

**MINUTES OF THE CABINET
TUESDAY, 16 APRIL 2013**

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

MINUTE NO.	SUBJECT/DECISION	ACTION BY
CAB387.	APOLOGIES There were no apologies for absence.	
CAB388.	URGENT BUSINESS There were no items of Urgent Business.	
CAB389.	DECLARATIONS OF INTEREST No declarations of interest were made.	
CAB390.	MINUTES RESOLVED: That the minutes of the meeting held on 19 March 2013 be confirmed as a correct record.	
CAB391.	NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS No representations were received.	
CAB392.	DEPUTATIONS/PETITIONS/QUESTIONS A deputation request had been submitted and accepted in relation to Item 7, 'Determination on the Closure of John Loughborough School', from Mr Samuel, Chair of the school's Board of Governors.	
CAB393.	DETERMINATION ON CLOSURE OF JOHN LOUGHBOROUGH SCHOOL Prior to Cabinet considering the report, Mr Samuel, Chair of the John Loughborough School Board of Governors, spoke in opposition to the school's closure. Mr Samuel began by questioning whether the process followed by the Council in closing the school had been fair and whether the Council could have been more supportive and allowed more time for an Academy sponsor to be found. He contended that the lack of time available had limited that school's ability to	

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identify a suitable Academy sponsor and suggested that more time should be given to allow that process to take place. It was noted that the school had sought legal advice on this point and had written to the Department of Education on this matter.

Mr Samuel contended that the Council had demonstrated predetermination in its moves to put arrangements in place for pupils to be moved to alternative schools before the final decision with respect to the school's closure was made. He also contended that comments had been made by the Leader of the Council, at a consultation event, which demonstrated predetermination.

Mr Samuel noted that the school aimed to equip pupils with skills that would give them confidence and enable them to contribute to their community. He noted that this was one of the school's strengths and parents and pupils valued this highly. Whilst he recognised the Council's concerns with regard to the school's performance he argued that the school had taken significant steps to improve performance over recent years.

At the conclusion of Mr Samuel's deputation the Leader disputed an assertion made by Mr Samuel that she had made comments at a consultation event indicating that the decision to close the school was a foregone conclusion. Cabinet Members were then invited to put questions to Mr Samuel and other members of the deputation.

In response to a series of points made with regard to the school's poor performance and lack of improvement in comparison with other schools in the borough, the school's head teacher acknowledged that poor levels of performance were not acceptable and agreed that it was important that all children in the borough received a good education. However, she contended that the school had been through a significant period of turbulence, due to a number of changes to its leadership over recent years, which the Council had not taken into account. She emphasised the value the school placed on supporting its pupils emotional well being and personal development and contended that this should also be taken into account.

In conclusion the head teacher argued that the decision with respect to the school's closure should be delayed until the examination results for 2013 and 2014 were known as this would allow measures that had been put in place over this last year to become effective.

Cabinet was in agreement that ensuring that young people reached their full potential academically and that they possessed the qualifications and skills they needed in order to find employment was vital. The Council had to be confident that all schools in the borough provided a good level of education that enabled them to do this.

In response to assertions that the Council had been unsupportive in the school's application for Academy status; the Leader clarified that Local Authorities played no role in the determination of applications for Academy

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status.

The Cabinet Member for Children thanked Mr Samuel and other members of the deputation for attending the meeting and for making their deputation and she responded to the points made by the deputation. She began by noting that she was satisfied that the process had been carried out fairly and in accordance with the relevant legislation. In terms of Mr Samuel's contention that the Council could have been more supportive in the school's attempt to find an Academy sponsor, she echoed the earlier point that Local Authorities did not have a role to play in either supporting schools to become Academies, or in determining whether they should become Academies.

With regard to assertions that the outcome on the closure of the school had been predetermined, because contingency plans were being put in place by the Council for pupils that might be effected by the potential closure of the school; the Cabinet Member for Children rejected this argument and noted that it had been important that contingency plans were put in place given that there was a possibility that the school may be closed.

In terms of suggestions that the school should be given more time to improve academic attainment, the Cabinet Member for Children noted the initial Notice to Improve had been issued six years ago. Although she appreciated that the school had been through a period of turbulence the key consideration for the Council had to be the education of the children that attended the school and whether this was of the required standard.

In response to a question on support the Cabinet Member for Children reiterated that she was satisfied that the Council had supported the school throughout the process. It was also noted that the school had been supported by the London Challenge Scheme, which helped poor performing schools to drive up their performance. It was reiterated that Local Authorities played no role in determining applications for Academy status.

