



Summons to Attend

Full Council

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To: The Mayor and Councillors of Haringey Council.

Dear Sir/Madam,

A meeting of the Council of the London Borough of Haringey will be held at the Civic Centre, High Road, Wood Green, N22 8LE on MONDAY, 15TH OCTOBER, 2007 at 19:30 HRS, to transact the following business:

AGENDA

- 1. TO RECEIVE APOLOGIES FOR ABSENCE**
- 2. TO ASK THE MAYOR TO CONSIDER THE ADMISSION OF ANY LATE ITEMS OF BUSINESS IN ACCORDANCE WITH SECTION 100B OF THE LOCAL GOVERNMENT ACT 1972**
- 3. DECLARATIONS OF INTEREST**

A member with a personal interest in a matter who attends a meeting of the authority at

which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest and if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct and/or if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

4. **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 16 JULY 2007 (PAGES 1 - 8)**
5. **TO RECEIVE SUCH COMMUNICATIONS AS THE MAYOR MAY LAY BEFORE THE COUNCIL**
6. **TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE (PAGES 9 - 10)**
7. **TO RECEIVE THE REPORTS OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES**
8. **TO MAKE APPOINTMENTS TO OUTSIDE BODIES (PAGES 11 - 14)**
9. **TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM**
10. **TO CONSIDER MOTION C IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NUMBER 13.**

Motion C (2007/08)

Councillor Meehan has given notice that he will move in the following terms:

FIRST RESOLUTION OF COUNCIL

HARINGEY LONDON BOROUGH COUNCIL

“That the Council approves the inclusion in a bill or bills to be promoted by Westminster City Council or, as the case may be in a bill or bills to be promoted jointly by Westminster City Council and any other person as appropriate, of provisions effecting all or some of the following purposes -

- (a) to make provision about the decriminalisation of offences relating to public health, highways and road traffic and making contravention of the relevant legislation subject to a civil penalty charge regime; the introduction of a local levy, administered by London borough councils, on the provision of disposable shopping bags or to introduce a prohibition on the provision of disposable shopping bags; the introduction of a local levy administered by the London borough councils on the sale of chewing gum; an extension of the type of premises in respect of which a street litter control notice can be issued under the Environmental Protection Act 1990 to include a wider range of non-domestic premises; to enable councils to better control the feeding of wild birds; to enable borough councils to make charges for the use of urinals; to make further provision about the control of the placing of items on the highway; altering London borough councils' powers to fix signs and apparatus to buildings; amending London borough councils' powers to charge for the provision of amenities on highways under Part VIIA of the Highways Act 1980; controlling the placing of household waste in street litter bins; to enable London borough councils to recover costs incurred by them in rectifying damage caused by them when removing unlawful advertisements; to enable London borough councils, as local housing authorities, to take enforcement action and recover costs in cases where there has been a failure to comply with a duty imposed in relation to the management of houses in multiple occupation under regulations made under Section 234 of the Housing Act 2004; imposing a requirement in respect of food premises which are subject to inspection by London borough councils under the Food Safety Act 1990 to display copies of inspection notices or summaries thereof on the premises; to impose a new licensing regime for social clubs; to alter the requirements relating to the service of documents under the City of Westminster Act 1996, which deals with sex establishments; to enable London borough councils to exert better control over the licensing of premises which, but for the Licensing Act 2003 would be required to be licensed as sex encounter establishments; to enable London borough councils to delegate their functions under existing street trading legislation and enable other bodies to manage street markets; to alter the street trading legislation in the City of Westminster so as to enable Westminster City Council, without a court order, to dispose of articles seized under the Act; to make further alterations to street trading legislation in London; to control the distribution of free refreshments on the highway and in other public open places; to enable the highway authority to recover traffic management and street cleansing costs incurred as a result of public events and to have the power to close or manage traffic for certain special events; to enable the highway authority to provide charging points for electric vehicles in the highway; to enable local planning authorities to require that a deposit is provided prior to commencement of development, to be offset against costs arising from making good damage to the highway caused by the construction of the development; to enable action to be taken against persons who interfere with gates placed in pursuance of powers under road traffic legislation; to enable councils to better control pedicabs; to enable councils to serve penalty charge notices by post where there has been a parking contravention, and where service was prevented by the

vehicle driving away; to allow decriminalised enforcement in respect of advanced stopping areas for cyclists at traffic lights; to allow decriminalised enforcement in respect of the use of mobile phones whilst driving; to enable London borough councils to vary fixed penalty levels for cycling on the footway; to enable the better control of the depositing of builders' skips on the highway; and to provide for a decriminalised regime of enforcement in relation to the driving of abnormal vehicles on the highway;

- (b) to enact any additional, supplemental and consequential provisions that may appear to be necessary or convenient”.

- 11. TO CONSIDER OPPOSITION BUSINESS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO.12**
- 12. TO ANSWER QUESTIONS, IF ANY, IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NOS. 9 & 10**
- 13. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 15 - 64)**
 - a) The Cabinet – Report No. 2, 3 & 4 / 2007-08
 - b) General Purposes Committee – Report No. 1 / 2007-08
- 14. TO CONSIDER THE FOLLOWING MOTIONS IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NO. 13**

Motion D (2007/08):

Councillor Oakes has given notice that he will move in the following terms:

“This Council notes;

the continuous support from parents and men of the calibre of Eric Grant who suggest that the Lemuel Findlay Supplementary School (LFSS) has been serving the Black Community in this borough well - East and West - for 32 years, and that;

it was first funded in 1989 by Haringey Council's Education Department, using Section 11 funding, granted by Central Government for the relief of educational disadvantage among "New Commonwealth" descendants.

Section 11 funding has now been replaced by the Ethnic Minority Achievement Grant (EMAG), and the case for continued funding for LFSS is still strong.

that the Council cannot blame the voluntary Management Committee if the Council was ignorant of LFSS' performance and wage structure because Haringey Council and

not the Management Committee has long employed and is responsible for its Co-ordinating Officer and 16 teachers there;

that the year-end funding withdrawal is likely to close the school, because management has been too occupied to make alternative funding applications;

This Council resolves;

to follow best practice elsewhere, amend the cut, and review its funding-sources and grants to this and all the borough's other 32 Supplementary schools relative to size, acknowledging their vital role in helping minority ethnic children, and give reality to Haringey's belief in cultural diversity.

to review the relevant internal controls and improve the clarity and understanding among responsible officers and Cabinet members of the funding sources of services so that examples like employing teachers directly for many years in a supplementary school will not come as a surprise to the Heads of Department or Cabinet Members responsible”.

Dr Ita O'Donovan
Chief Executive
River Park House
225 High Road
Wood Green
London N22 8HQ

Friday, 5 October 2007

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MINUTES OF THE FULL COUNCIL
MONDAY, 16 JULY 2007

Councillors Adamou, Adje, Aitken, Alexander, Amin, Baker, Basu, Beacham, Bevan, Beynon, Bloch, Bull, Butcher, Canver, Cooke, Davies, Demirci, Diakides, Dobbie, Dogus, Egan, Engert, Gorrie, Griffith, Haley, Hare, B. Harris, C. Harris, Hoban, Jones, Rahman Khan, Knight, Kober, Lister, Mallett, Meehan, Newton, Oakes, Oatway, Patel, Peacock, Reid, Reith, Santry, Stanton, Thompson, Vanier, Weber, Whyte, Williams, Wilson and Winskill

Apologies Councillor Dodds, Mughal and Portess

MINUTE NO.	SUBJECT/DECISION	ACTION BY
CNCL21.	TO RECEIVE APOLOGIES FOR ABSENCE Apologies for absence were received from Councillors Dodds, Mughal and Portess.	
CNCL22.	TO ASK THE MAYOR TO CONSIDER THE ADMISSION OF ANY LATE ITEMS OF BUSINESS IN ACCORDANCE WITH SECTION 100B OF THE LOCAL GOVERNMENT ACT 1972 See items 26, 28 and 34.	
CNCL23.	DECLARATIONS OF INTEREST Members were asked by the Mayor to declare any personal interest in respect of items on the agenda. In accordance with Part 2 of the Members Code of Conduct set out in the Council's Constitution, any Member disclosing a personal interest which was also prejudicial would be asked to withdraw from the Chamber during consideration of the item and neither were they to seek to improperly influence a decision on the said item. Councillor Gmmh Rahman Khan declared a personal interest in the report on Members attendance and the Standards Committee Annual report, as these contained details of his attendance and his registered gifts and hospitality. Councillor Dobbie declared a personal interest in Motion A as he was an employee of the North Middlesex University Hospital. Councillor Cooke declared a personal interest in the item on Opposition Business on "the future of Alexandra Palace", as he was Chair of the Alexandra Palace and Park Board.	

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	<p>Councillor Haley declared a personal interest in Motion A, as he worked for a Mental Health Trust.</p> <p>Councillor Dogus declared a personal interest in the report on the Mayor and Deputy Mayor's allowances as she was Deputy Mayor. She also declared a personal and prejudicial interest in Motion A as an employee of Haringey and Barnet Mental Health Trust.</p> <p>Councillor Davies declared a personal interest in Motion A as an employee of the Health Care Commission, which regulated the NHS.</p> <p>Councillor Bloch declared a personal interest in Motion A as a non-executive Director of Haringey PCT.</p> <p>Councillor Thompson declared a personal interest in the report on the Mayor and Deputy Mayor's allowances as he was the Mayor.</p>	
CNCL24.	<p>TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 21 MAY 2007.</p> <p>Copies of the Minutes of the last meeting having been circulated were taken as read.</p> <p>RESOLVED:</p> <p>That the minutes of the meeting of the Council held on 21 May 2007 be signed as a true record.</p>	
CNCL25.	<p>TO RECEIVE SUCH COMMUNICATIONS AS THE MAYOR MAY LAY BEFORE THE COUNCIL</p> <ol style="list-style-type: none"> 1. The Mayor, on behalf of the Council, congratulated Clasford Stirling who received the MBE in the Queen's Birthday Honours List. Clasford's work over many years with the youth of the Borough was highly regarded. The Mayor commented that this honour was very well deserved. 2. The Mayor also announced that Cllr Brian Haley received the Freedom of the City of London in May, and passed on the Council's congratulations to him on this special honour. 3. The Mayor commented that it had been a very special month for awards and the Mayor invited the Council to join with him in congratulating all the winners of the Better Haringey awards, including schools, council staff, residents and businesses across the borough. <p>The Mayor also congratulate staff who organised the awards and the first-ever Haringey Green Fair, as well as all those residents who braved the rain to make the event such a success.</p>	

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	<p>The Mayor commented that there were too many Better Haringey award-winners to mention them all, but the Mayor highlighted the Parks Service, which won the Best Council Service Award, and which had done so much to help us towards the Authority's ambition to become the Greenest Borough in London. The service had already helped the Council win seven Green Flag awards for its parks, the most in London, and the Authority was hoping for more good news on that front when this year's Green Flag Awards were announced on 18 July 2007.</p> <p>The Mayor also congratulated the finance, IT and customer service teams for their success in achieving a runner-up place in last month's Municipal Journal Local Government Achievement Awards 2007, in the Efficiency Achievement of the Year category.</p> <p>4. The Mayor also commented that he had been privileged to attend the MASSIVE event at Alexandra Palace last month, which included more than 600 school students from across the borough on stage, demonstrating their fantastic musical talent. He congratulated the organisers, and reminded the Council that this was exactly the sort of event that as Mayor he was hoping to encourage and support through his Special Fund in 2007/08.</p> <p>5. The Mayor presented Cllr Gina Adamou with the Past Mayor's Certificate in appreciation for the service that she and her Escort Andreas rendered to the borough in 2006/07.</p> <p>6. The Mayor, on behalf of the Council congratulated Councillor Meehan who was celebrating his birthday.</p>	
CNCL26.	<p>TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE</p> <p>The Mayor agreed to admit the report as urgent business. The report dealt with matters considered at Party Group meetings within the last few days. These required approval to permit appointments to Council committees to be made.</p> <p>RESOLVED:</p> <p>That the membership of the Remuneration Committee be increased by two places (1 per party) and that Councillors Adje and Portess be added to the membership. That Councillor Catherine Harris replace Councillor Rainger on this body.</p> <p>That Councillor Aitken replace Councillor Mughal on the Pensions Committee.</p>	
CNCL27.	<p>TO RECEIVE THE REPORTS OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES</p> <p>There were no items to report.</p>	
CNCL28.	<p>TO MAKE APPOINTMENTS TO OUTSIDE BODIES</p>	

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	<p>The Mayor agreed to admit the report as urgent business. The report dealt with matters considered at Party Group meetings within the last few days. These required approval to permit appointments to outside bodies to be made.</p> <p>RESOLVED:</p> <p>That appointments to outside bodies as detailed in the attached appendix be agreed.</p>	
CNCL29.	<p>TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM</p> <p>Two deputations were received – the first from Nicky Price and Annie Whyte in respect of the Tottenham Carnival Event, the second deputation from Diane Thompson and Steven Friday in respect of funding for Lemuel Findlay Supplementary School.</p> <p>Members asked questions of the deputations and received responses thereto.</p> <p>The Cabinet Member for Leisure, Culture and Lifelong Learning responded to the deputation on Tottenham carnival.</p> <p>The Cabinet Member for Children and Young People responded to the deputation on Lemuel Findlay Supplementary School.</p> <p>The Chair thanked each deputation for their presentation.</p>	
CNCL30.	<p>OPPOSITION BUSINESS: TO CONSIDER OPPOSITION BUSINESS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO.12</p> <p>The Chief Executive read a statement advising the Council that as they were meeting as a local authority, they would be exercising their general duty as elected Councillors to represent their constituents and the broader interests of Council inhabitants/Council tax payers.</p> <p>Members were advised that they should refrain from discussing matters from the standpoint of Trustees and to be aware of the delicate stage that the progress towards leasing the Palace had reached and in particular the threat of legal action against the Charity Commission.</p> <p>The opposition gave notice of their wish to debate “the future of Alexandra Palace”. Following a succinct commentary by Councillor Williams on the future of Alexandra Palace, Councillor Cooke responded on behalf of the Majority Group.</p> <p>The Mayor thanked both Councillors Williams and Cooke for their contributions.</p>	

