



Summons to Attend

Full Council

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Mayor will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the 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, 19TH JULY, 2010 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 24 MAY 2010 (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**
7. **TO RECEIVE THE REPORT OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES**
8. **TO MAKE APPOINTMENTS TO OUTSIDE BODIES**
9. **TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM**
10. **TO CONSIDER OPPOSITION BUSINESS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO.12**
11. **TO ANSWER QUESTIONS, IF ANY, IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NOS. 9 & 10**

ORAL QUESTION 1 - TO THE CABINET MEMBER FOR ADULT AND COMMUNITY SERVICES FROM COUNCILLOR PEACOCK:

Can the Lead Member for Adult and Community Services please provide an update on the recent investment in tennis facilities in Albert Road Rec?

ORAL QUESTION 2 – TO THE CABINET MEMBER FOR FINANCE AND SUSTAINABILITY FROM COUNCILLOR GORRIE:

What planning assumption is the Administration currently making for the percentage fall in central government funding of the Council over the next three year financial planning period and will Haringey Council freeze Council Tax next year?

ORAL QUESTION 3 - TO THE CABINET MEMBER FOR FINANCE AND SUSTAINABILITY FROM COUNCILLOR EJIOFOR:

Can the Cabinet Member outline how the borough's finances have changed since the Coalition Government came to power?

ORAL QUESTION 4 - TO THE CABINET MEMBER FOR PLANNING AND REGENERATION FROM COUNCILLOR ENGERT:

What has been the total cost to Haringey Council in legal fees, administration costs, consultants' fees and officer time in relation to its representations to the Judicial Review and subsequent appeal on the Ward's Corner planning application?

ORAL QUESTION 5 - TO THE CABINET MEMBER FOR CHILDREN'S SERVICES FROM COUNCILLOR STENNETT:

Can the Lead Member advise members of the outcome of the inspection of the Rowland Hill nursery, and how this centre is helping to tackle inequality and child poverty?

ORAL QUESTION 6 - TO THE CABINET MEMBER FOR HOUSING FROM COUNCILLOR WILSON:

How many Haringey-owned residential properties are currently un-occupied?

ORAL QUESTION 7 - TO THE CABINET MEMBER FOR FINANCE AND SUSTAINABILITY FROM COUNCILLOR STEWART:

Can the Lead Member for Finance and Sustainability please outline the likely impact of the coalition government's decision to slash the cap on local housing allowance?

ORAL QUESTION 8 - TO THE CABINET MEMBER FOR CHILDREN'S SERVICES FROM COUNCILLOR SCHMITZ:

Will the Leader of the Council join in me congratulating the parents and staff at the South Harringay Infants School on the success of their very long campaign to obtain the funding necessary to provide their children with unimpeded access between their classroom and the outdoor play areas, the lack of this access being the only point of criticism in an otherwise glowing Ofsted Report?

12. TO AGREE A PETITION SCHEME AS REQUIRED UNDER THE LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009. (PAGES 9 - 18)

13. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 19 - 74)

- a) Annual report of the Standards Committee 2009/10
- b) Report of the Standards Committee No. 01/2010-11
- c) Report of the Cabinet No. 01/2010-11
- d) Report of the General Purposes Committee No. 01/2010-11

14. TO CONSIDER THE FOLLOWING MOTIONS IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NO. 13

Motion B (2010/11)

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

“This Council notes:

That the increase in VAT from 17.5% to 20% announced in the Government's June Budget will fall hardest on those least able to afford it.

That the increase in VAT will lead to higher prices for goods and services; will have a disproportionate impact on pensioners and other low income groups; and will have a severe impact on businesses, charities and community groups in Haringey.

That the effect of the increase in VAT, when taken with other measures in the Budget, will be unfair to pensioners, who have not had a compensatory increase in other benefits and allowances.

That the way the VAT increase will affect pensioners and other low income groups runs counter to the Government's Coalition Agreement statement on 20 May 2010 that it would "ensure that fairness is at the heart of those decisions so that all those most in need are protected."

That the Institute of Fiscal Studies has stated the VAT increase was not "unavoidable," as the Chancellor of the Exchequer said in his Budget speech.

This Council resolves:

To write directly to the Chancellor of the Exchequer raising concerns about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Haringey.

To call on the Members of Parliament representing Haringey to stand up for Haringey's pensioners, businesses and wider community, to voice their opposition to this unfair increase in VAT, and to vote against it in Parliament”.

Motion C (2010/11)

Councillor Canver has given notice that she will move in the following terms:

“This Council Notes:

- The Labour Party's National Manifesto pledge “to protect the character of their areas, local authorities now have greater powers to reject applications for lap-dancing clubs and we will give councils new powers to oppose gambling licences if there are too many betting shops operating in a high street.”

- That there is no provision in the Coalition Government's Agreement to empower local democracy through allowing councils to stop the clustering of betting shops

This Council Believes:

- That the clustering of betting shops deprives local people of diverse high streets
- Residents and local authorities should have a stronger say in whether betting shops are able to set up in an area.

This Council Resolves:

- To lobby the Government to give local councils the power to stop the clustering of betting shops and refuse licensing applications for betting shops on these grounds"

Motion D (2010/11)

Councillor Weber has given notice that she will move in the following terms:

"This Council notes

- There are currently areas with 20mph limits in Haringey.
- Excessive speed is a direct factor in about a fifth of all collisions and is a major contributory factor in a third of all road deaths.
- Research from the London Transport Committee show's that reducing the speed limit increases road safety as well as offering other potential benefits, such as encouraging walking and cycling and improving traffic flow.
- Measures to introduce 20 mph limits into streets which are primarily residential are supported by the Department for Transport and recent proposals from the government on 20mph limits.

This Council believes

- Haringey Council has a good record of reducing accidents in the borough and has existing 20mph limit areas. However, there is currently no clear vision for the implementation of this policy throughout the borough.
- 20mph speed limits can be effective tool to reduce speed and accidents without the use of physical enforcement measures.

This Council further notes, with concern

- The recent increase in accidents on Haringey's roads including children and older residents.

This Council resolves:

- To provide a better environment for all road users, by implementing a 20 mph limit on all residential roads in London Borough of Haringey over a four year period.
- To pilot a Town Centre 20 mph limit.

- To carry out a comprehensive consultation programme to involve local residents, stakeholders and community groups.
- To use minimal physical measures of enforcement.
- To contact the Minister of State for Transport on recent proposal set out by the government on 20mph and how these would be best implemented in Haringey”.

Kevin Crompton
Chief Executive
River Park House
225 High Road
Wood Green
London N22 8HQ

Friday, 9 July 2010

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

Councillors Griffith (Mayor), Adamou, Adje, Alexander, Allison, Amin, Basu, Beacham, Bevan, Bloch, Brabazon, Browne, Bull, Butcher, Canver, Christophides, Cooke, Davies, Demirci, Diakides, Dogus, Egan, Ejiofor, Engert, Erskine, Gibson, Goldberg, Gorrie, Hare, Jenks, Khan, Kober, Mallett, McNamara, Meehan, Newton, Peacock, Reece, Reid, Reith, Rice, Schmitz, Scott, Solomon, Stanton, Stennett, Stewart, Strang, Strickland, Vanier, Waters, Watson, Weber, Whyte, Williams, Wilson and Winskill

MINUTE NO.	SUBJECT/DECISION	ACTION BY
CNCL01.	<p>TO ELECT THE MAYOR FOR THE ENSUING YEAR 2010/11</p> <p>The Mayor called for Nominations for the Office of Mayor for the Municipal Year 2010/11.</p> <p>Councillor Cooke moved and Councillor Khan seconded that Councillor Eddie Griffith be elected Mayor.</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That Councillor Eddie Griffith be elected Mayor for the Municipal Year 2010/11. 2. The Mayor made and signed the Declaration of Acceptance of Office, which was witnessed by Councillors Cooke and Khan. 3. The Mayor then addressed the Council, gave thanks for his election and outlined his objectives for his year of office. 4. The Mayoress, Mrs Hazel Griffith was then invested with her Badge of Office. 5. The Mayor informed the Council that he would also be supported during his year of office by Elwyn Griffith and Janice Richards. 	
CNCL02.	<p>TO RECEIVE APOLOGIES FOR ABSENCE</p> <p>Apologies for lateness were received from Councillors Amin and Peacock.</p>	
CNCL03.	<p>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</p> <p>See Minutes 10, 11, and 12.</p>	

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

<p>CNCL04.</p>	<p>DECLARATIONS OF INTEREST</p> <p>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 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.</p> <p>No declarations were made.</p>	
<p>CNCL05.</p>	<p>TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 22 MARCH 2010</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 22 March 2010 be signed as a true record.</p>	
<p>CNCL06.</p>	<p>TO RECEIVE WRITTEN NOTIFICATION OF THE APPOINTMENT OF DEPUTY MAYOR</p> <p>The Chief Executive reported that the Mayor had signified in writing the appointment of Councillor Gina Adamou as Deputy Mayor for the ensuing year.</p> <p>Councillor Adamou was invested with her Badge of Office. The Deputy Mayor's Consort , Andreas Adamides was then invested with his badge of office.</p>	
<p>CNCL07.</p>	<p>TO PASS A VOTE OF THANKS TO THE RETIRING MAYOR AND MAYOR'S CONSORT AND THE RETIRING DEPUTY MAYOR AND DEPUTY MAYORESS .</p> <p>A vote of thanks to the retiring Mayor and Consort and the retiring Deputy Mayor and Deputy Mayoress was moved by Councillor Claire Kober and seconded by Councillor Robert Gorrie.</p> <p>The retiring Mayor was presented with a badge marking her year of office. The Leader also presented the retiring Mayor with a photograph album.</p> <p>RESOLVED:</p> <p>That the Council extend to the retiring Mayor, Councillor Bernice Vanier, the retiring Mayor's Consort Mr Vernon King, Deputy Mayor, Councillor Eddie Griffith, the retiring Deputy Mayoress Hazel Griffith, its sincere thanks and appreciation for the services they had rendered to the Borough during the past year.</p> <p>The retiring Mayor addressed the Council.</p>	

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

<p>CNCL08.</p>	<p>TO RECEIVE SUCH COMMUNICATIONS AS THE MAYOR MAY LAY BEFORE THE COUNCIL</p> <p>The Mayor was to announce that Reverend Geoffrey Seabrook from St Mary's with St George, would be his Chaplain for the coming year. As the Chaplain was unable to attend, the Mayor welcomed Father Patrick Henderson who came forward and received the Chaplain's Badge on Reverend Seabrook's behalf.</p> <p>The Mayor announced that he had chosen the Whittington Hospital Cardiac Unit for his Special Fund for 2010/11. The Mayor advised that he would be giving further details on the charity and fundraising events on his Mayor's webpage, and making further announcements about fundraising events at a later date.</p>	
<p>CNCL09.</p>	<p>TO ELECT THE LEADER OF THE COUNCIL FOR FOUR CONSECUTIVE MUNICIPAL YEARS FROM 2010 TO MAY 2014.</p> <p>Councillor Cooke proposed that Councillor Claire Kober be elected Leader of the Council for four consecutive Municipal Years from 2010 to 2014.</p> <p>Councillor Reith seconded.</p> <p>RESOLVED:</p> <p>That Councillor Claire Kober be elected Leader of the Council for four consecutive Municipal Years from 2010 to 2014.</p>	
<p>CNCL10.</p>	<p>TO AGREE THE APPOINTMENTS PROCEDURE AND TO APPOINT COMMITTEES, SUB-COMMITTEES AND OTHER BODIES FOR THE MUNICIPAL YEAR 2010/11 INCLUDING THE SELECTION OF THE CHAIRS AND VICE CHAIRS AND TO CONFIRM THE NON EXECUTIVE SCHEME OF DELEGATION.</p> <p>The Mayor agreed to the admission of this report as urgent business. Appointments had only recently been finalised at Party Group Meetings and needed approval to permit committees to be convened.</p> <p>Councillor Cooke moved an amendment that the number of Councillor members of the Standards Committee be referred to the Constitutional Review Working Group for consideration.</p> <p>The amendment was carried nemine contradicente.</p> <p>Councillor Wilson moved a further amendment, that Councillor Winskill be appointed Chair of the Overview and Scrutiny Committee. Councillor Whyte seconded.</p> <p>On a vote there being 23 for and 32 against, the AMENDMENT was lost.</p> <p>RESOLVED:</p>	

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

	<ol style="list-style-type: none"> 1. That the process for appointing to Committees, Sub-Committees and Chairs/Vice Chairs be approved on the "slate" basis prescribed and that number of Councillor members of the Standards Committee be referred to the Constitutional Review Working Group for consideration. 2. That the membership of committees, sub-committees and appointment of Chairs be agreed as detailed in Appendix 1 of the report subject to Resolution 1 above. 3. That the Scheme of Delegation to Officers, as detailed in the Council's Constitution at Appendix E, be confirmed with respect to non-executive functions. 	
CNCL11.	<p>TO MAKE APPOINTMENTS TO OUTSIDE BODIES.</p> <p>The Mayor agreed to the admission of this report as urgent business. Appointments had only recently been finalised at Party Group Meetings and needed approval to permit appointments to outside organisations to be made.</p> <p>RESOLVED:</p> <p>That the appointments to outside bodies be approved, as detailed in the Appendix to the report, subject to Councillor Canver being shown as the voting representative on the London Councils Transport and Environment Committee.</p>	
CNCL12.	<p>TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE, NOTING THE APPOINTMENTS MADE BY THE POLITICAL GROUPS, AND TO TAKE SUCH ACTION AS MAY BE APPROPRIATE</p> <p>The Mayor agreed to the admission of this report as urgent business as it dealt with matters considered at Party Group meetings within the last few days.</p> <p>RESOLVED:</p> <p>That the composition of the following political groups be noted:</p> <p><u>The Labour Group</u></p> <p>Leader: Councillor Claire Kober Deputy Leader: Councillor Lorna Reith Chief Whip: Councillor Matt Cooke Chair: Councillor James Stewart Vice Chair: Councillor George Meehan</p> <p>Secretary: Councillor GMMH Rahman Khan Assistant Whips: Councillors Sheila Peacock & Councillor Kaushika Amin Group Treasurer: Councillor Sheila Peacock Non-Executive Members: Councillors Bull, Demirci and Egan.</p>	

