

NOTICE OF MEETING

Cabinet

TUESDAY, 16TH SEPTEMBER, 2014 at 18:30 HRS – COUNCIL CHAMBER, CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillor Claire Kober (Chair), Councillor Jason Arthur, Councillor Ali Demirci, Councillor Joe Goldberg, Councillor Stuart McNamara, Councillor Peter Morton, Councillor Alan Strickland, Councillor Bernice Vanier, Councillor Ann Waters.

AGENDA

1. APOLOGIES

To receive any apologies for absence.

2. URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under Item 23 below. New items of exempt business will be dealt with at Item 31 below).

3. DECLARATIONS OF INTEREST

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

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

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

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

4. DEPUTATIONS/PETITIONS/QUESTIONS

To consider any requests received in accordance with Standing Orders.

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

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

This agenda contains exempt items as set out at **Item 24: Exclusion of the Press and Public**. No representations with regard to these have been received.

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

6. MINUTES (PAGES 1 - 28)

To confirm and sign the minutes of the meeting held on 15 July 2014 as a correct record.

7. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE (PAGES 29 - 152)

To consider the following Overview and Scrutiny Project reports:

- a. Under Occupation of Social Housing
- b. Community Engagement with the Planning Service
- c. Strategic Enforcement
- d. Two Year Olds Early Entitlement

8. RESPONSE TO SCRUTINY REVIEW - UNDER OCCUPATION OF SOCIAL HOUSING (PAGES 153 - 178)

(Report of the Interim Chief Operating Officer. To be introduced by the Cabinet Member for Housing and Regeneration). The report sets out the response to the Scrutiny Review of Under Occupation of Social Housing.

9. RESPONSE TO SCRUTINY REVIEW - COMMUNITY ENGAGEMENT WITH THE PLANNING SERVICE (PAGES 179 - 196)

(Report of the Director of Regeneration, Planning and Development. To be introduced by the Cabinet Member for Planning). The report sets out the response to the Scrutiny Review of Community Engagement with the Planning Process.

10. RESPONSE TO SCRUTINY REVIEW - STRATEGIC ENFORCEMENT (PAGES 197 - 216)

(Report of the Director of Regeneration, Planning and Development. To be introduced by the Cabinet Member for Planning). The report sets out the response to the Scrutiny Review of Strategic Enforcement.

11. RESPONSE TO SCRUTINY REVIEW - TWO YEAR OLDS EARLY ENTITLEMENT (PAGES 217 - 228)

(Report of the Deputy Chief Executive. To be introduced by the Cabinet Member for Children and Families). The report sets out the response to the Scrutiny Review of Two Year Old Early Entitlement.

12. BUDGET MONITORING REPORT - PERIOD 4 (PAGES 229 - 240)

(Report of the Assistant Director Finance. To be introduced by the Cabinet Member for Resources and Culture). The report sets out the forecast financial revenue and capital outturns for 2014/15 based on actual performance to 31 July 2014 (Period 4) and seeks approval of proposed management actions and budget adjustments.

13. DISPOSAL OF LAND AT ASHLEY ROAD DEPOT / TECHNOPARK (PAGES 241 - 258)

(Report of the Director for Regeneration, Development and Planning. To be introduced by the Cabinet Member for Housing and Regeneration). The report seeks approval to sell the freehold for part of the Ashley Road depot site.

Exempt information pertaining to the report is set out under Item 25.

14. OLYMPIA TRADING ESTATE - SALE OF THE FREEHOLD (PAGES 259 - 264)

(Report of the Director of Regeneration, Planning and Development. To be introduced by the Cabinet Member for Regeneration and Planning). The report seeks approval to vary the terms of the option to sell the freehold of the Olympia Trading Estate to the Greater London Authority (GLA) as previously agreed by (Cabinet on 13 March 2008).

Exempt information pertaining to the report is set out under Item 26.

15. BUILDING THE PIPELINE CONTRACT (PAGES 265 - 274)

(Report of the Director of Regeneration, Development and Planning. To be introduced by the Cabinet Member for Planning). The report seeks approval to enter into contract with the Greater London Authority (GLA) to access grant funding to support the delivery of Phase 1 of the Council's new build programme.

16. LOCAL IMPLEMENTATION PLAN ANNUAL SPENDING SUBMISSION FOR TRANSPORT 2015/16 (PAGES 275 - 284)

(Report of the Interim Chief Operating Officer. To be introduced by the Cabinet Member for Environment). The report seeks approval of the submission of the Local Implementation Plan (LIP) Annual Spending Submission for 2015/16.

17. REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000: USE WITHIN THE COUNCIL 2013/14 AND UPDATES TO THE COUNCIL'S POLICY (PAGES 285 - 298)

(Report of the Chief Executive. To be introduced by the Leader of the Council). The report sets out issues relevant to the use of the Regulation of Investigatory Powers Act (RIPA) 2000 during 2013/14 and provides an updated policy for approval.

18. OCCUPATIONAL HEALTH REVIEW (PAGES 299 - 304)

(Report of the Interim Chief Operating Officer. To be introduced by the Cabinet Member for Health and Wellbeing). The report seeks approval to waive Contract Standing Orders and to award a contract for the provision of Occupational Health and Wellbeing services.

Exempt information pertaining to the report is set out under Item 27.

19. AWARD OF CONTRACT FOR THE REMOVAL AND DISPOSAL OF NUISANCE VEHICLES (PAGES 305 - 310)

(Report of the Interim Chief Operating Officer. To be introduced by the Cabinet Member for Environment). The report seeks approval to award a new contract for the delivery of the nuisance vehicle contract.

Exempt information pertaining to the report is set out under Item 28.

20. AWARD OF CONTRACT FOR SUBSTANCE MISUSE IN-PATIENT DETOXIFICATION FOR ADULTS RESIDENT IN HARINGEY (PAGES 311 - 316)

(Report of the Director of Public Health. To be introduced by the Cabinet Member for Health and Wellbeing). The report seeks approval to an award of contract.

Exempt information pertaining to the report is set out under Item 29.

21. MINUTES OF OTHER BODIES (PAGES 317 - 322)

To note the minutes of the following:

- Decision by the Leader – 31 July 2014
- Cabinet Member Signing – 2 September 2014
- Cabinet Member Signing – 4 September 2014

22. SIGNIFICANT AND DELEGATED ACTIONS (PAGES 323 - 332)

To note significant and delegated actions taken by Director's since the previous meeting.

Exempt information pertaining to the report is set out under Item 30.

23. NEW ITEMS OF URGENT BUSINESS

To consider any items admitted at Item 2 above.

24. EXCLUSION OF THE PRESS AND PUBLIC

Note from the Head of Local Democracy and Member Services

Items 25, 26, 27, 28, 29, 30 and 31 allow for the consideration of exempt information in relation to Items 13, 14, 18, 19, 20, 22 and 2 respectively.

RESOLVED:

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

25. DISPOSAL OF LAND AT ASHLEY ROAD DEPOT AND TECHNOPARK (PAGES 333 - 334)

To consider exempt information in relation to Item 13 above.

26. OLYMPIA TRADING ESTATE - SALE OF THE FREEHOLD (PAGES 335 - 336)

To consider exempt information in relation to Item 14 above.

27. OCCUPATIONAL HEALTH REVIEW (PAGES 337 - 342)

To consider exempt information in relation to Item 18 above.

28. AWARD OF CONTRACT FOR THE REMOVAL AND DISPOSAL OF NUISANCE VEHICLES (PAGES 343 - 346)

To consider exempt information in relation to Item 19 above.

29. AWARD OF CONTRACT FOR SUBSTANCE MISUSE IN-PATIENT DETOXIFICATION FOR ADULTS RESIDENT IN HARINGEY (PAGES 347 - 348)

To consider exempt information in relation to Item 20 above.

30. EXEMPT SIGNIFICANT AND DELEGATED ACTIONS (PAGES 349 - 350)

To consider exempt information in relation to Item 22 above.

31. NEW ITEMS OF EXEMPT URGENT BUSINESS

To consider any items admitted at Item 2 above.

Bernie Ryan
Assistant Director – Corporate Governance
and Monitoring Officer
5th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

Xanthe Barker
Principal Committee Coordinator
Tel: 020 8489 2957
Email: xanthe.barker@haringey.gov.uk

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Councillors: Councillor Claire Kober (Chair), Councillor Jason Arthur, Councillor Ali Demirci, Councillor Joe Goldberg, Councillor Stuart McNamara, Councillor Peter Morton, Councillor Alan Strickland, Councillor Bernice Vanier, Councillor Ann Waters.

Also Present: Councillor Charles Adje and Councillor Sarah Elliott.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
CAB671.	APOLOGIES There were no apologies for absence.	
CAB672.	URGENT BUSINESS There were no items of urgent business.	
CAB673.	DECLARATIONS OF INTEREST No declarations of interest were made.	
CAB674.	NOTICE OF INTENTION TO CONDUCT BUSINESS IN PRIVATE, ANY REPRESENTATIONS RECEIVED AND THE RESPONSE TO ANY SUCH REPRESENTATIONS No representations were received.	
CAB675.	MINUTES RESOLVED: That, subject to the addition of the sentence underlined below, in relation to minute CAB657, the minutes of the meeting held on 25 June 2014 be confirmed as a correct record: <u>Minute: CAB657 'The Council's Provisional Outturn'</u> 'In response to two questions from the Leader of the Opposition, it was noted that although the cost of redundancies made by schools were met by the Council, decisions regarding staff and redundancies were made by schools themselves and therefore the Council was limited in its ability to control these costs. <u>With regard to the cost of redundancies made by Homes for Haringey the Leader requested that officers provided further detail with respect to these to the Leader of the Opposition outside the meeting.</u> With regard to a question in relation to the redevelopment of Hornsey Town Hall and the costs attached to the 'gateway review', which was referred to in Appendix 2 of the report; Cabinet was advised	

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	that as part of a redevelopment project such as this it was usual to have a review of this kind in order to review all of the options available. A full report setting out the findings of the gateway review would be considered by Cabinet on 15 July'.	
CAB676.	DEPUTATIONS/PETITIONS/QUESTIONS A deputation was accepted in relation to Item 11: Tottenham Strategic Regeneration Framework Delivery Plan, from Mr Philip Udeh of the 'Our Tottenham Network'. Mr Udeh began by noting that the Our Tottenham Network was an umbrella group covering over forty-five local community organisations. In April 2013 the network had brought together these groups and formulated and adopted a Community Charter for Tottenham, which was followed in February 2014, by a conference to promote community planning. Mr Udeh noted that the network wanted to see improvements for the existing residents of Tottenham and community empowerment and he contended that the Council's approach to the development of Tottenham would see large numbers of people priced out of their neighbourhoods. Mr Udeh noted that the network welcomed recommendations within the Tottenham Future report with respect to the expansion of social and affordable housing, defending small businesses and social and community facilities and community engagement and empowerment; however, he considered that the Council had not fully taken on board these points in its approach to the regeneration of Tottenham. In conclusion Mr Udeh noted that the network considered that the Council could improve its approach by committing to five 'quick wins' including; implementing the Wards Corner Coalition's community plan; scrapping proposals for demolition at High Road West and the creation of a 'Spurs walkway' and creating new plans in partnership with local traders and residents; improving, rather than demolishing, existing Council estates; extending the leases of community run community centres and committing to no evictions and; expanding health related services from the St Ann's Hospital site. In addition Mr Burnham, also of the Our Tottenham Network and Haringey Defend Council Housing, contended that the Council's approach to development was overly influenced by private developers and that the emphasis on working with private developers meant that existing residents and Council tenants would eventually be priced out of the area. Changes to Council tenants' leases and the demolition of Council housing were not welcomed and Mr Burnham contended that the Council should be improving and investing in existing homes and facilities rather than demolishing homes. A statement was also tabled by Patricia Percy, Co-Vice Chair of the Tottenham Business Group, which called on the Cabinet Member for Housing and Regeneration to explore options that would retain existing	

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	shops and businesses in area before the next phase of consultation began. The statement also noted that a petition had been signed by four thousand residents against demolition in the area and urged that the weight of opinion in relation to this was considered. The Leader of the Council thanked the Our Tottenham Network for its deputation and asked how the network had gauged public support for the five 'quick wins' outlined. In response it was noted that the petition referred to by Ms Percy demonstrated that residents were against demolition and changes to High Road West. The Cabinet Member for Regeneration and Housing, Councillor Alan Strickland, formally responded to the deputation and began by thanking Mr Udeh and other members of the Our Tottenham Network for attending the meeting and outlining their concerns. He noted that Tottenham Future report had marked a change in the way that the Council consulted with residents and noted that issues highlighted by residents within this, such as creating the right mix of housing, had been taken on board. Councillor Strickland noted that extensive consultation with the residents of the Love Lane estate and High Road West had taken place over a two year period and that this had included meetings with individuals, resident and traders groups and door knocking. He noted that the Council's priority on housing was to support existing residents and was not, as suggested, intended to displace people or price people out of the area. With regard to the use of community centres Councillor Strickland noted that the Council wanted to expand the opportunities that these provided to local residents in the most efficient way. With regard to the St Ann's Hospital site Councillor Strickland noted that the Mental Health Trust (MHT) had submitted a planning application for the redevelopment of the site and that this would now be subject to the planning process. The intention of the MHT was to realise the potential on unused land in order to enable it to invest in services.	
CAB677.	THE COUNCIL'S PERFORMANCE ASSESSMENT - QUARTER FOUR AND END OF YEAR 2013/14 Cabinet considered a report, introduced by the Leader of the Council, which set out the progress made in relation to the Council's outcomes and strategic priorities for 2013/14. RESOLVED: i. That progress against the Council's Corporate Plan priorities in 2013/14 be noted and; ii. That the areas for focus and emerging issues going forward, as outlined in the report, be noted. Alternative options considered Not applicable as the report is for noting.	

