not filled at the school.
- They questioned the council’s application to the argument that more school places were needed in Tottenham and gave an example of where they perceived this need not to be applied. The Leader questioned the accuracy of this assertion and clarified that there had not been a 4000 home development project in Tottenham Hale and the area referred to covered student residential units as well as homes.

The Cabinet Member for Children responded to the issues raised in the deputation and those arising from subsequent Member questions. It was important to note that there was an experienced and requisitely skilled Pupil Place Steering group which examined the cases put forward for school expansion. It was accepted that there was not a vast amount of space at the two schools however the group had assessed that there was enough space to allow the good design of and a fit for purpose school that would cater for all students. The detailed physical design of the school would commence shortly and there was an opportunity for parents, governors and staff to influence the designs and ensure that issues such as the small play ground and school dining area were looked at and solutions found.

It was not appropriate to compare the past allocations of council funding

MINUTES OF THE CABINET
THURSDAY, 19 JULY 2012

for school expansions as these were in different economical times. However there had been due consideration given to the previous issues highlighted by the governing body about the cost of the expansion and the funding envelope had been increased from £2.2m to £3.5m.

In response to the concerns raised about the accessibility and use of the expanded school by children from the Vale Special School, the council was committed to the integration of pupils and there was a genuine belief that the expanded school would have better access for disabled children. For example part of the plans would involve making corridors wider to assist children with mobility problems. This was a key priority for the council and the team that would be working on the expansion had experience of working with special schools.

In relation to the filling of school places, the Cabinet Member for Children was confident that there would not be under filled school places as there had been a higher number of reception places sought this year than in previous years. Therefore the concern about the future loss in income to the school would not be realised. There were lower numbers of pupils at key stage 2 age in schools across the borough which would account for the under filled places at the junior school in years 4 and 5.

The school place planning policy was clear that extra school places were needed in West Green/Tottenham area. Consideration had been given to the very good leadership of the school and the school's outstanding results when proposing the expansion. Also there was a demand for places as children living ½ a mile away from the school still could not get into the school, after the admission criteria had been applied.

It was further clarified that there had been an application for a Free school in Tottenham but the take up of places at this school would not impact on the need for places in the West Green / Tottenham area. In relation to suggestion that Noel Park School should remain 3 form entry, this was a different school which had much smaller classrooms and could not accommodate a high number of pupils in each class.

The Chair invited Tom Anderson, the spokesperson of the second deputation representing Belmont Infant school parents, governors and staff to address the meeting.

Mr Anderson began his presentation by insisting that the fundamental issues relating to the expansion of the two schools had not been addressed. He explained that parents had approached the initial proposal of the expansion with an open mind but had been failed to be convinced of its overall benefit to the school when considering the funding envelope, the current space at the school and initial planning documents. Reference was made to neighbouring schools Noel Park and Downhill's which had recently been converted to sponsored academy status and it was felt that the uncertainty around these two schools had been part of the reason to focus the expansion and provision of extra school places on Belmont schools.

MINUTES OF THE CABINET
THURSDAY, 19 JULY 2012

	<p>Mr Anderson contended that the outstanding Ofsted rating of the school would be put at risk by the expansion and gave further reasons about the cost and impact on staff leadership of the school.</p> <p>He contended that the issues raised in the consultation meetings by parents had not been listened to and claimed that should the Cabinet agree to expand the two schools, there would be an appeal to the Schools Adjudicator and the process for the schools to become Academies commence.</p> <p>Following no further Cabinet Member questions, the Cabinet Member for Children accepted that there had been a lot of arguments put forward from different viewpoints opposing the two school's expansions. However there was an undeniable need for more school places as illustrated in the school place planning report. This need was further demonstrated by the number of bulge classes in other schools. To provide a quality education it was necessary to expand schools rather than continue with bulge classes. When considering the areas of most need for school places, they were in the vicinity of Belmont Infant and Junior School.</p> <p>The funding for the expansion should be considered in the current economic climate and within the context of £84m cuts made by the council. However the Council had a responsibility to provide children in the borough with a school place and provide a reception class in 2013 at Belmont Infant School to meet demands. The deputation was assured that the council would endeavour to provide a school expansion according to purpose and landscape together with ensuring the school was better suited to disabled children attending from the Vale School.</p> <p>The planning arrangements for the expansion were not mismanaged and were focused on providing a space for the expansion.</p> <p>The Cabinet Member for Children and the Leader opposed the view that parents had not been listened to and pointed to the additional public meetings held as well as meetings at councillor surgeries and additional meetings with the school governing body. However there was an equal need to give consideration to the families that wanted their children to attend Belmont Infant and Junior schools.</p>	
CAB225	<p>PROPOSALS TO EXPAND BELMONT INFANT SCHOOL AND BELMONT JUNIOR SCHOOL FROM TWO TO THREE FORMS OF ENTRY TO TAKE EFFECT FROM SEPTEMBER 2013 AT BELMONT INFANT SCHOOL AND SEPTEMBER 2016 AT BELMONT JUNIOR SCHOOL</p> <p>Prior to considering this report the Leader referred to the Local Government Act 1972 Section 100b which advised that Cabinet can consider late reports under special urgency. The report was late to allow necessary information to be included responding to the issues raised in</p>	

MINUTES OF THE CABINET
THURSDAY, 19 JULY 2012

respect of the earlier report to Cabinet on 10 July which was withdrawn. The Leader advised that a special Cabinet meeting was promptly organised on the following day, 11 July, to consider this report and the date notified to both deputation parties. The report was published on 13th July, following the completion of responses to the representations made regarding the earlier report.

The proposals being considered were the expansion of Belmont Infant School and Belmont Junior school from two to three form entry, to take effect from September 2013 at Belmont Infant School and September 2016 at Belmont Junior school.

The Cabinet Member for Children introduced the report and explained that the council had a statutory duty to provide local places for children at schools; the council had a duty to serve the community and ensure school places were available. The Cabinet Member for Children had considered the options and believed that expansion of Belmont Infant and Junior school was the best option and planning permission would be sought in January 2013 for the expansion to allow an additional reception class to be available by September 2013. Although parents of both schools had set out their objections to the expansion, consideration was given to the positive impact of the expansion as well as the mitigating actions that could be taken to counter against any access issues of Vale Special School students to Belmont whilst the changes took place. With expansion there will follow more money, a larger SLT and an opportunity for greater specialisms and diversity in the management of and delivery of the curriculum and to address the very special and individual needs of The Vale pupils, as well as of all the pupils generally. The indicative designs allowed for greater access between sites and should the expansion be agreed, the Vale pupils would be a key consideration when the final plans are drawn up.

An application from Harris to open a Free School in Tottenham has progressed to the next stage. Two reception classes were planned and a site had not yet been identified. Even with the potential opening of this school there was still a need to provide places in West Green/Tottenham area. Therefore these factors were considered together with the objections of parents and it was felt that there was a need to meet the needs of all families living in the area and build and expand the school.

Following Cabinet Member questions, the following clarifications were made:

- That the £3.5m would enable expansion,
- There was a waiting list for the infant school but not the junior school the proposed expansion would not lead the school to lose money.
- Following application on the admissions criteria there would be more places available to children that live in the vicinity of Belmont Infant and Junior schools.

Assurance was further given that the particular needs of the disabled

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children attending Belmont Infant and Junior schools from the Vale Special School had been taken into consideration when compiling the proposals for the expansion. The EQIA reflected the work undertaken and in particular there had been engagement with the families of the children about plans. The Cabinet Member for Children reiterated that there would be a careful plan compiled which would set out what would happen each day for disabled children attending the school when the expansion commenced. The design would accommodate the needs of disabled children moving around the school and the team working on the expansion had previous experience of designing similar schools.

The Director for Children's service gave assurance to the Cabinet that the building would be designed within budget and in a suitable space. The service was confident in its school place planning predictions and places at the school were expected to be filled making the schools more financially viable as they expanded.

The factors supporting the expansion of Belmont Infant and Primary schools were: that it was an outstanding school, there was room for expansion and it was in an area where places were needed. Parents were again invited to participate in discussions about the design.

Having carefully read the report including all the appendices and having carefully taken into account representations received throughout the consultation process, including the evening's deputation, and, having due regard to council's public sector equality duty, the Leader asked Cabinet to approve the proposals set out in the report subject to the grant of planning permission. The permission, if granted, be obtained by 15 January 2013.

The Leader further reminded the Cabinet that the reasons for this decision were set out in the report in that there was a need for expansion to accommodate the demand for additional school places. This school fitted the criteria for expansion despite the objections and concerns raised as it was a popular school with proven and increasing demand. The school is outstanding and successful and able to meet all the requirements for expansion and meets the Council's school place planning principles.

Following a Cabinet Member vote the following resolutions were made:

RESOLVED

- i. That the feedback from the consultations carried out in respect of the proposed expansion of Belmont Infant School and Belmont Junior School be noted.
- ii. That the analysis of other factors including the provision of and demand for reception places across Haringey and, in particular, in and around West Green ward that is set out both in this report and set out in detail in the School Place Planning Report 2012 be

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	<p>noted.</p> <p>iii. Having considered the findings of the consultation and objections attached at Appendices 9, 10, 11,12,16,17 and 22, and the Equality Impact Assessment attached at Appendix 7, the recommendation without modification (in line with Para. 4.74 of the DfE guidance) that Belmont Infant and Belmont Junior Schools are expanded from 2 forms of entry (56/60 places) to 3 forms of entry (84/90 places) with effect from the reception intake in September 2013 be agreed. This approval was conditional on the granting of any planning permission required as a result of the expansion works that may or may not be required under the relevant planning legislation, any such planning permission to be obtained by 15 January 2013.</p> <p>iv. That an increase in the estimated cost of the expansion scheme from £2.2m, within the currently approved Capital Programme for 2013-2015, to £3.5m be approved.</p> <p>v. That it be noted the design of how the additional form of entry will be delivered on site has not been finalised and will be the subject of ongoing further consultation with the school community, including its Senior Leadership Team (SLT) and Governors.</p> <p>vi. That it is noted in accordance with Paragraph 4.77 of the guidance that 'all decisions must give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision', and the reasons were set out in the report and were referred to by the Leader immediately prior to putting the resolutions to a vote. (There was a need for expansion to accommodate the demand for additional school places. This school fitted the criteria for expansion despite the objections and concerns raised as it was a popular school with proven and increasing demand. The school is outstanding and successful and able to meet all the requirements for expansion and meets the Council's school place planning principles.)</p>	<p>Dir Children's Services</p> <p>Dir Children's Services</p> <p>Dir Children's Services</p>
CAB226	<p>ANNUAL SCHOOL PLACE PLANNING 2012</p> <p>Prior to considering this report the Leader referred to the Local Government Act 1972 Section 100b which advised that Cabinet can consider late reports under special urgency. As the previous expansion report and School Place Planning Report were linked it had also been necessary to withdraw the School Place Planning report from the Cabinet meeting on 10th July. The report was late as it was necessary to ensure the representations received by the Council had been responded to before a report was put forward for decision.</p> <p>The report provided an assessment of demand for pupil places in Haringey's Primary, Secondary, Special schools and Post 16 settings</p>	

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and provided an update on actions being take to ensure adequate places and robust planning were in place to meet demand for mainstream and special school and post 16 places across the borough.

The Cabinet were asked to note that there were four bulge reception classes required for September 2012 as all classes were full. Increase demand coupled with rising birth rates meant that providing additional places at primary schools through to secondary schools was imperative. The introduction of free schools and new Academies may have complicated the process of planning schools places but they do not diminish the findings that an increased number of school places was needed.

The Cabinet Member for Children responded to questions from Cabinet Members and it was noted that:

- If Belmont Infant and Junior schools were to become Academies then the Council would need to consider alternative expansion schemes and in the meantime the bulge classes would continue.
- Tottenham area place provision - the decisions relating to expansion of Lancastrian school was on hold to take account of the E-Acts provision, Welbourne Primary school was due to expand as there was a need to provide places in the middle of Tottenham.
- The forecasts for place planning altered as the applications are made during the year; the availability of the census data for 2011 will further inform base data in early 2013 which could be referred to in discussions about the future of the Ashmount site.
- In relation to the perceived significant fluctuation in anticipated demand, in Crouch End ward, in particular, it was noted that over a period of time data moves on. However the service would be updating information to reflect the new census data for the report to Cabinet in 2013.

.Further to considering the information contained in the report the Cabinet

RESOLVED

- i. That the working priorities set out in paragraphs 18.1 below, including the provision of a further two bulge classes (yet to be determined) to meet projected demand for September 2012 be agreed.
- ii. That a further round of consultation on the possible expansion of Lancastrian Primary school, to take effect from September 2014 (put back from September 2013 to take account of E-Act's provision) be agreed.

Dir
Children's
Services

Dir
Children's
Services

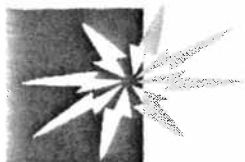
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**MINUTES OF THE CABINET
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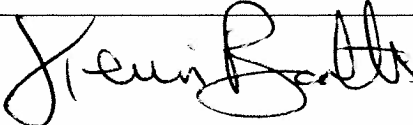
	iii. That a further Annual Report be brought before Cabinet in July 2013.	Children's Services
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Cllr Claire Kober
Chair

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Haringey Council

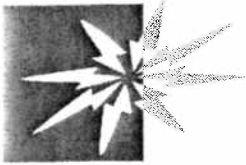
Report for:	Cabinet	Item Number:	
Title:	The Council's Budget Management Performance – July 2012		
Report Authorised by:	 Kevin Bartle – Interim Chief Financial Officer		
Lead Officer:	Barry Scarr – Interim Head of Corporate Finance		
Ward(s) affected: All		Report for Key decisions	

1 Describe the issue under consideration

- 1.1 To consider the forecast financial revenue and capital outturns for 2012/13 based on actual performance to 31 July 2012.
- 1.2 To consider the proposed management actions and approve the budget adjustments (virements) in response to monthly budget management during the financial year to date.

2 Introduction by Cabinet Member for Finance and Carbon Reduction – Councillor Joe Goldberg

- 2.1 The budget for 2012/13 requires the delivery of a significant level of savings on top of those already successfully delivered in 2011/12. The Government's front loaded austerity programme continues to unjustly penalise the Borough and its residents, and in that context the delivery of a broadly balanced General Fund projection as set out in this report is to be commended.
- 2.2 Members should be aware of the financial pressures and risks contained within the medium term financial plan, in particular, the demographic pressures surrounding the delivery of Adult Social Care. Budget pressures in Children's Social Care have so far been contained, although the budget is volatile and will be monitored closely



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during the remainder of the year.

3 Recommendations

3.1 Cabinet is recommended to:

- a) Consider the report and the progress being made against the Council's 2012/13 budget in respect of revenue and capital expenditure.
- b) Approve the budget changes (virements) set out in Appendix 3
- c) Approve the capital carry forward of £396k relating to Alexandra Park and Palace from 2011/12 to 2012/13.

4 Other options considered

- 4.1 This report proposes that the Cabinet should consider the overall financial position for 2012/13 in line with existing procedures.
- 4.2 A risk based approach to budget monitoring has been developed in order to manage the Council's finances in a time of economic and financial uncertainty.
- 4.3 Cabinet could choose to adopt a less rigorous regime and examine the financial position at a later stage. Projections could be marginally more accurate if a delayed approach was adopted, but there would be less time for robust development and consideration of management action and virements.

5 Revenue Budget Projection

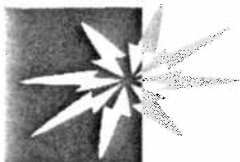
- 5.1 The overall forecast outturn position for the General Fund as projected by budget holders using financial information up to 31 July 2012 is a broadly balanced position. The Housing Revenue Account (HRA) is forecasting an overspend of £482k. The main variations, risks and pressures for both the General Fund and the HRA are analysed below.

Adults & Housing Directorate

- 5.2 Overall, the Directorate is forecasting a £2.1m overspend on the General Fund at the year-end and a £482k overspend on the HRA based on the position at the end of July.

Adults and Community Services

- 5.3 There is a forecast overspend of £2.1m within Adults and Community Services. Care commissioning for older people is projected to overspend by £2.8m – client numbers increased in 2011/12 and the full year impact of this increase has resulted in a severe pressure. Both the number of clients entering the system and the length of time that they are supported appears to have increased – partly driven by improvements in medical treatment for chronic disease. The number of clients in residential care has also increased. Care decommissioning for adults with physical disabilities is projected to overspend by £0.4m due to a net increase in the number of clients with a care package and commissioning for adults with mental health



Haringey Council

needs is also projected to overspend by £1.2m. The service manager is working to manage demand but there is a risk that there will be further transfers from NHS continuing health care, which will increase the pressure. Learning Disability care commissioning is also projecting an overspend of £0.2m due to increased transition numbers from Children's to Adults.

- 5.4 Management action has been taken to reduce staffing budgets by delaying recruitment on non essential posts and reducing running costs. This has resulted in a £1.4m saving which can be offset against the above overspends. The central care purchasing budget, which is used to take account of changing trends, will also be used to reduce the overspend by an additional £1.1m.
- 5.5 Whilst management action is being implemented in order to contain costs and demand pressures, the forecasts assume no net growth in client numbers. This may not be possible to achieve for a statutory service. Key risks include the number of outstanding NHS continuing health care reassessments and the fact that the NHS will be looking to reduce hospital admissions and the length of stay due to the need to make substantial savings.
- 5.6 The 2011/12 outturn report approved by Cabinet in June allowed for the carry forward of a £1.7m budget underspend for Adults and Community Services. This is currently being held in central reserves. A request may be made to release these funds if the risks cannot be mitigated and the Director's management action does not restore a balanced position.

Community Housing Services

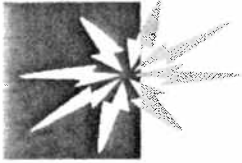
- 5.7 The Community Housing Services Budget is projected to be broadly in balance by the end of the financial year. There are minor variations across budget headings leading to a projected £18,000 underspend. The key risk for the service is the introduction of the Welfare Reform Act and the resources required to prepare for the impact.

Chief Executive's Directorate

- 5.8 The Directorate is forecasting an overspend of £300k. £160k is due to the risk of the HESP team not being fully covered by external funding, partly offset by staffing budget savings; Human Resources are projected to overspend by £100k largely caused by the profiling of savings and both Electoral Services and Communications are forecasting shortfalls on income targets. These pressures are to some extent being offset by an underspend in Strategy and Business Intelligence where vacancies are being held vacant pending further savings in 2013/14.

Corporate Resources Directorate

- 5.9 The Directorate is projecting a balanced position for the year-end based on figures as at 31 July. Revenues, Benefits and Customer Services continue to monitor demand and resource risks relating to the general economic climate and the introduction of Welfare Reform and localised Council Tax support.



Haringey Council

Children & Young People's Directorate

- 5.10 The Directorate is projecting a balanced position for the year-end based on figures as at 31 July. Spending on Looked after Children (LAC) is being constrained within budget, which was reduced in the 2012/13 MTFP by £1.9m following the approval of significant growth for the Directorate in 2011/12 of £7.4m. The numbers of children in the system have fallen significantly since the previous financial year. Previous projections in this financial year had indicated an underspend on this budget, however in period 4 a number of unit costs appear to have increased along with an increase in the numbers of children looked after. The Director is concerned at the apparent trend emerging this period and will, in consultation with finance colleagues, monitor the situation closely. A more detailed report on this situation will be brought to Cabinet as part of the next monitoring report in December 2012.
- 5.11 Legal Costs and No Recourse to Public Funds clients have combined cost pressures of £500k, but this is being met from within existing budgets.

Place and Sustainability Directorate

- 5.12 The Directorate is projecting a £600k overspend for the year based on figures as at 31 July.

Single Front Line

- 5.13 Parking income is projecting a shortfall of £200k on Pay & Display income, a trend that has carried forward from the previous year. PCN income offset the shortfall in 2011/12, but this is not likely to be repeated in the current year. This is mitigated by projected underspends in the Neighbourhood Action Team due to delayed recruitment and over-achievement in income expected from the NLWA in respect of recyclates.

Planning, Regeneration and Economy

- 5.14 The service is currently projecting an underspend of £200k, as the cost of delivering the worklessness programme will be less than originally estimated. The service are keen, however, to ensure all allocated worklessness resources are fully applied and will be working to that end during the rest of the financial year.

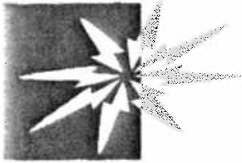
Property

- 5.15 Property are forecasting an overspend of £120k, largely due to the planned saving not being achieved from the cleaning contract, which will commence in September 2012, and not April 2012, as originally envisaged.

Leisure

- 5.16 The service is projecting an overspend of £510k at the end of the financial year. This is due to a combination of a shortfall in sports service income in the current year and to the delayed commencement of the new Leisure Services contract.

Culture and Libraries



Haringey Council

- 5.17 The continuation of base budget pressures, mainly a shortfall in budgeted income and grant, means that the service is projecting an overspend of £250k. Mitigating actions are being discussed with Members.

Public Health

- 5.18 At period 4 the Public Health Directorate has no revenue issues to report and is forecasting a balanced position for the year-end.

Housing Revenue Account

- 5.19 The HRA is currently forecasting a year-end overspend of £482k. Better performance on voids has increased rental income by £394k and service charge income is projected to be £79k better than anticipated. The Council's retained account is projected to be £74k overspent, mainly in relation to supported housing, which has been unable to meet savings targets. The main overspend is in the Homes for Haringey Company Account, which is forecasting a £880k overspend. The bulk of this relates to Property Services and pressures in the Repairs Contract budget. The Council will be working closely with Homes for Haringey to attempt to ensure that these costs will be contained as the year progresses.

Non Service Revenue

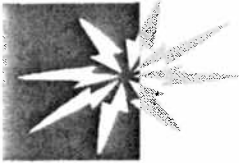
- 5.20 Non-service revenue consists of budgets for capital financing costs, levies and contingencies. The overall financial position assumes that the general contingency of £2m will not be required in the year, resulting in a forecast underspend of £2m.

Treasury Management

- 5.21 The Council's debt profile changed dramatically at the end of 2011/12 with the repayment of £233m PWLB debt as a result of Housing Revenue Account 'Self Financing' contained within the provisions of the Localism Act. The Council took a prudent approach to setting the overall interest budget with a view to the risks in the market at the time but early indications are that the interest payable budget will underspend by £1m this year. The position will be monitored closely during the year.

Capital Programme

- 5.22 The overall capital programme revised budget for the Council is £94m across all services. As at period 4, the programme in total is projected to be marginally underspent by the year-end. Individual Directorate totals and variations are shown in Appendix 2.
- 5.23 The Housing Revenue Account is projecting a capital underspend of £449k. The extensive void works programme is projected to underspend by £1.01m and Mechanical and Electrical works by £1.18m. Offsetting these are a projected overspend of £1.94m on decent homes and £267k on TV and digital aerials.



Haringey Council

5.24 The 2011/12 year-end position on capital for Alexandra Park and Palace showed an underspend of £396k. The current year programme is predicated on this amount being carried forward and Cabinet is requested to approve the carry forward of this budget into 2012/13.

5.25 The Place and Sustainability directorate capital programme is forecasting a balanced position.

Virements

5.26 Appendix 3 sets out the virements over £100k requiring approval by Cabinet as at period 4.

6 Comments of the Chief Financial Officer and financial implications

6.1 As the report is primarily financial in its nature, comments of the Chief Financial Officer are contained throughout the report.

7 Head of Legal Services and legal implications

7.1 There are no specific legal implications in this report.
Equalities and Community Cohesion Comments

7.2 Equalities issues are a core part of the Council's financial and business planning process.

8 Head of Procurement Comments

8.1 Not applicable.

9 Policy Implication

9.1 There are no specific policy implications in this report.

10 Use of Appendices

10.1 Appendix 1: Forecast Revenue Outturn by Directorate.

10.2 Appendix 2: Forecast Capital Outturn by Directorate.

10.3 Appendix 3: Virements over £100k requiring approval.

11 Local Government (Access to Information) Act 1985

11.1 The following background papers were used in the preparation of this report:

- Budget management papers
- Business plans

11.2 For access to the background papers or any further information please contact Barry Scarr, Interim Head of Corporate Finance, on 0208 489 3743.

Revenue 2012/13 - The aggregate revenue projected position in 2012/13 is shown in the following table.

	Approved Budget	Projected variation
	£m	£m
Adults and Housing	94.9	2.1
Place & Sustainability	57.5	0.6
Public Health	0.8	0.0
Corporate Resources	8.7	0.0
Children and Young People	83.8	0.0
Chief Executive	1.6	0.3
Non-service revenue	31.1	(3.0)
Total - General Fund	278.4	0.0
Total - Housing Revenue Account	(7.5)	(0.4)

APPENDIX 2

Capital 2012/13 - The aggregate revenue projected position in 2012/13 is shown in the following table.

Capital Scheme	Approved Budget	Spend to Date	Projected Variance
	£m	£m	£m
Place and Sustainability Directorate			
Transport for London	3.8	0.2	0.0
Parking Plan	0.4	0.0	0.0
Street Lighting	0.5	0.0	0.0
Resurfacing	0.5	0.0	0.0
Tottenham Hale Gyratory	3.2	0.0	0.0
Affordable Housing	0.8	0.0	0.0
Energy Saving Measures (Green Deal)	0.5	0.0	0.0
Tottenham Regeneration	0.5	0.0	0.0
Northumberland Park Regeneration	1.3	0.0	0.0
Solar PhotoVoltaic Programme	0.0	0.9	0.0
Corporate Management of Property	1.1	0.1	0.0
Dilapidation Surveys	0.6	0.0	(0.3)
Accommodation Strategy Phase 2	0.5	0.1	0.0
Lordship Recreation Ground	1.7	0.6	0.0
Downlane Recreation Ground	0.5	0.0	0.0
Other Schemes under £1m	2.0	0.1	(0.4)
Total - Place and Sustainability	17.9	1.9	(0.7)
Childrens Directorate			
BSF Schools Capital Programme	2.8	0.0	0.1
ICT Managed Service Provider	2.7	0.0	0.0
Primary Capital Programme	16.6	2.9	(0.5)
Early Years and Community Access	0.5	0.0	0.0
Planned Asset Maintenance	1.6	0.1	0.0
Devolved Schools Capital	0.8	0.0	0.0
Carer Home Adaptations	0.1	0.0	0.0
Total - Childrens	25.1	3.1	(0.4)
Adults and Housing Directorate			
Adults			
Disabled Facilities Grant - Agency	1.5	0.2	0.0
Housing Aids and Adaptations	1.2	0.4	0.0
Multiple Client Group Schemes	0.7	0.0	0.0
Total - Adults	3.5	0.6	0.0
HRA			
Structural Works	0.6	0.0	(0.2)
Extensive Void Works	1.4	0.0	(1.0)
Boiler Replacement	3.5	0.8	0.0
Capitalised Repairs	4.6	0.5	0.0
Lift Improvements	2.2	0.0	(0.1)
Decent Homes	25.3	1.4	1.9
Saltram Close	0.5	0.1	(0.1)
Mechanical and Electrical Works	1.3	0.0	(1.2)
Professional Fees	1.5	0.0	0.0
Major Voids and Accommodation	0.5	0.0	0.0
Other Schemes	1.5	0.1	0.2
Total - HRA	42.8	2.9	(0.5)
Corporate Resources Directorate			

APPENDIX 2

IT Capital Programme	0.3	0.1	0.0
Infrastructure Programme	2.6	0.9	0.0
Customer Services	0.2	0.0	0.0
ERP Replacement – One SAP	0.7	0.0	0.0
Alexandra Palace	1.4	0.0	0.0
Total - Corporate Resources	5.0	1.1	0.0
Total – Haringey Capital Programme	94.2	9.5	(1.5)

Proposed virements are set out in the following table.

Revenue Virements						
Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Reason for budget changes	Description
1	AH	Rev	376	376	Budget Realignment	Transfer surveyors income budgets to appropriate profit centre
1	AH	Rev	134	134	Budget Realignment	Learning Disabilities Day Opportunities budget realignment
1	AH	Rev	110	110	Budget Realignment	Transfer of 3 posts within Adults Business Unit to reflect restructuring
1	AH	Rev	206	206	Budget Realignment	Transfer of Vol Sector Team costs to new profit centre within Adults Commissioning
1	AH	Rev	257	257	Budget Realignment	Budget realignment of Older Peoples Day Care following HESP savings
1	AH	Rev	233	233	Budget Realignment	Learning Disabilities transport budget realignment
1	AH	Rev	896	1,191	Budget Realignment	Transfer existing Vol Sector grants budgets to create investment fund (to be allocated)
1	AH	Rev	1,875	0	Budget Realignment	Transfer of vacancy factor to Deputy Director to cover anticipated overspends
1	AH	Rev	1,110	1,110	Budget Realignment	Budget from internal home care to create reablement team
2	AH	Rev	190	0	Budget Realignment	Transfer of vacancy factor to Deputy Director to cover anticipated overspends
2	AH	Rev	923	923	Budget Realignment	Reprovision of budget to Commissioning following closure of Whitehall Street
2	AH	Rev	3,527	3,527	Budget Realignment	Allocation of Commissioning Investments and re-base
2	AH	Rev	900	0	Budget Realignment	Internal residential homes reprovision costs to external commissioning budget
3	AH	Rev	464	0	Budget realignment	Corporate Overheads adjustment between Housing and Non Service Revenue
3	PS	Rev	207	0	Budget realignment	Allocation of Flood Grant to Service
3	PS	Rev	435	435	Budget realignment	Budget Realignment of Mortuaries & Coroners from Public Health
4	AH	Rev	150	0	Budget realignment	Internal Residential Homes savings to Older People Commissioning
4	AH	Rev	350	350	Budget realignment	Housing Advice Team to new cost centre
4	PS	Rev	146	146	Budget realignment	Centralisation of Cleaning budget prior to externalisation
4	CEX	Rev	1,112	1,112	Budget move	Realignment of Schools' maternity leave insurance and payroll budgets within HR business unit to reflect management responsibility.
4	CEX	Rev	482	482	Budget move	Realignment of Schools union duties budgets within HR business unit to reflect management responsibility.
4	CR	Rev	1,338	1,338	Budget Realignment	Permanent creation of budget for Discretionary Housing Payments
4	CR	Rev	163	163	Budget moved to Non Service Contingencies.	Removal of direct recharge income in relation to Construction Procurement group activity.
4	PH	Rev	459	0	Allocation of grant income	DAAT - Pooled Treatment Budget 2012-13 created as per agreement between NHS and LBH
4	PH	Rev	178	0	Allocation of grant income	Grant to Fund Blenheim CDP 'Insight Programme' as a one off - Fund transferred from Pooled Treatment Budget to LB Haringey.
4	PH	Rev	444	444	Budget realignment & allocation of grant income	Realignment of Mayor Office Police & Crime Grant to reflect the 12/13 figure and creating increased funding from NHS Haringey for drug intervention
4	PH	Rev	952	952	Removal of on-going grant allocation	Removal of on-going effect of the Drug Intervention Programme grant as it can vary year on year.
5	AH	Rev	992	841	Budget realignment	Allocation of centrally held care purchasing budgets to reduced projected overspends in Older People & Mental Health Commissioning
5	PS	Rev	800	800	Budget realignment	Adjustment of 2012-13 concessionary travel budget allocation
5	PS	Rev	300	0	Budget realignment	One off budget provision for specific Highways Maintenance works

1 Financial regulations require proposed budget changes to be approved by Cabinet. These are shown in the above table. These changes fall into one of the following categories:

- all changes in gross expenditure and/or income budgets between business units in excess of £100,000; and
- all changes in gross expenditure and/or income budgets within business units in excess of £100,000.
- any virement that affects achievement of agreed policy or produces a future year's budget impact if above £100,000.

2 Under the Constitution, certain virements are key decisions. Key decisions are:

- for revenue, any virement which results in change in a directorate cash limit of more than £250,000; and
- for capital, any virement which results in the change of a programme area of more than £250,000.

3 Key decisions are highlighted by an asterisk in the table.

4 The above table sets out the proposed changes. There are two figures shown in each line of the table. The first amount column relates to changes in the current year's budgets and the second to changes in future years' budgets (full year).



Haringey Council

Report for:	Cabinet	Item Number:	
Title:	The Council's Quarterly Performance Assessment Quarter 1 - 2012/2013		
Report Authorised by:	The Chief Executive 		
Lead Officer:	Eve Pelekanos – Head of Strategy and Business Intelligence Telephone 020 8489 2508		
Ward(s) affected: All	Report for Key/Non Key Decisions: Information		

1. Describe the issue under consideration

- 1.1. To inform Members of progress against the Council's priorities and other major responsibilities in the first quarter of 2012/13.

2. Introduction by Cabinet Member for Performance Management – *Cllr Kober, Leader of the Council*

- 2.1. I have been pleased to see the commencement of the Haringey Jobs Fund programme, and the immediate achievements in creating jobs. I now expect to see this progress with significant pace, in order to tackle the continued high levels unemployment we see in the borough. I have also been encouraged by the ongoing work to reduce levels of Young People Not in Education Employment or Training (NEET), which has fallen to 3.6%.

With the new waste collection schedules now being well integrated across the borough, I am pleased to see that we are on course for meeting our targets for waste reduction and recycling.

- 2.2. Over the next quarter I expect to see significant reduction in crime rates, which are at a concerning level. The Council is working closely with the MPS on partnership tasking to address these issues, and I want to see the fruition of these efforts very quickly. I am also concerned by the number of TA placements made by other London boroughs in Haringey, and the Council will be working with these boroughs on managing this.

The improved performance of our primary schools has been very promising, and I expect to see this trend continue with our ambitious aims for having outstanding schools across the whole borough.

3. Recommendations

- 3.1. To note progress against the Council's priorities and other major responsibilities in the first quarter of 2012/13.
- 3.2. To note the emerging issues and challenges going forward.

4. Background information

- 4.1. This report is a self assessment of the Council's performance in the first quarter of 2012/13 (April to June). It also provides an update of key activity against the Council's priorities and other major responsibilities as set out in the Council Plan and agreed at Full Council on 16 July 2012.
- 4.2. The main body of this report begins on page 3.

5. Comments of the Chief Finance Officer and financial implications

- 5.1. There are no specific financial implications arising from the recommendations set out in this report although clearly there is a very strong link between the Council's performance and how it uses the resources available to it. Equally, any highlighted emerging issues could have financial implications but it is expected that these would be addressed in further reports.

6. Head of Legal Services and legal implications

- 6.1. There are no specific legal implications arising from this report.

7. Equalities and Community Cohesion Comments

- 7.1. Updates on activities to help us meet the corporate equality objectives will be provided under the relevant sections in this and subsequent performance reports. A progress report on the Corporate Equality Plan will be produced annually.

8. Head of Procurement Comments

N/A

9. Policy Implications

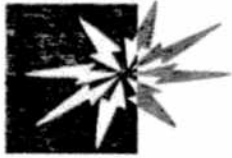
- 9.1. Haringey's quarterly performance assessment links to the following documents / strategies:
 - The Council Plan 2012-14
 - Key strategies

10. Use of Appendices

- Appendix 1: Performance Tables Quarter 1 2012/13
- Appendix 2: How Haringey compares to London

11. Local Government (Access to Information) Act 1985

- Service performance indicator returns
- Council Plan (incorporating departmental business plans)



Haringey Council

The Council's Quarterly Performance Assessment

Quarter 1 - 2012/13

Produced by
Strategy and Business Intelligence
August 2012

Context

1. Haringey's Council Plan 2012-14 was agreed at Full Council on 16 July 2012. The plan identifies five key priorities which will form our major programmes of work for the period 2012-14:

- Work with local businesses to create jobs
- Deliver regeneration to key areas of the borough
- Tackle the housing challenges
- Improve school standards and outcomes for young people
- Deliver responsive, high quality services to residents

The Plan also describes the key activities which make up our day to day work which help us to deliver our other major responsibilities of:

- Community Safety
- Environment
- Health and social care
- Resident empowerment and social inclusion

This report provides an update on the progress that has been made during the first quarter of 2012-13 against the key milestones and key indicators which are identified in the Plan. Subsequent updates will be provided on a quarterly basis.

Increase in National Data Requirements

2. Despite the Government's well-publicised data burden reduction agenda, new demands for data from central Government are increasing. The proposed changes in Adult Services will require significant resources to ensure the Council's systems and workflows align sufficiently with the new requirements. Similarly, in Children's Services the new indicators arising from the Munro Review will present challenges in terms of recording and reporting.
3. The Strategy and Business Intelligence Unit has recently completed the following returns:

	Name of Return	Frequency	Directorate / Service Area
1	Children In Need Census	Feb to July	CYPS / Children in Need
2	Looked after Children SSDA903	Apr to May	CYPS / Looked after children
3	Private Fostering	June	CYPS / Fostering
4	OFSTED Fostering & Adoption datasets	May to June	CYPS / Fostering and adoption
5	New Voluntary Adoption Survey	July	CYPS / Adoption
6	Commissioned Services dataset	August	CYPS
7	Adult Social Care Survey	Nov to May	A&H / Adult social care
8	Resources, Allocations & Packages of Care	Apr to May	A&H / Adult social care
9	Adult Social Care Combined Activity Return	Apr to May	A&H / Adult social care
10	Abuse of Vulnerable Adults	Apr to June	A&H / Safeguarding
11	Mental Health Guardianship	May	A&H / Mental Health
12	Registered Blind & partially blind	May	A&H / Adult social care
13	Personal Services Expenditure	Jun to July	A&H / Adult social care
14	New Carer's Survey	Oct to March	A&H / Adult social care
15	English Local Authority Statistics for Housing	Apr to July incl. pilot	A&H / Housing
16	CORE Lettings	Quarterly	A&H / Lettings
17	P1e Homelessness	Quarterly	A&H / Homelessness
18	Supporting People Client Records and Outcomes	Quarterly	A&H / Supporting People

Summary of the Council's Performance in Quarter One 2012-13

Areas of progress/achievement

- The regeneration of Tottenham continues to progress, with the approval of several plans
- We have continued to reduce the number of households living in temporary accommodation and to prevent people from becoming homeless
- More of our five year olds are achieving a 'good level of development' and we have continued to improve the attainment of children at the end of primary school
- We have invested £400k in our Strategy for Young People, including an extensive summer programme of activities
- A further £300k has been invested in the One Borough One Future Fund – which will deliver real changes to services and working practices - bringing the total to £1.5m
- 60,000 households have moved to fortnightly waste collection and received new recycling wheelie bins, leading to a 40% increase in recycling for those households
- We have reduced delays in transferring patients who are ready to leave acute care

Areas for focus

- Address high levels of unemployment, particularly among young people in the east of the borough
- Prevent homelessness and continue to reduce the number of households in temporary accommodation
- Supporting schools which are a cause for concern
- Address the increasing rates of crime
- Reduce the time it takes to place children for adoption

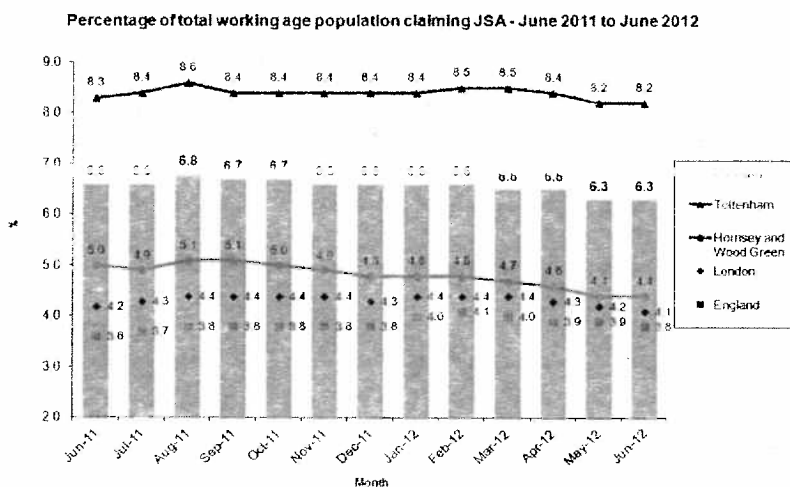
The key emerging issues from this period are

- Changes to the **Right to Buy** scheme which aim to increase take up and ensure one-to-one replacement of housing sold under the scheme
- Introduction of the **Community Right to Challenge**, giving community groups the right to challenge councils to run local services
- Publication of the '**Caring for our future: reforming care and support**' White Paper and the draft Care and Support Bill

Priority 1: Work with local businesses to create jobs for local people

Performance Highlights

- 14 jobs have been created through the Haringey Jobs Fund in quarter 1 2012/13 in line with expectations.
- 6.3% of the working age population were claiming Jobseekers' Allowance (JSA) in June 2012. Having been fairly stable for the last year (6.6% in June 2011), the JSA rate has fallen slightly in recent months, mirroring the national and regional trends.



- Haringey rates remain significantly above the London and England rates.

- The JSA claimant rate is disproportionately high:

- in the east of the borough, particularly Northumberland Park (12.1%).
- for males (8.0% compared to 4.9% for females)
- for 20-24 year olds (10.9%), albeit this has decreased by 5% (0.6 percentage points) since February 2012.

- In the year to March 2012:

- 13,700 Haringey residents were 'unemployed'. These are people who are out of work and actively looking for work and available to start work within a fortnight. This represents 11.3% of 'economically active' residents compared to 9.3% in London. This has reduced from 12.5% in September 2011.
- 45,100 Haringey residents were 'economically inactive'. These are people who are out of work but have not actively sought work in the last four weeks. 38.4% of the economically inactive population are students, compared to 31.1% in London

- Recent research by the GLA indicates that an estimated 26% of Haringey residents earn less than £8.30 per hour, the 8th highest level amongst London boroughs.

- The Jobs for Haringey project was officially launched on 17 May with a business summit at the Houses of Parliament where more than 50 businesses pledged support. The scheme will see the council working with businesses and partners to generate at least 300 new jobs and help more than 600 Haringey residents to find work. Jobs for Haringey will deliver one-to-one support with job hunting, applications and interviews. Jobs created will go hand-in-hand with training backed by the College of Haringey, Enfield and North East London (CHENEL) and Haringey Adult Learning Service (HALS). It will also offer support for school students and residents in finding work experience and placements to boost their future employment prospects.

5. The project includes a dedicated **Jobs Fund** to meet some of the costs of newly created positions. Since the Fund was launched, 14 jobs were created during Quarter 1 with a local firm based in Northumberland Park, Thorns Group. Round 1 of the application process for businesses closes on 13th August.
6. The **Haringey Welcome** achieved its annual target (project year – July 2011 to June 2012), engaging with 164 third country nationals. Of these, 29 were engaged in Quarter 1 2012-13. The team is looking to work with a further 160 third country nationals in the next project year (July 2012 to June 2013).

Emerging Issues

The ***draft Universal Credit (UC) Regulations 2012*** have been published by the government. The regulations provide the detail of the rules of entitlement, calculation of award, claimant responsibility, sanctions and hardships.

Changes to the existing system include:

- More in-work support for the under-25s;
- Childcare costs being paid in UC regardless of hours worked;
- More support for carers to combine paid work with their caring role and;
- A strengthened sanction regime.

The regulations are due to be set before Parliament in the autumn to ensure that UC is on track to deliver from 2013.

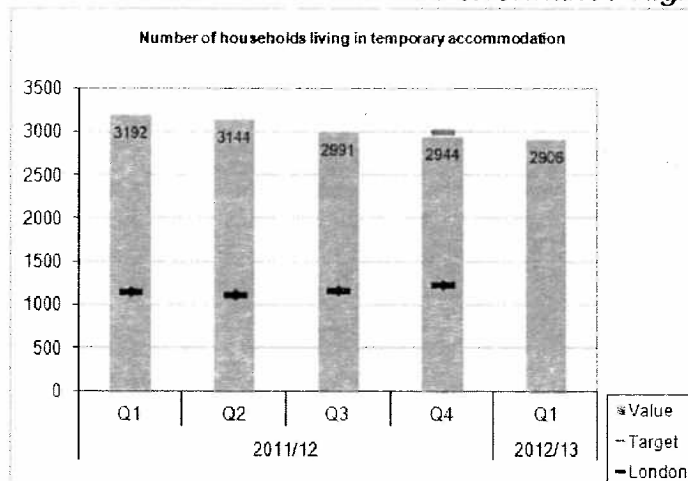
Priority 2: Deliver regeneration to key areas of the borough

Performance Highlights

- The multi-million pound development at Ward's Corner was granted planning permission on 25 June.
 - Plans for the restoration of the destroyed Carpet Right building in Tottenham have been approved.
7. **Arup** has been appointed to lead on a range of projects and studies to support the delivery of the regeneration plan for Tottenham. This includes the development of master plans for part of Northumberland Park and Tottenham Hale, an Asset Management Plan for Tottenham Green and Seven Sisters, development briefs for key sites, workspace creation and retail strategies and an investment framework for Northumberland Park. This work is due to be completed by December 2012.
 8. The **Growth on the High Road** project on Tottenham High Road is part of the overall regeneration programme for Tottenham. The project focuses on improvements to public realm and retail infrastructure in Bruce Grove Town Centre and the creation of a 'civic heart' and improved public space at Tottenham Green. Additionally there is a revenue budget to deliver a cultural programme in 2012/13 incorporating film and music festivals, a celebration of the Paralympics and an outdoor arts programme. Two stakeholder groups have met, at Tottenham Green and Bruce Grove, to develop key design principles. The Council is in the process of engaging architects to produce final designs.
 9. The multi-million pound development at Ward's Corner was granted planning permission on 25 June. It will deliver new homes and shops, hundreds of jobs and major investment to the area. Existing stallholders at the Seven Sisters covered Latin market will be offered priority over space in the redeveloped market space and will be given help and support with relocation during construction work.
 10. The **Green Lanes Strategy Group** in partnership with the Council have been awarded £1.78m to deliver a programme of capital improvements from April 2012 to March 2014 after a successful Outer London Fund Round 2 bid. The programme will fund improvement to the public realm and to the facades of the buildings to allow the High Street to celebrate its diversity and to remain as a competitive centre with a distinct local identity. The work will focus on the Town Centre, from Grand Parade to the railway bridge at Harringay Green Lanes.
 11. Plans for the restoration of the Carpet Right building at 638 Tottenham High Road were approved by the Council's Planning Committee in May. Work will start this summer to reconstruct the building that was destroyed by fire in last summer's riots. The design will replicate the appearance of the previous building reinstating many of the original features and materials; it will also deliver 26 new homes on three floors above the store.

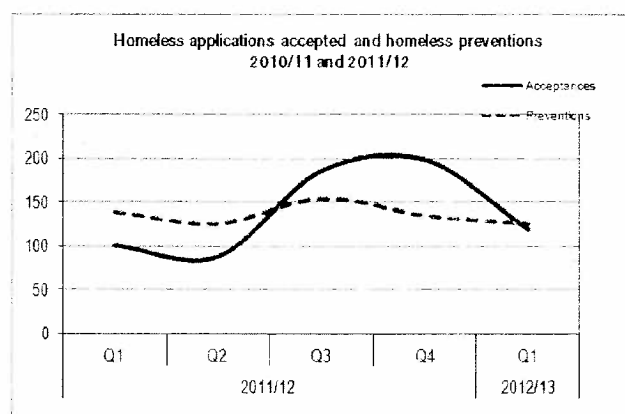
Priority 3: Tackle the housing challenges

Performance Highlights



- There was a continued reduction in the number of **households living in temporary accommodation** to 2,906 in Q1 2012/13.
- This represents a decrease of 286 households (8.9%) since this time last year.

- There were 119 **homelessness acceptances** in Quarter 1, better than target.
- However, numbers remain above the most recent London benchmarking figure of 86 for Quarter 4.
- The number of acceptances was below the number of **homelessness preventions** (126) for the first time since Quarter 2 last year.



- Of these preventions, 63 households were enabled to remain in their existing home. A further 63 households were assisted with obtaining alternative accommodation.

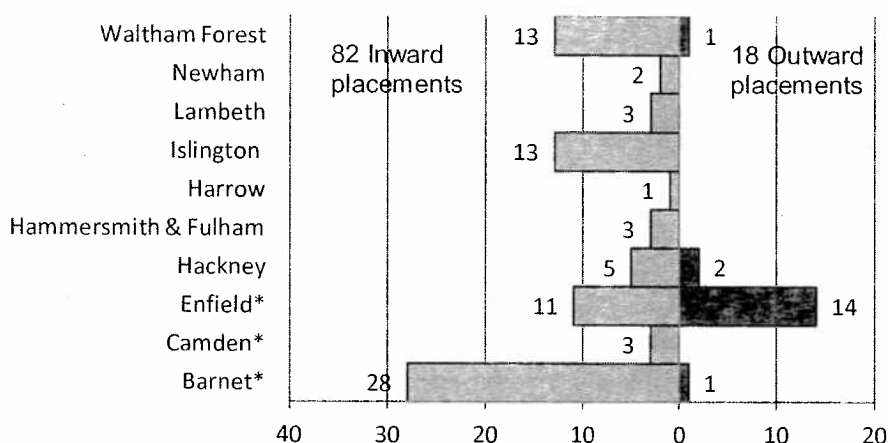
Welfare reform

- Two practical support hubs to help those affected by the changes to the Local Housing Allowance are fully operational following last year's successful sub-regional bid led by Haringey Council. A number of staff have been recruited to offer tailored advice across the services in Haringey (at Apex House in Tottenham) and Islington.

Temporary Accommodation (TA)

- To help assess the impact of changes in housing benefits we are monitoring the number of TA placements made by other London boroughs in Haringey.

TA placements made by other London boroughs in Haringey in June 2012

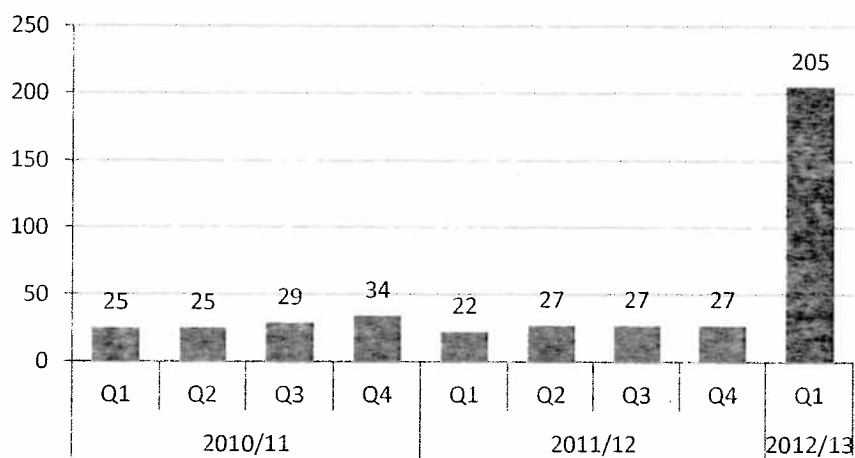


* Member of the Four Borough Agreement
(Source: Pan-London Agreement)

Right to Buy

14. Following the recent changes to the Right to Buy (see emerging issues below), the number of applications in Haringey has risen significantly. In the first quarter of this year Homes for Haringey received 205 applications, compared with 22 in the same period last year.

Haringey 'Right to Buy' applications



Empty Properties

15. Since April, 12 empty properties have been brought back into use as a direct result of enforcement action. A further 13 properties are now in the process of being brought to Cabinet for approval to purchase under Compulsory Purchase Orders. The Council has been allocated a further £182,000 from a North London Sub Region bid to bring 14 three bed units back into use over three years.
16. Hornsey YMCA has successfully bid for DCLG funding under the Empty Homes Programme for Community Groups. The funding will enable 60 empty homes in the borough to be brought back into use over three years. Homes for Haringey will refurbish the properties and provide maintenance services for the properties. The properties will serve as interim move-on accommodation to support ex-YMCA residents to sustain future tenancies.

Housing Related Support

17. The Housing Related Commissioning Plan 2012-15 has been agreed by Cabinet. This Plan sets out the strategic commissioning principles for housing related support over the next three years and through the needs assessment identifies priorities for future funding. The Plan will allow the service to achieve savings of £500k in 2012/13 and £1.5m in 2013/14. Following service reviews which look at improving performance, strategic relevance and value for money, there will be a wide ranging procurement exercise to ensure relevant services are commissioned.

Emerging Issues

Right to Buy

The Government has made significant changes to the Right to Buy scheme (*"Reinvigorating Right to Buy and One for One Replacement, Information for Local Authorities"*) with the aim of increasing take up and ensuring a 'one-for-one' replacement of social housing sold under the scheme. The key features of the changes are:

- Replacing the regional discount caps with an increased single national cap of £75,000
- A commitment to replace every additional home sold (as a result of the changes to the scheme) using recycled sales receipts towards the cost of replacement social housing let on an "affordable rent"
- Local authorities will be able to retain all the additional receipts (generated as a result of the changes to the scheme) for replacement housing, provided they agree to limit the use of the net receipts (after certain costs) to thirty per cent of the cost of the replacement homes

Allocation of Social Housing

The Department for Communities and Local Government (DCLG) has published new guidance on the allocation of social housing. The guidance aims to help local authorities to take advantage of the provisions in the Localism Act 2011 which give councils the freedom to manage their own waiting lists, and make it easier for them to move existing social tenants to more suitable accommodation. It also encourages authorities to make use of the existing flexibilities within the allocation legislation to ensure *"that social homes go to people who need and deserve them the most, such as hard working families and members of the Armed Forces"*.

New welfare changes

In June, the Government announced a series of ideas for further significant reform of the welfare system. Although the ideas are not due to be implemented until after 2015, where support could be found they may be brought in sooner. Seventeen suggestions were made in total, including linking benefits to wages instead of inflation, a specific £20,000-a-year cap on housing benefit and exploring if more benefits can be paid in kind rather than in cash. The prime minister also suggested young people might not be entitled to benefits until they have paid contributions and asked whether requirements to seek work should be more intense for those who have not made lengthy contributions to the tax system.

Prevention of Social Housing Fraud Bill

The Government is considering a Private Members Bill that would strengthen the powers of social landlords to take action against tenants subletting their entire properties. If enacted the bill would create new criminal offences for unlawful subletting and give local authorities power to prosecute. Following prosecution offenders would be unable to regain a secure tenancy and would be liable for any profits made from subletting.

Priority 4: Improve school standards and outcomes for young people

Performance Highlights

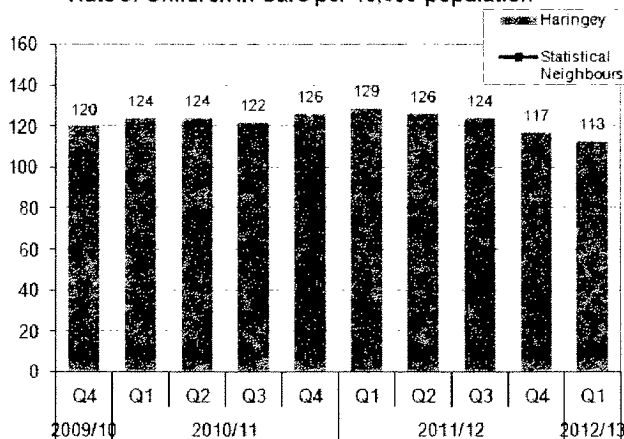
Education

- In 2012, 56% of Haringey's 5 year olds 'achieved a good level of development' in the **Early Years Foundation Stage**. Haringey has continued to improve, increasing from 54% in 2011. The result for England in 2011 was 59%.
- Provisional results for **Key Stage 2** (end of primary school) show a 5% improvement from 71% to 76% for the percentage of pupils achieving level 4 or above in both English and maths. The result for England in 2011 was 74%. There has also been a significant reduction from 14 to 3 in the number of schools below the DFE target of 60% for this measure.
- As at the end of July 2012, 35 out of a total of 63 primary schools (55%) were rated **good or outstanding**, compared to 68.4% for England (August 2011). 8 out of 12 secondary schools were rated good or outstanding (67%) compared to 62% for England (August 2011).
- 80% of Haringey children were offered their **first preference** in primary school admissions, just above the London average of 78%. 69.9% were offered their first preference in secondary schools, above the London average of 66%.
- The latest DfE-released school exclusions data shows that for 2010-11:
 - Haringey's secondary schools had a permanent exclusion rate of 0.15% (of the school population), which is below the rate for London (0.17%) and Inner London (0.21%).
 - Haringey's primary schools had a fixed-term exclusion rate of 0.74% of the school population, below the England and Inner London rates of 0.91% and 0.95% respectively and in line with the London rate of 0.75%.
 - Haringey's secondary schools had a fixed-term exclusion rate of 10.98%, above the England, London and Inner London rates of 8.40%, 8.36% and 9.75%, respectively.
 - The groups that were significantly overrepresented for fixed-term exclusions were Traveller of Irish Heritage, Mixed White and Black Caribbean, Caribbean and Other Black.

Children's Safeguarding

- The rate of **children subject to a child protection plan** is 9% higher than this time last year at 61.3 per 10,000 population, which equates to 25 more children subject to a child protection plan than this time last year. This remains considerably higher than comparator authorities.

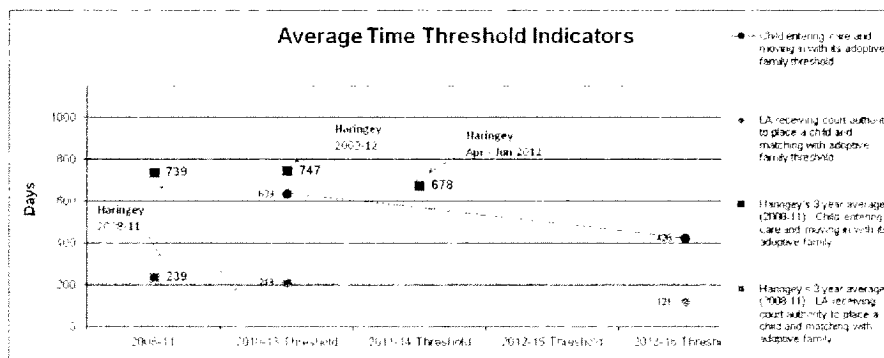
Rate of Children in Care per 10,000 population



- The rate of children in care per 10,000 population is 113, a reduction compared to this time last year when the rate was 129.
- However, this remains higher than the average for Haringey's statistical neighbours (85 as at March 2011).

- The average days from becoming looked after to being placed for adoption was 678 for the period April- June 2012. This is an improvement on the 2011/12 figure of 715 days but above the 639 day target (rolling 3 years) which is based on national threshold levels for 2010/2013.

Average Time Threshold Indicators



- 55 out of 556 looked after children (or 9.9%) had **three or more placements** in the year. This is better than target and an improving trend.

Teenage pregnancy

- Quarter 1 2011 and local data available for 2011 so far suggests that the annual rate will show a decrease on the high 2010 rate.

Young People Not in Education Employment or Training (NEET)

- As at 30th June, 3.6% of young people aged 16-19 were not in education, employment or training. The percentage of young people whose current situation (i.e. whether in employment, education, or training) was not known was 15.9%.

Education

18. Haringey Council's independent education commission 'Outstanding for All' met for the first time on 16 April 2012. The panel of education experts are to produce a set of proposals to accelerate the pace of school improvement and will also make recommendations on the Council's future relationship with schools and their communities; taking into consideration the

rapidly changing education landscape. The commission has been asked to work in a way which ensures the views of parents, teachers, young people and residents are reflected in the final report which will be open for public consultation later this year.

19. Four primary schools are in the process of converting to sponsored **academy status** and are to open on 1st September 2012. These are Downhills, Coleraine Park, Nightingale and Noel Park. The Harris Federation are the identified sponsor for Downhills and Coleraine Park and Academies Enterprise Trust (AET) are the sponsors for Nightingale and Noel Park.
20. The expectation of the Secretary of State is that any school that enters an Ofsted category of 'concern' or whose performance is below expected levels should actively consider becoming a sponsored academy and Department for Education (DFE) officials usually request a meeting with the headteacher and governors. In addition to the schools mentioned in paragraph 19, we currently have two primary schools – Crowland and Earlham – that are in discussions with the DFE. John Loughborough secondary school is also in an Ofsted category of concern and is in dialogue with the DFE and the local authority about options for the future.
21. At the end of March 2012, the Council's Cabinet agreed a recommendation that the **expansion of Welbourne Primary school** from two to three forms of entry goes ahead with effect from September 2013. Close collaborative work will now begin with the school and its community on how the expansion will be delivered.
22. In July, the Council's Cabinet approved recommendations to **expand Belmont Infant and Belmont Junior schools** from two forms of entry (56/60 places) to three forms of entry (84/90 places) with effect from the reception intake in September 2013. It is expected any necessary planning permission will be sought by January 2013.
23. Haringey's second **free school** will be opened by the E-ACT Free Schools Trust (EFST) in September 2012. The new primary school will provide 60 additional reception places and is currently proposing to also provide 60 Year 1 places in 2012. The school's temporary site for a planned period of three years will be at the College of Haringey, Enfield and North East London's campus (CHENEL) on Tottenham High Road. From September 2015, it is proposed that the school will be permanently based on the former site of Cannon Rubber Ltd at 881 High Road, N17 as part of a housing development due to be built as part of the Northumberland Development Project. It is expected that a planning application will be submitted to the local authority in late summer 2012.

Teenage Pregnancy

24. Between April and May 2012, a number of focus groups were held and a teenage pregnancy and sexual health survey was completed by 'at risk' groups. The findings and the young people are helping the Public Health team to develop an awareness raising campaign.
25. The shadow Health and wellbeing Board's Teenage Pregnancy Taskforce, a task and finish group, reported to the Board in July. It recommended the local NHS review their commissioned services to ensure teenage pregnancy and young people's sexual health was prioritised and that the provision of contraception and sexual health services are young people focused. Since then the 2012/13 service specification with Whittington Health Contraceptive and Sexual Health Services (CaSH) has been reviewed and amended accordingly. The sHWB set the challenging target of reducing teenage pregnancy in Haringey to the London average by March 2015.

Troubled Families Initiative

26. In April 2012 Haringey wrote to the DCLG Troubled Families Unit committing itself to the Troubled Families programme. Haringey's cohort of households which meet the government's

definition of 'troubled families' is currently being finalised. The Council's strategy is to use an approach that builds on current successful practice and services to address the local need of these families. A core team will be established, which will work to an agreed set of practice principles and protocols based on evidence of good practice and successful outcomes elsewhere. The team will implement a Team around the Family Approach with an identified Lead Professional responsible for implementing an agreed Family Plan. Recruitment for the Coordinator post has begun.

Strategy for Young People

27. A fund of £400k has been allocated by Cabinet to support the delivery of the Council's Strategy for Young People and the key strands that have emerged from the consultation process, specifically:

- Increase the number of young people in education, employment and training;
- Divert young people away from the criminal justice system and increase the number who are positively engaged, particularly identifying and targeting those most at risk;
- Divert younger children aged 8-12 away from criminal and gang related activity, particularly younger siblings of those already in gangs.

A planning group will be established to oversee the implementation of the strategy and make recommendations for funding and activities in 2013/14 and 2014/15.

28. The fund will also be used to deliver the Council's summer programme of activities for young people. All of the activities on offer are what young people themselves have told us they want to do during the six week break. Activities include film making and acting and a multitude of different sports sessions.

Emerging Issues

Changes to Ofsted inspections

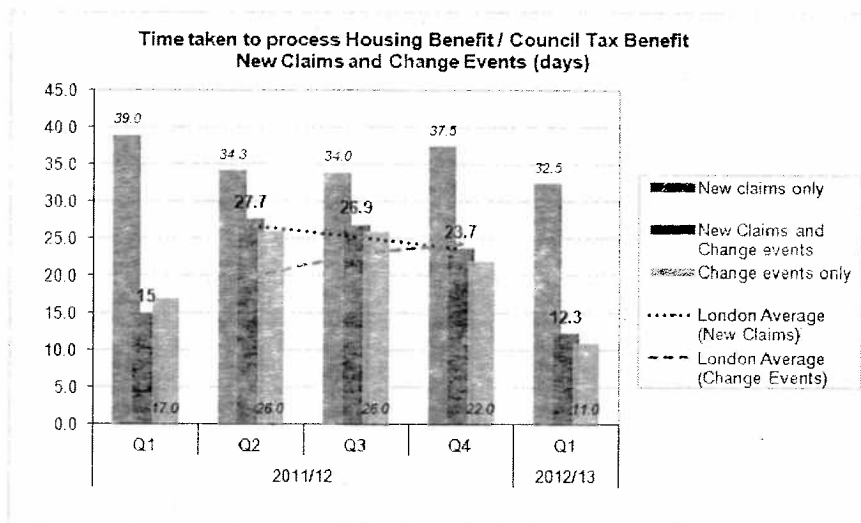
Ofsted has published a revised school inspection framework and grade descriptors for implementation in September 2012. It states the statutory basis for inspection and summarises the main features of school inspections carried out under section 5 of the Education Act 2005 from January 2012.

Priority 5: Deliver responsive, high quality services to residents

Performance Highlights

In Quarter 1:

- 7.43 days per full time equivalent were lost to sickness (excluding schools staff). This is below the most recent London benchmarking figure of 7.7 for Quarter 4.
- The average time taken to process a complaint was 12.2 days. This is an improving trend.
- 7% of complaints received were escalated to stage 2, an increase from 5% in quarters 3 and 4 of 2011-12
- The time taken to process housing benefit and council tax new claims and change events was 12.3 days, a significant improvement over the last quarter, better than the same period last year, and better than the 16 day target. This reduction was largely due to an 11 day average for processing change events.