In response to comparisons drawn with St Thomas Moore school Cabinet was advised that St Thomas Moore school had been able to demonstrate improvement and progress to Ofsted. In contrast the John Loughborough School had not been able to demonstrate improvement and this was why closure was being considered.

The Leader drew discussion to a conclusion by noting that the central themes of concern that had been expressed strongly at the consultation event and which had been reiterated now were; the importance of the provision of a faith based education; a safe and nurturing environment to learn in and; developing strong personal skills and confidence amongst pupils. She noted that the concerns of Year 10 pupils regarding the impact of the closure of the school upon them in their GCSE year had been taken on board and as a result officers had been asked to begin contingency planning at an early stage to ensure any transition was as smooth as possible and that it reflected the wishes of the pupils and parents as far as possible.

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	<p>The Leader noted that the initial Notice to Improve had been issued in February 2007 and since that time the school had failed to improve attainment and achieve targets set by Ofsted. Given this Cabinet had to consider the Council's commitment to ensure that every child had access to a good education and whether the school could provide this. In conclusion the Leader thanked Mr Samuel and other members of the deputation for attending the meeting and for making their deputation.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the proposal to close The John Loughborough School, across all year groups with effect from 31 August 2013, be approved. ii. That pupils currently on roll at The John Loughborough School (with the exception of the current Year 11), be transferred to other schools with effect from September 2013, in accordance with the admissions process set out in the published notice. iii. That school places were made available in other good or outstanding education for pupils currently on roll at the John Loughborough School. iv. That staff currently employed at the school were dealt with under the provisions of the Haringey Schools Redundancy Redeployment Policies/Procedures, which the school adheres to. <p>Alternative Options Considered</p> <p>Under the Department for Education (DfE) guidance a proposal could be approved, rejected, approved with modification or approved subject to meeting specific conditions.</p> <p>Reasons for Decision</p> <p>Four Ofsted inspections since 2007 have shown no sustained improvement in the standards expected at the school. The most recent full inspection was in December 2011 which, for a second time, placed the school in 'special measures'. A monitoring inspection in February 2013 determined progress since the school was subject to special measures to be 'inadequate'.</p> <p>A number of support measures had been put into place over the last ten years to try to turn the school around and to raise standards but, despite these, the school had not been able to show sustained improvement over any significant period of time. The support put into place is outlined in this report but the continuation of this support was not educationally or financially viable in the long term.</p> <p>A review of the school by the Local Authority working in partnership with the SEC was undertaken and the review also had the input of an independent education consultant and it was concluded that there were only two viable options for the future of the school:</p>	<p>Director of Children's Services</p> <p>Director of Children's Services</p> <p>Director of Children's Services</p> <p>Director of Children's Services</p>
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	<ul style="list-style-type: none"> ➤ closure or ➤ conversion to academy status with the support of an external sponsor <p>In September 2012 the Council’s Cabinet agreed that these were the only two viable options for the future of the school and agreed that consultation should commence on the possible closure of the school. In parallel with this consultation the SEC would continue to seek to secure an appropriate sponsor to allow the school to convert to an academy.</p> <p>In December 2012, following consideration of the feedback received from the consultation that took place with stakeholders, along with all other material considerations, the Lead Member for Children’s Services agreed that a statutory notice should be published setting out the Council’s proposal to close the school with effect from the end of the summer term 2013.</p> <p>The feedback from the representation period of six weeks that followed the publication of the statutory notice showed that many stakeholders did not want the school to close and had set out that more time should be given to allow the school to respond to the challenge to improve the standard of education being delivered at the school and the resultant impact on the outcomes for its pupils. However, the evidence base set out in this report, including successive Ofsted inspections, GCSE results for The John Loughborough School pupils compared with local and national averages, and the sustained and targeted level of support provided to the school to support improved outcomes, illustrates robustly that the school has failed over a long period of time to secure the required outcomes for its pupils and that a delay now in the implementation of the closure of the school runs the risk of consigning further cohorts of pupils to a standard of education that falls well below that which is expected locally and nationally and the resultant impact for life chances on those pupils as they move into adult life and the wider world. Even a delay of one or two years risks impact on outcomes for between 60 and 120 young people to realise their potential and for all of them to be given the opportunity to achieve to their highest potential.</p>	
<p>CAB394.</p>	<p>ACADEMY CONVERSIONS</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Children, which sought approval to enter into various legal agreements, in order to facilitate the statutory process of the conversion of schools to Academy status.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the decision of the educational establishments to convert to Academy status be noted. ii. That, in order to facilitate the statutory process and conversion of schools to Academy status, it be approved that for each of the establishments the Local Authority, as appropriate, enter into: 	<p>Director of Children’s Services</p>