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	Reasons for decision Not applicable as the report is for noting.	
CAB678.	FEEDBACK FROM CONSULTATION FOR A BOROUGH-WIDE 20MPH SPEED LIMIT Cabinet considered a report, introduced by the Cabinet Member for Environment, Councillor Stuart McNamara, which set out the feedback received from consultation with residents and businesses to gauge support for Haringey to become a 20mph borough and that also set out plans for the implementation of this. Councillor McNamara thanked residents and local groups for the contributions that they had made as part of the consultation process and noted the support received for the implementation of a 20mph limit on residential roads and roads with schools. RESOLVED: i. That the results of the public consultation, outlined in the report, be noted; ii. That authorisation be given to officers to proceed to detailed design and implementation of a 20 mph limit on residential roads in the vicinity of schools and in town centres; and iii. That approval of the detailed design and decisions relating to changes to Traffic Management Orders be delegated to the Assistant Director Environmental Services and Community Safety, in consultation with the Cabinet Member for Environment. Alternative options considered The Council had the option of doing nothing, of implementing a borough wide 20mph limit on all roads (exempt roads on the TLRN), or proceeding as proposed in the report. These options were all considered within the report. Reasons for decision The feedback from the public was mixed although it was generally acknowledged that a 20mph limit for our residential roads, particularly around schools, was a positive way forward. The main area of opposition appeared to be the need for a blanket approach to include the main roads. It was felt that the main roads, which were mostly wide and straight, were suitable for a 30mph and that a reduction to 20mph would increase journey times and congestion. As with all speed limits, if the site does not look like or feel like the limit imposed then there would be larger scale offending. Reports of non-compliance along Islington's main roads, particularly at night when traffic is light, provides a good example of why further investigation was required prior to determining if all main roads were suitable.	Interim Chief Operating Officer Interim Chief Operating Officer

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The majority of collisions (accidents) in Haringey occur on the main roads, particularly in the vicinity of town centres, as this is where the potential conflict between pedestrians, cyclists and motor vehicles is greatest. This must be considered a priority when determining the appropriateness of speed limit.

The Roads Task Force considered the 20mph debate and concluded that a 'one cap fits all approach' was not practicable. A 'street family' was developed comprising of nine road types based on functionality and usage to reflect the complexity of London's street environment. Speed limits play an important role where 'movement and place' need to be better balanced, where there are high levels of pedestrian activity and where safety issues have been identified. This approach should be adopted to determine the feasibility of introducing a 20mph for Haringey's main roads. For example, where 20mph would be suitable for Wood Green High Road as its function is a town centre attracting high numbers of pedestrians and cyclists, a 20mph limit may not be suitable for Watermead Way, which provides more of a movement function for motorists.

General compliance of a 20mph limit is essential to the success of this initiative. The Metropolitan Police, whilst supporting the initiative, do not have the resource to provide additional enforcement and therefore police enforcement will be mainly reactive and concentrate at locations where safety is compromised. Haringey has provided the SNT with five speed guns to deliver enforcement exercises and a partnership approach needs to be developed with the Police Safer Neighbourhood Teams (SNT) to deliver joint initiatives to educate the public, particularly at vulnerable locations such as schools and town centres.

Compliance will only be achieved if sufficient interventions are provided with regards to signing and, more importantly, traffic calming / management at locations where speed may remain high. It is likely that compliance along the main roads, outside of town centres, will be low as movement is the main function. Consideration would therefore need to be given to engineer a limit, which could have significant cost implications and limited impact subject to what measures would be consider appropriate.

The success of our Smarter Travel and Community Street programmes, along with our continued investment in cycling and walking, provides us with the opportunity to increase sustainable travel throughout the borough. Through these programmes we need to focus on educating all roads users on the importance of road safety to achieve a cultural change to the present dominance of motor vehicles, thereby securing health, wellbeing and safety benefits for all. This includes education for cyclists who are often just as guilt of using the road inappropriately.

In summary, it is recommended that the Cabinet approve for officers to proceed with introducing a 20mph limit for all residential roads and in the vicinity of schools. Further consider should also be given to introducing a 20mph limit at town centre locations.

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	Based on the feedback received and compliance issues that may arise, it is recommended, with the exception of town centre locations, not to proceed with a 20mph limit on our main roads at the present time. We should however continue to monitor analysis and reviews of 20mph limits along main roads and keep an open mind for future possible inclusion.	
CAB679.	IMPROVEMENT AND UNIFICATION OF HOUSING MANAGEMENT SERVICES Cabinet considered a report, introduced by the Cabinet Member for Housing and Regeneration, which provided an update on progress made in reviewing the Housing Management Service and that also sought approval to establish a formal programme for the delivery of change and outcomes across Housing Services. RESOLVED: i. That approval be given to set up a Housing Unification and Improvement Programme to be managed alongside existing corporate transformation programmes; ii. That the proposed method of staff transfer into and out of Homes for Haringey be noted and that it also be noted that this would be reported to the Corporate Committee; iii. That it be noted that an interim funding bid from the Transformation Reserve (previously approved by Council) of around £400,000 was requested to support the delivery of the whole programme; and iv. That approval be given to the transfer of the management of the budgets related to the associated transfer of housing services from the Council to Homes for Haringey, being around £8.5m, following review and confirmation of need, and that the agreement of the final amount relating to these services be delegated to the Assistant Director for Finance. Alternative options considered Alternatives were considered by Cabinet at its meeting in March. This report takes forward the decisions made at that meeting. Reasons for decision In order to meet savings targets across the Council, housing services need to be reviewed. The best option for this is a root and branch review to move services from 'doing' to 'enabling'. A decision is required in order to establish a corporate programme alongside existing corporate programmes, ensuring consistency, alignment and efficiency.	Interim Chief Operating Officer Assistant Director Finance
CAB680.	HORNSEY TOWN HALL: GATEWAY REVIEW Cabinet considered a report, introduced by the Cabinet Member for	

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Housing and Regeneration, which provided a summary of the Gateway Review recommendations and how these had been addressed. The report also proposed that a further report was provided to Cabinet in Autumn 2014 on an options appraisal.

In response to a point made with regard the public interest in Hornsey Town and the need to communicate the changes planned to local residents, the Cabinet Member noted that the Council's Communications Team was developing a communications plan and that this would set out how residents would be kept informed of progress in relation to the project.

In addition it was also agreed that a record of all consultation with residents and stakeholders should be kept and presented with the options appraisal considered by Cabinet in the Autumn.

RESOLVED:

- i. That the Review the Gateway Review report and its recommendations, as set out in Section 4 and Appendix A of the report, be noted; and
- ii. That agreement be given to a report being brought to Cabinet in Autumn 2014 presenting the options generated and results of the options appraisal and seeking agreement as to how to proceed with the options considered for the Hornsey Town Hall site.

Dir of
Regen
Planning
and Dev

Alternative options considered

Gateway Review

The Council initiated and organised a Gateway Review, run by Local Partnerships, which was held in December 2013. A Local Partnerships Gateway Review is a peer review process applied to a project or programme at key decision points in its life cycle. It is designed to provide fully independent external quality assurance. The purpose of the Gateway Review for Hornsey Town Hall was as a mechanism to assess the progress of the project to deliver the outcomes expected both by the Council and Mountview and to enable the Council to make informed decisions about the level of risk it was prepared to take in proceeding to the next stage in the delivery of the project.

The timing of the Gateway Review coincided with conclusion of Mountview's outline design stage and the release of their cost plan and fundraising report to indicate the costs and available funds for the project. This indicated a significant funding gap for delivery of the project, much higher than previously reported. This gap was a result of both an increase in costs associated with delivering the Mountview scheme and a reduction in Mountview's fundraising target.

The Gateway Review provided a delivery confidence assessment of Amber/Red. This assessment is defined as 'Successful delivery of the project/programme is in doubt with major risks or issues apparent in a number of key areas. Urgent action is needed to ensure these are

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addressed, and whether resolution is feasible.’

The Gateway Review also made eight prioritised recommendations. The full Gateway Review report is available at Appendix A.

Options Appraisal

To address the Gateway Review recommendations, the Council appointed GVA Ltd in February 2014 to undertake a detailed options appraisal of the Hornsey Town Hall project, including broader options for the Town Hall complex.

The options appraisal has generated a series of options for the Hornsey Town Hall site, which will be evaluated against a set of criteria based on the objectives of the project. A financial assessment of each option will also be completed.

The scope of work prepared for GVA includes:

- Undertaking an options appraisal considering the recommendations of the Gateway Review and including a review of the existing and potential options for the development of HTH
- To appraise each of those options and to prepare a business case for the recommended option.
- Undertaking an open book appraisal of the Mountview scheme
- A market appraisal to ascertain a potential land receipt that the Council might expect to receive for the site in consideration of recent changes in the property market
- A soft market testing exercise to assess the demand for different options to be brought to the market.

The options appraisal undertaken by GVA Ltd, is being undertaken in conjunction with the Council, Mountview and the Hornsey Town Hall Creative Trust (HTHCT), and all parties are fully sighted on the options being considered and appraised and will be involved in consideration of the conclusion and recommendations. A Working Group representing all parties meets at least once fortnightly to review progress and agree the next steps.

The options appraisal is due to conclude in Summer 2014 and a full report will be presented to Cabinet in the Autumn 2014 seeking guidance as to how to proceed.

Reasons for decision

The Local Partnerships Gateway Review held in December 2013 provided a delivery confidence assessment of Amber/Red and set out a series of recommendations to be addressed by the project.

One of the critical recommendations is that the Council commission a

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	professional team to undertake an options appraisal to include broader options for the Hornsey Town Hall complex site. The Gateway Review report is important context to a forthcoming Cabinet Report in Autumn 2014 when the options generated, results and conclusions of the options appraisal will be presented for consideration by Members.	
CAB681.	TOTTENHAM STRATEGIC REGENERATION FRAMEWORK DELIVERY PLAN Cabinet considered a report, introduced by the Cabinet Member for Housing and Regeneration, which sought approval to adopt the Tottenham Strategic Regeneration Framework Delivery Plan as the programme for the delivery of regeneration in Tottenham. The report also sought approval of additional funding to support a project working with residents in Northumberland Park. The Cabinet Member noted that the plan would evolve as work developed and he encouraged residents and stakeholders to advise officers if revisions were required. He noted that a community event was being held in July at Tottenham Town Hall to discuss the delivery plan and this would form the first of a series of events to engage with residents on the plan. In response to a question the Chief Executive noted that priorities and indicators in relation to children aged 0 to 4 years of age had not been developed as yet; however, work recently undertaken as part of a Big Lottery bid, would be used as a basis for developing these. The Leader noted that the delivery plan demonstrated the Council's commitment to placing people at the heart of regeneration work and that the plan did not simply set out how physical regeneration would be achieved. RESOLVED: i. That the Tottenham Strategic Regeneration Framework Delivery Plan, attached at Appendix 2 of the report, be adopted as the programme for the delivery of regeneration in Tottenham; ii. That it be noted that the approach to community involvement in governance would be developed in consultation with the community and that officers would report back in Autumn 2014 with the community engagement and governance structure; and iii. That approval be given to additional funding of £230,000 per annum to support the project working with residents in the Northumberland Park ward (as outlined in Section 3 of Appendix 2, item 1a). Alternative options considered Delivering the regeneration of Tottenham is a key corporate priority of	Dir Regen, Planning and Dev

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	the Council. The Strategic Regeneration Framework and accompanying Delivery Plan sets out the Council's leadership and commitment to achieving the scale of change required to deliver the vision, and was developed following extensive community engagement. The Delivery Plan will be reviewed annually so there will be opportunities to refocus the programme or include further projects. Reasons for decision The report asks Cabinet to adopt the Tottenham Strategic Regeneration Framework Delivery Plan as the programme for the delivery of regeneration in Tottenham, to meet the future vision for Tottenham set out in the Tottenham Strategic Regeneration Framework. The Tottenham team budget, which was agreed as part of the 2014-15 budget process, largely related to the physical regeneration aspects of the programme. As the social regeneration programme has been developed since the approval of the Tottenham Strategic Regeneration Framework in March 2014, Cabinet is asked to approve additional funding of £230,000 per annum for the delivery of the project working with residents in the Northumberland Park ward to support the 'People' priority.	
CAB682.	HIGH ROAD WEST REGENERATION SCHEME CONSULTATION Cabinet considered a report, introduced by the Cabinet Member for Housing and Regeneration, which detailed the progress made in relation to the High Road West Regeneration Scheme and that also set out the consultation and engagement approach for the next stages of the Scheme. The Cabinet Member noted that in November 2013 Cabinet agreed to the development of a masterplan for the High Road West area and that consultation would begin with residents on this in September. An engagement strategy setting out how the Council would work with local businesses and residents on the masterplan had been developed and this would include workshops on key elements of the masterplan such as housing, open space, jobs and employment. As part of the engagement process residents of the Love Lane estate and the Council would be working on a Residents' Charter that would set out what the residents wanted from the proposed regeneration of their estate and how they considered that this should be undertaken. RESOLVED: i. That delegated authority being given to the Director of Regeneration, Planning and Development and Chief Operating Officer, following consultation with the Cabinet Member for Housing and Regeneration, to agree the High Road West masterplan for final consultation with the community in September 2014, and following this consultation there would be a report back	Dir Regen, Planning and Dev

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	for further consideration by Cabinet; ii. That the principles and approach to engagement, set out in the High Road West Consultation and Engagement Strategy, be noted; iii. That approval be given for officers to undertake statutory Section 105 Housing Act 1985 consultation with Council tenants on the Love Lane Estate once the masterplan and Section 105 documentation have been agreed by the Director of Regeneration, Planning and Development and Chief Operating Officer, following consultation with the Cabinet Member for Housing and Regeneration. The results of the Section 105 consultation will be brought back to Cabinet to consider with the High Road West master plan; and iv. That the details of the Love Lane Residents Charter be noted and that approval be given to officers working closely with the Residents Association to further develop the principles, and that the Resident Charter will then be brought back to Cabinet for agreement at a later date. Alternative options considered A detailed consultation and engagement strategy is required for the High Road West Scheme to ensure that the Council can meet its commitment to involve the local community in the development of the master plan and the future planning of their area. The Cabinet Member for Housing and Regeneration, the Director of Regeneration, Planning and Development and the Chief Operating Officer must approve the master plan for consultation. This allows the master plan to be further developed in June and July with the community and consulted on in September 2014. If the master plan is agreed for consultation at the next Cabinet meeting (scheduled for 16 September 2014) there will be a delay (at least three months) in the development of the master plan. In addition to wider consultation with the community, approval to undertake statutory Section 105 consultation with Love Lane secure tenants is required to ensure the Council meets its statutory consultation duty. Under Section 105 of the Housing Act 1985, the Council has a statutory duty to undertake consultation with secure council tenants on any housing management proposals management (this includes management, maintenance, improvement or demolition of dwelling houses) that affect their tenancy. As the next iteration of the plan for High Road West will include the demolition and replacement of all properties on the Love Lane Estate, the consultation on the master plan will need to include statutory Section 105 consultation for secure tenants living on the Love Lane Estate. Approval for Officers to continue to work closely with the Residents Association to further develop the principles of the Resident Charter is	Dir Regen, Planning and Dev

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	required to ensure the Council meets its commitment to involve the local communities in the development of the master plan and the future of their area. Reasons for decision To deliver comprehensive regeneration across the High Road West area and maximise the number of homes, jobs and benefits for local people and to make best use of existing Council homes and assets. The proposals will maximise the provision of a range of housing tenures across the borough and contribute to the creation of mixed and balanced communities and also ensure that the local community are fully involved in the development of the master plan and the future plans for their area.	
CAB683.	TOTTENHAM HALE REGENERATION PROGRAMME Cabinet considered a report, introduced by the Cabinet Member for Housing and Regeneration, which sought approval to dispose of Council land and to agree the approach to housing delivery for the Housing Zone and the submission of a Housing Zone bid to the Greater London Authority. The Cabinet Member noted the report marked an important milestone in the regeneration of Tottenham and for Tottenham Hale as a new affordable neighbourhood within London. The Council's bid for a Housing Zone at Tottenham Hale would accelerate investment in the area and bring greater cohesion to the proposals coming forward. The Leader noted that she had been contacted by Haringey Health Watch who had raised concerns with regard to the capacity of primary health care services in the area and their ability to meet the needs of a growing population. This issue had also been of concern to local Ward Members and the Council for some time. The Leader advised that the Health and Wellbeing Board (HWB) had invited NHS England to attend its next meeting in order to provide an overview of how the provision of GP services was being addressed in Tottenham and in London as a whole and she noted that this was an issue that the Council would continue to monitor. In response to a question from the Leader of the Opposition, as to how the Council would ensure that the target of 50% affordable housing was achieved, given that this had not been achieved on other sites, the Cabinet Member noted that, if approved, Housing Zone status would meant that additional funding would be received that would support this aspiration. It was suggested that it may useful to consider providing an explanation as to what the term 'affordable housing' actually meant in terms of cost. Exempt information pertaining to the report was considered at agenda item 24.	