- Although the average time taken to process new claims decreased to 32.5 days, it remains above the London average (23.6 days in Q4 2011/12)

- 30.04% of council tax due for the year was received in Quarter 1, slightly below levels achieved at this time last year and the profiled target.

29. On 12 June the Council agreed a £750,000 loan to the Haringey, Islington & City Credit Union that will help hundreds more residents avoid the pitfalls of high interest payday loans. The money will allow the credit union to offer more affordable loans and encourage more people to save. The agreement could see more than 1,600 Haringey households become members of the Credit Union. It will also allow the credit union to expand its outreach work to make more people aware of the alternative to expensive payday loan companies - with more than ten already operating in Tottenham and Wood Green.

Resident Empowerment

30. The Council has put in place procedures to comply with the Community Right to Challenge which was brought in by the Localism Act. It gives community groups the right to challenge councils to run local services. Expressions of interest (EOI) can be submitted by the following groups:

1. a voluntary or community body
2. a group or trust established for charitable purposes
3. a parish council
4. two or more employees of an authority

The council has agreed a window for receiving EOI (between 1 March and 30 April), as allowed by the regulations. The next window will commence on 1 March 2013.

31. The Council has started using Twitter to keep residents up to date with 'what's going on' in Haringey. The official Twitter feed will be used for news, events, consultations and service updates.

Quality services

32. The Council has invested a further £300k in the One Borough One Future Fund, from savings made to the Council's IT budget. This brings the total pot to £1.5m. The Fund has been praised by leading innovation experts and will support ideas which will deliver changes to services and working practices; make creative use of resources; offer new ways to meet needs; and find practical ways of making Haringey a more equal place to live and work.

33. The deadline for the first stage of applications was 13 July 2012. Shortlisted applications will be supported in developing a more detailed business case and project plan for their idea, and invited to present this to the Panel in September 2012. A final decision will be taken on which projects receive funding in October 2012.

34. The Residents' Strategy Programme Board has been formed with representation from across the council and from all directorates. The programme aims to improve the way in which the council delivers services to residents.

Equalities

35. The Corporate Equality Plan has been published on the council's website. It sets out the Council's equality objectives for April 2012 to March 2016. Nine equalities objectives have been identified to reflect local circumstances. They are based on consideration of consultation feedback and analysis of relevant data.

Emerging Issues

Draft Local Audit Bill

The draft Bill would abolish the Audit Commission and set out the new regulatory framework for the audit of local public bodies. **The main elements of the draft Bill are:**

- Abolishing the Audit Commission.
- Requiring local bodies to appoint their own auditors on the advice of an independent auditor panel.
- Setting up a new regulatory regime for local public audit, more closely aligned with the regulatory framework for audit in the private sector, with the Financial Reporting Council as the overall regulator.
- Transferring of responsibility for developing and publishing the Code of Audit Practice for local public audit to the National Audit Office (subject to Parliamentary approval).

- Continuing the power for the Secretary of State to commission an inspection of a 'best value' local authority where there are significant concerns about its performance.

Consultation on the draft Bill is taking place until 31 August 2012.

Open Data White Paper: Unleashing the Potential

The Open Data White Paper sets out how the government aims to promote data and transparency in government and public services, making it easier to access public data; easier for data publishers to release data in standardised, open formats; and with a 'presumption to publish' unless specific reasons can be clearly shown for not doing so.

Community Right to Challenge

The Localism Act 2011 introduced a new Community Right to Challenge, giving community groups the right to challenge councils to run local services where they believe they can do so differently and better. They can do this by submitting an Expression of Interest which, if accepted, will trigger a procurement exercise. The Community Right to Challenge came into force on 27 June. The Council has agreed to put in place a window when expressions of interest can be submitted; the first window will run from 1 March 2013 – 30 April 2013 and will reoccur annually. The council has established an officer working group to put in place a process for how the right will be managed in Haringey. See paragraph 30.

Community Right to Bid

The Localism Act introduced the Community Right to Bid (Assets of Community Value). Subject to Parliamentary approval, regulations will come into force on 12 October 2012. This will give community groups the right to buy buildings that are listed by the Council as assets of community value. If an owner of a listed asset wants to sell it they would be required to notify the local authority who would in turn have to notify interested parties. If local groups are interested in buying the asset they will have six months to prepare a bid to buy it before the asset can be sold. Assets of community value could include local pubs, community centres, allotments or libraries. The right includes private as well as public assets.

Social Fund

Changes to the Social Fund under the Welfare Reform Act 2012 mean that money previously invested in Community Care Grants and Crisis Loans will now be devolved to Local Authority (LA) level, with LAs made responsible for delivering provision from April 2013.

A cross-Council working group has been established to consider options for developing the new local scheme. The group has already mapped existing arrangements for making payments to people in need. It has also begun mapping out the process for the new scheme which should be complete by September.

Electoral Registration and Administration Bill

The Electoral Registration and Administration Bill aims to tackle electoral fraud by speeding up the introduction of individual electoral registration in Britain. It will also modernise the electoral registration system, making it more convenient for people to register to vote.

Local Government Finance Bill

On 22 May 2012, the Local Government Finance Bill completed its legislative progress through the House of Commons and will now proceed to the House of Lords. The intention is still for the Bill to receive Royal assent in the summer, enabling the measures contained within the Bill to be implemented by local councils on 1 April 2013.

In summary, the Bill provides the necessary legislation for a series of key changes in local

government finance and funding, all of which have been subject to prior consultation. The main elements of the bill are:

- The introduction of a business rates retention scheme that will allow local councils to retain a proportion of the business rates they raise locally.
- The introduction of Tax Increment Financing to enable local councils to borrow against future increases in business rates;
- A framework for the localisation of support for Council Tax in England instead of the current national Council Tax Benefit system, which will be abolished; and
- Various changes in the way that Council Tax is levied, including the ability for councils to vary charges on empty properties.

Community Safety

Performance Highlights

- There were 1,216 **violent crimes** in Quarter 1, a 17.7% increase compared with the same period last year. The MPS have set a 6% annual reduction target for violence with injury, the largest and most significant offence within this key performance portfolio.
- There have been 4,403 **property crimes** in Quarter 1, a 1.9% reduction compared with the same period last year. This is set against a 5% reduction target set by the MPS.
- The latest data from the Youth Justice Board shows that there were 1,508 **first time entrants to the youth justice system** per 100,000 of 10-17 population for the period January 2011 to December 2011 an increase of 3% on the previous 12 month period.
- Haringey's **rate of custody** (per 1,000 10-17 year olds) has significantly increased from 2.68 to 3.33. This is more than double the London average and higher than statistical neighbours and national averages.
- **Re-offending rates** for the July 2009 to June 2010 cohort have increased; 43.1% of offenders have re-offended, an increase of 4%.

36. **Partnership tasking** has started. Professionals from CCTV, housing, youth services, police, community safety, licensing and neighbourhood services meet on a monthly basis to share intelligence and decide on coordinated action to be taken. The areas of focus are currently burglary and the Wood Green/Noel Park area which is a major contributor to locally recorded crime figures.

Violent Crime

37. Domestic violence accounts for over a third of all violent crime offences and has been the main driver responsible for the increase in this area; rising significantly by nearly half (43.2%) since the same period last year, to 487 offences. The rise in some part is due to the reclassification of certain offences since the formation of the Central Crime Management Unit in March.

Gangs

38. Despite a decline in Serious Youth Violence, youth and gang related serious violence remains prominent in the borough. The following Communities Against Gangs, Guns and Knives Program (CAGGK) funded projects have been planned for this year:

- Detached youth work and capacity building within the Voluntary and Community sector in Northumberland Park.
- YOS / Red Cross Weapons Awareness project
- Empower, a schools based project working with young women with known gang associations

Violence against women, including domestic violence

39. Haringey's needs assessment of domestic and gender based violence has now been published. The evidence in the needs assessment is being used by commissioners and by external organisations to prioritise resources and bid for funding.

40. Hearthstone, the Council's Domestic Violence and Support Centre has been shortlisted for the prestigious Andy Ludlow Homelessness Awards 2012 and a share of £65,000 for investment in the service. The winners will be announced on October 18, at Speaker's House in the House of Commons.
41. A new "Young and healthy" mobile phone app has been developed which includes a range of health issues including awareness of violence in teenage relationships. It is due to go online on the YouthSpace website this summer.
42. Haringey was part of a successful consortia bid co-ordinated by the Safer London Foundation with Hackney, Camden, Islington and Enfield for a Young Person's Advocate on sexual violence and exploitation. Haringey will share an advocate with Enfield. The advocates are currently being recruited by the Safer London Foundation and will be in post for 3 years.

Emerging Issues

Anti-social behaviour

The Home Office published its White Paper, *Putting Victims First: More effective responses to anti-social behaviour* on 22 May 2012. There will be a duty on local authorities, police and health bodies to deal jointly with complaints raised by members of the community regarding Anti-social Behaviour where no action has previously been taken. Proposals include a new 'community trigger' at which point the authorities would have to act. The government envisage that the trigger would be

- that five individuals from five different households had complained about the same issue and no action had been taken; or
- if the behaviour had been reported to the authorities by an individual at least three times

However, it is not the government's intention to entrench the specifics of the trigger in legislation. The Council will need to consider what community triggers to use locally.

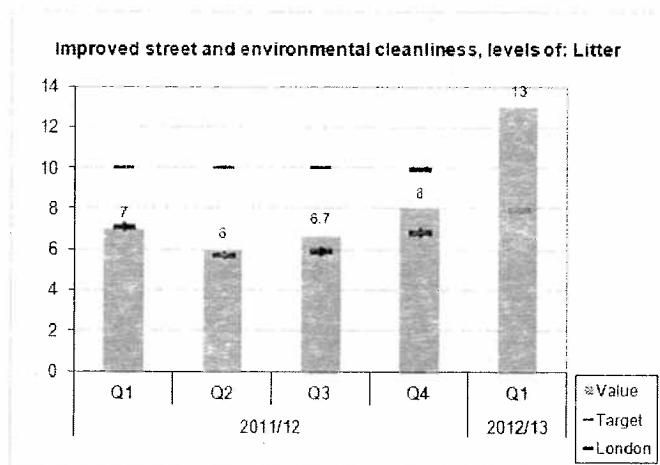
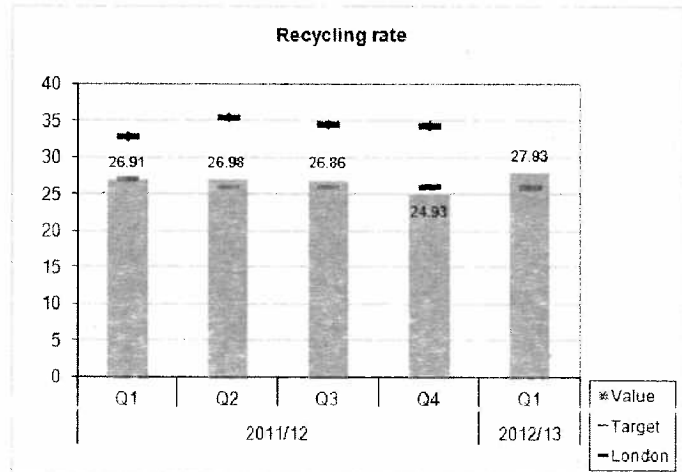
Criminal Justice Reform White Paper

The Swift and Sure White Paper sets out the Government's programme of reforms to the criminal justice system in England and Wales.

Environment

Performance Highlights

- 27.93% of household waste was recycled in Quarter 1, an improvement over the dip in performance seen in the previous quarter. This is largely attributable to the roll-out of fortnightly waste collection services in parts of the borough
- With a third phase of the roll-out to follow, the Council is on course to exceed this year's recycling rate target of 31.7%



- 13% of streets had unacceptable levels of litter, worse than the 8% target for the first quarter
- This is above the London average for quarter 4 2012/13, but there are indications of an upward trend across London
- The most recent London benchmarking data also indicates that fly-posting may be an issue in the borough.

Carbon emissions

43. Haringey has launched a £500k Green Deal demonstration project - the **Low Carbon Loan Scheme** - supporting the aims of the Low Carbon Zone and 40:20. The scheme offers a long term low interest loan to households to carry out advanced energy saving measures.

Between January and June 2012 detailed audits were carried out under the Low Carbon Loan Scheme. The team are now starting to develop loan agreements with the homes engaged. By September the scheme aims to complete around 20 whole house eco retrofit demonstrations.

44. Haringey has been successful in securing 15,000 Euros from the EU Grundtvig programme for a project named **CINERGY - Citizens for Energy** - aiming to share knowledge on

fostering “post carbon” cities. Seven nations are involved. The project will begin in November 2012 and run for two years working with the UK Low Carbon Communities Network and involve taking part in six workshops leading to a joint publication.

45. Homes for Haringey has been working with Carillion Energy Services to secure CESP (Community Energy Savings Programme) funding to deliver a **scheme of energy efficiency improvements** in Haringey. The proposed Carillion CESP scheme includes cavity wall insulation to 95 dwellings and external solid wall insulation to 347 dwellings (subject to planning approval). In total, 616 properties are included in the scheme for a range of measures which, in addition to external and cavity wall insulation, include boiler upgrades, heating controls and loft insulation. Works will be carried out to council properties (tenant and leasehold) and will be completed by the end of December 2012.

Fuel Poverty

46. The Council has successfully completed the **RE:NEW home energy efficiency scheme** in Northumberland Park and White Hart Lane. A total of 1,530 households were visited as part of the scheme and provided with an Energy Performance Certificate and low level energy and water saving measures. Initial reports indicate a positive response from residents.
47. 140 Haringey households received Warm Front insulation and heating improvements worth £147,000 during the scheme year 2011/2012. Mailing conducted in January to eligible residents generated 389 referrals during 2011/2012. A much higher level of spend is expected during 2012/2013.
48. EDF Energy has agreed to pay for a promotional mailing to all households in the priority and super priority groups advising them that they are entitled to free loft and cavity wall insulation. They are also offering £50 cash back per measure installed (£50 for loft insulation and £50 for cavity wall insulation). This will enable many of the most vulnerable Haringey households to improve the energy efficiency of their homes and get paid for doing so. The mailing will be going out from July 2012 and is being arranged by the Council's Communications Team.

Recycling and waste minimisation

49. From March 2012 the Council began to roll out changes to the waste collection service in the form of new recycling wheelie bins and fortnightly refuse collections. The first 20,000 households moved to the new service during March whilst a further 40,000 households started receiving the new service in June. The average weekly recycling tonnage collected from households since the second phase started is up by over 40% compared to the pre-fortnightly collection average. The service change is a key part of the Council's plans to increase recycling rates to 40% by 2015 under the waste contract with Veolia.

State of streets and public spaces

50. During the last quarter the Council has targeted resources and worked with the Police, Thames Water and other organisations to **clean up Lawrence Road** in Tottenham. A priority was the need to deal with the late night noise, unlicensed events and waste and litter caused by unauthorised churches occupying disused factory buildings.
51. Haringey Council has identified the Gardens area off Green Lanes for a **community-led neighbourhood improvement** project. The project is called “Community Streets” and will be undertaken in partnership with Sustrans (the UK's leading transport charity). It is a two year initiative with the first year set aside for community engagement and the second year for implementation. The Community Streets project allows for several key elements, including innovative traffic calming design, reclaiming of space, designing for people while promoting healthy and environmentally friendly transport modes.

52. **Albert Road Recreation Ground** has been awarded a royal title to commemorate the Queen's Diamond Jubilee, which will protect it from development forever. The ground has been named Queen Elizabeth II field as part of the Fields in Trust (formerly National Playing Fields Association - NPFA) campaign to protect outdoor recreational spaces as a legacy of the Diamond Jubilee. As well as being presented with a plaque as part of a permanent legacy of the Diamond Jubilee, Queen Elizabeth II Fields are uniquely eligible to apply for a range of improvement funds managed by Fields in Trust. This funding will be announced in the next couple of months.

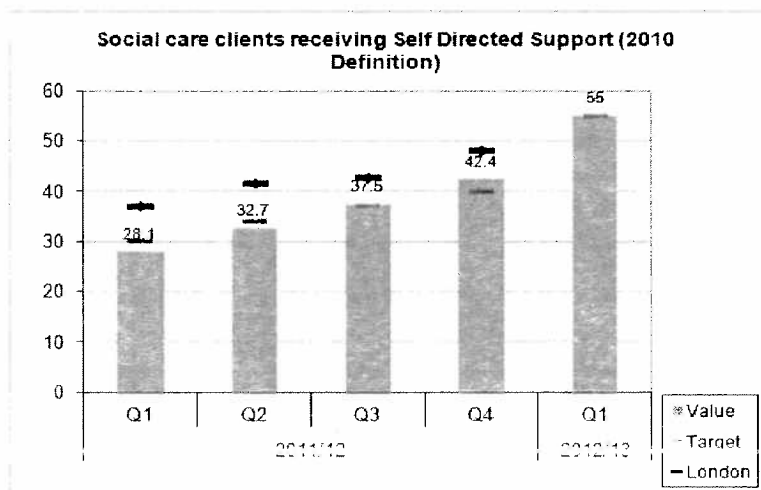
Emerging Issues

'Climate Local' to support council action on low carbon growth and resilience

LGA has launched a new initiative to support councils to maximise the opportunities from a low carbon economy and protect people and services from extreme weather. Climate Local has the support of Government and partners and will build on the success of the Nottingham Declaration to provide a more flexible way for councils to share ideas, actions and achievements.

Health and social care

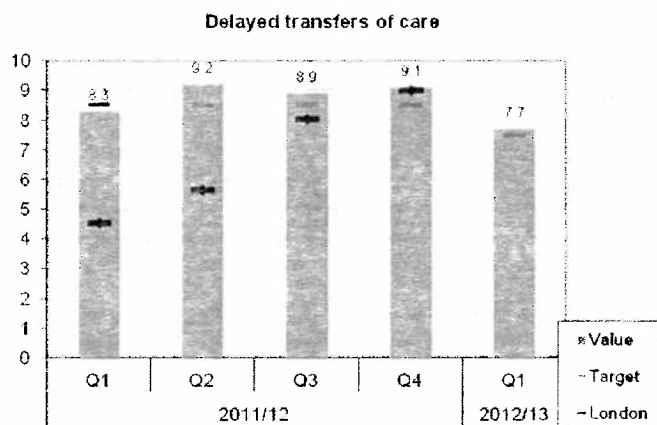
Performance Highlights



- 55% of adult social care clients are now in receipt of self directed support, up from 42.4% at the end of 2011/12, and meeting the target.

- Delayed transfers of care are 7.7 per 100,000 adult population, just outside of target.

- This is better than target and the lowest level since March 2011. It also compares favourably to available benchmarking for London (9.0 for Quarter 4 2011/12, based on 14 boroughs)



Health

53. The Health and Wellbeing Strategy was launched on 13 June. An equalities impact assessment is now being finalised and the final delivery plan is expected to be completed by September.
54. The updated Joint Strategic Needs Assessment (JSNA) has been launched and is now available online. The JSNA pulls together information on the health and wellbeing of the people of Haringey. It includes evidence about what works and what services are available in order to make decisions about how to commission future services. This helps to support the priorities of the Health and Wellbeing Board, to encourage better working between providers, commissioners and the local authority.

55. With money from the Food Standards Agency's 2012 Olympic Grant Fund the Council is implementing a national, web-based rating scheme aimed at reducing food poisoning and improving hygiene standards. This scheme replaces the previous London based Scores on Doors Scheme. The new Food Hygiene Rating Scheme (FHRS) will provide information about hygiene in restaurants, pubs, cafés, takeaways, hotels, and other eating out places, as well as supermarkets and food shops. The system is going live in July.
56. A total of 2,427 **NHS Health Checks** were carried out in quarter 1 2012-13. 908 health checks were carried out as part of the Staff Health Check programme which ran from April to July 2012.
57. A new organisation has been set up by Enfield and Haringey Councils and the NHS to help smokers in the two boroughs quit the habit. The **Tobacco Control Alliance** aims to stop people from starting to smoke, encourage existing smokers to quit and educate children and adults about the dangers of second hand smoke. The Tobacco Control Strategy 2012 sets out to develop a shared vision and co-ordinated approach to reducing smoking prevalence and tobacco use.

Childhood Obesity

58. Haringey's Director of Public Health has launched the 2012 Annual public health report, "All food and no play...are Haringey's children healthy?" to try to get people thinking and talking about childhood obesity. The report looks back at the 1970s when few children were overweight compared to children today who have easy access to sugary fizzy drinks and food that is high energy, such as fast foods as well as being less physically active.

Social Care

59. The **Reablement team** was launched in April 2012 in Adult and Community Services. A team of carers help people build their confidence and skills after illness or a fall, and help them to maximise their independence and regain skills such as getting washed and dressed, making a drink etc. This service offers intensive support and to help re-build people's strength and confidence with the sole aim of putting individuals in control and improving their quality of life.
60. Due to the success of the original **Tom's Club** project - an information and therapeutic support group for carers and people with dementia - further funding has been secured by the Admiral Nurses service enabling them to roll out a further clubs in the Borough. One will be held in The Grange Day Centre, White Hart Lane (N17) and will concentrate on supporting the carers of people with a diagnosis of young onset dementia, and the other will be held at The Haynes Centre in Park Road (N8) and will specialise in supporting new carers. The clubs were launched in June 2012.
61. The **2012 Carer of the Year awards** in June was the sixth year of the award, and for the first time the awards included a young carers category. There were four nominations for young carers and 29 for adult carers. The Carer of the Year award is the Council's way of thanking the thousands of unpaid carers in Haringey and goes some way to show that Haringey's carers are valued and appreciated.

Emerging Issues

Social Care White Paper and Bill

The Department of Health has published the 'Caring for our future: reforming care and support' White Paper, which sets out the vision for a reformed care and support system. The new system will:

- Focus on people's wellbeing and support them to stay independent for as long as possible
- Introduce greater national consistency in access to care and support
- Provide better information to help people make choices about their care
- Give people more control over their care
- Improve support for carers
- Improve the quality of care and support
- Improve integration of different services

The draft Care and Support Bill has also been published, which provides the legal framework for putting into action some of the main principles of the White Paper. In particular it creates a single law for adult care and support, replacing more than a dozen different pieces of legislation.

Annual Report on the NHS and Public Health

The Department of Health (DH) has published the Secretary of State's first annual report on the NHS and public health. This report, required by the Health and Social Care Act, 2012, is an assessment by the Secretary of State for Health of how well the NHS has performed over the past year in a number of key areas and in relation to certain government policies.

There is a particular emphasis in the report on the role of information including information about patients' views, and the importance of research and evidence. The focus on outcomes in recent policy documents is reiterated and there is also a specific section focusing on progress towards reducing health inequalities.

A key message of the document is that "adopting an approach to the individual is key to success". It notes that one of the key tasks for the Department of Health in the coming year will be to improve the ways integrated care is measured, "to help ensure that it improves continuously".

Appendix 1: Performance Tables Quarter 1 2012/13

1. Work with local businesses to create jobs for local people

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY476	Number of jobs created through the Haringey Jobs Fund	New Indicator					14	14	14	Green	N/A
HY477	Haringey residents supported into sustained employment through the Jobs for Haringey Programme	New Indicator					0	0	target tbc	Data Only	N/A
HY478	Haringey residents supported into self employment through the Jobs for Haringey Programme	New Indicator					0	0	target tbc		N/A
HY496	Percentage of working population claiming Jobseeker's Allowance (JSA)	6.5	6.6	6.7	6.6	6.5	6.3		No target set	Data Only	↑

3. Tackle the housing challenges

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY4a	Number of homelessness acceptances	573	101	88	186	198	119	119	186	Green	↑
HY4b	Number of homelessness preventions	554	139	126	154	135	126	126	122	Green	↓
HY156	Number of households living in temporary accommodation	2,944	3,192	3,144	2,991	2,944	2,906	2,906	3,000	Green	↑
HY66	Voids: Average relet times for local authority dwellings (calendar days)	34.2 days	33.7 days	34.7 days	26.2 days	32.1 days	28.8 days		30 days	Green	↑

The following indicator is reported annually and data for 2012/13 is not currently available:

- Number of affordable homes delivered (gross)

4. Improve school standards and outcomes for young people

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
Op383	Re-referrals within 12 months of the previous referral	18.1%	16.4%	18.1%	18.7%	19.1%	6.9%	6.9%	16%	Green	↑
OP388a	The rate of Children Subject to a CP plan per 10,000 pop	57.84	56.21	59.06	59.06	57.84	61.3	61.3		Data Only	↑
OP389a	The rate of Children in care per 10,000 pop	116.9	-				113.2	113.2		Data Only	↓

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY62	Stability of placements of looked after children: number of moves	10.3%	13.4%	13.2%	12.2%	10.2%	9.9%	9.9%	11%	Green	↑
HY117	Academic Age Yr 12-14 % who are not in education, employment or training (NEET)	4.3%	5.4%	5.2%	5%	4.4%	3.6%	3.6%	8.9%	Green	↑
HY 74 (NI 73)	Achievement at level 4 or above in both English and Maths at Key Stage 2	71.0%	Annual Indicator					76%	77.0%	Amber	↑
HY479	School Places - % getting their first preference (Primary)		Annual Indicator					80.01 %		Green	
HY480	School Places - % getting their top preference (Secondary)	67%	Annual Indicator					69.91 %		Green	↑
HY483	Average days from becoming looked after to being placed for adoption for children adopted in period	715				721	678	678	639	Amber	↑
HY485	Average Days from Court Authority to Adoption Match	239 (2008/2011)	Data to be released by CAFCASS								
HY493b	Proportion of Secondary schools rated outstanding or good by OFSTED		Annual Indicator					67% ¹			
HY497	Average Days from receipt of application form to decision of suitability to adopt	319	New Indicator								
HY493a	Proportion of Primary schools rated outstanding or good by OFSTED		-					55% ²			

The following indicators are reported annually and data for 2012/13 is not currently available:

- Achievement of 5 or more A* - C grades at GCSE including English and Maths
- Narrowing the gap between the lowest achieving 20% in the Early Years Foundation Stage Profile and the rest

¹ Data as at July 2012 and equates to 8 out of 12 secondary schools

² Data as at July 2012 and equates to 35 out of 63 primary schools

5. Deliver responsive, high quality services to residents

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY181	Time taken to process Housing Benefit/Council Tax Benefit new claims and change events (days)	22	15	27.7	26.9	23.7	12.3	12.4	18	Green	↑
HY9	% of council taxes due for the financial year which were received in year	95.3%	30.12 %	56.36 %	85.79 %	95.3%	30.04 %	30.04 %	30.25 %	Amber	↓
HY12a	Days sick per full time equivalent employee (Excluding Schools' Staff)	7.33	8.22	8.12	6.31	7.33	7.43	7.43	-	-	↓
HY500	Complaints - average days to process	12.5 ³	-	-	12.2	12.6	12.2	12.2	-	-	↑
HY501	Complaints - % escalated to stage 2	5% ³	-	-	5%	5%	7%	7%	-	-	↓
HY502	Members' Enquiries - average days to process	10 ³	-	-	10.6	9.4	8.8	8.8	-	-	↑
HY503	FOI's - average days to process	17.5 ³	-	-	15.6	18.3	18.3	18.3	-	-	↓

The following indicator is reported annually and data for 2012/13 is not currently available:

- Resident satisfaction with contacting the council

6. Community Safety

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY23	Violent Crime Portfolio (KPI 1)	4158	1069	2106	3170	4158	1216	1216	4236	-6% Red	↓
HY25	Property Crime Portfolio (KPI 4)	17571				17571	4403	4403		-5% Red	↑
HY58	Victims of domestic violence feeling well advised and supported	100%	N/A	100%	100%	100%	N/A ⁴				?
HY331	Repeat victimisation of domestic violence (Hearthstone)	20%	20%	21%	14%	28%	N/A ⁴				?
Hy 473	First time entrants to the Youth Justice System aged 10-17 Rolling Year	1,465 (Jan to Dec 2010)			1,508 ⁵ (Jan to Dec 2011)						↓

³ For October to March only

⁴ Data based on questionnaire not available for Q1 as sample return too small to calculate statistically sound value

⁵ Rate is per 100,000 (population age 10-17) equates to 255 First time entrants. Data relates to period January to December 2011 and equates to a 3% increase on previous 12 month period.

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
NI 43	Use of custody rate per 1,000 of 10-17 population Rolling Year	2.68			3.14	3.33 ⁶					↓
HY495	Re-offending rates after 12 months rate Rolling Year	1.1 ⁷									↓

The following indicator is reported annually and data for 2012/13 is not currently available:

- Percentage of people thinking that the Council and partners are doing a good job dealing with crime and anti-social behaviour (formerly NI21). Residents' Survey.

7. Environment

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY192	Recycling rate	26.46 %	26.91 %	26.98 %	26.86 %	25.07 %	27.93 %	27.93 %			↑
HY195a	Improved street and environmental cleanliness, levels of: Litter	7%	7%	6%	6.7%	8%	13%	13%	8%	Red	↓

The following indicator is reported annually and data for 2012/13 is not currently available:

- Carbon emissions

8. Health and Social Care

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY130	Social care clients receiving Self Directed Support (2010 Definition)	42.4%	28.1%	32.7%	37.5%	42.4%	55%	55%	55%	Green	↑
HY131	Delayed transfers of care	9.0	8.3	9.2	N/A	9.0	7.7	7.7	7.5	Amber	↑
HY145 (NI 145)	Adults with learning disabilities in settled accommodation	47.0%	5.4%	21.5%	28.7%	54.7%	6.7%	6.7%	16.2%	Red	↑
HY41	Proportion of adults in contact with secondary mental health services living independently, with or without support	70.1%	70.2%	72.2%	73.6%	70.1%	74.4%	74.4%	75.0%	Green	↑

⁶ Data relates to April 2011 to March 2012. The 2.68 figure is for the previous year Apr 2010 to March 2011.

⁷ This data relates to the July 2009 to June 2010 cohort and is the frequency rate which tracks the number of re-offences. Rate = number of offences (542) / number in cohort (494) and compares with a rate of 0.91 the previous year. The cohort consists of all young people who received a pre-court or court disposal or released from custody between 1st July 2009 and the 30th June 2010

Ref:	Description	2011 /12	Q1 2011 /12	Q2 2011 /12	Q3 2011 /12	Q4 2011 /12	Q1 2012 /13	2012 /13 YTD	Target	Traffic Light	Trend (yr on yr)
HY42	Permanent admissions to residential and nursing care homes, per 100,000 population	67.23	14.12	31.64	49.72	67.23	18.86	18.86	18.2	Amber	↑
Op44	Overall satisfaction of people who use services with their care and support	51.0 ⁸ %	Annual Indicator							Red	
HY50	Leaving drug treatment free of drug(s) of dependence	21.7%					-				
HY96	Number of 4-week smoking quitters who attended NHS Stop Smoking Services	2124	Data from NHS							Amber	↑
HY97	NHS Health Checks - Undertaken	6047 9.2%	Data from NHS				2427			Green	
HY112	Under 18 conception rate per 1000 ⁹	64.7 (2010)	58 (Q1 2011)								

The following indicators are reported annually and data for 2012/13 is not currently available:

- Social care related quality of life
- Prevalence of healthy weight in 4-5 year olds (% Obesity)
- Prevalence of healthy weight in 10-11 year olds (% Obesity)
- Infant mortality rate
- Average life expectancy

The following are new indicators for 2012/13 for which data is not currently available

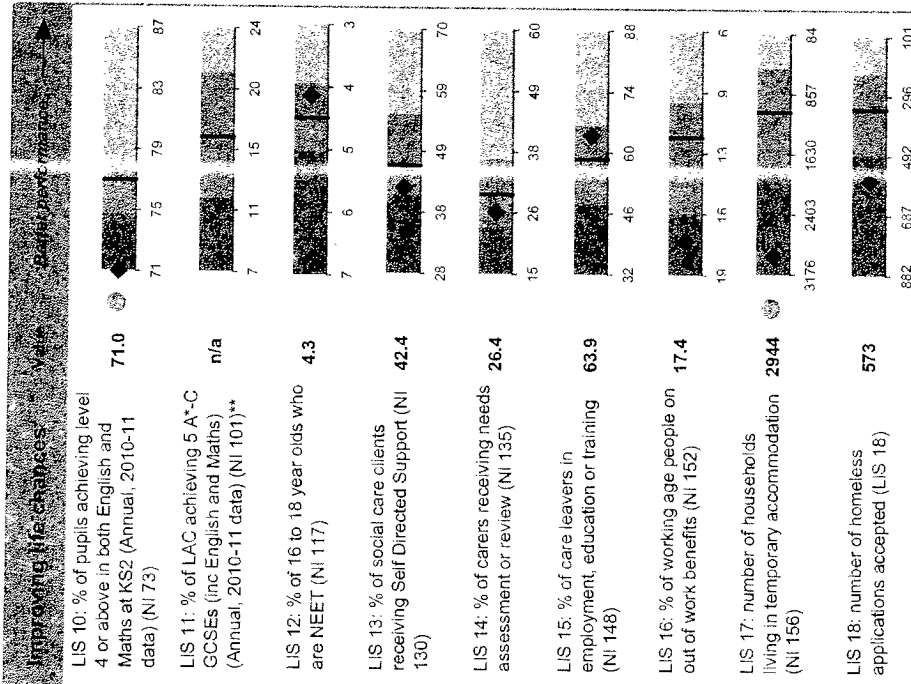
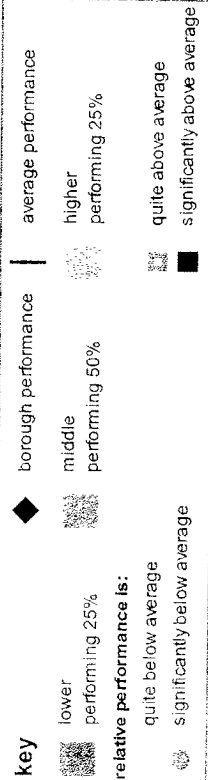
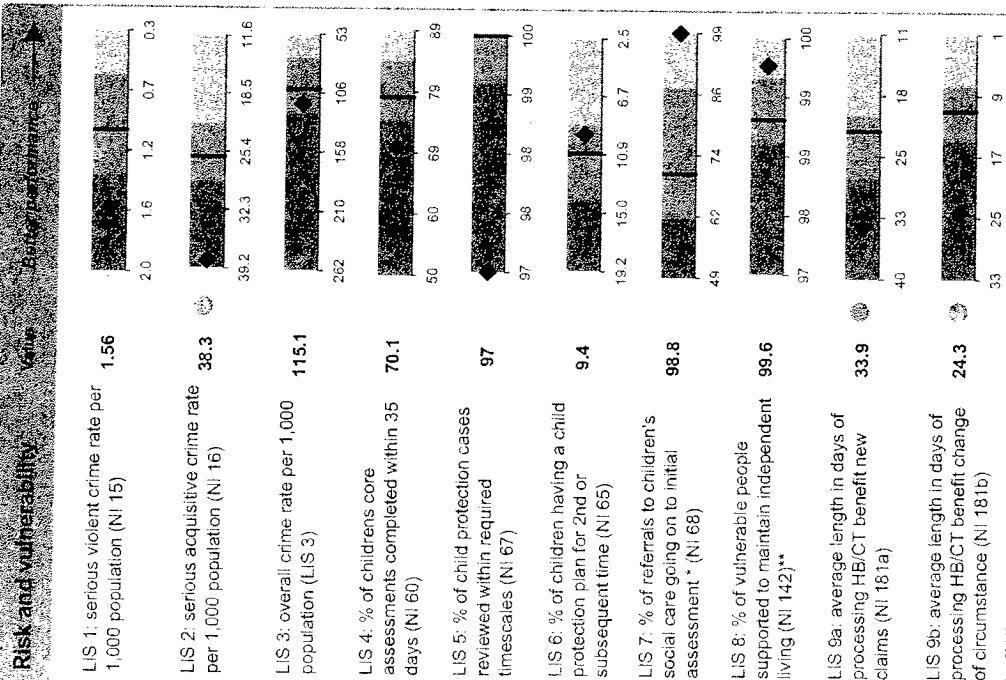
- Overall satisfaction of carers with social services
- The proportion of carers who report that they have been included or consulted in discussions about the person they care for
- Number of young people in the C-Card (contraception) scheme

⁸ This represents a 2.4% decrease when comparing with previous year's result. Please note that 30% of services said: 'I am quite satisfied' and if this answer could be included in the calculation the result would be 81% satisfaction.

⁹ Figures become available on a quarterly basis approximately 15 months in arrears. Annual figures are published for calendar years, therefore quarterly figures relate to calendar year quarters (e.g. Q1 2011 = Jan-Mar 2011).

Appendix 2: How Haringey Compares to London Q4 2011-12

Haringey London Performance Dashboard 2011-12 Q4 Final



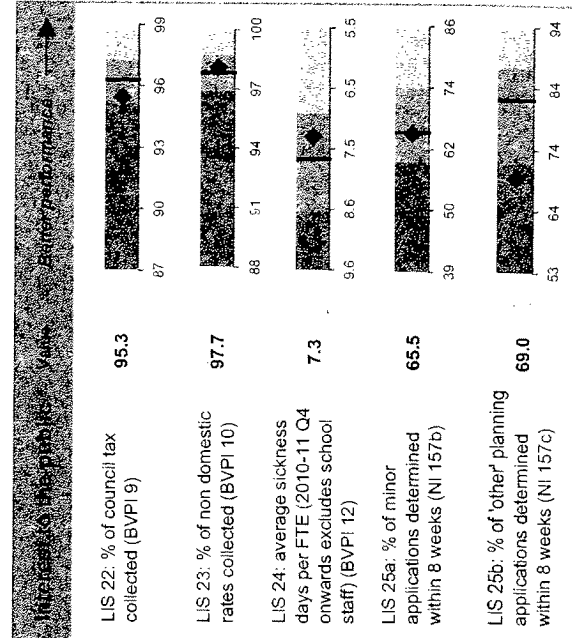
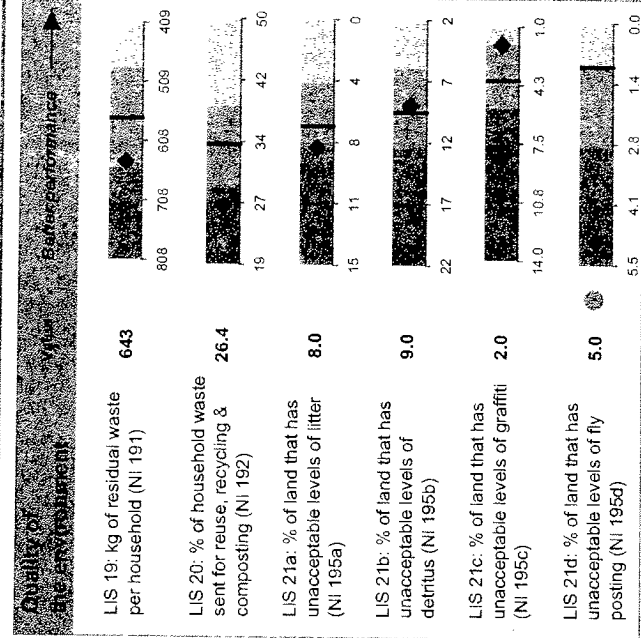
Guidance notes

a. The diamond represents performance for your chosen borough. To the right of the black bar represents better than average performance, to the left represents lower than average performance.

b. Lower than average performance does not necessarily imply poor performance, and vice versa

c. If performance for your chosen borough is significantly different to the average, this is highlighted with a dark red or green dot next to the value. If performance is less significantly different this is highlighted with a lighter dot. Traffic lights are calculated by excluding the top and bottom 5% of values to reduce the effect of outliers. *LIS 7 does not have traffic lights.

d. ** This denotes there are fewer than 16 returns for that indicator





Haringey Council

Report for:	Cabinet 18 September 2012	Item Number:	
Title:	Declaration of an Article 4 Direction for Houses in Multiple Occupation (HMOs) in East Haringey		
Report Authorised by:	Marc Dorfman Assistant Director, Planning and Regeneration		
Lead Officer:	Nick Powell, Head of Carbon Management and Sustainability		
Ward(s) affected: Seven Sisters, Tottenham Green, Tottenham Hale, West Green, Bruce Grove, White Hart Lane, Northumberland Park, Noel Park, Woodside, Bounds Green, Harringay and St Ann's.		Report for Key/Non Key Decisions:	

1. Describe the issue under consideration

- 1.1 A House in Multiple Occupation (HMO) is a single family dwelling where facilities such as bathroom or kitchen are shared by three or more unrelated individuals. Current planning legislation allows a family dwelling (Use Class C3) to change to a small HMO of three to six people (Use Class C4) without planning permission.
- 1.2 This report proposes the use of an Article 4 Direction to withdraw these 'permitted development rights' to enable the Council to better manage the impact of small HMOs, ensure they are of a high standard if and where they are approved, and protect the important stock of family accommodation. This proposal will be supported by new Development Management Plan policies against which planning applications for HMOs will be determined.
- 1.3 This proposal is one of a suite of tools available to the Council to raise standards in the private sector.
- 1.4 Furthermore, the proposal will support the presumption in favour of sustainable development as set out in the recently published National Planning Policy Framework (NPPF) by asking for planning applications to be made to change from a family dwelling to a small HMO.



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1.5 The evidence to support this proposal is set out in Appendix 2 of this Report.

2. Cabinet Member introduction

- 2.1 In Haringey there is growing concern that there is a loss of family accommodation and a growing over-concentration of HMOs often offering low quality accommodation for occupiers and reducing the availability of family housing in the rental sector. This report sets out a proposal to introduce an Article 4 Direction to manage these issues better. The Article 4 Direction cannot be applied retrospectively meaning that conversions will be permitted right up to the date on which the Direction takes effect; this is anticipated to be later in 2013. However, once it takes effect planning permission *will* be required from the Council before a single family dwelling can be used as small HMO.
- 2.2 This proposal responds to recommendation of the HMO conference held in November 2011. It also builds on the work that Haringey Council has undertaken over the last three years which has included increased political leadership through the corporate HMO working group, the creation of the planning enforcement team, and more recently additional licensing measures centred on Harringay Ward and proposals for a further additional licensing scheme in Tottenham. This work has also extended to engagement through the landlord accreditation scheme, close partnership working with the police and fire service. Continued partnership working with local communities and organisations will be essential to the overall success of this proposal.

3. Recommendations

- i. note the current joined up partnership working already in place to better manage private sector housing in the borough, as outlined in paragraph 2.2 above;
- ii. make a Direction under Article 4 (1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, removing permitted development rights for changes of use from use class C3 to use class C4 in the following wards:
 - Seven Sisters;
 - Tottenham Green;
 - Tottenham Hale;
 - West Green;
 - Bruce Grove;
 - White Hart Lane;
 - Northumberland Park;
 - Noel Park;
 - Woodside;
 - Bounds Green;
 - Harringay; and



Haringey Council

- St Ann's.

- iii. specify in the making of the notice a date of not less than 12 months later for it to come into effect;
- iv. authorise the Director of Place and Sustainability to carry out the statutory procedure for making an Article 4(1) Directions including undertaking the necessary consultation; and
- v. note that subject to the outcomes of this consultation, a further report will be made to Cabinet to confirm the Direction.

4. Other options considered

- 4.1 **No Article 4 Direction:** The use of single family dwellings as small HMOs would continue to be permitted development and would not be subject to Haringey's planning policies. This is likely to result in a continued expansion of small HMOs and we would not have the ability to apply planning policy requirements for space and amenity standards.
- 4.2 **Voluntary compliance by developers with the Council's planning policies related to HMOs:** While there are many good landlords who would comply, in cases where there was low or no co-operation, the use of single family dwellings as small HMOs would continue to be permitted development and would not be subject to Haringey's planning policies. This would mean that in areas of the borough that have been identified as having poor quality HMO's, occupants would be exposed to low standards of accommodation. It would also mean the overall levels of conversion of family housing could not be monitored.

5. Background information

- 5.1 The private rented sector plays a vital role in helping to meet the growing demand for affordable housing in London, and it provides a flexible tenure choice. Private sector housing accommodates 22% of Haringey's population; this is higher than the average for London (14%) and nationally (9%). Housing in Multiple Occupation (HMO) is an important source of lower cost housing within the private rented sector.
- 5.2 The growing demand for low cost private rented accommodation has unfortunately been exploited by some landlords renting out accommodation which offer very poor living conditions for occupiers and over intensifying the use of small single family dwelling houses. HMO accommodation has been identified by the Council's Private Housing teams as being the subject of a disproportionately high level of complaints about private sector housing particularly in East Haringey (discussed later in this report). Improving HMO standards is therefore a key Council objective.
- 5.3 In addition, a continued and unchecked expansion in the use of single family dwellings as small HMOs further reduces the availability of family housing –



Haringey Council

protection of which is also a key Council objective. The Council's emerging Local Plan Strategic Policies also sets out the Council's objective to create mixed and balanced communities and seeks to protect family housing and ensure that an adequate mix of dwelling sizes is delivered as part of new developments (Policy SP2 Local Plan: Strategic Policies, 2012). The creation of mixed and balanced communities is also a central aim of the Council's Housing Strategy (2009- 2019).

- 5.4 In response, the Council is continuing to pursue a holistic multi-agency approach to improving private sector housing involving the police and the fire brigade and cross departmental working encompassing the Council's planning, enforcement, council tax and housing benefit functions. The Council's Housing Improvement Team (Private Sector Housing) has already implemented an 'Additional Licensing Scheme' for HMOs centred on Harringay Ward requiring the licensing of smaller HMOs and some conversions. A further scheme for five wards in Tottenham is currently being consulted upon.
- 5.5 The Council is also reviewing its existing planning policy approaches related to HMOs which will be subject to consultation as part of Haringey's Development Management Policies later this year.
- 5.6 This report presents proposals for the implementation of an Article 4 Direction to bring small HMO development under planning control. This represents just one element of a wider programme of work to improve standards in the private sector generally, and for HMOs in particular, and to ensure the protection and expansion of family housing.

HMOs - what can Planning Policy do?

- 5.7 The London Plan 2011 Policy 3.8 advocates that Londoners should have a genuine choice of homes that they can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environments. It identifies HMOs as a strategically important part of London's housing offer and advocates their protection where they are of reasonable standard. The London Plan 2011 also requires that in considering proposals which might constrain HMO provision, including Article 4 Directions affecting changes between Use Classes C3 and C4, boroughs should take into account the strategic as well as local importance of HMOs.
- 5.8 Haringey's Unitary Development Plan (UDP), 2006 Policy HSG6 Houses in Multiple Occupation (set out in Appendix 1) highlights the role of HMOs in meeting housing need and seeks to ensure they are of an appropriate size and appropriately located. It also seeks to manage their impacts on the character and amenity of surrounding areas. Critically, it seeks to ensure that HMO accommodation is limited to single family dwellings of over 120 square metres and only takes place outside of restricted conversion areas and areas where there are already more than 20% of properties in HMO use. The Council's Housing Standards Supplementary Planning Document (2008) provides further guidance on the application of this policy).



- 5.9 At present the Council has **no control** over the use of single family dwelling houses as small HMOs. This is because a family dwelling (Use Class C3) can now change to a small HMO with up to six people (Use Class C4) as “permitted development”, i.e. without the need for planning permission. The Government has recognised that there are some exceptional local circumstances in which Local Authorities may wish to withdraw these permitted development rights. The mechanism through which this is achieved is an Article 4 Direction. The effect of an Article 4 Direction is not to prevent future HMO development; but to make it subject to the need for planning permission and therefore the assessment against relevant planning policies in the Local Plan.
- 5.10 Whilst well managed HMOs provide housing flexibility and meet the need for low cost rental accommodation, the over concentration of this type of use can lead to reductions in the availability of family housing. At present UDP 2006 policy related to small HMOs or indeed future planning policies related to HMOs cannot be applied to small HMOs as they are permitted development. The proposal outlined in the remainder of this report for an Article 4 Direction would control the development of small HMOs by requiring planning permission for their change of use from a single family dwelling. In doing so, this would support the presumption in favour of sustainable development, as set out in the recently published NPPF.

HMOs - what can Licensing do?

- 5.11 The 2004 Housing Act introduced the mandatory licensing of privately rented homes that have three or more storeys and are occupied by five or more people forming two or more households. The owner of a HMO which meets these criteria has a legal obligation to apply to the local authority for a licence.
- 5.12 Licensing enables a local authority to control to some extent the standards of accommodation in HMOs and the management of those HMOs, and also allows the authority to refuse a licence where relevant standards are not met. The Act also gave local authorities the power to designate additional licensing schemes requiring the licensing of smaller HMOs and some conversions where a local authority consider that a large percentage of non-mandatory licensable HMOs in an area are being managed badly, and that this is causing problems for the tenants of those HMOs or is having a detrimental effect on the neighbourhood in some way.
- 5.13 The Council has operated an Additional Licensing Scheme centred on Harringay Ward since 1 October 2011 and is currently consulting on the designation of a scheme to introduce a further Additional Licensing Scheme within the following wards: Northumberland Park; Bruce Grove ; Tottenham Green; Tottenham Hale; Seven Sisters (see map 1 below for the proposed extent). This consultation closes on 28 September 2012.

Justification for HMO Article 4 Direction



Haringey Council

5.14 The National Planning Policy Framework (NPPF), 2012 states that the use of Article 4 Directions should be limited to situations where this is *necessary to protect local amenity or the wellbeing of the area and using an Article 4 Direction power must support the presumption in favour of sustainable development* (paragraph 200). Further Government Guidance on the use of Article 4 Directions is set out in Replacement Appendix D to Circular 9/95: General Development Consolidation Order 1995, revised June 2012 (Circular 9/95). Circular 9/95 stipulates that planning authorities should only consider making Article 4 Directions *in exceptional circumstances where evidence suggests that the exercise of permitted development rights would harm local amenity or the proper planning of an area. In so doing they should identify clearly the potential harm that the direction is intended to address* (paragraph 2.1).

5.15 An assessment of HMO development in Haringey reveals evidence of the following issues:

A. There is an over concentration of HMO accommodation in east Haringey, this effect is compounded in some areas by the already high level of house conversions to self contained flats, resulting in a loss of single family dwelling houses.

In Harringay ward 40% of the housing stock along the roads in the Haringey Ladder has changed from single family dwellings into self contained smaller units or use as a House in Multiple Occupation (HMO). The extent of conversions is not limited to Harringay ward, there are already indications of higher numbers of conversions of family units to HMO's elsewhere in Haringey and it is estimated that there could be up to 10,000 HMOs in Haringey (Haringey Housing Standards Supplementary Planning Document, 2008).

Larger HMO's are spread throughout the borough with a particular concentration in Harringay ward which also has the highest number of Mandatory licensed HMOs¹ 64 of a total of 271 (July 2011). Identifying the location of smaller HMOs is more difficult due to the absence of a requirement for the licensing of or planning permission for small HMOs. However, Council Tax data on properties classed as HMOs, planning applications and analysis of names on the Electoral Register and Council Tax register indicate the presence of a significant concentration of HMO development across east Haringey (see Appendix 2, Figure 4).

B. The quality of some HMO accommodation is low and frequently provides a very poor standard of accommodation for occupiers.

From 2006 – July 2012, a total of 686 complaints about HMOs were received by the Council's Housing Improvement team. These were overwhelmingly

¹ Mandatory HMO licensing applies to the whole of England and Wales and requires the licensing of an HMO if: it comprises 3 or more storeys; it is occupied by 5 or more persons living in 2 or more households; and it is not fully converted into self-contained units of accommodation.



Haringey Council

centred on wards in east Haringey where the housing sizes are typically smaller than west Haringey and levels of owner occupancy are lower. Complaints were highest in Harringay ward where the number and density of HMOs is highest. The poor conditions of HMO development in Harringay ward has already prompted the introduction of an Additional Licensing Scheme under the Housing Act 2004, with a further scheme proposed for wards in Tottenham (the boundaries of these schemes are shown on Map 1 below). Planning enforcement action related to HMOs (and the related issue of house conversions) is overwhelmingly concentrated in east Haringey (see Appendix 2, Figure 8).

C. The clustering of HMO accommodation has an adverse impact on the amenity and wellbeing of surrounding occupiers.

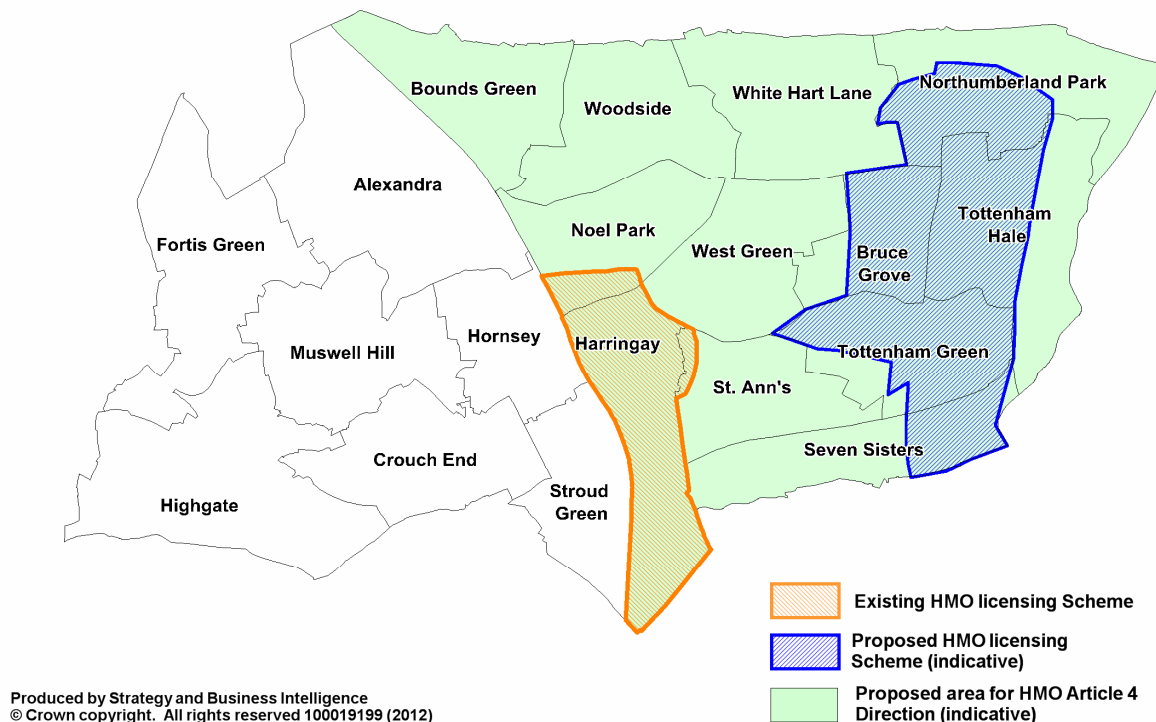
The Government published a report in 2010, 'Evidence Gathering – Housing in Multiple Occupation and possible planning response', which sets out how to respond to the challenges of high concentrations of HMOs. The report identifies various impacts that occur as a result of high concentrations of HMOs, including noise and nuisance, anti-social behaviour, and imbalanced and unsustainable communities. Research undertaken to support the introduction of the Additional Licensing Scheme for HMOs in Haringey Ward in 2011 highlighted issues of noise and illegal dumping often associated with high concentrations of private sector rented housing.

- 5.16 Further evidence related to points **(A)** to **(C)** above is included in Appendix 2.
- 5.17 The issues outlined in paragraph 5.6 combine to create a particularly acute planning problem in east Haringey which is impeding the Council's objectives (as discussed in paragraphs 5.5 to 5.7 above). Specifically, unrestricted conversion of family houses to small HMOs in east Haringey is causing harm by producing communities within which there is a lack of balance in housing mix, and placing additional housing pressure on existing family housing through unrestricted conversions and resulting in poor standards of accommodation. These effects are contrary to the Council's own planning policy and housing strategy objectives which are to ensure:
- (1) mixed and balanced communities and the protection of family housing**
 - (2) high quality HMO accommodation that provides a good standard of accommodation for occupiers.**
- 5.18 There is a current and projected demand for family housing and a need to protect single family dwelling houses. Parallel to (and to some extent competing with this) this there is an increased demand for low cost HMO accommodation – partly fuelled by changes to housing benefit which will mean 25 – 35 years olds will be moved to the shared accommodation rate. This raises the risk of an even greater clustering and over concentration of HMOs and over intensification in the use of individual dwellings.



Haringey Council

- 5.19 The exceptional circumstances – required in the Government’s NPPF, 2012 to justify an Article 4 Direction – are set out in the evidence in Appendix 2 and it is recommended that an Article 4 Direction to remove permitted development rights for small HMOs (C4 Use Class) is implemented in east Haringey.
- 5.20 The evidence set out in Appendix 2 identifies those wards where there is an over concentration of HMOs and the problems associated with their clustering, such as, the loss of family housing, noise and disturbance. The proposed extent of the Article 4 Direction is all wards east of the East Coast Railway line as illustrated below. Making this Direction will support the presumption in favour of sustainable development because it will require planning applications to be made from a C3 (dwelling house) to a C4 (small HMO).



Map 1: Proposed Extent of Article 4 Area related to Small HMOs (Planning Use Class C4) and Existing and Proposed Additional Licensing Scheme (under the Housing Act 2004)

- 5.21 The Article 4 Direction could complement the Additional Licensing measures currently in place in Haringey ward and proposed in Tottenham which seek to ensure *existing* HMOs are of an acceptable standard and offer a good living environment for occupiers.

Procedural Risks and Costs

- 5.22 In procedural terms there are two main types of Article 4 Direction that can be made:



- Immediate directions where permitted development rights are withdrawn with immediate effect; and
- Non-immediate directions where permitted development rights are only withdrawn *after consultation* and upon confirmation of the direction.

5.23 For a period of up to 12 months from making an Article 4 Direction, compensation may be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights. However, if twelve months prior notice of the withdrawal of permitted development rights is given then there is no ability to claim compensation. Government guidance is clear on this point and states:

“Compensation may only be claimed if an application for planning permission is submitted within 12 months following the effective date of the direction (and, if 12 months prior notice of the withdrawal of permitted development rights is given, there is no ability to claim compensation” (Replacement Appendix D to Circular 9/95: General Development Consolidation Order 1995 (June 2012), paragraph 6.5)

5.24 The likely level of compensation risk arising from making an Article 4 Direction without this notice period in Haringey is difficult to quantify given the extent of the area. This is because there is risk of claims for compensation whenever a developer can demonstrate an *intention* to make use of permitted development rights that allow a single family dwelling to be used as a HMO. The level of compensation claim is difficult to estimate but could be into the millions of pounds.

5.25 The advantages and disadvantages of the immediate and non immediate are summarised below:

Immediate Direction	Non-Immediate Direction
Advantages	Advantages
The control over small HMOs is immediate.	If a 12-month notice period is employed there is no risk of compensation claims.
Disadvantages	Disadvantages
Exposes the Council to compensation claims for a 12 month period.	No ability to exercise control for the duration of the notice period and could encourage the use of permitted development rights and accordingly increase the number of small HMOs during this period.

5.26 Under the Article 4 Direction, any planning fees associated with planning applications for a change of use from single family dwellings to small HMOs **cannot** be collected. Enforcement action (prosecutions and issue of enforcement notices) often leads to compliance with the limitation on a small HMO C4 use. At present this



Haringey Council

attracts a fee; often the investigation alone will precipitate compliance and a change to a small HMO. It is estimated that there could be as many as 30 planning applications per year² within the Article 4 area which would not generate a fee. Based on the fee for planning applications (or certificates of lawful development) related to large HMO this would equate to a loss of fees of £10,050. The costs of processing these applications would need to be absorbed in full by the Council. Additional enforcement action will also be needed. For the first 2 to 3 years this will be funded by a one off additional revenue allocation (see paragraph 6.1).

- 5.27 In addition to the cost of processing applications there will be a need for sustained resourcing of the planning enforcement team to ensure effective implementation. The move towards a more integrated enforcement action between the Council's planning and licensing functions is likely to increase workloads from referrals for planning enforcement action.

Process for Introducing HMO Article 4 Direction

- 5.28 An indicative timescale for introducing an Article 4 Direction, allowing for a non immediate 12 month notice period, is presented below.

Timeframe	Task
September / October 2012:	Make the Article 4 Direction giving local and national notice and consulting for 6 weeks. Consultation will be designed to meet statutory requirements and Replacement Appendix D to Circular 9/95: General Development Consolidation Order 1995, revised June 2012 (Circular 9/95 and will be undertaken in line with the Council's Statement of Community Involvement (2011). Opportunities for joint consultation with the concurrent proposals for an additional licensing scheme in Tottenham will be undertaken where appropriate.
Late 2012/ Early 2013:	Report to Cabinet on results of consultation and after taking into account the consultation responses a decision will be taken on whether to confirm that the Article 4 Direction will come into effect
Autumn 2013 onwards:	Once the Article 4 Direction takes effect, regularly monitor and review the appropriateness of the Article 4 Direction, considering whether the original rationale for the directions remains valid.

- 5.29 As indicated above, the process for introducing an Article 4 Direction includes a requirement for a (minimum) six week public consultation. There is a requirement to

² In 2011, the Council received 5 planning applications related to change of use of single family dwellings to HMOs in 2011, but based on enforcement investigations it is estimated this number could expand significantly. Newham Council are rolling out a borough wide direction to removed permitted development rights for HMOs and have estimated an additional 50 additional planning applications.



Haringey Council

repeat consultation, prior to confirmation, if there are significant changes to the proposed Article 4 Direction.

Benefits and Limitations

- 5.30 The effect of the Article 4 Direction is that planning permission will be required for use of a single family dwelling as a small HMO. It will not mean that such planning applications for small HMOs will necessarily be refused, but it will be subject to the need for planning permission.
- 5.31 It is important to be aware of the limitations of the Article 4 Direction; these are listed below.
- The Article 4 Direction cannot be applied retrospectively to existing HMO development and permitted developments rights can be used right up to the date on which the notice takes effect (estimated to be Autumn 2013). This means that the impacts of the Article 4 Direction will not be immediate;
 - The Article 4 Direction does not apply to the related but distinct issues of house conversions; these are already subject to the need for planning permission and will be determined by the Council in the usual way.
- 5.32 The Article 4 Direction *will* however allow greater control via planning - to determine the appropriateness of *new* small HMOs on a case by case basis (section 10 of this report outlines emerging policy approaches). Part of the benefit is that if permission is granted it can be granted with appropriate conditions to ensure that they are of an adequate standard.
- 5.33 The Article 4 Direction will not solve all problems – its benefits will not be immediate and its impacts are restricted to *future* small HMOs. However, it could have an important role in protecting family housing and improving HMOs as one of a suite of measures being pursued by the Council to raise housing standards in private sector.
- 5.34 In order to be effective, a continued approach of integrated enforcement across the Council is necessary. In particular, planning enforcement activity in the proposed Article 4 Direction Area and the overlap with the Additional licensing scheme in Harringay Ward and potentially in Tottenham Wards demand a coordinated approach. Development of a focussed programme of proactive small area based enforcement activity over an extended time period will be necessary. The planning and prioritisation of work as part of this cross departmental enforcement programme will be usefully informed by intelligence collated as a result of research on this Article 4 Direction and in support of the proposed Additional Licensing Scheme in Tottenham.

Action by other London Boroughs



Haringey Council

- 5.35 A borough wide Article 4 Direction to remove permitted development rights related to small HMOs has already been implemented by Barking and Dagenham Council; this came into effect in May 2012. Newham Council is currently consulting on a borough-wide proposal and preliminary consultation on this issue was undertaken by Enfield Council over the summer. Appendix 4 provides further detail.

6. Comments of the Chief Finance Officer and financial implications

- 6.1 As part of the 2012-13 budget process, the Council agreed a budget for a Tottenham Regeneration team which included monies to tackle HMO and additional planning enforcement activities. The costs of producing and implementing the recommendations within this report has been funded by an additional one off revenue sum of £100,000 per annum for three years. This will be shared with Private Sector Housing Team who are increasing Additional Licensing for HMOs in some Tottenham wards. There is a risk that pressure on the planning budget will increase as they will be required to process planning applications for which no fee will be received, this is the impact of an Article 4 Direction, and there will be additional HMO enforcement costs. The associated costs of this will be monitored over time.

7. Head of Legal Services and legal implications

- 7.1 The Council needs to be satisfied that using Article 4 Direction powers is necessary to protect local amenity or the wellbeing of the area and must support the presumption in favour of sustainable development and that furthermore there are exceptional local circumstances which leads the Council to wish to withdraw these permitted development rights to respond to local circumstances
- 7.2 Following the making of the Article 4 Direction the results of the consultation exercise must be taken into account before deciding to confirm the Direction.
- 7.3 The making of a non-immediate direction will avoid having to pay compensation but Members must be aware that the 12 month delay may encourage property owners to make use of the permitted development rights to change to a small HMO during that period.

8. Equalities and Community Cohesion Comments

- 8.1 An initial Equalities Screening has been carried out. A full Equalities Impact Assessment (EqIA) is also recommended in connection with this proposal for an Article 4 Direction for small HMOs; this will be undertaken in late 2012/ early 2013. This should incorporate the results of consultation on the proposal - if approved for consultation by Cabinet - and be used to inform the final decision by Cabinet on whether to adopt the Article 4 Direction. The Equalities Screening is a background paper to this Report and is available on request.