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	<ul style="list-style-type: none"> ➤ A Commercial Transfer Agreement ➤ A lease for 125 years where the Local Authority is the freeholder ➤ Novation and/or assignment of any building contracts <p>iii. That delegated authority be given to the Director of Children's Services to agree the terms of the documents, as set out above, to be entered into after consultation with the Cabinet Member for Children.</p> <p>Alternative Options Considered None – this is a statutory process following the exercise of the educational establishments' discretion to choose to convert to academy status under the Academies Act 2010.</p> <p>Reasons for Decision This is a statutory process following the exercise of the educational establishment's choice to convert to academy status under the Academies Act 2010.</p>	
CAB395.	<p>RHODES AVENUE SCHOOL EXPANSION PROJECT - RE-PROCUREMENT OF PHASE 3</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Children, which sought approval to vary the third phase of the contract with Balfour Beatty Scottish and Southern Ltd, to deliver the Rhodes Avenue Phase 3 Expansion Project.</p> <p>Exempt information pertaining to the report was considered under agenda item 24.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the variation of Phase 3 of the contract with Balfour Beatty Scottish and Southern Ltd in the sum of £3,699,118, which is fully funded from the Capital Programme, be approved. ii. That the issuing of a letter of variation in respect of the variation, prior to formal contract signature for 10% of the variation value in the sum of £369,911, be approved. iii. That it be noted that the total cost of Phase 3, including all fees and other associated costs, as defined in the exempt part of the report, in the sum of £4,360,000 and to approve this value as the cash limit budget for this phase of the project. iv. That it be noted that the current provision within the CYPS capital programme for Phase 3 of Rhodes Avenue Expansion was £2,700,000 and agree therefore that a virement was approved from the CYPS capital programme contingency in the sum of £1,600,00 to support the cash limit budget recommended above. 	<p>Director of Children's Services</p> <p>Director of Children's Services</p> <p>Director of Children's Services</p>

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	<p>Alternative Options Considered</p> <p>The following alternative options were considered:</p> <ul style="list-style-type: none"> ➤ Do nothing – this option would not achieve the authority’s key responsibility in providing sufficient primary school places ➤ Reduce Scope – This failed to address existing condition and suitability issues contained within the project brief <p>To continue with existing contractual arrangements (traditional contract) – This did not provide the Council with cost and time certainty</p> <p>Reasons for Decision</p> <p>To complete the expansion of Rhodes Avenue Primary School to service the increased pupil numbers in the area and to minimise the Council’s exposure to costs and further delays to the programme by varying the final phase of work as a Design and Build project.</p>	
CAB396.	<p>REVENUES, BENEFITS AND CUSTOMER SERVICES - INTRODUCTION AND APPLICATION OF SOCIAL FUND</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Finance and Carbon Reduction, which sought approval of the proposed Social Fund Policy.</p> <p>The Leader noted that there was a limited budget available for this within any given financial year and that once the fund had been used there was no further funding available even if people were able to demonstrate need. She placed on record her concern that there would be an increasing number of people applying to the fund at a time when the Government had reduced the fund by 15% upon its transferral of management to Local Authorities.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the process for procuring an external supplier to run the Haringey Support Fund scheme, with a proposed contract commencement date after the 1 August 2013, be agreed, in accordance with the criteria developed by the Council and documented in the specification for the procurement process. ii. That it be agreed that an interim solution would be operational from 1 April until such time as the Council would go live with the new provider, which was anticipated as being after 1 August 2013, and that the delivery of the Haringey Support Fund would be administered in-house whilst the procurement process was completed and Cabinet approval was obtained on the preferred supplier. iii. That authority be delegated to the Assistant Chief Executive to make procurement decisions necessary to support the fulfilment of the interim in-house solution, within the allocated financial budget 	<p>Assistant Chief Executive</p> <p>Assistant Chief Executive</p> <p>Assistant Chief Executive</p>

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envelope for both administration and awards (value £451,641), as detailed in section 6 of the report, and that as part of this authority also be delegated in respect of the finalisation of a waiver and award of contract to local supplier 'ReStore' up to a value of £160,00.

- iv. That it be noted that the Support Fund policy, set out in Appendix C of the report, would be used during the interim period and to inform the procurement process.

Alternative Options Considered

The following options were considered, and summarised below:

Absorb the funding to support other Haringey strategies

The funding could be used to support other council aims and objectives in line with current priorities, as follows:

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

This option was not taken forward as it would not fulfil the immediate need of current users of the Social Fund in line with guidance issued by the Department of Works and Pensions (DWP) and as a minimum we would have to signpost those in the community who are most vulnerable to alternative sources of either funding or assistance.