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	RESOLVED: i. That approval be given to the disposal of the Council lands at Monument Way, the Welbourne Centre and lands adjacent to Tottenham Hale bus station (all of which are shown within red boundaries on the plans in Appendix 3A, 3B and 3C) as part of the Housing Zone delivery process, subject to terms to be agreed; ii. That approval be given to delegate authority to the Director of Regeneration, Planning and Development, following consultation with the Cabinet Member for Regeneration and Housing, to enter into a Memorandum of Understanding with other public sector partners (at this point only Transport for London/London Underground Ltd) with regard to the pooling of relevant public sector land assets within the Tottenham Hale Housing Zone priority area and to include the land referred to in paragraph 3.1 and to agree the terms for disposal of the land; iii. That approval be given the approach to housing delivery for the Housing Zone (set out in the report); iv. That approval be given to the submission of a Housing Zone bid to the Greater London Authority based on the above described ask (set out in the report and the paper in Appendix 2); v. That approval be given to delegate authority to the Director of Regeneration, Planning and Development and the Assistant Director of Finance, following consultation with the Cabinet Member for Regeneration and Housing, to enter into Housing Zone grant agreements with the Greater London Authority (there are likely to be multiple grant agreements covering loan, equity, grant and gap funding); and vi. That the potential requirement to use the Site Acquisition Fund to support the Housing Zone process be noted. Alternative options considered The Council has long been committed to the regeneration of Tottenham Hale and it has for some time been earmarked as a Growth Area (Haringey Local Plan: Strategic Policies, Tottenham Hale Urban Centre Master-plan SPD, Strategic Regeneration Framework and Physical Development Framework). These plans include the development of a new mixed-use urban centre, or district centre. Do nothing: allow sites to come forward in isolation using current planning policy as a steer, and allowing for infrastructure to be delivered in parts by different sites as they come forward. Interventionist: Developing a comprehensive Council led master plan and aggressively seeking to acquire sites. These two options were discounted in preference of a strategy which will	Regen, Planning and Dev Dir Regen, Planning and Dev Dir Regen, Planning and Dev Dir Regen, Planning and Dev Dir Regen, Planning and Dev / Assistant Dir Finance

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	see significant public sector control over the key place-shaping investments, while still allowing for substantial private sector investment to come forward on individual sites. There were significant concerns that a do-nothing approach would result in far fewer homes being delivered at lower quality over a longer period of time. An aggressively interventionist approach was felt to have excessive risks associated with it, however the Housing Zone does seek to acquire sites where necessary to see the regeneration plans for Tottenham Hale come forward, thus expressing the Council's commitment to use its powers where sites are stalled or not coming forward in a reasonable timeframe. Reasons for decision This report asks Cabinet to agree to bid for Housing Zone resources from the Greater London Authority and to enter into grants in relation to these resources if successful. The purpose of these grants would be help shape the development of a sustainable mixed use community at Tottenham Hale and would comprise a combination of funding types ranging from direct grant funding, equity investment, loans and gap funding. This report also asks Cabinet to agree to the disposal of identified sites currently in Council ownership, and to pool these sites with other public sector parties. These sites would then be disposed of through direct sale or through the appointment of a development partner or partners, following a procurement process. This report also asks Cabinet to note that the site acquisition fund may be used to acquire additional sites across the Housing Zone and that these may be pooled into the above procurement process. Additionally, this report asks Cabinet to agree the approach to housing delivery which places an emphasis on affordable home ownership within the affordable portion of housing delivery and on bringing forward a proportion of homes within the private rental sector on the private portion of housing delivery.	
CAB684.	SEVEN SISTERS REGENERATION, TOTTENHAM - APEX HOUSE AND WARDS CORNER Cabinet considered a report, introduced by the Cabinet Member for Housing and Regeneration, which sought approval of proposed next steps in securing the necessary investment in these sites to realise their regeneration potential. In response to a question from the Leader of the Opposition as to why the level of affordable housing within the scheme was not higher the Cabinet Member advised that the decision made in relation to Wards Corner had been made by the Planning Committee based on advice from the District Valuer. With regard to the Apex House site the Cabinet Member noted that 40% affordable housing was still considered to be a good level, particularly given the difficulty that boroughs across London face in achieving this. The Cabinet Member noted that in order to achieve 40% affordable housing on the site the Council had used the receipt from the land value to support this.	

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The Leader noted that the provision of affordable housing should be seen as part of the overall public value of the scheme, which also included relocating the market and creating a civic heart at Tottenham Green by relocating Council services there.

In response to a question from Councillor Adje the Leader noted that exempt information in relation to the leasehold interest of Apex House would be supplied to him outside the meeting. With regard to proposals for the relocation of the Customer Services Centre the Chief Executive noted that two sets of proposals would be presented to Cabinet in the Autumn; one in the relation to the short term relocation of the centre and a second set of proposals in relation to the long term relocation of the centre.

Exempt information pertaining to the report was considered at agenda item 25.

RESOLVED:

- i. That the original decision, made by Cabinet on 14 October 2008 that Apex House N15 is surplus to service requirements, be re-confirmed;
- ii. That it be noted that the Customer Service Centre at Apex House could be moved to Tottenham Green and that a report on this would be presented to Cabinet in due course;
- iii. That approval be given to the appropriation of the Apex House site for planning purposes pursuant to Section 122 Local Government Act 1972 and subject to the powers provided by Section 237 Town and Country Planning Act 1990 for the reasons outlined in paragraphs 5.15-5.24 of the report;
- iv. That approval be given to sell, pursuant to Section 233 Town and Country Planning Act 1990, a long leasehold interest in Apex House, N15 to a wholly owned subsidiary of Grainger plc (to be incorporated prior to exchange of contracts) based on the Heads of Terms set out in the exempt Appendix 3 to the report and authorises the Assistant Director Corporate Property and Major Projects to approve the detailed terms and conditions of sale (consistent with the terms set out in the exempt Appendix 3 to this report) after consultation with the Assistant Director of Corporate Governance and the Cabinet Member for Housing and Regeneration;
- v. That approval of support be given for the provision (subject to planning permission) of ground floor retail space as part of the Apex House site redevelopment offering the potential to extend retail opportunities for local traders, including as a possible temporary or permanent relocation site for the Wards Corner market (subject to discussions with the traders and subject to any

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	necessary variation of the Section 106 agreement in respect thereof) to enable easier continuity of trading; vi. That it be noted the application by Grainger plc. to the Homes and Communities Agency for Build to Rent loan funding to support the potential provision of private rented homes in both the Wards Corner and Apex House schemes (together with affordable rented homes at Apex House) - subject to the grant of planning permission for Apex House; vii. That it be noted that the proposed tenure mix at any new development at the Apex House site would include a minimum of 39% affordable housing consistent with policy to broaden tenure mix in Tottenham – all of that housing being reserved for rented accommodation and capped at reasonable rent levels, i.e. 50% of market rent for family sized dwellings; viii. That approval be given to the variations to the Wards Corner Development Agreement dated 3 August 2007 with Grainger Seven Sisters Ltd. to reflect the changes as outlined in this report (as detailed in paragraphs 5.27-5.35 of the report and in the exempt Appendix 3) and authorises the Director of Regeneration, Planning and Development and the Assistant Director of Corporate Governance after consultation with the Cabinet Member for Housing and Regeneration to approve detailed changes (including any additional changes) to the Wards Corner Development Agreement; ix. That it be noted that, subject to the grant of planning permission, the redevelopment of Apex House will begin the desired environmental and economic transformation of Seven Sisters with Wards Corner following later when site assembly has been completed; x. That it be agreed, in principle, to the use of Section 226 Town and Country Planning Act 1990 compulsory purchase powers, if necessary, to acquire outstanding third party land interests in the proposed Wards Corner development site (the boundary of which is shown on the Plan in Appendix 2 to this report), where acquisition by agreement (by Grainger Seven Sisters Ltd. as developer) is not possible, subject to Grainger complying with its obligations in the Development Agreement including: ➤ Grainger providing the Council with satisfactory details of the steps they have taken to seek to buy land by agreement; ➤ Confirmation by the Grainger plc Board, prior to Cabinet (at a future meeting) considering making a Compulsory Purchase Order, that all conditions (apart from the Site Assembly Condition) in the Wards Corner Development Agreement have been or can be satisfied on the basis of	Dir Regen, Planning and Dev / Assistant Director Corp Gov

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	current scheme proposals; ➤ Grainger entering into a Costs Indemnity Agreement with the Council to cover the Council's costs & liabilities in relation to compulsory purchase action; and the preparation of an Equalities Impact Assessment of the impact of compulsory acquisition; xi. That, subject to agreeing recommendation (x) above, authorisation be given to officers to serve information requisition notices to establish details of existing third party land interests in the proposed Wards Corner development site (see the Plan set out in Appendix 2 of the report); xii. That approval be given to authorise the Director of Regeneration, Planning and Development and the Assistant Director of Corporate Governance, following consultation with the Cabinet Member for Housing and Regeneration, to: ➤ Enter into a guaranteed Costs Indemnity Agreement with Grainger Seven Sisters Limited to cover all of the Council's costs and liabilities (both internal and external) in preparing for, making and seeking the confirmation of a Compulsory Purchase Order for the Wards Corner scheme; and ➤ Enter into any other necessary legal or contractual arrangements with Grainger Seven Sisters Ltd (or other subsidiary companies within Grainger plc) and/or the GLA to give effect to the Cabinet's decisions on the above recommendations. Alternative options considered The option to retain Apex House as a Council building was considered as part of the Strategic Property Review. The conclusion was that the building is no longer fit for purpose and is not needed for service delivery. The Customer Service Centre (currently in Apex House) is better located in Tottenham Green to help consolidate that area as Tottenham's 'civic heart', complementing the environmental improvements currently underway there. Retaining it as a Council building would mean that residents continue to experience inadequate customer service facilities and staff continuing to operate in a poor environment that does not support the Council's strategy for Smart Working. That would also mean the Council does not achieve the required financial efficiency in property costs, as well as increasing the risk of building condition issues creating pressure on revenue and capital budgets. Apex House could be let as offices as part of the commercial investment portfolio but, certainly in the short to medium term, as the District Valuer has previously confirmed, there is limited demand for office accommodation of this size in this area. Moreover, retaining the building as offices would deny the opportunity for more intensive development on	Dir Regen, Planning and Dev / Assistant Director Corp Gov

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	the site, especially for retail and residential uses, to capitalise on its prominent and highly accessible position. That would also deny the opportunity for such development to provide a stimulus for investment in surrounding sites to continue the area's transformation as envisaged in the Council's regeneration vision. Apex House could be advertised for sale on the open market for redevelopment. However, there are significant benefits in the same developer handling both the Wards Corner and Apex sites (not least because of the potential to offer the Apex site as a relocation site for the Wards Corner market). So the Apex site can support delivery of the Wards Corner scheme and, with Grainger's offer for the Apex site being certified by the District Valuer as best consideration, there is no benefit in seeking an open market sale. The council is currently bringing forward a small new build housing programme funded through the HRA. The council could consider developing out this site under its own programme and this would allow the council to bring forward 100% affordable housing if it chose to do so. However, such a development would be at considerable cost. The HRA is already fully committed to infill site development and this site would a minimum of £13m to be found in the General Fund in order to bring development forward. Given the pressures in the General Fund this is not being suggested as an option in this report. The council could retain the site and sell it on the open market later (post Wards Corner development). While this may realise a higher value in the market, it is clear that such a sale could not take place for some time during which the Council would forgo savings, a capital receipt and would need to find alternative meanwhile uses for the building which is currently not fit for purpose as office accommodation as described above. The sale of Apex now to Grainger will assist the developer's bid for Build to Rent funding as described in paragraphs 5.10 – 5.12 of this report, a determination on which will take place in September 2014. Reasons for decision The report recommends approval to the next steps in securing investment in two key sites at Seven Sisters to help realise the regeneration potential and contribute towards the delivery of the Council's vision for Tottenham.	
CAB685.	FASHION ENTER- FASHION TECHNICAL ACADEMY Cabinet considered a report, introduced by the Cabinet Member for Economic Development, Social Inclusion and Carbon Reduction, which sought endorsement of project proposals and approval of the balance of funding required to be allocated to the project from Council reserves. The Cabinet Member invited Jenny Holloway of the Fashion Technical Academy (FTA) to provide an overview of the FTA's work. Ms Holloway noted that the FTA provided training for anyone aged 16 plus that ranged from NVQ Level 1 to NVQ Level 4 in the technical production of	