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CNCL31.	<p>TO CONSIDER A REPORT OF THE CHIEF EXECUTIVE PROPOSING AN INCREASE IN RESPECT OF THE MAYOR AND DEPUTY MAYOR'S ALLOWANCES.</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the annual allowance paid to the Mayor be raised from £10,000 p.a. to £15,000 p.a. 2. That the percentage paid to the Deputy Mayor at 25% of the Mayor's allowance be maintained, thereby raising the Deputy Mayor's allowance to £3,750 p.a. 	
CNCL32.	<p>TO APPOINT A SECTION 151 OFFICER</p> <p>RESOLVED</p> <ol style="list-style-type: none"> 1. That the Acting Director of Finance undertake the role of Section 151 officer on a permanent basis. 2. That the Council's Constitution be amended to reflect this and those issues detailed in the report. 	
CNCL33.	<p>TO RECEIVE A REVISED STATEMENT OF COUNCILLORS ATTENDANCE AT MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES FOR 2006/7</p> <p>RESOLVED</p> <p>That the circulated revised statement of attendance be noted.</p> <p>.</p>	
CNCL34.	<p>TO ANSWER QUESTIONS, IF ANY, IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NOS. 9 & 10</p> <p>The Mayor agreed to the admission of this Item as urgent business. Under Standing Orders, notice of questions was not requested until eight clear days before the meeting, following which matters raised had to be researched and replies prepared, in order to be given at the meeting.</p> <p>There were 8 oral questions and 27 for written answer.</p> <p>Oral Questions 7 & 8 were not reached in the allotted time and written answers would be supplied to these questions.</p>	
CNCL35.	<p>TO RECEIVE REPORTS FROM THE FOLLOWING BODIES</p> <p>(a) CABINET REPORT 1 - 2007/08 (b) STANDARDS COMMITTEE REPORT 1 - 2007/08 (c) AUDIT COMMITTEE REPORT 1 - 2007/08</p>	

**MINUTES OF THE FULL COUNCIL
MONDAY, 16 JULY 2007**

	<p>(d) OVERVIEW AND SCRUTINY COMMITTEE REPORT 1 - 2007/08:</p> <p>The Leader of the Council commented that he would be writing to the former Prime Minister thanking him for his services to the Country and the people of Haringey.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That the Cabinet report number 1 be received and adopted. 2. That the Standards Committee Annual Report be received and adopted. 3. That the Audit Committee report number 1 be received and adopted. 4. That the Overview and Scrutiny Committee's Committee report number 1 be received and the recommendation in respect of establishing a joint Scrutiny Committee with the terms of reference as detailed, be adopted. 	
<p>CNCL36.</p>	<p>TO CONSIDER THE FOLLOWING MOTIONS IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NO. 13</p> <p>It was moved by Councillor Bob Harris and seconded by Councillor Adamou that:</p> <p>"This Council notes the contents of the Annual Health Survey and the need to improve health services in the borough.</p> <p>It calls upon the PCT to ensure that the forthcoming primary care strategy meets the needs of the people of Haringey, especially in parts of the borough currently not well served.</p> <p>This Council shares the concerns of many in the local community who want locally accessible health services, and will fight to ensure that in any redevelopment of St Ann's Hospital its health facilities are retained or reprovided in an improved way with full consultation and mutual agreement."</p> <p>Councillor B Harris advised that he accepted the amendment to the MOTION as proposed in the following terms:</p> <p>Insert at end after "full consultation and mutual agreement" in paragraph 3</p> <p>"In particular this Council calls upon the PCT to ensure that there is full and proper consultation, with all patients registered at each practise, over the relocation of each individual GP practise to a polyclinic on a</p>	

**MINUTES OF THE FULL COUNCIL
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	<p>practise by practise basis, if this aspect of the Health Strategy is approved in forthcoming consultations.</p> <p>“In addition, the PCT must undertake to consult, through appropriate channels, what transport changes may be necessary to ensure that all patients can reach local health services, and ensure that where this is not possible health services are provided in the home or transport provided by the health facility.”</p> <p>Under Standing Orders, as it had reached 10pm, the amended Motion as accepted by Councillor Bob Harris was put to the vote and unanimously declared CARRIED.</p>	
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Appendix 1 - Outside body appointments

COUNCILLOR SHEIK THOMPSON

Mayor

Proposed Appointments to Outside Bodies

Council Meeting 16 July 2007

London Accident Prevention Council, The Management Committee						
14/lapc	2	Term of Office:	2 years			Category: Association
Granted Aid: no	1 LIBDEM, 1 LAB					
Retiring Representative (s) / Expiry	Councillor Fiyaz Mughal	01/08/07	31/05/09			
	Councillor John Bevan	16/07/07	31/05/09			New proposed appointment
Haringey Racial Equality Council, The Executive Committee						
	3	Term of Office:	1 year			Category: Community
Granted Aid: yes	2 LAB, 1 LIBDEM					
Retiring Representative (s) / Expiry	Councillor Dhiren Basu	21/05/07	31/05/08			
	Councillor Dilek Dogus	21/05/07	31/05/08			
	Councillor Wayne Hoban	16/07/07	31/05/08			New proposed appointment
Haringey Community & Police Consultative Group, The Consultative Group						
14/hcp	6	Term of Office:	1 year			Category: Partnership
Granted Aid: no	5 LAB, 1 LIBDEM					
Retiring Representative (s) / Expiry	Councillor Nilgun Canver	21/05/07	31/05/08	Cabinet Member		
	Councillor Matt Cooke	21/05/07	31/05/08			
	Councillor Gmmh Rahman Khan	21/05/07	31/05/08	HC&PCC Exec. nominee		
	Councillor George Meehan	21/05/07	31/05/08	Leader		
	Councillor Jayanti Patel	21/05/07	31/05/08	HC&PCG Exec nominee		
	Councillor Fiyaz Mughal	16/07/07	31/05/08			New proposed appointment
Homes for Haringey, ALMO Board						
ALMO	5	Term of Office:	1 year			Category: Partnership
Granted Aid: no	3 LAB, 2 LIBDEM					
Retiring Representative (s) / Expiry	Councillor Liz Santry	21/05/07	31/05/08			
	Councillor Alan Stanton	21/05/07	31/05/08			
	Councillor Pat Egan	21/05/07	31/05/08			
	Councillor Fiyaz Mughal	16/07/07	31/05/08			New proposed appointment
	Councillor Carolyn Baker	21/05/07	31/05/08			
Alexandra Park and Palace, Advisory Committee						
14/aps	8	Term of Office:	1 year			Category: Statutory
Granted Aid: no	2 LAB, 6 LIBDEM					
Retiring Representative (s) / Expiry	Councillor Alan Dobbie	21/05/07	31/05/08	Noel Park Ward		
	Councillor Susan Oatway	21/05/07	31/05/08	Alexandra Ward		
	Councillor Monica Whyte	21/05/07	31/05/08	Hornsey Ward		
	Councillor Jayanti Patel	21/05/07	31/05/08			
	Councillor Sara Beynon	21/05/07	31/05/08	Fortis Green Ward		
	Councillor Jonathan Bloch	21/05/07	31/05/08	Muswell Hill Ward		
	Councillor Ali Demirci	21/05/07	31/05/08	Bounds Green Ward		
	Councillor Justin Portess	16/07/07	31/05/08			New proposed appointment
Haringey School Admission Forum						
14/saf	3	Term of Office:	1 year			Category: Statutory
Granted Aid: no	2 LAB, 1 LIBDEM					
Retiring Representative (s) / Expiry	Councillor Liz Santry	21/05/07	31/05/08			
	Councillor Emma Jones	21/05/07	31/05/08			
	Councillor John Oakes	16/07/07	31/05/08			New proposed appointment
Standing Advisory Council on Religious Education, The Conference						
	5	Term of Office:	1 year			Category: Statutory
Granted Aid: no	3 LAB, 2 LIBDEM					
Retiring Representative (s) / Expiry	Councillor Emma Jones	21/05/07	31/05/08			
	Councillor Liz Santry	21/05/07	31/05/08			
	Councillor Eddie Griffith	21/05/07	31/05/08			
	Councillor Sheila Rainger	21/05/07	31/05/08			
	Councillor Carolyn Baker	16/07/07	31/05/08			New proposed appointment

Agenda item:

6

Council

On 15 October 2007

Report Title: **MEMBERSHIP CHANGES**

Forward Plan reference number (if applicable):

Report of: **CHIEF EXECUTIVE**

Wards(s) affected: All

Report for: Non Key

1. Purpose

1.1 To agree committee membership changes

2. Recommendations

2.1 That the membership changes as detailed in paragraph 4 of the report be agreed.

Report Authorised by: **Assistant Chief Executive (People and Organisational Development).**

Contact Officer: **Ken Pryor, Deputy Head of Local Democracy and Member Services.**
Tel: 0208 489 2915

3. Local Government (Access to Information) Act 1985

3.1 The following papers have been used in the preparation of this report and can be inspected at River Park House, 225 High Road Wood Green, London, N22 8HQ by contacting Ken Pryor on 020 8489 2915:

Information supplied by the Party Groups.

4. Background

The following changes have been notified to the Chief Executive since the last Council meeting.

4.1 Licensing Committee

Councillor Dodds to replace Councillor Dobbie.

Changes to appointments can be made at any stage during the municipal year with the changes being reported to the Council as appropriate.

Agenda item:

8

Council

On 15 October 2007

Report Title: **APPOINTMENTS TO OUTSIDE BODIES**

Forward Plan reference number (if applicable):

Report of: **CHIEF EXECUTIVE**

Wards(s) affected: All

Report for: Non Key

1. Purpose

1.1 To advise the Council of nominations of Council representatives to fill current vacancies on outside bodies and seek approval for appointments

2. Recommendations

2.1 That the appointments to outside bodies, as set out in the attached schedule, be approved.

Report Authorised by: **Assistant Chief Executive (People and Organisational Development).**

Contact Officer: **Ken Pryor, Deputy Head of Local Democracy and Member Services.**
Tel: 0208 489 2915

3. Local Government (Access to Information) Act 1985

3.1 The following papers have been used in the preparation of this report and can be inspected at River Park House, 225 High Road Wood Green, London, N22 8HQ by contacting Ken Pryor on 020 8489 2915:

Information supplied by the Party Groups.

Proposed Appointments to Outside Bodies

**15 October 2007
Council**

Body name	No of Reps				
<hr/>					
<u>Homes for Haringey, ALMO</u>					
<u>Board</u>					Category: Partnership
<u>ALMO</u>	5	Term of Office:	1 year		Does not need to be a Cllr
<u>Granted Aid: no</u>	3 LAB, 2 LIBDEM				
<u>Retiring Representative (s) /</u>					
<u>Expiry</u>					
	Councillor Alan Stanton	21/05/07	31/05/08		
	Councillor Pat Egan	21/05/07	31/05/08		
	Councillor Carolyn Baker	21/05/07	31/05/08		
	Councillor Fiyaz Mughal	16/07/07	31/05/08		
	Councillor John Bevan	15/10/07	31/05/08		To replace Cllr Santry
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<u>Tottenham Grammar School</u>					
<u>Foundation, The Trustees</u>					
14/tgs	2	Term of Office:	5 years		Category: Trust
<u>Granted Aid: no</u>					need not be cllrs
<u>Retiring Representative (s) /</u>					
<u>Expiry</u>					
	Peter R Jones	23/05/05	31/05/09		
	Andrew Krokou	15/10/07	31/05/09		To replace Irene Robertson
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REPORT OF THE CABINET No. 02/2007-08
COUNCIL 15 OCTOBER 2006

Chair:
Councillor George Meehan

Deputy Chair:
Councillor Lorna Reith

INTRODUCTION

- 1.1 This report covers matters considered by the Cabinet at our meeting on 17 July 2007. For ease of reference the Report is divided into the Cabinet portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Cabinet and all groups of Councillors. These reports are a welcome opportunity for the Cabinet on a regular basis to present the priorities and achievements of the Cabinet to Council colleagues for consideration and comment. The Cabinet values and encourages the input of fellow members.

ITEMS OF REPORT

Community Cohesion and Involvement

2. UPDATED AND REVISED EQUAL OPPORTUNITIES POLICY

- 2.1 The Council's Equal Opportunities Policy was published in 1999 and set out our policy for equalities and diversity. We considered a report which advised us that the Policy needed to be revised to include new equalities legislation and to ensure that the equalities policy was linked to the new Equalities Scheme. The updated version reflected a change in emphasis together with national and local priorities. The equalities monitoring categories had been amended, so that they complied with current equalities legislation and Commission for Racial Equality Guidance.
- 2.2 We noted the Equalities Team would continue to provide training to existing staff and induction to all new staff on the Equal Opportunities Policy and the Equalities Scheme. The Equalities Team would also continue to work with the Organisational Development and Learning service to ensure that all training and development providers promoted the Council's Equal Opportunities Policy.
- 2.3 We report that we endorsed the revised Equal Opportunities Policy as proposed and approved the amended equalities monitoring categories. A version of the revised Policy has been published on the Council's Website and on Harinet.

Children and Young People

3. CHILDREN'S CENTRES – SUSTAINING AND DEVELOPING THE PROVISION

- 3.1 The Council will be aware that the development of Children Centres supports the Government's policy to achieve the outcomes set out in the Children Act 2006. Many of the key objectives within 'Changing Lives' (Children and Young People's Plan 2006-09) were to be supported by an effective Early Childhood Service incorporating children's centre services. The development would also be a mechanism for delivering the key components of the Children's National Service Framework, reducing health inequalities

and ensuring that children had good physical and mental health as a necessary foundation for learning and development.