Haringey Council

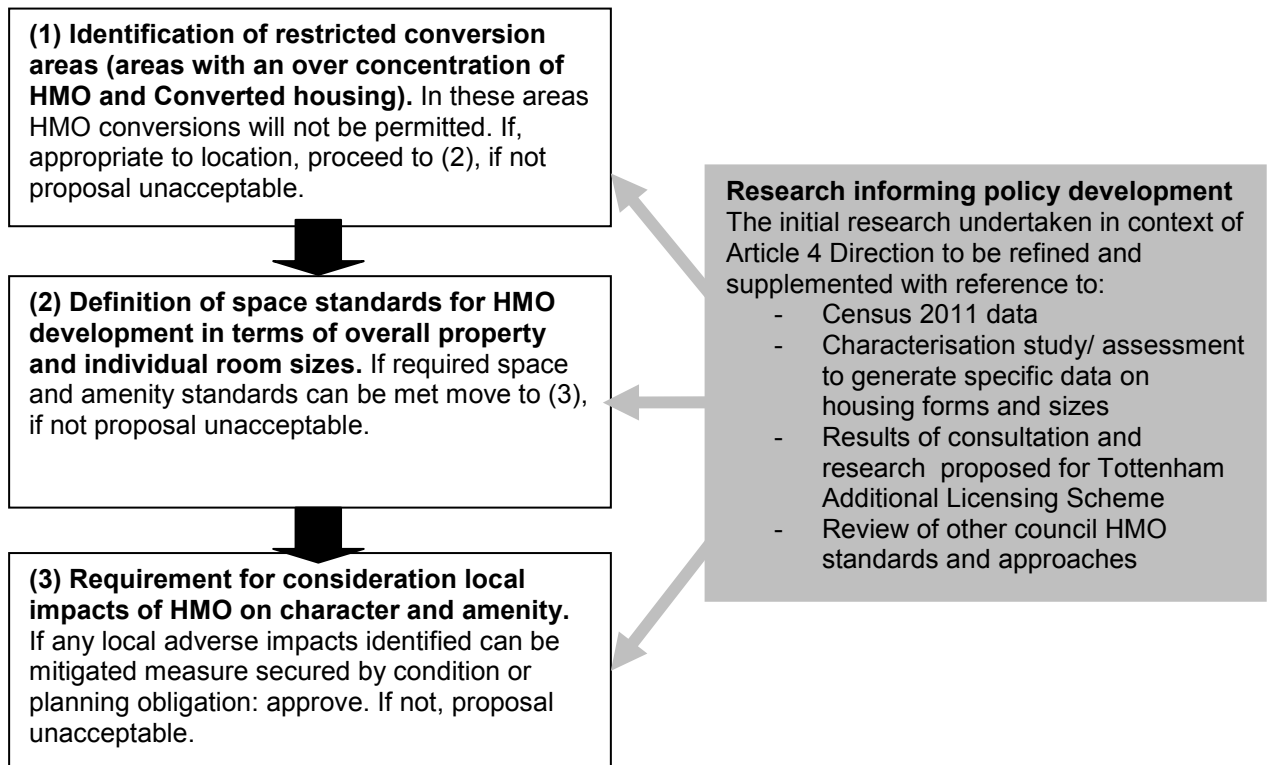
9. Head of Procurement Comments – N/A

10. Policy Implication

- 10.1 A strong and effective policy is essential when determining planning applications for small HMOs to ensure the Council's housing needs, and the objective of creating a sustainable community are met. In the intervening period between making and confirming the Article 4 Direction, new planning policies for HMOs in Haringey will be developed as part of Haringey's forthcoming Development Management Policies Document.
- 10.2 The new policies on HMOs will apply to all large HMOs across the borough as well as small HMOs in the Article 4 Direction area. New policies will also be developed related to conversion of single family dwellings to self contained flats – although it must be noted that this already requires planning permission and is therefore not affected by the Article 4 Direction proposed. This will review and update the current UDP Policy HSG6 (as set out in Appendix 1). The shape of this emerging policy approach and sources that it will be informed by is presented below:



Haringey Council



- 10.3 The approach outlined above is indicative only at this stage and will be informed by an Equalities Impact Assessment and Sustainability Appraisal and will be the subject of consultation later in 2012. The Development Management Policies Document will also be the subject of an Independent Examination in Public prior to adoption which is anticipated to be in 2013. It is intended that these updated planning policies be in place on or shortly after the Article 4 Direction comes into effect.

11. Use of Appendices

- 11.1 **Appendix 1:** Haringey Unitary Development Plan (2006) Policy HSG 6 Houses in Multiple Occupation
- 11.2 **Appendix 2:** Haringey HMO and Planning Policy Development Research Paper, August, 2012.
- 11.3 **Appendix 3:** Replacement Appendix D to Circular 9/95: General Development Consolidation Order 1995 (June 2012)
- 11.4 **Appendix 4:** Other London Borough HMO Planning Approaches, August 2012



Haringey Council

12. Local Government (Access to Information) Act 1985

1. Draft Initial Equalities Impact for HMO Article 4 Direction Proposal, August 2012
2. Cabinet Report on Proposed Changes to the Regulation and Licensing of Houses in Multiple Occupation (HMOs), including the Introduction of an Area Based Additional Licensing Scheme, 7 July 2011
3. Evidence Gathering – Housing in Multiple Occupation and possible planning responses (DCLG 2008)

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Appendix 1

Haringey Unitary Development Plan (2006) Policy HSG 6 Houses in Multiple Occupation

HSG6: HOUSES IN MULTIPLE OCCUPATION (HMO)

Planning permission will be granted for houses in multiple occupation where:

- (a) the property is of an appropriate size to be converted to an HMO (more than two storeys and a floor area of more than 120m²; or**
- (b) the proposal would not fall into a restricted area for HMO;**
- (c) the proposal would not result in more than 20% of houses in the street being HMO and/or conversions; and**
- (d) would not harm the amenity or character of the surrounding area or cause adverse parking problems.**

A change of use from an HMO to a single dwelling house will only be considered in the following circumstances:

- (e) where the property is small and only 2 storeys;**
- (f) where the property does not meet the appropriate standards and has no realistic prospect of meeting the standards; or**
- (g) where the property is in a Housing Renewal Area and is not registered.**

4.25 HMO (for the purposes of planning) are defined as “a single family dwelling house or self contained flat in a house organised in such a way that it becomes occupied by a number of separate households that share certain facilities in common”.

4.26 HMO form an important source of low cost accommodation and the Council realises that they will continue to provide accommodation for certain households in the borough. However, an over intensification of HMO in an area/street can result in loss of family housing, problems of increased on street parking and deterioration in the residential environment. To avoid such problems areas have been identified where any new HMO would be restricted.

4.27 Many HMO in Haringey are sub standard and the Council aims to ensure that standards are improved to provide satisfactory living conditions or where this is not possible encourage the buildings to be converted back to single dwelling houses. The Council will use its enforcement powers to ensure that HMO are of a satisfactory standard.

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APPENDIX 2

Haringey HMO and Planning Policy Development Research Paper, August, 2012



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1. INTRODUCTION

- 1.1 HMOs are defined as a “single dwelling house or self contained flat in a house organised in such a way that it becomes occupied by a number of separate households” (Haringey Unitary Development Plan, 2006, page 80).
- 1.2 This paper provides a summary of the research on Houses in Multiple Occupation (HMOs) in Haringey undertaken to inform:
 - the development of a new planning policies for Houses in Multiple Occupation (HMOs) in Haringey; and
 - the decision on whether to make an Article 4 Direction to remove the current permitted development rights that allow a single family dwelling to be used as a small HMO (for 3- 6 people) without planning permission.
- 1.3 Under planning law different types of properties are identified as different classes. These are defined in the Planning Use Class Order. The Planning use Class Order differentiates between small and large HMOs.
- 1.4 A planning Use Class C4 Houses in multiple occupation (small HMO) is the use of a single family dwelling by between three and six unrelated individuals, as their only or main residence, who share basic amenities such as a kitchen or bathroom. Large HMOs of 6 or more occupants are Sui Generis – and require generally planning permission¹. Currently changes of use between single family dwelling houses (Planning Use Class C3) and Small HMO's (Planning Use Class C4) do not need planning permission as this is 'permitted development'. However, the Government has given Councils the power, through the use of an Article 4 Direction, to remove this these permitted development rights
- 1.5 It is important to be aware of the different definitions between planning and licensing legislation. Under the Housing Act 2004, a HMO means a building (or part of a building, such as a flat), that:
 - is occupied by more than one household and where more than one household shares, or lacks an amenity, such as a bathroom, toilet or cooking facilities;
 - is occupied by more than one household and which is a converted building, but not entirely into self contained flats (whether or not some amenities are shared or lacking);
 - is converted self contained flats, but does not meet as a minimum standard the requirements of the 1991 Building Regulations (known as s275 HMOs), and at least one third of flats are occupied under short tenancies.
- 1.6 Licensing of HMOs under the Housing Act, 2004 is mandatory for properties let out that are of three or more storeys high; have five or more people in more than one household and share amenities such as bathrooms, toilets and cooking facilities. 'Additional Licensing' schemes can be introduced to require licensing of smaller HMOs. Haringey has such as scheme in operation

¹ While permission is generally required for 6 or more units this is not automatic as Government guidance stipulates there must, in addition, be a material change from use as a Single Family Dwelling.



Haringey Council

centred on Harringay ward and is currently consulting on the introduction of a further Additional Licensing scheme in Tottenham.

2. BASELINE RESEARCH ON HMOS IN HARINGEY

(A) Quantum and Spatial Distribution of HMOS

Census 2001 Data on Accommodation Types

- 2.1 In 2001 25.9 % of households lived in part of a shared or converted house including bedsits. Figure 1 below shows the numbers of different types of housing by ward based taken from the 2001 census. The outputs of the 2011 Census will allow changes to the types of accommodation over time to be fully analysed. However, the research presented in the remainder of Section (A) indicates some growth in the quantum shared accommodation – both in the number of HMOS and in related but distinct issue of conversions of single family dwellings to self contained flats along with significant clustering particularly in east Haringey.

	Number of all household spaces which are of accommodation type:			Number of all household spaces which are of accommodation type:			
	Whole house or bungalow:			Flat maisonette or apartment:			Caravan or other mobile or temporary structure
	Detached	Semi-detached	Terraced (including end-terrace)	Purpose built block of flats or tenement	Part of a converted or shared house (including bed-sits)	In a commercial building	
All household spaces							
Harringay	105	348	1,405	544	2,098	152	3
Noel Park	152	400	2,114	1,101	943	131	23
West Green	126	355	1,835	1,485	1,014	63	5
St Ann's	139	292	2,156	1,320	927	174	5
Tottenham Green	191	420	1,716	1,952	938	123	10
Bruce Grove	191	429	2,112	902	1,338	98	15
Tottenham Hale	178	418	1,961	2,169	465	53	7
Seven Sisters	176	443	1,866	1,691	916	79	5
Woodside	134	510	1,875	1,229	1,131	109	0
Bounds Green	98	624	1,204	1,793	1,243	93	5
White Hart Lane	209	854	2,363	1,026	190	43	6
Northumberland Park	175	351	1,548	2,387	688	92	7
Alexandra	121	748	1,403	700	1,404	42	0
Fortis Green	278	900	1,177	1,388	1,105	138	3
Muswell Hill	106	583	1,351	820	1,462	132	0
Highgate	346	436	875	1,406	1,988	136	3
Crouch End	116	429	830	1,751	2,234	209	3
Hornsey	71	207	1,329	1,292	1,720	99	5
Stroud Green	51	228	957	979	2,735	58	0
Haringey	2,963	8,975	30,077	25,935	24,539	2,024	103

Figure 1: Household Accommodation Types (Percentage), Census 2001

Identification of Conversions to HMOS in Haringey

- 2.2 Accurate identification of the total number of HMOS (and growth in HMO development) in different areas of Haringey is not straightforward. A picture of the spatial distribution and density of HMOS across Haringey has been built up via available data on HMOS licensed under the Housing Act 2004, Council tax data, planning applications related to HMOS and to lesser degree data from the electoral register. This data is invariably incomplete, due to under reporting and/or unauthorised development, despite a focused programme of engagement and enforcement



Haringey Council

under both the planning and licensing regime in connection with Council tax. This – along with differences in definition – account for the inconsistencies in the datasets presented below.

- 2.3 In 2010 a street based survey was undertaken in Haringey ward² to support the roll out of the Additional Licensing Scheme. This survey revealed that in Haringey ward, 40% of the housing stock along the roads in the Haringey Ladder has changed from single family dwellings into self contained smaller units or use as a House in Multiple Occupation (HMO). It identified that 42% (501) of the properties visited were potentially used as HMOs (as defined under the Housing Act 2004). The percentage of properties visited which were shared/bedsit type HMOs was just under 9% (102) and the proportion which were found to be potential s257 HMOs³ was just under 34% (399). This issue is not limited to Haringey ward, in 2008 the number of HMOs was estimated to be 10,000 (Housing Standards Supplementary Planning Guidance, 2008).

Mandatory and Additional Licensing of HMOs under the Housing Act 2004

- 2.4 Mandatory HMO licensing applies to the whole of England and Wales and requires the licensing of an HMO if: it comprises 3 or more storeys; it is occupied by 5 or more persons living in 2 or more households; and it is not fully converted into self-contained units of accommodation. In July 2012, there were 271 mandatory licensed HMOs in Haringey. This is an increase from 255 in 2011. A further 18 have been licensed so far under the additional licensing scheme which was implemented in Haringey last year. The bar chart below in Figure 2 illustrates the number of licensed HMOs in Haringey.

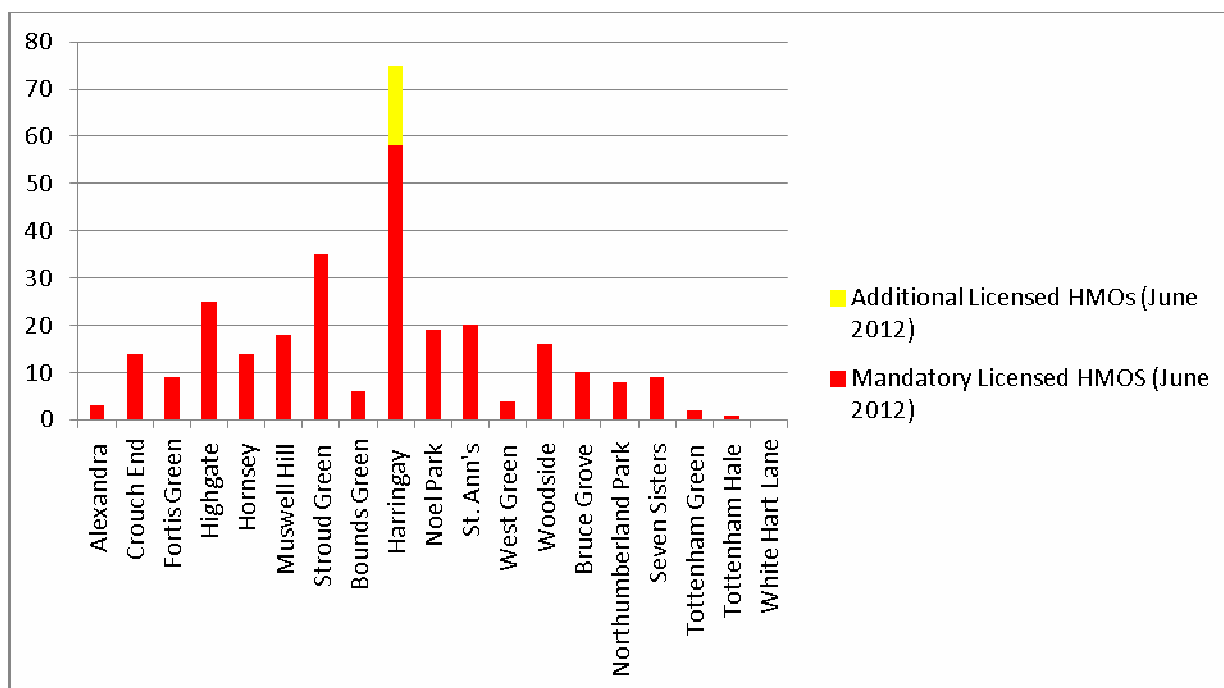


Figure 2: Licensed HMOs under Housing Act, 2004 (August, 2012)

² The outcomes, reported in Cabinet Report on Proposed Changes to the Regulation and Licensing of Houses in Multiple Occupation (HMOs), including the Introduction of an Area Based Additional Licensing Scheme, 7 July 2011

³ Converted self contained flats that do meet as a minimum standard the requirements of the 1991 Building Regulations



Haringey Council

- 2.5 Figure 3 below more clearly illustrates the spatial distribution of these across the borough. And highlights a very large cluster of HMOs centred in Harringay ward.

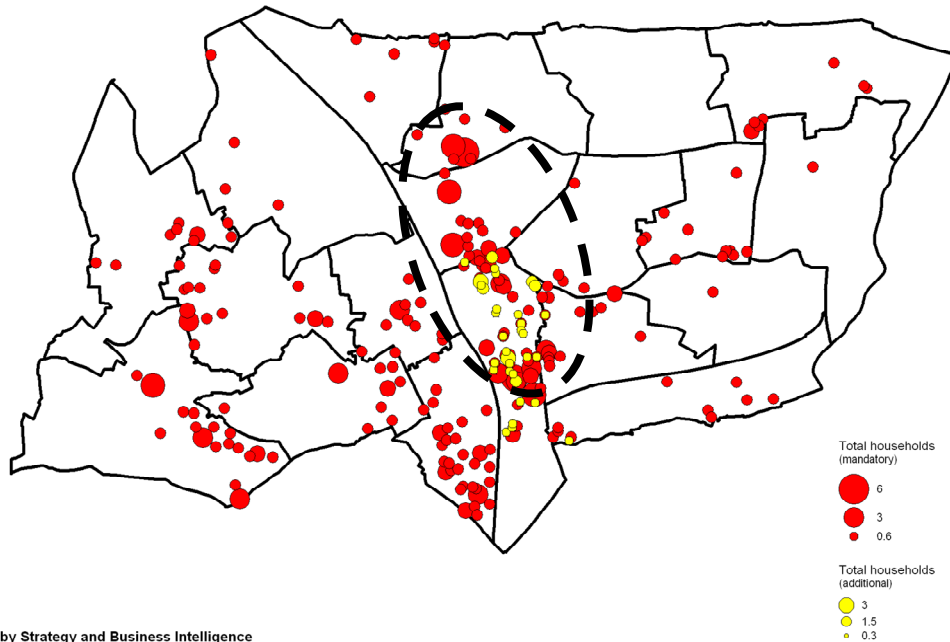


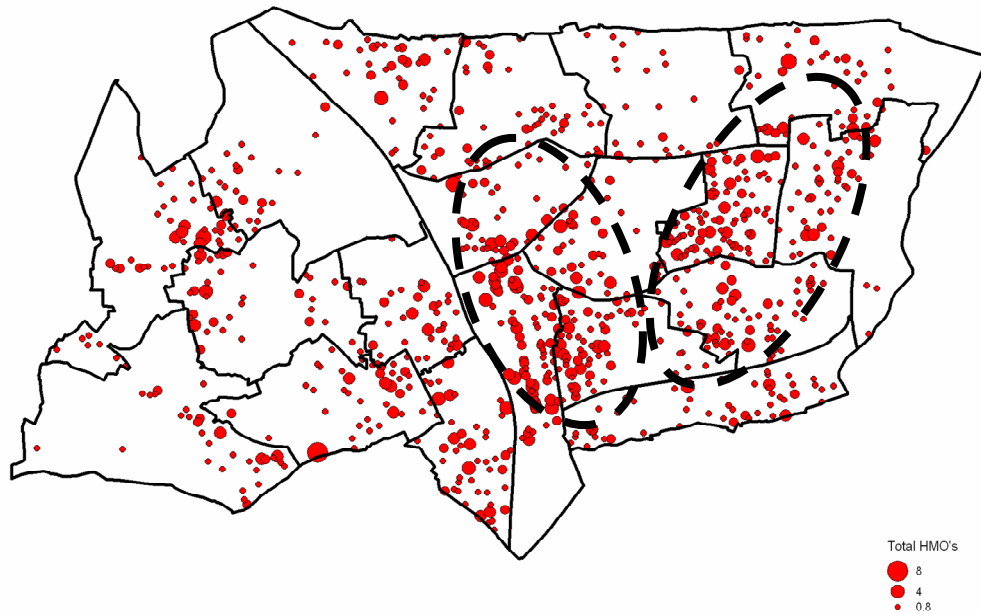
Figure 3: Licensed HMOs under the 2004 Housing Act in Haringey. Note: Mandatory Licenses are shown in red and properties licensed under the additional centred on Harringay ward are shown yellow.

Council Tax 'Class C' HMOs

- 2.6 Council tax records are useful for capturing the spatial location of smaller HMOs. In July 2012, there were 1260 Council tax properties classified as HMOs, referred to as Tax Class C properties. The definition of a HMO for the purposes of Council Tax is different from that used in relation to planning use classes and the Housing Act 2004 and captures 2 or more occupants. Despite these limitations it provides a useful indication of the spatial distribution and in some areas clustering of HMOs as illustrated on Figure 4.



Haringey Council



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Figure 4: Distribution of Properties Classified as HMOs for Council Tax Purposes, 2011

Surname Analysis of Council Tax Accounts

- 2.7 An analysis of Council tax data has been undertaken of households with 3 or more different surnames recorded on the Council Tax account. This data needs to be treated with caution as different surnames do not necessarily mean occupation by different households or unrelated individuals. This data suggests a growth in HMO development in east Haringey (and reduction in some parts of west Haringey). Figure 5 lists this analysis.



Haringey Council

01/04/2007		01/04/2008		01/04/2009		01/04/2010		01/04/2011		/04/2012	
Ward	Total	Ward	Total	Ward	Total	Ward	Total	Ward	Total	Ward	Total
Harringay	188	Harringay	208	Harringay	228	Harringay	243	Harringay	259	Harringay	256
St. Ann's	158	St. Ann's	173	St. Ann's	157	St. Ann's	190	St. Ann's	193	St. Ann's	226
Woodside	138	Woodside	137	Woodside	135	Noel Park	150	Noel Park	166	Noel Park	176
Highgate	118	Crouch End	123	Noel Park	134	Stroud Green	124	Woodside	144	Woodside	169
Noel Park	115	Noel Park	123	Highgate	130	Seven Sisters	123	Seven Sisters	137	West Green	158
Seven Sisters	110	Seven Sisters	122	Stroud Green	129	Crouch End	122	Stroud Green	134	Stroud Green	153
Crouch End	109	Highgate	118	West Green	123	Highgate	116	West Green	134	Seven Sisters	148
Stroud Green	105	West Green	108	Crouch End	121	Woodside	116	Highgate	120	Crouch End	137
Bounds Green	100	Stroud Green	106	Bounds Green	116	West Green	113	Crouch End	115	Highgate	149
West Green	98	Bounds Green	98	Seven Sisters	116	Tottenham Green	99	Bounds Green	113	Tottenham Green	162
Tottenham Green	92	Alexandra	93	Muswell Hill	99	Bounds Green	98	Tottenham Green	105	Bounds Green	168
Muswell Hill	91	Muswell Hill	92	Tottenham Green	98	Muswell Hill	91	Bruce Grove	98	Bruce Grove	98
Alexandra	84	Hornsey	85	Bruce Grove	95	Bruce Grove	90	Hornsey	90	Hornsey	167
Fortis Green	83	Tottenham Green	80	Hornsey	87	Hornsey	90	Fortis Green	74	Muswell Hill	85
Bruce Grove	72	Fortis Green	77	Fortis Green	81	Fortis Green	72	Muswell Hill	73	Alexandra	84
Hornsey	64	Bruce Grove	73	Alexandra	78	Alexandra	70	Alexandra	71	Fortis Green	67
Tottenham Hale	45	Tottenham Hale	55	Tottenham Hale	57	Tottenham Hale	45	Tottenham Hale	55	Tottenham Hale	61
White Hart Lane	29	White Hart Lane	38	White Hart Lane	36	White Hart Lane	23	White Hart Lane	25	White Hart Lane	30
Northumberland	20	Northumberland	15	Northumberland	14	Northumberland	20	Northumberland	19	Northumberland	24
Grand Total	1819	Grand Total	1924	Grand Total	2034	Grand Total	1995	Grand Total	2125	Grand Total	2318

Figure 5: Tables by ward of the estimate number of HMOs.

NB: The households included are those where there are 3 or more different surnames recorded under the Council Tax Account on the council tax system. The table count is for a specific date, 1st April for each year until the last date which is 1st April 2012



Haringey Council

HMO Planning Applications

- 2.8 The planning applications register related to HMOs is only partial as it does not pick up on small HMOs, which are permitted development and therefore do not require planning permission. There has typically been an average of 3.4 applications per year since 2008 with a peak of 10 in 2008. These have been overwhelmingly located in east Haringey.

(B) Standards of HMO Accommodation

- 2.9 Housing in Multiple Occupation (HMOs) have been identified by the Council's Housing Improvement Team as the subject of a disproportionately high level of complaints about private sector housing as a whole⁴.

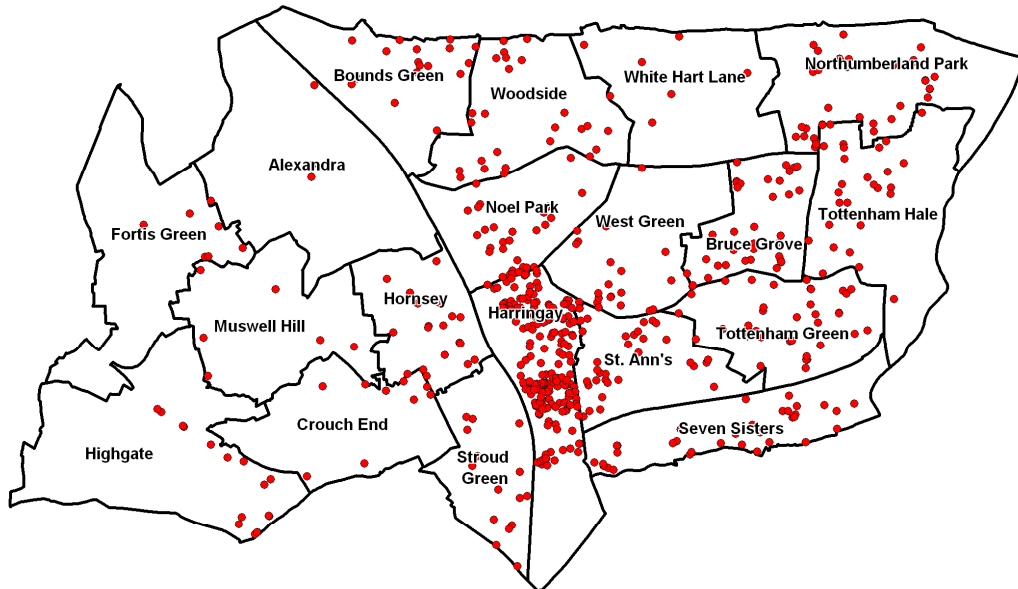
Complaints about HMOs to the Housing Improvement Team

- 2.10 Complaints specifically identified as HMO related from 2006 – July 2012 are shown on Figure 6 below (the Distribution of Properties Classified as HMOs for Council Tax Purposes, 2011). There were 686 complaints in total over this period. Haringay Ward accounted for almost 222 of these complaints. The Housing Improvement Team estimate that this under-represents the actual number of complaints related to HMOs - with several being coded as a different category of complaint.

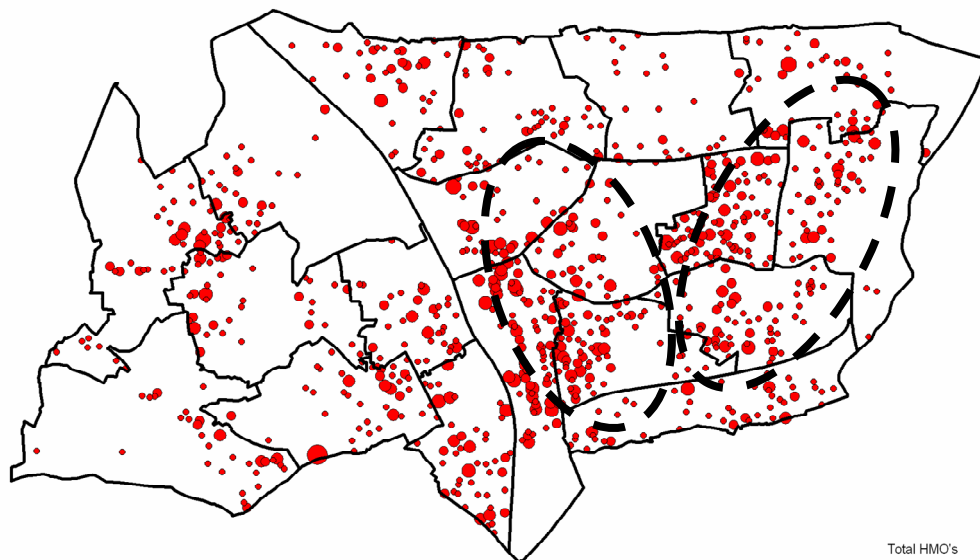
⁴ Interview with Private Sector Housing Team, 31 July 2012



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Figure 6: Complaints received by the Council about HMO development (2006- July 2012) is the top map and the distribution of Properties Classified as HMOs for Council Tax Purposes, 2011 shown for comparison below.



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- 2.11 The extremely poor condition of some HMOs has prompted the roll out of an additional licensing scheme centred on Harringay ward which seeks to lift the quality of HMO accommodation. A similar additional licensing scheme for Tottenham is – at the time of writing this report – the subject of public consultation. The emerging research supporting the roll out of an additional licensing scheme in Tottenham suggests a high prevalence of HMOs that are of poor quality and/ or are unsafe. In the current consultation this has been clearly linked to the over intensification in the use of smaller Victorian terraces as HMOs. The photograph below (Figure 7) illustrates the type of poor quality private rented housing that the Housing Improvement Team (Private Sector) regularly comes across in the course of its work in Tottenham.



Figure 7: Cramped conditions in a HMO not meeting space standards. This room below was home to a family of 5 in an HMO with 4 other families.

- Planning enforcement action against unauthorised development
- 2.12 Planning enforcement action related to unauthorised HMO development and conversions is overwhelmingly related to the east of the Haringey, representing the majority of the total of 355 enforcement notices⁵ served from January 2008 to July 2012. The permitted development rights for small HMOs raise particular planning enforcement challenges. Proving occupancy of more than six unrelated occupants and demonstrating a material change of use is especially challenging in light of the permitted development rights for small HMOs and in the absence of any obvious physical conversions. The spatial distribution of planning enforcement notices served related to HMOs and House Conversions only is illustrated on Figure 8 below.

⁵ Note this figure does not relate to total enforcement investigations which far exceed this number just the notices served based on the Council's Enforcement Register (and excluding withdrawn notices).



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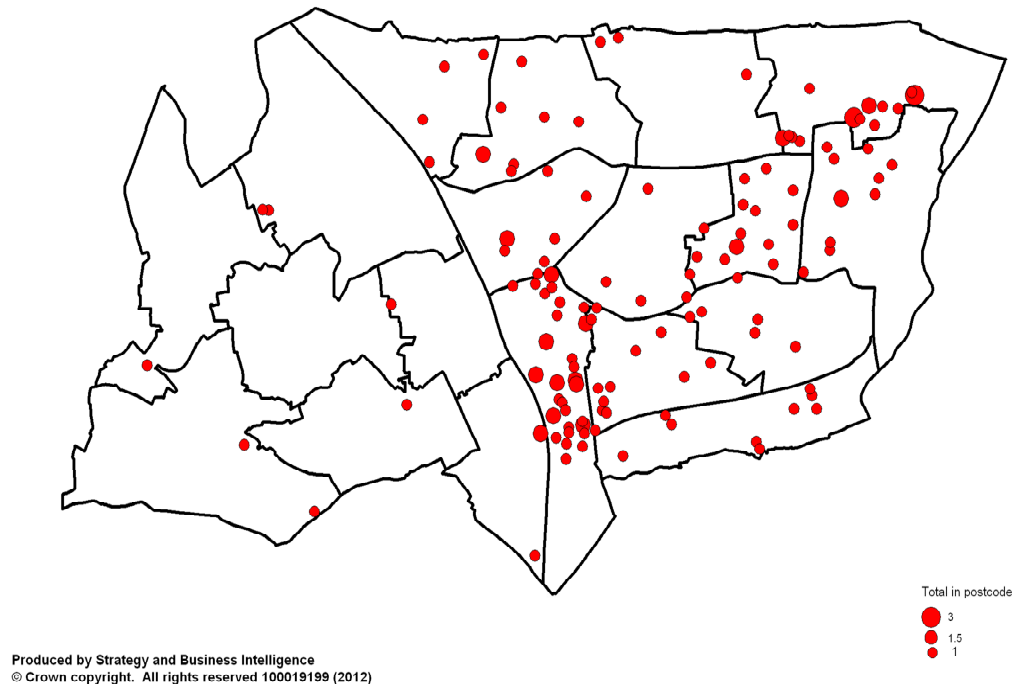


Figure 8: Planning Enforcement Action Related to Authorised House Conversion and Use of Single Family Dwellings as HMOs (from January 2008 to July 2012)

(C) Impacts of HMO Clustering

Impacts of HMOs

2.13 The Government published a report, Evidence Gathering – Housing in Multiple Occupation and possible planning response which sets out how to respond to the challenges of high concentrations of HMOs in 2010. The report identifies the following impacts that occur as a result of high concentrations of HMOs, the issues highlighted include:

- Anti-social behaviour, noise and nuisance
- Imbalanced and unsustainable communities
- Negative impacts on the physical environment and streetscape
- Pressures upon parking provision
- Increased crime
- Growth in private sector at the expenses of owner-occupation
- Pressure upon local community facilities, and
- Restructuring of retail, commercial services and recreational facilities to suit the lifestyles of the predominant population.

2.14 It is noted that many of the complaints about HMOs discussed under paragraph 2.12 above are frequently from neighbouring residents rather than the occupiers of HMOs themselves. Impacts of HMOs on neighbouring occupiers are a particular issue in areas with a significant cluster of HMOs and where the use of smaller properties is over intensified. This impact is compounded where there is also a high level of conversion of houses to flats. This type of problem of over intensifications, notably parking impacts, informed the Council's Unitary Development Plan 2006 policy approach on HMOs.



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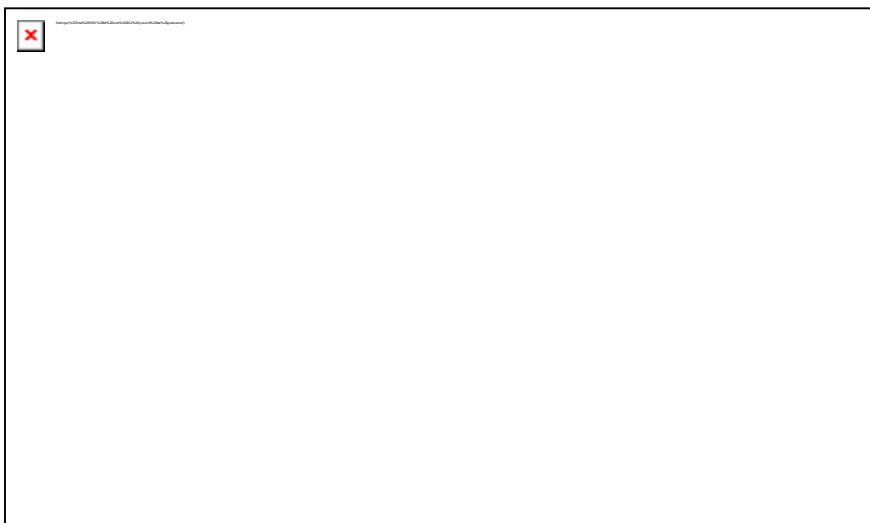
- 2.15 Research to support Additional Licensing of HMOs in Harringay ward⁶ highlighted some of these social and environmental impacts. Complaints about illegal dumping were highest in areas with high private rented and HMO development as shown on **Figure 9**. A similar pattern emerges with reference to crime and noise complaints.

⁶ Appendix 1 to Cabinet Report on Proposed Changes to the Regulation and Licensing of Houses in Multiple Occupation (HMOs), including the Introduction of an Area Based Additional Licensing Scheme, 7 July 2011

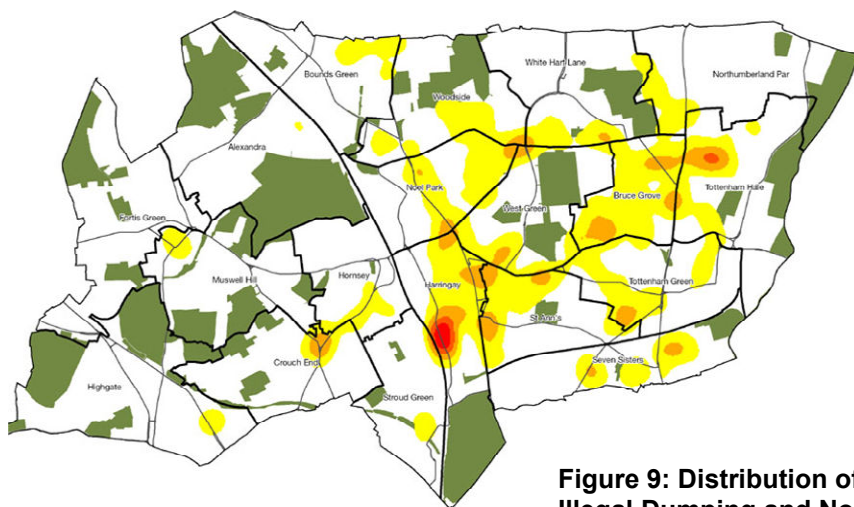


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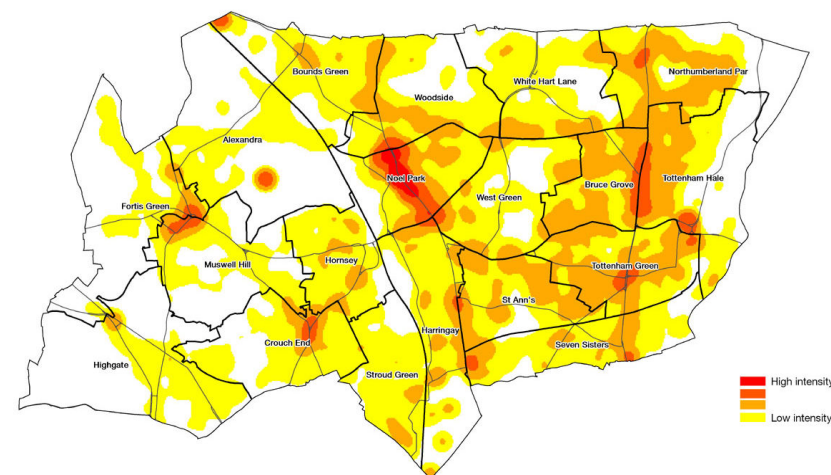
Distribution of Properties Classified as HMOs for Council Tax Purposes, 2011



Commercial & Domestic Dump Hotspots, 2011



Total Notifiable Offences (All Crime) Hotspots, 2011



Council Noise Calls, 2011

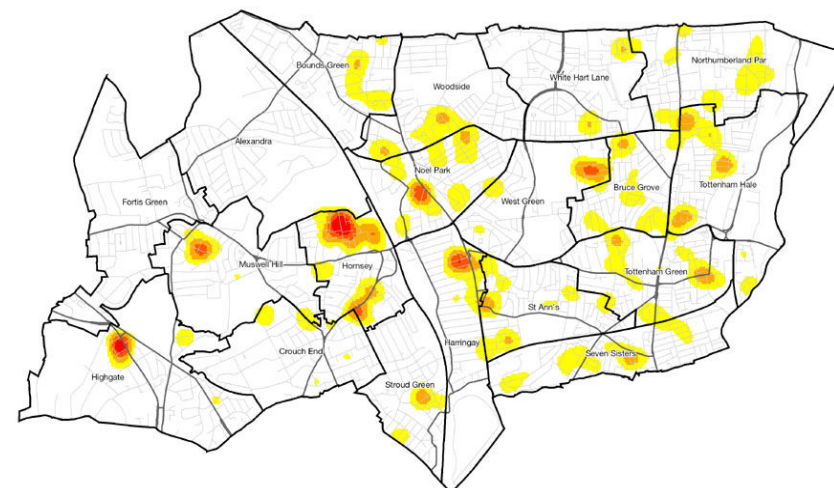


Figure 9: Distribution of HMOs and Spatial Pattern of Crime, Illegal Dumping and Noise Calls, 2011



Local Community Concerns about HMO Clustering

- 2.16 In Harringay ward there has been significant local concern about HMO impacts. It is clear from residents' meeting reports (e.g. Harringay and St Ann's Area Forum Meetings) that HMOS are perceived to have had a negative impact on the locality. However, the concern is much broader than just Haringey ward. Haringey Council HMO Conference held in November 2011, which included a range of stakeholders, identified the need for greater controls to help better manage HMO standards and impacts. A key recommendation arising from this Conference was to encourage the Council to consider the use of the Article 4 Direction to remove permitted development rights for HMOs.

Need for Family Housing/ Single Family Dwellings and HMO Demand

- 2.17 The Council's Strategic Housing Market Assessment 2009/10 identifies a need for larger family units in the market and social housing sector identified a need for a range of housing units over up to 2015. The range of housing need was spread across all unit sizes but a particular demand for family housing (3+ units) was evidenced in the market with a demand for 1,248 units and social housing need for a further 730 units.
- 2.18 The existing demand associated with family accommodation is evidenced in the profile of demand of those in greatest housing need, in bands A-C on the council's housing register (see Figure 12 below). Although focussed on the social housing sector, it serves to illustrate in general terms the particular need for low cost rental family accommodation in wards in east Haringey.
- 2.19 The figures show that across Haringey there are 4,393 households registered in Bands A-C, of which 1,822 (41.5%) require family accommodation (3 bed or more). The majority (76%) of the demand for family accommodation is in the east of the borough.

Ward	BEDSIZE_REQUIRED								Sub Total	Total
	1	2	3	4	5	6	7	9	Family Housing (3+ only)	All Sizes
Harringay	38	79	53	8	1			1	63	180
West Green	32	72	87	20	6				113	217
Noel Park	28	85	86	25	3	1			115	228
St. Ann's	53	92	68	21	2	3			94	239
Tottenham Green	75	127	72	15	2	1			90	292
Bruce Grove	73	169	98	27	4				129	371
Tottenham Hale	48	108	135	35	6	1			177	333
Seven Sisters	33	67	81	23	4	2			110	210
Woodside	35	79	101	24	5				130	244
Bounds Green	29	58	59	16	3				78	165
White Hart Lane	46	70	75	32	8	1			116	232
Northumberland Park	63	124	131	29	5		1		166	353
Stroud Green	32	25	30	10	1				41	98
Hornsey	27	57	45	7	1				53	137
Crouch End	19	14	4	1	3				8	41


Haringey Council

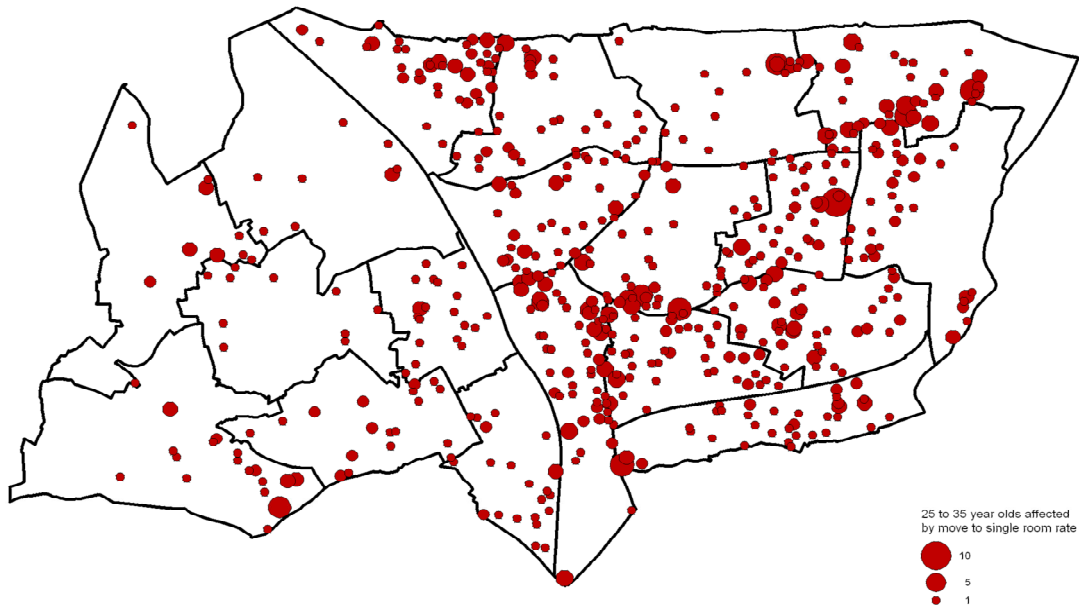
Highgate	17	15	11	2					13	45
Muswell Hill	13	7	7	2					9	29
Fortis Green	18	16	12	4					16	50
Alexandra	10	12	16	2	1				19	41
#N/A	195	411	237	43	2				282	888
Grand Total	884	1687	1408	346	57	9	1	1		4393

Figure 12: Housing need by unit size, housing register bands A to C (August, 2012)

- 2.20 Alongside this need for family housing are a number of factors fuelling demand for low cost private rented accommodation – such as HMOs. This has resulted in part from a sharp rise in the number of migrant workers coming to Haringey. Between 2002/3 and 2010/11, the Department for Work and Pensions completed just over 91,000 new national insurance registrations for overseas nationals in Haringey (the 4th highest in London). It was found that 67% of these migrant workers recorded the Parliamentary Constituency of Tottenham as their home.
- 2.21 Welfare Reform could have further implications for the demand for low cost, particularly smaller, private rented accommodation. Restrictions on the amount of Housing Benefit that can be claimed by single people under the age of 35 have also substantially increased the demand for shared housing in the private rental sector. Single people from 25 to 35 were previously eligible for the one bedroom rate but can now only claim under the shared accommodation rate. Since January 2012, the introduction of the Shared Accommodation Rate impacted on 846 claimants in Haringey between the ages of 25 and 35. Figure 13 below illustrated the spatial distribution of those individuals affected.
- 2.22 Further changes to the Welfare System are due to be implemented in 2013, and could lead to an increase in the demand for smaller private rented accommodation, including HMOs.
- 2.23 The Benefit Cap planned by the Government will limit the total amount that workless households will be able to receive in benefits to £350 a week for a single person and £500 for all others. It is part of the Welfare Reform Bill which will see the implementation of a single payment known as the Universal Credit (UC).
- 2.24 A new 'bedroom tax' will cut the amount of housing benefit that people can get if they are deemed to have a spare bedroom in their council or housing association home. From April 2013 all claimants who are deemed to have at least one spare bedroom will have their housing benefit cut by 14% and those who have two or more spare bedrooms will have their benefit cut by 25%.
- 2.25 These changes could result in households being unable to pay their rent and potentially lead to an increase in downsizing to smaller accommodation. This could result in increased demand for smaller private rented accommodation, including HMOs.



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2.26

Figure 13: Distribution of 25 to 35 years olds on housing benefit projected to be moved from January to August 2012 to the “shared accommodation rate” (2011)



3. SUMMARY & CONCLUSIONS

Evidence of Harmful Impact of unmanaged HMO Growth

3.1 The key implications of the research outlined above are summarised below:

- A. There is an over concentration of HMO accommodation in east Haringey, this effect is compounded in some areas by the already high level of house conversions to self contained flats, resulting in a loss of single family dwelling houses.**

In Harringay ward 40% of the housing stock along the roads in the Haringey Ladder has changed from single family dwellings into self contained smaller units or use as a House in Multiple Occupation (HMO). The extent of conversions is not limited to Harringay ward, there are already indications of higher numbers of conversions of family units to HMO's elsewhere in Haringey and it is estimated that there could be up to 10,000 HMOs in Haringey (Haringey Housing Standards Supplementary Planning Document, 2008).

Larger HMO's are spread throughout the borough with a particular concentration in evidence in Harringay ward which also has the highest number of Mandatory licensed HMOs⁷ 64 of a total of 311 (in July 2011). Identifying the location of smaller HMOs is more difficult due to the absence of a requirement for the licensing of, or planning permission for small HMOs. However, Council Tax data on properties classed as HMOs and an analysis of names on the Council Tax register indicate the presence a significant and growing concentration of HMO development across east Haringey (see Figure 4 and 5).

- B. The quality of some HMO accommodation is low and frequently provides a very poor standard of accommodation for occupiers.**

From 2006 – July 2012 a total of 686 complaints about HMOs were received by the Council's Housing Improvement team. These were overwhelmingly centred on wards in east Haringey where the housing sizes are typically smaller than west Haringey and levels of owner occupancy are lower. Complaints were highest in Harringay ward where the number and density of HMOs is highest. Planning enforcement action related to unauthorised HMOs (and the related issue of house conversions) is overwhelmingly concentrated in east Haringey (see Figure 8). The poor conditions of HMO development in Harringay ward has already prompted the introduction of an Additional Licensing Scheme under the Housing Act 2004, with a further scheme proposed for wards in Tottenham.

⁷ Mandatory HMO licensing applies to the whole of England and Wales and requires the licensing of an HMO if: it comprises 3 or more storeys; it is occupied by 5 or more persons living in 2 or more households; and it is not fully converted into self-contained units of accommodation.



C. The clustering of HMO accommodation has an adverse impact on the amenity and wellbeing of surrounding occupiers.

The Government published a report in 2010, 'Evidence Gathering – Housing in Multiple Occupation and possible planning response', which sets out how to respond to the challenges of high concentrations of HMOs. The report identifies various impacts that occur as a result of high concentrations of HMOs, including noise and nuisance, anti-social behaviour, and imbalanced and unsustainable communities. Research undertaken to support the introduction of the Additional Licensing Scheme for HMOs in Haringey Ward in 2011 highlighted issues of noise and illegal dumping often associated with high concentrations of private sector rented housing.

Need for a Mix of Housing Types and Balanced Communities

- 3.2 HMOs are an important source of lower cost housing within the private rented sector. However this needs to be balanced against the current demand for family accommodation in Haringey. Increased demand for HMO accommodation and the current permitted development rights for small HMOs could impede Council objectives to protect family housing. Changes to the Welfare System are likely to increase demand for HMO accommodation. These changes could contribute to increasing the possibility of landlords seeking to use of small single family dwellings as HMOs.
- 3.3 At the strategic level the one likely effect these trends is to reduce the availability of family housing *and* increase the risk of even greater clustering of small HMOs. At the level of individual dwelling level these trends also increases the risk of this use becoming over intensified and overcrowded – with consequent impacts on the amenity of surrounding occupiers. The lower house prices and smaller house sizes in east Haringey suggest that these problems are at greatest risk of worsening in this part of the borough.

Recommendation to make an Article 4 Direction Covering East Haringey

- 3.4 Accordingly it is suggested that an Article 4 Direction to control HMOs should include all wards east of the East Coast Railway line.
- 3.5 The proposed boundary is informed by the following considerations:
- The west of the borough has higher house prices and higher levels of owner occupancy compared to the east (Housing Strategy, 2009 – 2019). These factors are likely to combine to make it less accessible to landlords seeking to maximise returns by over intensifying the use of single family dwellings.
 - The west of the borough typically has large housing sizes. Areas with high numbers of HMOs such as Stroud Green have a higher number of large HMOs which are already subject to the need for planning permission as well as being subject Mandatory licensing (see Section 2, Figure 7 above).
 - Numbers of HMOs are, as expected, lower in areas in Northumberland Park and White Hart Lane where there are high levels of social housing – but there has been significant growth in private sector housing in this location and enforcement action related to HMOs and house conversions indicates that this area should be included (see Annex



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1). In addition, houses multiple occupancy can be found within dense areas of social housing; for example, Homes for Haringey has 1582 registered leaseholder sublets, 96 of which are known multiple sublets (i.e let to more than one person).

- Enfield Council is currently consulting on the roll out of an Article 4 Direction to removed permitted development rights related to HMOs. The exact extent of which is still to be decided – but could cover the whole of the London borough of Enfield⁸. There is small risk that this could displace HMO development into Haringey in the absence of similar controls.

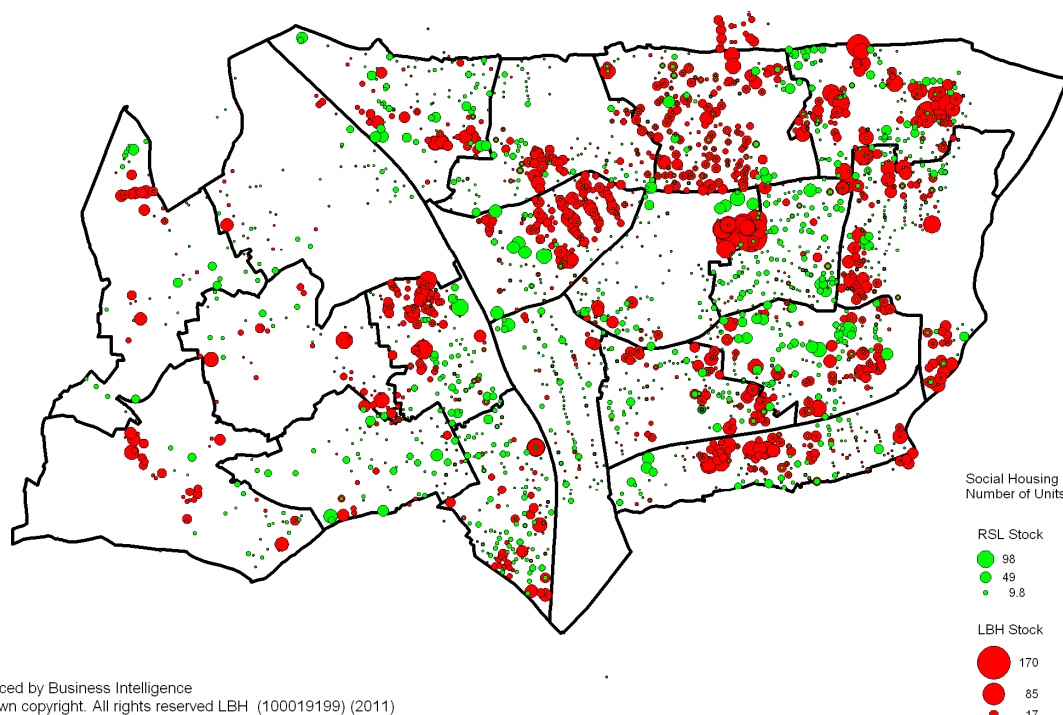
⁸ Barking and Dagenham Council who implemented have made an Article 4 remove HMO permitted development rights across their borough and which came into effect in May 2012. Newham Council, who are at making an Article 4 Direction to control HMOs



Haringey Council

ANNEX 1

The areas of east Haringey with the lower numbers of HMOs in east Haringey (that is wards east of the East Coast Railway Line) have higher concentrations of social housing. The distribution of social housing in Haringey is as shown on the map below.



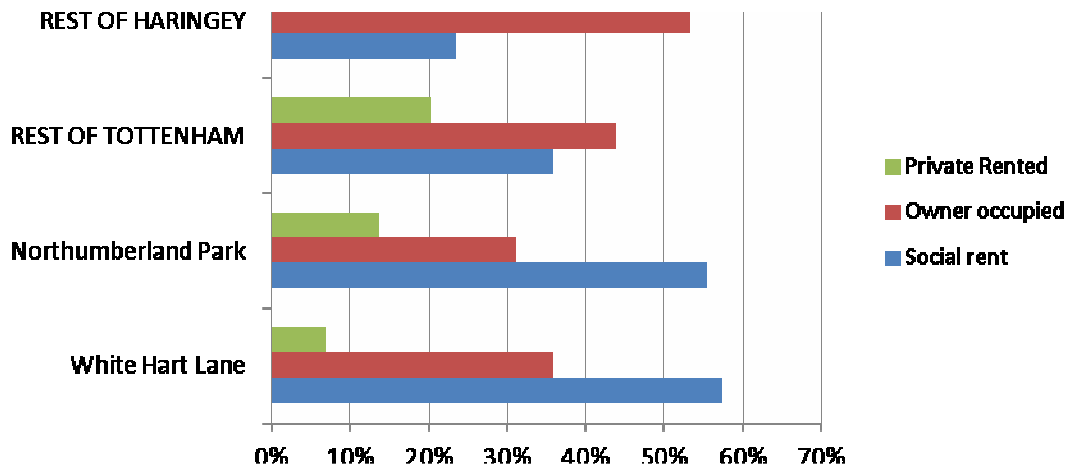
Map 1: Distribution of Social Housing Units in Haringey (2011)

In 2001, the highest levels of social rented housing were in the White Hart Lane and Northumberland Park wards as set out below. But there is evidence of growth of private housing (and possibly HMO development) in this location.

	Social rent	Owner occupied	Private Rented	Total
White Hart Lane	2550	1591	309	4450
Northumberland Park	2710	1522	665	4897
REST OF TOTTENHAM	11809	14504	6737	33050
REST OF HARINGEY	10821	24623	10846	46290



Haringey Council



Source: Census Data, 2001

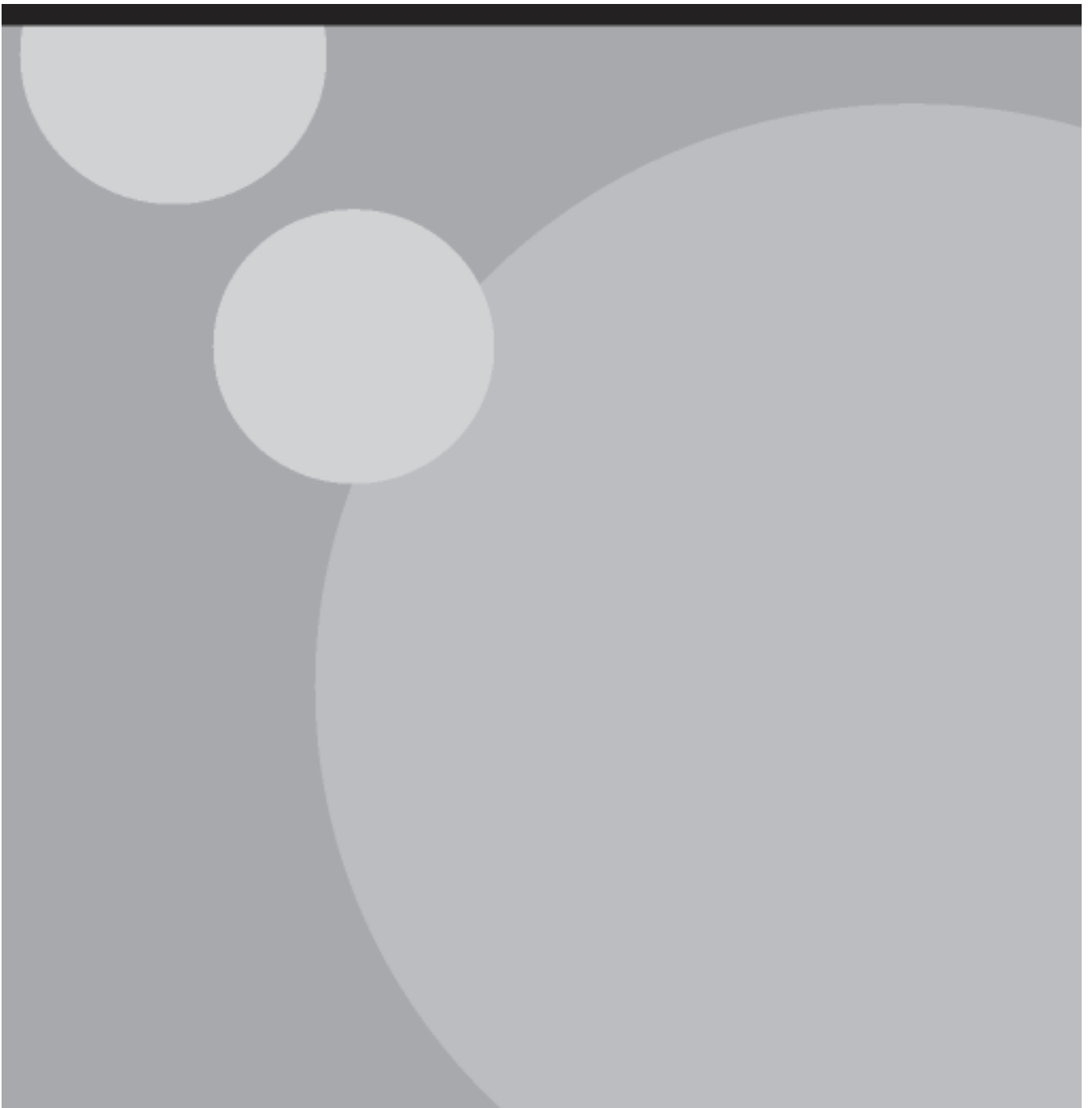
Until the publication of the 2011 Census data, it is difficult to determine the degree to which the tenure mix in these wards has changed. However, there is evidence of growing private rented accommodation in these wards. However, the number of housing benefit claimants in each ward suggests there has been a substantial increase in private rented housing during the last decade:

- In 2001 there were 665 private rented homes in Northumberland Park; in 2011, Housing Benefit was being claimed by 1,139 private tenants
- In 2001, there were 309 private rented homes in White Hart Lane; in 2011, Housing Benefit was being claimed by 968 private tenants

This suggests even higher levels of private housing in this part of the borough as not everyone living in private rented accommodation will be receiving housing benefit. The enforcement action related to House Conversions and HMOs in these wards also suggest growing pockets of private rented accommodation in these wards.



Replacement Appendix D to Department of the
Environment Circular 9/95: General
Development Consolidation Order 1995





Replacement Appendix D to Department
of the Environment Circular 9/95: General
Development Consolidation Order 1995

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1. Introduction

- 1.1. Article 4 directions are one of the tools available to local planning authorities in responding to the particular needs of their areas. They do this by allowing authorities to withdraw the 'permitted development' rights that would otherwise apply by virtue of the *Town and Country Planning (General Permitted Development) Order 1995* as amended (the 'GPDO'). An article 4 direction does not prevent the development to which it applies, but instead requires that planning permission is first obtained from the local planning authority for that development.
- 1.2. This Appendix supersedes Appendix D of Department of the Environment *Circular 9/95: General Development Order Consolidation 1995*, and reflects changes to the article 4 process introduced in April 2010,¹ and changes to related compensation arrangements introduced in October 2010.²

2. The use of article 4 directions

- 2.1. Local planning authorities should consider making article 4 directions only in those exceptional circumstances where evidence suggests that the exercise of permitted development rights would harm local amenity or the proper planning of the area.³
- 2.2. In deciding whether an article 4 direction would be appropriate, local planning authorities should identify clearly the potential harm that the direction is intended to address.
- 2.3. In deciding whether an article 4 direction might be appropriate, local planning authorities may want to consider whether the exercise of permitted development rights would:
 - Undermine the visual amenity of the area or damage the historic environment;

¹ The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (Statutory Instrument 2010/654), and The Town and Country Planning (Compensation) (No. 2) (England) Regulations 2010 (Statutory Instrument 2010/1220).

² The Town and Country Planning (Compensation) (No.3) (England) Regulations 2010 (Statutory Instrument 2010/2135).

³ For all article 4 directions the legal requirement is that the local planning authority is satisfied that it is expedient that development that would normally benefit from permitted development rights should not be carried out unless permission is granted for it on an application (see paragraph (1) of article 4 of the GPDO). Additionally, for directions with immediate effect, the legal requirement is that the local planning authority considers that the development to which the direction relates would be prejudicial to the proper planning of their area or constitute a threat to the amenity of their area (see paragraph (1)(a) of article 6 of the GPDO).

- Undermine local objectives to create or maintain mixed communities;
- Lead to the subdivision of agricultural land other than for purposes reasonably necessary for agriculture, or to the loss of agricultural land;
- Lead to an intensification of development in close proximity to a military or aviation safeguarding zone;
- Have a direct and significant adverse effect on a flood risk area, flood defences and their access, the permeability of ground, and management of surface water or flood risk;
- Lead to an intensification of development or use in areas affected by coastal erosion.

2.4. There should be a particularly strong justification for the withdrawal of permitted development rights relating to:

- A wide area (e.g. those covering the entire area of a local planning authority, National Park or Area of Outstanding Natural Beauty).
- Agriculture and forestry development. Article 4 directions related to agriculture and forestry will need to demonstrate that permitted development rights pose a serious threat to areas of exceptional beauty or topography.
- Cases where prior approval powers are available to control permitted development;
- Blanket directions aimed at imposing full planning controls over a wide range of telecommunications development;
- Leisure plots and uses;
- The installation of microgeneration equipment.

2.5. Local authorities should regularly monitor and review the appropriateness of their article 4 directions, considering whether the original rationale for the directions remains valid.

3. Powers to make article 4 directions

3.1. Provided there is justification for both its purpose and extent, it is possible to make an article 4 direction covering:

- Any geographic area from a specific site to a local authority wide
- Permitted development rights related to operational development or change in the use of land;
- Permitted development rights with temporary or permanent effect.

3.2. In procedural terms there are two main types of article 4 direction:

- Non-immediate directions (permitted development rights are only withdrawn upon confirmation of the direction by the local planning authority following local consultation); and
- Immediate directions (where permitted development rights are withdrawn with immediate effect, but must be confirmed by the local planning authority following local consultation within six months, or else the direction will lapse).

See Annex A for a step-by-step guide summarising the process of making an article 4 direction.