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	garments. This concentration on the development of technical skills in garment production was unique in the UK and provided an excellent basis for training in the textile industry. Ms Holloway noted that although the majority of students were aged between sixteen and nineteen there was a significant proportion of people aged fifty plus who wanted to develop new skills and this group were also in training. The FTA worked closely with Job Centre Plus and the local sixth form and further education colleague to attract students. The Leader thanked Ms Holloway for attending and noted that the presence of the FTA in Tottenham demonstrated the Council's role in helping to enable people to equip themselves with the skills they needed to find employment. RESOLVED: i. That the project proposal as detailed be endorsed and approval be given to take a five year lease on Unit 13 at the Crusader Estate; ii. That approval be given to carry out improvements under landlord's responsibilities to achieve statutory compliance at the costs highlighted in paragraph 5.19 of the report; iii. That approval be given to sub-let unit 13 to Fashion Enter for a period of 5 years to run the Fashion Technology Academy at a tapering subsidised rent as highlighted in paragraph 5.20 of the report and; iv. That approval be given to the balance of funding required of £539,864 to be allocated to the project be found from council reserves. Alternative options considered As the Fashion Technical Academy will benefit London's wider economy, and provide opportunities to people from outside Haringey, there is a case for sharing the cost of public subsidy with other authorities or agencies. However, given the particular benefits to Haringey of consolidating the fashion cluster in this area, plus the lack of alternative options which could deliver funding in the immediate term, it is on balance considered appropriate that Haringey Council should consider meeting the full public subsidy requirement at this stage in the Academy's development. In the longer term, the Council will actively work with Fashion Enter to identify and exploit other sources of external support which could reduce the burden on Haringey, and to develop a long-term business plan that will allow Academy to become as self-sufficient as possible. There are no other options which would achieve the same outcomes; the only other option is for the Council not to support the development of the Fashion Technical Academy at all, or to reduce its funding contribution (which would effectively have the same result). However, the Council's	Dir Regen, Planning and Dev Dir Regen, Planning and Dev Dir Regen, Planning and Dev

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	emerging strategy for economic growth (and the evidence on which it is based) is clear that many residents in the borough - and particularly in Tottenham - suffer from multiple barriers to employment and low rates of attainment, and that investment and intervention by the Council (beyond existing statutory provision) is necessary and appropriate to address this issue. And while the Council has not formally adopted an up-to-date economic development strategy, this project and the outcomes it delivers are consistent with the Council's emerging policy and priorities in this area. Reasons for decision By supporting the Fashion Technical Academy the Council will be contributing towards Outcome 3 of the Corporate Plan by providing skills and training opportunities.	
CAB686.	PLANNING AUTHORITY MONITORING REPORT FOR 2012/13 AND SUPPLEMENTARY PLANNING GUIDANCE (SPG) REVIEW Cabinet considered a report, introduced by the Cabinet Member for Planning, which sought approval of the Planning Authority Monitoring Report (AMR) for publication on the Council's website and approval to revoke certain supplementary planning guidance. Cabinet was advised that within the original report SPG 11b had been recommended to be revoked under 3.2 of the report; however, this should have been listed as being withdrawn under 3.4 of the report. It was suggested that it would be useful to provide an explanation for members of the public as to where the provisions set out in the defunct documents would now sit. RESOLVED: i. That the Planning Authority Monitoring Report (AMR) be noted and approved for publication on the Council's website. ii. That approval be given to the revocation of the following supplementary planning guidance, pursuant to the Planning and Compulsory Purchase Act 2004 and associated regulations: ➤ SPG11b – Buildings Suitable for Community Use (2003) ➤ Housing Supplementary Planning Document (2008) ➤ Wood Green Town Centre Supplementary Planning Document (2008) iii. That approval be given to an application to the Secretary of State for the revocation of the above mentioned guidance under section 25 of the Planning and Compulsory Purchase Act. iv. That approval be given to the withdrawal of the following guidance, pursuant to the Planning and Compulsory Purchase Act 2004 and associated regulations:	Dir Regen, Planning and Dev Dir Regen, Planning and Dev

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- SPG11b – Buildings Suitable for Community Use (2003)
- SPG1ai – Major Applications Protocol (2004);
- SPG1c – Strategic Views (2006);
- SPG1d – Telecom Equipment, Including Satellite Dishes (2006);
- SPG3c – Backland Development (2006);
- SPG4 – Access for all, Mobility Standards (2006);
- SPG5 – Safety by design (2006);
- SPG6c – Restaurants, Hot Food Premises, Use Class A3 etc (2006);
- SPG7b – Travel Plans (2006);
- SPG7c – Transport Assessment (2006);
- SPG8f – Land Contamination (2006);
- SPG8h – Environmental Impact Assessment (2006);
- SPG9 – Sustainability Statement Guidance Notes and Sustainability Checklist (2006);
- SPG10e – Improvements to Public Transport Infrastructure and Services (2006);
- SPG11a – Car repair workshops and garages (2006);
- SPG18 – Town Centre Retail Thresholds (2004);
- Basement Guidance Note (2012);
- Tottenham International Development Framework Section 1 (2003);
- Tottenham International Development Framework Section 2 (2003); and
- Tottenham International Development Framework Section 3 (2003).

- v. That it be noted that the following guidance would be withdrawn by a decision of the Assistant Director of Planning and Building Control:

- Planning note on housing SP2: Housing

Alternation options considered

Planning Authority Monitoring Report

The Localism Act 2011 requires local planning authorities to produce monitoring reports. Planning authorities can now decide what is monitored and the format for reporting. Haringey's existing procedure of annual monitoring is considered an effective way for presenting outcomes and achievements of the planning service, within existing resources. As such, no other options were considered. However, the report includes information beyond the monitoring year where it helps to provide a more current picture of performance outcomes.

Supplementary Planning Document/Guidance Review

Two alternative options were considered:

Option A: Do not review the supplementary planning guidance documents. This is not considered an appropriate option as there have

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been changes in national and regional guidance. Further, the National Planning Policy Framework (NPPF) recommends the review of planning documents. It is also considered that the Council's current volume of supplementary planning guidance (48 documents) is excessive, and may impede effective development management and pose a barrier to investment in the borough.

Option B: Revoke or withdraw all supplementary planning documents and guidance. This is not considered an appropriate option as the Council has some excellent supplementary planning guidance documents which provide appropriate locally specific guidance, based on extensive consultation with residents, and these documents continue to provide useful guidance for development management and investment in the borough.

The preferred option is therefore a tailor-made approach which balances multiple requirements: to update and streamline Haringey's planning policy guidance; to provide greater certainty about the types of development that the Council will support; and to ensure the protection of Haringey's interests now and in the future.

Reasons for decision

Authority Monitoring Report

The publication of the Authority Monitoring Report is a requirement of the Localism Act 2011. Approval of the contents of the AMR for publication will ensure that the Council meets its statutory obligations for planning performance monitoring.

Supplementary Planning Document/Guidance Review

The NPPF is a material consideration for planning decisions. It also sets out requirements and guidance for local authorities to consider when preparing planning documents. Importantly, the NPPF advocates that local planning authorities review their Local Plans in whole or in part to respond flexibly to changing circumstances.

In 2013 Haringey adopted its Local Plan: Strategic Policies, which at public examination was found to be sound under the requirements of the Planning and Compulsory Purchase Act 2004. In addition, the Local Plan was assessed as being consistent with the NPPF. The borough now has an up-to-date strategic plan which provides a robust basis for guiding new development and investment in the borough.

However, many of Haringey's existing Supplementary Planning Documents (SPDs) and Supplementary Planning Guidance documents (SPGs) were prepared prior to the publication of the NPPF and adoption of Haringey's Local Plan.

In light of these circumstances it is appropriate for Haringey to closely examine its suite of SPD/G documents, to ensure they closely align with the local planning policy framework and positively contribute to the

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	development management in the borough.	
CAB687.	COMBINED REPORT FOR PLANNING OBLIGATIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) CONSULTATION DRAFT AND ADOPTION OF HARINGEY'S CIL CHARGING SCHEDULE Cabinet considered a report, introduced by the Cabinet Member for Planning, which sought agreement from Cabinet to recommend to Full Council that it adopt the CIL Charging Schedule and approval for the draft Planning Obligations Supplementary Planning Document to go out to statutory public consultation for a period of six weeks. RESOLVED: i. That the CIL be endorsed and that the CIL Charging Schedule be recommended to Full Council for adoption for implementation from 1st November 2014; and ii. That approval be given to the draft Planning Obligations SPD, as set out in Appendix B of the report, for a six week statutory public consultation. Alternative options considered The CIL Regulations are scheduled to restrict the pooling of s106 planning obligations to five sites from 1 April 2015. In order for infrastructure planning obligations to be pooled together from multiple sites post this date, a CIL charging schedule is required. To explore all of the development and infrastructural opportunities, and ensure that developments come forward along timescales that ensure these synergies are exploited efficiently is not feasible. CIL offers certainty about the quantum of infrastructure contributions to be collected on each site in the borough, without jeopardising affordable housing contributions, and while maintaining the opportunity for bespoke site-specific planning obligations to be collected. As such it is not seen as realistic to proceed with the current planning obligations regime. Reasons for decision Adoption of CIL should be recommended by Cabinet to Council. The SPD preparation requires a statutory six week public consultation which will commence after Cabinet approval.	Dir Regen, Planning and Dev
CAB688.	WAIVER OF CONTRACT STANDING ORDERS - TOTTENHAM THINKING SPACE Cabinet considered a report, introduced by the Cabinet Member for Health and Wellbeing, which sought approval to waive Contract Standing Order 10.01 to extend the project for a further twelve months until September 2015. RESOLVED: i. That approval be given to waive Contract Standing Order 8.02	Dir Public Health

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	(requirement to obtain quotations) as allowed under CSO 10.01.2 (d): “it is in the Council's overall interest.”; and ii. That approval be given to extend the Tottenham Thinking Space (TTS) Pilot for a further twelve months of service provision (to September 2015), with the contract for the pilot to be awarded to Tavistock and Portman NHS Foundation Trust. Alternative options considered Competitively tendering a second year of the pilot from other providers is not recommended for the following reasons: This project’s success is based on building long-term trust between the provider and the community in a facilitated way that requires specialist skills and expertise. Even with such a highly skilled staff, TTS found it hard, in the first six months, to establish this ongoing trust; this could be jeopardised by alternative service provision. It is unlikely another provider would have sufficient knowledge and expertise of the community therapy concept to be able to take over the project without impacting negatively on service quality. Reasons for decision A waiver of CSO 8.02 as allowed under CSO 10.01.2 (d) is sought in order to provide continuity of service.	Dir Public Health
CAB689.	PROPOSED SCHOOL EXPANSIONS Cabinet considered a report, introduced by the Cabinet Member for Children and Families, which sought agreement to commence stakeholder consultation on the reinstatement of the Published Admission Number (PAN) at Bounds Green Infant and Junior School and the possible expansion of St James Church of England Primary and St Mary’s church of England Primary Schools. RESOLVED: i. That approval be given for officers to commence stakeholder consultation on the possible reinstatement of the published admission number (PAN) at Bounds Green Infant and Junior School and on the possible expansion of St James CE Primary and St Mary’s CE Primary Schools;. ii. That approval be given for the Cabinet Member for Children and Families to consider a further report from officers in December 2014 on the outcome of the consultation and to decide on whether or not a statutory notice should be published setting out the local authority’s intention to permanently expand St James’ and St Mary’s, such a decision to be informed by officers’ recommendations setting out consultation feedback and other relevant material considerations including the latest available information on the demand for and supply of school places in the	Dep Chief Exec Dep Chief Exec

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borough; and.

- iii. That it be agreed that, in parallel with any consultation phase, the design work would be undertaken at risk on the potential expansions of all three schools to enable planning for delivery of any expansion(s) to be delivered on time in the event that such expansion(s) be approved.

Alternative options considered

All available birth and school roll data concludes that we will run out of sufficient reception places in 2015 if we do not take action to increase the overall PAN for the borough.

Additional places can be provided through new schools or by expansion (permanent or one off 'bulge' classes) of existing schools.

The Education Act 2011 changed the arrangements for establishing new schools and introduced section 6A (the academy/free school presumption) to the Education and Inspections Act 2006. Where a local authority thinks there is a need for a new school in its area it must seek proposals to establish an academy/free school.

While we know that we do not have enough reception places in the borough to meet future demand, this unmet demand is not concentrated in one location but is spread across the central and western parts of the borough. This projected unmet demand can more effectively be met by the expansion of three existing schools as opposed to new provision concentrated in only one location.

As a result of the analysis of the geographical spread of the unmet demand, expansion as opposed to a new school is proposed at this time. By 2024 we expect to be more than ten classes (310 places) short of reception places if we do not take action to increase capacity. This report is recommending the commencement of consultation on up to four classes (120 places) of additional capacity.

Reasons for decision

Our projections show that we will not have enough places to meet projected demand if we do not increase capacity at reception level. This report seeks Cabinet agreement to carry out initial consultation on the possible expansion of two of our primary schools and the reinstatement of the PAN at one further school from its current 60 places up to its original PAN of 90.

By taking these steps at this time we ensure that we have sufficient time to actively engage with all stakeholders and seek views on these expansions, and to allow any provision to be secured in a timely way following any agreement to expand any one or all three of the schools. This advance planning also allows us some time to seek alternative proposals if it is ultimately decided not to expand any one (or more) of these schools.

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	During the intervening period between now and March 2015 we will continue to monitor actual and projected demand for reception places and report back to Cabinet on any impact this demand has on either the proposal before Cabinet now or where continued demand might mean that additional provision over and above that set out in this report is identified.	
CAB690.	MINUTES OF OTHER BODIES RESOLVED: That the minutes of the following bodies be noted: a) Cabinet Member Signing (Cabinet Member for Housing and Regeneration) – 27 June 2014	
CAB691.	SIGNIFICANT AND DELEGATED ACTIONS RESOLVED: That the report be noted.	
CAB692.	NEW ITEMS OF URGENT BUSINESS There were no new items of urgent business.	
CAB693.	EXCLUSION OF THE PRESS AND PUBLIC RESOLVED: That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under paragraphs 3 and 5, Part 1, schedule 12A of the Local Government Act 1972.	
CAB694.	TOTTENHAM HALE REGENERATION PROGRAMME Exempt information pertaining to Item 13 was considered.	
CAB695.	SEVEN SISTERS REGENERATION, TOTTENHAM - APEX HOUSE AND WARDS CORNER Exempt information pertaining to Item 14 was considered.	
CAB696.	NEW ITEMS OF EXEMPT URGENT BUSINESS There were no new items of exempt urgent business.	

The meeting closed at 7.40pm.

**MINUTES OF THE CABINET
TUESDAY, 15 JULY 2014**

COUNCILLOR CLAIRE KOBER

.....