- 3.2 Haringey had progressed well with the Children's Centre programme having 10 designated and 8 more in the design process. Our success had been recognised by the Sure Start Unit. However, robust business planning was needed to create a more transparent funding strategy and to ensure that all centres were financially viable and in this connection we considered a report which advised us that the building of the Phase 2 centres was taking place in the absence of any guarantee from the DfES of revenue funding for April 2008/9 onwards which led to a degree of risk. This risk was mitigated to some degree by the fact that the capital spend in Phase 2 was relatively small and the provision could have alternative use given that the Children and Young Peoples Service was working to bring together a 0-14 strategy that would draw the play service into a more coherent service delivery plan with the potential to merge budgets.
- 3.3 A further risk was the running costs arising from the Phase 2 capital programme. The risk for a school governing body was that it would have additional capital works with no specific or additional revenue support to fund any running costs. This risk was considered low given the nature of the capital outlay and it was thought likely that the DSG formula would provide the basic running costs of any additional space arising from Phase 2.
- 3.4 The opportunity to facilitate the provider market, as required by the Childcare Act 2006, had been explored and, in relation to the five Phase 1 centres run by the Children and Young Peoples Service, it was proposed a soft market test be commenced, as part of the procurement process, to gauge market interest in operating the Council run centres.
- 3.5 The robust business planning and financial strategy proposed in the report would enable cash limits to be set for Council run Children's Centres for 2008/9 and to provide a financial framework with expectations of good budget management. Greater account would be taken of the needs of vulnerable children and more funding would be targeted at frontline services. We were informed that the procurement of other providers from the Private, Voluntary and Independent sector would be cost effective.
- 3.6 Having noted the absence of any guarantee of funding from the DfES for 2008/9, we were also informed that all scenarios modelled for 2008-9 (best, median and worst) presented the Council with additional funding gaps. In meeting the challenges created by potential grant reductions next year the Children and Young People's Service would have regard to:
 - The Council's discretion to use the DSG (Non ISB element) to fund elements of the CC service. Any reduction in GSSG grant could be matched by increased reliance on DSG however this would inevitably affect the other beneficiaries of this grant;
 - Reviewing opportunities for reducing costs and maximising income. This would include the scope to create efficiencies through rationalising staffing structures and business processes wherever possible;
 - Establishing principles to ensure maximum DfES funding was used for Children Centre service delivery;
 - Achieving the reach targets agreed in December 2006. The sufficiency assessment to be completed by March 2008 would review the proposed locations and suggest any

revisions as appropriate. DfES had indicated that providing the reach targets were met there would be no reduction in grant funding if fewer Children Centres were required.

- 3.7 We report that having considered the risk from the possible reductions in DfES General Sure Start Grant (GSSG) in 2008/9 we agreed to the continuation of the Phase 2 capital programme of Children's Centres and, having regard to the impact of any loss of GSSG funding, the revenue funding position and the plans for a robust business and financial strategy for 2008/9 onwards we asked that an update report be submitted to us as soon as the funding position became known. We also granted approval to the commencement of the procurement process to invite providers to operate the 5 Children's Centres managed by the Children and Young People's Service in line with the expectation in the Childcare Act 2006 that the Council be a strategic 'market maker' of childcare and not provider.

4. SCHOOL PLACE PLANNING ANNUAL REPORT

- 4.1 We considered a report which updated us on the progress in moves to ensure sufficient school places to meet local demand and which summarised the most recent school rolls projections. The overall conclusions of the report were as follows:

- At primary level, the provision of 120 new places in the west of the borough at Coldfall (an additional 30) Tetherdown (an additional 30) and Coleridge (an additional 60) should provide sufficient capacity for the foreseeable future, although this would be reviewed annually. We now needed to see the impact of the expansion programme and PAN reductions on school rolls before any further action was taken. The most recent projections indicated the long-term trend in primary school rolls continued to be upwards;
- At secondary level, the Council's bid for a new community secondary school had been successful. The school would be ready to open for September 2010. The most recent projections indicated the long-term trend in school rolls continued to be upwards, further supporting the need for this additional secondary school provision. Demand for school places in the upper year groups had outstripped supply. We had been working with schools and CONEL to allow Year 10 & 11 newly arrived pupils to gain school places.
- At the special schools demand exceeded capacity at Moselle, William C Harvey and The Vale. Blanche Neville was experiencing declining demand and rolls. The consultation on the reorganisation of Moselle and William C Harvey special schools had begun in May 2007. This consultation was the first stage of developing primary and secondary Inclusive Learning Campuses.
- A new reporting arrangement for statutory consultations was proposed due to the enforcement of the Education and Inspections Act 2006. If no objections were received during the statutory representation period, then the proposal would be implemented. If objections were received to a statutory proposal the Schools Admission Forum would consider the proposal with regard to the statutory guidance and make recommendations. The Schools Admission Forum's recommendations would be passed to us for consideration before the final determination was made.

- 4.2 We report that, having noted that in addition to the areas of development in Tottenham Hale listed in the report, reference was made to a further housing development of thirty 3 or 4 bedroom units at Ferry Lane estate. Reference was also made to the large number of developments in Planning Area 1 (Alexandra, Fortis Green and Muswell Hill) which comprised 9 houses with four or five bedroom units and the Cabinet Member for Children and Young People indicated that she would take up with officers whether these developments could also be included in planning projections. We were informed that the Schools Admission Forum had recommended that close monitoring of school places in Planning Area 1 be included as a work priority.
- 4.3 We agreed that, subject to the addition of close monitoring of the shortage of school places in Planning Area 1, the following as working priorities with any recommendations arising from this work being presented in July 2008 -
- The school role and lack of surplus situation in Northumberland Park School
 - Understanding the impact of international migration on school roles
 - Continue to work with planners to understand the impact of the Tottenham Hale and Heartlands building developments
 - Continued monitoring of overall pupil place demand.
- 4.4 Under the Education and Inspections Act 2006 which came into force in May 2007 the School Organisation Committee was abolished which meant the Local Authority took over the existing functions of that Committee. Part of the Local Authority's new role included decision making about the establishment, alteration and closure of any maintained mainstream, special and nursery school and the Local Authority would also have extended powers to propose the enlargement of the premises and the addition or discontinuance of SEN provision. In order to allow the Local Authority to take on the functions of the School Organisation Committee, we also agreed that if no objections were received during the statutory representation period, then the proposal be implemented. If objections were received to a statutory proposal the Schools Admission Forum (SAF) would consider the proposal with regard to the statutory guidance and make recommendations. The SAF's recommendations would be passed to the Council's Cabinet for consideration before the final determination was made. The different constitutional groups formally found on the SOC were also represented on the SAF and by sending statutory proposals to the SAF to consider and make recommendations the knowledge and experience gained by SOC members would not be lost.
- 4.5 We agreed further that another report on school places be presented to us in July 2008.

5. HOME TO SCHOOL TRAVEL

- 5.1 The Council's home to school travel policy had its foundations in the 1944 Education Act was not means tested and was mainly assessed on the availability of suitable provision. We considered a report which advised us that this was no longer sufficient following reforms contained within the Education and Inspections Act 2006 which proposed home to school policies for primary and secondary school pupils from September 2007 and September 2008 respectively. The report was concerned exclusively with pupils travelling

to and from maintained schools and did not include pupils with special educational needs, disabilities or mobility difficulties.

- 5.2 We noted that the report also sought approval to an extension of entitlement to support which was necessary as part of the new duties on local authorities to ensure the promotion of free sustainable travel to all qualifying pupils under the extended rights of pupils and young people who were resident in Haringey and were attending primary or secondary schools.
- 5.3 We report that we approved the amended policies for supporting travelling from home to school in order to ensure that the Council's compliance with their statutory duties. A copy of the policies has been published on the Council's web site and on Harinet as part of the agenda for our meeting.

6. CABINET RESPONSE TO THE SCRUTINY REVIEW OF EXTENDED SERVICES IN AND AROUND SCHOOLS

- 6.1 The Overview and Scrutiny Committee established a Scrutiny Review Panel to consider the current position in Haringey regarding the development and provision of extended services in and around schools to ensure that there was a good use of existing resources, thereby providing value for money.
- 6.2 We considered a report which advised us that the Review had concentrated on the areas of the advantages resulting from schools providing extended services; the Government's targets and the advice given by them and other bodies; and the action being taken by the Council and local schools to implement the Government's targets. The Review had made a total of five recommendations on -
- The problems and restraints in providing extended facilities and possible solutions;
 - The way in which services needed to meet demand were identified in consultation with the local community, taking account of the local authority's strategic role, the process for determining how shortfalls should be met and new services were sustainable; and
 - The specific action being taken to reach disadvantaged children, people with special needs and hard to reach groups.
- 6.3 Having noted that since the completion of the Scrutiny Panel's Review a letter had been received from the Director of the Schools Resources Group including on the question of funding arrangements for extended schools which meant that one of the Panel's recommendations had been addressed. We report that we approved the proposed response to the Review which agreed in principle to the other recommendations and we asked that those recommendations be progressed by the Children and Young People's Service with reports at regular intervals to the Cabinet and to the Children and Young People's Strategic Partnership Board.

Housing

7. CHANGES TO THE SHELTERED HOUSING TENANCY AGREEMENT

- 7.1 The Council will be aware that in order to amend the tenancy agreement, the prescribed procedure for variation under Section 103 of the Housing Act 1985 had to be followed. This required that a preliminary notice of intention to vary the tenancy agreement be served on all Supported Housing tenants with comments in response invited. In making its decision on changes to the tenancy agreement, the Council was required to take into account a summary of tenants' comments.
- 7.2 We considered a report which summarised comments received from Supported Housing tenants, Councillors and officers in response to a preliminary notice of intention to vary the tenancy agreement, issued in January 2007. The report summarised comments received and, based on those comments and in line with the prescribed procedure, the report set out recommended amendments to the proposed tenancy agreement.
- 7.3 We report that, having noted the comments submitted we agreed the amendments recommended to us and approved the proposed final new tenancy agreement.

Environment and Conservation

8. SEVEN SISTERS CONTROLLED PARKING ZONE EXTENSION AND BRUCE GROVE CONTROLLED PARKING ZONE – REPORT OF STATUTORY CONSULTATION

- 8.1 We considered a report which informed us of the results of the statutory consultation undertaken for the proposed extension of the Seven Sisters CPZ and the proposed creation of a Bruce Grove CPZ, which was carried out in June 2007 following feedback from the review of the Seven Sisters CPZ conducted in October and November 2006. The report set out officer responses to the objections made during the period of statutory consultation by interested parties for consideration before a decision on the scheme was made.
- 8.2 We noted that when introducing parking controls the Council had to give due regard to various factors including traffic issues and the interests of the owners and occupiers of properties in the affected roads. The factors which needed to be considered included -
- the need to maintain free movement of traffic:
 - the need to maintain reasonable access to premises:
 - road safety:
 - impact on local amenities:
 - air quality: and
 - the passage of public service vehicles.
- 8.3 It was clear from the responses received during the statutory process that the main objections to the introduction of the Bruce Grove CPZ were from residents of Ranelagh Road and Napier Road. Although these roads initially objected to the scheme during the review stage it was felt that they must be included should the scheme progress due to

their location in the proposed CPZ and the inevitable displacement parking they would experience. However, it was noted that patrons visiting Grace Baptist Church located on Napier Road, might experience parking problems should the scheme progress and shared use residents only / pay and display bays would be provided in close proximity to the Church to lessen any impact.

- 8.4 We were informed that during statutory consultation requests had been received for the proposed Bruce Grove CPZ to be extended into neighbouring roads, in particular St Margaret's Road and St Loy's Road, but that at this time there was insufficient evidence to suggest that there was a high level of support from residents of these roads to warrant consideration. Another issue raised during statutory consultation was in regard to the problems travellers might experience on Clyde Road, as their large vehicles were not permitted to park within residents bays. However, this would require a policy decision and it was not currently proposed to relax this criteria as it would require a borough wide review.
- 8.5 During the course of our deliberations, concern was expressed about the adequacy of the 'pay and display' provision to be made for patients attending the G.P. surgery in Tynemouth Road in particular and, more generally, for parents with children attending Children's Centres located in Controlled Parking Zone's, the Cabinet Member for Environment and Conservation indicated that he would take these matters back to the officers for consideration whilst noting that there were a number of groups in respect of whom a special case might be made. It was confirmed that the extension now proposed would be implemented by the end of September 2007.
- 8.6 We were advised that the proposals were in line with our Parking Enforcement Plan and Road Safety Strategy as contained within the Local Implementation Plan and that it was the view of our officers that the proposed scheme would provide a net benefit to local residents and businesses. Having duly considered the responses to statutory consultation outlined we resolved to authorise officers to take all necessary steps for the implementation of the Seven Sisters CPZ extension in the following roads –
- Lawrence Road from the junction with Philip Lane to the junction with Clyde Road;
 - Clyde Road from the junction of Lawrence Road with the boundary of Clyde Road CPZ.

We also authorised the officers to proceed with the introduction of a Bruce Grove CPZ operational from Monday – Saturday, 8 a.m. – 6.30 p.m. in the following roads -

- Winchelsea Road – All
- Greyhound Road – All
- Raneleagh Road - All
- Belton Road - All
- Napier Road from the junction with Philip Lane to junction with Belton Road
- Morrison Avenue from the junction Loxwood Road to the junction with Belton Road
- Loxwood Road – All

- Mount Pleasant Road from the junction with Philip Lane to the junction with Loxwood Road

We also approved the modification/amendment of parking bays and waiting restrictions in the existing Seven Sisters CPZ and to residents being informed of the foregoing decisions.

9. CABINET RESPONSE TO SCRUTINY REVIEW OF FLY TIPPING

- 9.1 The Council will be aware that there is a great deal of national and local concern about the environmental and financial cost of fly tipping. A Scrutiny Review was commissioned following suggestions from residents and Members who were concerned that the efforts made to improve the environmental quality of the Borough were being undermined by the fly tipping of residential and commercial waste.
- 9.2 In carrying out the review the Scrutiny Panel consulted widely with local and regional stakeholders, looked at the law relating to fly tipping and assessed the current situation in Haringey in terms of how much, where and what was being fly tipped. The Review examined the preventative action being taken by the Council under the same criteria as those used in the research into fly tipping carried out by the Jill Dando Institute, namely –
- increasing the effort;
 - increasing the risk;
 - reducing the rewards;
 - reducing provocations; and
 - removing the excuses.
- 9.3 The Council's activity in relation to prevention and clearance of fly tipping was carried out by teams based in the Enforcement Service and Waste Management Service. These two services worked together and with outside agencies and contractors to achieve the outcomes required for Haringey.
- 9.4 We noted that the Review of fly tipping in Haringey had demonstrated that the Waste Management and Enforcement Services were working well together and in partnership with outside agencies and contractors to prevent and enforce against fly tipping. Nevertheless, the Review also made clear the need not only for this work to continue but also to find new and better ways of working to ensure that this problem was controlled and reduced. The new Best Value Performance Indicator 199d had been introduced to measure how well local authorities performed at dealing with fly tipping. This measure would compare, year on year, progress at reducing the number of fly tips alongside the number and type of enforcement actions taken against offenders. The indications were that Haringey's score for 2006/07 would be classed as 'Good', reflecting the work already being done to deal with fly tipping and this was recognised in the findings of the Scrutiny Review Panel.
- 9.5 We report that, in total, the Review contained 18 recommendations 11 of which we agreed and a further 5 we agreed in principle. One was agreed in part and 1 was not agreed. The recommendation which we could not agree related to the reduction or removal of the charge for bulky waste collection for those on low incomes, benefits and

the elderly and, if the cost of administering such a scheme proved too expensive, to consideration being given to abolishing charges completely. In the past we did operate a universal free bulky item collection service but the service had not operated satisfactorily and had been discontinued. A free collection of bulky waste was provided through the white goods and hazardous waste collection service, community clear-ups, green waste collection as part of the recycling service. Bulky items could also be taken to two Reuse and Recycling Centres for free disposal.