- 3.3. There are certain permitted development rights that cannot be withdrawn by any article 4 direction (as specified in articles 4(1) and 4(2) of the GPDO). These exemptions are to ensure permitted development rights related to national concerns, safety, or maintenance work for existing facilities cannot be withdrawn.
- 3.4. Additionally, if a direction would affect certain statutory undertakers' permitted development rights (as specified in article 4(3) of the GPDO) this must be explicitly stated in the direction.
- 3.5. Immediate directions can only be used to withdraw a small number of permitted development rights.⁴
- 3.6. Non-immediate directions can be used where the threat from the exercise of permitted development rights is not immediate, or where permitted development rights cannot be withdrawn by an immediate direction.
- 3.7. Local planning authorities could elect to make a non-immediate direction in instances where it would be legally possible to make an immediate direction- i.e. although there are only certain types of permitted development rights that may be restricted by an immediate direction, it does not follow that these rights must be restricted by an immediate direction. The immediacy of the threat and potential compensation liability may be considerations in determining whether to use a non-immediate or immediate direction.
- 3.8. Article 4 directions cannot be used in relation to any type of development other than those explicitly granted permitted development rights through the GPDO, nor can they be applied retrospectively to development undertaken before a direction comes into force, or to development that has been commenced at the time that a direction comes into force.
- 3.9. Any planning application required as a consequence of an article 4 direction is exempt from the usual planning application fee.

⁴ Development permitted by Parts 1-4 and 31 of Schedule 2 to the GPDO (development within the curtilage of a dwellinghouse, minor operations, changes of use, temporary buildings and uses, and demolition of buildings).

4. Role of the Secretary of State

- 4.1. Whereas before April 2010 the Secretary of State confirmed certain article 4 directions, it is now for local planning authorities to confirm all article 4 directions (except those made by the Secretary of State) in the light of local consultation.
- 4.2. The Secretary of State will only exercise their powers in relation to article 4 directions if there are very clear reasons why intervention at this level is necessary.
- 4.3. The Secretary of State has the power to make a direction modifying or cancelling most article 4 directions at any point.⁵ The Secretary of State cannot, however, modify directions related to permitted development rights under Parts 1-4 and 31 of Schedule 2 to the GPDO that apply exclusively to listed buildings, and cannot cancel or modify directions related to development specified in paragraphs 3(a) to (j) of article 6 of the GPDO.
- 4.4. The Secretary of State also has the power to make an article 4 direction.⁶ Should this happen, the local planning authority will be notified as soon as practicable after making the direction, and it will be for the local planning authority to notify those affected by the direction.

5. Modification, cancellation and monitoring of article 4 directions

- 5.1. A local planning authority can, by making a subsequent direction, cancel an article 4 direction made by them.⁷ To modify an article 4 direction, a local authority would have to cancel the existing direction and prepare a replacement direction incorporating the required modifications in accordance with the procedure in Annex A. Where a direction would cancel an existing article 4 direction, the same procedures apply as for making a new direction of that type.
- 5.2. A local planning authority does not have the power to modify or cancel a direction made by the Secretary of State.

6. Compensation

- 6.1. There are circumstances in which local planning authorities may be liable to pay compensation having made an article 4 direction, although the potential liability is limited in many cases by the time limits that apply.

⁵ Set out in paragraph (13) of article 5 of the GPDO.

⁶ Set out in paragraph (1) of article 4 of the GPDO.

⁷ Set out in paragraph (13) of article 5 of the GPDO.

- 6.2. Local planning authorities may be liable to pay compensation to those whose permitted development rights have been withdrawn if they:
- refuse planning permission for development which would have been permitted development if it were not for an article 4 direction; or
 - grant planning permission subject to more limiting conditions than the GPDO would normally allow, as a result of an article 4 direction being in place.
- 6.3. Compensation may be claimed for abortive expenditure or other loss or damage directly attributable to the withdrawal of permitted development rights.⁸
- 6.4. All claims for compensation must be made within 12 months of the date on which the planning application for development formerly permitted is rejected (or approved subject to conditions that go beyond those in the GPDO).
- 6.5. Additionally, for certain permitted development rights withdrawn by an article 4 direction, compensation may only be claimed if an application for planning permission is submitted within 12 months following the effective date of the direction (and, if 12 months prior notice of the withdrawal of permitted development rights is given, there is no ability to claim compensation.) These specified permitted development rights are currently set out in Statutory Instrument 2012/749, but may apply to permitted development rights subsequently introduced.
- 6.6. Specific compensation provisions apply in relation to statutory undertakers, who may additionally claim for loss of profits.⁹

⁸ See Section 108 of the *Town and Country Planning Act 1990* as amended.

⁹ See Sections 279-282 of the *Town and Country Planning Act 1990* as amended.

Annex A (of revised Appendix D) Article 4 direction process

1. Check whether an article 4 direction is appropriate, and whether the direction should come into force following consultation or immediately
(see section 3 of this guidance)

2. Draft an article 4 direction

Annex B provides a model for non-immediate directions, Annex C a model for directions with immediate effect. A local model may be used, but it must contain all the information set out in the appropriate model in this guidance.

3. Serve notice locally and notify the Secretary of State as soon as practicable after the direction has been made, adhering to requirements of details to be contained in the notice.*

3.1. Local notification procedure

Notice of an article 4 direction shall be given by the local planning authority:

- by local advertisement (as defined in article 1(2) of the GPDO)
- by site display at no fewer than two locations within the area to which the direction relates (or if the direction relates to a particular development, on that site) for a period of not less than six weeks);
- individually on every owner and occupier of every part of the land within the area or site to which the direction relates (unless it is impracticable because it is difficult to identify or locate them, or the number of owners or occupiers within the area to which the direction relates would make individual service impracticable- this exemption from individual service of notice does not apply, however, when the owner/ occupier is a statutory undertaker or the Crown);
- between County planning authorities and district/ local authorities within whose county or district the area/ site to which the direction relates is situated (where both tiers exist).

3.2. Notifying the Secretary of State

On the same day that notice of an article 4 direction is first published or displayed locally, the local planning authority shall notify the Secretary of State. A copy of the direction (and a map defining the area/ site to which it relates) as well as a copy of the local consultation notices should be sent to the National Planning Casework Unit:

NPCU@communities.gsi.gov.uk

5 St Philip's Place
Colmore Row
Birmingham
B3 2PW

It may not be possible to send a copy of the local publicity notices themselves on the same day as those affected by the direction are notified- it is therefore acceptable to send a copy of the notices as will be published.

4. Determine whether to confirm the direction

Any representations received during consultation must be taken into account by the local planning authority in determining whether to confirm a direction (see paragraphs (9) and (10) of article 5 of the GPDO). Material changes to the direction resulting from consultation will require re-consultation. Immediate directions will expire six months after they come into force, unless confirmed. The local planning authority shall not confirm a direction until after the expiration of either a period of at least 28 days following the latest date on which any notice relating to the direction was served or published, or such longer period as may be specified by the Secretary of State (after having been notified by the local planning authority of making a direction).

5. Direction comes into force

If confirmed by the local planning authority, a non-immediate direction will come into force on the date specified in the notice that the local planning authority served originally on those that would be affected (see article 5(7) of the GPDO). Taking into account representations received during consultation may require that the direction comes into force later than specified in the initial notice of the direction. Once confirmed both non-immediate and immediate directions permanent (unless cancelled by the local planning authority or Secretary of State).

6. Serve notice locally and notify the Secretary of State as soon as practicable after the direction has been confirmed, adhering to requirements of details to be contained in the notice.* This requirement neither applies to immediate directions related exclusively to Conservation Areas where the development is specified in 6(3) (a) to (j) of the GPDO, nor to directions related exclusively to listed buildings where permitted development rights withdrawn are in Parts 1-4 and 31 of Schedule 2 to the GPDO.

6.1. Local notification procedure
See stage 3.1.

6.2. Notifying the Secretary of State
As soon as practicable after the direction has been confirmed the local planning authority shall send a copy of the confirmed direction to the Secretary of State (see stage 3.2.).

*In all cases notice of an article 4 direction must:

- Include a description of the development and the area/ site to which the direction relates (ad the case may be);
- Include a statement of the effect of the direction;
- Specify that the direction is made under article 4(1) of the GPDO;
- Name a place where a copy of the direction and a copy of a map defining the area/ site to which it relates (as the case may be) can be seen at all reasonable hours;

Where notice is of the making of any article 4 direction the notice must additionally:

- Specify a period of at least 21 days, stating the date on which that period begins, within which any representations concerning the direction may be made to the local planning authority.

Where notice is of the making of a non-immediate article 4 direction, the notice must additionally;

- Specify a date on which it is proposed that the direction will come into force (which must be at least 28 days later, but no longer than two years after, the date upon which the consultation period begins)

Annex B Model for a non-immediate article 4 direction

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995 AS AMENDED**

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 5 APPLIES

WHEREAS (*insert council name here*) being the appropriate local planning authority within the meaning of article 4(4) of the GPDO, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged/coloured on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990 as amended,

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below:

SCHEDULE¹⁰

1. *To be completed when making the article 4 direction.*
Made under the Common Seal of
(*Insert council name here*).....
thisday of.....20.....
The Common Seal of the Council was affixed to this Direction
in the presence of
Chief Executive Officer

2. *To be completed when confirming the article 4 direction.*
Confirmed under the Common Seal of
(*Insert council name here*).....
thisday of.....20.....
The Common Seal of the Council was affixed to this Direction
in the presence of
Chief Executive Officer

¹⁰ The development to be controlled should be described in the words of Schedule 2 to the GPDO and the description should be followed by the words 'being development comprised within Class...of Part...of Schedule 2 to the said Order and not being development comprised within any other Class'. If control is to be limited to a particular description of the development comprised within a Part, the wording should be adapted accordingly.

Annex C Model for an immediate article 4 direction

TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT)
ORDER 1995, AS AMENDED

DIRECTION MADE UNDER ARTICLE 4(1) TO WHICH ARTICLE 6 APPLIES

WHEREAS (*insert council name here*) being the appropriate local planning authority within the meaning of article 4(4) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, are satisfied that it is expedient that development of the description(s) set out in the Schedule below should not be carried out on the land shown edged/coloured on the attached plan, unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) Order 1995, as amended, hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description(s) set out in the Schedule below.

THIS DIRECTION is made under article 4(1) of the said Order and, in accordance with article 6(7), shall remain in force until (*insert date*) (being six months from the date of this direction) and shall then expire unless it has been confirmed by the appropriate local planning authority in accordance with paragraphs (9) and (10) of article 5 before the end of the six month period.

SCHEDULE¹¹

1. To be completed when making the article 4 direction.
Made under the Common Seal of
(*Insert council name here*).....

this day of 20.....

The Common Seal of the Council was affixed to this Direction
in the presence of

Chief Executive Officer

2. To be completed when confirming the article 4 direction.

Confirmed under the Common Seal of
(*Insert council name here*).....

this day of 20.....

The Common Seal of the Council was affixed to this Direction
in the presence of

Chief Executive Officer

¹¹ The development to be controlled should be described in the words of Schedule 2 to the GPDO and the description should be followed by the words 'being development comprised within Class...of Part...of Schedule 2 to the said Order and not being development comprised within any other Class'. If control is to be limited to a particular description of the development comprised within a Part, the wording should be adapted accordingly.

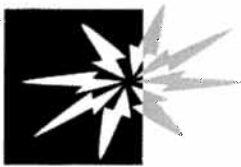
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APPENDIX 4

Other London Borough HMO Planning Approaches, August 2012

Borough	HMO Article 4 Direction Approach	Borough Planning Policy Approach
Barking & Dagenham Council	<ul style="list-style-type: none"> Barking and Dagenham have implemented borough wide Article 4 Direction A 12-month notice period was applied and this came into effect in May 2012. The justification for the Direction was based on a loss of family housing and potential impacts of welfare reform. 	<p>ADOPTED DEVELOPMENT MANAGEMENT DOCUMENT, 2011 - BC4</p> <p>The Council is seeking to preserve and increase the stock of family housing in the Borough. Consequently, when planning permission is required, the Council will resist proposals which involve the loss of housing with three bedrooms or more.</p> <p>Other proposals for flat conversions or homes in multiple occupation (HMOs) will only be considered acceptable provided that:</p> <ul style="list-style-type: none"> <input type="checkbox"/> The number of houses that have been converted to flats and / or HMOs in any road (including unimplemented but still valid planning permissions) does not exceed 10% of the total number of houses in the road. No two adjacent properties apart from dwellings that are separated by a road should be converted. <input type="checkbox"/> No significant loss of character or amenity occurs to the area as a result of increased traffic, noise and/or general disturbance. <input type="checkbox"/> Regard is had to the appropriate design, transportation, and internal and external amenity space standards policies. <input type="checkbox"/> The internal space standards required by Policy BP6 can be met for all of the proposed new dwelling units. <input type="checkbox"/> Adequate space is provided to store refuse and recycling ready for collection. <p>DRAFT DEVELOPMENT MANAGEMENT DOCUMENT, 2012 - DMD 9</p> <p>1) For conversion of existing family units into self contained flats and HMOs:</p> <p>a. Overall the development provides a high quality form of accommodation</p>
Enfield Council	<ul style="list-style-type: none"> Enfield Council is also considering an Article 4 Direction to bring small HMOs under planning control. This is in response to their latest Strategic Housing Assessment which revealed a shortage of family housing. Preliminary consultation in the form of questions in a local newsletter 'Your Enfield' 	<p>DRAFT DEVELOPMENT MANAGEMENT DOCUMENT, 2012 - DMD 9</p> <p>1) For conversion of existing family units into self contained flats and HMOs:</p> <p>a. Overall the development provides a high quality form of accommodation</p>

	<p>was undertaken over summer (2012).</p> <ul style="list-style-type: none"> Consideration is being given to a borough wide direction; however, the final scope of Article 4 Direction area is (at the time of writing) to be decided. A report will be made to Enfield's full Council on this issue in mid-September. 	<p>b. The conversion will not be detrimental to residential character, and would not result in an excessive number or clustering of conversions within a locality. To assess concentration/clustering, the following limits would be applied:</p> <ul style="list-style-type: none"> must not exceed 20% of all properties along a street; and only 1 out of a consecutive row of 5 units may be converted. <p>c. The conversion of the property will not lead to an unacceptable level of noise and disturbance for occupiers and adjoining properties;</p> <p>d. The parking and refuse storage arrangements for the scheme are adequate and do not, by design or form, adversely affect the quality of the street scene;</p> <p>2) 2) For the development of Houses of multiple occupation (HMO) only:</p> <p>a. Must have communal/shared facilities</p>
BOROUGH	HMO Article 4 Direction Approach	Planning Policy Approach
Newham Council	<ul style="list-style-type: none"> Newham Council decided to formally consult on a borough wide Article 4 Direction for HMOs in July 2012. The justification is a loss of family housing and quality anti-social behaviour issues. Parallel to this, Newham is also introducing a selective licensing scheme (under the Housing Act 2004) across the borough. A 12 month notice period to be applied before implementation to avoid risk of compensation claims. 	<p>DEVELOPMENT MANAGEMENT DOCUMENT</p> <p>This document is still under preparation and will contain detailed policies specifically related to small as well as large HMOs.</p> <p>The adopted Newham Core Strategy relates to large HMOs only and states: <i>The Council will specifically seek to protect family housing and will resist the loss of all family dwelling houses through subdivision or conversions to flats or HMOs unless exceptional circumstances prevail.</i></p>



Report for:	Cabinet, 18 September 2012	Item Number:	
Title:	Local Implementation Plan Annual Spending Submission for Transport 2013/14		
Report Authorised by:	Lyn Garner, Director of Place and Sustainability		
Lead Officer:	Malcolm Smith, Carbon Management and Sustainability		
Ward(s) affected: All	Report for Key/Non Key Decisions: Key Decision		

1. Describe the issue under consideration

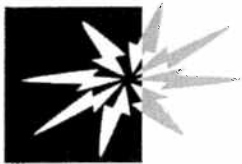
1.1 To seek approval for the submission of the Local Implementation Plan (LIP) Annual Spending Submission for 2013/14 to Transport for London (TfL).

2. Cabinet Member introduction

2.1 The Annual Spending Submission for 2013/14 contains transport schemes detailed within Haringey's LIP. This is the 3rd year of the LIP allocation that has been previously agreed by the Cabinet for the 2011/12 to 2013/14 period.

2.2 Haringey's transport programmes and strategy are aimed at supporting regeneration of the borough, encouraging a behaviour change to low carbon modes of transport, improving road safety and accessibility, minimising traffic congestion, improving air quality, reducing crime and fear of crime, and reducing CO₂ emissions.

2.3 In line with the above priorities the Annual Spending Submission for 2013/14 focuses on the completion of the widely celebrated Community street schemes in Haringey and Hornsey wards, the Tottenham Gyrotory complementary measures,



Haringey Council

plus Harringay Green Lanes corridor and Wood Green Town Centre Major scheme. Measures will be targeted at cycling and walking accessibility improvements, traffic calming and local safety schemes. The Council will continue to deliver our road safety, Community Streets/where relevant 20 mph zones, Biking Borough (cycle hub) and cycling route improvement programmes. Our smarter travel projects are aimed at travel behaviour change initiatives, and the continuation of the Smarter Travel roadshow events, targeted Personalised Travel Planning projects, and school and workplace travel planning.

3. Recommendations

3.1 The Cabinet approve the Annual Spending Submission for 2013/14 as set out in Appendix A of this report.

4. Other options considered

4.1 N/A

5. Background information

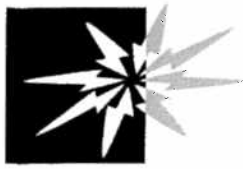
5.1 The LIP is Haringey's Transport Strategy and will form the basis for our projects and programmes to be pursued over the next 20 years. Although the Mayor's Transport Strategy provides the context for our LIP we have scope to interpret the Mayoral objectives and develop our own transport objectives.

5.2 This report sets out the content of the Annual Spending Submission for 2013/14 to TfL, providing scheme funding information for Corridors, Neighbourhoods and Supporting Measures, Principal Road and Bridge Maintenance programmes, and for the Major Scheme investment to be delivered in the borough during 2013/14. See Appendix A for scheme details. We are required by TfL to complete a proforma spreadsheet summarising our proposals.

5.3 LIP funding for transport projects is provided through 3 main categories; Corridors/Neighbourhoods and Supporting Measures, Major Schemes and Maintenance. TfL allocate funding for all categories except Major Schemes through a needs based formula. Haringey's allocation for 2013/14 is as follows:

Corridors, Neighbourhoods and Supporting Measures	£2,123,000
Principal Road Maintenance	£608,000
Local Transport Funding	£100,000

5.4 During 2013/14 all London boroughs will be required to submit a revised LIP delivery plan for the 3 year period covering 2014/15 to 2016/17, setting out details of our programme of transport schemes and funding requirements. TfL will publish borough guidance to assist with this process.



- 5.5 TfL has advised each borough to submit Principal Road Maintenance (PRM) programmes which are 25% higher than their allocation, to allow for possible reserve schemes to be brought forward. Our submission therefore will be for £760k. TfL allocate PRM funding based on an assessment of need taken from the most recent condition surveys.
- 5.6 For Bridge strengthening and assessment, Haringey are submitting a funding application for £446k, which TfL will assign in terms of pan London priority.
- 5.7 Our Wood Green Town Centre Major Scheme will require around £4.2 m allocated through TfL's 3 stage Major scheme funding process with approval of the scheme separate to the Annual Spending Submission process. Initial design work commenced in 2011/12 with further design and consultation taking place in 2012/13. Subject to TfL approval in early 2013 we expect delivery to commence in 2013/14 with completion in autumn 2014.
- 5.8 TfL states car club funding for 2013/14 should now be taken out of the borough's general LIP allocation rather than as a separate non-LIP TfL project.
- 5.9 TfL guidance makes specific reference to allow the use LIP funding as match funding for Defra funded grants to improve air quality relating to road transport. The Council has submitted Defra bids for a green wall and a "no idling campaign", which if successful will require £42.5k match funding from Haringey's 2013/14 LIP allocation. If these projects are not successful the funding will be reallocated to projects within corridors, neighbourhoods and supporting measures.
- 5.10 Our LIP provides support for the Council's aspirations to transform Tottenham set out in "A Plan for Tottenham". Measures to improve public realm such as decluttering and improving pedestrian and cycle permeability and road safety are proposed for Tottenham through a number of funding sources. Up to £400k from the following 2013/14 LIP funds will be considered: Gyratory; Local Safety; Smarter Travel. Other sources of funds will also be looked at.
- 5.11 Tottenham transport projects that we will be looking to prioritise for support in the future include:
- Wayfinding:
 1. Tottenham Hale to Tottenham Green and Tottenham High Road
 2. Tottenham Hale to Lee Valley Regional Park / Walthamstow Wetlands
 3. Tottenham Hale to Dowsett Road
 - Pedestrian crossing on Millmead Way from Hale Village linear park to Lee Valley Regional Park;
 - Tottenham Gyratory plus works (including Tottenham Hale decluttering);
 - Chestnut Road Improvements as the key pedestrian route from Tottenham Hale to the High Road.



Haringey Council

5.12 Six strategic transport projects are also being developed for Tottenham which may require some support from this and subsequent years LIP funding:

- White Hart Lane Station and Approach improvements;
- Tottenham Hale Station and West Anglia Line improvements;
- Victoria Line Extension feasibility;
- Seven Sisters Line improvements;
- Seven Sisters Station improvements;
- Crossrail 2 Line options

5.13 Our approach for prioritising LIP funded schemes over the three year period from 2011/12- 2013/14 is based on a prioritisation of Corridors and Neighbourhoods. This approach was agreed at Cabinet in September 2009 and the LIP includes a number of projects that will improve streets in the Tottenham regeneration area. The summary of the programme areas and schemes for 2013/14 are as follows:

The Corridors, Neighbourhoods & Supporting Measures:

Harringay Green Lanes corridor:

The scheme will deliver accessibility, public realm and highways infrastructure improvements to Green Lanes town centre corridor and adjacent neighbourhoods, addressing issues of congestion, road safety, urban realm, cycle and bus accessibility and bus service reliability. Scheme completion scheduled for 2013/14.

Tottenham Gyratory Complementary measures: Completion of complementary measures for the conversion of the gyratory for two-way traffic working. Incorporates 20mph zone in the residential area within the gyratory plus pedestrian and cycling accessibility measures. Completion scheduled for 2013/14.

Local safety schemes: £100k LIP funding allocated to local safety schemes and reactive safety measures. Schemes will be identified through analysis of accident statistics and will be targeted at reducing the level of killed and seriously injured casualties, especially focusing on reducing vulnerable road users [pedestrians, cyclist, powered two wheeler and child] accidents.

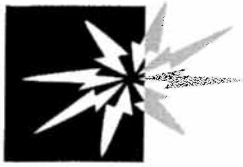
Community Street/20 mph zone - Hornsey area

Implementation of the Hornsey scheme, incorporating the area between Park Road, Tottenham Lane and Hornsey High Street/Priory Road. Scheme completion in 2013/14.

Community Streets scheme – Warwick Gardens area

Consultation and implementation of a resident led scheme to introduce cycle route and address access issues in The Gardens area. Scheme completion in 2013/14

Cycling/ Biking Borough Schemes



Haringey Council

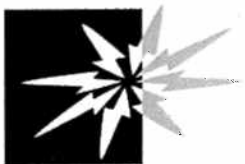
Further implementation of Greenways and London Cycle Network Links with Biking Borough measures to encourage the uptake of cycling. £100k is allocated for the cycle training programme and £21k for cycle parking.

Smarter Travel Programme

The Smarter Travel Programme for 2013/14 has a LIP budget of £632.5k for delivery of low carbon and active travel behaviour change initiatives, continuation of Smarter Travel road show events, expansion of the Personalised Travel Planning and sustainable driver training projects, road safety and cycling related school and workplace travel planning initiatives.

Local Transport funding: TfL have allocated £100,000 in 2013/14 to every London borough to develop local transport projects. Haringey will use this to match fund the Defra air quality improvement projects and funding will also be allocated for the community transport services provided by Hackney Community Transport.

- 5.14 Funding for the expansion of electric vehicle charging infrastructure has been removed from the LIP funding submission for 2013/14, as the existing charging infrastructure is currently underutilised. Once there is evidence of an increase in demand, LIP funding for charging infrastructure expansion will be reconsidered.
- 5.15 The Borough is required to report each July to TfL on the outputs from individual schemes or packages of schemes delivered during the course of the previous financial year.



Haringey Council

6. Comments of the Chief Finance Officer and financial implications

- 6.1 The Local Implementation Plan funding from Transport for London represents the majority of the funding for the Sustainable Transport capital programme and helps support the wider staffing budget within the new Single Frontline service due to fees earned from supporting the projects identified. Council funding in future years has not been agreed and will form part of the 2013/14 budget process.

7. Head of Legal Services and legal implications

- 7.1 Under section 145 Greater London Authority Act 1999 London borough councils must formulate and submit to the Mayor a local implementation plan containing proposals for implementation of the Mayor's transport strategy for London published under section 142 of the same Act. There are consultation requirements and each plan must contain a timetable for implementing the different proposals in the plan and the date by which all the proposals in the plan are to be implemented. The Mayor must then approve the plan but cannot do so unless satisfied that the plan is consistent with his transport strategy, the proposals in the plan are adequate for the purposes of the implementation of the transport strategy and that the timetable for implementation is adequate. When the plan is approved by the Mayor it must be implemented by the Council by the date set in the plan. Cabinet members are reminded that the Council has duties under equalities legislation and that regard must be had to the Equalities Impact Assessment carried out for the 3 year period 2011/12 to 2013/14.

8. Equalities and Community Cohesion Comments

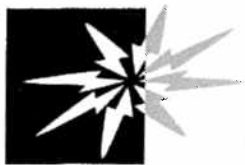
- 8.1 Paragraph 2.2 of the report summarised the benefits the programme will bring to Haringey residents. All residents will benefit, including groups that possess the equality characteristics protected by section 4 of the Equality Act 2010. An EqIA has been undertaken as part of the LIP development process for all scheme proposals for the 3 year period 2011/12 to 2013/14. The assessment found that the programme is not likely to have a disproportionate adverse impact on any of the protected characteristics. Its impact on community cohesion is likely to be positive as it would facilitate social interaction through easier access to better public transport.

9. Head of Procurement Comments

N/A

10. Policy Implication

The LIP Annual Spending Submission 2013/14 supports and delivers the objectives, policies and delivery proposals of Haringey LIP (Transport Strategy).



Haringey Council

These reflect the transport needs and aspirations of Haringey's residents and businesses and contribute towards the implementation of key priorities with the Mayors Transport Strategy covering the period 2011 to 2031.

11. Use of Appendices

11.1 Appendix A – LIP Annual Spending Submission 2013/14.

12. Local Government (Access to Information) Act 1985

12.1 TfL Local Implementation Plan Annual Spending Submission Guidance for 2013/14.

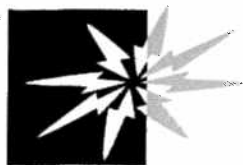
12.2 Final Haringey Local Implementation Plan, May 2010



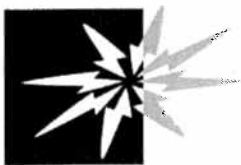
Haringey Council

Appendix A – LIP Annual Spending Submission for 2013/14

Programme Area / Scheme	Proposed LIP funding 2013/14 £k	Reasoning
Corridors, Neighbourhoods and Supporting measures		
Green Lanes	500	Completion of scheme
Tottenham gyratory complementary measures	100	Completion of scheme
Local safety schemes [specific measures to be identified]	85	Supports LIP targets
Community streets - Hornsey	100	Completion of scheme
Community streets - Warwick Gardens area	270	Completion of scheme
Biking Borough [3 rd and final year]	147	Completion of dedicated TfL funded project
Cycle training	110	Supports LIP targets
Cycle parking	21	Supports LIP targets
Smarter travel programme – active travel	138	Supports LIP targets
Smarter travel programme – cycling	310	Funding for cycling also from dedicated TfL Biking Borough funding [£54k in 2013/14]
Smarter travel programme – child casualties, travel planning	184.5	Supports LIP targets
Accessibility measures [community transport scheme]	42.5	To part fund annual community transport service provided by Hackney Community Transport [see below]. Future of community transport scheme to be considered post 2013/14. Funding also to be used for general highway accessibility measures.
Car Club	25	Support expansion of car club scheme
Cycle Audit	50	Proposal for borough wide cycle audit likely to be arising from Carbon Commission report due to go to Cabinet in October.
Match funding EU personal travel planning project	25	If funding bid not successful the funding will be re-allocated; decision expected in November/December 2012; if the

**Haringey Council**

		bid was successful a further £25k match funding would be needed in 2014/15.
Local Bus Challenge	15	Implementation of measures on bus route W3 following development work in 2012/13.
Total	2,123	
Local Transport Funding		£100k for borough to allocate.
Community Transport scheme	57.5	To fund £80k annual community transport service provided by Hackney Community Transport. Future of community transport scheme to be considered post 2013/14
Match funding for Defra Air Quality project	30	If funding bid not successful the funding will be re-allocated; decision expected in September 2012
Match funding for “no idling” campaign	12.5	If DEFRA funding bid not successful the funding will be re-allocated
Total	100	
Major Scheme Funding: Wood Green Town Centre – Mayor Scheme	4,200	Additional funding required in 2014/15. Scheme completion due in Autumn 2014/15.
Principal Road Maintenance funding:		25% increase on £608k allocation, as advised by TfL. Funding allocated on assessment of need taken from the most recent condition surveys.
Fortis Green, N2	279	
Westbury Avenue, N22	150	
High Road, N22	69	
Bounds Green Road outside tube station	64	
Bounds Green Road from Whittington Road to Nightingale Road	106	
West Green Road	92	
Total	760	
Bridges Strengthening and Maintenance Ferry Lane over River Lee [Old Lock]	15	Scheme funding allocated in terms of pan London priority.

**Haringey Council**

Ferry Lane over River Lee [Diversion]	15	
Station Road over New River	5	
Park Avenue over New River	15	
Quernmore Road footbridge	60	
Buckingham Road over rail	60	
Leeside Road over rail	25	
Wightman Road over rail	100	
Clyde Road over rail	55	
Shepherds Hill over disused rail	12	
Cornwall Road over disused rail	5	
Belmont Road over disused rail	12	
Westbury Avenue over disused rail	12	
Watermead Way	25	
Springfield Avenue retaining wall	30	
Total	446	



Haringey Council

Report for:	Cabinet Committee	Item Number:	
Title:	Options for the Future of John Loughborough School		
Report Authorised by:	<i>Libby Blake</i> Libby Blake – Director Children and Young People's Service		
Lead Officer:	Jan Doust		
Ward(s) affected: All		Report for Non Key Decisions:	

1. Describe the issue under consideration

- 1.1. John Loughborough is a small secondary school with an admission limit of 300 pupils. It is a Voluntary Aided church school owned and operated by the South England Conference of Seventh-day Adventists (SEC) but maintained by the local authority.
- 1.2. Five inspections in the past ten years have shown a decreasing capability of the school to achieve the standards expected. The most recent was an inspection in December 2011 which, for the second time, placed the school in 'special measures'. This report is the result of a review initiated by the Director of Children's Services to examine the school's educational and financial viability and options for its future.

2. Cabinet Member introduction

- 2.1. A number of agencies have provided extensive support to help John Loughborough to improve its standards in the last 10 years, including Haringey Council, The Seventh day Adventist Church and London Challenge. Despite this there has been a history of inadequate performance in the school helping its pupils to achieve high standards. Most recently this was articulated in an Ofsted report, the second in succession, which found the school to need 'special measures'.



Haringey Council

2.2. C&YPS officers have worked with members of the Seventh day Adventist Church on a review of the school which examined a wide range of options for its future and have concluded that only two options are open. One of these options, which will be pursued by the Seventh Day Adventist Church, is to establish the school as a sponsored academy. The other option, and the one proposed herein to Cabinet, is to consult on the closure of the school. Both of these options would be pursued in parallel, to avoid delay in finding the best solution for current and future cohorts of pupils.

2.3. I therefore recommend to Cabinet that the Local Authority consults on closure of the school. This consultation could be terminated should the Church secure an academy proposal and sponsor that is approved by the Secretary of State.

3. Recommendations

3.1. Following careful consideration of the underperformance of John Loughborough School and the lack of success in attempts to create sustained improvement from other methods of intervention, it is recommended that the Cabinet agrees to commence consultation on closure of the school.

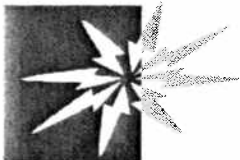
3.2. Further, it is recommended that Cabinet agrees to authorise the Lead Member for Children Services, in consultation with the Director of C&YPS, responsibility for deciding whether to issue a Statutory Notice proposing closure, following the completion of the consultation period. The issuing of a Statutory Notice would mark the start of a six-week representation period, following which the final decision on the future of the school would be taken by Cabinet.

3.3. In parallel with this process, the South of England Conference of Seventh Day Adventists (SEC) will work to identify a sponsor that is confident that they could overcome the challenges identified in the review and support the school to become an academy. The Local Authority would terminate consultation on school closure if the Secretary of State enters into academy arrangements following any approval for an academy application by SEC for the school.

4. Other options considered

4.1. The following options were considered by the review group:

- Continuation of current strategy for school improvement.
- Soft Federation
- Hard Federation
- Amalgamation
- Suspension of delegated authority and/or the establishment of an Interim Executive Board (IEB) by the Local Authority.
- Conversion to an academy
- Closure

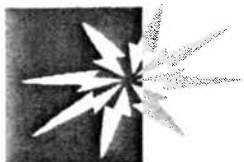


Haringey Council

4.2. The options appraisal is included in full in the review report (see Appendix 1), and summarised below:

- Continuation of current strategy for school improvement – This option is not recommended because several different school leadership teams, supported by extensive advice and funding from a range of sources, have failed to secure a sustainable solution to achieving the high educational standards that should be expected for pupils, parents, the Council and the SEC.
- Soft Federation – This option is not recommended as an option because it is unlikely that a 'soft federation' (where no formal governance is in place) will be any more successful than the previous attempts over some years using the same approach. The option would not deal with the school's fundamental weaknesses in leadership and teaching, nor improve its popularity.
- Hard Federation - This option is not recommended because it is unlikely that an acceptable hard federation with an outstanding school can be established to achieve the expected outcomes, aligned to the faith ethos of John Loughborough School.
- Amalgamation - This option is not recommended because it is unlikely that within the expected timescale there is another successful school that would be prepared to undergo the challenge of amalgamation with John Loughborough school
- Suspension of delegated authority and/or the establishment of an Interim Executive Board (IEB) by the Local Authority – This option is not recommended as a long term solution because it has already been tried and proved unsuccessful in establishing sustained improvement.
- Conversion to an academy. In the right circumstances, the Government is supportive of schools converting to Academies. An academy is an approach that has not been tried previously and which, with the right sponsor, may have some potential to secure sustained improvement. The review concluded that the South of England Conference would pursue this option, based on their wish to see the continuation of the school.
- Closure. This option is recommended to Members as the preferred option which would best mitigate the high risk of current and future generations of pupils having an unsatisfactory education at the school.

4.3. The review concluded that the last two options, Academy status and closure, should be explored further and would be best done in parallel – the former led by SEC the latter by the Local Authority - to avoid delay in finding the best solution for current and future cohorts of pupils.

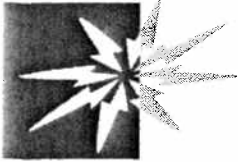


Haringey Council

5. Background information

- 5.1. John Loughborough School was originally established in 1980 in response to the dissatisfaction of Seventh Day Adventist parents of African Caribbean heritage with their children's poor level of attainment in London schools. It was established with the objectives of providing Christian education for Seventh-day Adventists and the wider faith community, and addressing the poor levels of academic attainment prevalent amongst pupils of black ethnicities at that time.
- 5.2. In 1998 the Secretary of State for Education and Employment approved the school's application for Grant Maintained status. This new status was implemented in September 1998. A year later the school was converted to Voluntary Aided (VA) status as a result of government legislation removing Grant Maintained schools from the education structure.
- 5.3. Ofsted and HMI inspections have shown that in recent years it has not been possible for the school to consistently deliver an acceptable standard of education. The school has been in an Ofsted category of concern since February 2007, and the most recent inspection in December 2011 placed the school in 'special measures' for the second time because in the view of the inspectors:

'...it is failing to give its students an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement.'
- 5.4. Following discussion with the school's Chair of Governors and Education representatives of the SEC, the Director of Children's Services decided that there should be a formal review of the viability of the school to enable Cabinet to reach a decision about its future.
- 5.5. The school currently falls within the scope of the powers of the Secretary of State to either issue an Academy Order, direct an Interim Executive Board or direct closure. The Local Authority is required to write to the Secretary of State explaining the circumstances of any school that is subject to two subsequent periods in an Ofsted category of concern. The decision of Cabinet will provide the basis on which to write to the Secretary of State.
- 5.6. In April 2012 the Council established a review team, with representatives from Haringey Council and SEC and external challenge provided by an experienced educational consultant familiar with the school. The full report of the review team is attached at Appendix 1 and summarised below.



Haringey Council

5.7. The review covered:

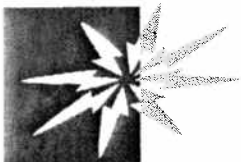
- The demand for places at the school by Seventh Day Adventist families and the services that the school provides to these families;
- The quality of education provided by the school, including the reasons for the poor outcomes and the potential for securing rapid and sustained improvement;
- The financial viability of the school in the current circumstances;
- The position of the school within Haringey's overall place planning requirements and the implications of any change in these arrangements for school organisation planning;
- Recommendations on the actions that must be taken with respect to the school in the short, medium and long term.

5.8. The objectives of the review were to:

- establish a clear decision about whether the school is:
 - Educationally viable
 - Financially viable
- If the school is both educationally and financially viable, establish:
 - The options for the most effective way to secure rapid and sustained improvement;
 - The recommended option for improvement
 - The processes and structures to ensure this is achieved
 - The outcomes expected by key milestones
 - The consequences of outcomes not being achieved.
- If the school is judged to be unviable either educationally or financially, establish:
 - The options available to SEC, LBH and DfE
 - The recommended option of the review team.

5.9. The review team examined trends in key performance indicators over 5 to 10 years. The evidence included:

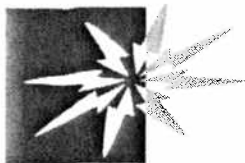
- Ofsted reports of full inspections and monitoring visits
- Raiseonline data, especially outcomes for pupils
- Attendance
- The performance of minority groups
- Parental preference for school admissions
- Annual budget out-turns



Haringey Council

5.10. Review conclusions:

- i. The review team unanimously concluded that the school as currently organised has not been educationally viable because the quality of education it provides has been consistently inadequate. The main reason for these poor outcomes is largely the inability of the leadership of the school over the last five years to establish a culture of high expectations matched by effective teaching in all classes.
- ii. The school was established to meet the needs of Seventh Day Adventist (SDA) parents, although only about one third of pupils are now from SDA families. The school is selected by very few parents as a preference of secondary school for their children at age 11. A number of parents do choose the school in later years when in-year admissions help to fill vacant school places. Pupils joining the school through this route usually continue for the duration of their secondary education.
- iii. A number of consultant school leaders working with specialist advisers have previously attempted to turn the school around, without securing significant and sustained improvement. The SEC has provided extensive support both financial and advisory, again without a sustained impact on outcomes. The recent appointment by the SEC of a consultant headteacher has shown some early signs of improvement, but such indicators have been evident in earlier attempts and this experience suggests that the use of such consultants is not a sustainable solution in the long term.
- iv. Up to 2008 the school managed its budget effectively. In 2008 the pupil roll fell, leading to a large deficit. The SEC implemented a plan to eliminate the deficit by 2013, by which time it considers that the school will once more be viable. The Local Authority has some reservations about viability because of the sustained improvements that must be made in educational outcomes in order to give confidence to prospective parents selecting secondary schools.
- v. A comprehensive range of statutory intervention measures available to the Local Authority has been used previously, including suspension of delegated powers and establishing an Interim Executive Board in 2007. The IEB had some beneficial impact in the short term in establishing a new leadership team and improving governance. However, in October 2009, by which time the school had resumed responsibility for its own governance and leadership, it was judged to require special measures by Ofsted.
- vi. The review examined the potential of a wide range of options for securing rapid and sustained improvement.
- vii. All parties to the review concluded that the only potential option that might retain John Loughborough School would be for the school to become a sponsored academy. It was agreed that the SEC would work to secure a sponsor that is confident that they could overcome the challenges identified in the review and support the school to become an academy. In parallel with this, the Local Authority would put a proposal to consult on closure before the Council's Cabinet. This will not negate further work to secure a sponsor, as



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consultation can be terminated if the Church secures an acceptable academy proposal and sponsor that is approved by the Secretary of State. Pursuing both options in parallel will avoid delay in finding the best solution for current and future cohorts of pupils.

5.11. Closure process and options - The five statutory stages for closing a school are summarised in the table below, with indicative timescales:

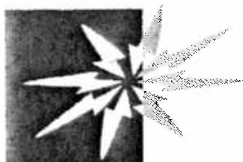
Statutory Stage	Description	Timescale
1	Consultation on proposed closure	Recommended minimum of six weeks – <i>October-November 2012</i>
2	The publication of a statutory notice setting out the proposal in detail	One day
3	Representation – an opportunity for stakeholders to express views on the proposals.	Must be six weeks and cannot be shortened or lengthened to take into account school holidays – <i>January-February 2013</i> .
4	Decision – final decision on whether the closure should go ahead, having considered all of the relevant information.	Within two months of the representation period finishing – <i>Spring 2013</i>
5	Implementation – the school closes	As set out in the published statutory notice, subject to any modifications agreed – <i>from September 2013</i>

5.12. There are three key decision points where members will decide on how to proceed:

- The first decision is whether to commence consultation on closure. This report recommends that Cabinet agrees to begin that process.
- The second decision is whether, following the first period of consultation, the Council issues a Statutory Notice setting out proposals for closure (and initiating the representation period). It is recommended that Cabinet agrees to authorise the Lead Member for Children's Services, in consultation with the Director of C&YPS, the responsibility for this decision
- The third is to take the final decision on whether or not to close the school. It is recommended that this is a Cabinet decision.

5.13. It is proposed that closure commences from September 2013. The possible arrangements for managing closure fall under three broad approaches:

- Phased closure – the school closes to new year 7 pupils from September 2013 but remains open for all current pupils to complete their secondary education with John Loughborough
- Immediate closure and transfer – the school closes in July 2013 and all pupils transfer to other local schools in September 2013

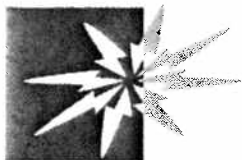


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- Some combination of the two e.g. upon closure pupils in the lower years transfer to other local schools whilst older pupils remain and sit their GCSEs at John Loughborough
- 5.14. Please see Appendix 2 'Options for the closure of John Loughborough school' for further detail on these approaches and the implications for the overall provision of secondary school places in Haringey.
- 5.15. At this stage, no preferred option for closure is being put forward. If it is agreed following the consultation period that the proposal should proceed to the next stage then we will publish a Statutory Notice setting out a detailed plan for closure of the school that takes into account both the outcomes from the consultation and the initial findings from the EqlA. There would then follow a statutory period of representation in which stakeholders can comment on the plan that is put forward. Whichever approach is taken, we want to ensure that:
- Affected children have access to education that is good or outstanding
 - Parents/carers are able to have their say in what they want for their children
 - Any transition does not impact negatively on affected children's progress
- 5.16. It is currently projected that from 2018/19, based on current admission limits, there will be insufficient year 7 places to meet demand. Around this time, the number of places will need to be increased to accommodate the higher numbers of children currently working their way through the primary sector. If John Loughborough School closes, the date for this increase in year 7 places may need to be brought forward by one or two years. There are viable alternatives for how to meet this increased demand within the remaining secondary school provision.

6. Comments of the Chief Finance Officer and financial implications

- 6.1. As part of the review of the school, the Head of Finance for Children and Young People's Service contributed to the assessment of the school's financial viability. This concluded that, on the basis of the current funding methodology, the school was viable only with the extensive and sustained support from the SEC, i.e. from the Council's perspective the school is financially unviable. It further concluded that with the financial support delivering poor outcomes for children it provided poor value for money.
- 6.2. It is also clear that the changes to Education Funding being proposed from April 2013 will provide further financial challenges to small schools generally and therefore John Loughborough School specifically.
- 6.3. At the end of the 2011-12 financial year John Loughborough School had moved to a position of having a small deficit (c£52,000) with a 2012-13 budget being set to extinguish this remaining deficit; this represented the finalisation of the budget



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recovery plan supported through additional sums provided by the SEC. At the point of closure any remaining balance (either surplus or deficit) will revert to the Dedicated Schools Grant (DSG)

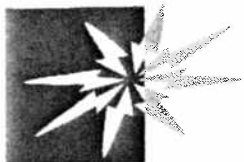
- 6.4. The closure of a school also brings a number of financial challenges as it is sometimes difficult to match the resources needed to maintain a satisfactory educational provision for the pupils remaining to those resources available. Consideration of the management of the financial issues associated with closure will also therefore be important should the ultimate decision be for the school to close.
- 6.5. If the SEC is successful in identifying a sponsor to take forward the academy proposals, any surplus remaining would, under normal circumstances, transfer to the successor academy although a deficit would again revert as a charge against the Council's DSG.

7. Head of Legal Services and legal implications

- 7.1. The Head of Legal Services has been consulted and advised on the review and notes the contents of the report.
- 7.2. *The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended)* made under the *Education and Inspections Act 2006* (the 'EIA') provide that those publishing proposals bringing forward statutory proposals to discontinue a school must consult with interested parties and in doing so must have regard to the Secretary of State guidance.
- 7.3. The Department for Children, Schools and Families (now the Department for Education) *Closing a Maintained Mainstream School - A Guide for Local Authorities and Governing Bodies*, contains both statutory and non statutory guidance on the process for closing a maintained mainstream school which the Local Authority must have regard to. This guidance is attached at Appendix 4 to this report.
- 7.4. The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in the report

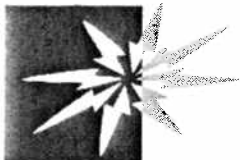
8. Equalities and Community Cohesion Comments

- 8.1. An Equalities Impact Assessment (EqIA) has been initiated and is attached at Appendix 3. This is an initial assessment of the potential impact of closure, based on the findings of the review and consideration of relevant data. It will be updated following the consultation period to address any issues arising from consultation and to provide further assessment of any detailed proposal for closure that may then be put forward. It will be further updated following the representation period, should the proposal reach that stage. This will ensure that equalities considerations inform each decision that is taken.



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- 8.2. The proposal to consult on closure flows from the review team's judgement that all other options open to the Local Authority carry an unacceptably high risk of current and future generations of pupils continuing to receive an unsatisfactory education. Nevertheless, school closure would cause significant disruption to existing pupils and reduce the range of secondary school choices available to prospective pupils.
- 8.3. Undoubtedly, closure would have a negative impact on those Seventh Day Adventist families who prefer their children to be educated in a school that embodies the ethos of their religion (over a third of current pupils are Seventh Day Adventists). John Loughborough is the only state Seventh Day Adventist secondary school in the country. Stanborough School in Watford is a Seventh Day Adventist secondary school, however it is a considerable distance away and is fee-paying so would not be a suitable alternative for many parents.
- 8.4. The disruptive effect of closure on pupils attending John Loughborough School would disproportionately fall on pupils from BME groups, as no White British pupils currently attend. Relative to Haringey secondary schools overall there are particularly high proportions of Black Caribbean, Romany Gypsy, East European and Latin/Central/South American pupils, therefore these groups would be particularly affected.
- 8.5. Whilst John Loughborough has a relatively low proportion of pupils with SEN, they nevertheless are a vulnerable group who could be particularly affected by closure of the school (though this could be mitigated by good transition planning).
- 8.6. Potentially set against these negative impacts is the opportunity for school closure to lead to current and would-be future pupils receiving a better quality of education elsewhere. This potential positive impact cannot yet be assessed in detail as no specific proposal for closure is being put forward at this stage. It will be a central consideration when evaluating possible arrangements for closure and will be looked at in relation to the protected groups.
- 8.7. Specific actions to mitigate negative impact and maximise positive impact will be identified as part of putting forward a detailed proposal for closure. Any proposal will be informed by the initial findings of the EqIA:
- Maximising positive impact – consider potential for closure to improve educational attainment for current and future pupils
 - Religion – consider suitability of arrangements for different religious groups (including choice of alternative schools available), whether any group would be disadvantaged and how this could be avoided or minimised
 - Ethnicity – proposals will need to be cognisant of the predominant ethnic groups amongst John Loughborough pupils and consider suitability of proposed arrangements in light of this. Any proposal for transfer of pupils will need to consider historical attainment of predominant ethnic groups in receiving schools.



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- SEN – proposals will need to take into account the needs of pupils with SEN. The Council's inclusion Service will be involved in further work on options.

8.8. Whilst in the review the most significant consideration was given to the needs of pupils to receive a good education, closure would also have an impact on the staff at the school. In the consultation period, the staff of the school will form an important consultative group where their views will be gathered and considered. In the event of school closure a separate Equalities Impact Assessment would be carried out as part of the process.

9. Policy Implications

9.1. Council Priority 4: Improve school standards and outcomes for young people.

The report outlines the concerns about the quality of education at John Loughborough school, which does not meet with the Council's vision, aim and expectation that all children have the opportunity to achieve their potential.

9.2. Resources

Significant resources, including a major capital investment through Building Schools for the Future (supported by a £500k contribution from SEC) and revenue in the form of grants to support school improvement have not been built on by the school to secure improvements. The school does not therefore give value for money because of the inadequate education it provides.

9.3. Staff

Any proposal to close John Loughborough School would also affect school staff. Proposed changes to their employment would be the subject of a separate staff and trade union consultation, supported by a specific Staffing Equalities Impact Assessment.

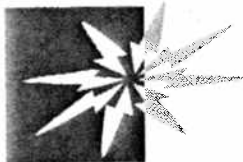
10. Use of Appendices

Appendix 1 – John Loughborough Review report June 2012

Appendix 2 – Options for the closure of John Loughborough School

Appendix 3 – Equalities Impact Assessment

Appendix 4 – Closing a Maintained Mainstream School - A Guide for Local Authorities and Governing Bodies



Haringey Council

11. Local Government (Access to Information) Act 1985

The review on which this report is based drew on a wide range of information, principle amongst which was:

- The appendices to this Cabinet paper
- Ofsted inspection reports on the school from 2002 to 2011 (10 reports)
<http://www.ofsted.gov.uk/inspection-reports/find-inspection-report/provider/ELS/102167>
- *Schools Causing Concern – guidance for Local Authorities*
<http://www.education.gov.uk/aboutdfe/statutory/g00192418/scc>
- School Standards and Framework Act 1998
<http://www.legislation.gov.uk/ukpga/1998/31/contents>
- Education and Inspections Act 2006 (“the 2006 Act”)
<http://www.legislation.gov.uk/ukpga/2006/40/contents>
- Apprenticeships, Skills, Children and Learning Act, 2009 (ASCL Act)
<http://www.legislation.gov.uk/ukpga/2009/22/part/10/chapter/1>
- The School Governance (Transition from an Interim Executive Board)(England) Regulations 2010 (Transition Regulations)
<http://www.legislation.gov.uk/uksi/2010/1918/contents/made>
- Academies Act 2010
<http://www.legislation.gov.uk/ukpga/2010/32/contents>
- Education Act 2011
<http://www.legislation.gov.uk/ukpga/2011/21/contents>
- *Closing a Maintained Mainstream School* (Feb 2010) – Department for Children, Schools and families (now the Department for Education)
<http://dera.ioe.ac.uk/11215/>
- *The School Organisation (Establishment and Discontinuance of School) (England) Regulations 2007 (as amended)*
<http://www.legislation.gov.uk/uksi/2007/1288/contents/made>
- *Equality Act 2010*
<http://www.legislation.gov.uk/ukpga/2010/15/contents>

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Children's Service

Review of John Loughborough School

June 2012

1. JOHN LOUGHBOROUGH SCHOOL - BACKGROUND

- 1.1. The John Loughborough Seventh-day Adventist Voluntary Aided School is situated in the London Borough of Haringey in Tottenham, North London. It is owned and operated by the South England Conference of Seventh-day Adventist Church (SEC) but publicly funded.
- 1.2. The school has been in operation since April, 1980.
- 1.3. The John Loughborough School was established firstly because of the dissatisfaction of the Seventh-day Adventist parents of African Caribbean heritage with their children's poor academic performance provided by London schools. A further driver was that African Caribbean parents were troubled by the de-stabilising of their children and weakening of their religious values in secular schools.
- 1.4. The main purposes for the creation of The John Loughborough School were:
 - To provide Christian education for Seventh-day Adventist children and the wider faith community.
 - To counter the Black children's underachievement problems that existed in London schools.
- 1.5. In 1998 the Secretary of State for Education and Employment approved the school's application for Grant Maintained status. This new status was implemented in September, 1998. A year later the school's was converted to Voluntary Aided (VA) status as a result of the government legislation, removing Grant Maintained schools from the education structure. The decision by the South England Conference to pursue the Voluntary Aided status was primarily for three reasons:
 - To provide Seventh-day Adventist children in the London area with greater access to Christian education;
 - To improve the provision of learning resources for the school;
 - To strengthen the financial viability of the school.
- 1.6. In December 2011 an Ofsted inspection concluded that the school should be placed in 'Special Measures'.
- 1.7. The December 2011 Ofsted judgement is the latest in a pattern of 12 inspections over the last 10 years which shows it has not been possible for the school to consistently deliver an acceptable standard of education. Therefore, in March 2012 the Local Authority proposed to conduct a review of the school, in partnership with SEC, that would lead to a decision about the future of the school.
- 1.8. John Loughborough school now falls within the scope of the powers of the Secretary of State to either issue an Academy Order, direct an Interim Executive Board or direct closure. The Local Authority is required to write to the Secretary of State explaining the circumstances of any school that is subject to two subsequent periods in an Ofsted category of concern.
- 1.9. Following discussion with the Chair of Governors and Education representative of the SEC, the Director of Children's Services decided that there should be a formal review of the viability of the school and invited the SEC to work in partnership with the Authority.
- 1.10. From January 2012 the school has been working with a consultant headteacher from Chingford Foundation School, appointed by SEC.

2. THE REVIEW FRAMEWORK

- 2.1. The review covered:
- The demand for places at the school by Seventh Day Adventist families and the services that the school provides to these families;
 - The quality of education provided by the school, including the reasons for the poor outcomes and the potential for securing rapid and sustained improvement;
 - The financial viability of the school in the current circumstances;
 - The position of the school within Haringey's overall place planning requirements and the implications of any change in these arrangements for school organisation planning;
 - Recommendations on the actions that must be taken with respect to the school in the short, medium and long term.
- 2.2. Additionally the review was cognisant of the founding purposes of John Loughborough school which are outlined in paragraphs 1.4 and 1.5 above.
- 2.3. The review was under-pinned by an Equalities Impact Assessment.
- 2.4. The objectives of the review were to:
- establish a clear decision about whether the school is:
 - Educationally viable
 - Financially viable
 - If the school is both educationally and financially viable, establish:
 - The options for the most effective way to secure rapid and sustained improvement;
 - The recommended option for improvement
 - The processes and structures to ensure this is achieved
 - The outcomes expected by key milestones
 - The consequences of outcomes not being achieved.
 - If the school is judged to be unviable either educationally or financially, establish:
 - The options are available to SEC, LBH and DfE
 - The recommended option of the review team.
- 2.5. The review team comprised representatives from both Haringey Council and SEC. An experienced educational consultant provided external challenge to the review team's analysis and judgements. The review team reported to the Deputy Director Children's Services as the project sponsor and subsequently to a project panel comprising Director, Deputy Director and Lead member for Children's Services.
- 2.6. The review team examined trends in key performance indicators over 5 to 10 years. The evidence included:
- Ofsted reports of full inspections and monitoring visits
 - Raiseonline data, especially outcomes for pupils
 - Attendance
 - The performance of minority groups
 - Parental preference for school admissions
 - Annual budget out-turns

Data considered is included at Appendix 1.

3. CONCLUSIONS

- 3.1. The review team unanimously concluded that the school as currently organised has not been educationally viable because the quality of education it provided has been inadequate. The main reason for these poor outcomes is largely the inability of the leadership of the school over the last five years to establish a culture of high expectations matched by effective teaching in all classes.
- 3.2. The school was established to meet the needs of Seventh Day Adventist (SDA) parents, although only about one third of pupils are now from SDA families. The school is selected by very few parents as a preference of secondary school for their children at age 11. A number of parents do choose the school in later years when in-year admissions help to fill vacant school places. Pupils joining the school through this route usually continue for the duration of their secondary education.
- 3.3. A number of consultant school leaders and specialist advisers have attempted to turn the school around without significant and sustained improvement. The SEC has provided extensive support both financial and advisory, without a sustained impact on outcomes. The recent appointment by the SEC of a consultant headteacher has led to early signs of improvement but such indicators have been evident in earlier attempts and this approach is not a sustainable solution in the long term.
- 3.4. Up to 2008 the school managed its budget effectively. In 2008 the pupil roll fell, leading to a large deficit. The SEC implemented a plan to eliminate the deficit by 2013, by which time it considers that the school will once more be viable. The Local authority has some reservations about viability because of the improvements that must be made in educational outcomes in order to give confidence to prospective parents selecting secondary schools.
- 3.5. A comprehensive range of statutory intervention measures available to the Local Authority has been used previously, including suspension of delegated powers and establishing an Interim Executive Board. Once the school has taken back responsibility for its own leadership progress has not been sustained, as evidenced in subsequent Ofsted inspection reports.
- 3.6. The review examined the potential of a wide range of options for securing rapid and sustained improvement.
- 3.7. All parties to the review concluded that only one potential option is open to retain John Loughborough School – for the school to become a sponsored academy. If a sponsor cannot be secured by end July, a proposal to consult on school closure will be put before the Council's Cabinet Committee. This will not negate further work to secure a sponsor, but will enable the lengthy timescales for school closure to proceed in parallel.

4. RECOMMENDATIONS

- 4.1. The review recommends a 'twin track' approach to finding an academy sponsor and to consult on school closure. Progress made by the SEC to secure an academy sponsor will be taken into account by the Local Authority in its statutory processes. If a sponsor is secured and agreed by the Secretary of State, the Local Authority will terminate its closure consultation process.

5. THE REVIEW FINDINGS

The review team considered the school's viability from both an educational and a financial perspective. It concluded that:

Educational viability:

- 5.1. The school as currently organised is educationally unviable because:
- it is not achieving sufficiently high standards and outcomes for its children. Attainment in the 5+ A*-C GCSE (incl English & Maths) indicator is below the floor target and has been falling over the last three years. Whilst a key weakness in mathematics appears to be showing some improvement this year, by itself this would not be enough for the school to come out of a category of concern, especially under the new Ofsted framework.
 - Ofsted reports have judged the progress that pupils make to be inadequate in each of the last four inspections. Pupil progress in the school is now very weak compared to most schools nationally. The attainment and progress of Black African pupils is of particular concern because it is poor in both English and Maths.
 - the evidence from successive inspection reports shows that teaching, leadership and management is ineffective. The school is in the 9% of secondary schools nationally judged 'inadequate' and no other school in Haringey has exhibited such little improvement in full Ofsted inspections in the past five years.

Financial Viability:

- 5.2. Until 2008, the school managed its budget effectively, but in 2008 pupil numbers, and consequently revenue, fell. The SEC established a recovery plan and has supported the school to recruit pupils and reduce yearly deficits and staff costs. The SEC forecasts the school to have a balanced budget by 2013, beyond which it believes that the school will be financially viable.
- 5.3. The Local Authority has identified potential challenges to future financial viability, based on the patterns of parental preferences at year 7, changes to schools' funding and, more significantly, the quality of education that could be provided from the available resources.
- 5.4. The school has had very substantial financial support from the SEC, the Local Authority and government in the past five years. It is clear from the outcomes achieved that this investment has not provided the value for money that might have been expected.
- 5.5. Conversion to an Academy might enable the school to deliver good educational outcomes on a cost-effective basis, but the case for this approach is yet to be evaluated.

6. THE OPTIONS CONSIDERED

6.1. The review team considered a number of options to address the educational and financial viability of the school. The options fell into two categories – those within the powers of the local authority and those within the powers of the Secretary of State.

6.2. The Local Authority has powers to:

- appoint new governors
- remove the delegation of the school's budget
- require a badly performing school to link up with a well performing one
- create an interim executive board
- close, merge or otherwise re-organise the school
- request an Ofsted inspection

6.3. Apart from directing the Local Authority to use its powers of intervention, the Secretary of State also has powers to:

- appoint additional governors
- direct the closure of the school
- appoint an Interim Executive Board
- Make an Academy Order

6.4. With these powers in mind, the following options were considered:

- Continuation of current strategy for school improvement.
- Soft Federation
- Hard Federation
- Amalgamation
- Suspension of delegated authority and/or the establishment of an Interim Executive Board (IEB) by the Local Authority.
- Academy status
- Closure

Evaluation of the Options:

Option 1: Continuation of current strategy for school improvement.

This option is not recommended because to continue with this approach without extensive structural change in leadership or teaching would prove poor value for pupils, parents, the Council and the SEC.

Many schools have had weaknesses from time to time and there is a body of experience which demonstrates that applying effective leadership and management to improve teaching quality can progressively lead to good outcomes for pupils. This experience has been the subject of very well resourced interventions in John Loughborough for many years, including links with leading schools.

Nevertheless, the overall quality of leadership and teaching has remained stubbornly inadequate. The review team did not seek to further define the reasons for such sustained inadequacy, but it is clear that the long term ineffectiveness of school leadership, the size of the school and its inspection history each place important constraints on the pool of potential leaders and teaching recruits available.

Since January 2012 the SEC and governing body have engaged a consultant headteacher, from another school. Whilst the school and SEC feels empowered in this approach and has greater ownership of change, the review team agreed that this approach is unsustainable in the medium or long term. Similar arrangements have been tried several times previously with other experienced headteachers, funded by London Challenge or by the Church and working as consultants. Such history suggests that however good the current support is from another school, without some fundamental structural change it is unlikely to have a lasting impact on improvement at John Loughborough.

This option is not likely to be acceptable to the Secretary of State.

Option 2: Soft Federation

This is not recommended as an option because it is unlikely that a 'soft federation' (where no formal governance is in place) will be any more successful than the previous attempts over some years using the same approach. The option would not deal with the school's fundamental weaknesses in leadership and teaching.

The option is not likely to be acceptable to the Secretary of State.

Option 3: Hard Federation

This option is not recommended because it is unlikely that an acceptable hard federation with an outstanding school can be established to achieve the expected outcomes, and particularly one aligned to the particular faith ethos of John Loughborough School.

The option is unlikely to be acceptable to the Secretary of State outside an academy order.

Both soft and hard federations have reportedly been discussed as ways forward previously and dismissed as viable options by the school.

Option 4: Amalgamation

This option is not recommended because it is unlikely that within the expected timescale there is another successful school that would be prepared to undergo the challenge of amalgamation with John Loughborough school. Amalgamation is also likely to require fundamental changes to the nature of John Loughborough's SDA ethos. The school site is too small for higher numbers of pupils and the other options of split sites or wholesale removal to another site would create major challenges.

The option is not likely to be acceptable to the Secretary of State.

Option 5: Suspension of delegated authority and/or the establishment of an Interim Executive Board (IEB).

This option is not recommended as a long term solution because it has already been tried and was unsuccessful in establishing sustained improvement. An IEB was established following the 2007 Ofsted inspection. Despite extensive resources to support the school and the best endeavours of the IEB to establish rapid change, including the appointment of a new headteacher and a revised governing body, the Ofsted reports in 2009 and 2011 showed that improvements were not embedded and that fundamental weaknesses remained.

As a Local Authority action, the option is not likely to be acceptable to the Secretary of State. It is also not a long-term solution, merely an 'enabling step' for other processes.

Option 6 : Academy status

The review concluded that the South of England Conference should pursue this option.

With the right sponsor, the option has the potential to provide good access to the skills, expertise and resources needed to make the school successful. Any sponsor would need to be approved by the Secretary of State.

Option 7 : School Closure

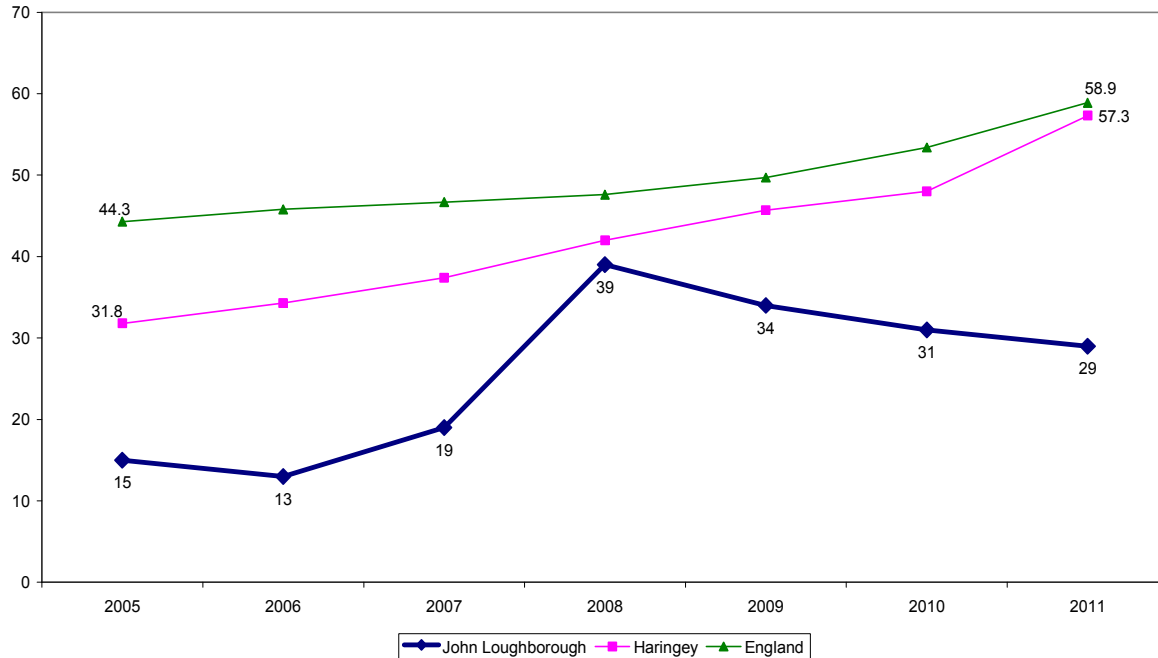
This option is recommended as the only option available under the Local Authority's powers which mitigates the high risk of current and future generations of pupils having an unsatisfactory education at the school. If this recommendation is adopted solution, the authority has statutory responsibilities for a consultation process.