Chair

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Haringey Council

Report for:	Cabinet – 16 September 2014	Item Number:	
Title:	Overview and Scrutiny Project Reports 2013/14		
Report Authorised by:	Bernie Ryan, Assistant Director, Corporate Governance		
Lead Officer:	Clifford Hart – Democratic Services Manager & Melanie Ponomarenko – Senior Scrutiny Officer		
Ward(s) affected:	Report for Non Key Decision		

1. Describe the issue under consideration

1.1. The Overview and Scrutiny Committee and its four panels undertook a number of projects in 2013/14:

- a. Under occupation of social housing
- b. Community engagement with the Planning Service
- c. Strategic Enforcement
- d. Mental health and community safety
- e. Two year olds early entitlement
- f. Mental health and accommodation
- g. Mental health and Physical health

1.2. The final project reports and recommendations were agreed by the Overview and Scrutiny Committee in April 2014 and referred to Cabinet for agreement of responses to recommendations.

2. Cabinet Member introduction



Haringey Council

2.1. The Cabinet Member views are detailed in each of the covering reports accompanying each of the reviews attached.

3. Recommendations

3.1. That Cabinet considers the attached scrutiny project reports from 2013/14 listed as (a) to (d) below and the recommendations contained in those reports:

- a. Under occupation of social housing
- b. Community engagement with the planning service
- c. Strategic Enforcement
- d. Two year olds early entitlement

3.2 That in respect of the scrutiny project reports Mental Health and Accommodation, and Mental Health and Physical Health as listed in para 1.1 – it be noted that both reviews will be considered by the Health and Wellbeing Board on 30 September 2014 and then reported to Cabinet on 14 October 2014;

3.3 That in respect of the scrutiny project report on Mental Health and Community Safety as listed in para 1.1 - it be noted that this review will be considered by the Community Safety Partnership on 18 September 2014 and then reported on to Cabinet on 14 October 2014.

4. Alternative options considered

4.1. N/A

5. Background information

5.1. Part 4, Section G, Para 1.3 of the constitution sets out the process for reports from Overview and Scrutiny to Cabinet and states:

“Following approval by the Overview and Scrutiny Committee, final reports and recommendations will be presented to the next available Cabinet meeting together with an officer report where appropriate. The Cabinet will consider the reports and formally agree their decisions.”

5.2. There are five scrutiny reviews attached at A to E which were carried out in 2013/14 which are for consideration together with responses to those recommendations from the service area /Assistant Director responsible. The responses and recommendations have been discussed and agreed by the relevant Cabinet Member.

5.3. In respect of the scrutiny project reports Mental health and accommodation, and Mental health and Physical health – the Cabinet Member for Health and Well Being has advised that it is appropriated that both reviews be considered by the Health and Well Being Board (HWB) on 30 September 2014 prior to consideration by Cabinet, and



Haringey Council

the comments/views of the HWB be reported to Cabinet on 14 October 2014, together with both Scrutiny Review reports.

6. Comments of the Chief Finance Officer and financial implications

6.1. Financial comments for each of the scrutiny projects reports and recommendations were obtained and are outlined in each Scrutiny project report.

7. Assistant Director of Corporate Governance comments and legal implications

7.1. Legal comments for each of the scrutiny projects reports and recommendations were obtained and are outlined in each Scrutiny project report.

8. Equalities and Community Cohesion Comments

8.1. Equalities and community cohesion comments are outlined in each scrutiny project report.

9. Head of Procurement Comments

9.1. N/A

10. Policy Implication

10. It is intended that the work of the Overview & Scrutiny Committee will contribute and add value to the work of the Council and its partners in meeting locally agreed priorities. In this context, it is expected that the work of the Committee may contribute to improved policy and practice in relation to the corporate priorities.

11. Reasons for Decision

The findings of the Overview and Scrutiny Reviews for 2013/14 are reported to Cabinet in accordance with in Part 4, Section G, Para 1.3 of the constitution. The findings of the 2013/14 reviews have been responded to in the covering reports for the scrutiny reviews (a) to (e) and are for Cabinet to consider and adopt.

12. Use of Appendices

- a. Under occupation of social housing
- b. Community engagement with the planning process
- c. Strategic Enforcement
- d. Two year olds early entitlement

13. Local Government (Access to Information) Act 1985

N/A.

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APPENDIX A - Under Occupation of Social Housing Scrutiny Report

Report for:	Overview & Scrutiny Committee 10 th April 2014	Item Number:	

Title:	Under Occupation of Social Housing and Housing Benefit Entitlement ('Bedroom Tax') – Final Report

Report Authorised by:	Cllr Gideon Bull, Chair of Overview & Scrutiny Committee

Lead Officer:	Martin Bradford, Scrutiny Officer, Corporate Governance, martin.bradford@haringey.gov.uk Melanie Ponomarenko, Senior Scrutiny Officer, Corporate Governance, melanie.ponomarenko@haringey.gov

Ward(s) affected: All	Report for Key/Non Key Decisions:

1. Describe the issue under consideration

- 1.1 As part of its work programme for 2013/14, the Overview & Scrutiny Committee agreed to assess the implications of changes to Housing Benefit rules that introduced benefit reduction for tenants deemed to be in under occupation in social housing (otherwise known as the 'bedroom tax'). The attached report details the conclusions and recommendations developed within this work, for which approval of the Committee is sought.

2. Cabinet Member Introduction

- 2.1 This is not applicable at this stage. The relevant Cabinet Member will introduce a response to the recommendations of this report when presented at Cabinet.

3. Recommendations

- 3.1 That the Overview & Scrutiny Committee a) note contents of the attached final report and b) agree the recommendations contained in the final report.

4. Other options considered

- 4.1 The final recommendations detailed within this report were developed in consideration of a wide range of evidence presented to the Overview & Scrutiny Committee. Other possible recommendations are detailed within the narrative of the attached report.

5. Background information

- 5.1 Under the agreed terms of reference, Overview & Scrutiny Committee can assist the Council and the Cabinet in its budgetary and policy framework through conducting in depth analysis of local policy issues.

- 5.2 In this context, the Overview & Scrutiny Committee may:

- Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- Conduct research, community and other consultation in the analysis of policy issues and possible options;
- Make recommendations to the Cabinet or relevant nonexecutive Committee arising from the outcome of the scrutiny process.

5.3 Cabinet Members, senior officers and other stakeholders were consulted in the development of an outline work programme for Overview & Scrutiny Committee and Scrutiny Panels. An assessment of the impact of the Welfare Reforms was agreed to be included within this work programme by the Committee at its meeting on 17th June 2013 and the scope of this work was agreed on 7th October 2013

6. Under Occupation of Social Housing – Housing Benefit entitlement

National Context

- 6.1 As part of the Government's Welfare Reform Agenda, a number of changes have been introduced to control Housing Benefit expenditure. These have included:
- Recalculation of Local Housing Allowance (LHA);
 - Extending the Shared Accommodation Rate to include single people under 35;
 - Introducing a weekly Benefit Cap of £500 (£350 for single people without children);
 - Increasing non-dependent charges for other adults in the household each year;
 - Restricting the amount of Housing Benefit paid to social housing tenants who are under retirement age and deemed to be under occupying their homes (also known as the 'bedroom tax' or 'spare room subsidy').
- 6.2 Nationally, the changes to Housing Benefit rules and entitlements outlined above were expected to reduce the total spend on this aspect of welfare provision by approximately £7 billion over the period 2011/12 to 2017/18.¹

Under Occupation of Social Housing – Housing Benefit entitlement

- 6.3 In April 2013, new size criteria were introduced to determine the amount of Housing Benefit that can be awarded to social housing tenants below the age of retirement. Under the size criteria, one bedroom is allowed for each person or couple living as part of the household. Children aged 16 or over are allowed their own bedroom, but children under the age of 16 will normally only be allowed their own bedroom if they are aged 10 or over and their sibling is of a different gender.
- 6.4 The rate of Housing Benefit reduction for under occupancy is set at a percentage of the rent, to reflect national variations in rent levels. Thus Housing Benefit reductions would be applied on the following basis:
- 14% where under occupying by 1 bedroom;
 - 25% where under occupying by 2 or more bedrooms.
- 6.5 It is expected that the above changes to Housing Benefit entitlement in the social rented sector will contribute to the following national policy objectives:
- Reduce Housing Benefit expenditure by approximately £460m;

¹ Measure to Reduce Housing Benefit Expenditure , Standard Note (SN/SP/5638) House of Commons Library

- Encourage greater mobility in the social rented sector (as tenants move to properties more suited to their needs);
- Make better use of existing housing stock (ease overcrowding as larger properties become available);
- Improve work incentives for working age claimants;
- Establish parity in Housing Benefit rules with the private rented sector (where under occupancy rules already exist).

7. Aims, objectives and work-plan scrutiny involvement

Overarching aim

- 7.1 To assess how changes to Housing Benefit rules for under occupation in the social rented sector have impacted on tenants and landlords, identify local priorities for the Council, and evaluate the effectiveness of the action that landlords and the Council have taken to mitigate the effect of the under occupancy penalty.

Component objectives

- 7.2 Within the above overarching aim the Committee sought to address the following questions in relation to the 'bedroom tax':
- What has been the impact of this reform on local tenants, in particular, vulnerable tenants?
 - What support has been provided to affected tenants, what interventions have been most effective and are there any gaps in current provision?
 - What approaches have social landlords taken to rent arrears and how are tenants with arrears being supported?
 - How effective have Discretionary Housing Payments (DHPs) been in supporting local tenants and how sustainable is this in the long term?
 - What opportunities are there for improved partnership working among social landlords in supporting tenants affected in Haringey (e.g. provision of advice or support or cooperation in housing transfers)?
 - Can support services be provided in a more coordinated way or effective way (e.g. debt advice, income maximisation, access to employment and training schemes)?
 - What impact has this development had upon wider housing issues such as homelessness, the need for temporary accommodation, the housing register or demand for smaller housing units?
- 7.3 In fulfilling these objectives, the Committee consulted the following stakeholders within the themed work programme:

Bedroom Tax Project: Aims, stakeholders and timeline

Local Policy & Practice (December 2013)	▪ Community Housing Service (Haringey Council) ▪ Homes for Haringey (HfH) ▪ Registered Providers (L&Q, Metropolitan, Sanctuary, Family Mosaic & Newlon) ▪ Revenues, Benefits & Customer Services ▪ Haringey Citizens Advice Bureau
Comparative Policy & Practice (January 2014)	▪ National Housing Federation (NHF) ▪ Chartered Institute of Housing (CIH)

	▪ London Borough of Islington ▪ London Borough of Hackney
Tenant consultation (February 2014)	▪ Focus groups with tenants of both Homes for Haringey and other social landlords affected by the 'bedroom tax'

8. Main conclusions and recommendations of the Committee

8.1 In undertaking this work the Committee have drawn the following conclusions in relation to the impact of the 'bedroom tax':

- The 'bedroom tax' has been applied to approximately 2,000 local households across the social rented sector;
- Cumulatively, the application of the 'bedroom tax' is likely to reduce the amount Housing Benefit paid to local tenants by approximately £2.25m;
- If all those tenants affected by the bedroom tax sought to downsize, this would create additional demand for 1,000 one and two bedroom units, whilst freeing up an equal amount of three and four bedroom properties;
- Housing Benefit reductions had contributed to a significant increase in rent arrears among those tenants affected;
- Anxiety and stress related to a reduction in household incomes and accruing rent arrears was adversely affecting the health of tenants affected by the bedroom tax.

8.2 The Committee have drawn the following conclusions in respect of the support provide to tenants:

- Social landlords began notifying tenants likely to be affected by the bedroom tax from September 2012 onwards and many took on staff to deal with tenants enquiries, however some tenants fell through the net and were unprepared when Housing Benefit deductions started in April 2013;
- Downsizing remains the most effective and, in the long term, most sustainable approach to supporting tenants affected by the bedroom tax, yet underlying structural issues in housing supply as well as poor tenant mobility limits its application;
- The award of DHP to tenants affected by the bedroom tax, whilst helpful, is only able to assist a small fraction of those affected;
- There is significant potential for improved partnerships among social landlords in the commissioning of services to support tenants affected by the 'bedroom tax' (e.g. financial advice and support, work and training opportunities).

8.3 The Committee have made 16 recommendations in the following areas:

- Supporting tenants to swap and mutual exchange;
- Discretionary Housing Policy payments;
- Rent arrears policy;
- Financial advice and support provided to tenants;
- Vulnerable adults;
- Referring tenants to related support programmes;
- Partnerships;
- 'Bedroom tax' loophole;
- Core strategy; and

- Customer Service Transformation Project.

9. Comments of the Chief Financial Officer and Financial Implications

- 9.1 The introduction of HB size criteria for the Social Housing sector is a significant financial issue both for individual residents and for the Council as a whole. Additional provision for bad debt (£735k in total to take account of a range of benefit changes and other factors) has been made within the HRA budget and the position is being closely monitored by Homes for Haringey and the Council.
- 9.2 This is a wide ranging report that makes a number of recommendations. Recommendations 1, 8, 9, 10, 13 and 16 could all involve significant staffing resources and other costs and the costs and benefits of these proposals would need to be fully assessed before they can be adopted and implemented and the required resources identified.
- 9.3 Recommendations 2 to 6 all concern Discretionary Housing Payments. It should be noted that this is funded by a cash limited grant and so an increase in applications may require a tightening of award criteria and other controls in order to remain within budget. The Council has the legal ability to add its own resources but this is capped at 2.5 times the grant and moreover is constrained by the need to identify the source of this extra funding within its revenue budget.
- 9.4 At this stage, the proposals are high level recommendations. If adopted further work will need to be undertaken to identify resources and put in place appropriate control arrangements. It will be important that any proposals that are put before Cabinet for formal adoption are fully costed and the risks properly assessed before Cabinet are asked to agree to them.

10. Comments of the Assistant Director of Corporate Governance and legal implications

- 10.1 The Assistant Director Corporate Governance has been consulted on the contents of this report.
- 10.2 The terms of reference of the Overview and Scrutiny Committee are as set out in paragraphs 5.1 and 5.2. and there are no specific legal implications arising from this report.

11. Equalities and Community Cohesion Comments

- 11.1 Overview and scrutiny has a strong community engagement role and aims to regularly involve local stakeholders, including residents, in its work. It seeks to do this through:
- Helping to articulate the views of members of the local community and their representatives on issues of local concern
 - As a means of bringing local concerns to the attention of decision makers and incorporate them into policies and strategies
 - Identified and engages with hard to reach groups
 - Helping to develop consensus by seeking to reconcile differing views and developing a shared view of the way forward

- The evidence generated by scrutiny involvement helps to identify the kind of services wanted by local people
- It promotes openness and transparency; all meetings are held in public and documents are available to local people.