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

	<p><u>Councillors:</u></p> <table border="0"> <tr> <td>Adamou</td> <td>Dogus</td> <td>Stennett</td> </tr> <tr> <td>Adje</td> <td>Ejiofor</td> <td>Strickland</td> </tr> <tr> <td>Basu</td> <td>Gibson</td> <td>Vanier</td> </tr> <tr> <td>Bevan</td> <td>Goldberg</td> <td>Waters</td> </tr> <tr> <td>Brabazon</td> <td>Griffith</td> <td>Watson</td> </tr> <tr> <td>Browne</td> <td>Mallett</td> <td></td> </tr> <tr> <td>Canver</td> <td>McNamara</td> <td></td> </tr> <tr> <td>Christophides</td> <td>Rice</td> <td></td> </tr> <tr> <td>Diakides</td> <td>Stanton</td> <td></td> </tr> </table> <p><u>The Liberal Democrat Group</u></p> <table border="0"> <tr> <td>Leader:</td> <td>Councillor Robert Gorrie</td> </tr> <tr> <td>Deputy Leader:</td> <td>Councillor Richard Wilson</td> </tr> <tr> <td>Chief Whip:</td> <td>Councillor Monica Whyte</td> </tr> <tr> <td>Deputy Whip</td> <td>Councillor Matt Davies</td> </tr> <tr> <td>Group Chair</td> <td>Councillor David Beacham</td> </tr> </table> <p><u>Councillors:</u></p> <table border="0"> <tr> <td>Alexander</td> <td>Reid</td> </tr> <tr> <td>Alison</td> <td>Schmitz</td> </tr> <tr> <td>Bloch</td> <td>Scott</td> </tr> <tr> <td>Butcher</td> <td>Solomon</td> </tr> <tr> <td>Engert</td> <td>Strang</td> </tr> <tr> <td>Erskine</td> <td>Weber</td> </tr> <tr> <td>Hare</td> <td>Williams</td> </tr> <tr> <td>Jenks</td> <td>Winskill</td> </tr> <tr> <td>Newton</td> <td></td> </tr> <tr> <td>Reece</td> <td></td> </tr> </table>	Adamou	Dogus	Stennett	Adje	Ejiofor	Strickland	Basu	Gibson	Vanier	Bevan	Goldberg	Waters	Brabazon	Griffith	Watson	Browne	Mallett		Canver	McNamara		Christophides	Rice		Diakides	Stanton		Leader:	Councillor Robert Gorrie	Deputy Leader:	Councillor Richard Wilson	Chief Whip:	Councillor Monica Whyte	Deputy Whip	Councillor Matt Davies	Group Chair	Councillor David Beacham	Alexander	Reid	Alison	Schmitz	Bloch	Scott	Butcher	Solomon	Engert	Strang	Erskine	Weber	Hare	Williams	Jenks	Winskill	Newton		Reece		
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<p>CNCL13.</p>	<p>TO RECEIVE THE REPORT OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES</p> <p>RESOLVED:</p> <ol style="list-style-type: none"> 1. That approval be given to the appointment of James Darbyshire and Phillip Skinner to serve as Independent Members on the Standards Committee from May 2010 for four years (increasing the number of Independent Members of the Standards Committee to 6 for 2010/11); and 2. That the term of office of Independent Member – Carol Sykes be extended for a further year to May 2011. 																																																										
<p>CNCL14.</p>	<p>TO APPOINT A SECTION 151 OFFICER/ CHIEF FINANCIAL OFFICER AND LEAD FINANCE OFFICER.</p> <p>RESOLVED:</p>																																																										

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

	<ol style="list-style-type: none"> 1. That with effect from 25th May 2010 the statutory responsibilities of the section 151 officer be assigned to the Director of Corporate Resources; 2. That the appointment of a consultant to the post of Lead Finance Officer on an interim basis be delegated to the Director of Corporate Resources and the Chief Executive in consultation with the Cabinet Member for Resources and Chair of the General Purposes Committee, and that this will be pending a permanent appointment as detailed in the report; 3. That the procedures for appointment and termination of employment in Part 4 Section K of the Council's Constitution be waived in relation to the Interim Lead Finance Officer post having regard to the reasons given in paragraphs 6.5 and 6.11 of the report. 	
CNCL15.	<p>TO RECEIVE A STATEMENT OF COUNCILLORS' ATTENDANCE AT MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES IN ACCORDANCE WITH COUNCIL PROCEDURE RULES.</p> <p>RESOLVED:</p> <p>That the statement of members' attendance for 2009/10 be approved.</p>	
CNCL16.	<p>TO NOTE THE END OF MUNICIPAL YEAR FINANCIAL STATEMENT FOR 2009/10.</p> <p>RESOLVED:</p> <p>That the allowances paid to each Member for 2009/10 be noted.</p>	
CNCL17.	<p>TO CONSIDER THE FOLLOWING MOTION IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NO.13 MOTION A (2010/11):</p> <p>It was moved by Councillor Kober and seconded by Councillor Reith that:</p> <p>“This Council welcomes the re-election of a Labour administration and adopts the Haringey Labour Party 2010 Manifesto as its policy for the next 4 years, and instructs the Chief Executive to incorporate the Haringey Labour Party 2010 Manifesto into all Borough plans as appropriate.”</p> <p>The Motion was then put to the meeting and on a vote there being 33 for and 23 against, the MOTION was declared CARRIED.</p>	

**MINUTES OF THE FULL COUNCIL
MONDAY, 24 MAY 2010**

COUNCILLOR EDDIE GRIFFITH

Mayor

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Agenda item:

Council

On 19 JULY 2010

Report Title. The Duty to Respond to Petitions

Report of **Stuart Young, Assistant Chief Executive (People and Organisational Development)**

Signed :

Contact Officer : Ken Pryor (x2915)

Wards(s) affected: **All**

Report for: Decision

1. Purpose of the report

1.1. To approve the proposed petition scheme for Haringey.

2. Introduction by Cabinet Member

2.1. I am pleased to introduce this report outlining the Council's response to the duty to respond to petitions. I note that we are already complying with the duty but that legislation requires a Haringey scheme to be approved by full Council. The proposed Haringey scheme deviates little from the model scheme contained in the statutory guidance and is attached as appendix 1.

2.2. The council is also required to make available an e-petitioning system at a date not later than 15 December 2010. Officers are currently reviewing the market place, with the priority being to meet statutory requirements in the most cost effective manner. Further reports will be brought to the appropriate bodies if required.

3. State link(s) with Council Plan Priorities and actions and /or other Strategies:

3.1. This duty will increase community involvement in decision-making and therefore relates to the Community Engagement Framework.

4. Recommendations

4.1. That Council approve the proposed petitions scheme, attached as appendix 1.

5. Reason for recommendation(s)

5.1. The Local Democracy, Economic Development and Construction Act 2009, and the Statutory Order and Guidance released in March 2010, require that a council's petition scheme be approved by full Council.

6. Other options considered

6.1. None

7. Summary

7.1. The Local Democracy, Economic Development and Construction Act 2009 imposes a duty on local authorities to respond to petitions. The duty came into force on 15 June 2010. From 15 December 2010 all local authorities will also be required to have an electronic petitioning system on their website.

7.2. The Statutory Order requires that all schemes are approved by full Council. The proposed scheme has been brought to full Council at the earliest opportunity following announcement of the Statutory Order and in the intermitting period officers have put in place procedures to ensure that all petitions were dealt with in compliance with this duty.

7.3. The statutory guidance issued in March 2010, contained a model scheme which has been used as a basis for the scheme, attached as appendix 1. The proposed scheme deviates little from the model scheme with the main changes being to bring the scheme into line with existing council procedures. Additional changes include aligning the suggested thresholds to the Haringey population, removing references to electronic petitions, outlining exemptions more clearly and minor changes to add additional clarification. The proposed scheme is fully compliant with the Act and the statutory guidance.

7.4. In advance of the introduction of e-petitions in December it is proposed that there be an opportunity in the autumn for review of the scheme and consultation with members.

7.5. Key points of note regarding the scheme are as follows:

- Petitions with a significant level of support must trigger a debate at full Council. It is for the Council to set the threshold for this. The model scheme sets a threshold of 1% of the population to trigger a debate at full council. We have mirrored this and set a threshold of 2200, which is 1% of our estimated

population of 225,500, rounded down to the nearest 100. Again petitions with a requisite level of support trigger a requirement that a senior local government officer must give evidence at a meeting of the authority's overview and scrutiny committee. The model scheme sets a threshold of 0.5% of the population and our scheme mirrors this and sets a threshold of 1100. A list of the senior officers who may be called to give evidence at an overview and scrutiny committee has been made available on the council website.

- To maintain the spirit of the law the existing procedure for petitioning full Council (contained in the constitution) has been incorporated into the proposed scheme. This means that residents can still submit their petition to full Council under existing procedures but with the added feature that if the threshold is met there will be a debate.
- The Council's approved scheme must set out a range of actions that the Council may take in response to the petition although they are not restricted to this range of actions. The range of possible actions that must be set out on all approved schemes include the following:
 - taking the action required in the petition
 - considering the petition at a meeting of the authority
 - holding an inquiry
 - holding a public meeting
 - commissioning research
 - a written response to the petition organiser setting out the authority's views on the request in the petition
 - referring the petition to an overview and scrutiny committee
- Councils must respond to petitions that relate to a function of the authority or which relates to an improvement in the economic, social or environmental well-being of the authority's area, to which any of the partner authorities could contribute.
- Petition organisers can request that Overview and Scrutiny Committee review the steps taken in response to a petition. Essentially this is a right of appeal available to petition organisers if they are unhappy with the response.
- The new duty to respond to petitions will not apply to petitions relating to planning or licensing applications or any matter where the person aggrieved has a right of appeal or review under the relevant legislation. Also if local authorities consider a petition to be vexatious, abusive or otherwise inappropriate then the authority must still acknowledge the petition and the acknowledgement will state why the Council are not going to take action in response to the petition. However it has no obligation beyond this.

8. Chief Financial Officer Comments

8.1. The Chief Financial Officer notes that the immediate requirements of the

Legislation can be contained within existing resources however, there will be a financial impact arising from the requirement to have an electronic petitioning system available from 15 December 2010.

8.2. As set out in paragraph 12 work has already begun to assess the optimum solution for the electronic petitioning and also any additional communication / marketing required to inform residents. Clearly any IT solution needs to be compliant with the Council's overall IT strategy. The costs associated with this will be the subject of a further report.

9. Head of Legal Services Comments

9.1. The legal issues are set out in the body of the report.

10. Equalities & Community Cohesion Comments

10.1. There are no immediate equalities implications arising from the duty except the risk that some sections of the community may not be aware of the duty and how they can use the scheme. To guard against this risk, officers should make efforts to ensure that the scheme is promoted in a manner that will reach as many residents and communities as possible, including and particularly those such as some minority ethnic communities and young people that conventional communication methods struggle to reach.

10.2. Introduction of e-petitioning should enable more residents to engage in the democratic process, in particular people with disabilities or mobility issues. We would encourage officers to consider the accessibility standards of any IT solution that is purchased.

11. Consultation

11.1. It is proposed that, in line with the implementation of the e-petitions facility in December, there be an opportunity for review of the scheme and consultation with members.

12. Service Financial Comments

12.1. Currently, there are no direct financial implications to this paper. Petitions are currently dealt with as "business as usual", however if the number of petitions received by the council was to greatly increase as a result of increased publicity and e-petitioning requirements there may be additional costs.

12.2. Consultation with IT services will be required on the implementation of the 'e'-enabling part of the duty and how this can best be supported. The statutory guidance requires that 'a local authority's petition scheme must secure that the authority's e-petitions facility allows citizens to create a petitions which can be published online and made available to others for electronic signature.' The guidance also makes clear that 'acceptance of emailed petitions' does not meet the requirement. Consequently it is likely that an e-petitions solution will have to

be purchased. Officers are currently exploring the most cost effective options.

12.3. Consultation with Communications will be required in order to meet the requirements in the duty that the scheme be 'published on the ...authority's website and by any other method appropriate for bring it to the attention of those who live, work and study [in the borough]'.

13. Use of appendices /Tables and photographs

13.1. The proposed scheme is attached as appendix 1.

14. Local Government (Access to Information) Act 1985

14.1. Local Democracy, Economic Development and Construction Act 2009 and Statutory Guidance dated March 2010, and Regulations made under the 2009 Act.

APPENDIX 1

Haringey Petition Scheme

The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

You can submit a petition to the council by:

- Sending a paper petition to:

Ian Christie
Feedback and Information Manager
7th Floor, River Park House
225 High Road
Wood Green
N22 8HQ

- E-mailing an electronic (scanned) copy of the petition to petitions@haringey.gov.uk
- Presenting your petition to a meeting of the council.*

*Dates of Council meetings can be found via the meetings calendar on the Council website. If you would like to present your petition to the council please contact Ken Pryor (details below) at least 5 working days before the meeting (e.g. Friday for a meeting on the Monday 10 days later) and the process will be explained to you. Further details of how to present a petition to full Council are outlined later in this scheme.

Ken Pryor
Deputy Head of Member Services
7th Floor, River Park House
225 High Road
Wood Green
N22 8HQ
ken.pryor@haringey.gov.uk

Tel. 020 8489 2915

Please submit the original copy of the petition. Please also note that the council reserves the right to validate petition signatures and addresses.

What are the guidelines for submitting a petition?

Petitions submitted to the council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- The name, address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including the name, address and phone number of the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser and the other petitioners, other than their name, will not be placed on the website. However the Council may be obliged to disclose the street where petitioners live, in the event of a Freedom of Information Act request or following a requirement under another statutory requirement. If the petition does not identify a petition organiser, we will attempt to contact one of the signatories to the petition to agree who should act as the petition organiser.

What will the council do when it receives my petition?

Where contact details have been supplied, an acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we are in a position to carry out the action in your petition then our acknowledgement may confirm the actions we have undertaken and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition. All sensitive personal details will be removed from any related correspondence.

Are there any circumstances in which my petition will not be accepted?

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted and no action will be taken. We also reserve the right to reject petitions where they are substantially the same as a petition which has been submitted to the Council in the past 6 months. We will explain the reasons for this in our acknowledgement of the petition. The Monitoring Officer will make the final ruling on this.

In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, alternative procedures to this scheme will apply.

How will the council respond to petitions?

Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

*The Overview and Scrutiny Committee is a committee of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

In addition to these steps, the council will consider all specific actions it can potentially take on issues highlighted in a petition.

If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if the petition calls for conflicts with council policy), then we will set out the reasons for this to you.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

Petitions to full Council

The Deputy Head of Local Democracy & Member Services should be notified of any Petitions by 10 a.m. five clear days in advance of the Council meeting e.g. Friday for a meeting on the Monday 10 days later. The petition will be handed to the Mayor, and recorded as received by the Deputy Head of Local Democracy & Member Services without any further debate. The relevant Cabinet member should report the Council's response to the petition at the next ordinary meeting of the Council. A copy of this response will be sent to the Petitioner.