Appendix 1 – Data considered by the review group

1) Attainment at GCSE

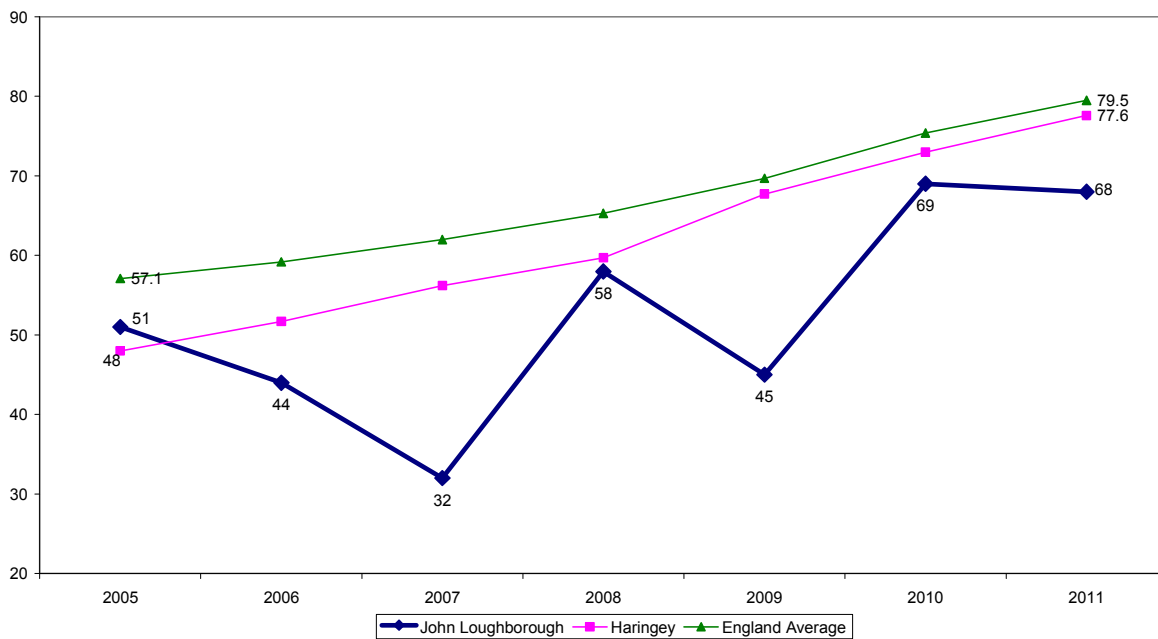
1(a) GCSE 5+ A* - C (including English and maths)

Trend in 5+ A* - C (including English and maths)



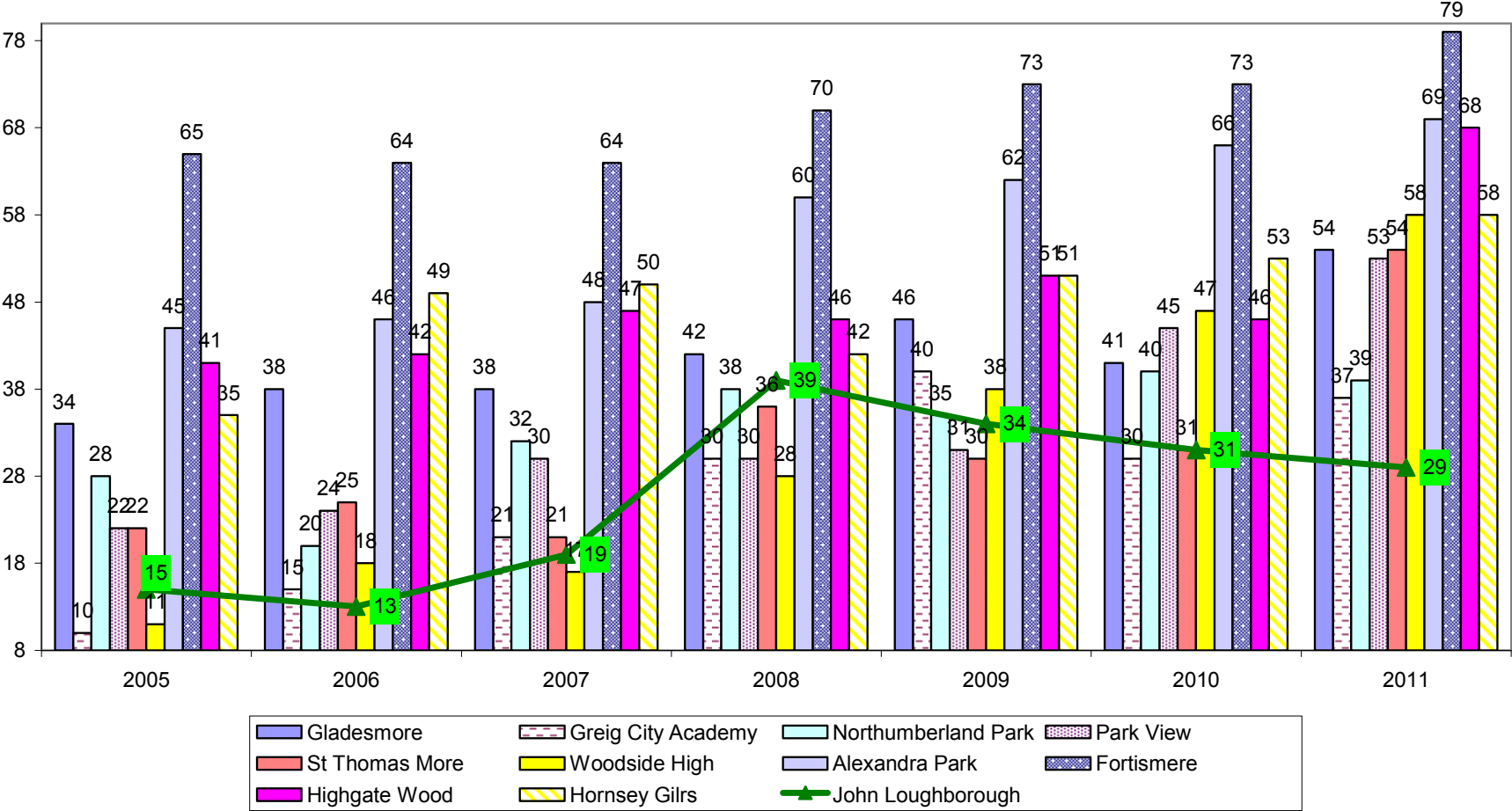
1(b) GCSE 5+ A* - C

Trend in 5+ A* - C



1(c) Comparison to other Haringey schools

Trend in 5+ A* - C (inc English and maths) for John Loughborough compared to other Haringey schools (2005-2011)

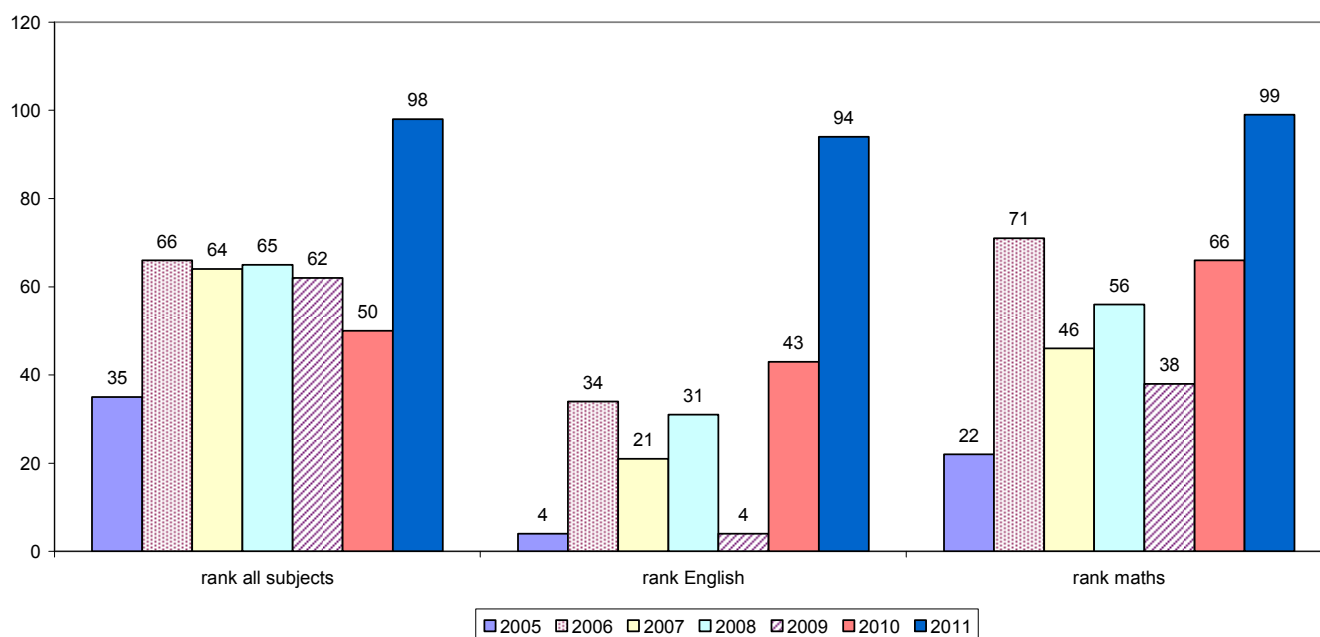


1(d) Trend in the ranking of the school using contextual value added (2005-10) and value added (2011)

'Contextual value added' is a way of measuring the progress pupils make from Key Stage 2 to GCSE that takes into account factors such as gender, ethnicity, eligibility for free school meals and levels of special educational needs. In 2011 the Department for Education replaced 'contextual value added' with 'value added' – this measure disregards any such contextual factors.

John Loughborough rank trend
2005-10 ranking uses contextual value added, 2011 ranking uses value added
2011 rank for all subjects uses best 8 subjects

The rank number gives the school's position compared to all other schools in England. A rank of 1 is in the top 1 percentile, a rank of 94 is in the bottom 6th percentile.



1(e) Basics thresholds by Ethnicity - 2011

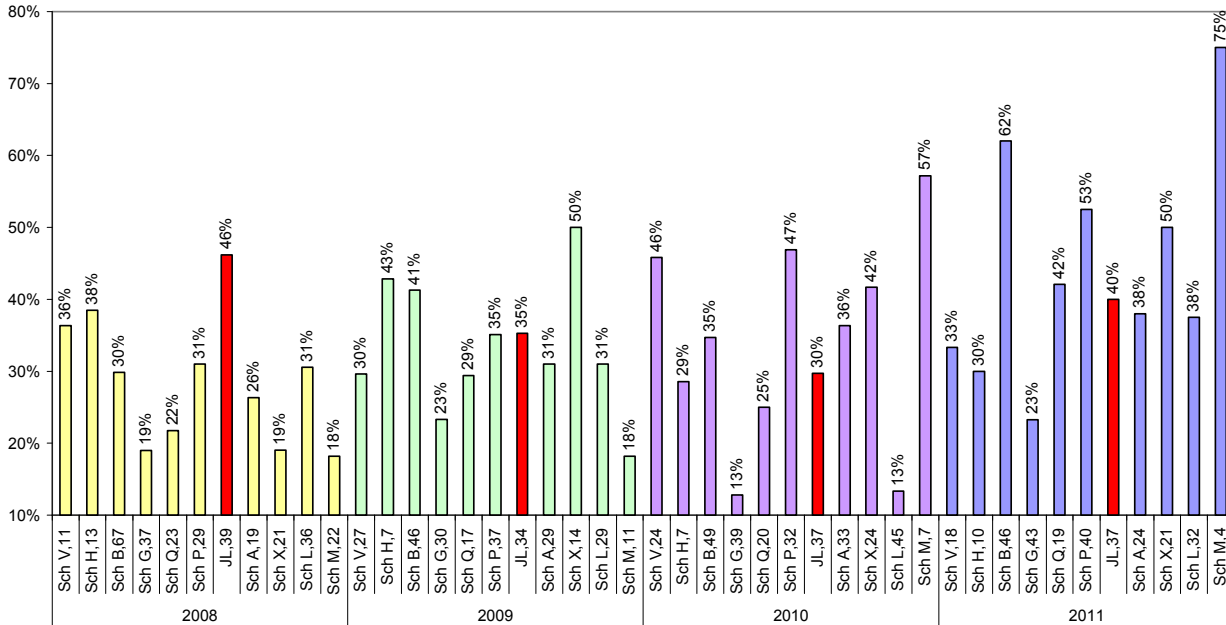
The table below shows the percentage of pupils attaining the 'basics indicator' (grade C or above in both English and Maths GCSE) in 2011. Figures are broken down by ethnicity and provided for both the school and the national average. Figures for small cohorts of pupils have been excluded for data protection reasons.

Ethnicity	No. pupils in cohort 2011	English		Maths		Basics - English and Maths	
		% School	% National	% School	% National	% School	% National
Black Caribbean	35	69	65	40	55	40	49
Black African	18	50	69	28	66	17	58
All Pupils	60	57	68	33	64	28	58

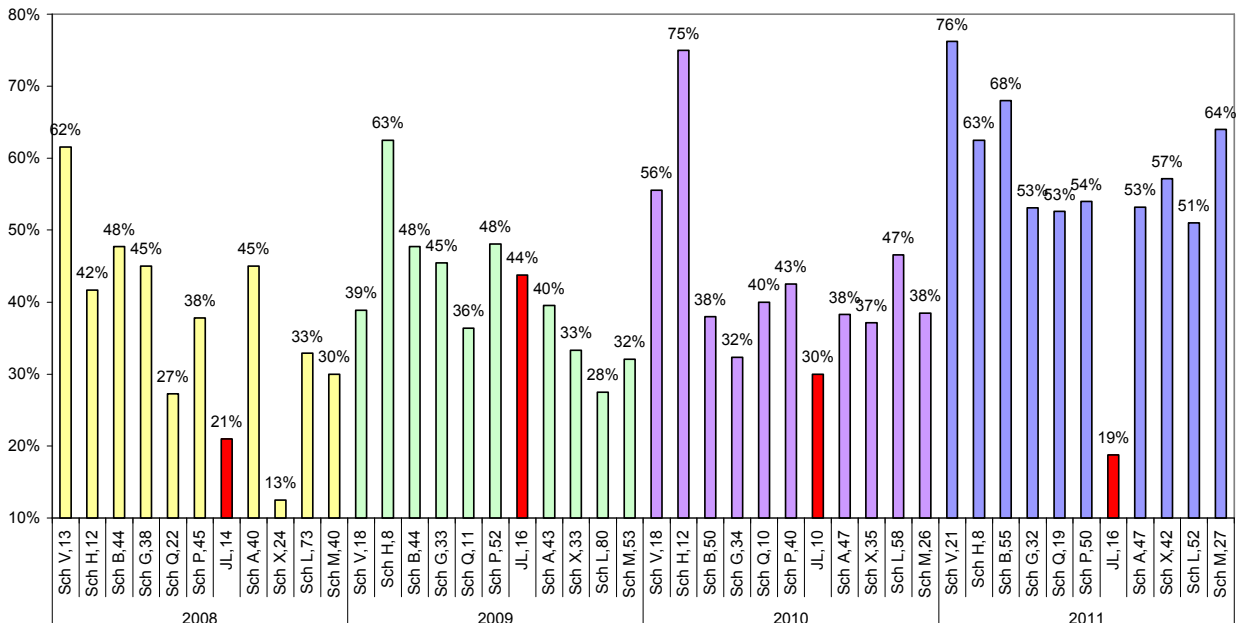
1(f) and (g) Caribbean and African attainment – comparison with other Haringey schools

The charts below show the percentage of Caribbean and African pupils attaining 5+ A*-C (including English and Maths) at all Haringey secondary schools.

Trend in 5+ A* - C (including English and maths) for Caribbean pupils in Haringey schools (2008-2011)
(Number after name of school shows number of pupils in cohort)



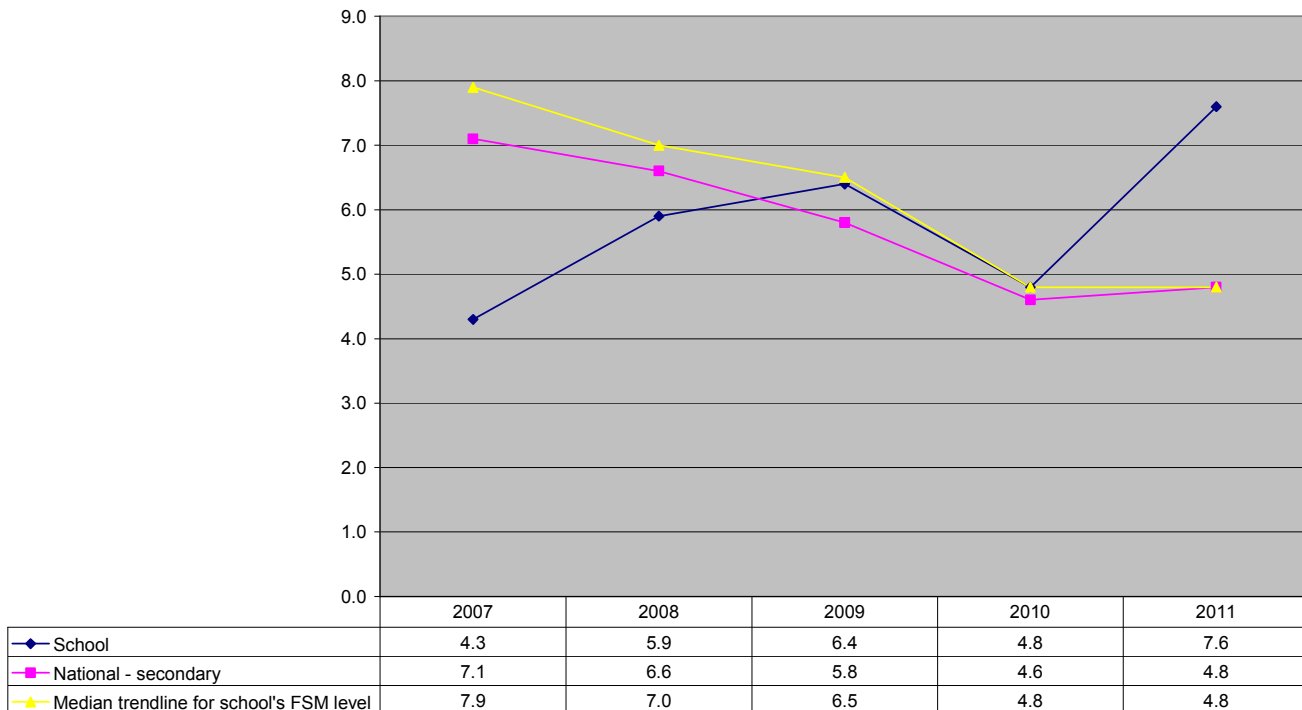
Trend in 5+ A* - C (including English and maths) for Black African pupils in Haringey schools (2008-2011)
(Number after name of school shows number of pupils in cohort)



2) Attendance

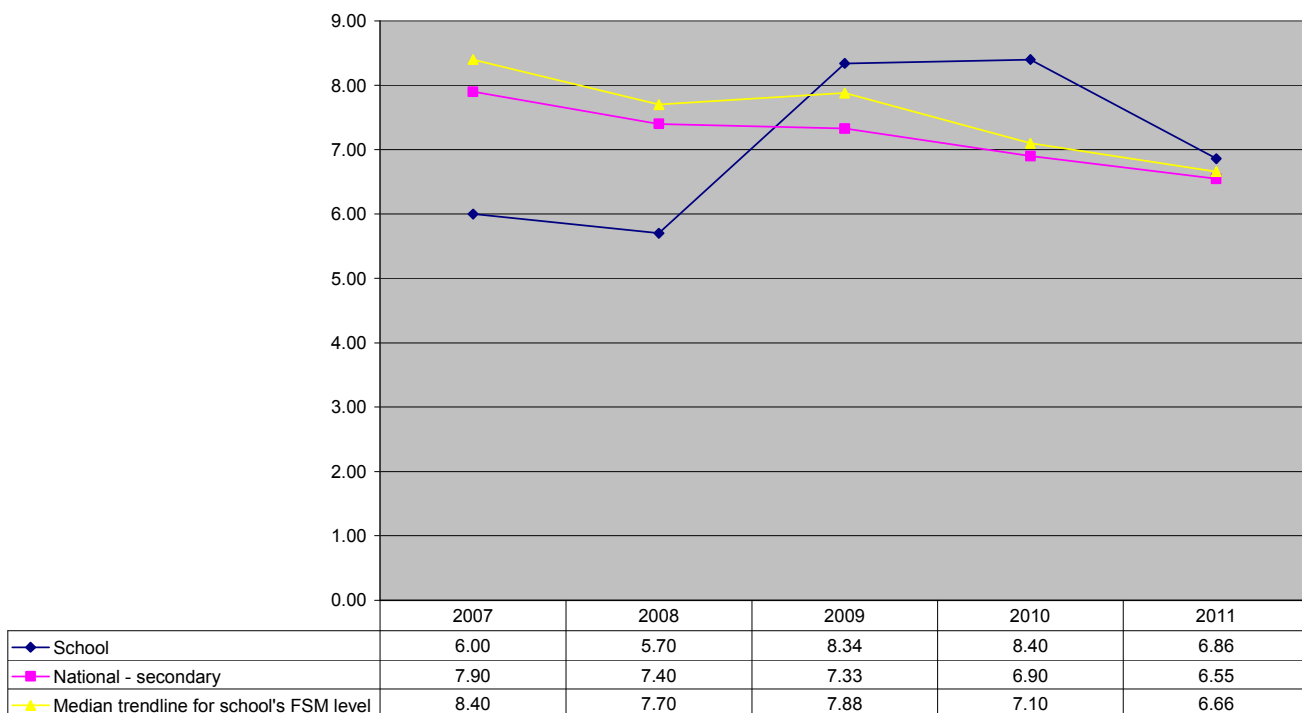
2(a) Persistent absentees

% Persistent absentees - absent for 20% or more sessions



2(b) Overall absence

% of sessions missed due to overall absence



2(c) Attendance by SEN status - 2011

	% of sessions missed due to overall absence		% persistent absentees - absent for 20% or more sessions	
	School	National - secondary	School	National - secondary
No identified SEN	6.91	5.69	8.5	3.1
School Action	6.41	8.29	2.4	7.8
School Action Plus	6.51	11.58	11.1	15.3
Statement of SEN	6.34	8.82	0	9.5
All Pupils	6.86	6.55	7.6	4.8

2(d) Attendance by ethnicity – 2011

Attendance by ethnicity - 2010-11	% of sessions missed due to overall absence		% persistent absentees - absent for 20% or more sessions	
	School	National - secondary	School	National - secondary
White - Irish	6.93	7.13	0	6
White - Romany or Gypsy	17.56	19.34	12.5	31.1
Any other White Background	8.18	7.06	10	5.1
Mixed - White & Black Caribbean	7.46	7.91	0	7.4
Mixed - White & Black African	4.03	6.31	0	4.4
Mixed – Any other mixed background	7.54	6.63	7.7	4.8
Black - Caribbean	6.90	5.86	7.4	4.1
Black - African	5.47	4.03	9.5	1.5
Black - Any other Black background	4.23	5.44	0	3.6
Chinese	0.75	2.82	0	0.7
Any other ethnic group	6.72	5.87	5.9	3.2
All pupils	6.86	6.55	7.6	4.8

3) School population data

3(a) Parental preference information

The table below shows the number of first preferences expressed for each secondary school. For 2012, the ratio of parental first preferences to the Planned Admission Number (PAN) is also shown in order to provide an indication of the popularity of schools that takes into account school size. Information showing further preferences expressed is available on request.

On offer day this year 16 places at John Loughborough were offered to parents for September 2012 entry, meaning that there are currently 44 vacancies.

School	Planned Admission Number (PAN)	First preferences					Ratio of first preferences to PAN - 2012
		2008	2009	2010	2011	2012	
Alexandra Park School	216	290	296	256	233	277	1.28
Fortismere Secondary	243	366	366	318	362	291	1.20
Gladesmore Community	243	257	250	286	281	299	1.23
Greig City Academy	200	118	108	110	115	88	0.44
Heartlands High School* ¹	189	—	—	211	224	218	1.15
Highgate Wood	243	266	257	252	234	242	1.00
Hornsey Secondary* ²	216	182	173	135	134	99	0.46
Northumberland Park	210	162	165	153	117	125	0.60
Park View Academy	216	171	167	132	138	113	0.52
St Thomas More	192	56	47	22	28	17	0.09
John Loughborough	60	20	9	13	19	12	0.20
Woodside High School* ³	162	81	70	54	77	128	0.79
Grand Total	2390	1969	1908	1942	1962	1909	0.80

*¹ For September 2012 entry, the PAN at Heartlands High was increased by 27 to 189 from 167 the previous year. Please note that this school opened in September 2010.

*² For September 2012 entry, the PAN at Hornsey School for Girls was lowered by 27 from 243 to 216.

*³ For September 2009 entry, the PAN at Woodside High was lowered from 8fe to 6fe or 216 to 162.

3(b) School population and mobility

The table below shows the school population broken down by year group.

Year	PAN	Pupils on Roll					Total
		7	8	9	10	11	
1999-2000	60	58	86	57	53	48	302
2000-2001	60	49	65	83	57	51	305
2001-2002	60	53	53	63	78	60	307
2002-2003	60	48	57	53	64	78	300

Year	PAN	Pupils on Roll					Total
		7	8	9	10	11	
2003-2004	60	59	54	62	55	58	288
2004-2005	60	58	62	56	61	55	292
2005-2006	60	59	60	60	59	55	293
2006-2007	60	59	57	57	59	60	292
2007-2008	60	55	51	54	60	57	277
2008-2009	60	37	57	48	46	59	247
2009-2010	60	26	48	64	57	52	247
2010-2011	60	45	46	58	74	60	283
2011-2012	60	40	48	61	60	71	280

3(c) Stability

RAISEonline defines stability as the percentage of pupils on roll who joined the school before October 1st in the usual join year (i.e. year 7 for secondary schools). The indicator is based on the January school census. The table below shows stability for John Loughborough compared to the national average.

% Stability



3(d) In year admissions data

The table below provides data on in-year admissions for the period January 2011 – April 2012.

School	Total Number of In Year Admissions	Number of Pupils Allocated a Place through IYFAP	Of those pupils allocated a place through IYFAP, how many expressed the school as a preference on their application	% of in year admissions allocated through IYFAP
Alexandra Park	57	23	18	40.4%
Fortismere	55	15	11	27.3%
Gladesmore	114	78	54	68.4%
Greig City	74	15	15	20.3%
Heartlands	22	0	0	0.0%
Highgate Wood	70	15	14	21.4%
Hornsey	45	8	6	17.8%
John Loughborough	70	18	13	25.7%
Northumberland Park	93	37	27	39.8%
Park View	116	22	11	19.0%
St Thomas More	73	14	9	19.2%
Woodside High	99	24	15	24.2%
Total	888	269	193	30.3%

The following table provides information on preferences expressed by parents/carers of pupils admitted to John Loughborough School in-year, again for the period January 2011 – April 2012.

	Year 7	Year 8	Year 9	Year 10	Year 11	Total
Total number of pupils offered a place at John Loughborough	12	19	22	14	3	70
Of those, how many expressed John Loughborough as a preference on their application	10	10	20	13	3	56
As a first preference	6	4	12	5	2	29
As a second preference	0	3	0	4	0	7
As a third preference	2	2	5	2	1	12
As a fourth preference	1	0	0	0	0	1
As a fifth preference	1	1	1	1	0	4
As a sixth preference	0	0	2	1	0	3

4) Ofsted inspection outcomes**4(a) Historical inspection outcomes**

Full Inspections (S10 in 2002, then S5)								
Judged Areas	4-8 Mar 2002	13-14 Feb 2007	20-21 May 2008	7-8 Oct 2009			6-7 Dec 2011	
Overall Judgement /Effectiveness Capacity for Improvement	3: 'Sound' N/A	4: Notice to improve 3: Satisfactory	4: Notice to improve (IEB) 3: Satisfactory	4: Special Measures 4: Inadequate			4: Special Measures 4: Inadequate	
Achievement Standards/ Attainment Progress	3: Satisfactory 4: Low/ well below average N/A	4: Low 3: Satisfactory 4: Inadequate	4: Low 3: Satisfactory 4: Inadequate	4: Low 4: Inadequate 4: Inadequate			4: Low 4: Inadequate 4: Inadequate	
Behaviour	3: Satisfactory	3: Satisfactory	3: Satisfactory	4: Inadequate			3: Satisfactory	
Teaching	3: Satisfactory	4: Inadequate	4: Inadequate	4: Inadequate			4: Inadequate	
Leadership & Management	"Very well led" but weaknesses in L+M relating to raising achievement	3: Satisfactory	3: Satisfactory	4: Inadequate			4: Inadequate	
Summary Areas for Development	-Improve attainment -Use assessment to promote achievement -Improve T+L in French, D+T, aspects of Sc + ICT -Teaching styles for indep/ co-operation -L+M of achievement.	-Improve standards + achievement, esp in Ma + MFL -Improve behavr -Improve T+L	- Improve standards + achievement -Use assessment to meet needs -Increase proportion of good T+L/ eradicate inadeq -Develop SEF at middle leadership level to improve achvmt.	(-Use assessment to meet needs) -Improve behavr -Increase proportion of good T+L - Improve L+M of SEND, T+L, achievement, middle leadership			-Improve attainmt esp in Ma -Improve T+L esp in Ma -Improve all levels of L+M to improve achvm	
Section 8/ Monitoring Visits		Oct 2007	Jan 2009	Mar 10	July 10	Dec 10	Mar 11	July 11
Progress since S5		N/A	N/A	3	3	3	3	3
Progress since last monitoring visit		N/A	N/A	N/A	3	3	3	3
Progress re standards/ achievement		4	3	N/A	N/A	N/A	N/A	N/A
Progress re use of assessment to raise standards			3					
Progress re behaviour		3	N/A	3	3	3	3	3
Progress re T+L		4	3	3	3	3	3	3
Progress re L+M		N/A	3	3	3	3	3	3 (2 for Middle Ms)

4(b) Comparison with other Haringey schools

School	Network	Overall grade	Inspection date	Achievement	Behaviour and safety	Quality of teaching	Leadership and management
Alexandra Park	W	Outstanding	Nov 2011	1	2/1	1	1
Fortismere	W	Outstanding	Nov 2011	1	2	2	2
Woodside High	N	Outstanding	Feb 2011	2	1	2	1
Gladesmore	S	Outstanding	Oct 2008	1	1	1	1
Greig City Academy	W	Good	Nov 2011	2	2/3	2	2
Heartlands	N	Good	Mar 2012				
Highgate Wood	W	Good	Nov 2011	2	2	2	2
Northumberland Park	N	Good	Jan 2012	2	2	2	2
Haringey 6th Form Centre	N	Good	Nov 2008	3	2	2	2
Hornsey	W	Satisfactory	May 2010	3	2	3	2
Park View Academy	S	Satisfactory	Mar 2010	3	3/2	2	2
St Thomas More	N	Satisfactory	Nov 2009	3	3/2	3	3
John Loughborough	S	Special measures	Dec 2011	4	3/2	4	4
Haringey 6th Form Centre	N	Good	Nov 2008	3	2	2	2

(5) Contextual information**5(a) Ethnicity**

% of pupils	2009	2010	2011
White			
British	0.0	0.0	0.0
Irish	0.0	0.0	0.7
Traveller of Irish Heritage	0.0	0.0	0.0
Romany or Gypsy	0.0	0.0	5.3
Any other White Background	1.6	6.1	9.2
Mixed			
White & Black Caribbean	0.8	0.8	0.7
White & Black African	0.4	1.2	1.4
White & Asian	0.0	0.0	0.0
Any other mixed background	0.8	2.8	4.2
Asian or Asian British			
Indian	0.0	0.0	0.0
Pakistani	0.0	0.0	0.0
Bangladeshi	0.0	0.0	0.0
Any other Asian background	0.0	0.0	0.0
Black or Black British			
Caribbean	61.8	55.5	42.8
African	28.0	24.7	25.1
Any other Black background	3.7	5.7	4.2
Chinese	0.0	0.0	0.7
Any other ethnic group	2.8	3.2	5.7
Parent/pupil preferred not to say	0.0	0.0	0.0
Ethnicity not known	0.0	0.0	0.0

5(b) Free School Meal eligibility (FSM) & English as an Additional Language (EAL)

% of pupils		2007	2008	2009	2010	2011
FSM eligibility	School	19.9	19.6	21.7	22.9	20.6
	National	13.4	14.2	14.5	15.4	15.9
EAL	School	7.5	14.1	9.3	23.6	41.3
	National	10.5	10.6	11.4	11.7	12.3

5(c) Special Educational Needs

New categorisations for proportions of pupils with SEN were introduced in 2011 which are not comparable to previous years.

2011 data places John Loughborough School in the lowest quintile nationally for the proportion of pupils with statements of SEN or at School Action Plus and the second highest quintile for proportion of pupils at School Action.

% of pupils		2007	2008	2009	2010	2011
School Action	School					14.1
	National					12.8
School Action Plus or Statement of SEN	School					4.6
	National					8.5
Statement of SEN	School	5.8	4.7	5.3	3.2	
	National	2.1	2.1	2.0	2.0	
All SEN (inc statements)	School	14.0	12.3	19.1	19.0	18.7
	National	18.5	19.9	21.1	21.7	21.3

5(d) Religion

The table below shows the numbers of pupils at John Loughborough School who are Seventh-day Adventists. This data is extracted from the Seventh-day Adventist Trans-European Division School Statistics.

YEAR	SDA population	Non-SDA population (including other Christians)	Total population	% of SDA pupils
2007	101	189	290	35%
2008	81	163	244	33%
2009	100	151	251	40%
2010	95	184	279	34%
2011	94	185	279	34%

(6) Financial information

The table below sets out the key financial information that was used to inform the assessment of financial viability.

	2008-09	2009-10	2010-11	2011-12
Pupil Numbers	247	247	284	280
End of Year inc. Capital	-108,130	-210,114	-134,494	
Revenue Surplus/Deficit	-95,770	-211,684	-134,539	
Other Income				
SEC	48,312	151,741	316,701	
SEC % of Spend	2.16	6.94	13.91	
Other Income Misc.	24,185	18,373	19,589	220,400
Other Income Misc.% of Spend	1.08	0.84	0.86	8.58
	Teaching	Total Staff	Premises	
Benchmarking Group				
JL	59.50	79.62	7.97	
Average of Group	55.57	73.52	6.46	
<i>Other income misc. 2011-12 analysed from quarter 3 projection code 108</i>				
<i>Breakdown between SEC & other income will not be known until outturn is submitted.</i>				

APPENDIX 2

Options for closing John Loughborough School – July 2012**A. Introduction**

John Loughborough School is a Seventh Day Adventist secondary school located in Tottenham. The school can cater for up to 300 pupils in year 7 through to year 11. Following a review of the school's viability it has been recommended that the Local Authority begins consultation on closure of the school. The purposes of this paper are to begin consideration of the options for closure, and to examine the implications of closure for the provision of secondary school places in Haringey. In the analysis that follows, a September 2013 implementation date is assumed.

The possible arrangements for managing closure fall under three broad approaches:

1. Phased closure – the school closes to new year 7 pupils from September 2013 but remains open for all current pupils to complete their secondary education with John Loughborough
2. Immediate closure and transfer – the school closes in July 2013 and all pupils transfer to other local schools in September 2013
3. Some combination of the two e.g. upon closure pupils in the lower years transfer to other local schools whilst older pupils remain and sit their GCSEs at John Loughborough

These approaches are discussed further in section B below, however at this stage, no preferred option for closure is being put forward. If it is agreed following the consultation period that the proposal should proceed to the next stage then we will publish a Statutory Notice setting out a detailed plan for closure of the school that takes into account the outcomes from the consultation and the initial findings from the EqlA. There would then follow a statutory period of representation in which stakeholders can comment on the plan that is put forward. Whichever approach is taken, we want to ensure that:

- Affected children have access to education that is good or outstanding
- Parents/carers are able to have their say in what they want for their children
- Any transition does not impact negatively on affected children's progress

Table 1 shows the projected number of pupils and current planned capacity across Haringey secondary schools, both with and without John Loughborough School, from 2013/14 onwards.

Table 1: Projected Haringey secondary school population

		Year 7	Year 8	Year 9	Year 10	Year 11
2013/14	Projected pupils	2186	2136	2194	2205	2165
	Capacity	2417	2390	2390	2390	2390
	Surplus	231	254	196	185	225
	Capacity without JLS	2357	2330	2330	2330	2330
	Surplus without JLS	171	194	136	125	165
2014/15	Projected pupils	2278	2194	2149	2230	2175
	Capacity	2417	2417	2390	2390	2390
	Surplus	139	223	241	160	215
	Capacity without JLS	2357	2357	2330	2330	2330
	Surplus without JLS	79	163	181	100	155
2015/16	Projected pupils	2307	2270	2194	2200	2201
	Capacity	2417	2417	2417	2390	2390
	Surplus	110	147	223	190	189
	Capacity without JLS	2357	2357	2357	2330	2330
	Surplus without JLS	50	87	163	130	129
2016/17	Projected pupils	2307	2298	2257	2235	2191
	Capacity	2417	2417	2417	2417	2390
	Surplus	110	119	160	182	199
	Capacity without JLS	2357	2357	2357	2357	2330
	Surplus without JLS	50	59	100	122	139
2017/18	Projected pupils	2334	2305	2293	2296	2223
	Capacity	2417	2417	2417	2417	2417
	Surplus	83	112	124	121	194
	Capacity without JLS	2357	2357	2357	2357	2357
	Surplus without JLS	23	52	64	61	134
2018/19	Projected pupils	2447	2339	2312	2345	2288
	Capacity	2417	2417	2417	2417	2417
	Surplus	-30	78	105	72	129
	Capacity without JLS	2357	2357	2357	2357	2357
	Surplus without JLS	-90	18	45	12	69
2019/20	Projected pupils	2470	2446	2354	2377	2349
	Capacity	2417	2417	2417	2417	2417
	Surplus	-53	-29	63	40	68
	Capacity without JLS	2357	2357	2357	2357	2357
	Surplus without JLS	-113	-89	3	-20	8
2020/21	Projected pupils	2453	2467	2456	2423	2386
	Capacity	2417	2417	2417	2417	2417
	Surplus	-36	-50	-39	-6	31
	Capacity without JLS	2357	2357	2357	2357	2357
	Surplus without JLS	-96	-110	-99	-66	-29

Source: GLA Projections 2011 Round

B. Options(1) Phased closure

A phased closure would effectively reduce the number of year 7 places across Haringey by 60 (the current Planned Admission Number (PAN) for JLS) from 2013/14 onwards. This reduction would then work its way through the year groups. Table 1 shows that on current projections there would be sufficient capacity in 2013/14 and for four years after that for those year 7 pupils who would otherwise have chosen John Loughborough to attend other Haringey secondary schools.

It is currently projected that from 2018/19, based on current admission limits, there will be insufficient year 7 places to meet demand. Around this time, the number of places will need to be increased to accommodate the higher numbers of children currently working their way through the primary sector. If John Loughborough were to close to new pupils from September 2013, the date for this may need to be brought forward by one or two years.

In 2009 Woodside High School reduced their PAN for year 7 entry from 243 to 162, and from September 2012 Hornsey's PAN is reducing from 243 to 216. These schools could revert to their previous PANs to meet additional demand when needed. An initial assessment of capacity indicates that there may also be potential for increasing the number of school places at other Haringey secondary schools. It is worth noting that academies can alter their PAN without consultation and without reference to the Local Authority. Haringey has three secondary academies - Woodside, Alexandra Park and Greig City Academy.

A phased closure would spare current pupils the upheaval of moving and would avoid any disruption for other Haringey secondary schools. However, as the number of pupils diminishes year on year, it would need careful management to protect the learning and well-being of the final cohorts. John Loughborough is a small school and therefore it would be particularly challenging to continue to meet the requirements of the curriculum through the period of closure. It is also likely that some parents would choose to move their children to other schools during the closure period or even before, thereby exacerbating this issue.

(2) Immediate closure and transfer

Under this option, in September 2013:

- No pupils would be admitted in year 7
- years 8-11 would transfer to other local secondary schools

This would reduce the number of secondary places in all year groups by 60 from 2013/14 onwards. Table 1 shows that on current projections there would be sufficient existing places in September 2013 for years 8-11 to transfer to other Haringey secondary schools, were that to be the preferred approach. The impact in terms of overall place planning would be similar to option (1) (phased closure) in that it would potentially bring forward the point at which additional year 7 places need to be created by one or two years. However,

this does not preclude the possibility that other alternative arrangements may be made for affected pupils.

It is likely that if the school closes, many out of borough pupils would choose to attend schools closer to where they live. Currently, 190 pupils are Haringey residents, and 90 live out of borough. Of the out of borough pupils, 55 live more than 3 miles distant from the school. We are however committed to making provision for all John Loughborough pupils and will plan on this basis.

Table 2: Pupils on roll at John Loughborough School, January 2012

	Yr7	Yr8	Yr9	Yr10	Yr11	Total
1. Haringey residents	26	34	44	37	49	190
2. Residents plus OB < 3m	32	39	51	45	58	225
3. All JLS pupils	40	48	61	60	71	280

Transferring pupils from John Loughborough to other local schools would involve a level of disruption. Pupils would have to adjust to life in a new school, one that would not have the Seventh Day Adventist ethos to which they are accustomed. Friendship groups would potentially be broken up. Receiving schools will also need to plan ahead for any transfer of pupils - especially if the arrangements put in place involve particular schools receiving large numbers of pupils. These issues must be weighed against the potential for improved attainment in other schools, and the risks associated with a phased closure.

(3) Hybrid option

Under this option, in September 2013:

- No pupils would be admitted in year 7
- years 8 and 9 would transfer to other local secondary schools
- years 10 and 11 would remain at John Loughborough to sit their GCSEs

There also other ways in which options (1) and (2) could be combined. The impact in terms of overall place planning would be the same as previously stated.

HARINGEY COUNCIL

EQUALITY IMPACT ASSESSMENT FORM for service delivery



Service: Prevention & Early Intervention

Directorate: Children & Young People's Service

Title of Proposal: Review of John Loughborough School

Lead Officer (author of the proposal): Jan Doust

Names of other Officers involved: David Williamson, Tom Fletcher, Jane Blakey, Jennifer Duxbury, Neville Murton, Eveleen Riordan, Carlene Liverpool, Arleen Brown.

Statement of purpose

In making this proposal, we have been mindful of our public sector equality duty to have due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity between different groups and;
- foster good relations between groups in Haringey.

In addition we are committed to ensuring that we promote social inclusion in all council services making sure that they address the needs of those vulnerable residents who rely most heavily on them. The most socially excluded residents predominantly have the protected characteristics defined in the Equality Act 2010.

The purpose of this assessment is to:

- a) Identify whether and to what extent this proposal: could produce disadvantage or enhance opportunity for any groups with the protected characteristic defined in the Equality Act 2010;
- b) Establish whether the potential disadvantage is significant enough to call for special measures to remove or reduce the disadvantage;
- c) Identify and set out the measures that will be taken to remove or reduce the disadvantage;
- d) Where mitigation measures are not possible, to set out and explain why;
- e) To ensure that Members are fully aware of the implications the proposal may have for the Council's public sector equality duty before they decide on the proposal.

Note: This Equalities Impact Assessment, undertaken July 2012, is an initial assessment of the potential impact of the closure of John Loughborough School, based on the findings of a recent review and consideration of relevant data. It will be updated in

November 2012 following a period of public consultation to address any issues arising from consultation and to provide further assessment of any detailed proposal for closure that may then be put forward.

Step 1 - Identify the aims of the Proposal

State:

- a) *What problems the proposal is intended to address***
- b) *What effects it is intended to achieve***
- c) *Which group(s) it is intended to benefit and how***

John Loughborough is a small secondary school with an admission limit of 300 pupils. It is a Voluntary Aided church school owned and operated by the South England Conference of Seventh-day Adventists (SEC) but maintained by the local authority.

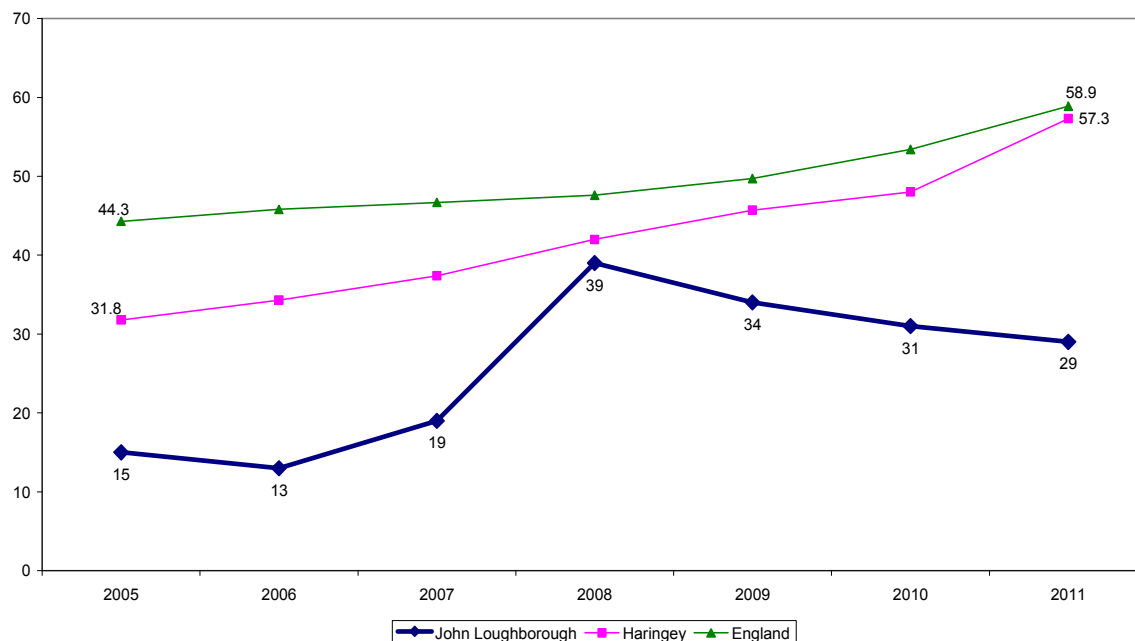
The school was originally established in 1980 in response to the dissatisfaction of Seventh Day Adventist parents of African Caribbean heritage with their children's poor level of attainment in London schools. It was established with the objectives of providing Christian education for Seventh-day Adventists and the wider faith community, and addressing the poor levels of academic attainment prevalent amongst pupils of black ethnicities at that time.

Ofsted and HMI inspections have shown that in recent years it has not been possible for the school to consistently deliver an acceptable standard of education. The school has been in an Ofsted category of concern since February 2007, and the two most recent inspections in October 2009 and December 2011 placed the school in 'special measures' because in the view of inspectors:

'... it is failing to give its students an acceptable standard of education and the persons responsible for leading, managing or governing the school are not demonstrating the capacity to secure the necessary improvement.'(Ofsted 2009 and 2011)

Since 2008, there has been a downward trend in the main indicator of attainment (5 GCSEs at A*-C inc English & Maths), and the school is now significantly below the Haringey and England averages.

Trend in 5+ A* - C (including English and maths)



The school is within the scope of the powers of the Secretary of State to either issue an Academy Order, direct the appointment of an Interim Executive Board or direct closure.

Following discussion with the school's Chair of Governors and Education representatives of the SEC, the Director of Children's Services decided that there should be a formal review of the viability of the school. A review team was established comprising representatives from both Haringey Council and SEC. An experienced educational consultant provided external challenge to the review team's analysis and judgements. The scope of the review covered:

- The demand for places at the school by Seventh Day Adventist families and the services that the school provides to these families;
- The quality of education provided by the school, including the reasons for the poor outcomes and the potential for securing rapid and sustained improvement;
- The financial viability of the school in the current circumstances;
- The position of the school within Haringey's overall place planning requirements and the implications of any change in these arrangements for school organisation planning;
- Recommendations on the actions that must be taken with respect to the school in the short, medium and long term.

The review team examined trends in key performance indicators and Ofsted and HMI inspection reports over the previous 5 to 10 years in their analysis of the school's educational and financial viability. The team then considered and evaluated the options available to address the identified underperformance. For details of the analysis undertaken (including summary of relevant data) and of the options considered, please see the full report of the review, at Appendix 1 to the Cabinet report of 18th September 2012.

Following careful consideration of John Loughborough School's underperformance over many years and the lack of success in attempts to create sustained improvement from a wide range of intervention strategies, the review concluded that the only option which could potentially provide a future for the school would be for it to become a sponsored academy. It was agreed that the SEC would work to secure a sponsor that is confident that they could overcome the challenges identified in the review and support the school to become an academy.

In parallel with this, it was agreed that the Local Authority would put a proposal to consult on closure before the Council's Cabinet. This will not negate further work to secure a sponsor, as consultation can be terminated if the Church secures an acceptable academy proposal and sponsor that is approved by the Secretary of State. Pursuing both options in parallel will avoid delay in finding the best solution for current and future cohorts of pupils.

Whilst the recommendation of the review is that this dual approach should be followed, this EqlA focuses on the potential closure of the school, as that is the process that is within the power of the Local Authority. The first decision that needs to be taken by Members in this regard is whether to commence consultation on closure.

Statutory Stage	Description	Timescale
1	Consultation on proposed closure	Recommended minimum of six weeks – <i>October-November 2012</i>
2	The publication of a statutory notice setting out the proposal in detail	One day
3	Representation – an opportunity for stakeholders to express views on the proposals.	Must be six weeks and cannot be shortened or lengthened to take into account school holidays. – <i>January-February 2013</i>
4	Decision – final decision on whether the closure should go ahead, having considered all of the relevant information.	Within two months of the representation period finishing – <i>Spring 2013</i>
5	Implementation – the school closes	As set out in the published statutory notice, subject to any modifications agreed – <i>from September 2013</i>

This EqlA highlights the profile of the pupils at John Loughborough School and considers the potential impact of closure on those with protected characteristics. It will support the LA in promoting equality of opportunity for the affected pupils at John Loughborough. It will be updated in advance of each subsequent decision to be taken by members in order to take account of consultation outcomes and further relevant information arising from the process. This will ensure that equalities considerations inform each decision that is taken.

Any proposal to close John Loughborough School would also affect school staff. Proposed changes to their employment would be the subject of a separate staff and trade union consultation, supported by a specific Staffing EqlA.

Step 2 - Consideration of available data, research and information

You should gather all relevant quantitative and qualitative data that will help you assess whether at present, there are differential outcomes for the different equalities target groups – diverse ethnic groups, women, men, older people, young people, disabled people, gay men, lesbians and transgender people and faith groups. Identify where there are gaps in data and say how you plug these gaps.

In order to establish whether a group is experiencing disproportionate effects, you should relate the data for each group to its population size. The Haringey Borough Profile of Protected Characteristics can be found on the Website) will help you to make comparisons against Haringey's population size. The most up to date information can be found in the [Joint Strategic Needs Assessment](#).

2 a) Using data from equalities monitoring, recent surveys, research, consultation etc. are there group(s) in the community who:

- ***are significantly under/over represented in the use of the service, when compared to their population size?***
- ***have raised concerns about access to services or quality of services?***
- ***appear to be receiving differential outcomes in comparison to other groups?***

This section considers data from the Pupil Level Annual School Census (January 2012) to compare the population of John Loughborough School with the wider Haringey secondary school population. It also looks at data on attainment at GCSE and school attendance, where possible broken down by group (e.g. ethnicity, gender), and information received from the SEC on numbers of Seventh Day Adventist pupils.

Ethnicity

School population

All of the pupils at John Loughborough School are from a BME background, in that there are no White British pupils. Compared to the overall Haringey secondary school population, there is a higher proportion of pupils of Black ethnicities (particularly Caribbean) and lower proportion of pupils of White, Mixed and Asian ethnicities.

Pupils of Black ethnicities form the majority of the school population (63%), of whom Caribbean pupils form the largest group (38%). The school has a high proportion of Romany or Gypsy pupils – ten times the proportion for Haringey secondary schools overall. There are also significant populations of Eastern European (6.1% of school vs 2.8% across Haringey secondary schools) and Latin/ Central/ South American pupils (6.8% of school vs 1.1% across Haringey secondary schools).

Over the past few years the ethnicity profile of the school has been shifting. Between 2009 and 2012 the proportion of pupils of black ethnicities fell from 93% to 63% whilst the proportion of Gypsy/Roma, Other White and Other pupils rose from a combined figure of 4% to 28%.

	John Loughborough	%	All Haringey secondary schools	%
White				
British	0	0.0%	2374	19.3%
Irish	2	0.7%	114	0.9%
Traveller of Irish Heritage	0	0.0%	19	0.2%
Romany or Gypsy	20	7.1%	85	0.7%
Any other White Background	31	11.1%	2817	22.9%
Mixed				
White & Black Caribbean	4	1.4%	450	3.7%
White & Black African	3	1.1%	164	1.3%
White & Asian	1	0.4%	124	1.0%
Any other mixed background	9	3.2%	644	5.2%
Asian or Asian British				
Indian	0	0.0%	165	1.3%
Pakistani	0	0.0%	142	1.2%
Bangladeshi	1	0.4%	367	3.0%
Any other Asian background	0	0.0%	138	1.1%
Black or Black British				
Caribbean	106	37.9%	1212	9.9%
African	56	20.0%	1926	15.7%
Any other Black background	14	5.0%	262	2.1%
Chinese	5	1.8%	72	0.6%
Any other ethnic group	27	9.6%	995	8.1%
Parent/pupil preferred not to say	0	0.0%	38	0.3%
Ethnicity not known	1	0.4%	192	1.6%
Grand Total	280	100.0%	12300	100.0%

Attainment

The table below shows the percentage of pupils attaining the 'basics indicator' (grade C or above in both English and Maths GCSE) in 2011, broken down by ethnicity. Figures for small cohorts of pupils have been excluded for data protection reasons. For all ethnic groups, performance is worse than the national average. The disparity between John Loughborough and national average is much greater for Black African pupils than Black Caribbean.

Overall, the proportion attaining grade C or above in both English and Maths is less than half the national average. Performance in English is much better than in Maths, and for Black Caribbean pupils was higher than the national average.

Ethnicity	No. pupils in cohort 2011	English		Maths		Basics - English and Maths	
		% School	% National	% School	% National	% School	% National
Black Caribbean	35	69	65	40	55	40	49
Black African	18	50	69	28	66	17	58
All Pupils	60	57	68	33	64	28	58

Attendance

The table below shows levels of overall absence and the proportion of persistent absentees, broken down by ethnicity. Overall absence is close to the national average but the proportion of persistent absentees is significantly above national. The proportion of persistent absentees amongst Black African pupils is particularly high.

Attendance by ethnicity - 2010-11	% of sessions missed due to overall absence		% persistent absentees - absent for 20% or more sessions	
	School	National - secondary	School	National - secondary
White - Irish	6.93	7.13	0	6
White - Romany or Gypsy	17.56	19.34	12.5	31.1
Any other White Background	8.18	7.06	10	5.1
Mixed - White & Black Caribbean	7.46	7.91	0	7.4
Mixed - White & Black African	4.03	6.31	0	4.4
Mixed – Any other mixed background	7.54	6.63	7.7	4.8
Black - Caribbean	6.90	5.86	7.4	4.1
Black - African	5.47	4.03	9.5	1.5
Black - Any other Black background	4.23	5.44	0	3.6
Chinese	0.75	2.82	0	0.7
Any other ethnic group	6.72	5.87	5.9	3.2
All pupils	6.86	6.55	7.6	4.8

GenderSchool population

John Loughborough has a marginally higher proportion of boys attending than girls.

Gender	John	%	All Haringey	%
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	Loughborough		secondary schools	
Female	132	47.1%	6144	50.0%
Male	148	52.9%	6156	50.0%
Grand Total	280	100.0%	12300	100.0%

Attainment

Attainment is higher amongst girls but is below the national average for both boys and girls. The gap between John Loughborough School and the national average is larger for boys than for girls.

Ethnicity	No. pupils in cohort 2011	English		Maths		Basics - English and Maths	
		% School	% National	% School	% National	% School	% National
Female	31	74	76	45	65	39	61
Male	29	38	61	21	64	17	54
All Pupils	60	57	68	33	64	28	58

Attendance

Poor school attendance is more prevalent amongst females than males. The proportion of girls who are persistent absentees is more than double the national average.

Attendance by gender - 2010-11	% of sessions missed due to overall absence		% persistent absentees - absent for 20% or more sessions	
	School	National - secondary	School	National - secondary
Female	7.11	6.71	10.5	5.0
Male	6.64	6.40	5.0	4.6
All pupils	6.86	6.55	7.6	4.8

Age

The school provides education to young people aged 11-16. It does not have a sixth form.

Disability

The Schools Census now includes the facility for schools to submit data on disability, but not all schools are as yet doing so. More complete data is available on Special Education Needs (SEN). Whilst these are not interchangeable terms it should be assumed that children with SEN have a disability for the purposes of the public sector equality duty.

The following table shows that John Loughborough School has a lower proportion of pupils with identified SEN than the Haringey average, for all of the SEN stages of assessment.

	John Loughborough	%	All Haringey secondary schools	%
No identified SEN	239	85.4%	8893	72.3%

School Action	28	10.0%	2079	16.9%
School Action Plus	11	3.9%	917	7.5%
Statement of SEN	2	0.7%	411	3.3%
Grand Total	280	100.0%	12300	100.0%

Religion or belief

The following table, provided by the SEC, shows the numbers of Seventh Day Adventist pupils attending John Loughborough School. The most recent data, for 2011, shows that just over a third of pupils are Seventh Day Adventists.

YEAR	SDA population	Non-SDA population (including other Christians)	Total population	% of SDA pupils
2007	101	189	290	35%
2008	81	163	244	33%
2009	100	151	251	40%
2010	95	184	279	34%
2011	94	185	279	34%

Data on religion is not collected as part of the School Census, and national census data does not break down the number of Christians into the various denominations. However, figures from 2005¹ state that the number of Seventh Day Adventists in London was 13,000. This represents 0.2% of the population of London at that time.

Other equalities strands

Data was not available for the following equality strands and assessment of impact on these service user groups is not therefore possible:

- Gender Reassignment
- Sexual Orientation
- Maternity & Pregnancy
- Marriage and Civil Partnership

Summary

All of the pupils at John Loughborough School are from BME communities. Relative to Haringey secondary schools overall there are particularly high proportions of Black Caribbean, Romany Gypsy, East European and Latin/Central/South American pupils. The proportion of Romany Gypsy pupils is ten times the Haringey secondary school average. Compared to other Haringey schools, a relatively low proportion of pupils have identified SEN. Over a third of pupils are Seventh Day Adventists.

Attainment at GCSE was worse than the national average in 2011 for all groups of pupils but was particularly low for Black African pupils and for boys. The proportion of persistent absentees is particularly high amongst Black African pupils and amongst girls.

2 b) What factors (barriers) might account for this under/over representation?

The school's founding objectives and religious character explain the high proportion of pupils of black ethnicities and of Seventh Day Adventists. Whilst the proportion of pupils

¹ Source: http://www.bbc.co.uk/religion/religions/christianity/subdivisions/seventhdayadventist_1.shtml

of black ethnicities has been reducing in recent years (from 93% in 2009 to 63% in 2012), it remains high. The school's location in Tottenham, where people of black ethnicities form a larger proportion of the overall population, may be a further factor in this.

The high proportion of Romany Gypsy pupils may relate to the fact that the school has a high level of in-year admissions – as a transient group, Romany and Gypsy pupils may be more likely to be admitted to school outside of the main secondary transfer process. However, whilst in-year admissions for JLS are high relative to the size of the school there are other Haringey secondary schools where numbers of in-year admissions are greater.

The lower than average proportion of pupils with SEN could be explained by parents preferring to send their children to other local schools; alternatively, it could be that the school is not identifying pupils with SEN. The most recent Ofsted inspection (December 2011) rated the “quality of learning for pupils with special educational needs and/or disabilities and their progress” as inadequate.

2c) What other evidence or data will you need to support your conclusions and how do you propose to fill the gap?

It would be helpful to have data on religion however this is not collected as part of the school census.

If a Statutory Notice setting out detailed closure plans is issued following the consultation period, further data may need to be included in future iterations of this EqlA to enable evaluation of impact.

Step 3 - Assessment of Impact

Using the information you have gathered and analysed in step 2, you should assess whether and how the proposal you are putting forward will affect any of the existing barriers facing people who have any of the characteristics protected under the Equality Act 2010. State what actions you will take to address any potential negative effects your proposal may have on them.

3 a) How will your proposal affect existing barriers? (Please tick below as appropriate)

Increase barriers? X	Reduce barriers?	No change?
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Comment (Whichever is applicable, explain why)

The proposal to consult on closure flows from the review team's judgement that all other options open to the Local Authority carry an unacceptably high risk of current and future generations of pupils continuing to receive an unsatisfactory education. Nevertheless, school closure would cause significant disruption to existing pupils and reduce the range of secondary school choices available to prospective pupils.

Undoubtedly, closure would have a negative impact on those Seventh Day Adventist families who prefer their children to be educated in a school that embodies the ethos of their religion, and it is in this respect in particular that barriers would be increased. John Loughborough is the only state Seventh Day Adventist secondary school in the country. Stanborough School in Watford is a Seventh Day Adventist secondary school, however it is a considerable distance away and is fee-paying so would not be a suitable alternative for many parents.

The disruptive effect of closure on pupils attending John Loughborough School would disproportionately fall on pupils from BME groups, as no White British pupils currently attend. Relative to Haringey secondary schools overall there are particularly high proportions of Black Caribbean, Romany Gypsy, East European and Latin/Central/South American pupils, therefore these groups would be particularly affected.

Whilst John Loughborough has a relatively low proportion of pupils with SEN, they nevertheless are a vulnerable group who could be particularly affected by closure of the school (though this could be mitigated by good transition planning).

Potentially set against these negative impacts is the opportunity for school closure to lead to current and would-be future pupils receiving a better quality of education elsewhere. This potential positive impact cannot yet be assessed in detail as no specific proposal for closure is being put forward at this stage (see 3b) below). It will be a central consideration when evaluating possible arrangements for closure and will be looked at in relation to the protected groups.

3 b) What specific actions are you proposing in order to reduce the existing barriers and imbalances you have identified in Step 2?

Closure of the school would need to be carefully managed in order to minimise the potential negative impact and maximise the potential positive impact for current and

future pupils, including in respect to the protected characteristics. The possible arrangements for managing closure fall under three broad approaches:

1. Phased closure – the school closes to new year 7 pupils from September 2013 but remains open for all current pupils to complete their secondary education with John Loughborough
2. Immediate closure and transfer – the school closes in July 2013 and all pupils transfer to other local schools in September 2013
3. Some combination of the two e.g. upon closure pupils in the lower years transfer to other local schools whilst older pupils remain and sit their GCSEs at John Loughborough

Please see the paper 'Options for the closure of John Loughborough school' for further detail on these approaches and the implications for the overall provision of secondary school places in Haringey (available at Appendix 2 to the Cabinet report of 19th September).

At this stage, no preferred option for closure is being put forward. If it is agreed following the consultation period that the proposal should proceed to the next stage then we will publish a Statutory Notice setting out a detailed plan for closure of the school that takes into account both the outcomes from the consultation and the initial findings of this EqlA. There would then follow a statutory period of representation in which stakeholders can comment on the plan that is put forward. Whichever approach is taken, we want to ensure that:

- Affected children have access to education that is good or outstanding
- Parents/carers are able to have their say in what they want for their children
- Any transition does not impact negatively on affected children's progress

Specific actions to mitigate negative impact and maximise positive impact will be identified as part of putting forward a detailed proposal for closure and will be included in the next iteration of this EqlA. Any proposal will be informed by the initial findings of this EqlA:

- Maximising positive impact – consider potential for closure to improve educational attainment for current and future pupils
- Religion – consider suitability of arrangements for different religious groups (including choice of alternative schools available), whether any group would be disadvantaged and how this could be avoided or minimised
- Ethnicity – proposals will need to be cognisant of the predominant ethnic groups amongst JLS pupils and consider suitability of proposed arrangements in light of this. Any proposal for transfer of pupils will need to consider historical attainment of predominant ethnic groups in receiving schools.
- SEN – proposals will need to take into account the needs of pupils with SEN. The Council's inclusion Service will be involved in further work on options.