- 9.6 We report that most of the recommendations could be implemented within existing budgets but that others required either the continuation of existing grant funding or new investment by the Council in revenue and capital funding that had not yet been identified. In approving the response to the Review we agreed that the recommendations be incorporated within the Street Scene and Enforcement Business Plans where appropriate, and those requiring additional funding be considered as part of the budget setting process in 2008/09.

Resources

10. FINANCIAL PLANNING 2008/09 – 2010/11

- 10.1 The Council will be aware that our current financial strategy covers the four year period 2007/08 to 2010/11. The strategy reflects our policy aspirations to achieve excellence in service delivery and to create a deeper sense of place. This was to be done whilst at the same time constraining the impact on Council Tax via the vigorous pursuit of efficiency savings. We had a sound position on which to base this ambition having achieved three stars in the 2006 Comprehensive Performance Assessment (CPA).
- 10.2 The context for the previous and current strategy had been severe constraint on non-schools resources. As a result of Government changes to resource distribution, the Council had received the 'floor' (lowest possible) increase in grant for the five years from 2003/04 to 2007/08. It had therefore not shared in the increases in total Government funding which were made available over this period.
- 10.3 The 2006/07 local government settlement covered two years and included the current year 2007/08. We considered a report which advised us that there was significant uncertainty from 2008/09 onwards and current planning was based on target Council Tax increases of 3.0% (in line with the manifesto commitment of no more than 3%). We noted the Government's determination to use capping powers to keep Council Tax increases low and in this context we also noted that current plans include £5 million of efficiency savings in 2008/09 and 2009/10 which had yet to be identified.
- 10.4 The Government's current system of resource allocation (formula grant) was complex and, in our view, understated Haringey's relative needs. There were a number of issues of particular significance:
- estimates of **population**, which underpinned the system appeared flawed, particularly in respect of under-enumeration and migration for Haringey;

- the **area cost adjustment** reflected local wage cost pressures relative to others, the grant system did not properly reflect the local position in Haringey as we were grouped as an outer London borough;
- under representation of costs and need on **Children's Social Care and Younger Adults**, the reduced weighting for deprivation in the formula from 2006/07 resulted in a significant shift of resources away from London;
- the higher cost of **concessionary fares** in London did not appear to be matched by resources through the formula, and;
- revenue funding for Government-supported borrowing within the **capital financing** part of the formula was not transparent in the system and penalised authorities that were on the grant floor.

10.5 These individual issues and others such as costs of asylum, had been raised with Ministers and there was to be a formal consultation process over the summer months in terms of possible formula changes. Having noted that the report was designed to set out financial planning issues to enable us to consider future financial strategy we approved the financial position for planning purposes as stated in it as well as budget changes and variations. We also approved the proposed business planning process the key dates of which are set out in the table below.

Activity	Date
Key priorities stated in Council plan	Jun 07
Cabinet consider financial planning report	Jul 07
Pre-business plan review (PBPR) preparation	Jul – Sep 07
PBPR officer review process	Sep 07
Star Chamber meetings	Early Oct 07
Comprehensive Spending Review 2007 released	Oct 07
Cabinet agree release of PBPRs for consultation	Nov 07
Budget consultation process including Overview & Scrutiny Committee	Dec 07
Cabinet consider draft settlement	Dec 07
Cabinet agree budget package	Jan 08
Council agree budget package and council tax	Feb 08
Finalise individual business plans and overall Council Plan	Apr 08

11. TRANSFER AND ADJUSTMENT OF HIGHWAY BOUNDARY AND EXCHANGE OF LAND AT ALEXANDRA PRIMARY SCHOOL

- 11.1 We considered a report which proposed a basis for proceeding with the Heartlands Spine Road with appropriation and exchange of land at Alexandra School land in line with agreements reached between the Highways Service, the Children and Young People's Service and the School.
- 11.2 We report that we agreed to the adjustment of the highway boundary detailed in the report and approved the appropriation of land from the Children and Young People's Service to Highways for highway purposes and the appropriation of other land from

Highways to the Children and Young People's Service to be used as part of Alexandra Primary School.

Leader

12. PROGRAMME HIGHLIGHT REPORT

12.1 We received the programme highlight which provided details of all the Council's corporately significant internal and external projects that report through the Council's programme structure. The information in the report was taken from detailed project highlight reports for each project that have been agreed by the respective Project Boards. We were informed that because of the reporting cycle, there was a time lag in the information presented and the report submitted showed projects' status at the end of May 2007. We were also informed that the style of reporting had been changed to give a clearer overview of the projects within the Programme with Red, Amber and Green status and financial information presented in a dashboard style. Furthermore, the finance figures within the report were now aligned with the figures presented in the budget monitoring report.

13. THE COUNCIL'S PERFORMANCE – APRIL AND MAY 2007

13.1 We noted the new style scorecard illustrating progress against Council priorities and that, overall, the average across all the five priorities showed that 81% of indicators were achieving or close to achieving targets even at this early point in the year up from 71% at the same point last year. We also noted that good progress was being made across all the priorities particularly encouraging life time well-being where 91% of indicators were either green or amber and achieving excellent services where 82% were green or amber as at May.

13.2 We were informed that 72% of indicators had maintained or improved performance since the end of 2006/07 and that some areas where performance had shown improvement recently included -

- Street Cleanliness –Levels of litter and detritus
- Waste recycled or composted
- Reduction in the number of people killed and seriously injured
- Waiting times for assessment of older people
- Stage 1 Complaints and Member enquiries
- NHS & Community Care Act Stage 1 responses
- Invoices paid in 30 days
- Average speed of processing new benefit claims
- Rent collection
- Customer Services performance

13.3 However, we were also informed that there were a number of areas where performance had declined and where more attention needed to be focussed in particular -

- Waste tonnage collected

- Overall number of crimes
- Young people not in Education Employment or Training (NEETs)
- Direct payments
- Average length of stay in hostels
- Stage 2 Complaints
- Housing rent arrears

13.4 We report that we granted approval to the basket of indicators to be monitored for 2007/08 together with the new format of the balanced scorecard to show progress against Council priorities and agreed the virements set out below.

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
1	Chief Executives	Cap*	4,396		NDC funded capital spend for the Seven Sisters partnership
1	Chief Executives	Cap*	1,689		External approval received to carry forward ERDF grant that funds some UCCG projects
1	All Services	Rev*	565	565	Transfer of budgets to Property Services re Corporate Management of property.
1	Children & Young People, Corporate Resources	Rev*	414	414	Children & Young People's finance service to be recharged through overhead charges in future.
1	Chief Executives, Adults Culture & Community	Rev*	402	402	Transfer of funding for various groups from CES to ACC
1	Chief Executives	Rev*	1,899		NDC revenue spending approval
2	Urban Environment		4,904	4,904	Adjustment of the housing ring fence budget due to 5 per cent reduction in benefits thresholds and the TA reduction required by DCLG
2	ACC, Urban Environment	Rev	52	52	Transfer of Hearthstone project from Children & Young People to UE (Housing)
2	All Services	Rev*	7,862		NRF funded programme
2	All Services	Rev*	1,205		SSCF revenue funded spend
2	All Services	Cap*	1,091		SSCF funded projects
2	All Services	Rev	37	37	Transfer of additional IT hardware maintenance costs to IT from services
2	Chief Executives	Rev*	511		Home Office Young People substance misuse partnership grant funded
2	Chief Executives	Rev*	285		Laurels Health centre rental income to fund projects

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
2	Urban Environment	Cap*	609		GAF funding for Spine Road project
2	Urban Environment	Cap	9		CABE funding for Tottenham Hale Village project
2	Urban Environment	Cap*	880		Mortuary relocation funded from prudential borrowing (£500k), capital receipts (£305k) and RCCO (£75k).
2	Urban Environment	Cap	111		Revised costs of Mortuary project
2	Urban Environment	Rev	148		Smoke free legislation work funded by external grant
2	Urban Environment	Cap*	401		TFL funded projects
2	Urban Environment	Cap*	424		LCN projects funded by additional grant from TFL
2	Urban Environment	Cap	155		Section 106 funding for College Road, N17 project
2	Urban Environment	Cap	115		Section 106 funding for 725-733 Lordship Lane (£25k), 6-8 James Place, N17 (£15k) and High Street to Hornsey Station project (£75k)

Key decisions are highlighted by an asterisk in the table.

14. DELEGATED DECISIONS AND SIGNIFICANT ACTIONS

14.1 We were informed of one significant action taken by a Director under delegated powers -

Director of the Children and Young People's Service

Establishment Changes to the Building Schools for the Future Team

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Chair:
 Councillor George Meehan

Deputy Chair:
 Councillor Lorna Reith

INTRODUCTION

- 1.1 This report covers matters considered by the Cabinet at our special meeting on 26 July 2007. For ease of reference the Report is divided into the Cabinet portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Cabinet and all groups of Councillors. These reports are a welcome opportunity for the Cabinet on a regular basis to present the priorities and achievements of the Cabinet to Council colleagues for consideration and comment. The Cabinet values and encourages the input of fellow members.

ITEMS OF REPORT

Environment and Conservation

2. REPORT OF STATUTORY CONSULTATION FOR REVIEWS OF THE WOOD GREEN CPZ AND THE GREEN LANES CPZ

- 2.1 The Council will be aware that the Wood Green CPZ has been in operation since 1994 and has an Inner and Outer Zone, which have different operating days/hours as follows:

Inner: Monday – Sunday 8am -10pm
 Outer: Monday – Saturday 8am – 6.30pm

- 2.2 The Green Lanes CPZ has been in operation since 2000 and has a Zone A and Zone B, which have different operating days/hours as follows:

Zone A: Monday – Sunday 8am -10pm
 Zone B: Monday – Saturday 8am – 6.30pm

- 2.3 We considered a report which advised us that during October and November 2006 reviews (non-statutory consultation) had been carried out of both these CPZs. The reviews invited residents and traders in the CPZ areas to give their views on the operation of the zones and, in particular, their preferred days and hours of CPZ operation. The opportunity had also been taken to consult residents/businesses in the roads surrounding the two CPZs on the impact it had on them and if they would support extending the parking controls to their roads and, if so, their preferred days and hours of operation.
- 2.4 A report based on the findings of the review with recommendations to proceed to statutory consultation for extensions to the Wood Green CPZ and for a reduction in the days/hours of operation of the Inner Zone was then approved by the Director of Urban Environment in consultation with the Cabinet Member for Environment and Conservation with the proposed reduction in days/hours as follows:

Wood Green CPZ

Inner Zone:	Existing:	Monday – Sunday 8am -10pm
	Proposed:	Monday – Sunday 8am -6.30pm
Outer Zone:	No change.	

Green Lanes CPZ

Zone A:	Existing:	Monday – Sunday 8am – 10pm
	Proposed:	Monday – Saturday 8am – 6.30pm
Zone B:	Existing:	Monday – Saturday 8am – 6.30pm
	Proposed:	Monday – Friday 8am – 6.30pm

- 2.5 However, the results of the statutory consultations on the Wood Green and Green Lanes CPZs indicated some concerns about the proposal to reduce the hours of operation in the light of which it was proposed that these be discussed in more detail with local Ward Councillors we report that we agreed to delegate authority to the Director of Urban Environment in consultation with the Cabinet Member for Urban Environment and Conservation and to agree the final modifications to the existing CPZs in Wood Green and Green Lanes.

Children and Young People

3. RESOLVING SCHOOLS PFI ISSUES IN RELATION TO BSF

- 3.1 We considered a report which was the subject of a motion to exclude the public and press and also, with the consent of the Chair of the Overview and Scrutiny Committee, the invocation of the Special Urgency arrangements specified in Part 4 Section H (Call In Procedure Rules) which meant that the decision was not subject to call in. The decision was urgent because any delay in implementation could seriously prejudice the Council's interests.
- 3.2 The report related to progress with resolving issues arising from implementing the Building Schools for the Future programme with the operation of the current Schools Private Finance Initiative and set out a way forward for resolution of these issues.
- 3.3 We report that we agreed that authority to take decisions relating to the resolution of these issues should be delegated to the Acting Director of Finance and the Director of the Children and Young Peoples Service in consultation with the Leader and the Cabinet Members for Resources and Children and Young People. Also that, in furtherance of that decision, the Interim Assistant Chief Executive Policy, Performance Partnership and Communication and the Acting Director of Finance be authorised to negotiate a satisfactory draft outcome.
- 3.4 Further reports would be submitted to us on the progress in resolving the issues and we will keep the Council informed of any developments.

Resources

7. HORNSEY CENTRAL DEPOT

- 7.1 We considered a report which was the subject of a motion to exclude the public and press which provided us with a summary and assessment of bids received following a marketing exercise. We were asked to select a preferred purchaser/developer to secure the development of the former Hornsey Central Depot to whom, subject to a development agreement being entered into and planning permission being obtained, the site would be sold on a long lease.
- 7.2 We report that, having confirmed that the Hornsey Central Depot site had been appropriated under section 122 of the Local Government Act 1972 for planning, we agreed Inner Circle as the preferred development partner for the development of the former Hornsey Central depot subject to terms outlined in the report with Crest Nicholson as the reserve development partner in the event that final terms could not be agreed in accordance with the timescales stipulated.
- 7.3 We authorised the Head of Corporate Property Services to negotiate and enter into an agreement with Sainsbury's for the transfer of their freehold title to the Council to enable us to grant a long lease of both sites to the preferred developer partner. Also to negotiate and agree the Heads of Terms and enter into a development agreement for the development and subsequent disposal of the former Hornsey Central Depot and adjoining Sainsbury site with Sainsbury and the preferred developer partner.