If a petition contains more than 2,200 signatures it will trigger a debate by the full Council, unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition at this meeting. They may decide to take

the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least 1,100 signatures, the relevant senior officer will give evidence at a public meeting of the council's Overview and Scrutiny Committee. A list of the senior staff that can be called to give evidence can be found on the Council's website. You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting Trevor Cripps (details below) up to 5 working days before the meeting.

Trevor Cripps
Democratic Services Manager (Scrutiny)
7th Floor, River Park House
225 High Road
Wood Green
N22 8HQ
scrutiny@haringey.gov.uk

Tel. 020 8489 6922

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's Overview and Scrutiny Committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review, if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

The committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

There is no further internal right of appeal within the Council.

Officers who can be called to Scrutiny

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job.

If your petition contains at least 1,100 signatures, the relevant senior officer will give evidence at a public meeting of the council's Overview and Scrutiny Committee.

The posts that can be petitioned to give evidence are:

Kevin Crompton - Chief Executive

Stuart Young - Assistant Chief Executive (People and Organisational Development)
and interim Assistant Chief Executive (Policy, Performance, Partnerships and Communication)

Julie Parker - Director of Corporate Resources

Peter Lewis – Director of Children and Young People's Service

Mun Thong Phung - Director of Adult, Culture and Community Services

Niall Bolger - Director of Urban Environment

If the petition relates to the well-being of the borough but is not directly related to the work of a council officer we will, where possible, work with partners to respond.

Please send your petition to:

Ian Christie
Feedback and Information Manager
7th Floor, River Park House
225 High Road
Wood Green
N22 8HQ

Or email a scanned copy of the petition to petitions@haringey.gov.uk.



Agenda item:

[No.]

Council

On 19 JULY 2010

Report Title. Annual Report from the Standards Committee : 2009 /10

Report of Standards Committee

Signed : Annabel Loyd, Chair of the Standards Committee and Mr John Suddaby,
Monitoring Officer, London Borough of Haringey

Contact Officer : Clifford Hart, Committees Manager

Telephone: 020 8489 2920 E-mail: clifford.hart@haringey.gov.uk

Wards(s) affected: n/a

Report for: non key decision

1. Purpose of the report

1.1 To report on the activities of Standards Committee over the previous year and to give information on the monitoring of the Members' Code of Conduct and of complaints against members.

2. Introduction by Cabinet Member – n/a

<p>3. State link(s) with Council Plan Priorities and actions and /or other Strategies:</p> <p>3.1. This report is part of ensuring good ethical governance of the authority and complements the Council's Code of Governance and Annual Governance Statement.</p>
<p>4. Recommendations</p> <p>4.1 That the enclosed Annual Report be endorsed.</p>
<p>5. Reason for recommendation(s)</p> <p>5.1. It is required to consider and endorse the Annual Report for 2009/10.</p>
<p>6. Other options considered</p> <p>6.1. n/a</p>
<p>7. Summary</p> <p>New Local Filter Arrangements brought in</p> <p>7.1 The Local Government and Public Involvement in Health Act 2007 and related Regulations made amendments to the previous system for dealing with complaints that Councillors and co-opted members have breached the Members' Code of Conduct. The main change was introduced and became effective in May 2008, and changes to the Council's Constitution to reflect these changes were agreed by Full Council in July 2008. The changes required local Standards Committees to receive, assess, review and determine complaints in place of the Standards Board for England (SBE).</p> <p>7.2 The new arrangements were reported to the Standards Committee at its meeting on 13 June and agreed, and adopted by Full Council on 14 July 2008.</p>
<p>8. Chief Financial Officer Comments</p> <p>8.1 The report is noted and there are no specific financial implications</p>
<p>9. Head of Legal Services Comments</p> <p>9.1. The legal implications are contained in the main report</p>
<p>10. Head of Procurement Comments –[Required for Procurement Committee]</p>

10.1. n/a

11. Equalities &Community Cohesion Comments

11.1. There are no specific implications. The Committee is bound by its terms of reference and will conduct itself within these.

12. Consultation

12.1. n/a

13. Service Financial Comments

13.1. n/a

14. Use of appendices /Tables and photographs

14.1. Attached annual report at appendix A and Appendix B Gifts and hospitality register

15. Local Government (Access to Information) Act 1985

15.1. [Also list reasons for exemption or confidentiality (if applicable)] – n/a

APPENDIX 1

ANNUAL REPORT OF THE STANDARDS COMMITTEE: 2009/10 COUNCIL 19 JULY 2010

1. Introduction

This item reports on the activities of Standards Committee for the Municipal Year 2009/10 and gives information on the monitoring of the Members' Code of Conduct and of complaints against Members.

Standards Committees for all Authorities in 2008/09 had gone through a period of major change due to the implementation of the 2007LGA and the publication of a new Model Code of Conduct which Haringey -in common with other Authorities- has adopted, un-amended, as its own Code. The 2009/10 year has successfully continued to work with these new arrangements and has had four meetings of its Assessment Sub committee, 1 meeting of its Review Sub-Committee, and 3 Standards Determination Hearing Panels.

The Register of Interests is available for all to view both in hard copy and on the Council's website. Individual declarations made at meetings are also able to be viewed on-line as part of meetings' minutes. The Opt-In option has continued to be applied to the online version of the Register of Interests as with the old Register of Financial Interests.

Independent Members

The Committee welcomes the appointment of James Darbyshire & Phillip Skinner as new independent members, who were appointed in March April 2010, and confirmed on May 24 2010 at the Council's AGM. The Committee organised the recruitment to the positions and was able to select both from a high-quality pool of applicants. The vacancies have arisen as a result of (i) the increase in Independent Membership of the Standards Committee, as agreed by the Committee on 14 January 2010 and confirmed by Full Council on 18 January 2010, and (ii) the period of office of one of the existing Independent Members (Roger Lovegrove) coming to an end on 24 May 2010. Mr Lovegrove served on the Committee for a period of 4 years, extended for a further period until May 2010. The previous Chair's (Ms Carol Sykes) period of office was further extended by 1 further year by Full Council on 18 January 2010 from the period 24 May 2010 to 23 May 2011 in order to allow for continuity, and to bring wealth of knowledge and expertise to the Committee given from serving for 4 years to date, which would assist the development of the 2 newly appointed Members.

The Standards Committee continues to work for the improvement of ethical standards in the Council in Haringey, and we look forward to another successful year ahead. We recognise that we would not be able to carry out our work without the support of Officers, whom we would like to thank.

Carol Sykes
Chair, Standards Committee

June 2010

2. Signatories to the Members' Code of Conduct

At the end of the reporting year all 57 Councillors had signed accepting the Code of Conduct, as had all independent Members of the Standards Committee, and the 4 Co-opted Members of the Overview and Scrutiny Committee.

Details of the Standards Committee

3.1 Political Breakdown

At the start of the reporting period, Standards Committee consisted of

4 Labour Councillors; 4 Liberal Democrat Councillors; 5 Independent Members

3.2 Changes in Membership

Following the increase of 1 Independent Member of the Independent Membership of the Standards Committee as agreed by the Committee on 14 January 2010, and confirmed by Full Council on 19 January 2010 (making a total of 6 Independent Members), a recruitment process was commenced to fill this additional Independent Member position as well as to fill a vacancy that would arise in May 2010 due to the term of office of one the existing independent members ceasing, The vacancies were appointed to in March 2010 and confirmed by Full Council in May 2010, therefore the new appointed independent membership was effective for the Municipal Year 2010/11.

3.3 Chair and Deputy Chair

Ms C Sykes & Ms A Loyd and were elected, respectively, as Chair and Deputy Chair for the Municipal Year 2009/10.

3.4 Meetings

Three ordinary meetings and a number of training sessions were held during the year. The Minutes of Meetings held during the year, having been previously circulated, are available, by request, from the Standards Committee Manager and for inspection in the Members' Rooms, prior to and immediately following the Council Meeting on 19th July 2010.

The Minutes are also available on the authority's website at <http://www.minutes.haringey.gov.uk> .

3.5 Monitoring Officer

The Committee's Lead officer continues to be John Suddaby, the Authority's Monitoring Officer.

3.6 New arrangements for Local Filter of complaints

New arrangements for dealing with complaints under the Members' Code of Conduct became effective from 8 May 2008 and gave the Standards Committee the responsibility for assessing, reviewing and determining complaints that a Member has failed to abide by the Code of Conduct. The Standards Board for England would still determine cases in exceptional circumstances and will retain a responsibility for advising Standards Committees and overseeing the effectiveness of the new arrangements.

The Council's Standards Committee has set up two new sub-committees to discharge their new functions. The Assessment Sub-Committee decides if there is sufficient evidence to refer a complaint to the Monitoring Officer for investigation or in the most serious cases to the SBE. If the decision is to take no action, an aggrieved complainant can request a review to be undertaken by a Review Sub-Committee with a different membership. Where a hearing into a complaint is necessary this will be undertaken by a Hearing Sub-Committee in accordance with existing procedures.

These Sub-Committees comprise members of the Standards Committee selected in rotation so far as is practicable. There will always be at least one elected Councillor but the Chair must be an independent member under the Regulations.

Since the membership of the Sub-Committees is not fixed but selected in rotation, power has been delegated to the Head of Local Democracy and Member Services to appoint the membership for meeting in consultation with the Chair of the Standards Committee and the Monitoring Officer, detailed in the Scheme of Delegation to Officers (Appendix E, Part F.7, Section 9, paragraph 1.4 of the Constitution).

Training of Standards Committee Members in the new responsibilities has continued and took place in early June, and September 2009. The Assessment Sub-Committee has met on 4 occasions where no action has been taken on 3 complaints and 1 case has been referred to the Monitoring Officer for investigation. The Review Sub-Committee met on 1 occasion and agreed that no action be taken on the case referred to it.

The Standards Committee – Determination Hearing Panel met on 3 separate occasions to consider the outcome of 3 investigations against the conduct of 3 individual Councillors. 1 hearing panel imposed a 3 month suspension of the subject Councillor concerned, 1 hearing panel censured the subject member concerned, and the other hearing panel took no further action against the subject member concerned.

In respect of granting exemptions from political restriction to Council posts the amendments to the legislation also gave local Standards Committees a new role, replacing the national adjudicator, in granting exemptions to officers at or above SCP 44 whose grade would otherwise place their posts within the list of those politically

restricted. If a post below Deputy Chief Officer level does not require the officer to give regular advice to Member bodies/Committees or to speak regularly to the media as a Council representative, then the Standards Committee will be able, on the officer's application, to grant an exemption from political restrictions. Any person can ask the Standards Committee to consider whether to direct the inclusion of any post within the politically restricted list applying the criteria above.

4 Register of Members' Interests (ROI)

The ROI is available for inspection, by appointment within normal working hours, at River Park House.

Additionally, a simplified version of the ROI is included on the Haringey Council website. The simplification consisted of:

- modification of entries by removal of personal contact details;
- allowing Members to opt in or opt out of having their register published on the website.

5 Registration Form for Gifts and Hospitalities

5.1 Summary of Registrations

All signatories to the Members' Code of Conduct are required to register with the Monitoring Officer each Gift or item of Hospitality of value of £25 or more received and arising out of their official positions. Registration of items valued at less than £25 was, and still is, voluntary.

Entries registered for items of gifts and hospitality offered during the year are available under each individual Member's Register of Interests. A summary by value of the items registered for the year is given in Table 1.

33 councillors and voting Co-Opted/independent Members registered at least one gift or instance of hospitality during the year.

TABLE 1: Values of gifts and/or hospitality

Value	Number of items registered	
	Last Year (2008/09)	This Year (2009/10)
Less than £25	3	2
£25-£50	44	33
£50-£100	12	12
£100-£150	7	5
£150-£200	2	1
£200-£300	3	-
£300-£400	0	1
£400-£500	0	2
£500 or more	2	1

Approximate total value	£3,300	£3575
No value declared	0	0
No. of items valued at £25 or more	70	65
Average value of such items	£47	£65

NOTE to Table 1:

1. The Members' Code of Conduct does not *require* registration of items valued at less than £25. Members may, however, voluntarily register such items if they wish. The period of the register is from 18 May 2009 to 23 May 2010.

5.2 Access

The RGH was available for inspection, by appointment within normal working hours, at River Park House. It was also available on the Authority's website.

Under the terms of the 2007LGA and the new Members' Code of Conduct, the RGH has now been combined with the Register of Financial and Other Interests to form the Register of Interests. This means that, on the website, accessibility is affected by the opt-in option; as a consequence, RGH entries for Members who have not opted-in are no longer available online. All entries remain available for inspection at River Park House. For the year 2010/11 onwards, the Register of Members Interests minus home addresses will be placed on the Council's website unless individual Members specifically opt out of this.

6 Declarations of Interest

The definitions of "personal interest" and "prejudicial interest" are given in the Members' Code of Conduct.

A prejudicial interest is a personal interest which either relates to a Council regulatory function or affects the financial interests of the Member or relevant person and which would be perceived as so significant by a member of the public that the Member would be likely to be unable to judge the public interest. Thus all interests as defined by the Code are personal, with some that meet additional criteria being termed prejudicial.

Declaration of Interests is placed as a specific Item on the Agenda of every meeting of the Full Council and of every meeting of every serviced committee.

Council Minutes show there were 30 declarations of personal, non-prejudicial interest at meetings of the full Council during the whole year. There were 2 declarations of prejudicial interest.

7 Complaints about alleged failures to adhere to the Members' Code of Conduct

7.1 Complaints decided during the year

The number of complaints concerning alleged breaches of the Members' Code of Conduct which were decided during the year is shown in Table 3.

Table 3: Complaints decided during the year

	This Year	Last Year
Decided by an Ethical Standards Officer	0	1
Decided by the Adjudication Panel for England	0	0
Decided by the Standards Committee	4	5
No of Complaints received in 2009/10	3	3
No of Assessment Sub-Committees held	4	3
No of Complaints sent for investigation following Assessment Sub-Committee	1	4
No of complaints rejected at Assessment Sub-Committees	2	2
No of Review Sub- Committees held	1	n/a
No of Determination hearings held	3	nil

7.2 Complaints outstanding

As of 31 May 2010 there is 1 complaint being dealt with at various stages of the procedure which had not been finally dealt with and a further complaint received which is to be forwarded to an assessment sub-committee..