3 c) If there are barriers that cannot be removed, what groups will be most affected and what Positive Actions are you proposing in order to reduce the adverse impact on those groups?

See above.

Step 4 - Consult on the proposal

Consultation is an essential part of an impact assessment. If there has been recent consultation which has highlighted the issues you have identified in Steps 2 and 3, use it to inform your assessment. If there has been no consultation relating to the issues, then you may have to carry out consultation to assist your assessment.

Make sure you reach all those who are likely to be affected by the proposal. Potentially these will be people who have some or all of the characteristics listed below and mentioned in the Equality Act 2010:

- Age
- Disability
- Gender Re-assignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race, Religion or Belief
- Sex (formerly Gender) and
- Sexual Orientation

Do not forget to give feedback to the people you have consulted, stating how you have responded to the issues and concerns they have raised.

4 a) Who have you consulted on your proposal and what were the main issues and concerns from the consultation?

This section will be completed following the consultation period, and updated further following the representation period should the proposal reach that point. We plan to consult the following groups:

- The governing body of John Loughborough School
- South England Conference of Seventh Day Adventists
- JLS teachers and other staff
- JLS Parent-Teacher Association
- JLS School council
- JLS pupils and their parents and carers
- Governing bodies, teachers, staff and parents/carers at all Haringey schools
- All neighbouring boroughs
- All boroughs in which current JLS pupils and 2012 year 7 entrants live
- Trade unions representing staff at JLS and other Haringey schools
- All Councillors
- London Diocesan Board for Schools and Diocese of Westminster
- Local residents associations across Haringey
- Local MPs and MPs in neighbouring boroughs

We will produce and circulate consultation materials presenting the proposals and hold meetings for stakeholders. We will make every effort to ensure that all groups that may be affected by the proposals have the opportunity to contribute, including groups which agencies are not always successful in engaging e.g. Romany Gypsy.

Young person's versions of the consultation materials will be produced and meetings will be held with pupils. We will attempt to ensure that all pupils have the opportunity to contribute, including pupils with SEN.

We will ensure that equalities information is collected from respondents so that we can identify whether particular groups have specific issues or concerns (though this will not always be possible e.g. for comments made at a public meeting).

4 b) How, in your proposal have you responded to the issues and concerns from consultation?

To be completed following consultation period

4 c) How have you informed the public and the people you consulted about the results of the consultation and what actions you are proposing in order to address the concerns raised?

We will keep all stakeholders informed throughout the process – this will include providing information on the outcomes of consultation and any actions proposed as a result of consultation.

Step 5 - Addressing Training

The equalities issues you have identified during the assessment and consultation may be new to you or your staff, which means you will need to raise awareness of them among your staff, which may even training. You should identify those issues and plan how and when you will raise them with your staff.

Do you envisage the need to train staff or raise awareness of the equalities issues arising from any aspects of your proposal and as a result of the impact assessment, and if so, what plans have you made?

There are likely to be training issues arising if the school were to close, in order to ensure that staff are able to meet the needs of the affected young people. Consideration of this will form part of the detailed planning, and more information will be included in future iterations of this EqlA.

Step 6 - Monitoring Arrangements

If the proposal is adopted, there is a legal duty to monitor and publish its actual effects on people. Monitoring should cover all the protected characteristics detailed in Step 4 above. The purpose of equalities monitoring is to see how the proposal is working in practice and to identify if and where it is producing disproportionate adverse effects and to take steps to address those effects. You should use the Council's equal opportunities monitoring form which can be downloaded from Harinet. Generally, equalities monitoring data should be gathered, analysed and report quarterly, in the first instance to your DMT and then to the Corporate Equalities Board.

What arrangements do you have or will put in place to monitor, report, publish and disseminate information on how your proposal is working and whether or not it is producing the intended equalities outcomes?

As with training, monitoring arrangements will be considered as part of the detailed planning, and more information will be included in future iterations of this EqIA.

- ***Who will be responsible for monitoring?***

The local authority is responsible for monitoring standards and attainment at all of its maintained schools. If John Loughborough school were to close, the local authority would take the lead in managing the process and monitoring its implementation.

- ***What indicators and targets will be used to monitor and evaluate the effectiveness of the policy/service/function and its equalities impact?***

A wealth of data is available relating to pupil progress and attainment will be used to track outcomes for affected cohorts of pupils.

- ***Are there monitoring procedures already in place which will generate this information?***

Yes, all of this information is produced as a matter of routine.

- ***Where will this information be reported and how often?***

More information to be included in future versions of this EqIA.

Step 7 - Summarise impacts identified

In the table below, summarise for each diversity strand the impacts you have identified in your assessment

Age	Disability	Race	Sex	Religion or Belief	Sexual Orientation	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity
Impact will be on pupils aged 11-16	School has low numbers of pupils with SEN however as a vulnerable group their needs will need to be taken into account in the preparation of any detailed closure proposal	School has high proportion of black pupils, particularly Caribbean, also Gypsy Romany, Latin American and E. European. Attainment particularly low amongst African pupils. Impact of closure will be mixed – disruption of closure vs potential for improved outcomes at alternative school(s); will need careful consideration in any closure planning.	Gender split is fairly even. Boys' attainment very low at John Loughborough so more potential for them to benefit from better education at alternative schools.	Clear negative impact on Seventh Day Adventist community – closure of the only state-funded SDA secondary school in the country. Important to consider the suitability of alternative arrangements proposed for SDA pupils.	No impact identified	No impact identified	No impact identified	No impact identified

Step 8 - Summarise the actions to be implemented

Please list below any recommendations for action that you plan to take as a result of this impact assessment.

NOTE: These actions are subject to Cabinet deciding to commence consultation on closure. Actions will be added/refined in future iterations.

Issue	Action required	Lead person	Timescale	Resource implications
Need to seek views of stakeholders	Undertake consultation	Eveleen Riordan	Autumn 2012	
More detailed work needed on options for closure	Undertake further work on options	Eveleen Riordan	Summer/Autumn 2012	
Consultation outcomes and work on options need to be reflected in EqlA	Review EqlA following consultation and update as needed	Eveleen Riordan	Autumn 2012	
Decision needed on whether to proceed to statutory notice stage	Report to Lead Member	Jan Doust	Autumn/Winter 2012/13	

Step 9 - Publication and sign off

There is a legal duty to publish the results of impact assessments. The reason is not simply to comply with the law but also to make the whole process and its outcome transparent and have a wider community ownership. You should summarise the results of the assessment and intended actions and publish them. You should consider in what formats you will publish in order to ensure that you reach all sections of the community.

When and where do you intend to publish the results of your assessment, and in what formats?

The assessment will be published on the Haringey website.

Assessed by (Author of the proposal):

Name: Jan Doust

Designation: Deputy Director, Prevention & Early Intervention

Signature:

Date:

Quality checked by (Policy, Equalities and Partnerships Team):

Name: Arleen Brown

Designation: Senior Policy Officer

Signature: *A.j.Brown*

Date: 16th August 2012

(steps 1-3 only - to be reviewed following consultation)

Sign off by Directorate Management Team:

Name:

Designation:

Signature:

Date:

Ref: IA\PI\PEP\EQUALITIES\equalities impact assessment for service delivery template (update November 2011)

department for
children, schools and families

Closing a Maintained Mainstream School

A Guide for Local Authorities and Governing Bodies

For further information:

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DCSF
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Email: school.organisation@education.gsi.gov.uk

Website: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=3

Last updated 1 February 2010

CLOSING A MAINTAINED MAINSTREAM SCHOOL - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

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CLOSING A MAINTAINED MAINSTREAM SCHOOL - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

Introduction (Paragraphs 1-33)

1. This guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendments) (England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009). For your convenience, a consolidated version of the Establishment and Discontinuance Regulations and the two sets of Amending Regulations can be found at: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29. The relevant provisions of EIA 2006 came into effect on 25 May 2007.

2. This guide contains both statutory guidance (i.e. guidance to which local authorities (LAs) and governing bodies have a statutory duty to have regard) and non-statutory guidance, on the process for closing a maintained mainstream school. Supplementary guidance is available for special schools under the relevant guidance section on the School Organisation website at www.dcsf.gov.uk/schoolorg.

NOTE: For more detailed information on when proposals are required, see paragraphs 11 to 23 below.

The statutory guidance sections are indicated by shading, the word **must** in bold refers to a requirement in legislation, whilst the word **should** in bold is a recommendation.

3. If you have any comments on the content or layout of this guide please send these to the School Organisation & Competitions Unit (using the School Organisation website's "Contact Us" facility [www.dcsf.gov.uk/schoolorg/contact.cfm] or by email to: school.organisation@education.gsi.gov.uk) making sure that you identify the title of the guide and quote the page and paragraph numbers where relevant.

Who is this Guide for? (Paragraphs 4-5)

4. This guide is for those considering publishing proposals to close maintained mainstream schools under Section 15 of EIA 2006, referred to as "proposers" (i.e. the LA or the governing body), those deciding proposals, referred to as the "Decision Maker" (i.e. the LA and the schools adjudicator) and also for information for those affected by school closure proposals.

5. Separate guides are available from the School Organisation website for:

- Opening a new school – "Establishing a new maintained

mainstream school” -

www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2;

- Becoming a Foundation or “Trust” school (changing category to foundation; a foundation school acquiring a foundation (i.e. a Trust); a Trust school acquiring a majority of foundation governors on the governing body) - “Changing School Category to Foundation” and “Trust School Proposals” - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=25;
- Expanding a maintained mainstream school by enlarging or adding a sixth form - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=5; and
- Making other prescribed alterations to a maintained school (e.g. change of age range other than adding a sixth form, add SEN, transfer of site) – “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=6.

School Organisation Planning Requirements (Paragraphs 6-8)

6. LAs are under a **statutory duty** to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child’s educational potential. They **must** also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.

7. Parents can make representations about the supply of school places and LAs have a **statutory duty** to respond to these representations. Further statutory guidance on this duty is available in “Duty to Respond to Parental Representations about the Provision of Schools” which is on the School Organisation website at: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=26.

8. Currently, LAs **must** publish a Children and Young People’s Plan (CYPP) as the single strategic overarching plan for all services affecting children and young people which also includes reference to strategic planning for school places. It is for LAs, in partnership with other stakeholders, to plan for the provision of places. LAs **should** also explore the scope for collaborating with neighbouring authorities when planning the provision of schools. In particular, LAs are encouraged to work together to consider how to meet the needs of parents seeking a particular type of school for their children in cases where there is insufficient demand for such a school within the area of an individual LA.

Responsibility for CYPPs is passing to The Children’s Trust Board for each area and from 1 April 2011 each will be required to have a new ‘jointly owned’ CYPP in place.

Children's Trusts are the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people in each area. The Trust is not in itself a separate legal entity; each partner retains its own functions and responsibilities within the partnership framework. However, the Apprenticeships, Skills, Children and Learning Act 2009 strengthens Children's Trusts by requiring all local authorities to have a Children's Trust Board in place by April 2010. It also extends the number of statutory "relevant partners" who will be represented on the Board to include schools (including Academies), colleges, Job Centre Plus and the management committees of short stay schools (formerly PRUs).

In each local authority area the Children's Trust Board will be responsible for preparing and monitoring the implementation of the CYPP. This will give ownership of the plan to the partnership – whereas at present the CYPP is the responsibility of the local authority alone.

The Secretary of State's role (Paragraphs 9-10)

9. The Secretary of State has the power to issue guidance to which the Decision Maker **must** have regard when deciding proposals. This should ensure that proposals and consultation responses and representations received from stakeholders are considered in a consistent way and that Ministers' key priorities for raising standards and transforming education are taken into account when decisions are taken. When drawing up their proposals, proposers are strongly advised to look at the factors which the Decision Maker **must** take into account when considering their proposals (see [Stage 4](#)).

10. The Secretary of State does not decide statutory proposals relating to schools, except where proposals have been published by the Learning and Skills Council (LSC)¹ under Section 113A of the Learning and Skills Act 2000 (as inserted by section 72 of the Education Act 2002), for changes to 16-19 provision in schools. For further information please see guidance "School Organisation Proposals by the Learning and Skills Council" available at: www.teachernet.gov.uk/docbank/index.cfm?id=4390.

When are closure proposals required? (Paragraph 11)

11. If a LA or governing body needs to close a maintained mainstream school for the following reasons:

- it is surplus to requirements (e.g. as a result of an area-wide reorganisation and/or there are sufficient places in neighbouring schools to accommodate displaced pupils);

¹ References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

- it is to be amalgamated/merged with another school (see paragraph 12 below);
- it is to gain, lose or change religious character (see paragraph 13 below);
- it is to be replaced by an Academy (see paragraph 14 below); or
- it is to be replaced by a new school under the National Challenge Trust programme (see paragraph 22 below)

statutory proposals will be required. The statutory process to close a school does not have to precede proposals to re-build a school on its existing site or to transfer an existing school to a new site UNLESS the intention is to statutorily cease to maintain the school and replace it with a new school established under section 7 (school competition), 10 (exemption from a school competition) or 11 (special case) of the EIA 2006.

Amalgamations/Mergers (Paragraph 12)

12. There are two ways to 'merge' or 'amalgamate' two or more existing schools:

a. The LA or GB (depending on school category) can publish proposals to close two (or more) schools and the LA or a proposer other than the LA (e.g. Diocese, faith or parent group, Trust) depending on category, can publish proposals to open a new school, either through a competition (under section 7 of EIA 2006), or after receiving exemption from the Secretary of State* (under section 10 of the EIA 2006). This results in a new school number being issued for the new school.

b. The LA and/or GB (depending on school category) can publish proposals to close one school (or more) and proposals to enlarge/change the age range/transfer site etc of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

*All section 10 exemption applications are considered on their individual merits. However there is a 'presumption for approval' for infant/junior amalgamations, faith school reorganisations and new schools proposed by proposers other than the LA, because Ministers have indicated, during debates in Parliament, that they may be prepared to give consent to requests under these criteria, for publication of proposals without holding a competition. See Section B of the "Establishing a Maintained Mainstream School" guide for further information (www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2).

Schools wishing to acquire, change or lose a Religious Character (Paragraph 13)

13. It is not possible for a community, voluntary or foundation school to acquire, lose or change religious character by making a prescribed alteration

to the school. To make a change from, for example, a community school to a voluntary school with a religious character, the LA would need to publish proposals to close the community school, and a faith organisation (as proposers) would need to bring forward “related” proposals to establish a new voluntary school with a religious character (either through “competition” under section 7 of the EIA 2006, or “exemption” under section 10 of the EIA 2006). Please refer to “Establishing a New Maintained Mainstream School” - (<http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2>).

Closing school(s) to be replaced by an Academy (Paragraph 14)

14. Academies are publicly funded independent schools, which do not fall under School Organisation regulations. Where a maintained school is proposed for closure, to be replaced by an Academy, the normal statutory process applies to the school closure proposals, but not to the new Academy (see <http://www.standards.dfes.gov.uk/academies> for further information about Academies). Section 482 of the Education Act 1996 provides for the Secretary of State to enter into funding agreements for new Academies with sponsors. The school closure proposals, if approved, **should** be conditional upon the Funding Agreement being signed, which could be explained in “Explanatory Notes” in the statutory notice along the lines of:

Academies are publicly funded independent schools with sponsors from the private and voluntary sectors. The establishment of an Academy is subject to the agreement of the Secretary of State. It is proposed that the closure of X school(s) should be approved to take effect only if by the date of closure an agreement has been made under section 482(1) of the Education Act 1996 for the establishment of an Academy to replace X school(s).

NOTE: The minimum amount of information about the proposed Academy **should** be included in the closure notice; the proposals are about the closure of the school(s), not the specifications of the new Academy. Because Academy proposals do not fall under School Organisation regulations, they are not considered as “related” to the school closure proposal(s) (see paragraph 2.5 below).

Schools Causing Concern (Paragraphs 15-21)

15. The categories of schools causing concern are defined in sections 59-62 of the EIA 2006. Further information on these categories and the relevant duties, powers and responsibilities can be found in the DCSF guidance on schools causing concern, available at: <http://www.standards.dcsf.gov.uk/sie/si/SCC/>.

16. The Apprenticeships, Schools, Children and Learners (ASCL) Act 2009 introduces new provisions relating to schools causing concern. These provisions come into force on 12 January 2010. The existing schools causing concern guidance will be replaced with new guidance to reflect the new provisions in the New Year.

17. All maintained schools causing concern **should** receive intensive support from their LA. The National Strategies section of the DCSF Standards website provides further information:

<http://nationalstrategies.standards.dcsf.gov.uk/>.

18. The Education Act 2005 (Section 44) changed the definition of a school in Special Measures and introduced a new category - Significant Improvement – which replaced previous Ofsted categories of Serious Weaknesses, Inadequate Sixth Form or Underachieving (a non-statutory category). Before reaching a judgement that a school requires Special Measures, Ofsted inspectors **must** now take into account a school's capacity to improve. A school that is not considered to need Special Measures but is nevertheless not performing as well as it ought to be, may be judged to require Significant Improvement. Schools requiring Significant Improvement are sometimes described as being under a Notice to Improve.

19. Schools that are made subject to Special Measures will continue to receive termly monitoring visits; those requiring Significant Improvement will be re-inspected after one year. In addition, Ofsted carry out monitoring visits to schools requiring Significant Improvement 6-8 months after the initial inspection.

20. When considering the closure of any school causing concern and the expansion of other schools in the area, the LA **should** take into account the popularity with parents of alternative schools.

21. Where a school is to be closed so that it may be amalgamated with a more successful and popular school, the Decision Maker will normally approve these proposals, subject to evidence being provided by the LA and other interests that the development will have a positive impact on standards.

Proposals published under National Challenge (Paragraph 22-23)

22. The National Challenge programme was launched in June 2008 as a major initiative to improve standards in all secondary schools. The aim is that by 2011, at least 30% of pupils in every school will gain five or more GCSEs at A*-C, including both English and mathematics. One of the structural solutions (interventions) available through the programme is the closure of a school which is below this target, and the opening of a new National Challenge Trust (NCT) school, which will have clear and specific plans for raising attainment, agreed with the Department. The new NCT school **must** be a foundation school with a foundation (i.e. a Trust school) composed of Trust partners agreed with the LA and the Department in the Statement of Intent, including a strong education partner; the foundation (Trust) **must** also appoint a majority of governors to the school's governing body.

23. The proposals for both the closure of the weak school and the opening of the new school, usually on the same site, **should** be published as "related" statutory proposals. NCT proposals for a new school can only be published without a competition for the new school if the Secretary of State has granted consent under Section 10 of EIA 2006 (see Part B of "Establishing a New

Maintained Mainstream School” - (<http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2>). There is a strong presumption to approve proposals for a NCT school where a Statement of Intent has been agreed with the Department.

Secretary of State’s power to direct school closure (Paragraph 24)

24. Section 68 of EIA 2006 gives the Secretary of State the power to direct an LA to close a school requiring special measures. This will usually be done only where there is no prospect of the school making sufficient improvements. Prior to making the direction, the Secretary of State **must** consult with the LA, the governing body that is to be replaced, and – in the case of a voluntary or foundation school – the diocesan or other appointing authority, and the LSC (if the school has a sixth form). Such a direction will not require the publication of statutory proposals for the school’s closure but proposals may be required for the opening of a new school or for alterations as a consequence of the directed closure. If the direction to close a school has been given, the LA will be expected to meet any costs of terminating staff contracts, and make appropriate arrangements for the pupils’ continuing education, whether in a replacement school or through transition to an alternative school (see chapter 5 of Schools Causing Concern Guidance for further information – <http://www.standards.dcsf.gov.uk/sie/documents/sccamendedguidance.doc>).

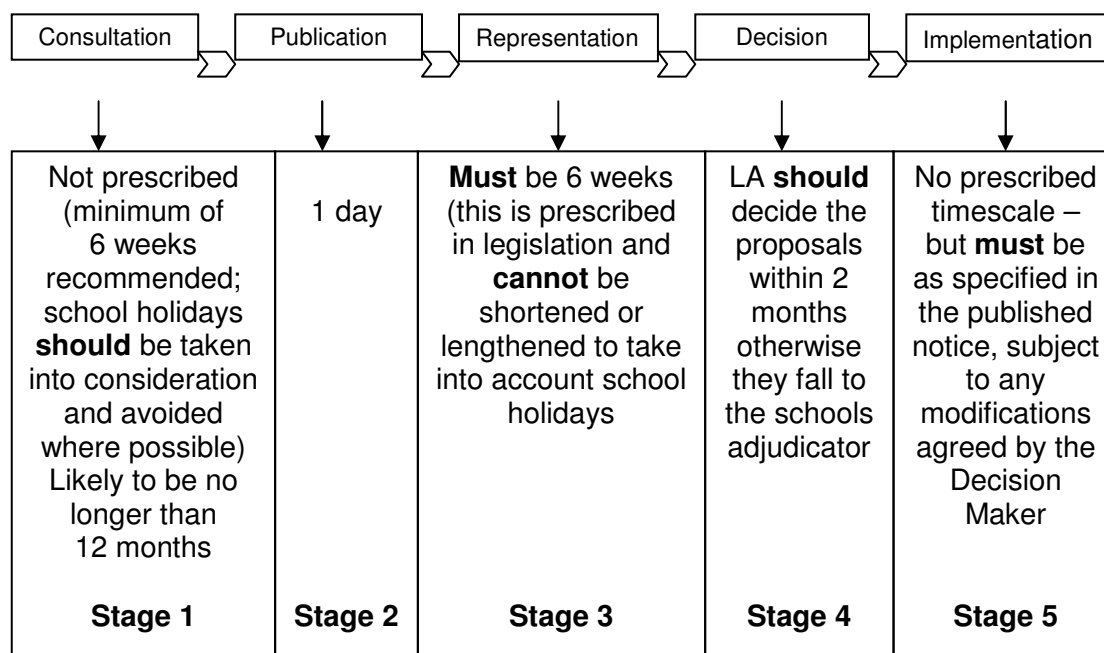
LSC Powers to publish proposals to close 16-19 schools (Paragraph 25)

25. The Learning and Skills Council (LSC)² will work with LAs to support the improvement of sixth form provision. The LSC has the power to publish proposals for the closure of an inadequate school sixth form. Where a school sixth form has been judged to require Significant Improvement in two consecutive Ofsted inspections, or where a maintained school for 16-19 year olds has been judged to require Special Measures in two consecutive Ofsted inspections, the LSC may publish proposals to close the sixth form or 16-19 school. The proposals will be decided by the LA or schools adjudicator in accordance with the same procedures as set out in [Stage 4](#) of this guide.

Overview of process (Paragraph 26)

26. There are 5 statutory stages for a statutory proposal to close a maintained mainstream school:

² References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.



Two Years Notice of Closure – Voluntary and Foundation Schools (Paragraphs 27-28)

27. Alternatively (instead of following the statutory process outlined above), under section 30 of the School Standards and Framework Act 1998, the governing body of a voluntary or foundation school may (subject to specified provisions) give at least two years' notice of their intention to close the school, to the Secretary of State and the LA. The Secretary of State's prior consent is required if expenditure has been incurred on the school's premises by the Secretary of State, the Funding Agency for Schools (in the case of a school which was formerly grant-maintained) or by the school's current, or any previous, LA. Similarly, trustees of a foundation or voluntary school may give the governing body a minimum of two years notice, if they intend to terminate the school's occupation of the school's site, and as a result the school can no longer continue. A copy of the served notice **must** also be given to the Secretary of State and the LA at the time when it is given to the governing body. The minimum two years' notice allows the LA and/or governing body time to make alternative arrangements for the school and its pupils, which may include following the normal statutory process to enlarge/change the age range of other schools etc.

28. Statutory proposals are not required in the case of closure proposed under section 30; the full process is set out in section 30 of the School Standards and Framework Act 1998 and is not covered by this guidance.

Who can publish statutory proposals to close schools? (Paragraph 29)

29. An LA can publish proposals to close any category of maintained school (community, community special, foundation [including Trust], foundation special, voluntary aided, voluntary controlled and nursery schools). The governing body of a voluntary, foundation [including Trust], or foundation

special school may also publish proposals to close their own school.

Where to start? (Paragraph 30)

30. Before commencing formal consultation, the LA or governing body **should** ensure they understand the statutory process that **must** be followed, the factors that are likely to be considered by the Decision Maker and that they have a sufficiently strong case and supporting evidence for their proposals.

Rural Primary Schools (Paragraphs 31-32)

31. EIA 2006 requires that an LA or governing body, that is considering proposing the closure of a rural primary school **must** consider the following matters, when formulating their proposals:-

- the likely effect of the discontinuance of the school on the local community;
- the availability, and likely cost to the LA, of transport to other schools;
- any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase; and
- any alternatives to the discontinuance of the school.

Although there is a presumption against closure of a rural school, that does not mean that no rural schools will close ([see 4.42](#) below).

32. A list of primary schools that are designated as rural can be found at: www.dcsf.gov.uk/schoolorg/useful-links.cfm. Secondary schools are not designated; it is for the Decision Maker to determine whether or not a secondary school should be considered as rural; the Department's register of schools – Edubase (<http://www.edubase.gov.uk>) - includes a rural/urban indicator for each school in England based on an assessment by the Office for National Statistics. See paragraphs 4.43-4.44 for further information.

NOTE: On Edubase, any school classed as urban will have a rural/urban indicator of either 'Urban>10K – less sparse' or 'Urban>10K – sparse' – all other descriptions refer to rural schools.

Nursery Schools (Paragraph 33)

33. Nursery schools generally offer high quality provision, and have considerable potential as the basis for developing integrated services for young children and families; there is a presumption against closure of LA maintained nursery schools, but that does not mean that no nursery schools will close. The LA **should** consider the following matters (which **must** be considered by the decision maker), when formulating proposals:-

- the number of empty places consistently being funded;
- developing the school into a Sure Start Children's Centre, unless there is evidence of unsuitable accommodation, poor quality provision and low demand for places;
- alternative planned provision will be at least as equal in terms of the quantity and quality of early years provision provided by the nursery school, with no loss of expertise and specialism; and
- replacement provision is more accessible and convenient for local parents.

Stage 1 – Consultation (Paragraphs 1.1-1.8)

1.1 Under section 16 of EIA 2006, those considering bringing forward statutory proposals to close a school **must** consult interested parties, and in doing so **must** have regard to the Secretary of State's guidance. The statutory guidance for this purpose is contained in paragraphs 1.2 to 1.5. Where an LA or governing body carries out any preliminary (informal) consultation to consider a range of options, and/or principles, for a possible reorganisation, this would not be regarded as the statutory (formal) period of consultation as required by regulations. The statutory consultation would need to cover the specific closure proposal of the school in question.

1.2 The Secretary of State requires those bringing forward proposals to consult all interested parties (see paragraph 1.3 below). In doing so they **should**:

- allow adequate time;
- provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted;
- make clear how their views can be made known; and
- be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals.

1.3 The Secretary of State considers that the interested parties who **should** be consulted by proposers include:

- the governing body of any school which is the subject of proposals (if the LA are publishing proposals);
- the LA that maintains the school (if the governing body is publishing the proposals);
- families of pupils, teachers and other staff at the school;
- any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;
- families of any pupils at any other school who may be affected by the proposals including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and

representatives of any trade union of any other staff at schools who may be affected by the proposals;

- (if proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school;
- the trustees of the school (if any);
- (if the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council (LSC);
- MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals;
- the local district or parish council where the school that is the subject of the proposals is situated;
- any other interested party, for example, the Early Years Development and Child Care Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises; and
- such other persons as appear to the proposers to be appropriate.

1.4 Under Section 176 of the Education Act 2002 LAs and governing bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them. Guidance on this duty is available on the Teachernet website: www.publications.teachernet.gov.uk and is entitled “Pupil Participation Guidance: Working Together – Giving Children and Young People a Say”.

Rural Primary Schools – Consulting on Closure (Paragraph 1.5)

1.5 Section 16(1) of EIA 2006 places a statutory **duty** on those proposing the closure of a rural primary school to consult:-

- the registered parents of registered pupils at the school;
- the LA (where proposals are to be made by the school governing body);
- in a case where the LA are a county council in England, any district council for the area in which the school is situated;
- any parish council for the area in which the school is situated; and

- such other persons as appear to the relevant body to be appropriate.

Conduct of Consultation (Paragraphs 1.6-1.8)

1.6 **How** statutory consultation is carried out is not prescribed in regulations and it is for the proposers to determine the nature of the consultation including, for example, whether to hold public meetings. Although regulations do not specify the consultation's duration, the Department strongly advises that the proposers **should** allow at least 6 weeks for this. This will allow consultees an opportunity to consider what is being proposed and to send their comments. Proposers **should** avoid consulting on proposals during school holidays, where possible.

1.7 At the end of the consultation the proposer **should** consider the views expressed during that period before reaching any final decision on whether to publish statutory proposals. Where, in the course of consultation, a new option emerges which the proposer wishes to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish statutory notices.

1.8 If the need for the closure arises from an area wide reorganisation e.g. as a result of long-term LA planning, any related proposals **should** be consulted on at the same time. Notices for related proposals **should** be published at the same time and specified as "related" so that they are decided together (see 2.5).

Remember:

Do	Don't
Consult all interested parties	Consult during school holidays (where possible)
Provide sufficient time and sufficient information	Use language which could be misleading, e.g. We <u>will</u> close the school – instead, use 'propose to'.
Think about the most appropriate consultation method	
Consider feedback and views	
Consider alternative options	
Explain the decision making process	

Stage 2 – Publication (Paragraphs 2.1-2.10)

2.1 LAs can publish proposals to close any category of maintained school within the LA. Governing bodies of voluntary or foundation schools can publish proposals to close their own school. Proposals **should** be published within a reasonable timeframe following consultation so that the proposals are informed by up-to-date feedback. Proposals **should** therefore be published within 12 months of consultation being concluded.

2.2 Proposals **must** contain the information specified in the Regulations. The regulations specify that part of the information (as set out in Part 7 of Schedule 5) is published in a statutory notice (see paragraph 2.3 below), but the complete proposal (as set out in Schedule 4), **must** be sent to a range of copy recipients (see paragraph 2.9-2.10 below). [Annex A](#) can be used to prepare the complete proposal; the notice builder tool (see 2.4 below) can be used to prepare the draft statutory notice.

2.3 A statutory notice containing specified information (indicated by the shaded information in [Annex A](#)) **must** be published in a local newspaper, and also posted at the main entrance to the school (or all the entrances if there is more than one) and at some other conspicuous place in the area served by the school (e.g. the local library, community centre or post office etc). The 'date of publication' is regarded as being the date on which the last of the above conditions is met. Proposers may circulate a notice more widely in order to ensure that all those substantially affected have the opportunity to comment.

2.4 To help proposers prepare their statutory notice, the School Organisation website includes an online Notice Builder tool which will help ensure that the statutory notice complies with the Regulations and offers an opportunity for the notice to be checked by the School Organisation & Competitions Unit of the DCSF. Proposers are strongly advised to use this facility. The Notice Builder can be found at www.dcsf.gov.uk/schoolorg. To gain access the proposer needs to register for the "Members' Area" on the website but this is free of charge. A template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website.

Related proposals (Paragraph 2.5)

2.5 Where proposals are interdependent (linked) they **should** be identified as "related", either by being published in a single notice or the link to the other proposals made clear in each notice. Where proposals by the LA are "related" to proposals by governing bodies or other proposers (e.g. where a school is to be closed and another enlarged, or a school is to be replaced by a new school) the LA and governors or proposers may publish a single notice but this **must** make it clear who is making which proposals, under their respective powers, and there **should** be separate signatures for each relevant section. Where proposals are not "related", they **should not** be published on the same notice unless the notice makes it very clear that the proposals are not

“related”. This does not include proposals that fall under other regulations e.g. removal of a Trust, opening of an Academy or federation proposals.

Implementation date (Paragraph 2.6)

2.6 There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation but circumstances may change significantly if too long a period elapses. In general, therefore - with the possible exception of BSF or major authority-wide reorganisation proposals which may have to be phased in over a long period - the implementation date for the proposals (stated in the statutory notice) **should** be within 3 years of their publication. Proposers may be expected to show good reason if they propose a longer timescale. If the proposals are approved, they **must** then be implemented by the proposed implementation date, subject to any modifications made by the Decision Maker.

Explanatory note (Paragraph 2.7)

2.7 If the full effect of the proposals is not apparent to the general public from the statutory notice, it may be supplemented by an explanatory note or background statement, but this **should** be clearly distinguishable from the formal proposals as it does not form a statutory part of the notice. Ideally, whilst complying with regulations, the statutory notice **should** be as concise as possible, so that it is easily understood (this will also help keep publication costs to a minimum), with more detailed information contained in the complete proposal (see [paragraph 14](#) for suggested explanatory notes if a closing school is to be replaced by an Academy).

Invalid notice (Paragraph 2.8)

2.8 Where a published notice has not been properly formulated in accordance with the regulations, the notice may be judged invalid and therefore ineligible to be determined by the LA or schools adjudicator. In these circumstances the proposer **should** publish a revised notice making it clear that this replaces the first notice and that the statutory period for representations will run from the publication date of the revised notice (and whether or not any representations already received will still be considered by the Decision Maker). If the issue is very minor, e.g. a typo, a published addendum may suffice, in which case, the representation period would not need to change.

Who should be sent copies of the proposals? (Paragraphs 2.9-2.10)

2.9 If the governing body are the proposers, they **must** submit a copy of their complete proposal to the LA that maintains the school, on the **date of publication**. It would also be helpful to submit a copy of the statutory notice. (see 2.2 above).

If the LA are the proposers, they **must** submit a copy of their complete proposal to the governing body of the school proposed for closure, on the

date of publication. It would also be helpful to submit a copy of the statutory notice. (see 2.2 above).

In addition, the proposer **must, within one week of the date of publication**, send a full copy of the complete proposal, to:

- any other LA likely to be affected by the proposals;
- the Diocesan Board of Education for any diocese of the Church of England which is comprised in the area of the LA;
- the bishop of a diocese of the Roman Catholic Church which is comprised in the area of the LA;
- the Learning and Skills Council for England if the school provides 14-16 education or sixth form education;
- where the school is a voluntary or foundation - the trustees or foundation body; and
- any person who requests a copy.

2.10 The proposers **must** also send to the Secretary of State (i.e. to SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or via email to school.organisation@education.gsi.gov.uk) **within a week of publication**:

- a complete copy of the proposal, excluding all documentation relating to the consultation; and
- a copy of the statutory notice that appeared in the local newspaper, showing the date of publication.

Stage 3 – Representations (Paragraphs 3.1-3.2)

3.1 Once proposals are published there follows a **statutory 6 week representation period** during which comments on the proposals can be made. These **must** be sent to the LA. Any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.

3.2 The representation period is specified in legislation as **6 weeks** and **must not** be altered e.g. cannot be shortened or extended to fit in with scheduled meetings or to take into account school holidays – meetings will need to be rescheduled and every effort **should** be made to advise stakeholders during the consultation period when the notice is likely to be published.

Stage 4 – Decision (Paragraphs 4.1-4.70)**Who Will Decide the Proposals?** (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both. Paragraphs 7-8 and 19 of Schedule 2 to EIA 2006 set out who **must** decide proposals for school closures. Decisions on closure proposals will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the closure proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.2 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

4.3 Where proposals are published by the LA and there are no objections and the proposals are not “related” to other proposals, the proposals **must** be determined by the LA under Paragraph 19 of Schedule 2 to EIA 2006. The proposals **should** then be decided within 2 months (and if not, the proposals **must** be referred to the schools adjudicator) and there is no provision for an appeal against the LA’s decision. A conditional approval cannot be given where proposals are decided under the paragraph.

4.4 If there are objections to the proposals, or there are no objections but the proposals are “related” to other proposals, the proposals **must** be decided under Paragraph 8 of Schedule 2 to EIA 2006. The LA will normally be the decision maker (i.e. except where the proposals are related to proposals for the establishment of a new school and the schools adjudicator is required to decide the new school proposals – see paragraph 5.6 of Part A, and paragraph 4.6 of Part B, of “Establishing a New Maintained Mainstream School” - www.dcsf.gov.uk/schoolorg/guidance.cfm?id=2). If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)

4.5 There is no right of appeal where proposals are decided under Paragraph 19 of Schedule 2 to EIA 2006. In all other cases the following bodies may appeal against an LA decision on school closure proposals:

- the local Church of England diocese;
- the Bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14

and over; and

- the governors and trustees of a foundation (including Trust) or voluntary school that is subject to the closure proposals.

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

Checks on Receipt of Statutory Proposals (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below); and
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 - 4.14 below).

Does the Published Notice Comply with Statutory Requirements? (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in the Regulations - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice? (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see [Stage 1](#) paragraphs 1.2–1.5). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid

and needs to consider whether they can decide the proposals. Alternatively the Decision Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

Are the Proposals Related to Other Published Proposals? (Paragraphs 4.10-4.14)

4.10 Paragraphs 9 and 19 of Schedule 2 to the EIA 2006 provide that any proposals that are “related to” particular proposals (e.g. for a new school, or prescribed alterations to existing schools i.e. change of age range, enlargement, transfer of site) **must** be considered together. This does not include proposals that fall outside of the Regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11 – 4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”. Proposals for a school competition **should** be considered together with proposals for any school closure where there is a clear link.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for a closing school are “related” to proposals published by the local LSC³, which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or
- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

³ References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

Statutory Guidance – Factors to be Considered by Decision Makers (Paragraphs 4.15-4.16)

4.15 Paragraphs 8(6) and 17 of Schedule 2 to the EIA 2006 provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on closure proposals. Paragraphs 4.16 to 4.63 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

A System Shaped by Parents (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

Standards (Paragraphs 4.19-4.21)

4.19 The Government wishes to encourage changes to local school provision where it will boost standards and opportunities for young people, while matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school closure will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay

particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

4.21 Where a school is to be closed so that it may be amalgamated with a more successful and/or popular school, the Decision Maker **should** again normally approve these proposals, subject to evidence being provided by the LA and other interested parties, that the development will have a positive impact on standards.

Schools Causing Concern (Paragraphs 4.22-4.23)

4.22 When considering the closure of any school causing concern and, where relevant, the expansion of other schools, the Decision Maker **should** take into account the popularity with parents of alternative schools.

4.23 For all closure proposals involving schools causing concern, copies of the Ofsted monitoring letters for the relevant schools **should** be made available. The Decision Maker **should** have regard to the length of time the school has been in special measures, needing significant improvement or otherwise causing concern, the progress it has made, the prognosis for improvement, and the availability of places at other existing or proposed schools within a reasonable travelling distance. There **should** be a presumption that these proposals **should** be approved, subject only to checking that there will be sufficient accessible places of an acceptable standard available in the area to meet foreseeable demand and to accommodate the displaced pupils.

National Challenge Trust Schools (Paragraph 4.24)

4.24 Where a school is proposed to close and re-open as a brokered National Challenge Trust school, the new school will have clear and specific plans for raising attainment which have been agreed by the Department (specified in the Statement of Intent agreed by Ministers). There **should** be a presumption to approve proposals where funding has been agreed by the Department, but the Decision Maker **should** be satisfied that the places the new school will provide are needed.

Academies (Paragraphs 4.25-4.27)

4.25 Academies are publicly-funded independent schools established in partnership with business and voluntary sector sponsors. They will normally replace one or more poorly-performing schools or will meet demand for new school places in diverse communities where there is only limited access to free high quality school places. Academies may be established in rural as well as urban areas. All Academies **should** contribute to a strategic approach to diversity in their area. The involvement of business and other non-Government partners will enable Academies to develop and implement new approaches to governance, teaching and learning in order to raise standards. All Academies will be required to share their facilities and expertise with other local schools and the wider community.

4.26 Where an Academy is to replace an existing school or schools, the proposals for the closure of those schools **should** indicate whether pupils currently attending the schools will transfer to the Academy and, if appropriate, what arrangements will be made for pupils who are not expected to transfer.

4.27 If provision for pupils at a school proposed for closure is dependent on the establishment of an Academy, or the extension or enlargement of an existing Academy, any approval of the closure proposals **should be** conditional on the Secretary of State making an agreement for a new Academy, or agreeing to the extension or enlargement of an existing one (see paragraph 4.65), but there **should** be a general presumption in favour of approval.

Diversity (Paragraphs 4.28-4.30)

4.28 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.58 to 4.62).

4.29 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.30 Decision Makers **should** consider how proposals will impact on local diversity. They **should** consider the range of schools in the relevant area of the LA and how the closure of the school will ultimately impact on the aspirations of parents, help raise local standards and narrow attainment gaps.

Balance of Denominational Provision (Paragraphs 4.31-4.32)

4.31 In deciding proposals to close a school with a religious character, the Decision Maker **should** consider the effect that this will have on the balance of denominational provision in the area.

4.32 The Decision Maker **should not** normally approve the closure of a school with a religious character where the proposal would result in a reduction in the proportion of denominational places in the area. This guidance does not however apply in cases where the school concerned is severely under-subscribed, standards have been consistently low or where an infant and junior school (at least one of which has a religious character) are to be replaced by a new all-through primary school with the same religious character on the site of one or both of the predecessor schools.

Every Child Matters (Paragraph 4.33)

4.33 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with “Every Child Matters” principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how displaced pupils will continue to have access to extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

NEED FOR PLACES**Provision for Displaced Pupils** (Paragraph 4.34)

4.34 Where proposals will remove provision, the Decision Maker **should** be satisfied that there is sufficient capacity to accommodate displaced pupils in the area, taking into account the overall supply and likely future demand for places. The Decision Maker **should** consider the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for those schools.

Surplus Places (Paragraphs 4.35-4.36)

4.35 It is important that education is provided as cost-effectively as possible. Empty places can represent a poor use of resources - resources that can often be used more effectively to support schools in raising standards. The Secretary of State wishes to encourage LAs to organise provision in order to ensure that places are located where parents want them. LAs **should** take action to remove empty places at schools that are unpopular with parents and which do little to raise standards or improve choice. The removal of surplus places **should** always support the core agenda of raising standards and respect parents' wishes by seeking to match school places with parental choices.

4.36 The Decision Maker **should** normally approve proposals to close schools in order to remove surplus places where the school proposed for closure has a quarter or more places unfilled, and at least 30 surplus places, and where standards are low compared to standards across the LA. The Decision Maker **should** consider all other proposals to close schools in order to remove surplus places carefully. Where the rationale for the closure of a school is based on the removal of surplus places, standards at the school(s) in question **should** be taken into account, as well as geographical and social factors, such as population sparsity in rural areas, and the effect on any community use of the premises.

IMPACT ON THE COMMUNITY AND TRAVEL**Impact on Community** (Paragraphs 4.37-4.38)

4.37 Some schools may already be a focal point for family and community activity, providing extended services for a range of users, and its closure may have wider social ramifications. In considering proposals for the closure of such schools, the effect on families and the community **should** be considered. Where the school was providing access to extended services, some provision **should** be made for the pupils and their families to access similar services through their new schools or other means.

4.38 The information presented by those bringing forward proposals to close such schools, particularly when they are in receipt of funding as part of regeneration activity, **should** therefore include evidence that options for maintaining access to extended services in the area have been addressed. The views of other relevant agencies and partnerships with responsibility for community and family services **should** be taken into account, alongside those of the local police, Government Offices and Regional Development Agencies having responsibility for the New Deal for Communities.

Community Cohesion and Race Equality (Paragraph 4.39)

4.39 When considering proposals to close a school the Decision Maker **should** consider the impact of the proposals on community cohesion. This will need to be considered on a case by case basis, taking account of the community served by the school and the views of different sections within the community. In considering the impact of the proposals on community cohesion the Decision Maker will need to take account of the nature of the alternative provision to be made for pupils displaced by the closure and the effects of any other changes to the provision of schools in the area.

Travel and Accessibility for All (Paragraphs 4.40-4.41)

4.40 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not** adversely impact on disadvantaged groups.

4.41 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc. The EIA 2006 provides extended free transport rights for low income groups – see Home to School Travel and Transport Guidance ref 00373 – 2007BKT-EN at www.teachernet.gov.uk/publications. Proposals **should** also be considered on the basis of how they will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Rural Schools and Sites (Paragraphs 4.42-4.44)

4.42 In considering statutory proposals to close a rural school, the Decision Maker **should** have regard to the need to preserve access to a local school for rural communities. There is therefore a presumption against the closure of rural schools. This does not mean that a rural school will never close, but the case for closure **should** be strong and the proposals clearly in the best interests of educational provision in the area. The presumption will not apply in cases where a rural infant and junior school on the same site are being closed to establish a new primary school. In order to assist the Decision Maker, those proposing closure **should** provide evidence to the Decision Maker to show that they have carefully considered:

- a. Alternatives to closure including the potential for federation with another local school to increase the school's viability; the scope for an extended school or children's centre to provide local community services and facilities e.g. child care facilities, family and adult learning, healthcare, community internet access etc;
- b. The transport implications as mentioned in paragraphs 4.40 to 4.41; and
- c. The overall and long term impact on local people and the community of closure of the village school and of the loss of the building as a community facility.

4.43 When deciding proposals for the closure of a rural primary school, the Decision Maker **should** refer to the Designation of Rural Primary Schools (England) 2007 to confirm that the school is a rural school. The list of rural primary schools can be viewed on line at: www.dcsf.gov.uk/schoolorg/useful-links.cfm.

4.44 In the case of secondary schools, it is the responsibility of the Decision Maker to decide whether a school is to be regarded as rural for the purpose of considering proposals for closure under this guidance and in particular the presumption against closure. The Department's register of schools – Edubase (<http://www.edubase.gov.uk>) - includes a rural/urban indicator for each school in England based on an assessment by the Office for National Statistics. The Decision Maker **should** have regard to this indicator. Where a school is not recorded as rural on Edubase, the Decision Maker may nonetheless wish to consider evidence provided by interested parties that a particular school **should** be regarded as rural.

NOTE: On Edubase, any school classed as urban will have a rural/urban indicator of either 'Urban>10K – less sparse' or 'Urban>10K – sparse' – all other descriptions refer to rural schools.

SCHOOL CHARACTERISTICS

Boarding Provision (Paragraph 4.45)

4.45 In making a decision on proposals to close a school that includes boarding provision, the Decision Maker **should** consider whether there is a state maintained boarding school within one hour's travelling distance from the school. The Decision Maker **should** consider whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

Equal Opportunity Issues (Paragraph 4.46)

4.46 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

SPECIFIC AGE PROVISION ISSUES

Early Years Provision (Paragraphs 4.47-4.48)

4.47 In considering proposals to close a school which currently includes early years provision, the Decision Maker **should** consider whether the alternative provision will integrate pre-school education with childcare services and/or with other services for young children and their families; and **should** have particular regard to the views of the Early Years Development and Childcare Partnership.

4.48 The Decision Maker **should** also consider whether the alternative early years provision will maintain or enhance the standard of educational provision and flexibility of access for parents. Alternative provision could be with providers in the private, voluntary or independent sector.

Nursery School Closures (Paragraph 4.49)

4.49 In deciding whether to approve any proposals to close a nursery school, the Decision Maker **should** be aware that nursery schools generally offer high quality provision, and have considerable potential as the basis for developing integrated services for young children and families. There **should** be a presumption against the closure of a nursery school unless the case for closure can demonstrate that:

- a. the LA is consistently funding numbers of empty places;
- b. full consideration has been given to developing the school into a Sure Start Children's Centre, and there are clear, justifiable grounds for not doing

so, for example: unsuitable accommodation, poor quality provision and low demand for places;

c. plans to develop alternative provision clearly demonstrate that it will be at least as equal in terms of the quantity and quality of early years provision provided by the nursery school with no loss of expertise and specialism; and that

d. replacement provision is more accessible and more convenient for local parents.

14-19 Curriculum and Collaboration (Paragraph 4.50)

4.50 The Government has ambitious plans to increase post-16 participation rates and improve the skills of learners. The foundation for making progress is a transformed, coherent 14-19 phase offering a rich mix of learning opportunities from which young people can choose tailored programmes and gain qualifications appropriate to their aptitudes, needs and aspirations. This will be achieved by better collaboration between local providers, including schools, colleges, training providers and employers. Decision Makers **should** therefore consider what measures are being proposed to ensure that opportunities available to students in this age group are not reduced by the school closure, although the absence of such measures **should not** prevent the closure of a poorly-performing school.

16-19 Provision – General (Paragraphs 4.51-4.53)

4.51 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.52 Where standards and participation rates are variable, or where there is

little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.53 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

LSC Proposals to Close Inadequate 16-19 Provision (Paragraph 4.54)

4.54 The Learning and Skills Act 2000 (as amended by the Education Act 2005) gives the LSC⁴ powers to propose the closure of 16-19 schools judged to require Significant Improvement in two consecutive Ofsted inspections. Where a 16-19 school is proposed for closure in such circumstances there **should** be a presumption to approve the proposals, subject to evidence being provided that the development will have a positive impact on standards.

Conflicting Sixth Form Reorganisation Proposals (Paragraph 4.55)

4.55 Where the implementation of reorganisation proposals by the LSC conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION

Initial Considerations (Paragraphs 4.56-4.57)

4.56 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change, LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children

⁴ References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of LA day and residential special provision;

- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights **must** be ensured. Other interested partners, such as the Health Authority **should** be involved.

4.57 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

The Special Educational Needs Improvement Test (Paragraph 4.58)

4.58 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.59 to 4.62 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

Key Factors (Paragraphs 4.59-4.62)

4.59 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

a. identify the details of the specific educational benefits that will flow from the proposals in terms of:

- i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
- ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
- iii. improved access to suitable accommodation; and
- iv. improved supply of suitable places.

b. LAs **should** also:

- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools **should** confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.60 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been

excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.61 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.62 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

OTHER ISSUES

Views of interested parties (Paragraph 4.63)

4.63 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils; staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

Types of Decision (Paragraph 4.64)

4.64 In considering proposals for a school closure, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the school closure date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.65), unless the decision is being made under paragraph 19 of Schedule 2 of the EIA 2006 – see

4.3 above.

Conditional Approval (Paragraphs 4.65-4.66)

4.65 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the Regulations i.e. as follows:

- a. the making of any agreement under section 482(1) of the 1996 Education Act for the establishment of an Academy, where the proposals in question provide for some or all of the pupils currently at the school which is the subject of the proposals to transfer to the Academy;
- b. the agreement of the Secretary of State to the extension or enlargement of an existing Academy;
- c. the decision of the Secretary of State to establish a new FE college under section 16 of the Further and Higher Education Act 1992;
- d. the agreement to any change to admission arrangements of any other school or schools specified in the approval;
- e. where the proposals depend upon conditions being met, by a specified date, for any other school or proposed school, the occurrence of such an event.

4.66 The Decision Maker **must** set a date by which the condition **must** be met but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should** be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1st September one year, and enlarge on 1st September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal), because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

Decisions (Paragraphs 4.67-4.69)

4.67 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.68 A copy of the decision **must** be forwarded to:

- the LA or governing body who published the proposals;
- each objector except where a petition has been received. Where a petition is received a decision letter **should** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition;
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk);
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the Bishop of the local RC diocese.

4.69 In addition, where proposals are decided by the LA a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA who maintain the school.

Can proposals be withdrawn? (Paragraph 4.70)

4.70 Proposals can be withdrawn by the proposer, at any point before a decision is taken by the Decision Maker. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

Stage 5 – Implementation (Paragraphs 5.1-5.11)

5.1 The proposers are under a **statutory duty** to implement any proposals which an LA or schools adjudicator has approved, by the approved implementation date. The proposals **must** be implemented as published, taking into account any modifications made by the Decision Maker. If the approval was subject to a condition being met by a specified date, proposers **should** ensure that they meet this. If it looks as though it might not be possible to meet the condition by the specified date, the proposals **must** be considered afresh by the Decision Maker that decided the proposals. The proposer **should** seek a modification to the condition **before** the date has passed.

Can proposals be modified? (Paragraphs 5.2-5.4)

5.2 If it proves impossible to implement the proposals as approved, the proposers can seek a modification and **must** apply to the Decision Maker who decided the proposals. A modification **should** be made before the approved implementation date for the proposals is reached.

5.3 The most common modification is to the implementation date. However, proposals cannot be modified to the extent new proposals are substituted for those that have been consulted upon and published. If proposers wish to make a significant change to proposals after they have been approved, they **must** publish “revocation” proposals to be relieved of the duty to implement the proposals (see 5.5-5.11 below) and publish fresh proposals.

5.4 Before modifying proposals the Decision Maker **must** consult:

- the proposers or the LA who made the proposals;
- the LA, if the LA did not publish the proposals;
- the governing body, if the governing body did not publish the proposals.

The proposals should not be modified in a way that would in effect substitute new proposals – this would run the risk of successful legal challenge in the courts. The Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk) **must** be notified of any modification and the date it was approved, within one week of the proposal being modified.

Revocation (Paragraphs 5.5-5.11)

5.5 If proposers cannot implement approved proposals they **must** publish fresh proposals to be relieved of the duty to implement. Regulation 26(2) of the School Organisation (Establishment and Discontinuance of

Schools)(England) Regulations 2007 (as amended) provides that revocation proposals **must** contain the following information:

- a description of the original proposals as published;
- the date of publication of the original proposals;
- details of who published the proposals; and
- a statement as to why it is proposed that the duty to implement proposals **should not** apply in relation to the original proposals.

The proposals can be published as “related” proposals, if appropriate (following consultation). Templates for revocation notices can be found on the School Organisation website (www.dcsf.gov.uk/schoolorg) under ‘Standard Forms’ via the Members’ Area. You need to register to access this area; membership is free.

5.6 The notice **must** be published in a local newspaper circulating in the area served by the school, and also posted at the main entrance to the school (and all entrances if there are more than one) and at some other conspicuous place in the area served by the school. The proposals **must** provide for anyone to submit comments and objections on the proposals to the LA within 6 weeks of the proposals being published. The proposers **must** forward a copy of the proposals to the LA/governing body within 1 week of publication. Proposers are advised to consult interested parties on the planned revocation proposals before publication although there is no statutory requirement to do so.

5.7 Revocation proposals **must** be decided by the LA, except where the original proposals were decided by the schools adjudicator (or School Organisation Committee), or if the schools adjudicator is required to decide any “related” proposals, in which case the LA **must** forward the proposals, and any comments and objections received, to the schools adjudicator within 2 weeks from the end of the representation period. If the LA are to decide proposals they **must** do so within 2 months from the end of the representation period and if not, **must** pass the proposals to the schools adjudicator within 1 week from the end of the 2 month period.

5.8 To approve the proposals the Decision Maker **must** be satisfied that implementation of the original proposals would be unreasonably difficult, or that circumstances have so altered since the original proposals were approved that their implementation would be inappropriate.

5.9 A copy of the decision **should** be forwarded to:

- the LA or governing body who published the proposals;
- each objector except where a petition has been received. Where a petition is received a decision letter **should** be sent to the person who submitted the petition, or where this is unknown, the

signatory whose name appears first on the petition;

- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisation@education.gsi.gov.uk);
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the Bishop of the local RC diocese.

5.10 The following bodies have a right of appeal to the schools adjudicator if they disagree with the LA's decision:

- The local Church of England diocese;
- The bishop of the local Roman Catholic diocese;
- The LSC where the school is to provide education for pupils aged 14 and over; and
- The governing body and trustees (if relevant) of the school.

5.11 Appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals and the representations (together with any comments made on these representations by the proposers) to the schools adjudicator within 1 week of the receipt of the appeal. The LA need to also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

Annex A**MATTERS TO BE SPECIFIED IN SECTION 15 PROPOSALS TO DISCONTINUE A SCHOOL**

The following sets out the information that must be contained in a complete proposal. Shaded information **must** be published in a statutory notice. See paragraphs 2.2 to 2.10.

NB. If the School Organisation Notice Builder tool is used to create a draft statutory notice, a template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website or you can enter the information required in the expandable boxes below.

Extract of Schedule 4 to The School Organisation (Establishment and Discontinuance of Schools)(England) Regulations 2007 (as amended):**Contact details**

1. The name of the LA or governing body publishing the proposals, and a contact address, and the name of the school it is proposed that should be discontinued.

Implementation

2. The date when it is planned that the proposals will be implemented, or, where the proposals are to be implemented in stages, information about each stage and the date on which each stage is planned to be implemented.

Consultation

3. A statement to the effect that all applicable statutory requirements to consult in relation to the proposals were complied with.

4. Evidence of the consultation before the proposals were published including:
 - a) a list of persons and/or parties who were consulted;
 - b) minutes of all public consultation meetings;
 - c) the views of the persons consulted; and
 - d) copies of all consultation documents and a statement of how these were made available.

Objectives

5. The objectives of the proposal.

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Standards and Diversity

6. A statement and supporting evidence indicating how the proposals will impact on the standards, diversity and quality of education in the area.

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Provision for 16-19 year olds

7. Where the school proposed to be discontinued provides sixth form education, how the proposals will impact on:

- a) the educational or training achievements;
- b) participation in education or training; and
- c) the range of educational or training opportunities,

for 16-19 year olds in the area.

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Need for places

8. A statement and supporting evidence about the need for places in the area including whether there is sufficient capacity to accommodate displaced pupils.

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9. Where the school has a religious character, a statement about the impact of the proposed closure on the balance of denominational provision in the area and the impact on parental choice.

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Current School Information

10. Information as to the numbers, age range, sex and special educational needs of pupils (distinguishing between boarding and day pupils) for whom provision is made at the school.

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Displaced Pupils

11. Details of the schools or FE colleges which pupils at the school for whom provision is to be discontinued will be offered places, including:

- a) any interim arrangements;
- b) where the school included provision that is recognised by the LA as reserved for children with special educational needs, the alternative provision to be made for pupils in the school's reserved provision; and
- c) in the case of special schools, alternative provision made by LAs other than

the authority which maintains the school.

12. Details of any other measures proposed to be taken to increase the number of school or FE college places available in consequence of the proposed discontinuance.

Impact on the Community

13. A statement and supporting evidence about the impact on the community and any measures proposed to mitigate any adverse impact.

14. Details of extended services the school offered and what it is proposed for these services once the school has discontinued.

Travel

15. Details of the length and journeys to alternative provision.

16. The proposed arrangements for travel of displaced pupils to other schools including how they will help to work against increased car use.

Related Proposals

17. A statement as to whether in the opinion of the LA or governing body, the proposals are related to any other proposals which may have been, are, or are about to be published.

Rural Primary Schools

18. Where proposals relate to a rural primary school designated as such by an order made for the purposes of section 15, a statement that the LA or the governing body (as the case may be) considered:

- a) the likely effect of discontinuance of the school on the local community;
- b) the availability, and likely cost to the LA, of transport to other schools;
- c) any increase in the use of motor vehicles which is likely to result from the discontinuance of the school, and the likely effects of any such increase; and

d) any alternatives to the discontinuance of the school,

as required by section 15(4)

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Maintained nursery schools

19. Where proposals relate to the discontinuance of a maintained nursery school, a statement setting out:

- a) the consideration that has been given to developing the school into a children's centre and the grounds for not doing so;
- b) the LA's assessment of the quality and quantity of alternative provision compared to the school proposed to be discontinued and the proposed arrangements to ensure the expertise and specialism continues to be available; and
- c) the accessibility and convenience of replacement provision for local parents.

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Special educational provision

20. Where existing provision that is recognised by the LA as reserved for pupils with special educational needs is being discontinued, a statement as to how the LA or the governing body believes the proposal is likely to lead to improvements in the standard, quality and/or range of the educational provision for these children.

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Haringey Council

Report for:	Cabinet 18 September 2012	Item Number:	
Title:	Housing Related Support Waiver of tendering requirements and award of contract for Home Improvement Service (HIA) Contract		
Report Authorised by:	Mun Thong Phung, Director of Adult and Housing Services  Signed: Date: 24th August 2012		
Lead Officer:	Rosie Green, Commissioning Manager (Housing Related Support) Tel: 020 8489 4526 Email: rosie.green@haringey.gov.uk		
Ward(s) affected: All		Report for Key/Non Key Decisions:	

1. Describe the issue under consideration

- 1.1 Housing Related Support has a contract with Metropolitan Care & Repair to provide an HIA Service.
- 1.2 The current contract expires on 31 July 2012 and there is no option to extend within the contract.
- 1.3 A review carried out by the Housing Related Team in June 2012 confirmed that the service is proven to be of strategic relevance, being of good quality, reputable and offering value for money.
- 1.4 Metropolitan Care & Repair submits quarterly Performance Indicator Workbooks to the Housing Related Team. The workbooks record availability, utilisation, staffing and throughputs including planned departures. The performance data



Haringey Council

shows that the service exceeds agreed targets and is immensely successful at meeting a multiplicity of housing related need.

- 1.5 There has been no funding increase on this contract since 2003 and a waiver until July 2014 at the current contract value will prevent any inflation and pressure on the Housing Related Support budget.
- 1.6 Further information on the pricing breakdown is contained in Appendix A, the exempt part of this report.

2. Cabinet Member introduction

- 2.1 The service provided by Metropolitan Care & Repair is for people over 60 and people with disabilities. The service is available to homeowners and private tenants and has proved successful since it's inception in meeting the needs of vulnerable older and disabled people in the Borough to improve, repair, maintain or adapt their homes. The contract to permit this service to continue will continue to deliver value for money, with proven outcomes.

3. Recommendations

- 3.1 That Cabinet approve a waiver of tendering requirements of Contract Standing Order (CSO) 10.01.2(d), that it is in the Council's overall interest.
- 3.2 That Cabinet approve an award of a contract with Metropolitan Care and Repair for the Home Improvement Service (HIA) for 2 years at the current contract value.

4. Other options considered

- 4.1 Market research carried out about HIA services offered in neighbouring boroughs.
- 4.2 A tendering process was carefully considered, however it was decided that it would fail to achieve any savings and would create too many disruptions to existing clients and stakeholders.
- 4.3 Consultations with service users and stakeholders in June 2012 indicated that this would go against the preferences of clients and professionals.



5. Background information

- 5.1 A partnership between Haringey Council and Metropolitan Care and Repair Service was established in 1991 to provide a Home Improvement Agency Service (HIA).
- 5.2 HIAs are local not-for-profit organisations located throughout the country and they assist older and disabled people to improve, repair, maintain, or adapt their home. They provide advice and information for home owners and private tenants, and they check to ensure what benefits and grants service users may be entitled to. They visit service users at home, work closely with other agencies involved, help to identify reputable tradespeople to undertake works and oversee the work.
- 5.3 Metropolitan Care and Repair is registered with Foundations, the national body for home improvement agencies which is appointed by the Department for Communities and Local Government (DCLG).
- 5.4 Metropolitan Care and Repair achieved a Full Home Improvement Quality Mark Award in 2005 from Foundations.
- 5.5 The service, which was Government funded, was inherited into the Supporting People Programme in 2003, the grant being one of the legacy funding streams.
- 5.6 The service is strategically relevant as it provides a comprehensive service to older and disabled people in the borough and is delivered into all tenures.
- 5.7 The service works closely with Housing, Environmental Health, Social Services Departments, as well as Age Concern, Government Departments and Enfield and Haringey Health Authority.
- 5.8 Their Advisory Committee embraces Voluntary Organisations and representatives from Chinese, African Caribbean and Asian Communities.
- 5.9 The current contract expires on 31 July 2012 and there is no option to extend within the contract.
- 5.10 Housing Related Support funding provides the following:
 - Visiting service users at home to give advice about any problems they have with the condition of their home.
 - Providing a list of reliable local builders and contractors.
 - Advising of housing options and helping to decide which is most suitable



Haringey Council

- Helping to obtain other local support services.
- Checking whether service users are entitled to any financial help e.g disability benefits, or money to help repair or adapt their home.
- Helping with any work that service users decide to have carried out on their home e.g drawing up plans, getting estimates and liaising with others involved in the work, such as council grants officers and occupational therapist.

5.11 The first visit and advice is free.

5.12 Free building advice offered in Haringey up to 31 March 2012 was as follows:

- Received 8,168 enquiries
- Visited 5,795 households at least once in their own home
- Completed £8.8m worth of building work
- Completed 3,996 separate building jobs

5.13 A review carried out by the Housing Related Team in June 2012 confirmed that the service is proven to be of strategic relevance, being of good quality, reputable and offering value for money.

5.14 Metropolitan Care & Repair submits quarterly Performance Indicator Workbooks to the Housing Related Team. The workbooks record availability, utilisation, staffing and throughputs including planned departures. The performance data shows that the service exceeds agreed targets and is immensely successful at meeting a multiplicity of housing related need.

5.15 There has been no funding increase on this contract for 9 years, since 2003 and a waiver until May 2014 will be for 11 years at the current contract value. This will prevent any inflation and pressure on the Housing Related Support budget.

5.16 It is clear from the statistics in 5.12 above that the service provider has offered support to older and disabled people over and above their contracted amount.

5.17 It is evident that with the breadth of services provided that value for money is obtained.

5.18 The Housing Related Support funding equates to just one third of all income into the service.

5.19 To be fully operational to meet all the demands that are placed on the service, Metropolitan Care & Repair has been successful in obtaining additional funding from other sources e.g. charitable funding.