11.2 A number of engagement processes have been used to support the work of the Overview & Scrutiny Committee (dedicated event) which has sought to include a broad representation from local stakeholders. A number of equalities issues have been identified in this report including:

- Health impact of welfare reform
- Financial exclusion of welfare reform

11.3 The Committee have made a number of recommendations to mitigate the impact of the 'bedroom tax';

- Improved access to financial advice and support provided to tenants affected;
- The identification and provision of ongoing support to those vulnerable adults affected by the 'bedroom tax'.

12. Head of Procurement Comments

12.1 Not applicable.

13. Policy Implications

13.1 It is intended that the work of the Overview & Scrutiny Committee will contribute and add value to the work of the Council and its partners in meeting locally agreed priorities. In this context, it is expected that the work of the Committee will contribute to improved policy and practice for the following corporate priorities:

Opportunities for all: A successful place for everyone - Ensure that everyone has a decent place to live.

14. Use of Appendices

14.1 All appendices and references are listed in the main body of the report.

15. Local Government (Access to Information) Act 1985



Under Occupation in Social Housing (‘Bedroom Tax’)

April 2014

A PROJECT BY THE OVERVIEW & SCRUTINY COMMITTEE

www.haringey.gov.uk

Foreword

This project has demonstrated that the new size criteria for social housing has had a considerable impact on social landlords and their tenants in Haringey. Evidence to the Committee has demonstrated that the provision of appropriate advice, support and signposting is key to helping those tenants mitigate any adverse affects.

The project has revealed good examples of how housing providers work together to help improve the range of support services available for local tenants and has also highlighted that there may be other partnership opportunities to extend the help and support currently provided to tenants, for example in local housing allocations, the provision of financial advice and employment support.

It is hoped that this report and the recommendations contained within it will help build on the advice, support and services already provided to tenants affected by the size criteria.

I would like to thank local tenants, housing officers as well as representatives from national agencies and neighbouring local authorities who attended consultation events and provided invaluable evidence to assist the Committee with this project.



Councillor Gideon Bull (Chair Overview & Scrutiny Committee)

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Recommendations

Transfers and mutual exchanges

1. In order to successfully tackle under occupation and overcrowding, the Council should work with Homes for Haringey and Registered Providers to develop, publish and promote a comprehensive programme of support that makes it as easy as possible for tenants affected by the 'bedroom tax' to move to accommodation that has fewer rooms.

The programme, underpinned by a review of social landlords housing allocations arrangements and supported by written advice on the full range of options available to tenants, should include the following:

- Borough wide and localised events that bring together under occupiers and over-crowded tenants across Haringey (to include a programme of published events held by Council, Homes for Haringey and other Registered Providers)
- Collect, review and publish details of financial incentives (to downsize), allowances (e.g. removals) that support housing transfers and exchanges (across Homes for Haringey and other Registered Providers);
- Explore the possibility of developing a rent guarantee for downsizers (which ensure that the rent that tenants are charged for their new home does not exceed the rent that they have been charged for the home they are leaving)
- That Registered Providers support mutual exchanges by offering small scale repairs and provide decorating materials for tenants where this will encourage mutual exchange between downsizers and tenants who are living in overcrowded housing;
- Actively market 1 bedroom properties to under-occupying tenants and ask all Registered Providers to make available all of their 1 bedroom properties (including those that are not subject to the Council's nomination rights) for a specific period of time in order to assist Haringey's efforts to tackle under occupancy and overcrowding;
- Develop mutual arrangements across the sector through which tenants of all local social landlords (Homes for Haringey and other Registered Providers) are supported in mutual exchange processes, including three and four way swaps;
- The provision of dedicated support to guide tenants through the process of mutual exchange or home swap (hand-holding) e.g. to help tenants to register on Homeswapper, upload photos and support active engagement.
- Training and updates provided to other relevant staff groups (social workers etc)

Discretionary Housing Payment (DHP)

2. The Committee recommended that a summary DHP guide is developed for social housing tenants which:
 - Clearly sets out the eligibility criteria, application process and timeframe for processing and assessment
 - Ensures that the commitment to change (e.g. job search, training) is made explicitly clear in the applications criteria and assessment process;
 - Makes tenants aware that reapplications are possible;
 - Is systematically distributed to those affected by welfare reforms.

3. In order to increase awareness and uptake of DHP among Registered Providers (RHPs) *and* Council tenants:
 - The DHP policy should be re-circulated to all RHPs (including Homes for Haringey) to help improve awareness of these payments, particularly in relation to the eligibility criteria and the application process;
 - Further guidance should be provided to RHPs and Homes for Haringey, making use of case study examples of successful and unsuccessful DHP claims;
 - The above information should be cascaded to front line RHP and Homes for Haringey staff to better advise potential applicants.
4. It is recommended that, when considering DHP applications, the Council give greater priority to tenants who are facing legal action or eviction.
5. Improvements are made to the DHP assessment and notification process, including;
 - Faster processing of applications (it is suggested that this is 18 working days to conform with the targets for the processing of new Housing Benefit applications)
 - Improved communication between Revenues Benefits & Customer Services (as processor of claims), housing providers and tenants.
6. As shortfall between the Housing Benefit lost and the availability of DHP may grow the Council should explore the merits and feasibility of using other budgets – such as the HRA (as other LAs have done so) and the homelessness budget – to supplement, even on a temporary basis, the financial support that is provided to tenants through the DHP.

Rent Arrears Policy

7. Given the growing level of rent arrears among tenants affected by the 'bedroom tax' across the sector, it is recommended that
 - Homes for Haringey and other Registered Providers make a realistic projection of rent arrears for 13/14 and for 14/15 (financing, impact).
 - Rent arrears policies are reviewed to ensure:
 - Implications for court order and evictions are full assessed;
 - That policies and practices are not a barrier to further action by the tenant (e.g. swaps, exchange and transfer).

Partnerships

8. That Revenues Benefits and Customer Services develop a more systematic and coordinated process through which data on those tenants affected by the 'bedroom tax' is communicated with local housing providers (particularly as tenants move in and out of 'bedroom tax' deductions).
9. The Council should work with Homes for Haringey and other Registered Providers to identify partnership opportunities in the provision of information, advice, support or services to those tenants affected by the 'bedroom tax' and other welfare reforms (e.g. budgeting skills, welfare rights advice, employment & training). This will ensure a more consistent, efficient and coordinated approach to the housing and welfare needs of residents across the borough.

Financial Advice and Support

10. To improve the level of budgeting information, advice and support available to tenants affected by the 'bedroom tax' and other welfare reforms that the Council with Homes for Haringey and other Registered Providers:
- Promote further awareness of the role of local (e.g. Moneywise at Haringey CAB) and national (e.g. Shelter, Crisis) advice services;
 - Work with the Haringey & Islington Credit Union to develop awareness of this service and where possible, extend the accessibility and range of budgeting services available to local tenants (e.g. jam jar accounts).
 - Explore the possibility of joint training to help improve budgeting and money management skills;
 - Promote further awareness of other financial assistance schemes (energy/utility e.g. British Gas Energy Trust, EDF Energy Trust and Thames Water Trust Fund);
 - Consider jointly producing a short guide/ booklet/ webpage detailing the above for Haringey residents.

'Bedroom Tax' Loophole

11. It is recommended Revenues Benefits & Customer Services assess and notify tenants affected by the 'bedroom tax' loophole as soon as practicable, ensuring that the implications of any Housing Benefit adjustments together with any reclaim of any DHP awards, is clearly communicated to tenants to allow them to plan and manage their finances.

Front line services (Housing Benefit and Housing Officers)

12. It is recommended that front line staff in both housing services (Homes for Haringey) and Revenues (Housing Benefit & DHP) receive a refresher on the welfare reform issues and the impact that this may be having upon local residents, particularly in respect of:
- Improve knowledge and understanding of welfare reform issues and how this may affect residents;
 - Awareness of other support services and agencies with appropriate signposting;
 - Sensitivity of client issues;
 - Accessibility of services (telephone access).

Referral to related support programmes (employment & training)

13. That there is a more coordinated process through which employment training, advice and support is provided to those tenants affected by the 'bedroom tax' and other welfare reform. In particular:
- Best practice across housing providers should inform service development opportunities (e.g. Family Mosaic back to work schemes)
 - The possibility of sector-wide joint commissioning of employment and training schemes explored.

Customer Services Transformation Project

14. Given the problems that tenants have experienced in accessing information and advice about the 'bedroom tax', DHP and other welfare reforms, the Committee would like further clarity from the Council as to the level of advice and support available to vulnerable adults or those less IT literate in the move towards greater digital service provision (channel shift).

Future unit size – Core Strategy

15. In recognition of the impact of the 'bedroom tax' on local housing needs (e.g. increase demand for smaller properties and increased availability of larger properties) it is recommended that the Council undertake further modelling to fully assess the impact of this and other welfare reforms, and ensure that this is reflected in plans for future housing and development.

Vulnerable Adults

16. A significant number of those affected by the 'bedroom tax' were identified as having multiple and complex health and social care needs (e.g. chronic long term conditions, mental health needs). It is recommended that all housing providers:
 - Undertake additional work to further identify such tenants;
 - Ensure that *additional* and *ongoing* support is provided to assist them in accessing and navigating housing and welfare options available (e.g. access to budgeting advice, transfer and mutual exchange).

Introduction

- 1.1 In April 2013, new size criteria were introduced to Housing Benefit rules in which tenants in the social rented sector would be subject to a benefit reduction if they were assessed to be in under occupation (i.e. had spare bedrooms). Consequentially, this reform has become more colloquially known as the '*bedroom tax*'. The purpose of this reform was to help reduce Housing Benefit expenditure, make better use of social housing stock and bring parity with the private rented sector (where similar Housing Benefit regulations already exist).
- 1.2 As part of its work programme for 2013/14, the Overview & Scrutiny Committee agreed to assess the impact of the new size criteria for Housing Benefit payments. In particular, the Committee sought to assess the impact of the '*bedroom tax*' on social landlords and their tenants and to identify what actions the Council could take to mitigate any adverse affects.
- 1.3 In undertaking this work, the Committee has consulted widely with local stakeholders, including a dedicated session with those tenants directly affected by the '*bedroom tax*'. In addition, specialist evidence has been received through the involvement of the Chartered Institute of Housing (CIH), the National Housing Federation (NHF) and other local authorities. It is therefore hoped that the conclusions and recommendations developed within this report will guide and inform Haringey's response to the '*bedroom tax*'.

2. Background information

National Context

- 2.1 Housing Benefit is a financial payment for people on a low income to help them pay all or part of their rent. This benefit is means tested and available to qualifying tenants in both the social and private rented sectors. As of 2012, there were approximately 5 million Housing Benefit claimants, of which 3.4 million were living in the social rented sector.²
- 2.2 Expenditure on Housing Benefit has increased from £11 billion to £21 billion over the period 2000/01 to 2010/11.³ A number of measures were introduced as part of the Governments welfare reform agenda to control Housing Benefit expenditure, these included:
 - Calculating Local Housing Allowance (LHA) rates on the basis of the 30th percentile (rather than median) of local rents and applying a 'cap' on LHA rates;
 - Extending the Shared Accommodation Rate to include single people under 35;
 - Introducing a Benefit Cap that restricts the total benefits that most workless households can receive each week to £500 (or £350 for single people);
 - Increasing non-dependent charges for other adults in the household each year;
 - Restricting the amount of Housing Benefit paid to social housing tenants who are under retirement age and deemed to be under occupying their homes (also known as the '*bedroom tax*').

² Managing the impact of Housing Benefit Reform National Audit Office, 2012

³ Impact Assessment – Housing Benefit: Under Occupancy of Social Housing, DWP 2012

- 2.3 Nationally, changes to Housing Benefit rules and entitlements outlined above were expected to reduce total the annual spend on this aspect of welfare provision by approximately £7 billion to 2017/18.⁴

Under occupation in social housing and Housing Benefit entitlement

- 2.4 In 2010/11 according to Department of Work and Pensions (DWP) data, there were an estimated 1.5 million spare bedrooms in the social rented sector.⁵ This has become a definitive measure of under occupancy.
- 2.5 Under occupancy in the social housing sector occurs where a household lives in a property that is deemed too large for its needs. Under occupancy may arise when:
- Older tenants remain in the family home after children have left;
 - Family breakdown and separation occurs;
 - Tenants are initially allocated the property (due to mismatch between size of homes available and those households seeking accommodation).
- 2.6 In April 2013, the new housing size criteria were introduced that determined the amount of Housing Benefit that could be awarded to social housing tenants below the age of retirement. Under these criteria, one bedroom is allowed for each person or couple living as part of the household. Children aged 16 or over are allowed their own bedroom, but children under the age of 16 will only be allowed their own bedroom if they are aged 10 or over and their sibling is of a different gender.
- 2.7 There are however a number of exceptions and exemptions to the size criteria, these being:
- An extra bedroom is allowed for a non-resident carer of the claimant or their partner where overnight care is required and provided;
 - Registered foster carers who have fostered in the past 12 months;
 - Parents of adult children in the armed services.
- 2.8 Tenants of working age will have a reduction in their Housing Benefit entitlement if they are assessed (under the size criteria) as being under occupied. The size of the reduction depends on the circumstances of the household and is equated to a percentage of the rent:
- 14% where the tenant is under occupying by 1 bedroom;
 - 25% where the tenant is under occupying by 2 or more bedrooms.
- 2.9 It was anticipated that the above changes to Housing Benefit entitlement in the social rented sector will contribute to the following national policy objectives:
- Reduce Housing Benefit expenditure by approximately £460 million per annum;⁶
 - Encourage greater mobility in the social rented sector (as tenants move to properties more suited to their needs);
 - Make better use of existing housing stock (ease overcrowding as larger properties become available);
 - Improve work incentives for working age claimants;

⁴ Measure to Reduce Housing Benefit Expenditure , Standard Note (SN/SP/5638) House of Commons Library

⁵ Family Resources Survey 2010/11 (DWP)

⁶ 2013 Budget Red Book

- Establish parity with the private rented sector (where under occupancy Housing Benefit rules already exist).

3. Scrutiny aims, objectives and work-plan

Aims and objectives

3.1 The Committee agreed the following overarching aim to guide this work:

‘To assess how changes to Housing Benefit rules for under occupation in the social rented sector have impacted on tenants and landlords, identify local priorities for the Council, and evaluate the effectiveness of the action that landlords and the Council have taken to mitigate the effect of the under occupancy penalty.’