Develop a scheme that replicates the current scheme using additional Council funding

The discretionary arm of the Social Fund will be abolished by the Welfare Reform Act 2012 and local authorities will receive reduced funding to enable them to provide locally-administered assistance to the vulnerable, under existing powers. Given that the funding is restricted annually and applicants may be refused simply on the grounds that the money has run out, Members could approve additional monies being used to support the scheme.

This option is not recommended at this time due to the lack of accurate data to enable the council to establish the efficiency of the current DWP provision and that the objectives of the scheme are fulfilled in targeting the relevant support to those most vulnerable.

Merge with other Hardship schemes within the council

This provision could be linked to other funds available within the authority that support those in need. The option of merging the Support Fund with existing Discretionary Housing Payments, Section 17 payments (for Children's Services) and other Hardship payment related schemes has been considered. Meetings were held with other Directorates to review opportunities for joint working and distribution of funds. However the administrative burden of managing a number of varying priorities and the complexity of the Governance and

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	<p>decision making process, made this option not viable within the timeframes.</p> <p><u>Set up Scheme In-House</u></p> <p>The option of running the scheme in-house as a permanent approach to delivery has been discounted due to the inability to maximise economies of scale that could be achieved by procuring an external provider. For example; the additional cost of purchasing and administering an IT solution to support the scheme. However the interim arrangements for the period up to procurement of a supplier will be delivered in-house.</p> <p><u>Partner with other Local Authorities</u></p> <p>A significant amount of analysis and liaison with other Local Authorities has assisted in the decision making process. Knowledge and learning has been shared with other Authorities, but there is not the appetite from other Authorities to partner to deliver schemes at this stage.</p> <p>Reasons for Decision</p> <p>Whilst the money is not ring-fenced there is an expectation that support will be given to certain vulnerable groups in a similar way to the DWP's current process. Following analysis and review, the procurement of an external supplier was seen as the most suitable option for cost and service benefit reasons.</p> <p>An interim solution is needed to ensure effective support is available for those who need it from 1 April 2013 when the DWP no longer provides this service.</p>	
CAB397.	<p>REVENUES, BENEFITS AND CUSTOMER SERVICES: POLICY FOR THE AWARD OF DISCRETIONARY COUNCIL TAX REDUCTIONS (SECTION 13A)</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Finance and Carbon Reduction, which sought agreement of a policy in relation to the award of discretionary reductions in Council Tax under the Section 13A (1) (c) of the Local Government Finance Act 1992.</p> <p>RESOLVED:</p> <p>That the policy, as set out in Appendix A of the report, be approved and that the application, as set out in Appendix B, of the report be noted.</p> <p>Alternative Options Considered</p> <p>Section 13A(1) (c) of the Local Government Finance Act 1992 gives Local Authorities a general discretion to reduce a person's Council Tax to such extent as the Authority thinks fit. By virtue of the Council Tax Reduction Schemes (Prescribed Requirement) (England) Regulations 2012, all persons liable for Council Tax are entitled to apply for such a discretionary reduction. Therefore the Council needs to review its policy in the regard to determine how such applications are to be assessed.</p> <p>Reasons for Decision</p>	<p>Assistant Chief Executive</p>

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	It is a statutory requirement to have a policy and process in place for all persons liable for Council Tax to request a discretionary reduction.	
CAB398.	<p>PUBLIC HEALTH BUDGET 2013/14</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Health and Adult Services, which sought agreement to continue to fund the current portfolio of public health services and programmes for 2013/13 and to undertake a programme of review of the current commitments for 2013/14 in the Public Health portfolio.</p> <p>In response to a series of questions Cabinet was advised that the budget for tackling teenage pregnancy reflected that significant improvements had been made in this area; however, work was ongoing. The £1m contingency sum was an inherited budget reflecting that there was risk attached to the sexual health budget.</p> <p>Cabinet was advised that whilst responsibility of tackling infectious diseases fell within the responsibility of the Local Authority immunisation was the responsibility of NHS England. Given the current outbreak of Measles in other parts of the UK Local Authorities and NHS England were working closely on plans to address this.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That approval be given to continue to fund the current portfolio of public health services/programmes in 2013/14 at the estimated commitments of £13.800m. ii. That it be agreed that in 2013/14 a programme review of the current commitments in the current public health portfolio be undertaken. iii. That plans for £2.7m new spend in 2013/14 be noted. iv. That it be agreed that a contingency of £1m in 2013/14 be allowed. v. That the proposed use of an earmarked reserve to smooth funding between years be noted. <p>Alternative Options Considered A ring fenced public health grant is being provided to enable Local Authorities to discharge their new public health responsibilities. Current funding and future proposals for investment are based on grant conditions (see Appendix 1).</p> <p>Reasons for Decision Information is provided in sections 2 and 3 of the report.</p>	<p>Director of Public Health</p> <p>Director of Public Health</p>