APPENDIX B

REGISTRATION FORM FOR GIFTS AND HOSPITALITY – MUNICIPAL YEAR 2009/10 (18 May 2009 – 23 May 2010)

Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
G Adamou	Harringay					
C Adje	White Hart Lane	2 Tickets for Mayor Making Reception at Alexandra Palace	£70.00	Haringey Council	18.05.09	Retained – donate £35 to Mayor's Charity
R Aitken	Crouch End	1 Tickets for Mayor Making Reception at Alexandra Palace	£25.00 (over)	Haringey Council	18.05.09	Retained
K Alexander	Harringay					
R Allison	Highgate					
K Amin	Northumberland Park	1 Tickets for Mayor Making Reception at Alexandra Palace	£35.00	Haringey Council	18.05.09	Retained
C Baker	Harringay					
D Basu	Seven Sisters	1 Tickets for Mayor Making Reception at Alexandra Palace	£35.00	Haringey Council	18.05.09	Retained
D Beacham	Alexandra					
J Bevan	Northumberland Park	1 Tickets for Mayor Making Reception at Alexandra Palace	£35.00	Haringey Council	18.05.09	Retained
		Tickets (5 Adults & 3 Children) for Zippo Circus	£128.00	Zippo Circus	12.10.09	Retained
		Ticket to Award Dinner at Grand Conaught Rooms	Over £25.00	Lovell Partnership Ltd	15.04.10	Retained

APPENDIX B

Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
S Beynon	Fortis Green					
J Bloch	Muswell Hill					
G Bull	White Hart Lane	2 Tickets for Mayor Making Reception at Alexandra Palace	£70.00	Haringey Council	18.05.09	Retained – donate £50 to Mayor's Charity
E Butcher	Stroud Green	Lunch with the LIB/DEMs	£40.00 approx	Local Partnership	21.09.09	Retained
N Canver	St Ann's	Cypriot Women's League International Women's Day Gala Ticket to Turkish Federation Celebration	£25 - £30 £30.00 approx	Cypriot Women's League Turkish Federation	08.11.09 "	Retained Retained
M Cooke	Bounds Green	2 Tickets for Mayor Making Reception at Alexandra Palace	£35.00	Haringey Council	18.05.09	Yes – donated £35 to Mayor's Charity
M Davies	Fortis Green					
A Demirci	Bounds Green	2 Tickets for Mayor Making Reception at Alexandra Palace	£35.00	Haringey Council	18.05.09	Yes – donated £35 to Mayor's Charity
I Diakides	Tottenham Green	1 Tickets for Mayor Making Reception at Alexandra Palace 15 Tickets for Mayor Making Reception at Alexandra Palace	£35.00 £455.00	Haringey Council Haringey Council	18.05.09 18.05.09	Retained Yes – Family & Friends - 4 unused
A Dobbie	Noel Park					
R Dodds	Bruce Grove					
D Dogus	Bruce Grove	2 Tickets for Mayor Making Reception at Alexandra Palace	£70.00	Haringey Council	18.05.09	Yes – donated £35 to Mayor's Charity
P Egan	Woodside	2 Tickets for Mayor Making Dinner at Alexandra Palace	£70.00	Haringey Council	18.05.09	Yes – donated £35 to Mayor's Charity

APPENDIX B

Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
L Edge	Stroud Green					Charity
G Engert	Muswell Hill					
J Goldberg	Seven Sisters	2 Tickets for Mayor Making Reception at Alexandra Palace	£35.00	Haringey Council	18.05.09	Retained – donate £35 to Mayor's Charity
R Gorrie	Hornsey	Lunch with Lib/Dems	£40.00 approx	Local Partnerships	21.09.09	Retained
E Griffith	West Green	12 Tickets for Mayor Making Reception at Alexandra Palace	£420.00	Haringey Council	18.05.09	Retained – donate £35 to Mayor's Charity
B Haley	St Ann's					
B Hare	Highgate					
B Harris	St Ann's					
C Harris	Noel Park					
E Jones	Bruce Grove					
Gmmh R Khan	West Green	LGA Conference and Dinner – Harrogate	Over £25.00	Haringey Council LGA & other Sponsors	29/6 – 2/7/09	Retained
C Kober	Seven Sisters	2 Tickets for Mayor Making Reception at Alexandra Palace 1 Ticket to the Children and Young People now Award Ceremony Dinner for London Local Authority	£35.00 £50.00 £40.00	Haringey Council 4 Children a Children's Charity London Councils/	18.05.09 26.11.09 09.09.09	Retained Retained Retained

APPENDIX B

Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
		Leaders		City of London		
H Lister	Tottenham Green					
A Mallett	West Green	2 Tickets for Mayor Making Reception at Alexandra Palace	£70.00	Haringey Council	18.05.09	Retained
		Return Rail Tickets from Kings X to Peterborough – Scrutiny Review Training course	£26.00	Haringey Council	18.12.09	Retained
G Meehan	Woodside	1 Tickets for Mayor Making Dinner at Alexandra Palace	£35.00	Haringey Council	18.05.09	Retained
F Mughal	Noel Park					
M Newton	Fortis Green					
J Oakes	Bounds Green					
S Oatway	Alexandra					
J Patel	Woodside					
S Peacock	Northumberland Park	1 Tickets for Mayor Making Dinner at Alexandra Palace	£35.00	Haringey Council	18.05.09	Retained
		1 Ticket for Annual Dinner and Dance at The Irish Centre	£25.00	The Irish Centre	03.10.09	"
		Ticket to Concert and Dinner at Alexandra Palace Organ Appeal	£24.50	Alexandra Palace Trading Ltd	24.11.09	"
		2 Tickets to attend Spirit of London Awards	£25.00	"	27.11.09	"

APPENDIX B

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		2 Tickets to attend Semi-finals of PDC Darts Competition	£25.00	"	19.12.09	
S Rainger	Muswell Hill					
E Reid	Hornsey	1 Bottle of Brandy	£25.00	A resident	01.07.09	Retained
L Reith	Tottenham Hale	1 Tickets for Mayor Making Dinner at Alexandra Palace Box of Turkish delight, CD and guide book of Turkey 1 Tickets for Mayor Making Dinner at Alexandra Palace	£35.00 £25.00 £35.00	Haringey Council Turkish Ministry of Youth and Sports Haringey Council	18.05.09 09.02.10 18.05.09	Retained – donate £35 to Mayor's Charity Retained Retained – donate £35 to Mayor's Charity
L Santry	White Hart Lane					
N Scott	Alexandra					
A Stanton	Tottenham Hale					
SG Thompson	Tottenham Hale	2 Tickets for Jay-Z Concert at Alexandra Palace 1 Ticket for Morrissey Concert at Alexandra Palace 2 Tickets for Spirit of London Awards 2 Tickets for Boxing Match at Alexandra Palace	£25.00 (over) £25.00 (over) £25.00 (over) £25.00 (over)	Alexandra Palace Trading Ltd Alexandra Palace Trading Ltd Alexandra Palace Trading Ltd Alexandra Palace Trading Ltd	10.11.09 05.11.09 27.11.09 09.04.10	Retained Retained Retained Retained
B Vanier MAYOR	Tottenham Green	24 Tickets for Mayor Making Reception at Alexandra Palace 2 Tickets for Dinner at La Royale Tottenham	£840.00 (24 @ 35.00) £80.00	Haringey Council Friends of Noel Homes Memorial	18.05.09 06.06.09	Retained Retained

APPENDIX B

Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
		2 Tickets for Dinner & Dance at The Grand Palace, Wood Green	£130.00	Assoc of Jamaicans	01.08.09	Retained
		2 Tickets for Carnival Splash	£30.00	Carnival Splash	22.08.09	Retained
		Tickets to Dinner for Spirit of London Awards	£50.00	Damilola Taylor Trust	27.11.09	Retained
		Fostering and Adoption Dinner for Carers	£50.00	Haringey Council	04.12.09	Retained
		Christmas Dinner for African and Caribbean Pensioners	£15.00	ACLC Centre	16.12.09	Retained
		Tickets to Fundraising Gala Dinner for Boxing	£100.00	Haringey Police Amateur Boxing Club	23.04.10	Retained
		2 Tickets to Seafield & Golden Grove Fundraising Dinner	£110.00	Seafield & Golden Grove Ham Walk Association	23.05.10	Retained
B Vanier Mayor		Bottle of Champagne and Wine	£30.00 approx	Jean Croot donate gift from member of the public	01.09.09	Donated to Special Fund
		Silk Scarf from China	£30.00 approx	Andrew Meek donate gift given by Chinese delegation	16.12.09	Donated to Special Fund
		Hand stitched silk picture of Lychees in frame	Over £25.00	"	"	Civic Gift kept in Mayor's Parlour
		Food Hamper in Wicker box	£100.00	Education IT contractor	22.12.09	Donated to Special Fund
		2 Spurs T-Shirt signed by Players/	£80.00 & 60.00	Tottenham Hotspurs	01.03.10	Donated to

APPENDIX B

Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
		Manager and Pendant Selection of wines for Mayor's Charity Dinner Selection of various Gifts in 5 Bags plus 8 Easter Eggs	£300.00 £200.00	Morrisons – Wood Green Tesco's – Edmonton Superstore	01.03.10 01.03.10	Special Fund Donated to Special Fund Donated to Special Fund
L Weber	Crouch End					
M Whyte	Hornsey					
N Williams	Highgate					
R Wilson	Stroud Green					
D Winskill	Crouch End					

APPENDIX B

06.07.10

CO-OPTEEES						
Name	State Ward Or Position as Co-opted member	Set out brief Description of Gift or Hospitality offered	What do you estimate is the approximate value of gift or hospitality? £	Who offered you the gift or hospitality?	What date did you receive the gift or hospitality?	Did you retain the gift yourself, or did you donate it to a charity or deal with it in some other way?
R Lovegrove	Independent Member of Standards Committee					
C Sykes	Independent Member of Standards Committee					
A Loyd	Independent Member of Standards Committee					
R Chambers J Batterham	Independent Member of Standards Committee					

Last updated: 06.07.10

**REPORT OF THE STANDARDS COMMITTEE No. 01/2010-11
COUNCIL 19 JULY 2010**

Chair:
Annabel Loyd

Deputy Chair:
Rachel Chambers

INTRODUCTION

- 1.1 This report to full Council arises from a report entitled “New Procedure for Advance Declaration of Members’ Interests” considered by the Standards Committee at our meeting on 10 June 2010. The proposal being recommended does not involve a change to the Council’s Constitution but it does require Members’ approval of a new procedure and its adoption by full Council.

ITEM FOR DECISION

ADVANCE DECLARATION OF MEMBERS’ INTERESTS AT FULL COUNCIL

- 2.1 We noted that, on a number of occasions, many Members had declared the same personal interest on an item of business at full Council. For example, in the case of debates on public transport issues, several Members hold freedom passes themselves and many others have a personal interest because a family member is a freedom pass holder.
- 2.2 The existing practice has been for each Member to rise in turn to make an individual oral “declaration” at the start of the meeting. This has proved to be very time consuming and not conducive to the efficient running of Council meetings. We were informed that the Monitoring Officer had been asked to investigate a more efficient means for conducting the declaration of Members’ interests at full Council.
- 2.3 The report before us from the Monitoring Officer had, as an attachment, a proposed new “form” for use by Members which would enable them to make an advance declaration of their interests in writing before the full Council meeting. This new form is attached to this report as the Appendix.
- 2.4 The form has a table with three columns inviting Members (1) to state the agenda item or items in respect of which they are declaring an interest, (2) to state whether the interest is solely a “personal” one or also a “prejudicial” interest, and (3) to explain the nature of the interest being declared, for example, because the item is likely to affect the Member’s home.
- 2.5 Below the table there is space for Members to sign and date the form. There are instructions for the use of the form and guidance overleaf by way of a reminder about the main factors giving rise to a personal or a prejudicial interest together with contact details for obtaining more detailed legal advice.

- 2.6 We discussed the circumstances in which this form would be used by Members. The report before us had proposed that the form be used in future for all declarations of interests at full Council but we considered that this could prove unnecessarily complicated. Accordingly, we agreed that the form only be used when a significant number of Members had the same interest in an item of business. We accepted the view that the new form was only appropriate for use at full Council meetings when all 57 Members might be present and not at Cabinet, Committee or Panel meetings where many fewer Members would attend.
- 2.7 In order to help remind Members to use the form, officers were asked to send it out with the Council agenda whenever there appeared to be an item of business in respect of which a significant number of Members were likely to have the same interest.
- 2.8 We noted that, if at all possible, Members were being asked to forward the completed form to the Deputy Head of Member Services no later than 5.00 p.m. on the day of the Council meeting. If this proved to be impossible then the form could still be handed in at the meeting itself or, in the last resort, the Member could make an individual oral declaration in the traditional manner.
- 2.9 Once the forms had been received and checked, the Deputy Head of Member Services would provide the Mayor with a statement of the interests being declared and the names of the Councillors making the same declaration in respect of the specified agenda item or items. The Mayor would then read out these details at the start of the Council meeting at the appropriate point.
- 2.10 We were advised that there was no specific guidance from Standards for England on the “collective” declaration of personal interests or the use of a form for making written declarations in advance of a meeting. However, provided that an individual Member had used a clear and agreed process (a signed and dated form) to make a declaration to the meeting about the existence and nature of his/her interest, it should make no difference that the oral announcement is made by another i.e. the Mayor.

WE RECOMMEND:

- (i) That the “form” attached as the Appendix to this report be adopted in future for making advance written declarations of a Member’s interest(s) at full Council whenever a significant number of Members are likely to have the same interest in an item of business, and
- (ii) That the Head of Local Democracy and Member Services be instructed to send out the form with the Council agenda whenever there appears to be an item of business in respect of which a significant number of Members are likely to have the same interest.

APPENDIX 1

FORM FOR ADVANCE DECLARATION OF A MEMBER'S INTEREST IN AN ITEM OR ITEMS OF BUSINESS AT A MEETING OF THE FULL COUNCIL

THIS FORM IS INTENDED TO SPEED UP THE PROCESS OF DECLARING MEMBERS' INTERESTS, IN CASES WHERE A SIGNIFICANT NUMBER OF MEMBERS HAVE THE SAME INTEREST, BY ENABLING MEMBERS TO DO SO IN WRITING IN ADVANCE OF THE MEETING. AT THE START OF THE MEETING THE MAYOR WILL READ OUT THE NAMES OF THOSE MEMBERS DECLARING THE SAME INTEREST IN AN ITEM.

PLEASE COMPLETE ALL 3 COLUMNS AND SIGN/DATE THE FORM AT THE BOTTOM OF THIS PAGE WHERE INDICATED. THERE IS GUIDANCE OVERLEAF ABOUT WHAT MIGHT CONSTITUTE A PERSONAL OR A PREJUDICIAL INTEREST BUT THIS IS A SHORT SUMMARY AND NOT COMPREHENSIVE. IF IN DOUBT, PLEASE CONSULT THE MONITORING OFFICER, JOHN SUDDABY (ON X 3974), OR THE PRINCIPAL PROJECT LAWYER CORPORATE, TERENCE MITCHISON (ON X 5936).

Please state the agenda item number(s) and short title of the report(s) in respect of which you are declaring an interest?	Is this interest solely a personal one? Or is it also a prejudicial interest? Personal or Prejudicial?	Please state the nature of your personal/prejudicial interest, for example, the Council business may affect your employer or your home in the Borough or a public body you have been appointed to ?