5.20 Other services offered by Metropolitan Care and Repair that are not funded by the Council are:



Haringey Council

- Anti Burglary Support Project - immediate practical help to any Haringey resident over 60, who is a victim of burglary, attempted burglary or bogus callers.
- Since April 2003 (beginning of SP funding) they have:
 - 2,365 clients visited in their own homes
 - Only 10 clients have had a repeat burglary
 - 6,868 individual security items fitted free of charge
- Hospital Discharge - offers a service to prevent either delayed discharge, or re-admission, to one of the 3 hospitals serving Haringey, which could be through e.g. building repairs, adaptations, security measures, accident prevention advice or alarm systems.
 - Since April 2004, 502 elderly people, discharged from hospital, have been assisted.
- Care and Repair in the Garden
 - Gardening for Older and Disabled Residents – 205 households in 2011/12
 - Gardening Courses – 82 elderly people attended in the last 12 months
 - Hedge Cutting – e.g. in preparation for the Open House weekend, 348 Hedges were trimmed and re-shaped in Lordship Lane (2008)
 - Free Gardening Club for the over 60s at Green Routes
- Handyperson Service - provided by qualified CRB checked tradespeople offering low cost building jobs around the home.
 - Since 2006, the Handyperson has carried out 3,828 jobs for Haringey's elderly residents.

- 5.21 This service is a unique provision in the borough. Previous service reviews have consistently evidenced both quality and value for money.
- 5.22 Other local authorities have some form of Home Improvement Agency Service, however they differ from borough to borough in the range of services offered.
- 5.23 It is possible that if Housing Related Support stops contributing towards the cost of this service, the organisation will cease to operate and their local presence will be lost.
- 5.24 Equality Impact Assessment and consultation feedback in April 2011 supports the retention of this service (see Appendix B attached).



Haringey Council

- 5.25 Metropolitan Care and Repair has successfully provided these services in Haringey and it is in the council's best interest to waive tendering requirements.

6. Comments of the Chief Finance Officer and financial implications

- 6.1 There is currently financial provision for this project within the Housing Related Support budget.
- 6.2 The Housing Related Support budget has been required to make cuts in the sum of £0.5m in 2012/13 and £1.5m in 2013/14.
- 6.3 This contract will be a commitment against future resources and must be factored into any future decisions on budget cuts.
- 6.4 The total contract value is contained in the exempt part of this report, Appendix A.

7. Head of Legal Services and legal implications

- 7.1 The contract is not considered a priority activity service under the Public Contracts Regulations 2006 and is therefore not subject to European tendering requirements.
- 7.2 Adult and Housing Services Directorate seeks a waiver of the tendering requirements set out in CSO 9.01 (requirement to tender).
- 7.3 The waiver is based on the grounds set out in CSO 10.01.2 (d) i.e that it is in the Council's overall interest.
- 7.4 Because of the value of the contract, the waiver must be approved by the Cabinet in accordance with CSO 10.01.1 (a) (contract value of more than £100,000).
- 7.5 Should the Cabinet see fit to approve the waiver, an award of contract is recommended. This is in accordance with CSO 9.07.1 (d) (contracts valued over £250,000).
- 7.6 The Head of Legal Services confirms that there are no legal reasons preventing Members from approving the recommendations in this report.

8. Equalities and Community Cohesion Comments

- 8.1 The EqIA agreed in April 2011 to retain this HIA contract with Metropolitan Care and Repair demonstrates the uniqueness of this service in the borough.



Haringey Council

- 8.2 The services delivered by this service are proven to help elderly and disabled people in Haringey to continue to live independently in their own homes. Without this preventative service, many would be forced to move into residential or nursing care or struggle to continue in living at home.
- 8.3 The funding provided by HRS enables people who would not normally be able to afford adaptations to their homes to access grants to pay for this.

9. Head of Procurement Comments

- 9.1 This recommendation is compliant with the Procurement Code of Practice.
- 9.2 Benchmarking across North London show that this service delivers a value for money service to Haringey Council.
- 9.3 Contract management is in place to ensure compliance and shows that the service exceeds contracted requirements.

10. Use of Appendices

- 10.1 Exemptions under schedule 12A – Appendix A
- 10.2 Equality Impact Assessment of April 2011 – Appendix B

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APPENDIX B

HARINGEY COUNCIL

EQUALITY IMPACT ASSESSMENT FORM



Service:	Safeguarding and Strategic Services
Directorate:	ACCS
Title of Proposal:	Supporting People Programme – Home Improvement Agency
Lead Officer:	Margaret Allen – Assistant Director
Names of other Officers involved:	Nick Crago, Camlee Voisin-Baptiste, David Powell, Maggie Cameron-Ratchford

Step 1 - Identify the aims of the policy, service or function

Following the Comprehensive Spending Review and grant settlement in 2010, Haringey Council is required to make significant financial savings. Approximately £5 million of savings will need to be delivered by the Supporting People (SP) programme in 2011/12.

It is proposed that the current expenditure of £132,946 is retained in the Home Improvement Agency sector.

The Home Improvement Agency is a unique service within the borough which provides housing repairs, improvements and adaptations to help vulnerable people to maintain their independence and continue to live in their own homes. The service covers a range of tenures and delivers value for money.

Savings have already been made in the BME and Older People sectors through contract renegotiation, which will contribute over £550,000 towards the 2011/12 savings.

For the purposes of conducting Equalities Impact Assessments (EqIAs), the different sectors of the SP programme affected by the budget reductions have been considered separately.

Overview of the Supporting People Programme

The Supporting People (SP) Programme delivers housing related support to vulnerable client groups and almost 9000 people in Haringey, approximately 3000 of whom benefit from services provided directly by the Council. The programme aims to support people to live independently in their own homes. Support services are either 'accommodation-based' or 'floating support', and are provided according to level of need as well as individual circumstances.

The SP providers are contracted to deliver against a set of national quality standards and locally agreed performance criteria.

Floating support aims to help service users with:

- Tenancy attainment;
- Sustaining tenancies;
- Community integration;
- Access to training, education and employment;
- Independent living skills;
- Advice, advocacy, emotional support and counselling;
- Community safety;
- Preventing hospitalisation, rehabilitation, residential care or secure units;
- Preventing family breakdown;
- Preventing homelessness.

Accommodation-based services aim to help service users with:

- Setting up and maintaining a home or tenancy;
- Developing domestic and independent living skills;
- Developing social skills/behaviour management;
- Advice, advocacy, emotional support and counselling;
- Community safety;
- Managing finances and benefit claims;
- Gaining access to other services/community organisations;
- Establishing social contacts and activities;
- Establishing personal safety and security;
- Supervising and monitoring of medication, health and well being;
- Peer support and befriending.

Overview of the Home Improvement Agencies Sector

The Home Improvement Agency (HIA) is a service that provides advice and technical services to clients requiring repairs, improvements and adaptation to their homes. The service is targeted at elderly and disabled home owners and private tenants in Haringey. In 2009/10, the HIA visited 4,285 households at least once. The HIA actively targets services at BME groups, with 64% of services users from BME groups.

Step 2 - Consideration of available data, research and information

Supporting People Client Record Equalities Data

SP client data is collated centrally by the Supporting People Client Record Office. The latest available data from 2009/10 provides details of over 2250 SP service users in Haringey. It should be noted that some providers are not required to submit this data. Although this is a limited sample, it provides an insight into the characteristics of Supporting People service users across each sector.

The Supporting People client data for Haringey demonstrates that the people who use the SP HIA services have the following characteristics:

- 98% of service users are aged 60 or over.
- 73% of service users are female, which means that women are over-represented compared with the borough profile (Table 1).
- 90% of service users are from single person households.
- 15% are Black/Black British Caribbean, meaning these groups are over-represented compared with the borough profile (Table 2).

Table 1: Gender of SP HIA service users compared with borough profile (SPCR)

Gender	HIA Services	Haringey Borough Profile*
Male	27%	51%
Female	73%	49%

*ONS Mid-year Estimates 2009

Table 2: Ethnicity of SP HIA service users compared with the borough profile (SPCR)

Ethnicity	HIA Services	Haringey Borough Profile*
White	65%	65%
White British	48%	48%
White Irish	6%	4%
Other White	10%	14%
Mixed	2%	5%
White and Black Caribbean	2%	1%
White and Black African	0%	1%
White and Asian	0%	1%
Other Mixed	0%	1%
Asian or Asian British	3%	8%
Indian	2%	3%
Pakistani	0%	1%
Bangladeshi	0%	2%
Other Asian	1%	2%
Black or Black British	21%	19%
Caribbean	15%	8%
African	4%	9%
Other Black	1%	1%
Chinese or Other Ethnic Group	4%	4%
Chinese	0%	2%
Other Ethnic Group	4%	2%
Refused	6%	n/a

*Borough population figures ONS 2005

Step 3 - Assessment of Impact

Overall Impact

There will be no negative impact as a result of this proposal, as no reduction in funding is being proposed.

Differential Impact

Although there will be no negative impact from this proposal, it is useful to consider the characteristics of the service users. Any change to this service would affect the following service user groups:

- Women;
- Older People;
- Black/Black British Caribbean people.

Mitigation of the Impact

There will be no negative impact as a result of this proposal, as no reduction in funding is being proposed.

Step 4 - Consult on the proposal

Consultation Process

- SP providers have been consulted on the proposals through an ongoing review process and through the SP Provider Forums on 7 December 2010, 25 January 2011 and 15 February 2011.
- A special meeting of the SP Practitioner Group was held on 2 February 2011 to discuss general levels of service delivery and headline detail of the proposal.
- A sector meeting was held on 10 March 2011 when providers were advised of the consultation timetable, proposed criteria and arrangements for engaging with service users.
- Letters were sent to providers inviting them to comment on the proposed changes.
- Contract negotiation meetings are being held with individual providers.
- Consultation questionnaires have been sent to service users to establish specific impacts of the proposals. Responses were received by the Council by 8 April 2011 and have been analysed. The analysis is reflected in the EqlAs and the Supporting People Consultation Report.

Findings of the Consultation

Findings of the consultation can be found in the Supporting People Consultation Report taken to Cabinet on 26 April 2011.

Step 5 - Addressing Training

There are no staff training issues arising out of this proposal.

Step 6 - Monitoring Arrangements

The existing methods and procedures for evaluating SP services include service reviews, validation visits, quarterly performance workbooks and contract management. Support providers are required to submit Client Record Forms (CRF) to the Supporting People Client Record Office when a new client enters their service. These mechanisms will be used by the Head of Supporting People to carry out ongoing equalities monitoring to monitor the impact of the proposed budget reductions.

Step 7 - Summarise impacts identified

It is proposed that the current expenditure of £132,946 is retained in the Home Improvement Agency sector. Therefore, there will be no negative impact of these proposals.

Step 8 - Summarise the actions to be implemented

- Ongoing consultation on the re-design of the wider SP programme.
- Ongoing equalities monitoring of service use.

Step 9 - Publication and sign off

This EqIA will be presented to Cabinet on 26 April 2011 and will then be made available as a public document.

Assessed by (Author):

Name: Nick Crago
Designation: Acting Head of Service, Supporting People, Contracts & Complaints
Signature: Nick Crago
Date: 18 April 2011

Quality checked by (Equality Team):

Name: Eve Featherstone
Designation: Principal Equality and Diversity Officer
Signature: Eve Featherstone
Date: 18 April 2011

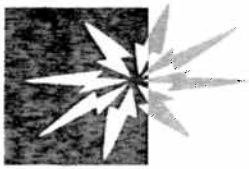
Sign off by Directorate Management Team:

Name: Margaret Allen

Designation: Assistant Director, Safeguarding and Strategic Services

Signature: Margaret Allen

Date: 18 April 2011

**Haringey Council**

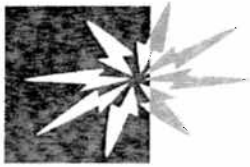
Report for:	Cabinet	Item Number:	
Title:	Sports and Leisure Transfer		
Report Authorised by:	Lyn Garner – Director of Place and Sustainability		
Lead Officer:	John Morris 0208 489 5602 John.morris@haringey.gov.uk		
Ward(s) affected: ALL		Report for Key Decision:	

1. Describe the Issue Under Consideration

- 1.1 This report considers the externalisation of the Sports and Leisure Management Service, undertaken at Tottenham Green Leisure Centre, Park Road Leisure Centre, Broadwater Farm Community Centre and White Hart Lane Community Sports Centre and covers:
- The policy and financial context
 - The procurement process undertaken over the last 16 months
 - The outcomes that will be delivered
- 1.2 Consequently, Member approval is now being sought to award the Sports and Leisure contract to an external operator.

2. Cabinet Member Introduction

- 2.1 Following our decision in February 2011 to externalise the management of our Council owned sports and leisure facilities, I am pleased to report the outcome of the subsequent 'competitive dialogue' procurement process.
- 2.2 Having received two strong and competitive final tenders, I believe that the preferred bidder offers best value for money, in that it will:
- Deliver the planned £500k revenue saving
 - It will cost significantly less than maintaining 'in house' delivery
 - Bring about significant investment in new and improved facilities
 - Improve customer satisfaction and increase participation
 - Maintain and improve access for our most disadvantaged residents



Haringey Council

- 2.3 Thus I am now recommending award of the Sports and Leisure contract as set out in this report.

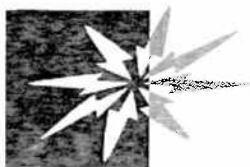
3. Recommendations

Members are asked to:

- 3.1 Note the results of the procurement process and, in particular, the evaluation assessment set out in the 'exempt' report.
- 3.2 Award a 20 year contract to Bidder B, to manage Tottenham Green Leisure Centre, Park Road Leisure Centre, Broadwater Farm Community Centre, and White Hart Lane Community Sports Centre (for up to 3 years), and to delegate authority to the Director of Place and Sustainability in consultation with the Lead Member for Communities, to finalise and issue the contract.
- 3.3 Approve the use of Prudential Borrowing to support the related capital investment needs as set out in Part 2 of this report (exempt)
- 3.4 Note the proposed new/enhanced facilities at Tottenham Green and Park Road.
- 3.5 Note the application of the mandatory 80% relief on National Non Domestic Rates (NNDR).
- 3.6 Note the TUPE transfer of 93 Staff (58.99 FTE) to Bidder B concurrent with the commencement of the contract.
- 3.7 To note that under the Constitution authority to grant 'Admitted Body' status to the Council's pension scheme is delegated to the Chief Financial Officer in consultation with the Chair of the Corporate Committee.
- 3.8 To approve the Council entering into separate related lease agreements for the four sites and to delegate authority to the Director of Place and Sustainability in consultation with the Head of Legal Services to finalise and issue the leases.
- 3.9 Please see additional recommendations in Part 2 of this report (exempt).

4. Other Options Considered

- 4.1 The Council commissioned a detailed Options' Appraisal between July – December 2010, to evaluate the current in house direct management model against the following options for the future management of its leisure facilities:
- The establishment of a new 'In House' Trust



Haringey Council

- Contract with an existing established trust or existing private sector contractor/hybrid trust
- Maintain 'In House' direct management

5. Background Information

5.1 Context

5.1.1 In February 2011 Members approved a new strategic direction for Sports and Leisure provision, with the aim of:

- Reducing the cost of providing the Service
- A much greater focus upon outcomes
- Concentration on what we provide rather than who provides it
- Focusing more on the user than the buildings and facilities
- Increasing the involvement of the voluntary and community sector
- Transferring some or all of the asset, demand and financial risk onto other parties

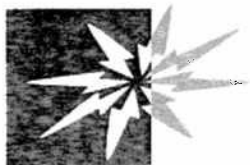
5.1.2 The key component to delivering these aims is the externalisation of the management and development of the borough's sports and leisure facilities at Tottenham Green, Park Road, Broadwater Farm and White Hart Lane. The decision to contract followed the more detailed options appraisal, highlighted at paragraph 4 above, which considered:

- The Council's strategic priorities and national guidance
- A review of the market and providers in London
- An assessment of current performance
- Future management options and their related advantages and disadvantages

5.1.3 The appraisal suggested that the Council could achieve a saving of between £241K and £722K per annum, with the greater saving coming from contracting out the service. This exercise concluded that the Council could achieve better value for money by contracting with an existing Trust or private sector operator, on the basis that:

- It will provide a greater saving to the Council
- Offers better financial stability
- There is a healthy market and interest in London
- It transfers greater financial risk to other parties
- There is no additional support staffing cost
- There would be a more commercial approach to sales, marketing and branding

5.1.4 Subsequently the Council approved a planned £500K efficiency saving reducing the remaining subsidy available from £1.13m to £630K (excl. WHLCSC and corporate overheads). A 'competitive dialogue' procurement process was initiated with a related OJEU notice in May 2011. The Service Director was delegated authority to approve the final scope and methodology, in conjunction with a Member Working Group. Whilst White Hart Lane has been included in the scope of the procurement, Members also agreed to



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pursue a separate longer term bespoke partnership leasing solution to achieve a further £470K saving from 2012/13.

- 5.1.5 The in-house 2011/2 actual income outturn was £538K (13%) down on target, with an ongoing underlying pressure of around £450K, primarily relating to gyms, swimming and events underperformance. The 2011/12 income shortfall was partly offset by further actual spend reductions across the Service/Directorate, and usage for the same period was also down 80K (7%) against target.

The projected actual cost of maintaining the current 'in-house' operation, assuming tackling additional lifecycle maintenance costs, would be in the region of £976K per annum.

5.2 Procurement

- 5.2.1 Haringey is one of only two London Boroughs with an 'in-house' operation, with the other thirty one having contracted arrangements for up to 20 years, although none have fully disposed of any facilities. Between them, Bidder A and Bidder B are operating in 19 boroughs with a range of management fees reflective of local requirements and local market conditions.

- 5.2.2 A detailed service specification (see appendix A) and contract document were drafted together with related evaluation criteria and methodology, which set out the outcomes sought by the Council. The content was informed by user views and opinion as expressed through the National Benchmarking Survey (2010) results and local 60 Second Survey data. The successful contractor will produce Annual Service Plans for each site, and must demonstrate how the plans have been developed in consultation with key stakeholders, user groups and customers. The evaluation process and outcomes sought were developed by an officer working group with external assistance from external consultants and reviewed and signed off through the Member Working Group. At this point, the Council also undertook asset condition surveys of all sites, which suggested a lifecycle maintenance investment need of £18M (see summary below) over the next 15 years. This represents an additional cost pressure for the Council whether it is externalised or not.

Centre	Year 1 (Urgent Work)	Year 2 Essential Work	Years 3-5 (Desirable)	Total 15 Years
TGLC	£584K	£2.47M	£539K	£8.60M
PRLC	£24K	£2.23M	£658K	£5.05M
WHL	£117K	£906K	£1.22K	£2.69M
BWFCC	£37K	£207K	£285K	£1.70M
TOTAL	£762K	£5.81M	£2.70M	£18.04M



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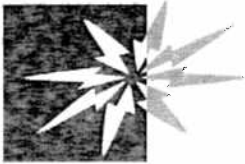
5.2.3 Following the publication of an OJEU notice in May 2011, over 300 companies expressed an interest in the project. The Council received completed Pre Qualification Questionnaires (PQQ Stage) from 7 companies. Following Pre Qualification selection, 4 bidders were 'invited to submit detailed solutions' (ISDS Stage).

- Bidder A
- Bidder B
- Bidder C
- Bidder D

Bidder C and Bidder D then chose to withdraw from the process, whilst Bidder A and Bidder B both submitted ISDS bids.

5.2.4 The evaluation criteria and weighting for both the Invitation to Submit Detailed Solution (ISDS) and Invitation to Submit Final Tender (ISFT) stages are set out below:

Criteria	Weighting (%)
Cost	
Management Fee	30%
Income/Profit sharing proposals	5%
Business Plan	5%
Capital Development	10%
SUB TOTAL	50%
Technical	
Annual Service Planning	4%
Increasing Participation	5%
Sports Development	4%
Pricing and Programming	5%
Staffing and Local Employment	4%
Maintenance and Equipment	4%
Environment and Sustainability	4%
Health and Safety	2%
Quality	4%
Marketing	4%
SUB TOTAL	40%
Legal	
Mark up of draft contract	10%
Total	100%



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5.2.5 Both organisations passed the ISDS stage and entered into Competitive Dialogue with the Council.

Key areas incorporated in/arising from the 'Dialogue' were:

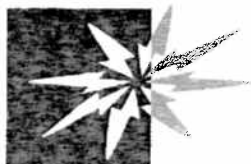
- Early investment is needed to both improve and sustain income growth to fund investment and reduce net cost with a 2-3 year lead in.
- Bidders were reluctant to fund any early year's cash flow gap.
- VAT savings could be achieved on capital investment, whilst also still transferring related asset condition and delivery risks.
- Bidders were prepared to review, revise, and spread life cycle maintenance spend, whilst still accepting full asset condition risk (except latent defects).
- Bid(s) content indicate that both National Non Domestic Rates (NNDR and Value Added Tax (VAT) income savings can be achieved, whilst there are increases on staffing and repairs/maintenance.
- There is some planning related risk regarding building extension proposals at Park Road.
- Bidders are prepared to accept utilities consumption cost related risk.
- Bidders are prepared to accept full risk on service/user demand and income.

5.2.6 Subsequently, Bidder A and Bidder B were invited to submit Final Tenders by 13th July 2012. The outcome of the tendering process is reported in the exempt part 2 of this report.

5.2.7 The Council currently employs 93 staff (58.99 FTE) across the 4 sites, who it is anticipated will transfer to the incoming operator under TUPE regulations. Staff and their Trade Union representatives have been briefed on progress during the procurement process and formal consultation will be initiated upon contact award.

5.2.8 It is proposed that the contract is awarded on the following basis:

- The proposed facility improvements are noted.
- It is for a period of 20 years
- It includes Tottenham Green, Park Road and Broadwater Farm
- It also includes White Hart Lane for up to 3 years, with specific conditions, linked to proposed separate longer term leasing and redevelopment of the site
- Prudential borrowing is provided to support both capital investment and life cycle works
- Mandatory NNDR relief is applicable
- TUPE transfer of existing staff and 'admitted body status' to pension scheme for the new contractor is approved
- Agreement to related leases for all four sites



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5.3 Outcome

5.3.1 The externalised management and operation of the leisure centres as set out above and in the exempt part 2 of this report, will:

- Deliver the anticipated £500K revenue saving identified in the 2010 options appraisal
- Cost significantly less than the projected 'status quo' in-house operation over the next 20 years
- Secure significant immediate capital investment in both new facilities and tackling lifecycle asset maintenance
- Significantly increase user visits and facility utilisation
- Reduce the subsidy per user visit and net cost to the Council
- Improve the quality of service delivery and customer satisfaction
- Maintain and improve access for disadvantaged residents through 'protected' pricing and programming arrangements.

5.3.2 It is important to note that the cost profile varies over the 20 years, linked to capital investment timing and repayment particularly in the early and middle years. This is largely offset by the use of prudential borrowing and spreading repayment.

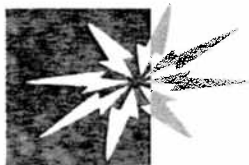
5.3.3 Subject to Member approval of contract award, the timetable to transfer and start is as follows:

Cabinet Consideration and Award	18 September 2012
Call In Period	21 st - 27 September 2012
Standstill Period	28 th September – 8 th October 2012
Formal TUPE Consultation	28 th September – 27 October 2012
Finalise and Sign Contract	9 th October 2012
Mobilise and Lead In	October – November 2012
Contract Start	1 st December 2012

5.4 Client and Contract Monitoring

5.4.1 The lead role will be picked up by the Leisure Services Client Unit and the Head of Leisure Client Services.

5.4.2 The Contractor must demonstrate and evidence continuous improvement in service delivery, through the development of robust, reliable and accurate systems for data collections, which are capable of independent validation. New targets and performance indicators will be determined through discussion between the Contractor and the Council, and detailed in the Annual Service Plan.



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5.4.3 The Contractor will produce Annual Service Plans for each centre that includes as a minimum:

- Financial income and expenditure targets for each centre.
- Participation targets for each activity area and target group for each centre, linked to the Council's and the Contractors annual sports development plan.
- Lifecycle works, planned maintenance and decoration works.
- Marketing and research objectives and quarterly actions.
- Environmental plan and targets.
- Targets and KPIs in relation to the Councils key aims and objectives.
- Reducing the percentage of adults who are inactive as measured in the Active People survey.

5.4.4 In addition the Contractor will:

- Undertake and participate in a national benchmarking exercise every 2 years.
- Demonstrate that it understands the attitudes and perceptions of users and non users.
- Provide relevant national and local performance indicators data.
- Comply with the Councils Complaints Procedure.
- Introduce comprehensive methods of accurately measuring regular participation by demographic profile.
- Annually measure service effectiveness, economy and efficiencies.

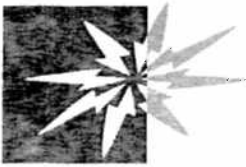
6. Comments of the Chief Finance Officer and Financial Implications

6.1.1 As part of the 2011-12 budget process a saving of £500,000 per annum was assumed from the out-sourcing of the Leisure function, to become effective in 2012-13. The recommended bid will achieve this saving over the 20 year life of the contract and deliver significant capital investment that the Council may not have been able to provide given the limited capital receipts available.

6.1.2 The average budget available over the full contract period will be £735k. The average cost per annum put forward by the Recommended Bidder is below this figure and thus the saving required will be achieved.

6.1.3 Any additional savings achieved beyond the £500,000 pre-agreed saving will help address base budget pressures within the Leisure budget. In the last year the Leisure services budget has suffered a significant budget shortfall due to increased levels of competition from the private sector meaning that planned budget savings from 2011-12 have proved to be unachievable. The remaining base budget problem after contract award is dealt with as part of the 2013-14 budget process, whereby increased savings of £500,000 have been added to the savings required to be identified by services.

6.1.4 The recommended option is significantly cheaper than continuing to provide the service in-house. In addition to the achievement of the pre-agreed saving, it also mitigates



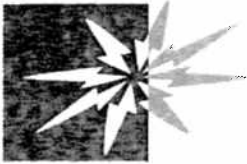
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against the risk of further drops in income received from the leisure centres and avoids the Council having to bear the costs of dealing with the significant maintenance backlog.

- 6.1.5 As part of the recommended option, the Council will undertake Prudential Borrowing on behalf of the recommended bidder, as the Council is able to access borrowing at a cheaper rate than the private sector. As part of the contract the Council's costs of borrowing will be fully reimbursed by the bidder and thus there is no direct financial cost to the Council associated with this.
- 6.1.6 As with any similar contract there is a small risk of bidder default, this is mitigated to some extent by a performance bond with the recommended contractor which would provide £750,000 in the event of default which would be sufficient to cover the Council's operational cost of transferring the service management. Any assets improved by the prudential borrowing would revert to the Council and thus the Council would benefit from the investment made. Members need to be aware in making their decision, however, that a risk remains, in the event of bidder default, that the full capital value of the borrowing may not be fully covered.
- 6.1.7 The main contract relates to the 3 main leisure facilities, Park Road, Tottenham Green and Broadwater Farm. White Hart Lane Community Sports Centre is subject to a separate budget saving which becomes due in 2013-14. The contract agrees provision for the winning bidder to manage the sports centre at a cheaper rate than the Council's existing costs until such time as transfer takes place.
- 6.1.8 Please see additional finance comments in Part 2 of the Report (exempt)

7. Head of Legal Services and Legal Implications

- 7.1 This is a Part B service for the purposes of the Public Contracts Regulations 2006 (the "Regulations") and is therefore not subject to the full requirements of the Regulations. However in accordance with good procurement practice and in order to maximise competition the Council published a notice in the Official Journal of the European Union (OJEU) on the 12th May 2011.
- 7.2 It is very likely that the proposed externalisation of the Sports and Leisure Management Service will fall within the scope of the Transfer of Undertakings (Protection of Employment) Regulations 2006 ("TUPE"). Accordingly should Members approve the proposed externalisation then the Council employees assigned to the Service who do not object to transferring will transfer to Bidder B's employment as a result of TUPE. Transferring employees will have their existing terms and conditions of employment protected.
- 7.3 The Council has obligations under the Best Value Authorities Staff Transfers (Pensions) Direction 2007, where it externalises a service, to ensure in the contract with the contractor that pension protection is secured for each TUPE transferring employee. These



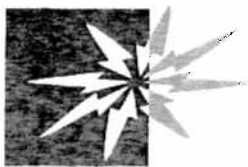
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obligations will be met as Bidder B is required in the contract to obtain admitted body status to the Local Government Pension Scheme in respect of the transferring employees.

- 7.4 Under TUPE the Council has obligations to give information about the externalisation to the representatives of the trade unions recognised by it in respect of any employees affected by the externalisation. This information must be given long enough before the contract start date to enable consultation with these trade union representatives. It must include information about the implications of the transfer for any affected employees and about the measures (if any) the Council envisages the contractor taking in respect of the TUPE transferring employees. Employees affected by the externalisation may include those who will remain Council employees. Accordingly it will be necessary for the Council to identify whether any non-transferring employees will be affected by the externalisation and if so in what way. If the Council envisages it will take measures in relation to any affected employee as a result of the externalisation it must consult the trade union representatives with a view to seeking their agreement to the intended measures.
- 7.5 The Council is also required by TUPE to give employee liability information to Bidder B in respect of any Council employee assigned to the Service. This information must be given no later than 14 days before the contract start date. It will include information contained in their particulars of employment, information contained in relevant collective agreements and information about disciplinary action, grievances and legal proceedings for the last two years before the contract start date. Accordingly it will be necessary for the Council to identify prior to the contract start date, which of its employees are assigned to the Service.
- 7.6 Legal Services should be consulted about employment issues arising in the externalisation to help ensure that the Council's obligations under TUPE are met.
- 7.7 The successful bidder will be granted leases of the three premises detailed in paragraph 3.2 above at a peppercorn rent for a term of 20 years each. This constitutes a disposal and needs to be at best consideration. The Council has the power under section 123 of the Local Government Act 1972 to dispose of land held by it. The granting of a lease for White Hart Lane for 3 years does not constitute a disposal for the purposes of the legislation.
- 7.8 This is a key decision and the Directorate has confirmed that it has been included on the Forward Plan.
- 7.9 As the value of this contract exceeds £250,000 it may only be awarded by the Cabinet.
- 7.10 Please see additional legal comments in the Part 2 report (exempt).

8. Equalities and Community Cohesion Comments

- 8.1 Officers undertook a service delivery Equalities Impact Assessment in conducting the Options Review in 2010. This drew upon information from a range of sources. The Active



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People Survey (Sports and physical activity participation), The National Benchmarking Survey (2010), and local Active Card Membership/Usage data. The key issues and conclusions were as follows:

- Disparity in sport and physical activity participation across age, ethnicity, gender, disability and social grade
- Need to maintain concessionary pricing to support and encourage disadvantaged access and use of leisure facilities.
- Maintain and support good quality sports club/agency use of sports facilities.
- Ensure ongoing engagement and involvement of service users
- Encourage third and private sector investment in new and improved facility provision.

8.2 These issues were embraced in the production of the service specification and related outputs, and reflected in the bids received from both Bidder A and Bidder B.

8.3 The Service currently has a staffing complement of 93 posts (58.88 FTE), with the following characteristics:

- 62% aged 16 – 44
- 62% Black and Minority Ethnic Staff
- 54% of staff are female
- 7% are registered disabled

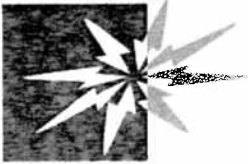
An Equalities Impact Assessment has been completed to consider the potential impact upon the existing workforce. The key issues and conclusions are as follows:

- It is anticipated that all existing permanent staff will transfer to the incoming operator in line with TUPE regulations, including pension arrangements.
- The successful operator is granted 'Admitted Body' status to the Council's Pension Scheme.
- Whilst not a contractual term, both bidders have indicated that they would be supportive of the Council's aspirations for London Living Wage and have incorporated appropriate pay rates in their business plan projections.
- Both bidders have also provided a commitment to encouraging and supporting local employment

9. Head of Procurement Comments

9.1 The initial OJEU tender notice generated 300 "expressions of interests", which is a typical market response as potential bidders requested more information.

9.2 Of these suppliers, 7 decided to submit a pre-qualification questionnaire (PQQ) and 4 were scored as sufficiently capable for the Council to invite to submit an outline tender. At this stage, 2 of the short-listed bidders withdrew.



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- 9.3 A Competitive Dialogue procedure was then followed with the 2 remaining bidders before Final Tenders were submitted and evaluated.
- 9.4 Although there is clearly a limited market for the provision of Sports & Leisure Services of this nature, the procurement exercise did attract sufficient competition to produce a Best Value outcome.
- 9.5 Central Procurement have been closely involved in this exercise and can confirm that the recommendations to Members offer Value for Money.

10. Policy Implications

- 10.1 Approval of the recommendations for this report will assist in implementing the previously agreed Strategic Direction for Sports and Leisure provision considered and approved by Cabinet in February 2011 and fulfils a target within the 2011 Medium Term Financial Strategy.
- 10.2 The proposals submitted by both bidders would simultaneously enable the Council to better meet its financial and wellbeing objectives by securing a more cost effective mechanism for service delivery whilst increasing participation levels in sport and physical activity
- 10.3 The capital investment proposals will also contribute to an enhanced sense of place by providing more attractive, higher quality facilities.
- 10.4 Whilst achieving the above, both bidders would actively contribute to the Council's 40% CO² reduction target by 2015.
- 10.5 Both bidders have also committed to employing local people.

11. Use of Appendices

Appendix A - Service Specification.

12. Local Government (Access to Information) Act 1985

Sports and Leisure – Strategic Direction, Cabinet Report 8th February 2011.



London Borough of Haringey

Sport and Leisure Contract

Service Specification

18th June 2012

VOLUME 4

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NOTE: The Contractor shall comply with all the obligations and requirements set out in each Schedule and Method Statement and these shall be interpreted as part of this Specification.

1. BACKGROUND

1.1. Description of services

1.1.1. This Specification relates to the management and operation of the following facilities and services for London Borough of Haringey (referred to as The Council hereafter)

Management and operation of the following leisure centres:

- Tottenham Green Leisure Centre
- Park Road Leisure Centre
- Broadwater Farm Community Centre.

(In addition the Council may also include White Hart Lane Community Sports Centre in the procurement process)

2. BOROUGH REQUIREMENTS

2.1. Policy and Strategy

2.1.1. The Sustainable Community Strategy - A sustainable way forward – detailed in **Appendix 1**, is the strategy of the Haringey Strategic Partnership (HSP). It is the overarching plan for Haringey and it tackles those issues that cannot be dealt with by one agency alone.

2.1.2. This Community Strategy provides a ten year vision from 2007 to 2016 for Haringey. It is based upon a wide ranging consultation process and we would like to thank all those of you who took part in this. The Community Strategy also addresses those issues that we know are key challenges and opportunities for Haringey

2.1.3. The vision for the borough to 2016 is: “A place for diverse communities that people are proud to belong to”

2.1.4. The priorities of the new Sustainable Community Strategy are:

- **People at the heart of change**

And, Haringey will:

- **have an environmentally sustainable future**
- **have economic vitality and prosperity shared by all**
- **be safer for all**
- **have healthier people with a better quality of life, and**

- **be people and customer focused**

2.2. Overall service requirements

2.2.1. The Contractor is expected to deliver the services at the Centres that:

- Contribute to meeting the key objectives and outcomes set out in the Haringey Communities Strategy, in particular relating to health, employment, learning, safer communities and young people.
- More residents in Haringey participating in sport and physical activity, particularly by those residents who experience greater health need.
- Reduction in the cost of the service to the Council
- Provision of high quality facilities and services
- Investment in facilities for ongoing repairs and maintenance and for improvement.
- Effective stakeholder and partner collaboration across the Borough's Sport and physical activity sector to achieve wider outcomes.
- Increase visitor numbers and customer satisfaction, especially amongst those hardest to reach
- Provide investment into leisure facilities to meet Haringey's' aspirations for its residents
- Improve the quality of the facilities
- Achieve a balanced programme of community use that meets the aspirations of the Council and specifically in those areas that have been identified by a requirement to submit a method statement as part of the tender process
- Provide a varied programme of recreational, sporting and community activity that is accessible to all including the disadvantaged and vulnerable groups as expressed in the Council's overall objectives and strategies and plans in relation to providing sport, leisure and physical activity
- Minimise the cost of the facilities to the Council and reduce the current subsidy
- Provide excellent levels of customer care
- Maintain high levels of cleanliness throughout the facilities
- Provide marketing and promotion of the facilities and activities in an accessible, attractive and professional manner that targets those least likely to participate in sport and activity

- Implement a quality assurance system to ensure the smooth operation of the facilities
- Provide suitability qualified staff sufficient to comply with all aspects of the Contract at all times
- Provide suitable equipment to operate all facilities and deliver programmes within the facilities
- Support the development of community organisations clubs/groups and school activities
- Maintain the buildings so as to protect and enhance the building structure, fabric, fixtures and fittings, mechanical and electrical plant and equipment
- Provide security relating to the buildings and surrounding areas and car parks
- Comply with all statutory regulations regarding Health and Safety
- Provide suitable ICT systems for all types of customer bookings that will also enable the Council to monitor both detailed participation at the facilities and other key corporate performance indicators.

2.2.2. This list is not intended to be exhaustive, but is rather an indication of the scope of the service.

2.2.3. Detailed in section 6 are the proposed outcomes of the Council and therefore this specification sets out these proposals and bidders are required to detail how they will achieve the desired outputs within their submitted method statements. Through the dialogue process, these agreed method statements shall subsequently form part of the Contract. It should be noted that the list is not intended to be exhaustive, but is rather an indication of the scope of the service.

2.3. General Requirements

2.3.1. The Contractor will be flexible in their approach during the Contract Period, as the Council's aims and objectives change.

2.3.2. The Contractor's approach will support and meet the aims and objectives of the Council and help meet their objectives throughout the Contract Period.

2.3.3. The Contractor will maintain regular contact with the Council through the period of the contract.

2.3.4. The Contractor will throughout the Contract Period, implement innovative solutions to achieve the Council's ethos of continuous improvement and financial efficiency.

2.3.5. Non-performance of attaining the output specification and method statements agreed between the Contractor and the Council will be dealt with through the Payment Mechanism detailed in the Contract.

2.3.6. The Contractor will be required to produce Annual Service Plans for each facility to demonstrate how the Contractor, in managing the Facilities, will achieve a variety of outcomes to assist the Council in achieving its objectives.

3. SERVICE DELIVERY

3.1. Quality Assurance and Quest

- 3.1.1. The Council is committed to quality assurance and continuous improvement in the provision of sport and physical activity and related services across the borough. The Council expects that the contractor will embrace the Quest Accreditation scheme (and any successor arrangements) and use its methodology and assessment process to achieve continuous improvements for the Service.
- 3.1.2. The Council expects the contractor to maintain high levels of cleanliness throughout the Facilities and grounds of the Facilities
- 3.1.3. The Contractor shall operate Quest. The Contractor shall achieve Quest Accreditation for each centre it manages under the contract.
- 3.1.4. For Broadwater Farm and [White Hart Lane] where Quest Accreditation has not been achieved, the Contractor will achieve this by no later than twelve (12) months following the Services Availability Date and shall maintain Quest Accreditation throughout the remaining Contract Period.
- 3.1.5. For Park Road Pools and Tottenham Green LC which hold existing Quest Accreditation, the Contractor will continue to seek re-accreditation in keeping with the existing cycle of accreditation, maintenance visits and full assessment visits from a Quest assessment team.
- 3.1.6. The Contractor shall continue with the Quest Accreditation for each centre it manages under the contract. The Contractor must achieve:
- Quest Entry
 - Quest Plus - The Contractor is to agree with the Council the approach to the chosen Specific Modules, to ensure a range of modules are chosen across the Contract.
 - Quest Stretch for at least 2 of the Centres by year 4 – The Contractor is to agree with the Council the chosen Stretch Module.
- 3.1.7. The Contractor will seek to improve or at least maintain its relative benchmark rating in Quest developing a continuous improvement approach to those areas identified as below the benchmarked average.
- 3.1.8. The Contractor shall inform the Council of:
- the date the Quest Accreditation is achieved within five (5) Business Days of receiving notification; and
 - any subsequent visits made to confirm the continuation of the Quest Accreditation within five (5) Business Days of notification of such visit.

- Should the Quest quality accreditation system for sport and leisure be discontinued before or during the Contract Period, the Council and the Contractor shall agree an alternative method of quality assurance.

3.1.9. The Contractor shall obtain within the first 2 years of Contract commencement the ISO 14001 accreditation for the Centres.

3.2. Opening hours

3.2.1. The Contractor shall note that the specific opening hours of the Facilities shall be subject to negotiation with the Council. The Contractor shall set out its proposals for opening hours for each facility and activity as part of the method statement submission.

3.2.2. The decision reached in agreement with the Council will be binding upon the Contractor. The current opening hours of each centre are shown in the documents which form **Appendix 2**.

3.2.3. The Contractor will ensure the Facilities shall be open at these times on all days of the year except on Christmas Day, Boxing Day and New Years Day when the Facilities will be closed. For all other public holidays the Contractor may offer a reduced service or closure subject to written approval by the Authorised Officer.

3.2.4. The Contractor may extend the opening hours at the Facilities subject to prior agreement by the Authorised Officer and taking account of any licensing or planning restrictions.

3.2.5. Outside of the minimum opening hours an automated telephone answering service shall be provided and up to date information available on the Council's and Contractor's website.

3.3. Pricing

3.3.1. The current prices for all activities are provided in the documents which form **Appendix 3**. It is the intention of the Council to allow the Contractor considerable flexibility in relation to pricing, in order to achieve maximised income levels as well as using innovative pricing policies to achieve the Council's participation targets.

3.3.2. The Council is very keen that pricing of activities and facilities in the Borough is sensitive to the fact that price can be a barrier to use. It is believed that the range of current pricing is in line with what the residents can afford.

3.3.3. However as part of this procurement process the Council is keen for a full review of the current pricing, from pay and play to resident, concessionary and the membership packages for all users of the facilities.

3.3.4. Protected Club prices see 3.5 below and the concessionary scheme is deemed to be protected and the Contractor will not be able to increase these prices, other

than by the agreed indexation rate (CPI), via the annual service planning process and with the consent of the Council.

3.3.5. The structure of all pricing and actual prices are to be agreed with the Council prior to Contract commencement, however the Contractor will be able to increase prices during the contract, (apart from any protected club prices and concessionary scheme pricing), however must notify the Council 30 days prior to implementation.

3.3.6. As part of the Annual Service plan, the Contractor is to formally review pricing and structures and inform the Council of any proposed changes, together with the business case for the changes.

3.3.7. The Contractor shall ensure that all prices are displayed within the entrance or reception area of each centre, within facility literature and on the Council's/Contractor's website.

3.3.8. The Contractor shall ensure that any prices changes are advertised to Customers giving at least 30 days notice before the change is implemented.

3.3.9. The Council currently offers a membership scheme for regular access to some of its key facilities. As part of the scheme there are membership packages for the Council staff, these are to be maintained throughout the Contract Period unless a change is agreed with the Council. These are called; 'Corporate Gold and 'Corporate Silver' within the prices information.

3.3.10. All prices must be inclusive of VAT.

3.4. The Active Card

3.4.1. Haringey Borough Council operates a concessionary access card scheme called the Active Card that offers a wide range of benefits to local people. The aim of the scheme is to attract priority groups to the Centres where price is a barrier to participation. Haringey residents that are currently receiving benefits can also access discounts to most of the major leisure facilities operated by the Council. Full details of the scheme are provided for in Appendix 3. The Contractor can submit proposals to alter or modify the scheme, if they believe that the alterations will help the Council to achieve its stated aims and objectives as part of its Method Statement submission. The Council may or may not agree the changes. The Active Card is deemed to be protected.

3.4.2. The Council is keen to utilise the Active Card to:

- Be developed as a monitoring tool to measure young people's usage particularly during summer holidays
- Encourage parent / carer and young people's joint participation

3.4.3. The Contractor shall ensure that all IT requirements for the Active Card or any replacement card are provided in the Facilities.

3.5. Active Club Scheme

3.5.1. The Council operates an Active Club scheme. Clubs that are accredited receive reduced hire rates at facilities. The Contractor is to maintain this scheme throughout the Contract Period. This scheme is deemed to be protected.

3.5.2. The guidance for clubs to become accredited to the scheme and 2010/11 Clubs that were accredited are detailed in **Appendix 4**.

3.6. Centre Membership

3.6.1. The Council does not currently operate any type of 'Centre Membership' or residents scheme.

3.6.2. The Council would like to see an appropriate scheme introduced, to aid the data collection and therefore analysis of current users of the facilities and to improve marketing.

3.6.3. The Council wishes for bidders to suggest innovative schemes that also interface with the pay as you play pricing and monthly membership schemes as part of the Method Statement submissions, so a new scheme can be introduced within the first year of the Contract.

3.7. Membership data

3.7.1. The Contractor shall report, on a monthly basis, the number of members within each subscription type, and data on regular attendances by members, broken down by post code. The Contractor is required to submit proposals to the Council that may improve and broaden the current membership scheme.

3.7.2. In relation to current and future members, the Contractor shall, for the purpose of performance management, ensure that users personal details are collected and recorded on computer records and in accordance with the principles of the Data Protection Act (DPA). Details shall include as a minimum:

- Age (DOB)
- Gender
- Ethnicity (Categories to be supplied by the Council)
- Disability
- Sexual orientation
- Socio-Economic Status
- Postcode
- Religion

3.7.3. All income received from the current and any future membership schemes will be retained by the Contractor.

3.8. Sports Development Programmes

3.8.1. There are a small number of programmes, where the Council's Sport and Physical Activity Commissioning team manage programmes at White Hart Lane Community Sports Centre, namely the Tennis Programme and the Holiday Programme. For these programmes, the Contractor is to take the income for the schemes through the front of house ICT system, however the income from the programmes is to be delivered to the Council. Appropriate accounting systems for this income are to be provided by the Contractor, with the income paid to the Council on a quarterly basis on receiving an invoice. The payment of this income is to be separate from any other payments between the Council and Contractor; for example as part of the management fee.

3.9. Programming – General

3.9.1. The Contractor shall provide an integrated programming and sports development approach to maximise the use of all facility areas at all times during the opening hours.

3.9.2. The Contractor will provide a varied programme of recreational, sporting and community activity that is accessible to all including the disadvantaged and vulnerable groups across the borough.

3.9.3. The Contractor will ensure that the Facilities have exciting, innovative programmes to encourage use by all sections of the local community. The programmes shall be responsive to new trends and the Contractor is encouraged to try new activities within the Facilities to test their impact on participation rates.

3.9.4. The Contractor must maintain a balance between casual, club, courses, and sessions within the Facilities. Programming must focus on delivering sport and physical activity sessions. Alternative uses of the Facilities shall be considered when there is not otherwise a demand for sport and physical activities.

3.9.5. The Contractor shall ensure programmes shall take into account relevant National Governing Body, Sport England and the English Federation for Disability Sport agendas.

3.9.6. The Contractor will provide programmes for both term time and holidays to encourage use by young people.

3.9.7. The Contractor will operate learn to swim programmes for both adults and children at the Facilities. The Council has recently developed the Haringey Aquatics Plan, that has been developed with ASA and key borough stakeholders including the Haringey Aquatics club. The Contractor is to become a key delivery partner in delivering the plan and must agree with the Council its Action Plan to demonstrate delivery within 3 months of the Contract commencement date. A copy of the Aquatics Plan is provided in **Appendix 1**.

- 3.9.8. The Contractor is required to develop Centre-specific sports development plans linking the aims and objectives to the activities on offer within the Facilities to Haringey's sport and physical activity priorities. The plans will be reviewed with the Council on a quarterly basis, with outputs and further actions agreed.
- 3.9.9. The Contractor will ensure that the programmes and approach to sports development reflect the requirement to increase participation by the population overall to reflect the health benefits of physical activity. Programmes shall reflect the key principles for sports development, to provide grass roots participation and routes up the sports development continuum, identifying routes for excellence in partnership with other Government agencies, voluntary/charitable organisations, clubs and local primary and secondary schools.
- 3.9.10. Protected bookings that the Contractor can't alter without the agreement of the Council are detailed in **Appendix 5**.
- 3.9.11. One-off sporting and non-sporting events are encouraged to raise the profile of the Facilities and at TGLC, the events and private bookings programme in the main hall is extensive. However these types of events shall not detract from the core facility programmes on offer at the other Facilities.
- 3.9.12. Programme alterations initiated by the Council, which affect centre income shall be subject to negotiation between the Contractor and the Council. It is also anticipated that the Contractor will pro-actively work with partner organisations to obtain additional grant funding for sport and health related programmes.
- 3.9.13. The Contractor is expected to make a significant contribution to increases in participation in sport and physical activity. The Council has the following high level participation targets for its Centres:
- An increase in throughput of [2%], year on year, for the first five years of the Contract (i.e. a [10%] increase in overall attendances at the Centres overall in a five year period.)
 - An increase in regular attendances (those attending the Centres twice or more per week on average), of [2%] per annum for the first five years of the contract.
 - An increase in throughput of hard to reach groups as determined by the Contractor and Council within 6 months of Contract commencement.
- 3.9.14. The Contractor will be required to analyse each Centre's users on an annual basis and compare the make-up of the users to the demographics of the effective catchment area of the Centre, to assess whether there are any sections of the community that are under-represented. Where there are groups that have a low participation at the centres or individual Centre, programmes and other barriers should be researched and actions introduced to encourage use by these under-represented groups. This analysis and actions should form part of the actions of the annual service plan.

3.9.15. The Contractor shall record attendances from these priority groups and demonstrate increases in attendance and participation over the period of the contract.

3.9.16. Additional payment to the Contractor will only be made where programme alterations are initiated by the Council and subject to the presentation of evidence to demonstrate loss of income by the Contractor and only where the alterations are not required to comply with any other Conditions within this Specification and the Contract.

3.10. Sports Development

3.10.1. The Contractor will liaise with the Council and adopt a commitment to deliver participation initiatives with a range of key partners across the borough.

3.10.2. The Contractor will assist in the delivery of key projects to increase participation levels for both sport and health improvement reasons, and initiatives supporting the development of clubs, coaches and volunteers.

3.10.3. The Contractor will continue to provide the current broad sports development activity/offer at the facilities.

3.10.4. The Contractor will actively seek funding opportunities for the facilities, programmes and services that aids the Council in achieving its overall objectives.

3.10.5. The Council wishes to commence a scheme for talented athletes, whereby it allows athletes who have the potential to represent the Council at National and International competition reduced prices/free access at the Centres. Contractors are to propose schemes to the Council for agreement within three months of Contract Commencement.

3.10.6. The Contractor shall commit to becoming a member organisation of the Community Sports and Physical Activity Network (CSPAN) and a senior manager attending its regular meetings. The Contractor shall also become an active member of the Well Being subgroup.

3.10.7. The Contractor shall adopt the Council's future sports development plans as a basis for planning sport and physical activity initiatives.

3.10.8. The Contractor shall contribute initiatives to be delivered through the centres and any outreach work in line with the outcomes of the Council's sports development plans.

3.10.9. The Contractor is required to develop a sports development plan linking the aims and objectives to the activities on offer within the Centres. The plan will be reviewed with the Council on a quarterly basis, with outputs and further actions agreed.

3.10.10. The plan shall support achievement of the Council's wider strategic outcomes as well as the Sport and Physical Activity Strategy and sports specific development plans as a basis for planning sport and physical activity initiatives.

3.10.11. The Contractor shall contribute initiatives to be delivered through the Centres and any outreach work in line with the outcomes of the Council's sports development plans.

3.10.12. The Contractor shall provide a senior member of its team to represent the organisation on the Well Being arm of the local strategic partnership. This will require attendance at partnership meetings and delivery of relevant actions.

3.11. Relationship with Council's Sport and Physical Activity Commissioning Team

3.11.1. The Council currently has a sport and physical activity commissioning team to guide the development of sport and physical activity broadly across the Council. The Contractor is expected to forge a close relationship with this unit and work to deliver jointly developed initiatives with the teams.

3.12. Public Health and Healthy Inequalities

3.12.1. One of the Council's key aims is to reduce Health Inequalities within the Borough and sees the Contractor as a key partner in this within the management of the leisure centres. The Council's Annual Public Health report is provided in **Appendix 17** together with the recently launched Health and Wellbeing Strategy.

3.12.2. The Council wishes to see the Contractor develop a healthy lifestyle programme across all Facilities in conjunction with the Council and further develop a full range of healthy lifestyle programmes. It is anticipated that this programme will include both commercial and subsidised programmes that at least encompasses; weight management; cardiac rehabilitation, smoking cessation, personal training, mobility classes for older people, children and young adult fitness classes and GP referral schemes.

3.12.3. These programmes are to be targeted at the areas / priority groups in the borough with the poorest health KPI's which the Council will work with the Contractor to fully define. These groups are likely to include non traditional leisure centre users.

3.12.4. The Contractor is encouraged to work closely with GPs, Public Health and other agencies in this area to create a strong working partnership and attract funding for programmes where possible.

3.12.5. The Contractor is to consider the needs of older people in their service provision and specifically to provide programmes or classes to enhance mobility and provide falls prevention for older people.

3.12.6. The current GP referral scheme is funded until March 2013, details of which are provided in **Appendix 6**. The Contractor is to propose a programme that it could offer if the current funding is reduced or ended.

3.12.7. The Council is committed to reducing the percentage of adults who are shown via the Active People survey to undertake no exercise. The current percentage of non participants is 45.4% and the Contractor's annual plan should demonstrate how it will seek to reduce this percentage.

3.13. Activities for Children and Young People

3.13.1. Children and Young people's participation is also a key priority for the Council. The Council's Strategic Children's and Young People's Plan, first objective to 'Be Healthy', with the priority to 'Improve Health and Well Being throughout Life'. The Contractor should work closely with CYPS and demonstrate how its Facility programmes are contributing to these objectives. The Contractor should also develop links with the Council's Children's centres to encourage participation.

3.13.2. With regard to activities for children and young people the Contractor shall comply at all times with the Council's Child Protection procedures (included in **Appendix 7**), the Children Act 1991, the Protection of Children Act 2003, and the Safeguarding Vulnerable Groups Act 2006 and any subsequent amendments or modifications thereof.

3.13.3. The Contractor will also take due account of changes in local good practice guidelines in respect of the provision of activities for children and young people as advised by the Council and shall co-operate with the relevant departments within the Council, as required.

3.13.4. The Contractor will be required to operate and publicise a range of activities and programmes targeted at children 0-18 during all school holidays. These shall be sent to the Council 6 weeks prior to commencement of the programme.

3.13.5. The contractor is to provide specific parent/carer and child joint sessions

3.13.6. The contractor will apply an appropriate admission policy for swimming for children which is in line national guidelines.

3.13.7. The Contractor will ensure the welfare of children and young people are protected by having such procedures in place (i.e. a photography policy) that protects their welfare.

3.13.8. The Contractor should ensure that its communication strategies are specific to engaging with young people particularly with regards to new technology.

3.14. Programme Review

- 3.14.1. It is the intention of the Council to allow the Contractor considerable flexibility in relation to programming in order to achieve maximised income levels as well as increasing participation.
- 3.14.2. Proposed programmes of use for all activity areas shall be agreed with the Council prior to Contract commencement.
- 3.14.3. The Contractor shall ensure that all programmes will be regularly reviewed and updated to respond to changing demand.
- 3.14.4. Substantial changes to the agreed programmes shall not be made by the Contractor without consent of the Council.
- 3.14.5. Changes to programmes will be appropriately advertised to customers to ensure that Customers are aware of the changes to the programme.
- 3.14.6. The Contractor will provide annual marketing plans to advertise promote and raise awareness of the Facilities and programmes to local, regional and national markets.
- 3.14.7. All marketing will conform to the Council's standards and any changes in Council marketing schemes will be implemented by the Contractor at no cost to the Council.
- 3.14.8. The Contractor will work with the Council on mutually agreed initiatives to promote new activities to specific user groups. Where the Council is successful in obtaining funding for new initiatives, the Contractor will agree a Service Level Agreement to deliver the initiative on behalf of the Council.

3.15. Bookings and Point of Sale

- 3.15.1. The Contractor will be required to operate from the Contract commencement date a membership and booking system at the Facilities. The Contractor will be responsible for providing their system to replace the current XN Advantage system. The Council will arrange for the transfer of relevant data in accordance with the provision of the Contract. The system must meet this Specification's requirements.
- 3.15.2. The Contractor shall implement a booking system that allows a fair opportunity for users to book or reserve activities by telephone, website or in person and does not result in Facilities being dominated by any individuals or groups to the exclusion of others.
- 3.15.3. The Contractor shall provide alternative cash handling procedures in the event of failure of the till system at the Facilities.

- 3.15.4. The Contractor will continue to offer an on-line booking service for members and for non-members of the Facilities.

3.16. Marketing

- 3.16.1. The Contractor's marketing plans will focus on the Council's key participation objectives, how they will be achieved and measurable targets set for each action point.
- 3.16.2. The Contractor's marketing will specifically be aimed at increasing participation by underrepresented and disadvantaged groups. The Contractor will use innovative methods to reach the diverse communities of the Borough, reflecting these different demographic profiles.
- 3.16.3. The Contractor will provide marketing strategies for both existing users and non-users.
- 3.16.4. The Contractor will provide the Year 1 marketing plan prior to Contract commencement for Council approval. This will include for a programme of activities and events to mark the launch of the new contract.
- 3.16.5. In subsequent years, the Contractor will be required to have an annual marketing plan in place prior to the new fiscal year commencement and be submitted to the Council in conjunction with the Annual Service Plan.
- 3.16.6. The Contractor shall market to all communities within the Borough by taking into account the needs of access to information in terms of language, positive visual images and taking account of impairments which may cause difficulty for communication with disabled customers.
- 3.16.7. The style of the Contractors' marketing and brands must be agreed with the Council before Contract commencement, including the use of the Council logo and brands on all materials. The Council's corporate guidelines are provided in **Appendix 8**
- 3.16.8. The Council's website will be the main landing page for information about the Facilities, links will be provided from this landing page to the Contractors website. The Contractors website must provide up to date information of all programmes, prices, location, contact details and other appropriate information for all of the Facilities. Where practical the Contractors website should adopt the Council's web colours and style sheets.
- 3.16.9. All advertising literature must reference the Council as provider of the Facilities. The wording is to be agreed with the Council prior to production of any marketing literature. The Council's corporate branding must be used on all literature, external signage and on the Contractors website, where appropriate.
- 3.16.10. The Contractor shall ensure that at all times the Facilities are open there is always up to date printed information available on the opening hours of the

Facilities, programmes, activities and prices. The Contractor shall ensure that such information on display, on the website or in publication is up to date, accurate and attractively presented.

3.16.11. The Contractor shall ensure that all standards laid down by the Advertising Standards Authority and Trading Standards Board are adhered to at all times.

3.16.12. The Contractor shall make provision within the Facilities to display marketing literature from other Council services as appropriate.

3.16.13. The Contractor shall provide marketing and promotion of the Facilities and activities in an attractive, accessible and professional manner, in line with Council policies.

3.17. Customer Care and satisfaction

3.17.1. The Contractor will provide excellent levels of customer care and improve overall customer satisfaction during the term of the Contract which shall be measured via customer satisfaction surveys on a monthly basis.

3.17.2. The Contractor must have a suitable Customer Care Policy and procedures for each facility.

3.17.3. The Customer Care Policy shall incorporate:

- Service Standards
- Customer Charter
- Customer feedback procedures including customer comments, verbal comments, mystery shopper reports, mystery caller reports, customer and club forums
- Use of Benchmarking Services
- Measurement of levels of customer satisfaction
- Dealing with complaints and an escalation process.
- Methods of displaying analysis and actions from customer feedback within the Facilities
- Lost Property Procedures

3.17.4. The Contractor must have suitable training procedures in place for ensuring that staff deliver excellent customer care to all customers and are able to also deal with complaints.

3.17.5. The Contractor's staff shall have knowledge and access to information to deal with all enquiries relating to the Facilities across the contract.

3.17.6. The Contractor should provide demonstrably high levels of customer satisfaction throughout the Contract Period.

3.18. Catering

- 3.18.1. The Catering at Park Road Pools is delivered through a 15 year sub contract, the details of this contract are provided in **Appendix 9**. The Contractor will be required to continue with this Contract.
- 3.18.2. The catering at Broadwater Farm Community Centre is delivered through an agreement with a local community organisation and the details of this are provided in **Appendix 9**. The Contractor will be required to continue with the terms of the agreement.
- 3.18.3. The Catering facilities at Tottenham Green LC have been recently closed and the Council is keen to hear from Contractors options for either re-providing the service or other uses for the space.
- 3.18.4. If the Contractor provides a new catering service, the clauses of the specification as detailed below must be adhered to.
- 3.18.5. The service can be managed directly by the Contractor or through a subcontractor, however all elements of the specification must always be adhered to.
- 3.18.6. The food offer should include healthy eating options, to be delivered to the highest culinary standard for the benefit of persons using the Centres.
- 3.18.7. The Council wishes to see the Contractor offer healthy eating options as part of the menu offer. The Contractor is encouraged to obtain appropriate health eating awards for its menu.
- 3.18.8. The Contractor will be expected to demonstrate high standards of food hygiene at all times and must adhere to all food safety and food standards legislation and best practice.
- 3.18.9. Where the Centres have liquor licences the requirements of the licence must be followed and appropriate transfers completed as soon as practicably possible after Contract commencement. If contractors wish to gain a licence at any of the other Centres, the consent of the Council must be first obtained.
- 3.18.10. The Contractor must comply with all statutory regulations relating to good food hygiene including The Food Safety Act 1990 (as amended), Regulation (EC) 178/2002 Regulation (EC) 852/2004 and The Food Hygiene (England) Regulations 2006 and shall follow good food hygiene practice at all times.
- 3.18.11. In addition, the Contractor must ensure that all food handlers have undertaken hygiene training appropriate to their duties and that training records including copies of certificates must be kept on site and available for inspection by the Authorised Officer upon request. Food handlers preparing and handling unwrapped foods must undertake the Chartered Institute of Environmental Health's Level 2 Award in Food Safety in Catering or equivalent prior to appointment.

3.18.12. The Contractor is to propose the opening hours of the cafes within their method statement. They may, within normal legal requirements, extend the opening hours of cafes, throughout the Contract Period.

3.18.13. All of the Centres are subject to the Council's no smoking policy and the Contractor shall maintain and enforce this policy within the Centres for both customers and staff.

3.19. Vending

3.19.1. The Contractor shall be responsible for the provision of a vending service that adequately services those who choose to use the Centres.

3.19.2. The current vending service has been outsourced. However the current contract has expired, although the same arrangements are currently in place. The Contractor can choose whether to extend the agreement or provide the service in an alternative way during the Contract Period.

3.19.3. The Contractor shall not enter into any agreement with any other party for the provision of catering at the Centres except on terms that have previously been agreed with the Council.

3.19.4. Healthy food and drinks should be provided across the catering service, including vending machines, to a minimum of 50% of product line.

3.19.5. All vending machines shall be kept well stocked at all times and maintained in accordance with the manufacturer's recommendations. A maintenance agreement shall be entered into with the manufacturer at the Contractor's expense.

3.19.6. Before the installation of any vending machine, it will be the Contractor's responsibility to ensure that all electrical and water requirements are met.

3.19.7. The Contractors can offer retail and re-saleable items for purchase at the Centres.

3.19.8. Tobacco products must not be sold within the Centres. Cigarette machines will not be allowed within the Centres.

3.19.9. Gaming machines are not allowed within the Centres.

4. FACILITY OPERATION

4.1. Staffing

Please note that primary details relating to staffing are included in the Contract.

- 4.1.1. The Contractor will ensure that the Facilities are staffed with sufficient and suitably qualified and trained staff to provide the services required by this Specification and as detailed within the Contractors method statements and all relevant legislation.
- 4.1.2. The Contractor will be required to appoint an overall Contract/Partnership Manager to be its authorised representative. The Contract Manager shall be available to consult with the Council as often as may reasonably be necessary for the efficient provision of the services and attend meetings on regular basis.
- 4.1.3. Staffing for swimming pools must be in accordance with 'Managing Health and Safety in Swimming Pools' and staffing for the crèches must reflect OFSTED standards and any subsequent amendments thereof.
- 4.1.4. All staff employed for coaching or as instructors must have relevant qualifications and experience as set by the Register of Exercise Professionals (REPS) and the appropriate National Governing Bodies of Sport where appropriate.
- 4.1.5. In respect of all staff employed or seeking employment, the Contractor shall comply with the provisions of all relevant employment legislation including the Equality Act 2010, the EU Working Time Directive and relevant Working Time Regulations, the London Living Allowance, and any subsequent amendments thereof. These are further specified in the Contract.
- 4.1.6. The Contractor is required to demonstrate, through the annual service plan, how they will recruit and retain staff from the local communities in Haringey.
- 4.1.7. The Contractor is responsible for undertaking the appropriate CRB checks. These requirements are further specified in the Contract.
- 4.1.8. The Contractor shall at all times provide staffing levels sufficient to comply with all aspects of the Contract.

4.2. Work Experience

- 4.2.1. The Contractor shall support the placements of work experience students and apprenticeships across the Centres and work in liaison with the Council's HR department to actively promote work experience to schools and colleges across the contract.
- 4.2.2. The objectives are:

- To increase the student's knowledge of the work place including career prospects, training needed and entry requirements.
- To develop an understanding and awareness of the processes involved in the delivery of leisure and sports facilities and its relationship to the Council
- To develop knowledge, skills and abilities in relation to the duties identified by experiencing a variety of tasks that are necessary for the smooth running of the organisation.

4.2.3. The Contractor shall ensure that there is a responsible staff member to whom the students can refer to at the Facilities.

4.2.4. Any work experience students or trainees shall always be supernumerary to the agreed establishment, working alongside existing staff.