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CAB399.	<p>HARINGEY'S COMMUNITY INFRASTRUCTURE LEVY - DRAFT CHARGING SCHEDULE AND UPDATED COMMUNITY INFRASTRUCTURE PLAN</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Economic Development and Social Inclusion, which sought approval to proceed with public consultation in April-May 2013 for four weeks on the Draft Charging Schedule for Haringey's Community Infrastructure Levy (CIL).</p> <p>As detailed in the report the Cabinet Member for Economic Development and Social Inclusion advised that in order to ensure that the building of affordable housing remained viable the rates for the borough had been set at a level slightly below maximum threshold of viability identified in the report conducted by BNP Paribas.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That it be agreed to proceed to public consultation in April-May 2013 for four weeks on the Charging Schedule for Haringey's Community Infrastructure Levy (CIL), as set out in Appendix 1 of the report, with the Draft Schedule keeping the CIL tariff levels and boundaries, as agreed by Cabinet in July 2012, with two newly added categories into the CIL tariff; student housing and miscellaneous/all other uses. ii. That the list of priority project categories (Re. 123 list) that could be partially funded by the CIL be agreed, noting that this formed part of the Charing Schedule set out in Appendix 1 of the report. iii. That it be agreed that the Community Infrastructure Plan (CIP) and the Reg 123 list be kept under review and the most up to date versions of both documents be provided before submission of the CIL Draft Charging Schedule for independent examination. iv. That it be agreed that the Cabinet Member for Economic Regeneration and Social Inclusion be delegated authority to agree minor changes to the Draft Charging Schedule, if needed, before the public consultation commenced. v. That the Council's draft response to the Preliminary Charging Schedule consultation outcomes, set out in Appendix 4 of the report, be noted and agreed. vi. That it be agreed that, subject to there being no major issues requiring changes to the charging schedule arising from the consultation, sign off by the Cabinet Member for Economic Regeneration and Social Inclusion would be sought prior to submission of the schedule and the relevant body responsible for undertaking the Examination in Public. <p>Alternative Options Considered</p> <p>In order to fully assess the potential for higher revenues that CIL may bring towards the cost of essential infrastructure, we have modelled the following</p>	<p>Director of Place and Sustainability</p> <p>Director of Place and Sustainability</p> <p>Director of Place and Sustainability</p> <p>Director of Place and Sustainability</p> <p>Director of Place and Sustainability</p>
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	<p>options for CIL charging tariff since the July 2012 consultation draft:</p> <ul style="list-style-type: none"> ➤ Reassess the level of CIL tariff in certain wards in the east with a view of increasing it, especially south east Tottenham. ➤ Consider higher rates for employment land which may be subject to change to residential use ➤ Include development types in the CIL schedule that we have not considered before. This would require an evidence base as to why these developments are not included in the CIL. <p>To assess the viability of these approaches, further evidence was sought from our consultants BNP Paribas. They confirmed that the first two options were not viable and therefore are not currently being pursued. The third option yielded two new development types, student accommodation and a miscellaneous rate which are now recommended for inclusion in the draft CIL charging schedule.</p> <p>We also considered sliding scale CIL tariff levels against differing percentages of affordable housing; however, this option was not pursued further as it was not considered to conform to current CIL regulations.</p> <p>Reasons for Decision</p> <p>The Community Infrastructure Levy Regulations 2012 (as amended) allows councils to introduce CIL, being a charge on new buildings and extensions to help pay for supporting infrastructure. The Council intends to introduce a Community Infrastructure Levy by April 2014, and in line with CIL regulations, it will have to consult on the Draft Preliminary Charging Schedule for its proposed Community Infrastructure Levy. This is required to be a Cabinet decision.</p> <p>This report recommends that we consult on the draft CIL rates. The Draft Schedule includes information on the recommended tariff, exemptions, links between s106 and CIL and other relevant information as required by the CIL Regulations (2010 and revised 2012 regulations).</p> <p>This is in accordance with the Regulations and the Council is obliged to take into account consultation responses received before deciding to formally adopt the CIL Charging Schedule.</p>	
CAB400.	<p>PROTHEROE HOUSE, CHESTNUT ROAD, N17 - APPROPRIATION OF LAND FOR PLANNING PURPOSES</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Finance and Carbon Reduction, which sought approval for land at Protheroe House, Chesnut Road, Tottenham (currently held for housing purposes) to be appropriated for planning purposes. This would enable the site to be redeveloped for Extra Care Supported Housing, in accordance with the Council's regeneration objectives for the area.</p> <p>RESOLVED:</p>	