.....

.....

Signed

Dated

PLEASE RETURN THIS FORM BY EMAIL/POST/HAND DELIVERY TO KEN PRYOR, DEPUTY HEAD OF MEMBER SERVICES, IF AT ALL POSSIBLE BY 5.00 P.M ON THE DAY OF THE COUNCIL MEETING. THE FORM MAY STILL BE USED TO DECLARE YOUR INTEREST(S) AT THE MEETING ITSELF BUT MEMBERS WILL REMAIN RESPONSIBLE FOR ENSURING THAT THE CORRECT DECLARATION IS MADE.

SUMMARY ON PERSONAL AND PREJUDICIAL INTERESTS UNDER THE MEMBERS' CODE OF CONDUCT

Personal Interests

These are two kinds of personal interests: (1) those you have registered with the Monitoring Officer in the statutory register of Members' interests, and (2) interests not on the register but which affect your well-being or financial position and/or the well-being or financial position of a "relevant person" e.g. a family member or a close associate, as explained below.

If you have a personal interest within (1) or (2) this must be declared at the start of a Council meeting when an item on the agenda relates to, or is likely to affect, that personal interest. This is so whether or not you have already registered the interest in the statutory register.

Interests you must register include the following: (a) membership of an Outside Body whether or not you were appointed by the Council, (b) your own business, (c) your employer, (d) any body paying you official/election expenses, (e) a company in which you have shares with a nominal value over £25,000, (f) any Council contract in which you, or your firm/company, have an interest, (g) any land in Haringey which you own or where you have a lease/licence, (h) any land owned by the Council where you/your firm are the tenant.

If you have registered receipt of a gift or hospitality worth at least £25, and the Council business affects the donor of the gift/hospitality, it must be declared at the meeting if it was registered within the last 3 years before the meeting.

Any matter could fall within (2) above, as affecting your "well-being", if it could affect your quality of life or happiness either positively or negatively. To count as a personal interest it must also affect you or a "relevant person" to a greater extent than the majority of other residents in the Ward affected by the decision.

A "relevant person" is a member of your family (i.e. a spouse/partner, child/grandchild, parent/grandparent, brother/sister, aunt/uncle, nephew/niece, cousin or in-law) or a "close associate" (e.g. a friend, colleague or business associate who is more than a mere acquaintance). The employer of such a "relevant person" or a company where they are a director or shareholder will also count as a "relevant person".

Prejudicial Interests

To have a "prejudicial interest" you must first have a personal interest, as above, and that interest must be one that an observer knowing the facts would reasonably regard as so significant that is likely to prejudice your judgement of the public interest. For example, a Member who was a school governor might well have a prejudicial interest if a matter affecting that particular school were to be debated at Council. This is an objective "test" and your subjective view about the factors that would influence you may be irrelevant.

If you have a prejudicial interest, but intend to make representations to the meeting under the special rules applicable to this situation, it would be advisable to discuss this well in advance with the Monitoring Officer or his staff. Unless you comply with these special rules, you must not be present in the Chamber at all when the relevant item(s) are under consideration and you must not seek to influence the decision improperly.

Chair:
Councillor Clare Kober

Vice Chair:
Councillor Lorna Reith

INTRODUCTION

- 1.1 This report covers matters considered by the Cabinet at our meeting on 15 June 2010. 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

Housing

2. NEW HOUSING ALLOCATIONS POLICY FOR CONSULTATION

- 2.1 We considered a report which informed us of the results of a comprehensive review of Haringey's Housing Allocations Policy and recommended a fresh approach to the way in which applications for social housing were administered and prioritised. The report also sought support for a new Housing Allocations Policy that would prioritise applications on the basis of housing needs bands rather than housing points and our agreement to the Council undertaking three months' formal consultation on the contents of the new Housing Allocations Policy with a view to the new policy being implemented in 2011.
- 2.2 We noted that every local authority had a statutory duty to publish its housing allocations policy and that Haringey's existing Housing Allocations Policy was extremely complex, difficult to explain and administer, prevented households from making informed decisions about their future housing, and made only a limited contribution to the achievement of the Borough's key strategic objectives. We also noted that a detailed review of the Housing Allocations Policy had been carried out, taking into account the new staffing structure of Strategic and Community Housing Services, good practice, government guidance and recent court decisions.
- 2.3 At a Leader's Conference in October 2009, there had been strong cross-party support for the use of housing needs bands (rather than housing points) and policy changes that would make it much easier for applicants to assess their housing prospects and make better, more informed decisions in relation to their options. A revised Housing Allocations Policy had been drafted and was now ready for consultation with a wide range of stakeholders, including customers. If implemented, the proposed changes would simplify the administration of the Housing Allocations Policy, make it easier to explain decisions, and ensure that housing choices were clearly and precisely communicated to customers.
- 2.4 Having noted the conclusions of the review and the need to complete a full review of the Housing Register in preparation for the implementation of the new Housing Allocations Policy; we report that we supported the proposed changes set out in the Draft Housing

Allocations Policy, including the use of housing needs bands (instead of housing points) as the basis for determining applicants' relative priority, and we agree that a 3 months consultation should take place in respect of the Draft Housing Allocations Policy with all preparatory work carried out to ensure the accurate and timely re-registration and reassessment of housing applications, to enable the new Housing Allocations Policy to be approved and implemented as soon as practicable.

3. ENFRANCHISEMENT OF RESIDENTIAL LEASEHOLD PROPERTIES

- 3.1 We considered a report which sought our agreement to the revision of a decision to dispose of the Council's leasehold interest in four leasehold residential properties that were in the final years of their leases and deemed as a wasting asset. The report also sought agreement to enfranchise these four properties whereby two would be retained in social housing use and two sold as they were surplus to requirements. Our agreement was also sought to the ring-fencing of the capital receipt to enable the enfranchisement of the properties with the surplus to the Council's resources.
- 3.2 We noted that the Council's Strategic and Community Housing Service held a number of leasehold residential street properties acquired individually in past years the majority of which had unexpired lease terms ranging from 10 to 74 years which required no action at present. However, there were four with a short term remaining that required immediate action. All properties were let as general needs accommodation on secure tenancies and are now managed by Homes for Haringey. As the leases reached their final years it had been the Housing Service's practice to re-house the occupants to suitable alternative accommodation and dispose of the remaining lease prior to expiry in order to avoid any claim by the freeholder against the Council for dilapidation. This also released a small capital receipt (£20,000 - £30,000 per property) for the residual leasehold interest for the unexpired lease. The residual value was due to the Council (as leaseholder) having a statutory right to enfranchise and secure the property freehold which was usually worth considerably more than the lease acquisition and freehold enfranchisement costs. Lease disposal proceeds are treated as capital receipts and taken into Corporate Resources to be used in accordance with the Council's financial strategy.
- 3.3 The Housing Service did not currently benefit directly from the small leasehold disposal receipts. However, it did bear the cost of suitably re-housing the secure tenants which also had the consequence of the loss of an affordable home, usually a family unit that could otherwise have been used in the reduction of temporary accommodation. It was currently estimated that in 2010/11 the average cost to the Council of maintaining a family in emergency accommodation would be £6,000 p.a. When this was considered against the estimated disposal receipt of £20-30,000 it represented a deficit within five years and did not offer best value when considering other options available and it was proposed to enfranchise and dispose of two units and enfranchise, improve and retain two units.
- 3.4 We report that we rescinded the decision taken under delegated authority on 23 April 2009 to dispose of the properties identified in the report and approved an allocation of circa £105,000 of capital funding to Strategic and Community Housing to be repaid from sales receipts during 2010/11. We also agreed to the acquisition of the four reversionary interests of four residential properties currently leased to the Council and to the ring

fencing of funds from the capital receipt of the subsequent disposal of the freeholds with vacant possession of two of the properties listed in the report and to the net proceeds of the sales being made available for the Council's capital programme.

Community Safety and Cohesion

4. CABINET RESPONSE TO THE SCRUTINY REVIEW OF ENGAGING WITH HARD TO REACH COMMUNITIES

- 4.1 The Council will be aware that Haringey is the fifth most diverse borough in London. Nearly half of its population and three quarters of young people have a non white British ethnic group. Within this there are a number of communities and groups which do not engage with organisations, either because they do not feel empowered to do so or because they do not know how to access the relevant organisations.
- 4.2 We considered a response to a Scrutiny Review which had looked at who in Haringey was considered hard to reach and what could be done to ensure that these groups had an input into the services they received and were able to access the services to which they were entitled.
- 4.3 Having noted that many of the recommendations made in the Scrutiny Review were already in hand and had been incorporated into the Haringey Strategic Partnership's Community Engagement Framework delivery plan we report that we welcomed the actions proposed and endorsed the response.

Children's Services

5. CABINET RESPONSE TO THE SCRUTINY REVIEW OF SEXUAL HEALTH IN TEENAGERS

- 5.1 We noted that the Review had been commissioned as sexual health in teenagers had been identified by the Haringey Strategic Partnership as an area requiring specific action. This was reflected by the fact that two Local Area Assessment targets were directly relevant to this issue. These were:
- NI112; Rate of under-18 conceptions (per 1000 girls aged 15-17 as compared with the 1998 baseline rate)
 - NI113: Prevalence of Chlamydia in under 25 year olds.
- 5.2 The Review had focussed on what the Council and its partners did to promote and improve the sexual health of teenagers within the Borough including action to reduce the levels of sexually transmitted infections (STIs) and conceptions. Rather than focus on what happens to young people when they become infected with a STI or pregnant, the review concentrated instead on the issue of prevention and the promotion of good sexual health.
- 5.3 We also noted that whilst the Review had acknowledged that much good work was being undertaken in Haringey and excellent progress was being made to reduce teenage

conceptions by the Children and Young People's Services and its partners eighteen recommendations were made a number of which had potential financial implications for the Council and, in addition to which others suggested the potential for schools, as partners, to use their delegated resources in ways which could have positive effects on reducing Teenage Pregnancy, following the example set by Woodside High School. The future of grant funding streams such as those through the Area Based Grant (ABG) were subject to some uncertainty post April 2011 and it was important that all relevant funding streams, across partners, were appropriate to levels of local need, consistent with levels of statistical neighbours and provided good value for money.

- 5.2 We report that we welcomed the Review and agreed the response proposed together with the proposed action plan.

Children's Services and Adults and Community Services

6. CABINET RESPONSE TO SCRUTINY REVIEW OF TRANSITION FROM CHILDREN'S SERVICES TO ADULT SERVICES

- 6.1 We noted that the terms of reference of the Review had been to assess the current transition services available to young people moving between children's and adult services specifically to provide an objective view of these services and whether they provided value for money
- 6.2 We also noted that the key findings of the Review had been:
- Successful transition planning and programmes are crucially dependent on collaboration between children's and adult services. Well planned transition improves clinical, educational and social outcomes for young people.
 - Haringey has a well established multi-agency approach to transition planning involving young people and their parents/carers, education and health professionals.
 - "My service '18" has been established as a joint strategic transition planning group between the Children & Young People Services and Adults Learning Disabilities Partnership.
 - Haringey's Children and Young People and Adults' Services have identified the need to further improve transition for young people with Additional Needs, Learning Difficulties and Disabilities, including young people with special educational needs but without a statement, young people with mental health difficulties and young people leaving care.
 - There is also a need to ensure all planning reflects the National Transition Programme to raise standards and to learn from best practice identified through this process and also the Personalisation agenda. Greater emphasis also needs to be placed on the key roles young people and their families, separately and jointly have in this agenda.
 - My service @18 strategic planning group has four work groups which are taking this work forward, namely;

1. A needs analysis of specific complex needs/mapping of service in Children's and Adults services;
 2. Protocols including procedures and pathways;
 3. Social inclusion and personalisation;
 4. Information, participation and consultation.
- 6.3 We noted that the Review had made nineteen recommendations and that all of those which were agreed were to be undertaken within current resource allocations. Where agreement was in principle only, these would be progressed as and when resources permitted. Value for money would need to be a key consideration in the future commissioning of services for people in transition including ensuring robust and relevant activity information that demonstrated good outcomes to young people were being delivered.
- 6.4 We report, for information, that we endorsed the proposed response to the Review and agreed the Action Plan.

Adults and Community Services

7. CABINET RESPONSE TO SCRUTINY REVIEW OF SUPPORT TO CARERS

- 7.1 We noted that terms of reference for the Review had been to assess the support provided to adult carers of adults in Haringey specifically to provide an objective view of these services and whether they provide value for money". We also noted that the Carers Partnership Board had recently agreed a Carers Strategy and Delivery Plan, and that the recommendations within the Review contributed to the work being carried out.
- 7.2 The key findings of the review had been:
- Carers were estimated to save Haringey £236 million per annum;
 - There was a strategic commitment across the partnership to improving the support given to carers in Haringey;
 - Carers highly valued the support given to them by the Voluntary and Community Sector organisations and considered these services as a 'life line';
 - The Carers Partnership Board had a strategic input and was an effective forum for discussions and developments; and
 - Carers felt that easier access to flexible carers breaks/respite would help them to fulfil their caring role for longer.
- 7.3 The Review, which contained thirteen recommendations, linked to two key Council priorities – a health, caring Haringey; and delivering high quality, efficient services. While there were no direct financial implications arising from the Action Plan for responding to the Review the on-going impact of the implementation of the recommendations would need to be carefully monitored to ensure any future costs, arising from the raising of expectation levels amongst carers was managed.
- 7.5 We report that we endorsed the proposed response to the Review and agreed the Action Plan.

Planning and Regeneration

8. CABINET RESPONSE TO SCRUTINY REVIEW OF SUPPORT TO SMALL BUSINESSES

- 8.1 We considered a report which proposed a response to the Scrutiny Review of Support to Small Businesses. We noted that the Review contained fifteen recommendations and although many of these had no financial implications, the Action Plan showed that there was a cost attached to some actions. In some cases funding could be agreed by the Haringey Strategic Partnership Enterprise Board, but where this is not the case, it would be necessary to identify funding and have this agreed before the action could commence.
- 8.2 We also noted that a number of the recommendations would require individual legal advice as the Action Plan was implemented. Where it was agreed that any services should be procured, there should be compliance with Contract Standing Orders. Where there was a review of lettings policy, Corporate Property Services would have to pay regard to the statutory requirements in respect of the properties involved. Further legal advice would be given as and when necessary as the recommendations were being implemented and when further reports were produced.
- 8.3 We report that we endorsed the proposed response to the Review and agreed the Action Plan.