4.3. Staff Training

4.3.1. The Contractor must have a staff training and development policy and demonstrate its approach to providing career progression for all staff. This must include training in relation to disabilities, adult safeguarding and child protection in addition to the standard professional training programmes.

4.3.2. The Contractor shall update its staff training and development policy each year of the Contract and issue the updated version to the Council.

4.4. Staff Satisfaction

4.4.1. The Contractor shall demonstrate its approach for measuring and improving staff satisfaction.

4.4.2. The Contractor shall undertake a comprehensive annual survey of staff satisfaction, by means agreed with the Council prior to undertaking of the survey.

4.4.3. Following completion of the Staff Satisfaction Survey, the Contractor shall disseminate the results to all Staff and the Council, and agree with the Council an action plan which addresses the key findings of the survey.

4.5. Recruitment

4.5.1. The Contractor shall have recruitment procedures to ensure that all prospective candidates are given equal consideration for available positions. The Contractor shall set out its approach to recruitment within the relevant method statement included with its proposal and demonstrate how it ensures all equal opportunities legislation is adhered to.

4.5.2. The Contractor will ensure that its staffing establishment is reflective of the demographic profile of Haringey.

4.6. Equality and Diversity

4.6.1. The Contractor must have an equality and diversity policy and procedures to support it. The Contractor must work with the Council to the appropriate level of the Council's Equality Scheme (and any subsequent updates during the Contract Period). The Council requires that the Contractor monitors its staff diversity in comparison with the local community within which it works.

4.6.2. The Contractor must be able to demonstrate it is taking reasonable steps to ensure its staff profile reflects the community.

4.7. Health and Safety

4.7.1. The Contractor must comply with all relevant sections of the Health and Safety at Work. Act 1974, and other subordinate legislation and approved codes of practice.

4.7.2. The Contractor will maintain a complete health and safety policy, to comply with Section 1 of the Health and Safety at Work. Act 1974, and submit a copy to the Council at least annually or upon request

4.7.3. The Facilities are subject to the Council's No Smoking Policy and the Contractor shall maintain and enforce this policy and display the statutory signage. This applies inside all buildings and around the immediate boundary of all Facilities.

4.7.4. The Contractor shall adopt Operating Procedures and safe methods of work in order to protect the Health and Safety of staff, Council employees, customers and all other persons, and shall ensure that staff and customers are kept fully informed of all Health and Safety procedures and risks.

4.7.5. The Contractor shall produce a Health and Safety Manual, which shall be provided to all staff and volunteers and updated in response to legislation or guidance from the Health and Safety Executive.

4.7.6. The Contractor shall operate the relevant Facilities in line with the recommendations in the most recent edition of the HSE publication "Management of Health and Safety in Swimming Pools" (HSG 179) and any subsequent amendments thereof.

4.7.7. As required under the Health and Safety (First Aid) Regulations 1981 the Contractor must provide adequate first aid facilities for employees and public, including the provision of qualified first aiders.

4.7.8. The Contractor may be subject at any time to a full Health and Safety inspection by an appointed Inspecting Officer employed by the Council. A report will be available to the Contractor and the Contractor will be required to act upon the recommendations within an agreed time period, subject to all necessary

enforcement action under Health and Safety at Work Act 1974 and other statutory regulations thereof.

- 4.7.9. The Contractor shall take all necessary steps to ensure that only authorised personnel are permitted in non- public areas of the Facilities, such as plant areas, staff rooms, offices etc.

4.8. Recording of Injuries, Accidents and Dangerous Occurrences

- 4.8.1. The Contractor is required to report all reportable Injuries, Diseases and Dangerous Occurrences to the enforcing authority (under RIDDOR) and that the other parts of this section are additional and relate to the client's requirements for monitoring purposes.
- 4.8.2. The Contractor must maintain a record and investigate the circumstances of all injuries, fatalities and dangerous/potentially dangerous incidents which arise at the Facilities as required under 'Report of Injuries, Diseases and Dangerous Occurrences Regulations' (RIDDOR) 1995 and any subsequent amendments thereof and notify the Council accordingly.
- 4.8.3. The Contractor must maintain accident records for both accidents to employees, and members of the public. This applies to both RIDDOR reportable and non reportable incidents.
- 4.8.4. The Contractor must notify the Council of any major or fatal accident immediately. This applies to both RIDDOR reportable and non reportable incidents.
- 4.8.5. Any accident or incident involving the attendance of the emergency services (Police, Fire, Ambulance) must be notified as soon as reasonably practical to the Council by the Contractor, and in any case within 24 hours after any such accident or incident.
- 4.8.6. The Contractor shall ensure members of the public and staff are instructed to report all accidents, however small, to a member of staff who must arrange for a suitable person to complete an 'Accident Report Form' before leaving the Facility.
- 4.8.7. The Contractor is required to provide suitable accident report forms and keep such records for six years after the date of the last entry in the accident report book. Copies of accident forms must be provided to the Council on a monthly basis together with an appropriate trend analysis of accident data.

4.9. Infectious Diseases

- 4.9.1. The Contractor must be alert to the possibility of staff and the members of the public entering the facility with infectious diseases and must take all necessary precautions so as to prevent spread of infection to other users.

- 4.9.2. The Contractor must include within their operating procedures a procedure in the event of a member of staff or the public suffering from any infectious or contagious disease.
- 4.9.3. In the event of an occurrence of any disease likely to endanger public health, the Contractor must immediately notify the Council's Authorised Officer, who may require the Contractor to take such preventative measures as deemed necessary.
- 4.9.4. The Contractor must undertake a suitable and sufficient risk assessment to identify and assess the risk of legionella bacteria from work activities and water systems at the Facilities. Remedial measures must be taken where identified by the risk assessment. The risk assessment and remedial works must be carried out as required under COSHH regulations and in accordance with L8, the HSC's Approved Code of Practice 'Legionnaires Disease – The Control of Legionella Bacteria in Water Systems' and any subsequent amendments thereof.
- 4.9.5. Any remedial action shall not affect the Contractor's normal service requirements and as far as is practicable work shall be undertaken out of hours in order to limit disruption to the service.

4.10. Emergency and Evacuation Procedures

The Contractor shall ensure that clear procedures are in place to deal with any evacuation and/or emergency situation that may arise at any of the Facilities.

- 4.10.1. The Council's Sports and Leisure Centres may be used as Rest Centres in the event of an emergency or major incident.
- 4.10.2. The Council may, usually but not always at the request of the emergency services, require the use of some or all of a sports centre to provide temporary shelter to people affected by an emergency. This may be a shelter for residents who have been evacuated from their homes due to an emergency, a reception centre for people who have been rescued from the scene of a major incident, or a reception centre for the families and friends of people who are missing in the aftermath of an emergency.
- 4.10.3. The Contractor is responsible for opening and making available the facilities; and for ensuring that the building is safe for occupants, for example by closing off swimming pools. The care and support and provision of direct services to those affected by the emergency will be the responsibility of the Council and/or its partners and providers. The Council will reimburse the Contractor of their reasonable costs in making facilities available. From time to time the Emergency Planning team will visit each premises to confirm contact details and facilities available and the Council may require the Contractor to participate in a "formal training exercise" with regard to the emergency plans, which may necessitate closure of one or more of the Facilities. The cost of such training exercises will be fully borne by the Council. This will not amount to more than 1 day per year.

- 4.10.4. The Contractor must comply with requirements of the Regulatory reform (Fire Safety) Order 2005. The Contractor must produce a fire risk assessment for each premise/site and submit a copy to the Council at least annually or upon request and maintain a fire safety logbook, or similar records, available for inspection at any time.
- 4.10.5. The Council retains the absolute right to instruct the Contractor to close any of the Facilities immediately in the interests of public safety.
- 4.10.6. The Contractor shall ensure that staff names and contact numbers to be contained in the emergency plan are kept up to date at all times. All newly appointed supervisory staff shall have their contact details forwarded to the Council within one week of commencement of appointment.
- 4.10.7. In the event of a civil emergency, the Council reserves the rights to use the whole or any part of any centre at any time. The staff at the Facilities will be required to be available during these times.
- 4.10.8. Similarly, the Council reserves the right to use the Facilities for elections.

4.11. Prevention of Violence and Bullying

- 4.11.1. The Contractor is required to produce a policy for the prevention of violence and intimidation at work which is compatible with that of the Council's policies as provided in **Appendix 16**
- 4.11.2. The Contractor shall ensure that any instance of violence or abuse is reported as described in Section 4.8 above.

4.12. Risk Assessment

- 4.12.1. The Contractor shall perform and forward details of a detailed risk assessment during the first six months of the Contract operation and thereafter on a yearly basis. The results of the risk assessment shall form the basis of a health & safety action plan.
- 4.12.2. The Contractor should complete, action and keep up to date fire risk assessments that meet legislative requirements for each of the centres.

5. BUILDING MANAGEMENT

5.1. Repairs and Maintenance

- 5.1.1. The Contractor shall be responsible for all the repairs and maintenance of all of the Properties of which the Facilities forms part and which shall include (but not limited to) all the internal and external building structure, fabric, roofs, foundations and services maintenance and replacement of all equipments at the Facilities with the exception of latent defects. The Properties are to be maintained so as to protect and enhance the building structures, roofs, foundations, fabrics, fixtures and fittings, mechanical and electrical plants and equipments.
- 5.1.2. No claim by the Contractor for additional payment shall be allowed on the grounds of any misunderstanding or misrepresentation due to lack of knowledge of these conditions, regulations or requirements. Further obligations are set out in the Contract.
- 5.1.3. Condition surveys have been provided, in **Appendix 11**, in order to assist bidders with their proposals. The Council does not warrant these reports and they are provided on an information only basis.
- 5.1.4. The Contractor shall ensure compliance with all standard operational and management legislative requirements of operating a public facility, both current and future. The Contractor shall also comply with all manufacturers' recommendations, some of which may be over and above that required by legislation.
- 5.1.5. The Contractor shall keep and maintain the Properties in Substantial Repair and condition. and the Equipment shall be replaced if beyond economic repair. Replacement fixtures and fittings shall be the same or better quality as that initially specified.
- 5.1.6. The Contractor will ensure that Service Contracts are in place for all areas including plant, machinery, electrical and mechanical installations and fixtures, fittings and equipment where necessary. As a minimum this should comply with SFG20 as defined by the HVCA. Documentary evidence must be kept of service schedules, including service intervals, and a copy be available on each site for inspection at all times.
- 5.1.7. The Contractor is required to develop an equipment inventory and keep it updated throughout the Contract Period, with the Council able to access it as required to monitor the maintenance of their equipment.
- 5.1.8. The Contractor will ensure that the temperature and relative humidity of all the Facilities and pools are kept to a level that is in line with the guidelines provided by Sport England or relevant National Governing Body for sport, for each facility area.

5.1.9. The Contractor shall ensure that the Facilities are properly ventilated at all times by utilising the ventilation systems provided.

5.1.10. The Contractor will ensure illumination and lighting are at all times to the standard specified in the Chartered Institution of Building Services Engineers' Lighting Guide LG4: Sports (1990) and any subsequent amendment thereof and this shall be at the Contractor's expense.

5.1.11. The Contractor will ensure that the drainage systems will provide safe effective removal of wastewater, surface water and liquid waste from the Facilities in compliance with relevant legislation.

5.2. Closures for Planned Maintenance

5.2.1. The Contractor may close the Facilities for essential repairs and maintenance or improvement works for up to two weeks between 15 December and 1 January inclusive each year but will continue to give access to any tenant of any parts of the Properties. Such closures must be agreed, in writing, by the Council, at least one month before the closure is due and will only be granted under the proviso that one of the Facilities with swimming provision is open on each day to facilitate customer use.

5.2.2. In all cases of planned closure or reduced opening hours, including any closures over the Christmas period, the Contractor shall, at his own expense, adequately publicise the closure, giving customers at least 30 days notice.

5.2.3. In the event of an emergency that results in closure or reduced opening hours, the Contractor shall contact the Council immediately, by telephone or email. The Contractor will also provide the maximum notice possible to customers, club representatives, group representatives and school representatives.

5.2.4. The Contractor must maintain a log of hours that the relevant Facility is not open on a daily basis and submit details of any performance failures, closures or service limitations during the minimum opening hours, setting out the details of the closure, the reasons for such closure and any remedial action taken by the Contractor as part of the quarterly performance monitoring report provided to the Council.

5.3. Unplanned and enforced closures

5.3.1. The Contractor shall note that the Council will not be liable for any compensatory payments due to an emergency or closure of the Properties, the Facilities and/or activities at any sites. The Contractor shall take all appropriate precautions in terms of risk and shall reflect this risk assessment in their management fee.

5.3.2. The Council shall notify the Contractor of any unplanned closures or reduction in hours as a result of the Council's need to carry out alterations to the Facilities.

5.4. Utilities

- 5.4.1. The Contractor will have responsibility to minimising the consumption of Gas, Water, and Electricity at the Facilities.
- 5.4.2. The Contractor will report on a quarterly basis consumption levels relating to Utilities to the Council appointed Contract Manager.
- 5.4.3. The Contractor will be responsible for the procurement of Utility suppliers for the Facilities in accordance with part 7 of the Payment Mechanism.

5.5. Water Quality

- 5.5.1. The Contractor will follow industry best practice in relation to the management of Water Quality in the Centres with swimming pools. Reference is to be made to relevant publications including those from Pool Water Treatment Advisory Group (PWTAG), the Health and Safety executive and Sport England.
- 5.5.2. The Contractor shall ensure at all times that the swimming pool water is of good colour, quality, appearance and at all times must be rendered completely safe for Users to swim in. In addition, at all times the pool bottom must be clearly visible at the deepest section of the pool by anyone standing on poolside.
- 5.5.3. The Contractor shall ensure swimming pool water contains approved quantities of disinfectant to ensure bacteria and pollution is immediately neutralised. Additionally, it must be chemically balanced so as not to cause discomfort through its effect on eyes, nose, throat or skin.
- 5.5.4. The Council has installed Defender filtration systems at both Tottenham Green LC and Park Road Pools. These systems are, we understand unique in the UK but are highly effective at both reducing costs and CO2 emissions. Further information on the Defender system is attached at **Appendix 18**. The Contractor will be required to continue with these systems unless the Council agree for any changes.
- 5.5.5. The Contractor shall undertake water quality tests on site for all pools on site at intervals no greater than four hours and ensure all such results are recorded and retained on site for a minimum of 6 months and more frequently if necessary to ensure public safety at all times.
- 5.5.6. The Contractor shall have in place independent chemical microbiological and bacteriological water testing on a monthly basis to supplement daily testing. Any remedial action required as a result of these tests will be addressed immediately ensuring risk to health and safety is minimised.
- 5.5.7. In the event of more stringent standards being set by PWTAG guidance, Sport England and/or the Health and Safety Executive during the period of contract, the Contractor shall adhere to these more stringent standards. The Contractor shall

not use chemical constituents to maintain the above standards without the prior approval in writing by the Council. The "Pool Water Guide" produced by the Pool Water Treatment Advisory Group provides a broad code of practice to which the Council expects the Contractor to adhere.

5.5.8. Any failure by the Contractor to maintain the appropriate standard of swimming pool water quality may result in prosecution or other action by the Council's Environmental Health Officer.

5.6. Building Asset Database

5.6.1. The Contractor must create and maintain an electronic database, which is a record of all new and existing structures, plant, materials, components, and fixtures and fittings throughout the Contract Period.

5.6.2. The Contractor will ensure there is a database of all assets for each of the Facilities, to be updated as and when alterations or any new works are carried out. The database will list for each asset,

- an asset reference number,
- location of the asset,
- manufacturer and contact details
- condition assessment
- Planned preventative maintenance requirements,
- Record of inspections / routine maintenance
- date of installation
- renewal date.

5.6.3. The asset database will be updated by the Contractor as and when equipment is removed, updated and/ or introduced. A fully updated version will be passed to the Council at the end of the Contract in a readable format.

5.7. Planned Preventative Maintenance

5.7.1. The Contractors PPM programme will be based on the data within the asset database and implemented according to manufacturer's recommendations by fully qualified technicians.

5.7.2. Each facility annual PPM programme will be available to be reviewed electronically by the Council on an annual basis, together with monthly updates of the planned work completed, to demonstrate that the Contractors responsibilities in this area are being met.

5.8. Reactive Maintenance

5.8.1. The Contractor will have suitable procedures and resources in place for dealing with all required reactive maintenance requirements for the Properties including 24hr cover for emergencies

5.8.2. Prior to commencement of the Contract the Contractor will set out its definition of priorities, containment and rectification periods for all elements of Reactive Maintenance and cleaning, against which they will self monitor and provide to the Council a monthly summary of items reported and timescales to rectify.

5.8.1. The Contractor will maintain an established supply chain capable of responding to emergencies, including out of hours where appropriate, to ensure minimum disruption to service delivery

5.9. Redecoration

5.9.1. The Contractor will have a suitable redecoration and renewing of finishes programme in place for all the Properties.

5.9.2. The programme will include internal and external redecoration and will be appropriate for the type of finish / fabric. The programme will take into account customer critical high use ancillary areas (changing rooms, toilets and reception) to ensure that at all times customers reasonable expectations in regards to redecoration are met.

5.9.3. As a minimum all Properties will be fully re-decorated to a good standard internally every 3 years and externally every 10 years depending on the finish and fabric and in any event in the last six months of the Contract.

5.9.4. The programmes will be submitted to the Council on an annual basis and progress reviewed on a quarterly basis to demonstrate how these requirements are being met.

5.10. Lifecycle Maintenance

5.10.1. The Contractor will have a lifecycle maintenance programme for each centre for each year of the contract. It is to be reviewed on an annual basis to meet its full maintenance responsibilities under the Contract.

5.10.2. All maintenance is to be completed in line with industry legislation, best practice and Sport England facility guidelines.

5.10.3. As the assets remain in the ownership of the Council, the Contractor will work closely with the Council in drawing up the annual lifecycle maintenance programmes of work.

5.10.4. The full works programme for each centre, specifications and contractors to be used are to be agreed with the Council on an annual basis.

5.10.5. The Contractor will have an ongoing lifecycle maintenance programme for each centre for the duration of the Contract Period. This will be reviewed on an annual basis with progress reviewed on a quarterly basis to ensure that the Contractor meets its full maintenance responsibilities under this specification and the.

5.10.6. The Council will complete a condition survey of each centre 1 year before the end of the contract. If the survey highlights any areas of required works that are within the responsibility of the Contractor, then these works will be completed by the Contractor within the last year of the Contract.

5.11. Grounds Maintenance

5.11.1. The Contractor will be responsible for Grounds Maintenance at the Properties.

5.11.2. Currently the Grounds Maintenance is completed by the Council's Parks department. The specification required for the Contractor to achieve is provided in **Appendix 18**.

5.12. Security

5.12.1. The Contractor will ensure that the Properties are secure and will have a system that provides a safe level of security to customers during their visit to the Facilities.

5.12.2. The Contractor shall at all times be responsible for the total security of the Facilities, including all buildings, structures and amenities, including the plant and equipment therein, to which the Contract refers.

5.12.3. The Contractor may employ security guards at their own expense during hours when the Facilities are closed.

5.12.4. The Contractor will be responsible for the monitoring and maintenance of the CCTV equipment at the Facilities.

5.12.5. The Contractor shall retain, maintain and utilise any security alarm installed at the Facilities throughout the Contract Period. Any such system may only be removed or replaced with the agreement of the Council.

5.12.6. The Contractor shall be responsible for the safe keeping of any keys to the Properties. The Contractor, before the Contract commencement, shall supply a list of key holders, together with their addresses and telephone numbers to the Council and the police. The Contractor shall update the list as and when required.

5.12.7. The Contractor will be responsible for contacting the local police and dealing with all incidents that effect the security of the Properties.

5.12.8. The Contractor shall ensure that a member of staff is able to attend and open the Properties within 30 minutes of an emergency call. All such incidents shall be reported to the Council on a monthly basis or sooner as applicable if the incident involves violence, injury or theft/damage of Council property.

5.12.9. The Contractor will supply a list of up to date out of hours contacts to the Council in case of emergency.

5.13. Security of Users' Property

5.13.1. The Contractor shall provide functional lockers for use at all Facilities by users. Customer information notices shall be displayed prominently concerning the use and operation of such lockers. No more than 10% of lockers will be out of use at any time.

5.13.2. The Contractor shall make arrangements for the collection, return and disposal of all property found on the Facilities. The systems put in place shall include as a minimum, procedures to deal with items of value, items reported as lost by customers and arrangements for disposal after non-collection.

5.14. Access to Non-Public Areas

5.14.1. The Contractor shall ensure that the general public are not permitted into areas of the Facilities that represent significant health and safety or security risk.

5.14.2. The Contractor shall maintain relevant signs indicating such, throughout the Contract Period.

5.15. Car Parking

5.15.1. The Contractor will maintain and manage any areas set aside at the Facilities for vehicle parking or deliveries in accordance with any byelaws or other regulations in force at the time. Any proposal to change the designation of any parking area as being for use by members of the public, by staff or for deliveries must be agreed in advance with the Council.

5.15.2. The Contractor shall ensure that a minimum of 5% of parking spaces, or a minimum of 2 bays whichever is the greater, are retained in the centre car parks for use by people with disabilities, and shall ensure that those spaces are only used by those for whom they are designated.

5.15.3. The Contractor must ensure that all roads within the boundary of the Facilities are kept clear to allow access for emergency services at all times.

5.15.4. The Contractor will be required to provide adequate patrolling and / or stewarding of car parking arrangements, for major events, so that the adverse impact on the surrounding residential area is minimised.

- 5.15.5. The contractor will be required to provide guidance to major event hirers and attendees of car parking arrangements within the locality of the Facility so as to minimise disruption to local residents. This guidance should include full details of other available transport modes.
- 5.15.6. The Contractor shall ensure that the access roads, paths and other routes which may be used by vehicles or pedestrians and are situated within the internal boundaries of the Properties (fire exits, entrances to each Facility), are at all times kept as free as is reasonably practicable from snow and ice.
- 5.15.7. There is a car parking enforcement agreement in place at all facilities apart from Broadwater Farm with Haringey Council Parking Services, a copy of the agreement is provided in **Appendix 12**.
- 5.15.8. Generally customers pay to use the car park and the staff at the Leisure Centre collect and retain the income.
- 5.15.9. Haringey Council Parking Services patrol the car park to ensure that all users have paid the appropriate fee for parking and will issue fines to those that have not. Haringey Council Parking Services retain all the fines collected.
- 5.15.10. The contractor will be required to maintain the car park in accordance with paragraph 5. and car park ticket dispensing machines that should be maintained in a good state of repair and good condition and working order.

5.16. Environmental policy and energy conservation

- 5.16.1. The Contractor must have clear environmental policies and procedures.
- 5.16.2. The Contractor will operate the Facilities in an environmentally friendly and sustainable manner, to reduce energy consumption, minimise chemical usage, recycle appropriate non-hazardous wastes, recycle and reduce water consumption and contribute to the Council's Carbon Management Programme, **Appendix 13a**.
- 5.16.3. In line with the Council's commitment, the Contractor will be required to meet carbon reduction targets of 40% (based on 2006/7 baseline) by 2015. The Council will provide baseline data to the Contractor for them to evaluate what carbon emission targets can be achieved from all Facilities until 2015. This will be part of an action plan as described in Section 2.4 of the Sustainable Procurement Policy – General Sustainability Requirements as detailed in **Appendix 13b**.
- 5.16.4. The Contractor will ensure the requirements of the legally binding Carbon Reduction Commitment Energy Efficiency Scheme (CRCEES) are met.
- 5.16.5. The Contractor will be required to participate in a yearly review of energy performance against the agreed target. Assistance, information and support will

be provided to the Contractor on energy management issues for each Facility on reasonable request.

5.16.6. New targets will be assessed after 2015 for the remainder of the Contract and in line with longer term targets for the Council and any changes to Phase 2 of the CRCEES.

5.16.7. The Contractor will develop an environmental action plan for each Facility with measurable targets that will encompass as a minimum the elements detailed below, with the format matching the requirements in 5.15.3 above. The plan, actions and results will be reviewed with the Council on a quarterly basis.

- Maximising energy conservation and benchmarking energy consumption
- Carbon management including a green travel plan which promotes sustainable methods of transport in accessing the Facilities.
- Detail any energy consumption will be purchased from renewables; resources;
- Reduction in the use of environmentally harmful chemicals;
- Maximising the reduction of water use and water recycling opportunities;
- Maximising recycling and reducing waste;

5.16.8. All staff will be fully trained and aware of the Contractor's Environmental Plan and the Contractor will raise awareness of his environmental policies with users.

5.16.9. Contractors are to work towards the Carbon Trust Standard and against the principals for the scheme. It is the Council's preference that the Contractor gains accreditation within the first 3 years of the Contract.

5.16.10. The Contractor will invest in energy efficiency measures at the Properties such as, Boiler CHP and Heat Recovery and Ventilation Systems where payback is possible within the Contract Period. Financial savings as a result of any 'invest to save' project will be sole profit of the Contractor during the Contract Period unless agreed otherwise between the Council and contractor.

5.16.11. The Contractor will support and participate in the promotion and publicity of the Council's environmental campaigns as they occur throughout the year by engaging with Staff and Customers

5.16.12. The Contractor will allow the Council access to scrutinise training, waste consignment, and health and safety records for inspection by the Council for the purposes of its ISO 14001 audit records where applicable.

5.16.13. The Contractor will have considered the impacts of climate change on its operations and have an action plan to adapt. The Contractor will also report on any breaks in service or chronic effects on the service in relation to climate or weather for reporting purposes on a national level.

5.16.14. The Contractor will undertake and submit a self assessment of how the proposed management of the Facilities complies with the Council's targets detailed in **Appendix 13**.

5.17. Housekeeping and Cleaning

5.17.1. The Contractor shall be responsible for cleaning all areas of the Facilities and all equipments and furnishings and furniture to a high standard. The level of cleanliness must be visibly acceptable at all times, taking due account of customer expectations, specific requirements of this Contract and all relevant hygiene and health and safety regulations.

5.17.2. The Contractor shall ensure that there are high standards of hygiene and cleanliness in critical areas, particularly changing rooms (including lockers), showers and toilets.

5.17.3. The Contractor shall ensure that proper care is taken at all times to prevent injury during any cleaning operation, and to minimise customer dissatisfaction and inconvenience. All cleaning materials and the use and storage thereof shall comply with COSHH, the Health and Safety at Work Act 1974 and any other related legislation and any subsequent amendments thereof.

5.17.4. Graffiti is considered to detract from the appearance at each of the Facilities, and shall be removed by the Contractor within 4 hours.

5.17.5. The Contractor is required to produce cleaning schedules for each area of the Facilities that include for daily and other routine cleaning as well as for regular deep cleaning.

5.17.6. The Contractor shall have procedures and resources available throughout the opening times to deal with any reactive cleaning required in the Facilities.

5.17.7. The Contractor must demonstrate that customer expectations in relation to cleaning are being satisfied, and that any complaints with regard to cleanliness are actioned and feedback given on the remedial tasks.

5.17.8. The Contractor will ensure procedures and effective systems are in place for any areas of specialist cleaning, for example window or high level cleaning.

5.18. Equipment

5.18.1. The Contractor is responsible for providing equipment that is safe and suitable at all times for the activity it is being used for, taking into account the standard of sport or activity being undertaken.

- 5.18.2. The Contractor will maintain all equipment provided to a high standard of repair and cleanliness at all times in accordance with the manufacturers' recommendations and ensure that equipment meets the programming requirements of the Facilities.
- 5.18.3. The Contractor shall ensure that equipment and materials comply with the relevant National Governing Body, British and European Standards and be limited to the use it was designed for, as specified within the manufacturer's or supplier's guidelines and/or operating manuals.
- 5.18.4. The Contractor is required to agree the Equipment inventory with the Council as set out in **Appendix 14** within one month following Contract commencement.
- 5.18.5. The Contractor is required to ensure that the Equipment inventory is updated on a regular basis to reflect any replaced equipment and identify any new/ written-off equipment.
- 5.18.6. A revised Equipment inventory is to be provided to the Council at the end of the Contract by the Contractor.
- 5.18.7. All equipment to be used by the public shall be regularly inspected for health and safety and appropriate records kept by the Contractor. All equipment shall receive a minimum of an annual inspection and service from a recognised supplier. This shall be arranged by the Contractor and copies of inspection and service records made available to the Council on request.

5.19. Information Technology

- 5.19.1. The Contractor shall have suitable IT systems in place at all of the Facilities to ensure that:
- Customers can book and pay for all activities and programmes at each Facility and there are suitable financial audit procedures in place.
 - The booking system will offer equitable booking access to all members of the community.
 - Customers can book and make on line payment for activities whether they are members and non-members of the Facilities.
 - Advance, club, school and other 'block' bookings can be made for activities at each Centre;
 - Analysis of detailed usage information and the demographic profile of users of the Facilities can be completed and made available to the Council via a terminal placed in the Council offices.
 - Utilisation of the Facilities and activity areas can then be determined and will form part of the quarterly performance monitoring reports provided by the Contractor to the Council.

- 5.19.2. The Council currently operates the Technogym Wellness System in the fitness suites at all the centres. The Contractor is to either operate this system or provide an alternative system that is agreed with the Council in advance of installation.
- 5.19.3. The Contractor shall provide operate and maintain all ICT equipment and programmes. They shall ensure that all computer systems and networks are fully operational at all times.
- 5.19.4. The Contractor shall be responsible for providing replacements for PCs, hardware and for software upgrades as necessary.
- 5.19.5. The Contractor shall comply with the Council's IT Strategy (and any subsequent updates) and any legislation or regulation concerning data protection, including the Data Protection Act 1998 and any subsequent amendments thereof.
- 5.19.6. The Contractor will be responsible for all costs arising from software, hardware or communications maintenance, purchase of additional user licences and or training from the supplier or any designated sub-contractors.
- 5.19.7. The Contractor will ensure that electronic bookings including SMS messaging suitable to meet the E Government requirements (and any subsequent amendments thereof) are in place.
- 5.19.8. The Contractor will be responsible for the upkeep of the IT systems during the full contract period.
- 5.19.9. The ownership of the database of customer information will remain the property of the Council throughout the Contract Period.
- 5.19.10. At the end of the contract, the Contractor will provide all necessary support to the Council and incoming contractor to ensure a smooth transition of database management information. This cost will be borne by the outgoing contractor.

5.20. Website Guidelines

- 5.20.1. The Contractor will ensure that the appropriate information is made available to the Council for inclusion on the Council's website in line with the Council's Web Guidelines. The Council will operate as the main landing page for the Facilities and include some limited information. Links will then be provided to the Contractor's site.
- 5.20.2. The Contractor must provide regular updates on service provision for the Council website which will be the first point of contact for customers requiring information about services.

- 5.20.3. As a minimum the Council website must have up to date content on service locations, opening times, the services operated at each centre and news items. This information shall be provided by the Contractor.
- 5.20.4. The Contractor will operate their own website to provide more detailed service information and functionality such as bookings and online payment. Full use of electronic programme tools such as Splashpath shall be used to enrich the users experience on the website. Where supported by the Annual Marketing Plan the Contractor should make full use of social networking tools such as Facebook and Twitter. Contractors sites must be linked to the Council website and comply with the Council's third party web standards and branding protocols to be agreed with the Council.
- 5.20.5. The Contractor must be able to demonstrate compliance with the Council's third party web standards, which will be updated regularly throughout the duration of the contract.
- 5.20.6. The Contractor is required to work with the Council's web team to help better promote the online services to residents and to promote take up of services. The Contractor may advertise their services provided on behalf of the Council in Council buildings and on the Council website in agreement with the Council.

5.21. Telephones

- 5.21.1. The Contractor is responsible for the provision of telephony services.
- 5.21.2. The Contractors staff will respond to telephone enquiries in an efficient helpful and friendly manner, particular attention will be made to the management of telephone calls at peak times to reduce the number of calls answered outside the target response time of 5 rings.
- 5.21.3. The Contractor will ensure that the telephone system is available during opening hours and provide a message with outline programme details when the Facilities are closed.

5.22. Business continuity

- 5.22.1. The Contractor will have contingency procedures in place for system failure both to provide a continuous service provision for customers and to ensure the membership database is backed up.
- 5.22.2. The Contractor will at the commencement of the Contract put into place disaster and business continuity plans, and will review these at intervals of not less than every 3 years, on each occasion submitting them to the Council for approval.
- 5.22.3. The requirements for business continuity are further specified in the Contract.

5.23. Freedom of information

- 5.23.1. The Contractor should be aware of the Freedom of Information Act 2000 (and any subsequent amendments thereof) and ensure that it can adhere to the requirements. Further detail is contained within the main body to the Contract.

5.24. Members and MP enquiries.

- 5.24.1. The contractor will be required to provide written responses within 3 working days to any requests for responses as a result of Council Members or MP enquiries unless an alternative timescale is agreed in writing with the Council's nominated representative.

6. CONTINUOUS IMPROVEMENT

6.1. Performance Management

- 6.1.1. The Contractor shall demonstrate continuous improvement in the delivery of the Services. This will be measured and reported as required by the Council utilising data collected from an agreed start date for each year of the contract.
- 6.1.2. The Contractor shall provide evidence of continuous improvement through the development of robust, reliable and accurate systems for data collection and must be capable of independent validation.
- 6.1.3. The Contractor shall collect data to measure service quality, effectiveness, economy and efficiency, including equalities data. The Council will inform the Contractor of new Council policy priorities, aims and objectives. New policies and measures to achieve them will be integrated into an annual service plan to be produced by the Contractor no later than the end of October each year of the Contract.
- 6.1.4. New targets and performance indicators will be determined through discussion between the Contractor and Council and detailed in the annual service plan. Unless the Council agrees otherwise any new targets or performance indicator changes will not be introduced as a Change under the Contract.
- 6.1.5. The requirements for continuous improvement are further specified in the Contract.

6.2. Annual Service Plans

- 6.2.1. The Contractor will produce Annual Service Plans for each Centre that includes as a minimum;
- financial income and expenditure targets for each Centre
 - participation targets for each activity area and target group for each Centre, linked to the Council's and the contractors annual sports development plan;
 - lifecycle works, planned maintenance and redecoration works,
 - marketing and research objectives and quarterly actions,
 - environmental plan and targets
 - targets and KPI's in relation to the key aims and objectives within the Council's prevailing key policy documents relating to the services.
 - Reducing the percentage of adults who are inactive as measured in the Active People survey.
- 6.2.2. The first Annual Service Plans will be completed within 3 months of Contract commencement. Following year plans will be completed and agreed with the Council 1 month prior to the new contract year.

6.2.3. The Annual Service Plans will be developed in partnership with the Council and the Contractor must demonstrate how the plans have been developed in consultation with key stakeholders, user groups and customers. Current stakeholders are to include at least; Children and Young Peoples officers, Public Health, Sports Development Team, Key Clubs based at each facilities, key Schools, CSPAN (and Well Being group).

6.2.4. Annual targets will be measured utilising data collected from each previous year of the Contract. For year 1, the Council will provide previous year usage and other information to be used as a baseline for year 1 targets.

6.2.5. Any new targets and performance indicators will be determined through negotiation between the Contractor and the Council and detailed in the Annual Service Plan.

6.3. Sport England Benchmarking Service (SENBS)

6.3.1. The Contractor shall participate in a National benchmarking exercise every two years, to compare the performance of Haringey's leisure Facilities with other Facilities throughout England.

6.3.2. The Contractor shall fully complete all questionnaires relevant to this exercise and supply this data for Sheffield University (or other relevant body) to the Council.

6.3.3. Targets for continuous improvement shall be agreed jointly by the Contractor and Council, based on the first survey results which will be undertaken at an agreed date in the first year of the contract.

6.3.4. The Contractor will be required to aim for a score which demonstrates that performance is in the upper quartile for each performance indicator. Where this is not met the Contractor shall agree an action plan with the Council.

6.3.5. The cost for this service in relation to the charge made by Sport England and associated survey costs will be borne by the Contractor.

6.3.6. Both the Contractor and the Council shall utilise this data to formulate targets and performance indicators for inclusion in the annual service plan.

6.4. Customer Research

6.4.1. The Contractor must demonstrate that it understands the attitudes and perceptions of users and non users. Regular market research and customer research activities are an essential part of this process, and the Council expects to be provided with regular feedback on the experience the customers are having.

6.4.2. The following elements or research must be delivered by the Contractor as a minimum.

Element	What it measures /monitors	How delivered	Frequency
Non User Survey (residents who have not used the service for over 3 months)	Attitudes and perceptions of non users of the council's facilities/ services. Including how aware they are of the services and what would encourage them to use them.	Street based, interviews. At least 400 questionnaires	During the first year of the Contract and then every other year subsequently
Customer Experience /Satisfaction	The experience and satisfaction levels of current users	a/ Face to face interviews or telephone interviews with min 50 Customers per site or;	a/Quarterly b/ From the 2 nd year of the Contract and every other year subsequently
Customer comments/ complaints	The numbers, type and related activity of customer comments and complaints	Self completion of cards within the centres/sites. Collected and analysed internally.	Analysis to be carried out monthly
Mystery shops/calls	The quality of the telephone enquiry and visit experience from a mystery shoppers' point of view. Particular whether service standards are being followed.	Mystery shops and calls carried out with no prior knowledge of site staff and management.	Quarterly
Customer Forums/Focus Groups	Qualitative feedback from a representative selection of customers	Regular meetings between senior management and customers, using an informal "round table" approach. Decisions reached at meetings are to be recorded in writing.	Every 3 months except for Broadwater Centre where every month.

Element	What it measures /monitors	How delivered	Frequency
On line school users survey	School children (8 – 18 years old)	To understand the needs of young people	Every two years with a minimum of 500 respondents.

6.4.3. All questionnaires, audits and scoring for all the above elements must be agreed with the Council. All results/reports from the above elements must be made available within 14 days of being completed.

6.4.4. Non user surveys and Customer experience/satisfaction scores must be compared to industry benchmarks where possible.

6.4.5. The Contractor shall ensure that customers are surveyed in proportion to the postcode, age, gender and ethnicity and disability of the catchment area for each facility.

6.4.6. The Contractor shall ensure that each user survey assesses customer satisfaction of the following areas as a minimum:

- Satisfaction with changing rooms, showers and toilets.
- Overall building cleanliness and presentation (swimming pool, sports hall, gym etc)
- Satisfaction with staff
- Ease of telephone enquiries and bookings
- Speed of service in relation to completing repairs
- Quality of information and publicity
- Range of activities offered at the Centres
- Value for money
- Overall satisfaction with the Centres
- Net Promoter Score

6.4.7. The Contractor shall present the results of all of the surveys on notice boards at each centre. The results should be displayed in a bar chart or alternative graphical format agreed with the Council.

6.5. Reporting Requirements

6.5.1. The Contractor shall provide relevant data for each year of the Contract to include all relevant national and local performance indicators, which as a minimum will cover the following:

- Total usage for each activity area (broken down into junior and concessionary use per activity area)
- Number of regular (at least twice weekly) visitors at each Centre included in the Contract

- Total number of swims (including school usage, club usage and learn to swim courses) and all other visits
- Net cost/subsidy per visit.
- Breakdown of leisure card / membership users (by postcode, gender, age, ethnicity, disability)
- Energy usage, (consumption)
- Number and type of accidents
- User complaints and compliments
- Maintenance defects reported and actioned
- Workforce monitoring including equalities
- Usage by target groups.

6.5.2. These will be reported in the Annual Service Plans for each centre shown in the table below.

6.5.3. The reporting requirements of the Contractor are detailed as a minimum in the table below:

Annual	Quarterly	Monthly
Service plans for each facility	Income & expenditure actuals vs projections, update on performance against objectives	Monthly report – update.
Marketing plans	Usage by target groups actuals v projections	
Maintenance plans	Service plan update Maintenance plan update	
Environmental plans	Environmental plan update	
Sports development plans	Sports development update	
Staffing and Recruitment issues	Quarterly update	
Pricing structure and programming strategy	Programming and pricing updates and changes	
Income & expenditure actuals from previous year and projections for following year	Quarterly report update.	Update in Monthly Report
Customer research and feedback analysis and actions	Usage by target group actuals v projections	
KPI performance		Update in Monthly Report.

6.5.4. Annual plans are to be produced prior to contract commencement in Year 1 and by 1st December throughout the rest of the contract. Income and expenditure actuals are to be produced with certified accounts according to the Project Contract and are to be provided 1 month after year end.

6.5.5. Quarterly reports are to be produced within 1 month of the quarter end.

6.5.6. Monthly reports are to be produced no later than the 14th day of each month. Any costs relating to amendments to the Audit Commission requirements or successor bodies shall be borne by the Contractor.

6.6. User Comments and Complaints

6.6.1. The Contractor shall comply with the Council's Complaints Procedure, as detailed in **Appendix 15**.

6.6.2. The Contractor shall ensure that the user comments and complaints forms and customer suggestion boxes are in prominent and visible locations at all times at all Facilities.

6.6.3. The Contractor shall monitor the receipt, response times and quality of the user comment responses. Each comment shall be allocated a unique reference for identification and analysis purposes.

6.6.4. The Contractor shall provide monthly performance figures for the Council in a format to be agreed with the Council. The Council may vary the statistics required from time to time; the cost of such changes will be the responsibility of the Contractor.

6.6.5. The Contractor shall keep all completed user comment forms with written responses within the Facilities for two years. The Contractor shall permit the Council access to the user comments and complaints records at all times.

6.6.6. The Contractor shall aim to minimise all causes of complaint at the Facilities at all times.

6.7. Participation Targets

6.7.1. In year 1, the Contractor shall introduce comprehensive methods of accurately measuring regular participation of users and compare these levels of regular participation to the demographic profile of the borough. Following this analysis, from year 2 the Contractor will provide programmes and marketing strategies to specifically encourage increased participation in under-represented groups to match the demographic profile.

6.7.2. Current participation data relating to Haringey, from the Active People Survey, is detailed in the information memorandum.

6.7.3. Specifically, the Borough anticipates meeting the Government targets of a 1% pa growth borough wide in physical activity. In addition the Council is seeking to close the gap between the health of the most and least deprived communities across the Borough – promoting physical activity is one way to do this. This means that gains in physical activity participation rates must be higher in a number of target groups across the Borough, including those living in the priority neighbourhoods, people with disabilities, people over 50, women and girls and BME communities.

6.8. Performance Outcomes

6.8.1. Most objectives will be measured on a recurring annual basis. The majority of the service effectiveness and economy and efficiency objectives will be measured annually. Other objectives relate to the delivery of capital projects or the achievement of management awards and will have longer timescales.

6.8.2. The table below provides for the initial headline targets for the Contractor to achieve. A range of further outputs will be agreed with the Contractor and these will be subject to a default mechanism allowing for deductions and Rectification Procedures in the event of poor performance.

Requirement	Performance Standard	When Reported
All KPI's for the Contract agreed with Council	KPI's target set Targets achieved	As appropriate
Usage calculations methodology set out	Methodology complied with	Monthly
Usage to be reported by defined categories on a monthly and annual basis	Reports submitted	Monthly
Participation targets and including non participants	Annual increases in participation agreed as a minimum a total of [2]% increase per annum for first 5 years of the contract.	One month prior to new Contract year
Participation targets	Annual targets achieved for under-represented groups	Annual
SENBS completed	Facilities to be within upper quartile	Every two years
Income & expenditure actuals from previous year v tendered business plan and projections for following year (within one month of year end)	Reports completed and submitted on time	Monthly
Objectives included within Sports Development and Marketing Plans.	Objectives set have measurable targets attached Targets achieved	Annual
Quality management System	In place at all Facilities	Ongoing

Requirement	Performance Standard	When Reported
Quest	Facilities have Quest accreditation with scores in top quartile at Entry level. Agreed Facilities have achieved plus and stretch modules.	Every two years
Opening Hours	All Facilities are open in accordance with published opening hours	Quarterly
Programming strategy	Review Report provided and agreed with the Council Contractor adheres to programming strategy	Annual Quarterly
Programmes are published and promoted	Programmes are delivered as published	Quarterly
Healthy lifestyle programmes are delivered as per contractors Method Statements	Usage targets set and achieved	Monthly
Sports development plans and target outcomes set	Outcomes are measured and targets achieved	Quarterly
Talented Athlete programme	Target Number of participants	Quarterly
Attendance at CSPAN / LSP meetings etc	Good practice / new initiatives incorporated into programmes	Quarterly
Annual Ethnicity report	Ethnicity targets agreed Targets achieved	Annual
Concession scheme reviewed	Usage targets agreed and reported on in the following categories: Under 16 Over 50 Gender Ethnicity Disability Postcode Activity Targets achieved	Monthly
Healthy eating menus in place	Healthy eating options available for adults and children	Quarterly
Health Eating award	Achieved within 1 year	Annual
Healthy eating options available in vending machines	At least 50 per cent of range is healthy eating	Quarterly
Marketing plans (to be received by 1 month prior to following Contract year)	Marketing plans completed in line with specification requirements All Actions completed	Annual Monthly
Customer Charter in place and advertised in all Centres	Standards adhered to	Ongoing
Customers responded to within 10 days	Feedback analysed and actions implemented	Monthly

Requirement	Performance Standard	When Reported
Customer Research Plan implemented	All feedback analysed and actions implemented	Annual
CRB policy adhered to		Ongoing
Staff training plan implemented and delivered		Annual
Equality monitoring report completed	Staffing profile compared to local demographics and action plan delivered for variances	Annual
H&S Manual in place and adhered to	All staff trained in the manual	Annual
Minimum of the following completed: Fire Risk Assessments Risk Assessments COSHH PAT Testing	Assessments up to date, any actions arising completed and staff trained appropriately	Annual
Health and Safety	Accident analysis completed, trends assessed and actions taken	Monthly
Environmental and sustainability plans	Plans completed All actions completed Targets achieved	Annual Quarterly
Utility readings measured each month	Reduction of utility consumption by X per cent (to be agreed) per year	Monthly
Copies of relevant licences including: <ul style="list-style-type: none"> Sales of intoxicating liquor Phonographic performance Video performance Performing rights society Public entertainment 	All valid and held on site	Ongoing
Asset data base up to date	Available to Council	Annual
Maintenance plans; Redecoration programme and PPM	Maintenance plans submitted All plans completed	Annual Quarterly
Reactive maintenance items rectified	All defects completed within stated rectification times	Monthly
Equipment inventory updated	All worn out items replaced	Annual
Customer's expectations met in respect to cleaning standards	Quest cleaning and housekeeping score to be at least 70 per cent. Customer complaints in relation to cleaning to be less than five per cent of total complaints All graffiti removed within 4 hours	Every 2 years Monthly Monthly

Requirement	Performance Standard	When Reported
Members and non members can make bookings and payments on line	Number of on-line bookings as a percentage of total bookings – to be agreed on an annual basis	Monthly
Website is up to date and all information accurate		Ongoing
Website is accessible	Website is AA level of WAI	Ongoing
Copies of relevant insurances	All valid and held on site	Ongoing
Risk register	Register up to date	Ongoing
Business continuity plan	Plan up to date, held on site and all staff trained appropriately.	Ongoing

Appendices

Appendix 1	Current Strategic Documents; Haringey Community Sustainable Strategy Children's and Young Peoples Strategic Plan 2008 – 2020 Aquatics Strategy Sport and Physical Activity Strategy
Appendix 2	Current Opening Hours
Appendix 3	Current Pricing, Active Card Pricing,
Appendix 4	Accredited Club scheme and current participants
Appendix 5	Protected Bookings (Updated since ISDS)
Appendix 6	GP Referral scheme
Appendix 7	Child Protection policies
Appendix 8	Corporate Branding guidelines
Appendix 9	Catering Franchise – Park Road Pool & Broadwater Farm Agreement for Catering
Appendix 10	Council's Emergency Plan
Appendix 11	Facility Condition surveys
Appendix 12	Haringey Council Parking Services Agreement
Appendix 13a	Energy Management Plan and targets
Appendix 13b	Sustainable Procurement Policy
Appendix 14	Equipment inventories
Appendix 15	Council Complaints procedure
Appendix 16	Council prevention of bullying policy
Appendix 17	Public Health Annual report and Health and Wellbeing strategy (Updated since ISDS)
Appendix 18	Defender system: TGLC and PRP
Appendix 19	Grounds Maintenance Specification

MINUTES OF THE CABINET MEMBER SIGNING
WEDNESDAY, 18 JULY 2012

Present: Councillor Claire Kober, Leader of the Council

In Attendance: Jan Doust, Bhikhu Samat, Ayshe Simsek

MINUTE NO.	SUBJECT/DECISION	ACTION BY
CAB17	URGENT BUSINESS There were no items of Urgent Business.	
CAB18	DECLARATIONS OF INTEREST There were no declarations of interest.	
CAB19	DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS There were no deputations, petitions, presentations or questions.	
CAB20	<p>REPORT RELATING TO THE CONVERSION OF PRIMARY SCHOOLS TO SPONSORED ACADEMY STATUS</p> <p>The Secretary of State for Education (SoS) pursuant to his powers conferred under the Academies Act 2010 (AA 2010) had exercised powers to convert four primary schools, Downhills, Coleraine Park, Nightingale and Noel Park Primary schools (the Schools) to Sponsored Academy status. The Academy Act provides that on the Conversion Date the School closes and opens as a Sponsored Academy under Academy Arrangements under Section 1 of the AA 2010.</p> <p>Under the statutory provisions of the AA 2010, the Council are required to negotiate and enter into a 125 year lease and a separate Commercial Transfer Agreement and as this was a sponsored Academy process there was an additional requirement for the Sponsor, the Local Authority, the Governing Body of the School and the Department for Education to negotiate and enter into a Expression of Interest (also known as an Academy Action Plan).</p> <p>The recommendations put forward for consideration and agreement enabled the to Council to comply with the statutory provisions of the Academies Act 2010 and Education Act 1996. Non compliance would prompt an issue of direction and the required decisions to be taken by a nominee of the Secretary of State for Education.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the decision of the Secretary of State to exercise his statutory powers in respect of the four Schools to convert to Academy Status be noted. 	

MINUTES OF THE CABINET MEMBER SIGNING
WEDNESDAY, 18 JULY 2012

	<p>2. That in order to facilitate the statutory process and conversion of the schools to Academy status the Leader approved that for each of the four schools the Local Authority enter into:</p> <p>(I) An Expression of Interest (EoI)</p> <p>(ii) A Commercial Transfer Agreement (CTA)</p> <p>(iii) A Lease for 125 years.</p>	<p>Dir Children's Service</p>
	<p>3. That the Leader delegate authority to the Lead Member for Children in consultation with the Director of Children's Services to agree the terms of the documents in paragraph 3.2 above to be entered into.</p>	<p>Dir Children's Service</p>

PUBLIC MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 26 JULY 2012

Present: Councillor Claire Kober, Leader of the Council.

Officers Present: Xanthe Barker, Steve Jones, Tony Kennedy.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
HSP21.	URGENT BUSINESS There were no items of Urgent Business.	
HSP22.	DECLARATIONS OF INTEREST There were no declarations of interest.	
HSP23.	DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS There were no deputations, petition or questions received.	
HSP24.	<p>WOOD GREEN - TRANSPORT FOR LONDON MAJOR SCHEME AND GREEN LANES - OUTER LONDON FUND: ARCHITECTURAL DESIGN TEAM APPOINTMENT</p> <p>The Leader considered a report that sought approval to appoint an architectural design team, as detailed within (exempt) Appendix 3 paragraph 8.1 of the report, to undertake work with respect to the development of two major public realm improvements schemes in the Wood Green and Green Lanes areas.</p> <p>It was noted that the Wood Green Town Centre scheme was being funded by Transport for London (TfL) and would focus on public realm and highways infrastructure improvements. A total of £4.2m was being provided by TfL for the improvements.</p> <p>Work in the Green Lanes area would focus on two areas the first being improvements to public realm, shop fronts and the railway bridge, which was being funded by £1.8m from the Outer London Fund. The second would also assist in the delivery of public realm improvements and highways infrastructure improvements and was being delivered from £1.2m of funding from the TfL Corridor Scheme.</p> <p>RESOLVED:</p> <p>That the appointment of the consultant, as detailed within (exempt) Appendix 3 paragraph 8.1 of the report, be approved.</p>	Director of Place and Sustainability
HSP25.	<p>EXCLUSION OF THE PRESS AND PUBLIC</p> <p>RESOLVED:</p> <p>That the press and public be excluded from the remainder of the meeting</p>	

**PUBLIC MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 26 JULY 2012**

	as the report being considered contained exempt information, as classified under paragraph 3 of Part 1, Schedule 12A of the Local Government Act 1972.	
HSP26.	WOOD GREEN - TRANSPORT FOR LONDON MAJOR SCHEME AND GREEN LANES - OUTER LONDON FUND: ARCHITECTURAL DESIGN TEAM APPOINTMENT Exempt information pertaining to the report was considered under this item. RESOLVED: As detailed in the exempt minutes of the meeting.	

The meeting closed at 10.45 am.

MINUTES OF THE CABINET MEMBER SIGNING
WEDNESDAY, 15 AUGUST 2012

Present: Councillor Alan Strickland, Cabinet Member for Economic Development and Social Inclusion.

In Attendance: Xanthe Barker, Principal Committee Coordinator, Adam Hunt, Place and Sustainability Directorate Business Manager.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
HSP27.	URGENT BUSINESS There were no items of Urgent Business.	
HSP28.	DECLARATIONS OF INTEREST There were no declarations of interest.	
HSP29.	DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS No deputations, petitions or questions were received.	
HSP30.	A PLAN FOR TOTTENHAM The Cabinet Member for Economic Regeneration and Social Inclusion considered a report that sought approval of a document entitled 'A Plan for Tottenham'. It was noted that a separate delivery plan to was also being produced that set out the key projects, policies and developments that would be brought forward to support the plan and that this would be published in late 2012. RESOLVED: That 'A Plan for Tottenham' be approved.	Dir Place and Sustainability

The meeting closed at 2.40pm.

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MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 16 AUGUST 2012

Present: Councillor Claire Kober, Leader of the Council.

In Attendance: Xanthe Barker, Principal Committee Coordinator, Tom Hemming, Policy and Projects Manager, Single Frontline Service, Stephen McDonnell, Assistant Director Single Frontline Service.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
HSP31.	URGENT BUSINESS There were no items of Urgent Business.	
HSP32.	DECLARATIONS OF INTEREST No declarations of interest were made.	
HSP33.	DEPUTATIONS/PETITIONS/PRESENTATIONS/QUESTIONS No deputations, petitions or questions were received.	
HSP34.	<p>INTER AUTHORITY AGREEMENT (IN RELATION TO NORTH LONDON WASTE AUTHORITY PROCUREMENT OF WASTE DISPOSAL SERVICES)</p> <p>The Leader of the Council considered a report that sought agreement for the Council to enter into an Inter Authority Agreement (IAA) with the North London Waste Authority (NLWA) for the procurement of waste treatment and disposal services and the transfer of the Council's Household Waste and Recycling Centres to the NLWA.</p> <p>It was noted that on the 19 July 2011 Cabinet had agreed, in principle, to enter into an IAA between the NLWA and the six north London Constituent Borough Council's and that it had been resolved that the Leader of the Council would take the decision to execute the IAA on behalf of the Council once the final terms had been agreed by all parties.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1) That the following be approved: <ol style="list-style-type: none"> a. That the final form of the IAA be executed by the Council in terms substantially the same as the form of IAA attached at Appendix A of the report and in accordance with Section 4 of the report, with any final minor changes to the version of the IAA (attached at Appendix A of the report) to be agreed by the Director of Place and Sustainability in consultation with the Leader of the Council. b. That it be agreed that the Director of Place and Sustainability, as the authorised representative, should approve the execution of the IAA. 	<p>Dir Place and Sustainability</p> <p>Dir Place and Sustainability</p>

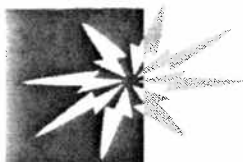
MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 16 AUGUST 2012

- 2) That the Leader of the Council approve Schedule 1 Part A2 and Schedule 2 Part B of the IAA (contained within the draft IAA at Appendix A of the report) providing details of the waste collection system and tonnage forecasts, to reflect anticipated increases in recycling rates and changes to waste levels over the duration of the NLWA contracts.
- 3) That the transfer of the Council's Household Waste and Recycling Centres (HWRCs) to the NLWA (proposed to be 1 November 2012) be approved on the following basis:
 - a. For Park View Road to grant a lease to the NLWA from 1 November 2012 that would be excluded from the protection of section 24-28 of the Landlord and Tenant Act 1954 and on a peppercorn basis, the detailed terms of which to be agreed by the Director of Place and Sustainability in consultation with the Head of Legal Services.
 - b. For Hornsey High Street to grant a short term lease to the NLWA from 1 November 2012 that would be excluded from the protection of sections 24-28 of the Landlord and Tenant Act 1954 and on a peppercorn basis, to be terminated by the Council when required to do so to allow the Council to give vacant possession of the site to the buyer in accordance with its contractual obligations. The terms of the lease to be agreed by the Director of Place and Sustainability in consultation with the Head of Legal Services.

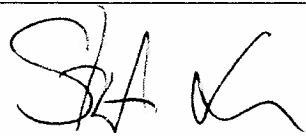
Dir Place
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Legal
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The meeting closed at 11.25am.



Haringey Council

Report for:	Cabinet 18 September 2012	Item number	
Title:	Delegated Decisions and Significant Actions		
Report authorised by :	Assistant Chief Executive 		
Lead Officer:	Xanthe Barker (Tel. 020 8489 2957)		
Ward(s) affected: Not applicable	Report for Key/Non Key Decision: For 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

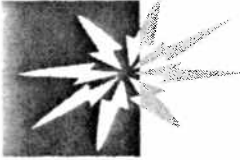
Not applicable

3. Recommendations

That the report be noted.

4. Other options considered

Not applicable



Haringey Council

5. 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.

6. Comments of the Chief Financial Officer and financial Implications

Where appropriate these are contained in the individual delegations.

7. Head of Legal Services and Legal Implications

Where appropriate these are contained in the individual delegations.

8. Equalities and Community Cohesion Comments

Where appropriate these are contained in the individual delegations.

9. Head of Procurement Comments

Where appropriate these are contained in the individual delegations.

10. Policy Implications

Where appropriate these are contained in the individual delegations.

11. Use of Appendices

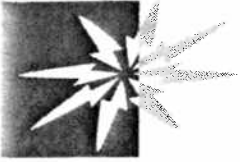
The appendices to the report set out by number and type decisions taken by Directors under delegated powers. Significant actions (decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

12. 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



Haringey Council

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 Xanthe Barker on 020 8489 2957.

CORPORATE RESOURCES AND CHIEF EXECUTIVE SERVICE


Significant decisions - Delegated Action 2012/13 – August 2012

♦ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1.	09.08.12	Approval for award of contract under CSO 9.07 Haringey Council's 'Growth on the High Road' Capital Programme: Architectural Design Team Services	That the Capital Programme Director award the contract for Architectural Design Team Services and duties in the amount of £163,562.50

Delegated Action			Number
Approval for award of contract under CSO 9.07	Provision of Energy Efficient Hand Dryers for Buildings in the Wood Green Hub and the Neighbourhood Resource Centre (NRC)	Assistant Director of Finance (Interim CFO) 22.08.12	£13,604
Approval for award of contract under CSO 9.07	Contract for PC and Laptop Accessories	Assistant Chief Executive 28.08.12	£50,000
Approval for award of contract under CSO 9.07	Contract for Maintenance or Workforce Management System	Assistant Chief Executive 29.08.12	£9,757.50

Submission authorised by:



Stuart Young
Director of Corporate Resources Cover

05.09.12

CORPORATE RESOURCES AND CHIEF EXECUTIVE SERVICE

Significant decisions - Delegated Action 2012/13 – August 2012

♦ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1.	09.08.12	Approval for award of contract under CSO 9.07 Haringey Council's 'Growth on the High Road' Capital Programme: Architectural Design Team Services	That the Capital Programme Director award the contract for Architectural Design Team Services and duties in the amount of £163,562.50

Delegated Action			Number
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Approval for award of contract under CSO 9.07	Contract for PC and Laptop Accessories	Assistant Chief Executive 28.08.12	£50,000
Approval for award of contract under CSO 9.07	Contract for Maintenance or Workforce Management System	Assistant Chief Executive 29.08.12	£9,757.50

Submission authorised by:


Stuart Young
Director of Corporate Resources Cover

05.09.12

DIRECTOR OF CYPS

Significant decisions - Delegated Action 2012/13 – July 2012

♦ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision

Delegated Action

Type	Number
8.02. Coleridge Primary Phase 2 – Heating and Ventilation Troubled Families consultancy work Bruce Grove Carnival Project Panna Football Project	£20,207 £13,500 £5310 £5920
10.02 Young Women's Project	£41,200

Signed: *Libby Blake*

Libby Blake
Director, CYPS 10/11/12

DIRECTOR OF CYPS

Significant decisions - Delegated Action 2012/13 – August 2012

♦ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1	6.8.12	Establishment Change – Youth Community and Participation	Approval to create three new positions of Young People's Practitioners (Cusp of Care) at a full-year cost of £115,842 in total

Delegated Action

Type	Number
6.05	Intensive coaching for YOS
8.02	Fitness Programme Summer Programme for young people with learning disabilities Music Workshops Film and video workshop Theatre project Summer theatre school Play in parks project Video production project DJ programme
	£15,000
	£7980
	£10800
	£5510
	£6400
	£5250
	£7200
	£20000
	£5862
	£12520

Signed:

Libby Blake

Libby Blake

Director, CYPS

10/9/12

DIRECTOR OF ADULT AND HOUSING SERVICES

Significant decisions - Delegated Action – August 2012

♦ denotes background papers are Exempt.

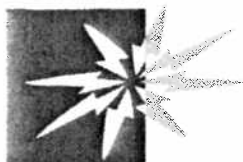
No	Date approved by Director	Title	Decision
1.		Nil	
2.			
3.			
4.			

Delegated Action

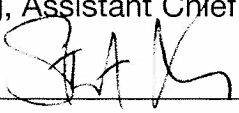
	Number
03.08.12: CSO 10.02.1[a] Solace Women's Aid	
03.08.12: Contract – LBH-Nigel JW Appleton – Protheroe House Extra Care Scheme	
08.08.12: CSO 8.02 Christian Action Housing and Haringey Women's Forum – Domestic Violence Service	
13.08.12: Lift Modernisation Group 1 – contract approval	
20.08.12: Lift Modernisation Group 3 – contract approval	
22.08.12: CSO 8.02 under CSO 9.07.1[c] Consultancy Services re Larkspur Close	
23.08.12: CSO 10.02.3 HRS with One Support [Key Support] + 3 TA Hostels in Muswell Hill	

Submission authorised by: 
Mun Thong Phung - Director of Adult and Housing Services

Date: 4th September 2012



Haringey Council

Report for:	Cabinet – 18 September 2012	Item number	
Title:	Urgent Actions Taken in Consultation with Cabinet Members		
Report authorised by :	Stuart Young, Assistant Chief Executive 		
Lead Officer:	Xanthe Barker (Tel. 020 8489 2957)		
Ward(s) affected: Not applicable		Report for Key/Non Key Decision: For information	

1. Describe the issue under consideration

To inform the Cabinet of urgent decisions taken by Directors in consultation with Cabinet Members.

The report details urgent actions taken by Directors in consultation with Cabinet Members since last reported. Item number 02 (2012-13) has not previously been reported.

2. Cabinet Member Introduction

Not applicable

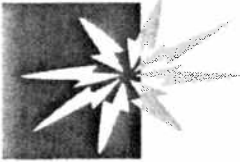
3. Recommendations

That the report be noted.

4. Other options considered

Not applicable

5. Background information



Haringey Council

To inform the Cabinet of urgent actions taken by Directors in consultation with Cabinet Members.

The report details urgent actions taken by Directors in consultation with Cabinet Members since last reported. Item number 02 (2011-12) has not previously been reported.

6. Comments of the Chief Financial Officer and financial Implications

These are contained in the individual consultation forms.

7. Head of Legal Services and Legal Implications

These are contained in the individual consultation forms.

8. Equalities and Community Cohesion Comments

Where appropriate these are contained in the individual consultation forms.

9. Head of Procurement Comments

Where appropriate these are contained in the individual consultation forms.

10. Policy Implications

Where appropriate these are contained in the individual consultation forms.

11. Use of Appendices

The appendices to the report set out details of urgent actions taken by Directors in consultation with Cabinet Members since last reported.

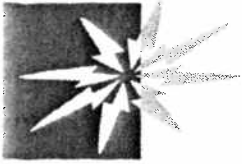
12. Local Government (Access to Information) Act 1985

Background Papers

The following background papers were used in the preparation of this report:

Cabinet Member Consultation Forms

Those marked with ♦ contain exempt information and are not available for public inspection.



Haringey Council

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 Xanthe Barker on 020 8489 2957.

1. ACTION TAKEN UNDER URGENCY PROCEDURES – 2012-13

Exempt forms are denoted by ♦

No	Directorate	Date received by Cabinet Committees Team	Date approved by Director	Date approved by Cabinet Member/ Leader	Title	Decision
2.	Chief Executive's Service	8 August 2012	Assistant Director Finance	J. Goldberg 7 August 2012	Lump Sum Payment Award to Staff Graded Below Sc5 in Cleaning Services and in Coleraine Park, Downhills, Nightingale and Noel Park Primary Schools	<p>The report sought approval to make one off lump sum payments of £250 pro rata to staff earning below the government public sector low pay guide of £21,000.</p> <p><i>(The exempt part of the report, as classified under paragraph 4 of Part 1 of Schedule 12A of the Local Government Act 1972: namely that it contained information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority, contained further more detailed financial information with respect to the decision).</i></p>

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