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	<p>That the appropriation of land at Protheroe House, Chesnut Road, Tottenham, N17 (currently held for housing purposes) and as shown edged in red on the appended plan to the report, reference 2363a, for planning purposes under Section 122 of the Local Government Act 1972, be approved.</p> <p>Alternative Options Considered Not appropriate – if the appropriation is not carried out there is a risk that the proposed re-development scheme may be frustrated by third party rights, which would in turn frustrate the Council’s regeneration objectives for this site.</p> <p>Reasons for Decision Appropriation of the site for planning purposes will facilitate the development of extra care housing in line with the Council’s previous Cabinet decision of 16 October 2012 by ensuring that the re-development is not frustrated by third party rights.</p>	Director of Place and Sustainability
CAB401.	<p>FINSBURY PARK TRACK AND GYM AND TENNIS COURT LEASING</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Communities, which sought approval to enter into long term leases with the Finsbury Park Track and Gym and Tennis Courts. This followed Cabinet’s decision on 13 November 2012 to authorise the transfer of these facilities to the Partnership.</p> <p>Exempt information pertaining to the report was considered under agenda item 25.</p> <p>It was noted that concerns were raised by Friends of Finsbury Park in respect of this item. Cabinet was advised that there was no legal requirement to circulate details of the lease to interested parties.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That the disposal of Finsbury Park Track and Gym Area and Tennis Courts Area (both of which are shown edged in red on the site plans attached at Appendix 1), be approved, by entering into the Agreement to Lease and Leases (attached as Appendices 4, 5 and 6) with the Finsbury Park Sports Partnership Limited. ii. That authority be delegated to the Director of Place and Sustainability, after consultation with the Cabinet Members for Communities and Finance and Carbon Reduction, to agree any minor amendment to the Leases. iii. That the fallback position (outlined in 4.6 of the original report considered by Cabinet) if the Council was unable to award the full lease to the Partnership, be noted as follows : 	<p>Director of Place and Sustainability</p> <p>Director of Place and Sustainability</p>

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	<p>‘Whilst we are confident that the Partnership will achieve the milestones, there are a number of risks that they will need to overcome and thus the fallback position would be to seek separate leasehold agreements for the individual sports facilities’</p> <p>Alternative Options Considered</p> <p>These were set out in the 8 February 2011 and 13 November 2012 Cabinet reports.</p> <p>Reasons for Decision</p> <p>The decision is required to implement the approach agreed by Members at the 8 February 2011 Cabinet meeting to lease out the facility to local clubs/agencies.</p> <p>The public consultation completed indicates strong support for a change to park opening hours and improved sports facilities at Finsbury Park.</p> <p>Cabinet authorised the disposal of Finsbury Park Track and Gym and the tennis courts on 13 November 2012 to the Finsbury Park Sports Partnership on terms to be agreed in accordance with the key milestones. Risk in adopting this decision is mitigated by the two step approach incorporating the initial ‘Agreement to Lease’ phase.</p>											
CAB402.	<p>DELIVERING TARGETED SERVICES FOR HARINGEY’S ORTHODOX JEWISH COMMUNITY</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Children, which sought agreement to waive the requirement to use the quotation procedure under Contract Standing Orders (CSO) 8.01, as allowed under CSO 10.1, in respect of four contracts for the provision either of early education and childcare or of family support and children’s centre services targeted at the Orthodox Jewish Community within Haringey.</p> <p>RESOLVED:</p> <p>That approval be given to a waiver of Contract Standing Order (CSO) 8.01 (requirement to use quotation procedure for contracts valued £100k or less) as allowed under CSO 10.1 on the grounds that, as set out in CSO 10.01.1(d), that it is in the Council’s interests in respect of the following contracts:</p> <table><tr><th>Provider</th><th>Service Type</th></tr><tr><td>Yesoday Hatorah Community Nursery</td><td>Childcare</td></tr><tr><td>Chabad Lubavitch UK</td><td>Childcare</td></tr><tr><td>Lubavitch Ruth Lunzer Girls Primary School</td><td>Children’s Centre Services</td></tr><tr><td>Ezer Leyoldos Limited</td><td>Family Support</td></tr></table>	Provider	Service Type	Yesoday Hatorah Community Nursery	Childcare	Chabad Lubavitch UK	Childcare	Lubavitch Ruth Lunzer Girls Primary School	Children’s Centre Services	Ezer Leyoldos Limited	Family Support	Director of Children’s Services
Provider	Service Type											
Yesoday Hatorah Community Nursery	Childcare											
Chabad Lubavitch UK	Childcare											
Lubavitch Ruth Lunzer Girls Primary School	Children’s Centre Services											
Ezer Leyoldos Limited	Family Support											