Neighbourhoods

9. CABINET RESPONSE TO SCRUTINY REVIEW OF SUSTAINABLE TRANSPORT

- 9.1 We considered a report which proposed a response to the Scrutiny Review of Sustainable Transport. The Review had a number of aims including the assessment of barriers to improved uptake of sustainable transport, the assessment of smarter travel initiatives in promoting encouragement of greater take up of sustainable transport; and identification of areas for more aligned working, and sharing of learning and good practice across the Haringey Strategic Partnership.
- 9.2 We noted that while no financial implications arose directly from the proposed response, the recommendations of the Review Panel included some actions for which additional funding would be required. Not all of the recommendations were within the Council's direct control either because the main funding source was elsewhere, such as Transport for London for 20 m.p.h. zones) or because the policy decision was taken elsewhere such as changing the operational hours for bus lanes. In these instances the Council's direct influence might be restricted to lobbying the appropriate bodies. Further, implementation of many of the recommendations would require statutory consultation and consideration would need to be given to any relevant statutory duties during the decision making process. Any specific legal implications could be addressed as the recommendations were moved forward and implemented.
- 9.3 We report that we endorsed the proposed response to the Review and agreed the Action Plan.

Finance and Sustainability

10. FINANCIAL OUTTURN

- 10.1 We considered a report which set out the provisional revenue and capital outturn for 2009/10 and asked us to consider revenue and capital carry forward requests. We noted that the year end general fund deficit was £2.183 million (0.98% of the approved revenue budget) excluding carry forward requests and the Dedicated Schools Grant (DSG). The report also set out the capital outturn position, which was a net under spend of £27.8 million (14.1% of the approved budget). Carry forward requests of £21.4 million were submitted for approval and the positions on the Housing Revenue Account, non-schools and schools Direct Service Grant were also reported.
- 10.2 In overall terms, after taking into account adjustments previously reported through the budget management process, the revenue financial outturn was broadly in line with last budget monitoring report submitted to us and the agreed financial strategy. However, we also noted that the use of reserves to fund an in-year overspend in 2009/10 had not been specifically anticipated.
- 10.3 We noted the position with regard to the provisional General Fund revenue outturn, the reasons for variations and we approved the planned transfers to reserves including the transfer from general balances of £2.391 million to fund the net revenue overspend. We also noted the provisional Housing Revenue Account (HRA) outturn and we approved the treatment of the Homes for Haringey deficit detailed in the report.
- 10.4 Approval was also granted to a revenue carry forward proposal amounting to £0.515 million and the required carry forward of the Catering DSO trading deficit of £0.307 million. We also noted the provisional capital outturn of a £27.8 million under spend and the reasons for variations and we approved capital carry forward requests proposals of £21.4 million.
- 10.5 Authority was delegated to the Chief Financial Officer, in consultation with the Cabinet Member for Finance and Sustainability, to approve additional capital carry forward requests, relating to contractually committed schemes only given the level of available funding and we asked the Chief Financial Officer to carry out a review of the 2010/11 capital programme together with the 2009/10 carry forward requests that did not relate to contractually committed schemes in order to ensure the viability of the entire programme in light of likely reductions in available capital resources. We also asked that the outcome of the review together with the proposals for carry forward of capital receipt funded schemes, be reported to our July meeting.
- 10.4 The outturn of a £2.208 million overspend for schools that decreased schools' balances to £4.407 million at the end of 2009/10 and the carry forward of the in-year deficit was noted as was a carry forward of a £0.722 million Direct Schools Grant under spend and approval was granted to an earmarking proposal to help support child safeguarding resource issues with a report taken to the Schools Forum outlining this proposal and seeking their support.

- 10.5 We also delegated authority to the Chief Financial Officer to prepare the Council's financial accounts such that the financial position of the Council is optimised and noted that the Council's financial statements for 2009/10 were to be approved by General Purposes Committee prior to external audit.

Leader

11. COUNCIL'S PERFORMANCE: END OF YEAR 2009/10

- 11.1 We considered a report which presented on an exception basis performance information for the year 2009/10 and reviewed 2009/10 performance outcomes and achievements under the Sustainable Community Strategy priorities including the Local Area Agreement.
- 11.2 We noted that overall performance on the monthly basket of indicators showed that of the 74 indicators 73% had achieved or were close to achieving target while 27% did not achieve target. Performance against a basket of indicators monitored in 2009/10 showed that for 59% of indicators performance had improved from levels achieved in 2008/09.
- 11.3 Good progress had been made in a number of key priority areas including –
- Street cleanliness
 - Reducing road casualties
 - Educational attainment
 - Young People Not in Education, Employment and Training (NEETs)
 - Social care clients receiving self directed support
 - Visits to libraries and sport centres
 - Households in temporary accommodation
 - Reducing Personal Robbery and Achieving our Healthy Schools target (both LAA stretch targets)
- 11.4 While there were no specific implications highlighted in the report we noted that value for money had continued to be a key strand in the monitoring of performance and quality. It was recognised that performance monitoring throughout 2009/10 continued to include routine monitoring of unit costs so that performance and costs which reflected activity could inform our judgements on whether Haringey was delivering value for money services. The data also supported our overall understanding of costs, the relationship this had on outcomes and supported targeted decision making.
- 11.4 We noted the report and the progress being made against Council and Community Strategy priorities.

12. APPOINTMENT OF CABINET COMMITTEES

- 12.1 We report that we re-appointed our two executive Committee the Cabinet Procurement Committee and the Cabinet Voluntary Sector Committee with the memberships indicated below and in so doing we confirmed unchanged their terms of reference -

Procurement Committee

Councillor Goldberg (Chair)
Councillor Bevan
Councillor Reith
Councillor Kober

(The appointed Members to be entitled to name any other Member of the Cabinet as a substitute in the event of absence and the substitute when attending in that capacity be recorded in the minutes as so doing and entitled to carry full voting and other rights and responsibilities).

Voluntary Sector Committee

Councillor Dogus (Chair)
Councillor Goldberg
Councillor Vanier

Plus 2 other Members of the Cabinet (All Members of the Cabinet to act as a panel of substitutes with two to be selected according to whose portfolio responsibilities were relevant to the particular areas of activity under review).

- 12.2 We report that we also re-appointed three Advisory Committees, the Corporate Parenting Advisory Committee, the Children Safeguarding Policy and Practice Advisory Committee and the Adult Safeguarding Advisory Committee memberships indicated below and in so doing we confirmed unchanged their terms of reference -

Corporate Parenting Advisory Committee

Councillors Reith (Chair)
Alexander
Allison
Engert
Peacock
Stennett
Watson

Children Safeguarding Policy and Practice Advisory Committee

Councillors: Rice (Chair)
Amin
Davies
Hare
McNamara
Hilary Corrick (Non-Councillor Member - appointed by the Committee)

Adult Safeguarding Advisory Committee

Councillors: Adamou
Christophides
Winskill

12.3 We also appointed Councillor Cooke and Councillor Gorrie to serve on the Hornsey Town Hall Community Board and confirmed its terms of reference.

13. APPOINTMENT OF REPRESENTATIVES TO SERVE ON THE HARINGEY STANDING LEADERSHIP CONFERENCE AND ITS THEME BOARDS

13.1 We report that we appointed the following members to serve on the Haringey Strategic Partnership Standing Leadership Conference and the Theme Boards indicated -

Haringey Strategic Partnership (HSP) Standing Leadership Conference

Councillor Canver

Councillor Reith

Councillor Vanier

(In addition to the Leader and the Chief Executive who were ex-officio members)

Better Places Partnership -

Councillor Canver

Councillor Mallett

Children's Trust -

Councillor Reith

Councillor Allison

Councillor Kober

Councillor Vanier

Councillor Watson

Enterprise Partnership Board -

Councillor Mallet

Councillor Meehan

Integrated Housing Board -

Councillor Bevan

(One vacancy for a Majority Party member)

Safer Communities Executive Board –

Councillor Vanier

Well Being Partnership Board -

Councillor Bevan

Councillor Dogus

Councillor Waters

13.2 We also asked that the Safer Communities Executive Board be requested to consider increasing its membership to allow for the Cabinet Member for Adult and Community Services to serve on the Board.

14. URGENT ACTIONS TAKEN IN CONSULTATION WITH CABINET MEMBERS

We were informed of the following actions taken by a Director under urgency powers following consultation with a Cabinet Member -

Chief Executive

Appointment of Cabinet Members and Confirmation of Executive Side Delegations to Officers – Approval to make formal appointments of Cabinet Members including the Deputy Leader and to confirm the existing scheme of delegation to officers with respect to ‘executive side’ functions so as to ensure continuity in decision making.

Director of Corporate Resources

Disposal of Saltram Close Playground Site – Authorisation of the Head of Corporate Property Services to negotiate and agree terms for the disposal of the Council’s freehold interest in the Saltram Close Playground Site to Shian Housing Association (or in the event that final terms cannot be agreed with Shian HA to Family Mosaic.

10. DELEGATED DECISIONS AND SIGNIFICANT ACTIONS

We were informed of the following significant actions taken by a Director under delegated powers -

Director of Adult, Culture and Community Services

Festival Republic Concert in Finsbury Park

Haringey Adult Learning Service – Establishment Changes

ICT and Support Services – Establishment Changes

Safeguarding and Strategic Service – Finance Service – Establishment Changes (2 x Temporary Finance Officer Posts)

Recreation Services – Establishment Changes – Deletion of Senior Technical Post

Director of the Children and Young People’s Service

Grant Funding for the delivery of Children’s Centre Services by the Voluntary Sector for 2010/11

Refurbishment of Haslemere Respite Centre

Voluntary Sector Sustainability Grant – Under 5's Childcare Providers

Director of Corporate Resources

Q-Matic Upgrade – Award of the contract for the Q-Matic Upgrade for a period of three years.

**REPORT OF THE GENERAL PURPOSES COMMITTEE No. 01/2010-11
COUNCIL 19 JULY 2010**

Chair:
Councillor George Meehan

Deputy Chair:
Councillor Reg Rice

INTRODUCTION

- 1.1 This report to full Council arises from the reports entitled “Treasury Management Outturn 2009/10” and “Adoption of Powers to Regulate Sex Entertainment Venues” considered by the General Purposes Committee at our meeting held on 28 June 2010.

ITEMS FOR DECISION

2.1 Treasury Management Outturn 2009/10 (Appendix 1)

2.1.1 The CIPFA Treasury Management Code of Practice and the Prudential Code recommends that the report on treasury management 2009/10 outturn (Appendix 1) should be reported to Full Council as best practice.

2.1.2 The report presented a summary of activity during 2009/10 and it was confirmed that the Council had complied with all treasury limits and Prudential indicators during the year. Members were invited to note the report.

2.1.3 The position in the treasury portfolio at the end of the financial year compared to last year is shown in paragraph 9.4 of the report

2.1.4 All deposits with banks and building societies no longer on the lending list had been returned with the exception of Icelandic deposits (paragraph 10.5).

2.2 Adoption of Powers to Regulate Sex Entertainment Venues (Appendix 2)

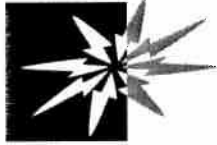
2.2.1 The report (attached as Appendix 2) recommends the adoption of powers, contained in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009, which would provide an improved framework for considering applications for sexual entertainment venues.

2.2.2 The definition of sexual entertainment venues covers any live performance or live display of nudity that is objectively intended principally for the sexual stimulation of the audience and for the financial gain of the organiser or entertainer. This would include lap-dancing, striptease and similar shows.

- 2.2.3 The adoption of the new powers covering sexual entertainment venues, inserted into older legislation intended to regulate sex establishments, would give the Council more appropriate grounds for refusing applications when justified and more extensive rights to impose conditions than might be possible under the Licensing Act 2003.
- 2.2.4 If Members adopt the new powers, they must specify the date they come into force in the Borough and that date must be at least one month after the date of the resolution and must allow sufficient time for press notices in a local newspaper. The 1 September 2010 would be a suitable date for the coming into force.
- 2.2.5 The Council can choose not to adopt the new powers at this time. However, Councils will be required to undertake public consultation if the new powers were to be adopted after 6 April 2011.
- 2.2.6 This report comes to full Council because the adoption of new legislation is a function reserved to the full Council.
- 2.2.7 In anticipation of Council's decision, and subject to it, we resolved to set a fee of £2,700 for an application for a sexual entertainment venue. No part of this fee will be returnable. The setting of this fee is a function within the remit of General Purposes Committee.

WE RECOMMEND:


- (i) Treasury Management Outturn 2009/10
- That Treasury Management activity and performance during 2009/10 and compliance with treasury limits and Prudential Indicators be noted.
- (ii) Adoption of Powers to Regulate Sex Entertainment Venues
- i. That full Council resolve that Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982, as amended by Section 27 of the Policing and Crime Act 2009, shall come into force in the Borough of Haringey on 1 September 2010.
- ii. That officers take steps in accordance with the legislation to publish notice of this resolution in the local press, Council website and other appropriate locations.



Haringey Council
Agenda item:

General Purposes Committee

On 28 June 2010

Report Title.	Treasury Management 2009/10 out-turn	
Report of:	Director of Corporate Resources	
Signed :	 Julie Parker	
Contact Officer :	Nicola Webb, Head of Finance: Treasury & Pensions Telephone 020 8489 3726	
Wards(s) affected: All	Report for: Key Decision	
1. Purpose of the report		
1.1	<p>To report to members in accordance with the CIPFA Treasury Management Code of Practice and the Prudential Code on the following matters:</p> <ul style="list-style-type: none"> • details of capital financing, borrowing, debt rescheduling and investment transactions in 2009/10; • an assessment of the risk implications of treasury decisions and transactions; • details of the outturn position on treasury management transactions in 2009/10; • confirmation of compliance with treasury limits and Prudential Indicators. 	
2. Recommendation		
2.1	<p>That Members note the Treasury Management activity and performance during 2009/10 and compliance with treasury limits and Prudential Indicators.</p>	

3. Reason for recommendation

- 3.1. To ensure members are aware of the Treasury Management activities undertaken during 2009/10 and to report on compliance with limits and performance.

4. Summary

- 4.1. This report sets out the Council's Treasury Management activity and performance during 2009/10 as required by the CIPFA Treasury Management Code of Practice.

5. Head of Legal Services Comments

- 5.1 The Head of Legal Services has been consulted on the content of this report and comments that its content and recommendation are within the policy agreed by Council and consistent with the purposes of Financial Regulations.

6. Use of appendices

- Appendix A – Summary of Prudential Indicators

7. Local Government (Access to Information) Act 1985

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

- Financial Planning Report for 2009/10 to 2010/12 reported to Council and agreed on 23rd February 2009.
- Reports to General Purposes Committee dated 7 July 2009, 22 October 2009, 12 January 2010 and 29th March 2010.

For access to the background papers or any further information please contact Nicola Webb, Head of Finance: Treasury & Pensions, on 0208 489 3726.