3.2 Within the above guiding framework, the Committee agreed that it would seek to address a number of key questions in this work, which included?

- What has been the impact of this reform on local tenants, in particular, vulnerable tenants?
- What support has been provided to affected tenants, what interventions have been most effective and are there any gaps in current provision?
- What approaches have social landlords taken to rent arrears and how are tenants with arrears being supported?
- How effective have Discretionary Housing Payments (DHP) been in supporting local tenants and how sustainable is this in the long term?
- What opportunities are there for improved partnership working among social landlords in supporting tenants affected in Haringey (e.g. housing transfers)?
- Can support services be provided in a more coordinated way or effective way (e.g. debt advice, income maximisation, access to employment and training schemes)?
- What impact has this development had upon wide wider housing issues such as homelessness, the need for temporary accommodation, the housing allocation register or demand for smaller housing units?

Methods and work-plan

3.3 A range of information gathering methods were employed to ensure that the Committee had access to necessary evidence to assist with this investigation. The following methods were used:

- Desk based reviews (local policy and performance data, research and other published material);
- Informal evidence gathering sessions (with local stakeholders and other informed agencies);
- Formal panel meetings (to coordinate, report and conclude work);
- Primary data collection (focus groups with affected tenants).

3.4 The investigation adopted three key themes around which evidence was collected which were:

- To assess how the 'bedroom tax' had impacted on affected tenants in Haringey;
- To establish those policies and practices which were developed across Haringey in response to the 'bedroom tax';
- To assess the policies and practices of other local authorities, social landlords and other specialist that may further inform service provision in Haringey.

- 3.5 The list of key stakeholders who were involved within these three themed evidence gathering sessions together with the project timeline is given in Table 1 below:

Table 1 - 'bedroom tax' Project: Aims, stakeholders and timeline	
Local Policy & Practice (December 2013)	- Community Housing Services (Haringey Council) - Homes for Haringey (HfH) - Social Landlords - Revenues, Benefits & Customer Services - Haringey Citizens Advice Bureau
Comparative Policy & Practice (January 2014)	- National Housing Federation (NHF) - Chartered Institute of Housing (CIH) - London Borough of Islington - London Borough of Hackney
Tenant consultation and impact assessment (February 2014)	Focus groups with tenants of both Homes for Haringey and other social landlords affected by the 'bedroom tax'

4. General impact of the 'bedroom tax'

National

- 4.1 Nationally it has been estimated that 660,000 households have been affected by the 'bedroom tax'. The region most affected in terms of the absolute numbers is the North West, where 110,000 households are affected, though the highest rate of households affected and the greatest financial loss per working age adult is in the North East region (Table 2). The greatest cumulative financial loss however will be in London, where tenants are subject to higher rents in this region (Table 2).

Table 2 - Regional impact of under occupancy changes.⁷				
	Households affected	Estimated Loss £million per annum	No of households affected per 10,000	Financial loss per working age adults
North East	50,000	30	440	20
North West	110,000	80	370	18
York & Humb.	80,000	50	360	16
London	80,000	90	240	15
Scotland	80,000	50	340	14
Wales	40,000	20	310	13
West Mids	60,000	40	260	11
East	50,000	40	210	11
East Midlands	40,000	20	210	9
South West	30,000	20	130	7
South East	40,000	30	110	6
GB	660,000	490	260	10

⁷ Beatty & Fothergill, Hitting the poorest places hardest: the local and regional impact of welfare reform, Centre for Regional Economic and Social Research (Sheffield Hallam University)

- 4.2 An impact assessment undertaken by the Department of Work and Pensions (DWP) suggested that of the 660,000 of households affected by the 'bedroom tax', a majority (81%) will be in under occupation by 1 bedroom and therefore liable for a 14% reduction in Housing Benefit (Table 3). The projected average weekly Housing Benefit loss for those affected by this change will be £12 for one bedroom in under occupation and £22 for two or more bedrooms in under occupation (Table 3). Using these figures, it is estimated that the 'bedroom tax' will produce a national saving of **£470m** in the payment of Housing Benefit payments.

Table 3 - Estimated impact of under occupancy changes⁸

Under occupation by accommodation	Estimated claimants affected	% claimants affected	Average weekly benefit loss
1 bedroom	540,000	81%	£12
2 or more bedrooms	120,000	19%	£22
All bedrooms	660,00	100%	£14

Local impact - Haringey

- 4.3 Preliminary assessments undertaken in Haringey prior to April 2013 (and the introduction of the bedroom tax) estimated that 2,500 households in the social rented sector in Haringey would be affected (Table 4). This analysis suggested that:
- Twice as many households from Council owned properties would be affected than (1,656) than those from another social landlord (847);
 - About 1,800 households (71%) would have their benefit cut (by 14%) for under occupancy of one bedroom and result in an approximate £18 cut for both Council and housing association tenants.
 - About 700 (29%) households would have their benefit cut (by 25%) for under occupancy of two or more bedrooms and result in an approximate £33 cut for both Council and housing association tenants;
 - Using this data it was noted that this would result in annual reduction of **£2.96m** paid in Housing Benefit to tenants in Haringey.

Table 4 – Estimated impact of 'bedroom tax' in Haringey (January 2013)

	Council tenants – Number affected and average loss		Housing Association Tenants – Number affected and average loss	
Under occupancy 1 bedroom	1,233	£18.73	565	£18.46
Under occupancy 2 or more bedrooms	423	£33.45	282	£32.96
Total	1,656	-	847	

- 4.4 Although more recent data (April 2013 and November 2013) was obtained by the Committee to support its work, this was not as comprehensive as listed above in that

⁸ Impact Assessment – Housing Benefit: Under Occupancy of Social Housing, DWP (2012)

this only included tenants of Homes for Haringey and the five largest social landlords in the borough.⁹ However this data demonstrated:

- A small but discernible decrease in the number of Homes for Haringey tenants affected by the bedroom tax';
 - 1,656 households affected prior to implementation January 2013
 - 1,512 affected at implementation date of April 2013
 - 1,468 affected at November 2013.
- A similar trend was exhibited among tenants of the five largest social landlords:
 - 531 households affected at implementation date of April 2013
 - 516 households affected at November 2013.

4.5 The scale of the impact of the 'bedroom tax' upon individual local social landlords does vary as is illustrated by the following submissions made to the Committee:

- Of the 800 properties managed by Sanctuary Housing in Haringey, 66 (8.25%) were affected by the bedroom tax;
- Of the 750 properties managed by Family Mosaic in Haringey, 7.5% were affected by the bedroom tax;
- Of the 450 general needs properties managed by Newlon in Haringey, 11% were affected by the bedroom tax.

4.6 The absolute number of households affected by the 'bedroom tax' will vary as households will move 'in' and 'out' of the 'bedroom tax', reflecting the constant change in household circumstances. Thus households will move out of the 'bedroom tax' as people find work or children grow older (and longer required to share). Similarly, for example, tenants will become liable for the 'bedroom tax' as their children grow up and move out of the home.

4.7 Homes for Haringey and the five largest social landlords provided additional data to the Committee in respect of those tenants affected by the 'bedroom tax' and the size of the property in which they reside. This is detailed below (Table 5).

Table 5 – Tenants subject to 'bedroom tax' reduction (14% and 25%) by property size (04/2013)								
	Current unit size	Homes for Haringey	Family Mosaic	L & Q	Metro-politan	Newlon	Sanctuary	Total
14% reduction	2 bed	537	30	134	56	49	29	1,562
	3 bed	505	22		58		15	
	4 bed	98	3		9		5	
	5 bed	10	-		1		1	
25% reduction	3 bed	285	13	36	31	6	14	481
	4 bed	63	7		8		1	
	5 bed	14	-		2		1	
		1,512	75	170	165	55	66	2,043

4.7 Analysis of the above data indicated that the majority of those affected by a 14% reduction in Housing Benefit through the 'bedroom tax' (under occupying by 1 bedroom) were tenants in two and three bedroom properties (Table 5). Similarly, those subject to a 25% Housing Benefit reduction (under occupying by 2 or more bedroom), in excess of 80% were in currently in 3 bedroom property (Table 5).

⁹ Data was supplied from Family Mosaic, London and Quadrant Housing, Metropolitan Housing, Newlon and Sanctuary Housing.

- 4.8 If the above data was translated into new housing stock requirements, that is tenants that want to downsize to a smaller property to avoid the bedroom tax, this would generate significant demand for smaller units, particularly one bedroom properties. Conversely, a surplus of larger properties would be created as tenants vacated these for smaller properties. In summary, the net effect of the above data would mean that:
- An additional 1,000 one bedroom homes would be required;
 - An additional 40 two bedroom homes would be required;
 - 860 three bedroom homes would be freed up;
 - 90 four bedroom homes would be freed up;
 - 30 five bedroom homes would be freed up.
- 4.9 The Committee noted that as the total annual lettings of one bedroom properties in Haringey was in the region of 400-450 units, and additional 550-600 one bedroom units would be required to support any tenant flow arising from the 'bedroom tax'. In this context,
- It would be helpful to prioritise under occupiers within any allocations;
 - More developed partnership working in the allocation in housing allocations would be needed across the housing sector in Haringey to meet demands on existing housing stock by under occupiers;
 - Ensure that initial allocations reflect benefit changes of the bedroom standard for working age households.
- 4.10 A significant proportion of Registered Providers indicated that longer term plans for housing development have been affected by the 'bedroom tax' and the additional demand this has created for smaller unit properties. Just 8 months after the introduction of the 'bedroom tax', 21% of Registered Providers indicated that they had changed development plans to give greater priority to 1 and 2 bedroom units, and 12% were considering such a change. Research undertaken by the National Federation of ALMOs indicated that, at current projections, for some members, it would take up to 14 years to move all those tenants needing to downsize as a result of the bedroom tax.¹⁰
- 4.11 It is suggested that further modelling of the impact of the 'bedroom tax' should take place to ensure that housing requirements arising from this reform are reflected in longer term housing development plans for the borough.

5. Impact on tenants

- 5.1 Those tenants affected by the 'bedroom tax' generally have a number of options which can be summarised as thus:
- To stay on and absorb the cut within their benefits;
 - To increase income to offset the benefit reductions (e.g. employment, take in a lodger)
 - To move to another smaller property where the 'bedroom tax' would not apply.

Staying on

¹⁰ National Federation of ALMOs, Welfare Reform Survey October 2013

- 5.2 Evidence from a multitude of sources would appear to indicate that most tenants affected by the 'bedroom tax' have, in the short term at least, to stay on in their current property and absorb the Housing Benefit reduction. It should be noted however, that many of those tenants, who gave evidence to the Committee, indicated that in fact there was little or no choice but to remain in the property due to adaptations that had been made to the property or the need to retain the room for informal caring roles provided to other family members.
- 5.3 Initial assessments made by Homes for Haringey and other social landlords would suggest that a very high proportion of tenants would stay on in the property and either absorb the benefit reduction or seek to increase income from other sources. One social landlord indicated that whilst 85% of tenants had indicated that they would stay on, strong concerns were held for $\frac{3}{4}$ of these cases as to whether they would be able to meet the shortfall.

Weekly budget

- 5.4 The pressure that a deduction in the Housing Benefit would place on household finances was made clear in the focus groups, particularly those facing a 25% reduction for being two or more room in under occupation. A number of participants indicated that they had their Housing Benefit reduced by about £30 per week, which meant that there was often little money left for other essentials (food and clothing) once all household bills (rent, council tax and utility services) had been paid. The pressures on weekly budgets were such that in a number of cases, tenants indicated that it was often a choice between 'heating or eating'.

Case Study A: A 46-year old single woman living with her 19-year old daughter, as a housing association tenant. She suffers from chronic illnesses. Client is subject to the 'bedroom tax' as it is a 3 bed home and has to pay £19.76 a week towards her rent out of her benefit income which is £71.70pw. (Haringey CAB)

- 5.5 In the focus groups, fuel and energy costs were cited as of the biggest pressures on weekly budgets and many indicated that these particular bills were a struggle to pay, especially during the winter. Tenants with dependents living with them found it very difficult to ration heating and other fuel costs, particularly where there were other dependents in the property.
- 5.6 A small number of tenants indicated that they had savings which they were having to draw upon to manage their weekly budget. This was a cause of great anxiety, as many of those affected were approaching retirement age and did not want to deplete what little savings they had put aside for this purpose. More commonly, attendees indicated that they had to borrow money to help them manage household bills and to afford essential goods. In most cases tenants had borrowed money from other family members which they personally found difficult and upsetting.

Rent arrears

- 5.7 There is substantive evidence to suggest that, both nationally and locally, the introduction of the 'bedroom tax' has contributed to increased rent arrears among affected tenants. At the national level, research conducted by the National Federation of ALMOs indicated that the number of households affected by under occupancy and in arrears has increased by 56% and the amount of rent arrears in

this cohort has increased by 28%. Similar research conducted by the National Housing Federation, concluded that among those affected by the bedroom tax:

- 53% had reported increased difficulty in rent collection;
- 39% reported increased levels of rent arrears;
- 35% reported a fall in rental income
- 29% fell in to arrears for the first time.

- 5.8 Similar issues and patterns of rent arrears were recorded amongst local social landlords that contributed to this investigation. In data submitted to the Committee, it was noted that among Homes for Haringey tenants affected by the 'bedroom tax' (1,512), 23% reported an increase in rent arrears above £250 to November 2013 (Table 6). There was however significant variations in accrual of rent arrears among other social landlords, with just 12% of Family Mosaic 'bedroom tax' tenants reporting rent arrears of more than £250 compared to 73% of similarly affected tenants of Metropolitan Housing (Table 6).

Table 6 – Increased rent arrears among tenants affected by the 'bedroom tax' in Haringey.							
	Homes Haringey	Family Mosaic	L & Q	Metro-politan	Newlon	Sanctuary	Totals
Bedroom tax cases 4/13	1,512	75	170	165	55	66	2,043
No. of arrears increased by £250	352	9	86	121	20	9	597
%	23%	12%	51%	73%	36%	14%	29%

- 5.9 Hackney Council indicated that arrears had also risen significantly for those tenants affected by the 'bedroom tax'. In evidence received, the Committee noted that among the 2,084 tenants affected by the 'bedroom tax' in properties managed by Hackney Homes, rent arrears increased from £305,686 to £468,929 in the 9 week period from April 2013 to the end of May 2013, a 53% increase.
- 5.10 In other evidence presented to the Committee, one local social landlord indicated that ¾ of those tenants affected by the 'bedroom tax' were in arrears, and that arrears continued to grow, albeit slowly (on average £6 per week). Other social landlords suggested that the rent arrears appears to have stabilised as more tenants adjust and adapt to new benefit levels.