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	<p>Alternative options considered</p> <p>The option of tendering all expiring contracts for 1st April 2013 was considered and discounted on the grounds that:</p> <p>The tendering process would need to be informed by a robust assessment of need; this exercise has already been commissioned by Public Health but is not scheduled for completion in the timescales needed for a tendering exercise to be completed; with contracts in place from the 1st April 2013.</p> <p>The proposal is for interim one year contracts with an option to extend for a further year. This has been discussed with the Corporate Procurement Team, and it was concluded that the proposed approach represents the best and most appropriate way forward for the Council. The option to deliver these in-house has been explored but at this time it is not feasible to develop alternative provision that is culturally appropriate.</p> <p>It is intended that the initial one year contract period will enable the Children and Young People's Service to maintain service provision whilst all contracts, monitoring processes and outcomes are reviewed as part of a move by the Children and Young People's Service to an integrated commissioning process; with a particular focus on value for money.</p> <p>Reasons for Decision</p> <p>The four contracts expire on the 31st March 2013 and as these services enable the Council to provide access to services for children and families from its Orthodox Jewish Community, it is necessary to make a decision to award a new contract.</p>	
CAB403.	<p>PROCUREMENT REPORT: COMMUNITY MEALS</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Health and Adult Services, which sought agreement to provide community meals through a Five-Borough Framework Agreement.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That approval be given to the Council entering into an Access Agreement with the London Borough of Hammersmith and Fulham, as lead Council, in order to access a Framework Agreement. ii. That the award of a contract under Contract Standing Orders 7.01. and 9.07.1d to Sodexo Limited for a period of 3 years from 3 May 2013, with the option to extend to further periods of one year each, which would be subject to Contract Standing Orders 5.02.a, be approved. <p>Alternative options considered</p> <p>Council officers considered and tested three options including the recommended option to join a consortium.</p>	<p>Director of Adult and Housing Services</p> <p>Director of Adult and Housing Services</p>

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	<p>The option to renegotiate the existing contractual arrangements with the current provider Sodexo Limited was discounted on the basis that the existing contractual arrangements had expired and had been extended to the maximum period the Council's Contract Standing Orders and European and UK Procurement regulations will allow.</p> <p>The second option would require the Council to re-commission and procure the existing community meals service based on the current volume of meals. This would have required officers to undertake a commissioning process that would have committed additional time and human resources to a full tender process.</p> <p>In addition to the officer time, physical and financial resources needed to undertake a standalone commissioning and procurement process, the cost of a community meals service would significantly increase due to declining meal volumes.</p> <p>The third option to join a consortium with six other London Boroughs is the preferred option, and is the subject of this report. The preferred option will provide the Council with an opportunity to realise greater value for public money, attract a provider that is able to meet and deliver a community meals service that offers genuine choice and is able to meet all the quality requirements the Council demands. This will also ensure we are able to achieve nutritional standards and service delivery that meets the needs of the community in Haringey.</p> <p>Reasons for Decision</p> <p>The total contract value of Haringey Council's community meals service exceeds the European Union procurement threshold, which as a part B service, is £173,934. This places a requirement upon the Council to subject this service to a market testing exercise which was undertaken through a formal tender process.</p> <p>Cabinet are asked to agree the recommendations in section 4 of this report so that the Council can enter into an access agreement with the lead local authority hosting the new framework agreement, for the provision of community meals.</p> <p>By entering into an access agreement in respect of community meal provision, the Council will achieve better value for money, than if it had decided to tender for the service independently.</p>	
CAB404.	<p>AWARD OF HOUSING RELATED SUPPORT CONTRACTS - GENERIC FLOATING SUPPORT</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Health and Adult Services, which sought agreement to the award of new contracts in two lots, in line with Contract Standing Order (CSO) 9.07 following a robust tendering process.</p>	