8. Background

- 8.1 The CIPFA Treasury Management Code of Practice requires local authorities to determine an annual Treasury Management Strategy and now, as a minimum, formally report on their treasury activities and arrangements to full Council mid-year and after the year-end. These reports enable those tasked with implementing policies and undertaking transactions to demonstrate they have properly fulfilled their responsibilities, and enable those with ultimate responsibility for the treasury management function to scrutinise and assess its effectiveness and compliance with policies and objectives. The report reviewing the activity and performance in 2009/10 is to General Purposes Committee, Cabinet and full Council.
- 8.2 In November 2009 CIPFA released the revised Code of Practice for Treasury Management in the Public Services and accompanying Guidance Notes and the revised Prudential Code for Capital Finance in Local Authorities. The Communities and Local Government Department (CLG) also issued revised Guidance on Local Authority Investments for English authorities. The revised Codes and associated guidance re-emphasise an appropriate approach to risk management, particularly in relation to the security and liquidity of invested funds.
- 8.3 The Council is revising its treasury policy and practices documentation to take account of the requirements and changes in the revised Codes and Guidance.

9. Economic and treasury portfolio background in 2009/10

- 9.1 At the time of determining the Treasury Management Strategy Statement for 2009/10 in February 2009, globally economies faced a prolonged recession or period of weakness following the financial market meltdown in the autumn of 2008. The UK Bank Rate had been cut to 0.5% and the Bank of England had announced its initial £75bn of Quantitative Easing (QE). There remained a sizeable gap between the rates at which banks were willing to borrow from other banks and the Bank Rate, but this gap was forecast to narrow. Gilts were expected to benefit from QE, resulting in lower yields.
- 9.2 After the economic recession and severe downturn in growth that extended into early 2009, there were reports of an emerging recovery. In order to stimulate growth, the Bank of England maintained the Bank Rate at 0.5% throughout the year. The rates at which banks were willing to borrow from each other slowly moved lower towards the Bank Rate.
- 9.3 The Bank of England extended its Quantitative Easing (QE) programme from the initial £75bn to £200bn to revive the economy. UK Government Gilts were the main beneficiary of the economic downturn and as expected, they also formed the significant bulk of the QE purchases and are thought to have pushed gilt yields, and consequently the cost of borrowing, lower by 0.5%.

- 9.4 The position in the treasury portfolio at the end of the financial year compared to the previous financial year end is shown below. This shows the gross borrowing position is significantly higher than the net and the difference has reduced during 2009/10. The reason for this is a reduction in cash balances which has taken place through the year as internal cash balances have been used to fund the capital programme. The Council is holding pension fund monies in cash investments pending investment with external fund managers. These investments are shown separately in the table, as they are not available to the Council to spend. The sections below describe the activity on investments and borrowing and detail the reasons and risks associated with this position.

Treasury Portfolio	Position at 31/03/09 £000	Position at 31/03/10 £000
Long Term Borrowing PWLB	508,611	510,811
Long Term Borrowing Market	125,005	125,005
Short Term Borrowing	0	0
Long Term Liabilities*	4,240	44,322
Total External Debt (Gross Borrowing position)	524,856	680,138
Investments: Council	72,500	23,106
Investments: Pension Fund	18,850	33,967
Investments: Icelandic deposits in default	36,957	30,030
Total Investments	128,307	87,103
Net Borrowing position	396,549	593,035

* The 2009 SORP has resulted in the PFI related long term liabilities being brought onto the Council's Balance Sheet in 2009-10. The PFI scheme financing is covered by PFI credits from central government. The aggregate External Debt including PFI liabilities remained within above the Council's Prudential Borrowing Limit.

10. Long Term Borrowing

- 10.1 The Council's borrowing requirement for 2009/10 and that of two succeeding financial years was estimated in February 2009 to be £165,668k of which Unsupported Borrowing amounted to £15,234k. In addition £17,800k of loans were due to mature during 2009/10 and required re-financing.
- 10.2 The Prudential Code permits the Council the flexibility to bring forward or defer borrowing in relation to its Capital Financing Requirement. During the year the differential between debt costs and investment earnings was significant. In order to eliminate the high "cost of carry" associated with the higher cost of long term borrowing compared to temporary investment returns (between 0.5% and 1%), the

Council used internal resources in lieu of borrowing for the majority of the financial year. By doing so, the Council lowered overall treasury risk during the year. The Council recognised that utilising investments in lieu of borrowing clearly had a finite duration and when internal balances fell to a level which put liquidity at risk in March, £20m of borrowing was taken from the Public Works Loan Board (PWLB).

- 10.3 During the year PWLB borrowing rates were relatively “steep” (rates for short-dated maturity loans were much lower than for longer-dated maturities) reflecting the historically low Bank Rate of 0.5%. The cost of PWLB variable rate debt fell below 1%. During 2009/10 this significantly reduced the ‘cost of carry’ associated with the cost of new borrowing and income earned on investments. This was advocated as a borrowing option by the Council’s treasury management advisers taking into account the substantial proportion of fixed rate debt in the Council’s portfolio. Interest rates would undoubtedly rise over the medium term, but the increase in the cost of variable rate borrowing would be mitigated by a parallel increase in investment income earned at variable rates. Existing PWLB arrangements also permit the conversion of variable rate debt to fixed rate at minimal cost. Equal Instalments of Principal (EIP) loans also reflected the steepness exhibited in the borrowing curve and was advocated as a borrowing option by the Council’s treasury management advisers. EIP loan principal is repaid evenly over the life of the loan and thus avoids adding to specific peaks in the maturity profile of debt.
- 10.4 In the light of this, the additional borrowing taken by the Council in March 2010 was a £20m EIP loan with a variable rate which was 0.7% for the remaining few days of 2009/10. The Council will maintain the discipline to regularly review the proportion and cost of variable rate debt within the portfolio and will either repay or convert the debt to fixed rate as necessary.
- 10.5 Loans of £17.8m were due for repayment to the PWLB during 2009/10 and these were repaid on their due dates in June 2009. The Council has £125m loans which are LOBO loans (Lender’s Options Borrower’s Option) of which £75m of loans were in their option state in 2009/10. None of the lenders involved exercised any call options during 2009/10 and so the interest rates remained fixed.

The movements on the borrowing portfolio during 2009/10 are summarised below:

	Balance at 01/4/09 £000	Maturing loans £000	New Borrowing £000	Balance at 31/3/2010 £000
Fixed rate PWLB	508,611	(17,800)	0	490,811
Fixed rate Market	125,005	0	0	125,005
Variable rate PWLB	0	0	20,000	20,000
Variable rate Market	0	0	0	0
Temporary Borrowing	0	(184)	184	0
Total borrowing	633,616	(17,984)	20,184	635,816

- 10.6 The Council's borrowing costs were £44.82m against a budgeted cost of £46.4m. This is £1.58m lower than expected due to using internal balances in place of external borrowing. This underspend offsets the lower than anticipated income received in respect of investments – see section 11.7 below.
- 10.7 In all its borrowing activity, the Council complied with the prudential indicators set for 2009/10. All borrowing decisions, including the decision to use internal balances, were taken following advice from the Council's Treasury Management Advisor, Arlingclose Ltd.

11. Investments – activity and performance in 2009/10

- 11.1 The Council held average cash balances of £65m during the year for the Council itself and £34m on behalf of the Pension Fund. The Council balances represented working cash balances and the Council's reserves. The Council invested these funds in accordance with the Treasury Management Strategy Statement agreed for 2009/10. All investments made during the year complied with the Council's agreed Treasury Management Strategy, Prudential Indicators, Treasury Management Practices and prescribed limits. Maturing investments were repaid to the Council in full and in a timely manner.
- 11.2 The Council's investment priorities set out in the 2009/10 strategy were:
- 1) Security of the invested capital;
 - 2) Liquidity of the invested capital;
 - 3) An optimum yield which is commensurate with security and liquidity.
- The investments placed by the Council during 2009/10 reflected these priorities.
- 11.3 Financial markets remained in an uncertain state particularly at the beginning of 2009/10. Against this backdrop, the Council continued to place investments with a small, select list of counterparties and managing counterparty risk continued to be the Council's overwhelming investment priority. In addition to credit ratings, the Council has regularly reviewed other economic and financial information including

potential sovereign support, sovereign strength as evidenced by the ratings and GDP, sovereign and counterparty credit default swaps throughout the year.

- 11.4 The 2009/10 treasury management strategy determined 'specified' and 'non-specified' investments for use having assessed their risks and benefits in relation to the Council's particular circumstances, risk threshold and investment objectives. New 'specified' investments were restricted to the UK Government Debt Management Office, other local authorities, AAA-rated Money Market Funds and investments with banks and building societies which are Eligible Institutions under the UK Government's 2008 Credit Guarantee Scheme and with a long-term AA-(AA minus) Fitch rating. The 2009/10 treasury management strategy also included a number of 'non-specified' categories of investment – gilts, supranational bonds and deposits with any of the above specified counterparties for a period of more than one year. However none of the non-specified investments were used during 2009/10, due to the reduction in cash balances and the need to maintain liquidity.
- 11.5 At the beginning of the year the majority of investments were placed with the UK government Debt Management Office or on call with the UK banks on the Council's lending list. In November 2009, the Council started using AAA rated Money Market Funds following a selection exercise undertaken with the advice of Arlingclose, the Council's treasury management advisers. These actions enabled the Council to maintain the liquidity required, while earning a reasonable interest rate. From the table below, it can be seen that by the end of the financial year, all deposits with banks and building societies no longer on the lending list had been returned (with the exception of the Icelandic deposits – see 11.8 below).

	Balance at 01/4/2009 £000	Balance at 31/3/2010 £000
Debt Management Office	9,350	0
UK Banks and Building Societies on 2009/10 counterparty list	64,000	45,919
Banks and Building Societies not on 2009/10 counterparty list	18,000	0
Money Market Funds	0	11,154
TOTAL INVESTMENTS EXCLUDING ICELAND	91,350	57,073
Council investments	72,500	23,106
Pension Fund investments	18,850	33,967
Icelandic deposits in default	36,957	30,030
TOTAL INVESTMENTS	128,307	87,103

- 11.6 In order to monitor the credit worthiness of the investments the Council placed, the Council has been reporting a measure of credit worthiness produced by the treasury management advisers to General Purposes Committee on a quarterly basis. This measure scores credit risk on a scale of 0 to 10 on both a value weighted and a time weighted basis and the table below demonstrates how to interpret the scores:

Above target	AAA to AA+	Score 0 - 2
Target score	AA to A+	Score 3 - 5
Below target	Below A+	Score over 5

The scores reported throughout the year are shown in the table below and they demonstrate that the Council has remained within the target range throughout 2009/10:

	Quarter 1 30 June 09	Quarter 2 30 Sept 09	Quarter 3 31 Dec 09	Quarter 4 31 March 10
Value weighted	4.3	3.5	3.5	3.5
Time weighted	4.3	4.0	4.0	4.2

- 11.7 The UK Bank Rate was maintained at 0.5% throughout 2009/10. Money market rates soon fell to and remained at historic lows. Whilst existing investments provided some insulation against falling rates, new investments could only be made at the prevailing lower rates of interest. This has had a significant impact on investment income. The Council's investments achieved a return of 2.12% in the year and the income for the year was £1.58m. The 2009/10 budget for investment income was £2m following an allocation from reserves. This therefore resulted in an overspend of £0.42m, which was offset by the underspend on interest paid.
- 11.8 **Icelandic Investments** – the administration processes for the Icelandic banks in which the Council deposits are held are continuing. Three payments have been received by the Council in respect of the Heritable Bank deposits totalling £6,958k. This represents 35% of the original deposits. Legal challenges are continuing in Iceland with regard to whether local authority deposits in Landsbanki and Glitnir have priority status. The Landsbanki Winding Up Board determined that local authority deposits should have priority, but this is being challenged by the other creditors. The Glitnir Winding Up Board however decided that local authorities are not priority. This decision is being challenged by local authorities.

12. Short Term Borrowing during 2009/10

- 12.1 As discussed above, the cash balance of the Council was reducing during 2009/10 and as a result the Council was required to borrow funds on a short term basis at various points during the year. Due to the uneven pattern of the Council's cashflow, borrowing was required to meet the Council's obligations in advance of receipts being received. The table below provides a summary of the short term borrowing undertaken during 2009/10.

Lender	Number of occasions	Average amount borrowed	Average period of loan (days)	Weighted average interest rate paid
Other local authorities	12	£5.87m	1.83	0.34%
UK banks and building societies	21	£6.0m	2.68	0.50%
TOTAL	31	£5.95m	2.35	0.44%

13. Minimum Revenue Provision (MRP)

- 13.1 Local authorities are required to charge to their revenue account an annual provision for the repayment of debt associated with expenditure incurred on capital assets. This charge to the revenue account is referred to as the Minimum Revenue Provision (MRP).
- 13.2 The Local Authorities (Capital Finance and Accounting) (England) (Amendment) Regulations 2008 provide local authorities with a number of options as to how to calculate MRP. The Council's MRP policy for 2009/10 was approved by the Council. It was determined that the option which enables the Council to charge 4% of the Authority's underlying need to borrow would be adopted for Supported Borrowing. For unsupported borrowing the option to charge according to the life of the asset was agreed.

14. Compliance with Prudential Code indicators

- 14.1 The Council complied with the Balanced Budget requirement and as required by the Prudential Code, the Council approved a set of prudential indicators for 2009/10 on 23rd February 2009. The Council complied with all indicators during the financial year and details of each indicator are provided below with a summary set out in Appendix A.

14.2 Estimated and Actual Capital Expenditure

This indicator is set to ensure that the level of proposed investment in capital assets remains within sustainable limits and, in particular, to consider the impact on the Council Tax and in the case of the Housing Revenue Account (HRA), housing rent levels.

No. 1	Capital Expenditure	2009/10	2009/10	2009/10
		Estimated £000	Revised indicator £000	Outturn £000
	General	149,280	121,981	105,274
	HRA	49,725	60,479	60,638
	Total	199,005	182,460	165,912

Further information about the capital out-turn can be found in the 2009/10 budget out-turn report.

14.3 Estimated and Actual Ratio of Financing Costs to Net Revenue Stream

This is an indicator of affordability and demonstrates the revenue implications of capital investment decisions by highlighting the proportion of the revenue budget required to meet the borrowing costs associated with capital spending. The financing costs include existing and proposed capital commitments.

No. 2	Ratio of Financing Costs to Net Revenue Stream	2009/10	2009/10	2009/10
		Estimated %	Revised indicator %	Outturn %
	General	5.20	5.35	5.56
	HRA	33.59	32.77	27.67

14.4 Capital Financing Requirement

The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council ensures that net external borrowing does not, except in the short term, exceed the CFR in the preceding year plus the estimates of any additional CFR for the current and next two financial years. The Council was within this limit throughout 2009/10.