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Chair:
 Councillor George Meehan

Deputy Chair:
 Councillor Lorna Reith

INTRODUCTION

- 1.1 This report covers matters considered by the Cabinet at our meeting on 18 September 2007. For ease of reference the Report is divided into the Cabinet portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Cabinet and all groups of Councillors. These reports are a welcome opportunity for the Cabinet on a regular basis to present the priorities and achievements of the Cabinet to Council colleagues for consideration and comment. The Cabinet values and encourages the input of fellow members.

ITEMS OF REPORT

Community Cohesion and Involvement

2. ANNUAL REPORT FOR 2006/07 ON THE HANDLING OF COMPLAINTS AND MEMBERS ENQUIRIES

- 2.1 We considered the annual report on the operation of the Council's corporate feedback and Members' enquiries procedures which detailed the Council's performance, key achievements and developments in 2006-07. Although The Council was reshaped during the year for ease of analysis the Directorate statistics in the report reflected the structure in place at the beginning of the year. We were informed that recording according to the current structure took effect from 1 April 2007.
- 2.2 The report included the Local Government Ombudsman's annual letter which summarised the complaints that he received against the Council in the year, and any lessons learned. It also included the Council's response to the issues the Ombudsman raised. Key achievements over the last year included:
 - A reduction in the time taken to complete complaints at all three stages – by 3 days at stages 1 and 3, and 5 days at stage 2
 - 77% of stage 1 complaints were completed in 10 working days – a good performance compared with 80% in 15 days in 2005-06
 - 76% of stage 2 complaints were on time, 2% up on 2005-06
 - 93% of stage 3's completed in reduced 20 day timescale
 - 84% of Member enquiries on time against 90% target, but numerous improvements made have now been reflected in above target performance in 2007-08 to date.
 - The Ombudsman found us to be at fault in a smaller proportion of complaints than last year, and in more than seven per cent less cases than two years ago
 - The Ombudsman commented on the promptness of our replies to his enquiries, which was 'all the more creditable' in view of the increased numbers. (Our timescale was the best in London.)

- A successful pilot of the WOW! Awards scheme resulted in its corporate adoption as the Council's compliments scheme from 1 May 2007: Haringey was the first public sector organisation to participate in the scheme.
- 2.3 In receiving the report we noted that while there had been a number of significant improvements made during the year, a number of issues had also been highlighted that needed to be addressed in order to achieve corporate targets and further improvement in learning from feedback.

Children and Young People

3. CHILDREN ACT COMPLAINTS REPORT

- 3.1 We considered a report which advised us that under the 1989 Children Act local authorities were required to produce an annual report on complaints made under the Act. In September 2006 the Department for Education and Skills (now the Department of Children, Schools and Families) issued new guidance and regulations for Children Act complaints to take account of the Children (Leaving Care) Act 2000, Adoption and Children Act 2002 and the Health and Social Care (Community Health and Standards) Act 2003.
- 3.2 The effect of the new regulations was to:
- allow for an initial resolution stage (the equivalent of Stage 1 in Haringey's own complaints process) which did not involve an Independent Person;
 - extend the scope of the complaints and representation procedures to cover matters around the operation of care and supervision orders and emergency protection orders, social work reports made to a court, adoption and adoption support services, and special guardianship support services;
 - amend the time scales for responding to complaints;
 - impose a time limit of one year on making a complaint.
- 3.3 The new regulations also required local authorities to offer children and young people making complaints the support of an advocate. Haringey was already offering an advocacy service to children and young people making complaints as a matter of best practice. The service was provided through NCH, an independent voluntary organisation who provided an advocate for any young person wanting help with making a complaint.
- 3.4 Information about complaints to the Children & Young People's Service dealt with under the Council's corporate procedure was included in the Annual Report on the handling of complaints and members enquiries (see item 2 above).

4. CABINET RESPONSE TO SCRUTINY REPORT ON WI-FI INSTALLATION IN SCHOOLS

- 4.1 At our meeting on 26 July we considered a report from the Overview and Scrutiny Committee which presented recommendations to us concerning the arrangement by the Council of a seminar for head teachers, governors and parents, to provide information and to debate the issues on Wi-Fi and its usage, including health effects, and that the

seminar includes information on alternative ways to provide internet access. The report also recommended that the Cabinet Member for Children and Young People write to the Chairs of School Governing Bodies on the issue of Wi-Fi suggesting that:

- Governing Bodies give particular consideration to the use of “wired-in” systems as the preferred option when IT networks are being developed.
- Governing Bodies be asked to consult fully with parents and staff over the introduction of new Wi-Fi systems in the school, before they are implemented.
- Where Wi-Fi is already in use in schools, Governing Bodies be asked to undertake a full consultation with parents and staff over its continued use.
- Schools using Wi-Fi systems be asked to ensure they are only switched on when necessary.

- 4.2 We have now considered a report which responded to the recommendations made by the Overview and Scrutiny Committee and, having considered further representations in support of the recommendations made by the Committee we re-iterated our previously expressed view that the installation of Wi-Fi networking facilities in schools was ultimately at the discretion of each school’s own Governing Body and Head Teacher. The Council’s role was to provide advice and support to schools based upon best guidance and good practice. Neither did the Council have the skills and resources to independently assess the scientific evidence relating to the safety of Wi-Fi, nor did schools have such expertise.
- 4.3 We noted that the Health Protection Agency (HPA) existed to provide an integrated approach to protecting UK public health through the provision of support and advice to the NHS, local authorities, emergency services, other Arms Length Bodies, the Department of Health and the Devolved Administrations and it was widely regarded as the definitive source of information and advice in the UK about Wi-Fi safety. The HPA guidance said that there was no reason why schools and others should not use Wi-Fi equipment and in the light of this advice the Department for Children, Schools and Families (DCSF) had recently updated their guidance and recommended the deployment of Wi-Fi in schools.
- 4.4 We agreed that apart from schools using Wi-Fi systems being asked to ensure that they are switched on only as necessary to reduce energy waste and costs the recommendations from Overview and Scrutiny be not approved. We also agreed that the Director of the Children and Young People’s Service write to all schools drawing attention to the current DCSF advice on this matter.

Adult Social Care and Well Being

5. ADULT, CULTURE AND COMMUNITY SERVICES ANNUAL COMPLAINTS REPORT

- 5.1 The Council will be aware that all local authorities are legally required to have a social care complaints procedure as ordered by the Secretary of State under section 7B of the Local Authority Social Services Act 1970 (LASSA). Until 1 September 2006 the Complaints Procedure Directions 1990 laid down the procedures which the local authority should follow and in particular that a record must be kept of all representations made, the outcome and compliance with statutory time limits:

- Stage 1 - Informal or problem solving – no statutory time limits;

- Stage 2 formal – complete within 28 days if possible and in any case, within 3 months;
- Stage 3 – complainant had 28 days within which to request review - panel consideration within 28 days of the complainants' request for review and record recommendations within 24 hours of panel meeting.

5.2 We considered a report which advised us that from 1 September 2006 the Local Authority Social Services Complaints (England) Regulations 2006 (and new statutory guidance) superseded those Directions. The most significant changes were:

- The introduction of a requirement that a complaint must be made within one year of the event complained about, unless it would be unreasonable to expect the complaint to have been made earlier than it was and provided it was still possible to consider it effectively and fairly.
- Various changes to the old time-limits, including a time limit for responding at informal Stage 1 (10 working days which could be extended to 20 days if necessary), in default of which a request for a Stage 2 investigation could be made.
- The Stage 3 review panel must now have at least two independent members. Officers of the Council (or their spouse/civil partner) could no longer be part of the panel; one Council Member could be on the panel, but not as the chairperson.
- A complaints manager must be appointed and, at the investigation stage, should ensure the appointment of an investigating officer to report in writing for adjudication by a senior manager.
- Requirements for liaison and co-operation between local authority and NHS bodies if a complaint included elements that related to part of the NHS, and time limits.

5.3 We were also advised that, provided the investigation was being conducted diligently, the authority was unlikely to be criticised either by the Courts or the Ombudsman if the time limits were not complied with. We noted that the Local Government Ombudsman was empowered to investigate written complaints made by members of the public who claimed they had suffered injustice as a result of maladministration by or on behalf of the local authority but was reluctant to become involved unless other avenues of investigation have been exhausted.

5.4 We also noted that, in order to ensure that the Adult Culture and Community Services Directorate were responding to enquiries on behalf of the Council within timescale, weekly complaints meetings were conducted with Service leads, enabling complaints to be reviewed and monitored to ensure effective closure of cases at early resolution stage. Weekly reports on overdue complaints were submitted to the Service Leads and Service Managers and monthly performance reports were submitted to the Directorate Management Team (DMT) and cascaded down to management meetings. The Directorate continued to raise awareness of the Council's Feedback Scheme through publicity information and new procedures were to be written and distributed to all staff along with specific Social Care Complaints Procedure training for staff.

Leisure, Culture and Lifelong Learning

6. DOWNHILLS PARK COMMUNITY INVESTMENT COMPANY

- 6.1 We considered a report presented the case for rebuilding the demolished bowls pavilion at Downhills Park with a café that included public toilets and a community workshop. It was also proposed that the majority of the capital cost of the work be raised through external funding, whilst the operating revenue would come from re-directing existing Adult Services budgets. The project would be a cross-service partnership between Adult Services and Recreation Services which were both now part of the new Adult, Culture and Community Services Directorate.
- 6.2 We noted that the project would contribute to the outcomes of the Well-being and Better Places partnerships and would also present an opportunity for the Council to gain experience in delivering services via a new form of agent - a Community Interest Company.
- 6.3 We were advised that there was no guaranteed capital funding for the scheme. The total capital cost was estimated at £340,000 in respect of which a bid of £250,000 had been made to the Big Lottery Community Buildings Fund (BIG). Final awards of the BIG were awaited but if the BIG agreed funding for this proposal then viable funding options for the balance would need to be identified and in order for Council capital resources to be allocated to the scheme, then funding would need to be prioritised through the current (2008-09 to 2010-11) budget setting process. In terms of the services provided by Adult Services, the 2007/08 budget setting process included a decision to modernise Learning Disabilities Day Services from buildings based services, to a range of community based day opportunities. This proposal was one of the options for the re-provision of those services for which resources had been planned.
- 6.4 We were also advised that Adult Services would be allocating 2 workers and a grant to support the business in the first 5 years. At the time of our meeting it was anticipated that the running costs of the café would be managed within the £20,000 grant from the Council and income of approximately £20,000 from sales and we noted that these assumptions would need to be reviewed in more detail as the business case was further developed. The revenue funding of the project was anticipated to be for the first five years of the project, after which time the project was anticipated to be self funding. Progress would need to be continually monitored through budget management and the Pre-Business Planning process.
- 6.5 We report that we agreed in principle to the replacement proposal and to the progression of the Community Interest Company (CIC) in seeking capital and revenue funding to construct, maintain and operate the café in Downhills Park. We also agreed in principle to the project as a priority commitment in the forthcoming budget setting process, the application for Council capital funding of £90,000 being matched funding for the construction of the building.

Housing

7. CHANGES TO THE MANAGEMENT AGREEMENT WITH HOMES FOR HARINGEY

- 7.1 The Council will be aware that a key element of the Management Agreement between the Council and Homes for Haringey (HfH) is that both parties will work together within a

spirit of mutual co-operation and partnership in order continuously to improve the services and the way in which they are delivered.

- 7.2 We considered a report which advised us that when setting up HfH it was agreed that the repairs budget should be delegated to HfH with repairs operations paid for from the management fee and the management agreement reflected this arrangement. However, there was an inconsistency in so far as Section 11.2, Annexe 3 of the Management Agreement was concerned which stated that with regard to response repairs commissioning the contract should be between the Council and the repairs contractor. As the current repairs procurement process had been completed by HfH, with the intention of the contract being signed and managed by them, this also required an amendment to Management Agreement to reflect this. Schedule 1 of the Management Agreement also specified contracts which would be novated to HfH or renewed by them on expiration. General repairs and maintenance was one of the contracts listed in Table 2 of Schedule 1 of the Management Agreement.
- 7.3 Also, the Management Agreement contained an express provision which allowed for changes to be made to it. Any changes had to be both agreed and recorded in writing signed by, effectively, the Director of Urban Environment for and on behalf of the Council, and the Chief Executive Officer for and on behalf of Homes for Haringey (HfH).
- 7.4 We report for information that we agreed to amend the Management Agreement so as to reflect that all future responsive repairs contracts would be HfH contracts and authority for procurement and management of the contracts would be fully delegated to HfH including specifically authority for all action taken from the outset of the current procurement relating to the repairs and voids contract. We noted that a further report on contractual matters in relation to HfH would be brought forward by officers in due course and that any future amendments to the Management Agreement would need to be agreed by us.

8. REPAIRS PROCUREMENT

- 8.1 We considered a report on the outcome of the recent housing repairs market testing exercise carried out by Homes for Haringey (HfH) following a decision by the Council in December 2005 to carry out an end to end procurement. The report recommended the award of the repairs contract to the lowest bidder (HfH Direct Labour Organisation) and we noted that the award of both the east and west repairs contracts to the in-house DLO would represent an improvement in the responsive repairs and voids service as well as value for money representing savings of £3.851 – £4.017million over the life of the main contract term excluding any possible extensions.
- 8.2 Having one contractor for both contracts will make monitoring the contracts and dealing with any issues arising easier for both HfH and the Council. In terms of access for residents the new contract will allow for call handling during normal working hours from 8am to 8pm Monday to Friday and 9am to 1pm on a Saturday. The contractor will be responsible for handling calls during normal working hours and out of hours costs. However, this will have cost implications (£147,400 plus inflation for 2007/08 from the retained budget) for the out-of-hours service which Adult, Culture and Community services directorate currently provides for the Council. We noted that a new productivity scheme

had been drawn up which will allow for up to 10% of appointments 5pm to 8pm Monday to Friday and Saturdays 9am to 1 pm thereby increasing access for residents.