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	<p>Exempt information pertaining to the report was considered under agenda item 26.</p> <p>RESOLVED:</p> <p>That the award of contracts to the successful tenderers in accordance with Contract Standing Order (CSO) 9.7.1(d) as follows be approved:</p> <ul style="list-style-type: none"> ➤ Lot 1 Family Mosaic, to commence 3 June 2013 ➤ Lot 2 One Housing, to commence 1 August 2013 <p>Alternative options considered</p> <p>The option of extending the existing contracts was not available as these contacts had previously been extended. No other options were considered.</p> <p>Reasons for Decision</p> <p>The contracts for generic floating support were both due to expire this year, on 31 March 2013 for families, teenage parents and a mediation service (Lot 1) and on 31 July 2013 for single people and couples without children (Lot 2). It was therefore necessary to tender this requirement to achieve value for money.</p> <p>As a result of the procurement process, which has been carried out in line with the Procurement Code of Practise, it is necessary to award the contract to the successful tenderers in accordance with CSO 9.7.1(d).</p>	<p>Director of Adult and Housing Services</p>
<p>CAB405.</p>	<p>CONTRACT FOR RENEWAL OF CASH/CHEQUE COLLECTION SERVICES</p> <p>Cabinet considered a report, introduced by the Cabinet Member for Finance and Carbon Reduction, which sought approval to award a contract for the provision of cash collections and delivery services.</p> <p>Exempt information pertaining to the report was considered under agenda item 27.</p> <p>RESOLVED:</p> <ul style="list-style-type: none"> i. That approval be given to entering into an Access Agreement with the Eastern Shires Purchasing Organisation (ESPO) in order for the Council to utilise the Framework Agreement for cash collection services. ii. That approval be given to the award of the contract for cash collection and delivery services to BDI Securities UK Limited under the Framework Agreement for a period of two years from 23rd May 2013 with an option to extend for up to two years in annual increments. <p>Alternative options considered</p> <p>The London Borough of Enfield approached the Council offering a shared</p>	<p>Director of Corporate Resources</p> <p>Director of Corporate Resources</p>

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	<p>service arrangement for the provision of a cash collection service, whereby Enfield staff would collect and deliver the cash to a central location and then a third party would deliver it to the bank. Officers fully investigated this option and found there were a number of significant issues with taking up this option.</p> <p>Firstly, Enfield was unable to take on the contract until October 2013 at the earliest, some six months after the current six month contract extension ends. Secondly, there was a significant risk around staffing as Enfield were only willing to take on the contract if the existing contractor's staff undertaking the current contract were transferred over under TUPE regulations. The current contractor has confirmed in writing that no members of staff are willing to transfer. The price quoted by Enfield was also £49k higher than the price under the framework agreement recommended in this report.</p> <p>Finally, legal advice was received that if the Council were to enter into this arrangement, it would not be compliant with procurement regulations, due to the way Enfield's contract with their third party had been arranged. As a result of the all these issues, this option was judged not to be in Haringey's interests to pursue any further with Enfield.</p> <p>Reasons for Decision</p> <p>The contract for cash collection and delivery services expires on 22nd May 2013 and as this is a service the Council requires, it is necessary to make a decision to award a new contract. Due to the value of the contract, this is required to be a Cabinet decision. The recommendation to award this contract to BDI Securities UK Limited under the Eastern Shires Purchasing Organisation framework has been made following a benchmarking exercise to compare the framework with the current contract.</p>	
CAB406.	<p>SIGNIFICANT AND DELEGATED ACTIONS</p> <p>RESOLVED:</p> <p>That the delegated decisions and significant actions taken since the last Cabinet meeting be noted.</p>	
CAB407.	<p>NEW ITEMS OF URGENT BUSINESS</p> <p>There were no new items of Urgent Business.</p>	
CAB408.	<p>EXCLUSION OF THE PRESS AND PUBLIC</p> <p>RESOLVED:</p> <p>That the press and public be excluded from the remainder of the meeting as the items below contained exempt information, as defined under paragraph 3, Part 1, schedule 12A of the Local Government Act 1972.</p>	
CAB409.	<p>MINUTES</p>	

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	RESOLVED: That the exempt minutes of the Cabinet meeting held on 19 March 2013 be confirmed as a correct record.	
CAB410.	RHODES AVENUE SCHOOL EXPANSION PROJECT - RE-PROCUREMENT OF PHASE 3 Exempt information was considered pertaining to Item 9.	
CAB411.	FINSBURY PARK TRACK AND GYM AND TENNIS COURT LEASING Exempt information was considered pertaining to Item 15.	
CAB412.	AWARD OF HOUSING RELATED SUPPORT CONTRACTS - GENERIC FLOATING SUPPORT Exempt information was considered pertaining to Item 18.	
CAB413.	CONTRACT FOR RENEWAL OF CASH/CHEQUE COLLECTION SERVICES Exempt information was considered pertaining to Item 19.	
CAB414.	NEW ITEMS OF EXEMPT URGENT BUSINESS There were no new items of exempt items of Urgent Business.	