No. 3	Capital Financing Requirement	31/3/10	31/3/10	31/3/10	31/3/11	31/3/12
		Estimated £000	Revised indicator £	Outturn £	Estimated £	Estimated £
	General	226,850	228,256	230,130	231,501	239,901
	HRA	449,242	449,331	452,765	492,498	542,731
	Total	676,092	677,587	682,895	723,999	782,632

14.5 Authorised Limit

This is the maximum amount of external debt that can be outstanding at one time during the financial year. The limit, which is expressed gross of investments, is consistent with the Council's existing commitments, proposals for capital expenditure and financing and with its approved treasury policy and strategy and also provides headroom over and above for unusual cash movements. This limit was set at £900m for 2009/10.

14.6 Operational Boundary

This is set to reflect the Council's best view of the most likely prudent (i.e. not worst case) levels of borrowing activity and is based on the Authorised Limit excluding the headroom for unusual cash movements. For 2009/10 the limit was set at £875m.

14.7 Actual External Debt

This indicator is obtained directly from the Council's balance sheet. It is the closing balance for actual gross borrowing plus other long-term liabilities. This Indicator is measured in a manner consistent for comparison with the Operational Boundary and Authorised Limit.

No. 4	Comparison of Actual External Debt to Authorised Limit and Operational Boundary	Authorised Limit £000	Operational Boundary £000	Actual External Debt at 31/03/10 £000
	Borrowing	895,419	870,419	635,816
	Other Long-term Liabilities	4,581	4,581	44,322
	Total	900,000	875,000	680,138

14.8 The levels of debt were measured on an ongoing basis during the year for compliance with the Authorised Limit and the Operational Boundary. The 2009 SORP has resulted in the PFI related long term liabilities being brought onto the Council's Balance Sheet in 2009-10 – this accounts for the large increase in long term liabilities. The PFI scheme financing is covered by PFI credits from central government. The Council maintained its total external borrowing and other long-term liabilities within both limits; at its peak this figure was £680,138k.

14.9 Incremental Impact of Capital Investment Decisions

This is an indicator of affordability that shows the impact of approved capital investment decisions on Council Tax and Housing Rent levels when the budget for the year was set.

No. 5	Incremental Impact of Capital Investment Decisions	2009/10 Revised £	2009/10 Actual £
	Increase in Band D Council tax	8.48	2.81
	Increase in average weekly housing rents	0.03	0.02

The table shows the difference between the revised indicators and the actual position was minimal on housing but slightly more significant on the General Fund.

This is a result of the out-turn on capital expenditure, which is covered in detail in the budget out-turn report.

14.10 Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure

These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The exposures are calculated on a net basis, i.e. fixed rate debt net of fixed rate investments. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on the portfolio of investments. The Council complied with these limits throughout 2009/10.

No. 6	Fixed and Variable rate exposures	2009/10 Estimated %	2009/10 Actual Peak Exposure %
	Upper Limit for Fixed Rate Exposure	100	100
	Upper Limit for Variable Rate Exposure	40	4.33

14.11 Maturity Structure of Fixed Rate borrowing

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates and is designed to protect against excessive exposures to interest rate changes in any one period, in particular in the course of the next ten years. It is calculated as the amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate. The Council complied with these limits throughout 2009/10.

No. 7 Maturity structure of Fixed Rate Borrowing	Lower Limit %	Upper Limit %	Actual Borrowing as at 31/3/2010 £000	Percentage of total at 31/3/2010
under 12 months	0	25	52,005	8.2
12 months and within 2 years	0	25	46,500	7.3
2 years and within 5 years	0	50	111,743	17.6
5 years and within 10 years	0	75	109,475	17.2
10 years and over	0	100	316,088	49.7
Further split of long term borrowing				
10 years and within 20 years			59,088	9.3
20 years and within 30 years			25,000	3.9
30 years and within 40 years			10,000	1.6
40 years and within 50 years			147,000	23.1
50 years and above			75,000	11.8

14.12 Total principal sums invested for periods longer than 364 days

This indicator is set in order to allow the Council to manage the risk inherent in investments longer than 364 days. For 2009/10 this limit was set at £60m. However no investments were made for more than 364 days due to the reducing cash balances and the funding of capital from internal balances.

14.13 Adoption of the CIPFA Treasury Management Code

The Council originally adopted the CIPFA Code of Treasury Management in May 2002. At its meeting on 22nd February 2010 the Council adopted the revised CIPFA Code of Treasury Management. The Council has incorporated the changes from the revised CIPFA Code of Practice into its treasury policies, procedures and practices.

15. Other Treasury Issues

15.1 External Service Providers

Arlingclose is appointed as the Council's treasury management adviser. The Council is clear as to the services it expects and are provided under the contract. The service provision is comprehensively documented. The Council is also clear that overall responsibility for treasury management remains with the Council.

15.2 Training

CIPFA's revised Code requires the Chief Financial Officer to ensure that all members tasked with treasury management responsibilities, including scrutiny of the treasury management function, receive appropriate training relevant to their needs and understand fully their roles and responsibilities. The CLG's revised Investment Guidance also recommends that a process is adopted for reviewing and addressing the needs of the authority's treasury management staff for training in investment management.

Training sessions were held in September 2009 and June 2010 for all councillors involved in decisions relating to treasury management. Treasury management staff have kept their knowledge up to date by attending training events arranged by the Council's treasury management advisors and CIPFA.

Summary of Prudential Indicators

No.	Prudential Indicator	2009/10 Revised Indicator		2009/10 Out turn
1	Capital Expenditure	£182,460k		£165,912k
2	Ratio of financing costs to net revenue stream			
	General Fund	5.35%		5.56%
	HRA	32.77%		27.67%
3	Capital Financing Requirement	£677,587k		£682,895k
4	Authorised Limit	£900,000k		£680,138k
	Operational Boundary	£875,000k		£680,138k
5	Incremental impact of capital investment decisions			
	Band D Council Tax	£8.48		£2.81
	Weekly Housing rents	£0.03		£0.02
6	Upper limit – fixed rate exposure	100%		100%
	Upper limit – variable rate exposure	40%		4.33%
7	Maturity structure of borrowing (U: upper, L: lower)	L	U	
	under 12 months	0%	25%	8.2%
	12 months and within 2 years	0%	25%	7.3%
	2 years and within 5 years	0%	50%	17.6%
	5 years and within 10 years	0%	75%	17.2%
	Over 10 years	0%	100%	49.7%
8	Sums invested for more than 364 days	£60,000k		£0
9	Adoption of CIPFA Treasury Management Code of Practice			√



Agenda item:

[No.]**GENERAL PURPOSES COMMITTEE****On 28th June 2010**Report Title: **Adoption of powers to regulate Sex Entertainment Venues**Report of **Niall Bolger – Director of Urban Environment**

Signed :


 26th May 2010

Contact Officer : Robin Payne – Head of Enforcement Services

Wards(s) affected: **All**

Report for: Key Decision

1. Purpose of the report

1.1. To seek approval for the adoption powers contained in Schedule 3 of the 1982 Act Local Government Act 1982 (the 1982 Act) as inserted by Section 27 of the Policing and Crime Act 2009. The effect of this provision, if adopted, is to bring the licensing of lap dancing and pole dancing clubs and other similar venues under the regime set out in the 1982 Act, which is currently used to regulate establishments such as sex shops and sex cinemas.

1.2. The report also seeks to establish a fee for applications made.

2. State link(s) with Council Plan Priorities and actions and /or other Strategies:

- 2.1. Haringey's Strategic Partnership strategy 'Safer for All' seeks to reduce harm from antisocial behaviours and in particular to protect families and children.
- 2.2. Our Licensing Policy Statement currently reflects the legal position that venues can operate without licence 11 times a year without licence.

3. Recommendations

- 3.1. That the General Purpose Committee resolve to refer to full Council to adopt the amendment to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, as inserted by Section 27 of the Policing and Crime Act 2009, to allow the

licensing of sexual entertainment venues.

3.2. That The General Purposes Committee agree to set a fee of £2,700 for an application. No part of this fee will be returnable.

4. Reason for recommendation(s)

4.1. Under the Licensing Act 2003 currently applications can be made for sexual entertainment. Applications must be considered against four prescribed Licensing Policy objectives. Our experience in Haringey has been that the Licensing Act does not easily and adequately deal with the concerns that such venues can have for local communities. The former Cabinet Member for Community Safety and Enforcement lobbied for change so that those wishing to object to applications could better reflect their concerns about local impact. Adopting this amendment will provide a better framework for considering applications for sexual entertainment venues.

5. Other options considered

5.1. The Council can choose to adopt after 6 April 2011, or not at all. If adopted after 6 April 2011 the Council will be required to undertake public consultation before adopting, and as soon as is reasonably practicable after that date. Adopting later would incur additional costs and mean that the existing unsatisfactory arrangements would continue for longer.

6. Summary

6.1. Members of this committee are asked to agree to the proposal that the Council adopt Schedule 3 to the 1982 as amended to regulate lap dancing clubs and similar venues, and to set a corresponding fee to enable an application.

7. Chief Financial Officer Comment.

7.1. The costs of preparing this report and implementing the associated recommendations can be contained within existing budgets.

8. Head of Legal Services Comments

8.1. The Council has already adopted Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982. It may now resolve to adopt Schedule 3 as amended by Section 27 of the Policing and Crime Act 2009 which would permit the more effective regulation of lap dancing clubs and similar venues. The procedure for adoption is found in Section 2 of the 1982 Act as summarised in the

body of this report. If the amended schedule is adopted by 6 April 2011 there will be no statutory requirement to consult local residents or workers. Non statutory Home Office guidance on Sexual Entertainment Venues was published in March 2010.

9. Equalities &Community Cohesion Comments

The Government carried out an Equality Impact Assessment to see if there would potentially be some less favourable treatment of groups that would be affected and how this could be mitigated. No negative impact on equalities groups were foreseen.

10. Consultation

10.1. No consultation has been undertaken. Licensing Committee has been informed of this report.

11. Service Financial Comments

11.1. An appropriate fee level for this application process that is compliant with the EU Services Directive as implemented in the UK by the Provision of Services Regulations 2009. Schedule 3 to the 1982 Act provides that an applicant for the grant, renewal, variation or transfer of a sex establishment licence shall pay a reasonable fee as determined by the Council. Having surveyed fees set by our neighbouring boroughs this Authority propose a reasonable fee of £2700 for an application for a Sexual Entertainment Venue (SEV) licence.

12. Local Government (Access to Information) Act 1985

12.1. The Policing and Crime Act 2009
The Local Government (Miscellaneous Provisions) Act 1982
Home Office Guidance for Sexual Entertainment Venues dated 1 April 2010

13. Background

13.1. The Policing and Crime Act 2009 ("the 2009 Act") amends Schedule 3 of the Local Government (Miscellaneous Provisions Act) 1982 to allow the licensing of "Sexual Entertainment Venues".

13.2. Section 27 introduces a new category of sex establishment called a "sexual entertainment venue". A "sexual entertainment venue" is defined as "any premises, which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer." "Relevant entertainment" may take the form of a live performance or live display of nudity and must be of such a nature that, ignoring financial gain, it must reasonably be assumed to have been

provided solely or principally for the purpose of sexually stimulating any member of the audience. The audience can consist of one person. It is likely to cover lap dancing, pole dancing, table dancing, strip shows, peep shows and live sex shows.

- 13.3. Lap dancing does not currently require a premises licence under the Licensing Act 2003 and no special provisions are made in the 2003 Act for lap-dancing venues. If an application for performance of dancing is submitted and unopposed, the authority must grant it subject to mandatory conditions.
- 13.4. If representations are made by an interested party or responsible authority then the authority may, following a hearing, impose other conditions or reject the application providing the rejection is in line with at least one of the four general licensing objectives under the Licensing Act 2003. This severely restricts the scope for objections and limits these to situations which could apply to establishments such as pubs, restaurants and food takeaways. The special, and more controversial sexual aspects of a lap dancing venue or similar may not be considered.
- 13.5. The Government consulted with Local authorities, and other relevant parties, as to whether or not the Licensing Act 2003 provided adequate provisions to regulate such activities. Results of consultation showed that many respondents, including local authorities, thought it was not fit for purpose as it did not allow the issues that really concerned residents faced with such an application to have a voice
- 13.6. The amendment to the 1982 Act provides a more specified approach to Sexual Entertainment Venues and their control. The Licensing Authority can apply prescribed conditions on grounds not covered by the Licensing Act 2003, for example dealing with the location of the premises and the character of the area, the hours of operation, the display of adverts, the visibility of the interior and the managerial control of premises. The local authority may further prescribe different standard conditions on a sexual entertainment venue compared to other sex establishments, such as a sex shop.
- 13.7. A further report with proposals for a Sex Establishment Policy will be brought to this committee at a later date which will set out all criteria against which decisions can be made. This could include setting an effective nil resolution for the borough.

14. Formal Adoption Arrangements

- 14.1. Section 27 came into force on 6th April 2010. Following this date local authorities may resolve to adopt Schedule 3 to the 1982 Act as amended by the 2009 Act so that it has effect in their area. Adoption is a matter for the Council to decide on.

- 14.2. If the local authority fails to adopt Schedule 3 in the way described above, within twelve months of the new legislation taking effect (6th April 2011), it must then carry out a full public consultation exercise before deciding whether to formally adopt Schedule 3 of the 1982 Act as amended. The purpose of the duty to consult, if you have not adopted this legislation within 12 months, is to ensure that local authorities consider the views of local people where, for whatever reason, they have not adopted the provisions
- 14.3. There are detailed transitional provisions contained in the legislation. Currently there are no sexual entertainment venues in this local authority's area so the transitional arrangements will not be activated.
- 14.4. Haringey Council has already adopted Schedule 3 to the 1982 Act for the licensing of sex shops and sex cinemas. However a further resolution is necessary before the provisions introduced by Section 27 will have effect in the local authority area.
- 14.5. Should Members of Full Council agree to the adoption of the amendment, they must also specify the day on which it shall come into force in the area. The specified day must be more than one month after the day on which the resolution was passed. The local authority will then publish a notice that they have passed the resolution referred to above for two consecutive weeks in a local newspaper. The first publication shall not be later than 28 days before the day specified in the resolution for the provisions to come into force in the local authority's area.

15. The timescale for the adoption is as detailed below

It is now necessary to track this through to final publication in line with the timetable as detailed below :

- 27th May 2010 Consult Licensing Committee to refer to General Purpose
- 28th June 2010 – report goes to GPC to agree adoption by Full Council and set fees
- 19th July 10 – report goes to Full Council for adoption . Public notice to be given for 28 days

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