- 8.3 We were advised that the budget for the repairs element of the contract was £17.428million, which included a planned saving of £1.286 million for 2007-08 and £0.5 million for 2008-09. The contract sum (including providing an in house call centre service) was £17.532 million which meant that there was a shortfall of £104,000 which HfH would need to include in the business planning process for 2008-09 budget setting. The report also confirmed HfH's withdrawal from the commissioning of the call centre function provided by the Council. Although this would generate savings for HfH, there would be residual costs £205, 000 that would be left with the Council and would have to be saved by Customer Services (£58,000) and Adult, Culture & Community Directorate (£147,000). From December 2009 HfH would be withdrawing from the commissioning of vehicles from Accord, and there would be residual cost implications of £104,000 for the Council which would need to be saved by Urban Environment Directorate.
- 8.4 We noted the Homes for Haringey Board's recommendation to award both the east and west contracts to carry out the repairs service from 1 January 2008 to 31 March 2013 to Homes for Haringey's Direct Labour Organisation Repairs Operations with an option to extend for up to two years to 31 March 2015. With respect to the call centre, we accepted the variant bid for call handling including out of hours be accepted and that the current arrangements with the Adult, Culture and Community services be terminated at the commencement of the contract(s). We also accepted the variant bid for vehicles to be provided by the repairs contractor from December 2009 (on expiry of the current Council contract with Accord) and agreed that negotiations continue with Accord with a view to returning vehicles as individual leases expired which might provide better value for money.

9. 115 TOWER GARDENS ROAD N17 – COMPULSORY PURCHASE ORDER

- 9.1 The Council will be aware that 115 Tower Gardens Road is a three storey, end of terrace, ex Greater London Council, property located in a residential conservation area. The property is a 1930's building style and was first reported in November 2002 by a White hart Lane Ward Councillor complaining that the property was an eye sore as it was in a bad state of repair with broken windows and causing blight to the area. Attempts were made to enforce the sale for outstanding unpaid Council Tax debt on the property, but the owner paid the debt before the enforced sale went through. The property was reported to the Council on several other occasions. The Environmental Health Department were obliged to take enforcement action and serve Notices on the owner. Complaints were also made that the property was being used for drug taking. In April 2003 the property was boarded up by the owner.
- 9.2 The Council's Empty Property Officer has written a number of letters to the freeholders of this property offering assistance, both practical and financial, including empty property grants, to help them bring the property back into use voluntarily. The Senior Environmental Health Officer dealing with the property met with the owner whom, despite this meeting, has shown no evidence that he intended to bring this property back into use. He has not provided any plans for the property or provided any evidence of financial means to bring the property back into use.

- 9.3 We considered a report which set out proposals to make a Compulsory Purchase Order in respect of this property. The use of Compulsory Purchase powers formed part of the Council's Empty Properties Strategy, Housing Strategy, and Sub-Regional strategy to bring back into use residential premises that had been long term vacant and where no other course of action was appropriate or could be pursued. It was also in pursuance of achieving a year-on-year increase in the number of privately owned empty properties brought back into use through advice or intervention.
- 9.4 Having considered the report which described the condition of the property and the work undertaken to date by officers in Enforcement Service of the Urban Environment Directorate and of the Sub-region to bring it back into use we approved the use of compulsory purchase powers to acquire 115 Tower Gardens Road, N17 and authorised the Head of Legal Services to make and seal the Order for submission to the Secretary of State for Communities and Local Government for consideration and approval and to confirm the Compulsory Purchase Order in the event of the Secretary of State returning the Order. We further authorised the Head of Legal Services to proceed with the acquisition on confirmation of the Compulsory Purchase Order and again, subject to the confirmation of the Order, we approved the disposal of the property to a Registered Social Landlord in the first instance, or to a Private Developer (in which case the sale would be by way of auction) with covenants applied to bring the property back into use as soon as possible. Further, we approved capital provision of £200,000 from capital receipts, to fund the purchase of this property this sum to be repaid once the sale had been executed.

Environment and Conservation

10. REVIEW OF PARKING ENFORCEMENT POLICY

- 10.1 We considered a report which informed us of mandatory changes to policy resulting from the introduction of differential parking charges by the Mayor of London and of the new statutory guidance to the Traffic Management Act 2004. Parking enforcement policy had also been looked at in the widest sense, learning from best practice across London and advice from London Councils. The aim was to ensure that the Council not only operated in line with minimum legal standards, but gave due regard to recommendations from the parking and traffic adjudicators and adopted a customer friendly approach to parking enforcement. The changes proposed as a result would have significant implications for how the Parking Service operated on-street and in dealing with representations and appeals.
- 10.2 Decriminalised parking operated under the 1984 and 1991 Road Traffic Acts [as amended], and the London Local Authorities Act 2000. These were now consolidated under Part 6 of the 2004 Traffic Management Act. Within this framework, individual Councils defined local parking policy, through the Councils Traffic Management Orders and working practices and interpreted legislation in the local context to address local issues.

- 10.3 The Department for Transport consulted on new statutory guidance on the implementation of Part 6 of Traffic Management Act [TMA] 2004. It was clear that this guidance would have a significant impact on parking enforcement policy, as authorities moved to Civil Parking Enforcement (currently decriminalised parking) under the Traffic Management Act 2004. In July this statutory guidance was released and the Council was sent a pack containing;
- Statutory Guidance
 - Commencement Order
 - General Regulations
 - Removal and Disposal of Vehicles Regulations
 - Representations and Appeals Regulations
 - Approved Devices Order
 - Guidelines on Levels of Charges Order
- 10.4 The mandatory changes, which were still subject to approval by Parliament, reported presented significant financial implications for the parking service. Those implications provided in the table below were an estimate at present and the actual position would be established on receipt of the operational guidance -

Estimated impact of changes to clamp & removal	£ 455,000
Possible reduction of recovery rate calculated at 1%	120,000
Estimated total loss in income	575,000

There were costs associated with implementing the new statutory guidance and these were being absorbed within the existing parking expenditure budgets. The anticipated implementation date for the changes was 1 April 2008.

Resources

11. ITS CAPITAL PROGRAMME 2007-11

- 11.1 We considered a report which advised us that, historically, the capital programme had supported large-scale projects to provide key Council wide solutions and services such as payment taking, billing and accounting, social care, Customer Relationship Management and Web based engagement. There had been many other projects to support specific business unit needs such as benefits and local taxation, housing management and planning and building control. These would all need to be maintained and developed over time which would require further funding to support any future improvement programmes.
- 11.2 The Government has also recognised the importance of systems and automation in providing robust, reliable and efficient services to the community and had driven the move to electronic based service delivery through the e-government programme. Following on from the success of this initiative the Transformational Government project

(t-gov) was being launched through which efficiencies were expected to be driven out through transactional efficiency and shared services.

- 11.3 We considered a report and associated table which summarised the projects currently identified within the Council's Pre-Business Plan documentation. This included those identified within major strategic programmes such as the Transactional Efficiency project and by the Customer Services Strategy board. In all cases, these were expected to deliver results against the Council's priorities, citizen expectations and meet the requirements of a value for money assessment. In all cases, the business case for any technology need was very carefully considered at a senior business and IT level before any expenditure was committed. This ensured that there was sound business reason for investing in IT. We noted that our Procurement Committee had approved the funding of the SAP implementation programme for 2007/8 amounting to £1.06 million of implementation costs which needed to be borne in mind when considering the total available Capital.
- 11.4 We report that we approved the allocation of capital as summarised below in order to allow projects to continue or to commence and to move on to the scoping stage on the understanding that individual business cases would be endorsed by project sponsors and the relevant senior management team to ensure that project objectives added sufficient value to the Council and were achievable.

Capital Item (2007/8)	(£,000)
Transactional efficiency	1,060
e-payments	176
Support for mobile working	100
Additional mobile devices	50
Web development programme	150
Graphical information systems	250
Developing general IT platform	100
Network storage upgrades	50
IP Telephone Pilot	250
External Security upgrade	100
Network Security improvements	100
Parking Enforcement enhancements	340
Projects Total	2,726
Programme management (staffing)	350
Total Capital requirement	3,076
Total budget allocated (inc c/f)	3,076
Variance against budget allocated.	£0

Leader

12. PROGRAMME HIGHLIGHT REPORT – END JULY 2007

- 12.1 We received the Programme Highlight report for all the Council's corporately significant projects up to the end of July and we received a verbal update on the progress of a number of the projects since that date. We noted that the programme was the vehicle for the Council to deliver corporately significant projects and projects that were key political priorities. It underpinned the Council's corporate planning process, ensuring that the projects undertaken reflected and helped to deliver Community Strategy and corporate priorities. The report provided an opportunity to monitor, challenge and support the Council's key projects to ensure that they finished on time, to budget and delivered the outcomes for the community.
- 12.2 We noted that from October the Programme Highlight report would reflect the planned new corporate programme structure with its three programmes of work, 'Achieving Excellence', 'Regeneration' and 'Better Haringey'.

13. THE COUNCIL'S PERFORMANCE – JUNE AND JULY 2007

- 13.1 We considered the regular finance and performance report which monitored the Council's position in relation to a number of indicators that would be used to assess the Council in the Comprehensive Performance Assessment (CPA). Performance against these measures would determine Haringey's rating in 2008. The report also gave an indication of the level and quality of services delivered on the ground and sought our approval to a number of virements.
- 13.2 We noted that good progress was being made across all the priorities with 84% of indicators achieving green or amber status as at July 2007. Highlights included promoting independence where 93.3% was achieved (14 indicators green or amber), making Haringey one of London's greenest boroughs (85.7% or 6 indicators green or amber) and delivering excellent services (86.5% or 45 indicators green or amber). In summary the balanced scorecard showed that for service delivery 84% of indicators were on target or close to the end of year target as at July 2007. For 12 of the 15 (80%) customer focus measures, performance targets were being met or close to being met. For financial health 25 of the 28 traffic lighted measures achieved green or amber status, meaning for 89% of traffic lighted indicators performance levels were achieving target or being maintained at an acceptable level. Our organisational development /capacity indicators showed that for 6 of the 8 (75%) measures, performance was meeting or close to expectation. In addition 84% of indicators had maintained or improved performance since the end of last year.
- 13.3 In terms of financial performance overall revenue budget monitoring, based on the July position, showed a forecast net overspend of £0.4million which was made up of a number of budget pressures relating to Asylum. These were mainly offset by a projected underspend on the Housing general fund, an earmarked reserve for asylum and a back-dated one off grant claim. The aggregate revenue projected position in 2007/08 is as shown in the following table –

General Fund revenue	Approved Budget	Projected variation
	£m	£m
Children and Young People - Asylum	228.1	0 0.5
Adults, Culture & Community - Asylum	73.7	0.9 0.5
Corporate Resources	10.9	0
Urban Environment	48.3	(1.0)
Policy, Performance, Partnerships & Communications	11.6	(0.1)
People, Organisation & Development	0.1	0
Chief Executive	0.5	0
Non-service revenue	11.4	(0.4)
Total	384.6	0.4

In relation to the HRA, the net current revenue projection was to spend within the approved budget as agreed by Council in February 2007.

13.4 The aggregate capital projected position in 2007/08 is as shown in the following table –

Capital	Approved Budget	Spend to date	Projected variation
	£m	£m	£m
Children & Young People	43.9	7.1	0
Adults, Culture & Community	7.6	1.0	(0.3)
Corporate Resources	9.1	3.1	0
Urban Environment – General Fund	28.8	2.0	0
Urban Environment - HRA	19.8	4.2	0
Policy, Performance, Partnerships & Communications	0.3	0.1	0
Total	109.5	17.5	(0.3)

13.5 Financial regulations required that proposed budget changes to be approved by the Cabinet. These were shown in the table below. These changes fell into one of two categories:

- budget virements, where it is proposed that budget provision is to be transferred between one service budget and another. Explanations are provided where this is the case;
- Increases or decreases in budget, generally where notification has been received in-year of a change in the level of external funding such as grants or supplementary credit approval.

13.6 Under the Constitution, certain virements were key decisions. Key decisions were:

- for revenue, any virement which resulted 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.

Key decisions are highlighted by an asterisk in the table.

13.7 Proposed virements are set out in the following table:

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
3	C&YP	Rev	68	68	Some realignment of budgets between business units in line with new structure of the department.
3	PPPC	Cap	106		Campsbourne estate improvements project spend funded from Section 106 income.
3	PPPC	Rev	153	153	Anti social behaviour funding from HfH.
3	PPPC	Rev *	845		Youth Justice Board – 2007/08 YOT, Prevention & ISSB grants approved.
3	PPPC	Rev	229		Youth Justice Board – Resettlement & Aftercare provision grant approved for 2007/08.
3	PPPC	Rev *	511		Home Office – Young people substance misuse partnership grant approved for 2007/08
3	PPPC	Rev *	1,254		Home Office – drug interventions programme grant approved for 2007/08
3	PPPC	Rev *	688		Haringey teaching primary care trust – DAAT grant approved for 2007/08
3	PPPC	Rev	50		Funding from the Home Office Respect Task Force for a parenting worker for 2007/08
3	PPPC	Rev	81		Supporting people under-spend b/fwd
3	PPPC	Rev *	410		Approved Healthy Alliance PCT funding
3	PPPC	Rev	33		Summer Uni grant approval

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Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
3	All	Rev	15	15	Transfer of additional telephone costs to IT.
3	ACC	Cap	174		GAF funding re Markfield Recreation Ground project.
3	ACC	Cap	10		Markfield Recreation Ground project – CAFE funding.
3	ACC	Cap	23		HLF funding re Markfield Recreation Ground project.
3	ACC	Cap	29		Coldfall Wood project funding by HLF TfC
3	ACC	Cap	50		Finsbury Park Track – LMT funding.
3	ACC	Cap	20		Chestnuts Park playground – LMT funding.
3	ACC	Cap *	300		Chestnuts Park playground – NDC funding.
3	UE	Cap	210		Parking plan capital receipts allocation to be used towards the Mortuary relocation project.
3	UE	Rev *	877	877	Some realignment of the Enforcement budget.
3	UE	Cap	40		Section 106 funding for Penstock footpath improvements project.
3	ACC	Rev *	459	459	Some realignment of budgets to align with grant allocations.
3	C&YP	Rev *	3,739		Updating of BSF budgets.
4	C&YP	Rev *	356		DfES Standards Fund – increase in grant.
4	C&YP	Rev	236		DfES Standards Fund – new grant for targeted school meals.
4	ACC	Cap	200		Department of Health one-off capital grant for improving the care home environment for older people.
4	C&YP	Cap	156		Adjustment to reflect 2007/08 devolved formula capital allocation.
4	C&YP	Cap	120		Re-phasing of the capital programme.
4	C&YP	Rev *	1,756		Reduction in DSG in the ISB.
4	C&YP	Rev *	775		Reduction in DSG allocation to the Council.

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
4	C&YP	Cap *	930		Alignment of General Sure Start Capital grant funded budgets with approved allocations.
4	C&YP	Rev	136		Updating of BSF budgets.
4	ACC	Cap	120		Chestnuts Park – big lottery funding.
4	ACC	Cap	110		Markfield Park – big lottery funding.
4	ACC	Cap	110		Lordship Recreation Ground – big lottery funding.
4	ACC	Cap	60		Priory Park – big lottery funding.
4	ACC	Cap	53		Additional disabled facilities grant.
4	UE	Cap	50		Section 106 funding for 691-693, High Road (Church Road, N17).
4	UE	Cap	230		Section 278 funding for Hornsey Waterworks.
4	UE	Cap	13		TFL funding for bridge assessment and strengthening.
4	PPPC	Rev	80		Youth Justice Board – additional 2007/08 YOT, Prevention & ISSB grants approved.
4	PPPC	Rev	50		Grant funding from Metropolitan Police for off the Streets less heat project.
4	PPPC	Rev	75		GOL Haringey Childrens Fund – safer communities element funding for JYIP & YISP projects.
4	CR	Cap *	1,150		SAP licences funded from LABG1 grant.
4	PPPC, UE	Cap *	4,396		Transfer of NDC from PPPC to UE.
4	PPPC, UE	Rev *	462		Transfer of NDC from PPPC to UE; £2.646m expenditure and £2.184m income; net £462k.
4	C&YP	Cap	50		South Haringay CC Phase A enabling works – approved funding.
4	All	Rev	18	18	Additional IT charges transferred to CIT from Services.
4	PPPC, C&YP	Rev	16	16	Transfer of funding for Northumberland Park Women & Child Centre and Bangladeshi Women's Association from PPPC to C&YP.

REPORT OF THE CABINET No. 04/2007-08
COUNCIL 15 OCTOBER 2006

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
4	PPPC	Rev	59		Reduction in SSCF project.
4	C&YP	Cap	130		New funding from DfES for Mobile Technology for Social Workers project.
4	C&YP	Cap	50		2007/08 PSS allocation to be used for office accommodaton.
4	UE, ACC	Rev	15	15	Transfer of 0.5 FTE Complaints Officer post from ACC to UE.
4	ACC	Cap	187		Reallocation of OPS budget (Osborne House) to Red House, Broadwater Lodge & Cranwood.
4	ACC	Cap	33		NLDC capital allocation
4	All services	Cap/ Rev	160		Oliver Tambo project (£130k capital and £30k revenue).
4	UE	Cap			Revision of the overall HRA capital budget reported to H4H Board, within total resources of £19.819m, and including an over-programming element of £1.345m.
4	UE	Cap *	1,720		" – Planned Maintenance
4	UE	Cap *	563		" – Structural works
4	UE	Cap *	1,000		" – Extensive voids
4	UE	Cap	7		" – Energy Conservation
4	UE	Cap *	(4,350)		" – Capitalised repairs
4	UE	Cap *	(2,095)		" – Over-programming
4	UE	Cap *	3,614		" – Decent homes standard
4	UE	Cap *	1,173		" – Environmental improvements
4	UE	Cap	(118)		" – External decorations
4	UE	Cap *	2,818		" – Building services works
4	UE	Cap *	1,215		" – Departmental overheads
4	UE	Cap *	(1,492)		" – Kenneth Robbins, Millicent Court
4	UE	Cap *	(501)		" – Essential capital works
4	UE	Cap	(2,500)		" – External decorations

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
		*			programme
4	UE	Cap *	(1,054)		" – Saltram Close regeneration

14. DELEGATED ACTIONS AND SIGNIFICANT DECISIONS

- 14.1 We were informed of the following significant decisions taken by Directors under delegated powers -

Director of the Children and Young People's Service

St. Thomas More School – Issue of letter of intent under Contract Standing Order 12.2 for a geotechnical survey under Building Schools for the Future to STATS (£55, 265)

Haringey Sixth Form Centre – Waiver of Contract Standing Order 6.04 and the award of contracts to various suppliers for provision of equipment in advance of the opening of the Centre (to total value of £350,000).

Seven Sisters Primary School – Award of contract under Contract Standing Order 11.02 to Cosmur Construction for the development of a Phase 2 Children's Centre (£173,105).

South Haringey Primary School – Award of contract under Contract Standing Order 11.02 to R.D. Bull and Sons for the development of a Phase 2 Children's Centre (£83,646).

Approval for Establishment of team of Family Support Workers (contracts time limited to 31.8.2008) funded through the Direct Schools' Grant (also approved by Schools' Forum).

Campsbourne Primary School – Award of contract under Contract Standing Order 11.02 to Cosmur Construction for the development of a Phase 2 Children's Centre (£249,766).

Director of Urban Environment

Revision to Parking Services Structure.

Estates Recycling Service - Award of contract under Contract Standing Order 11.02 to Spider UK Ltd for the provision of near-entry recycling bins (£57,919).

A406 Complementary Traffic Management Project Woodside Road Area Scheme – Approval to measures around Lyndhurst Road.

Empty Properties Management - Award of contract under Contract Standing Order 11.02 to Pathmead/Genesis Housing Group.

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**REPORT OF THE GENERAL
PURPOSES COMMITTEE No.01/2007-08**

Page 1

COUNCIL 15 OCTOBER 2007

Chair:
Councillor Eddie Griffith

Deputy Chair:
Councillor Gmmh
Rahman Khan

INTRODUCTION

- 1.1 This report to full Council arises from a report considered by the General Purposes Committee at our meeting on 11 September 2007. The report comes to full Council because the legislation on promoting new legislation requires a standard form resolution to be passed by a majority of all serving Haringey Councillors. This resolution is set out at Appendix 1 to this report. If Haringey is to participate at all in the proposed new legislation, the resolution must be passed as it stands without any amendment. Since this meeting of the full Council has been officially advertised as the date for this resolution, the decision on participation cannot be deferred.

**ITEM FOR DECISION FROM THE MEETING OF THE
COMMITTEE ON 11 SEPTEMBER 2007**

**2. PARTICIPATION IN THE TENTH LONDON LOCAL AUTHORITIES
BILL AND A JOINT BILL WITH TRANSPORT FOR LONDON**

- 2.1 We received a report recommending Haringey's participation in the promotion of a proposed tenth London Local Authorities Bill. The Leaders' Committee of London Councils at its meeting on 10 July 2007 agreed in principle to proceed with a new Bill. As was the case with previous Bills, London Councils would co-ordinate much of the work. The lead Borough would be Westminster and the parliamentary agents would be Sharpe Pritchard.
- 2.2 We noted that the transport measures were likely to be progressed by way of a separate joint Bill between the Boroughs and Transport for London (TfL) because the proposals would affect both roads controlled by the Boroughs and those controlled by TfL. Since the meeting of General Purposes Committee (GPC) on 11 September, agreement has been reached between London Councils and TfL that a joint Bill will be promoted at the same time as the London Local Authorities Bill.
- 2.3 The items for the joint Bill with TfL are set out in Appendix 2 to this report. These are the transport measures and two other items which

are controls over advertisements on the highway (ENV 8) and powers to remove signs fixed to buildings (ENV 9). Members will note that four of the transport items reported to GPC have now been dropped because they appear to be impracticable. These are: issuing Penalty Charge Notices by post (TRN 8), decriminalised enforcement of cycle lanes (TRN 9), local authority powers to take action against uninsured vehicles (TRN 12) and vehicles without MOT (TRN 13). However, two new items have been added to the Bill: improved enforcement powers relating to builders' skips on the highway (TRN 15) and decriminalised enforcement of contraventions arising from the movement of abnormal loads.

- 2.4 The remaining items for the tenth London Local Authorities Bill, which only deals with the powers of the Boroughs, are set out in Appendix 3 to this report. Two of the items for this Bill previously reported to GPC have been dropped. These are: amendments to the law on special treatments premises (PPR 2) and amendments only affecting street trading in Westminster (STT 5).
- 2.5 We were advised that there had been consultation on the measures for the Bills with the Government Office for London (GOL), Transport for London, all London Boroughs and several other stakeholders. GOL is opposed to the following items: environmental fixed penalties (ENV 1), chewing gum levy (ENV 3) and notices in default of works being done at houses in multiple occupation. GOL has expressed concern about other items: the plastic bag levy or ban (ENV 2), pigeon control areas (ENV 5), scores on the doors of food premises (PPR 1) amending sex establishments legislation (PPR 4), power to contract out the management of street markets (STT 1) and power to vary the fixed penalties for cycling on the footway (TRN 14). London Councils wishes to keep all these items in the first draft of the Bills in order to press Central Government for action on the issues raised.
- 2.6 We noted that the item of greatest interest to Haringey is the new controls over social clubs (PPR 3 in Appendix 3). There is evidence that unregulated social clubs in the Borough, including "member-only" clubs, are being used for unlawful purposes or as a resort for criminals and prostitutes. Social clubs that do not sell or supply alcohol or provide public entertainment or night café facilities do not require a licence under the Licensing Act 2003.
- 2.7 The proposal is that all social clubs with limited exemptions must be registered with the Council. Anyone concerned in the ownership or management of an unregistered club would be guilty of a criminal offence and liable to a £1,000 maximum fine. Before deciding whether to register, the Council would consult local residents and businesses and the Police, Fire Service and other public protection agencies. The

Council could impose conditions relating to opening hours, numbers on the premises, access, safety and keeping a register of club members.

- 2.8 We discussed the effectiveness of the proposed new controls given the temporary nature of many social clubs. We accepted advice that the proposed legislation would assist law enforcement by giving the Council more information than at present about club proprietors and managers in the Borough.
- 2.9 We expressed concerns about the extension of powers to issue fixed penalty notices and the degree of influence Haringey would have over the fixing of the level of penalties. Because of these concerns we have recommended that there should be a debate on this report at full Council.
- 2.10 We were advised that at this stage each Borough must pass the standard resolution in Appendix 1 without amendment or cease to participate in the Bill and the new powers it would make available. The advice since received from London Councils is that in the event of any Borough having serious concerns or reservations about an item in the Bills, then London Councils would make every effort to provide for that item to be adoptive. Each Council could then decide for itself whether to bring that item into force in its own area.
- 2.11 If Members pass the first resolution in Appendix 1, there would be a second report seeking a confirmatory resolution at some time in the first three months of 2008. At that time, there should be more information about the items that have been dropped from the Bills because it is impracticable to pursue them in the face of objections and about those items that remain in the Bills.
- 2.12 We noted that the estimated cost of Haringey's participation in the promotion of the Bills was between £6,000 and £9,000 over 2 or 3 years and that this money could be found from the existing budget of the Urban Environment Directorate.

WE RECOMMEND

That Council passes the resolution set out in Appendix 1 to this report after a debate on the matter.

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FIRST RESOLUTION OF COUNCILHARINGEY LONDON BOROUGH COUNCIL

RESOLVED -

That the Council approves the inclusion in a bill or bills to be promoted by Westminster City Council or, as the case may be in a bill or bills to be promoted jointly by Westminster City Council and any other person as appropriate, of provisions effecting all or some of the following purposes -

- (a) to make provision about the decriminalisation of offences relating to public health, highways and road traffic and making contravention of the relevant legislation subject to a civil penalty charge regime; the introduction of a local levy, administered by London borough councils, on the provision of disposable shopping bags or to introduce a prohibition on the provision of disposable shopping bags; the introduction of a local levy administered by the London borough councils on the sale of chewing gum; an extension of the type of premises in respect of which a street litter control notice can be issued under the Environmental Protection Act 1990 to include a wider range of non-domestic premises; to enable councils to better control the feeding of wild birds; to enable borough councils to make charges for the use of urinals; to make further provision about the control of the placing of items on the highway; altering London borough councils' powers to fix signs and apparatus to buildings; amending London borough councils' powers to charge for the provision of amenities on highways under Part VIIA of the Highways Act 1980; controlling the placing of household waste in street litter bins; to enable London borough councils to recover costs incurred by them in rectifying damage caused by them when removing unlawful advertisements; to enable London borough councils, as local housing authorities, to take enforcement action and recover costs in cases where there has been a failure to comply with a duty imposed in relation to the management of houses in multiple occupation under regulations made under Section 234 of the Housing Act 2004; imposing a requirement in respect of food premises which are subject to inspection by London borough councils under the Food Safety Act 1990 to display copies of inspection notices or summaries thereof on the premises; to impose a new licensing regime for social clubs; to alter the requirements relating to the service of documents under the City of Westminster Act 1996, which deals with sex establishments; to enable London borough councils to exert better control over the licensing of premises which, but for the Licensing Act 2003 would be required to be licensed as sex encounter establishments; to enable London borough councils to delegate their functions under existing street trading legislation and enable other bodies to manage street markets; to alter the street trading legislation in the City of Westminster so as to enable Westminster City Council, without a court order, to dispose of articles seized under the Act; to make further alterations to street trading legislation in London; to control the distribution of free refreshments on the highway and in other public open places; to enable the highway authority to recover traffic management and street cleansing costs incurred as a result of public events and to have the power to close or manage traffic for certain special

events; to enable the highway authority to provide charging points for electric vehicles in the highway; to enable local planning authorities to require that a deposit is provided prior to commencement of development, to be offset against costs arising from making good damage to the highway caused by the construction of the development; to enable action to be taken against persons who interfere with gates placed in pursuance of powers under road traffic legislation; to enable councils to better control pedicabs; to enable councils to serve penalty charge notices by post where there has been a parking contravention, and where service was prevented by the vehicle driving away; to allow decriminalised enforcement in respect of advanced stopping areas for cyclists at traffic lights; to allow decriminalised enforcement in respect of the use of mobile phones whilst driving; to enable London borough councils to vary fixed penalty levels for cycling on the footway; to enable the better control of the depositing of builders' skips on the highway; and to provide for a decriminalised regime of enforcement in relation to the driving of abnormal vehicles on the highway;

- (b) to enact any additional, supplemental and consequential provisions that may appear to be necessary or convenient.

APPENDIX 2

SCHEDULE OF ITEMS IN THE PROPOSED JOINT BILL BETWEEN THE
LONDON BOROUGHs AND TRANSPORT FOR LONDON

No.	Item	Possible provision	Initiating borough	Comments / detail	Consultees
ENVIRONMENT					
ENV 8	Control of items placed on the highway, inc. advertising 'A' boards.	Control of 'A' shaped advertising boards and other items placed on the highway.	Westminster & RB Kingston	To allow powers to remove and dispose of, as well as the recovery of admin costs, enforcement costs and FPNs for contravention. This would address issues included in current legislation but which ineffective enforcement procedures. LOOKING DIFFICULT - CITY OF LONDON MAY BE ABLE TO HELP	
ENV 9	Tackling street clutter in London	Extending powers enjoyed by the City of London to remove street clutter	English Heritage	This includes signs, lights traffic signs etc that could be fixed to buildings, as in the City.	
TRANSPORT					
TRN 1	Recovery of traffic management and street cleansing costs, and power to close/manage traffic for 'special events'.	Recovery of traffic management and street cleansing costs due to football matches and other large public events. Power to charge venues which attract large numbers of people and result in extra costs for street cleansing and traffic management. Could also cover the power to close/manage roads for 'special events'.	Kingston (and Wandsworth or H & F?)	Recovery of costs from some events is likely to be covered by the Licensing Act 2003, the fee for which is meant to cover all aspects of an event. However, this is not the case with the football stadium's safety certificate which only covers activities inside the ground. Nor is it the case with venues/events that do not need a license. On the issue of new powers, the RTA does allow boroughs to do this, but there is a limit on the number of times the powers can be invoked.	
TRN 2	Charging points for electric vehicles	Clarification of powers to provide charging points for electric vehicles in the street, and in particular in relation borough liabilities which are at present unlimited	H & F	The powers could relate to both, installing charging points on behalf of residents, and running a charging system.	
TRN 3	Recover damages to the highway	Power to require an owner or developer to provide a deposit, prior to commencement of development, which could then be offset against any costs arising from making good damage caused by the owner or developer.	Bromley	It has also been suggested that powers are required to deal immediately where mud and other building material are deposited on the highway to the detriment of free/safe passage. The powers should also allow for the recovery of administrative costs, and fixed penalty fines. There is also a suggestion that where there is damage, fixed penalty fines could be used.	
TRN 5	Gated road closures	Powers to fine those who open emergency gates without authorisation under the relevant traffic order	Camden	Fines collected would go towards costs of the surveillance.	
TRN 7	Pedicabs	Powers to control pedicabs	LC, TfL and Westminster	This item has support from both London Councils, and TfL. In addition Westminster Council is very animated about this issue. This needs to be tried again.	
TRN 10	Advanced stopping areas	Allowing decriminalised enforcement of advanced stopping areas at traffic lights	TfL	Proposed by TfL. Our opinion is that this is fine in principle, but the definition will be tricky to avoid it covering red lights generally.	
TRN 11	mobile phones and driving	Allowing decriminalised enforcement of the use of mobile phones while driving	TfL	Proposed by TfL. Our opinion is that this is difficult in practice and principle. This is an endorseable offence and hence driver liability. Previously we have said that endorseable offences should remain criminal.	
TRN 14	Cyclists on the footway	Section 72 of the Highways Act 1835 makes it an offence to cycle on the footway. Section 51 and Schedule 3 of the Road Traffic Act 1988 provide that such an offence is punishable by a fixed penalty of £30.	RBK&C	It is proposed that London local authorities should have the power to vary the fixed penalty according to the area where the offence takes place and the seriousness of the offence. London authorities should have the discretion to impose a far greater penalty than the current £30 fixed penalty. TEP advises that this would bring in differential penalty levels for parking, which has already proved difficult and time-consuming to get agreement and implementation.	
TRN 15	Builders skips	Regulations relating to skips are often not complied with, and it is difficult for the highway authority to enforce the legislation. A change in the enforcement procedure is proposed.	Westminster	Rules relating to the placing of skips on the highway (section 139(4) of the Highways Act 1980) are often not complied with. It is difficult for the highway authority to enforce the legislation, and a change in the enforcement procedure would help. Currently, it is a criminal offence to breach the requirements of section 139(4) and by virtue of section 8 of the LLA and Transport Act 2003, it is also a fixed penalty offence. Solutions proposed are (a) to decriminalise the offence and make it a penalty charge provision (using the framework in Part 5 of LLA 2007) with the skip provider responsible for the charge; or (b) to require skip suppliers to ensure that skips used in London are of a type that have the necessary lights and covers built in.	

No.	Item	Possible provision	Initiating borough	Comments / detail	Consultees
TRN 16	Abnormal load enforcement	The proposal is that contraventions of the abnormal load regulations should be decriminalised and that enforcement of these contraventions could then be carried out by the London boroughs and TfL, possibly through a joint working arrangement.	Transport for London	At present enforcement is carried out by the police within the criminal system. The reasons for seeking this change are that it is likely that responsibility for the planning of the movement of abnormal loads in London will transfer from the Metropolitan Police Service to Transport for London and it would therefore make sense for responsibility for enforcement to follow a similar transferral process. Also, as with many other traffic violations that have been decriminalised, there is very little enforcement carried out at the moment, as the police lack sufficient resources to do too much, and there is consequently a high level of non compliance with the regulations.	

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APPENDIX 3

SCHEDULE OF ITEMS REMAINING IN THE PROPOSED 10TH LONDON LOCAL
AUTHORITIES BILL

No.	Item	Possible provision	Initiating borough	Comments / detail	Consultees
ENVIRONMENT					
ENV 1	Environmental Fixed penalties	Provide a decriminalised regime (with appeals to an adjudicator) or allow borough to keep fines handed down by courts	London Councils	Currently there is little incentive for local authorities to pursue unpaid environmental fixed penalties through the courts. The costs of taking such cases to court is not met by costs and boroughs do not get to keep the fine. These power would be used against individuals and businesses	
ENV 2	Plastic bag levy or outright ban	Introduce a (10p?) levy on any plastic bag, possibly based on the Irish system. Income to be used to help pay for new waste facilities	Lambeth, Sutton and London Councils	May not be possible to introduce on a London basis but promoting a provision may force the Government to move on this policy. A ban has just been proposed in San Francisco and others.	
ENV 3	Chewing gum levy	Introduce a levy on chewing gum which would be used to pay for cleaning discarded gum off the street	Westminster and London Councils	May not be possible to introduce on a London basis but promoting a provision may force the Government to move on this policy. 9th Bill tried to impose regulations on sale of chewing gum.	
ENV 4	Smoking related litter	Extend range of premises where a street litter control notice can be issued.	Chartered Institute of Wastes management, and ENCAM & Wandsworth	This will address smoking related litter by amending section 94 of the Environmental Protection Act 1990 to allow street litter control notices to be issued in respect of any premises if there is smoking related litter in the vicinity of the premises and this is due to customers or users of the premises Smoking related litter outside buildings is expected to be a major issue when the indoor smoking ban takes effect in 2007. Pubs and restaurants are already covered by existing legislation.	
ENV 5	Pigeon Control Areas	The Clean Neighbourhood and Environment Act 2005 contains Dog Control Areas and consents for the distribution of free printed material. Either of these mechanisms could be applied to pigeon feeding, but it needs to be linked into Fixed Penalty Notices	Westminster and H & F	DCLG has recently stated in a discussion paper that bye laws for feeding pigeons are unacceptable and will not be agreed as they are considered "relatively trivial nuisances". This seems to go against current government agenda about improve local environmental quality and any programme of treatment against pigeons relies upon removal of food sources. THIS MAYBE ALREADY COVERED BY THE LOCAL GOVERNMENT AND INVOLVEMENT IN HEALTH BILL POWERS, SO MAY BE DROPPED.	
ENV 7	Charges for public toilets	Create a power to charge for the urinals (currently precluded). Local authorities are currently precluded from charging for the use of men's urinals (although not closets) by virtue of the Public Health Act 1936. The Public Lavatories (Turnstiles) Act 1963 also prohibits the installing of turnstiles in the vicinity of local authority conveniences.	City of London	The introduction of charges for male and female closets (possibly by means of a coin slot mechanism), but not for urinals, would raise issues of sex discrimination. Whilst the City has been advised that a claim on sex discrimination grounds may be successfully resisted, it would clearly be more satisfactory to seek a change in the law so as to enable London boroughs to charge for the use of its urinals as well as closets. In practice charging is most likely to be effectively implemented through the use of turnstiles so changes would need to be effected to both pieces of legislation.	
ENV 10	Regulating tables and chairs on the highway	Amending regulations relating to tables and chairs licensing on the highway. Currently authorities, when charging, cannot take into account the amount of highway to be used	RBK&C	Licences granted under S115E of the Highways Act 1980 regulate tables and chairs on the highway. The fee that can be charged for the licence cannot take account of the area of highway that is to be used. A clause is therefore proposed, whether by amendment of the Highways Act 1980 or otherwise, to allow London Boroughs to take account of the area of highway that is used when setting charges for licences for tables and chairs on the highway.	
ENV 11	Powers to issue fixed penalty fines for depositing refuse containers on the highway and/or within litter bins	Powers to issue PCN fines for depositing refuse containers on the highway and/or within litter bins	RB Kingston - who are now looking iffy about their support for this??	We are seeking to confirm the need for this legislation. It seems that the powers LB Kingston want are already contained with in the Clean Neighbourhoods and Environment Act 2005 (CNEA). However, this clause was proposed after the CNEA received Royal assent, and we are checking back with RB Kingston on this, and getting clarification of what powers they are actually seeking. This is about putting household waste in litter bins, but needs to be defined	

No.	Item	Possible provision	Initiating borough	Comments / detail	Consultees
ENV 12	S225 Town and Country Planning Act 1990, as amended. Removal of placards and posters.	S225 Town and Country Planning Act 1990, as amended. Removal of placards and posters. s225 enables a local planning authority to serve a Notice where fly posting has taken place and if the posters are not removed then the lpa may do so themselves and recover "the costs they may reasonably incur in exercising their power..."	Richmond, Chris Warner, Legal Services	S225(9) provides that if any damage is caused to land or chattels in exercise of the power then the person suffering damage may recover compensation from the lpa. We have a situation where posters were removed from telecommunications boxes. Strong glue was used and we had to re-paint the boxes at an additional cost of £100. If we had not done so we could have been faced with a compensation claim from the owner of the telecommunications box. It is felt that this money should be recoverable from the person who was served with the Notice. It is questionable however whether removal costs extend to re-painting. We would suggest an amendment to include any re-instatement/repair costs as a result of the removal/obliteration.	

No.	Item	Possible provision	Initiating borough	Comments / detail	Consultees
HOUSING					
HSE 2	Serving notice in houses of Multiple Occupation (HMO)	Provides power to a borough where a landlord of a House of Multiple Occupation fails to comply with a management regulation, that the borough can serve notice specifying that the works are done, and if not undertake the works in default.	RBK&C	The Government made the Management of Houses in Multiple Occupation (England) Regulations 2006 which imposed duties in respect of the repair, maintenance, cleanliness and good repair of facilities and equipment. In HMOs the 2006 regulations also provide for proceedings against a person for an offence under section 234(3). But, there is no provision however to allow the Council to serve notice and to undertake works in default, if those arrangements are not in place. The Housing Act or the regulations should provide that, where the HMO fails to comply with one of the management regulations the authority may serve notice specifying the works which are required to make good the neglect. If this notice (with associated timescales) is not complied with, the authority may then undertake works in default. This would reinstate the power which authorities previously had under the Housing Act 1985.	
PUBLIC PROTECTION					
PPR 1	Scores on the doors	Provide a requirement for food premises to display food hygiene information and an offence of forging or altering the displayed information	Lambeth	Would underpin voluntary schemes and could act as a trial for a national scheme. Note the FSA has a pilot project covering all LBs.	
PPR 3	Social club control	Control of social clubs	Haringey	There have been concerns that boroughs have insufficient control over the number of 'member only' clubs that are established, especially in premises formally used as retail premises. While not necessarily seeking to restrict their number or interfere with the town planning requirements, it is desirable to ensure that there are proper management controls, self regulation and as a consequence less enforcement involvement.	
PPR 4	Amend sex establishment legislation	To allow boroughs to serve notices and summonses on sex establishments by ordinary post (currently requires recorded delivery post). Also proposed to amend a typographical error in the legislation following a court case.	Westminster	Changing the legislation regarding post would bring it into line with more recent national legislation. A recent court case also showed up an error in the legislation and this should be corrected, by amending the error in the City of Westminster Act 1996 (sex establishment legislation).	
PPR 5	Amending licensing powers relating to sex establishments	Powers are sought that would allow boroughs to object/restrain if sex establishments (lap-dancing clubs) are proposed too close to residential areas.	Tower Hamlets and Westminster now involved	TH has a 'serious issue' with current legislation regarding the licensing of sex establishments, particularly where there are 'lap-dancing clubs' in residential areas which cause part of the community distress. CHECKING TO SEE IF, POST 2003 LICENSING ACT WHETHER THIS IS STILL NECESSARY	

STREET TRADING					
STT 1	Management of Street Markets	Powers to authorise a third party to manage street markets within an agreed local framework. This could allow a borough to hand management over to a BID, for instance.	H & F	Currently only councils have the ability to manage and enforce street markets. In many instances this is a low priority. TO BE DRAFTED - REG HART IN HARINGEY	
STT 3	Disposal of seized goods and equipment	Disposal of seized goods after a payment of a PCN requiring confirmation of the owner's name and address	Westminster	Amend the street trading provisions of the London Local Authority Act 1990 and the City of Westminster Act 1999 so as to permit disposal of seized goods and equipment after payment of a fixed penalty or failure to comply with a notice served in conjunction with a fixed penalty requiring confirmation of the owner's name and address in writing within 14 days.	
STT 4	Require consent to provide free food in the street	Powers relating to the provision of on-street free food.	Westminster	Requirement to obtain consent to provide free food in the street (soup runs), with the power to attach conditions to the consent. Also prohibition of soup kitchens in designated areas.	
STT 6	Street trading under Local Authority Act 1990	Detailed aspects of Street Trading legislation	Richmond, Chris Warner, Legal Services	(b) Clarification in the Act on how internet sales should be dealt with under street trading eg is an offer of a vehicle for sale on the internet covered by street trading where the vehicle is parked on the street but with no For Sale signs displayed? (c) More generally is it time for a consolidation of the street trading provisions in light of the various amendments since 1990? (c) TO BE DROPPED?	