Arrears and court action

- 5.11 Evidence from the focus groups with tenants affected in Haringey verified that, without any alternative sources of income to offset Housing Benefit losses, many had gone in to rent arrears. Many examples of rent arrears were provided to the Committee at the focus groups, with varying accruing debts of between £200 and £800 reported. In a case study (B) presented by Haringey CAB, one tenant had accrued arrears of £1,462. Rent arrears is clearly a cause of considerable anxiety to those tenants affected.
- 5.12 Focus group data also revealed a more holistic picture of how the broader package of welfare reforms was affecting local tenants. In addition to Housing Benefit deductions for under occupancy, many local residents were now required to pay a

percentage of the Council Tax under new local schemes. This compounded the financial pressures as the following case study illustrates.

Case Study B: Client is in receipt of Employment & Support Allowance, Housing & Council Tax benefit. Client is now required to pay £16.96 a week of 'bedroom tax' plus £225 a year under new Council Tax reduction scheme. Financial problems have been exacerbated:
Summons for non-payment of CT, with the court fees the debt is now £419.49. Client has rent arrears of £1,462.19, which is being paid off at £3.60pw. (Haringey CAB)

- 5.13 Being in arrears was a cause of great anxiety to focus group participants, in particular the prospect of legal notices being issued, being taken to court or ultimately, receiving an eviction notice. Although none of those tenants attending the focus group had been threatened with eviction, many had court proceedings instigated for non-payment of rent arrears which, when court costs were added, further compounded rental account arrears. Local tenant concerns were centred on:
- The relatively small amounts for which court action was taken (two tenants had arrears of approximately £200);
 - The addition of court costs for non-payment at approximately £150;
 - The speed and notice period over which court action is taken.
- 5.14 The Committee was reassured that most social landlords actively sought to engage and communicate with tenants with arrears, and that eviction was used when the tenant had not communicated with officers, and then only in extreme circumstances and as a last resort. L and Q reported that it would only take action to evict if the tenant had not responded to five communication attempts over a 28 day period.

Sustainability of rent arrears

- 5.15 The growing level of rent arrears would appear to give testament that the 'stay and pay' approach adopted by many tenants in response to 'bedroom tax' has not been effective, with many not finding the replacement income to cover the benefit shortfall. As a consequence, the Committee was naturally concerned about the organisational impact of arrears arising from the 'bedroom tax' and other welfare reforms, particularly as arrears still appeared to be growing and there would be increased financial pressures for tenants in the year ahead. It was therefore important that social landlords should have clear systems in place to monitor arrears and that a realistic projection for 2013/14 and for 2014/15 is calculated and factored in to financial modelling.
- 5.16 The Committee noted that as rent arrears continue to increase this may require social landlords to review associated policies and practices that impact on local tenants, for example, the ability of tenants to move or transfer with arrears, or the threshold at which court action is taken. Such policies should be reassessed in relation to growing rent arrears, and any alterations or amendments clearly communicated to local tenants. That is social landlords should assess arrears policies to ensure that these are not a barrier to further actions by the tenant.

Health impact

- 5.17 Attendees at the focus group reported that the 'bedroom tax' and other welfare reforms had created severe budgeting, debt and other financial worries which had precipitated high levels of anxiety and stress. Many of those attending reported sleep difficulties because of anxiety about their personal, financial and household situation.
- 5.8 Other health concerns were reported as a result of budgeting pressures, which included unhealthy eating. A number of participants in the focus groups indicated that there was no longer enough money to spend on weekly shopping and food supplies and there was a feeling that they were eating cheap unhealthy foods, or indeed going without to ensure dependents could eat. Similarly, focus group attendees felt that they were exposing themselves to ill health by their reluctance to put on heating and other energy supplies.
- 5.9 Evidence obtained via the focus groups could also not overstate the personal impact that the 'bedroom tax' and other welfare reforms had had upon affected tenants. In one example provided to the group, a recovering alcoholic indicated that they had almost relapsed as a result of the anxiety and the stress of coping with reduced benefits and the impact that this was having in the household.

6. Support provided to tenants

- 6.1 The Committee sought to assess the nature, level and source of advice and support received by tenants affected by the 'bedroom tax'. This covered the following areas:
- Pre-implementation support and advice;
 - Re-designation;
 - Financial advice and money matters;
 - Discretionary Housing Payments;
 - Transfers and Exchanges;
 - Taking in a lodger;
 - Employment and training advice;
 - Most effective interventions.
- 6.2 The scale of welfare reforms introduced in April 2013 necessitated many housing providers to recruit additional staff to support the organisational response and to help and its tenants adapt to proposed changes. It was noted that among Homes for Haringey and five other local Registered Providers almost 50 additional staff were recruited to deal with the 'bedroom tax' and other welfare reforms.¹¹ The range of roles that staff were recruited to included:
- Generic welfare reform advice;
 - Financial inclusion;
 - Transfer and mutual exchanges.

Pre implementation notification, advice and support

- 6.3 In evidence presented to the Committee, it was noted that many housing providers had embarked upon a programme of notification, information provision and direct engagement with tenants affected by the 'bedroom tax' prior to its implementation in April 2013. It was noted that Homes for Haringey for instance, began a notification programme in September 2012, specifically targeting vulnerable tenants and those

¹¹ Recruitment by Registered Providers was to support Haringey and residents in other boroughs.

that were likely to experience the greatest Housing Benefit reduction. Lower needs tenants were notified in October and November 2013.

- 6.4 In addition to written notification, a number of housing providers indicated that this was followed-up with direct contact with tenants, this included telephone calls or in the case of vulnerable tenants, a home visit. It was noted that direct home visits were made by Metropolitan Housing to all tenants affected by the 'bedroom tax'. From the data supplied to the Committee, levels of tenant engagement were reported by housing providers:
 - Homes for Haringey indicated that housing officers had made contact with 80% of tenants;
 - Welfare Reform team at L & Q directly engaged with 71% tenants.
- 6.5 Whilst housing providers were evidently successful in reaching a majority of those tenants affected by the 'bedroom tax', it is apparent that a significant proportion were harder to reach and engage, this was verified in the focus groups with local tenants where:
 - Whilst many attendees indicated that they had received written notification (that they would be affected and by how much their benefit would be deducted), many other tenants appeared to have missed such notifications and found out through other means (media, friends);
 - About half of those attending the focus group indicated that they did not know how much money was to be deducted at the point at which the 'bedroom tax' was introduced (April 2013).
- 6.6 The focus groups also indentified a number of shortcomings in the accessibility, presentation and usefulness of information about the 'bedroom tax' provided by front line housing staff. These included:
 - Poor telephone accessibility to front line staff (phones unanswered, messages unreturned);
 - Lack of knowledge as to how tenants would be affected by the bedroom tax, and, possible options available to them;
 - Lack of dedicated support available to assist tenants to assess options;
 - Inability to signpost tenants on to other sources of advice or information;
 - Unsympathetic manner in which enquiries were handled.
- 6.7 In relation to the Housing Benefit Service, focus group participants reported severe problems in accessing this service, with telephone access poor and messages left unreturned. Focus group participants indicated that this left them frustrated and confused, particularly in relation to what deductions were going to be applied. Again, focus group attendees indicated poor access and the unsympathetic manner of staff made it difficult for them to assess their new benefit levels.
- 6.8 The above would suggest that whilst there were systematic efforts to engage and involve affected tenants before the implementation of the bedroom tax, clearly a significant number were omitted, did not respond or were failed by support services which left them unprepared for the significant changes that they faced in relation to welfare changes on April 1st 2013.

- 6.9 Given the unprecedented volume of welfare reforms, the Chartered Institute of Housing underlined the importance of ongoing and updated communications with tenants; to keep them informed of changes and further options available. In particular, it was important to continually reinforce key messages as to how welfare changes have and continue to affect tenants and where further advice can be obtained. It was also noted that providers should also try new and innovative ways of getting key messages across to key audiences and hard to reach groups.

Budgeting advice and support

- 6.10 Understanding that many tenants affected by the bedroom tax were reluctant or unable to move to a smaller property, the short term focus of many housing providers was to provide money management and budgeting advice, to help tenants adjust to reduced income. Almost all of those Registered Providers participating in this project indicated that financial inclusion staff were at hand to support tenants through the financial impact of Housing Benefit deductions, for example:
- Homes for Haringey formed new team of 3 Financial Inclusion Officers with a new post of Financial Inclusion and Legal Manager;
 - Metropolitan reported two dedicated Financial Inclusion Officers working across London.
- 6.11 Evidence from the focus groups with local tenants suggested that there was particular appreciation for financial inclusion staff where it was noted that staff were sympathetic, understanding, knowledgeable and helpful. Many participating tenants indicated that they had been very stressed and anxious state in seeking help and therefore found the approach of financial inclusion officers very supportive.
- 6.12 The Committee noted that a number of housing providers also worked with other external services to extend the range of financial and other money management advice and support available to tenants. In many cases, arrangements had been made with CAB or other similar type agencies. The Committee indicated that this may be an opportunity for the Council to work with local housing providers to jointly provide such services.
- 6.13 The Chartered Institute of Housing reported that as tenant income was being squeezed, it was important that there should be free and accessible money handling and budgeting advice to help support tenants through change. In addition, housing providers should consider other ways to help tenant adjust to financial pressures:
- Maximize payment methods – giving tenants more options through which to pay bills;
 - Improved access to banking – the promotion of the basic bank account and access to credit unions;
- 6.14 The Committee noted that there had also been some work among providers to promote the basic Bank Account to assist tenants in money handling, but this product was no longer available at the Bank. Furthermore, it was noted that whilst Credit Unions do offer a budgeting account to help local people manage their finances, there has been low take up as there is an administrative charge of £10 per month which is beyond what people could afford. The panel felt that this was a significant local gap, and that the Council (as a key stakeholder in the local Credit Union) should help to develop and extend financial services to local residents.

Transfer and mutual exchange

- 6.15 For those tenants wishing to avoid a deduction in their Housing Benefit because of the 'bedroom tax', a further option would be to move to a smaller property. As has already been noted in this report elsewhere, demand for smaller properties (particularly 1 bedroom units) would be in the region of 1,000 units if all those tenants affected by the 'bedroom tax' wanted to downsize. This demand far exceeds local housing stock availability, and as a consequence it has been difficult for local social landlords to accommodate these needs and facilitate moves to smaller properties.
- 6.16 In the local management of housing tenancies, social landlords clearly have opportunities through which to help tenants affected by the 'bedroom tax' to move to smaller properties and, in doing so, free up larger homes for the benefit of other housing applicants, including overcrowded tenants. The needs of under occupied tenants however, need to be assessed in comparison with other housing applicants, including people who are homeless. As a consequence, there is strong competition for smaller properties.

Barriers to downsizing

- 6.17 The difficulties that social landlords face in facilitating those affected by the 'bedroom tax' in to smaller properties were made plain to the Committee, where aside from the evident stock shortage, there were a number of structural, socio-economic and personal barriers to downsizing. Social landlords indicated that there were a number of structural issues which inhibited tenants affected by the 'bedroom tax' to downsize, these included:
- Insufficient priority given to under occupants in local housing allocations policies;
 - Local tenancy agreements which prevented those with rent arrears being considered for housing transfers or swaps;
 - Differences in housing tenancy agreements (especially in transfer across landlords);
 - Paucity of information (e.g. available housing, those willing to exchange).
- 6.18 In addition, from evidence obtained within the focus groups with affected tenants, it was noted that there were a number of significant personal factors that inhibited those affected by the 'bedroom tax' to downsize. These included:
- Reluctance to move out of area and away from existing social support networks;
 - Preference to move to what was perceived to be a 'better' property (e.g. in a nice area, low build, more modern stock);
 - Poor maintenance of internal decoration (reduces prospect of transfer);
 - Lack of tenant confidence or understanding of the transfer or exchange process.

Local transfer and mutual exchange performance

- 6.19 Locally, Homes for Haringey and other social landlords reported that a number of schemes were in operation to support housing transfers and mutual exchanges. These included:
- Registration to the national Homewapper scheme (Homes for Haringey have registered 1,200 tenants);
 - Internal local events to promote mutual exchange;

- Financial incentives and expenses for those wanting to downsize.

6.20 Despite the above, social landlords reported there was poor mobility in the housing transfer arena which meant that very few tenants affected by the 'bedroom tax' had been assisted to downsize. In evidence submitted to the Committee from the Homes for Haringey and the five largest social landlords, just 37 (2%) tenants affected by the 'bedroom tax' had successfully downsized to a smaller property. Using Homes for Haringey as a case example, it was noted that as of November 2013, just 25 (1.6%) tenants affected by the 'bedroom tax' had successfully downsized via transfer, mutual exchange or nomination to another social landlord. Other social landlords described similar patterns of tenant mobility.

6.21 Given the paucity of comparable data, assessment of the comparative performance of housing providers in assisting tenants to downsize is difficult. National data among ALMOs (which managed council owned stock) indicates that 2% of tenants affected by the 'bedroom tax' have downsized,¹² though higher figures are obtained among other social landlords, where on average 6% of tenants have been assisted to downsize.¹³

6.22 Evidence from the focus groups indicated that tenants had received information and advice about downsizing, but were frustrated at the lack of opportunities to exchange or transfer. Frustrations focused on three areas:

- Tenants indicated that it was unjust for them to be subject to the 'bedroom tax' when they were willing and able to move, but where there were little or no opportunities for them to downsize.
- A number of those attending the focus group indicated that as they were now in rent arrears due to the 'bedroom tax' which could further inhibit them from moving or exchanging.
- As many of those wanted to stay in the same area, there was a need for more localised home swap events, to help match up tenants for home swaps and mutual exchanges in the local area.

Measures to improve downsizing

6.23 Whilst many local social landlords reported low levels of successful transfers or mutual exchanges, there was a strong concurrence of opinion that, in the short to medium term, this process represented the best opportunity to support tenants affected by the 'bedroom tax' to downsize. Furthermore, evidence presented by Chartered Institute of Housing and other local authorities suggested that a more coherent and coordinated approach to transfers and exchanges could significantly help improve local performance.

6.24 Islington Council (Housing Options Team) provided evidence on the successful transfer and exchange programme in operation there. It was noted that over 4,500 Islington tenants are on the transfer list and 3,000 have registered with Homeswapper. The Committee particularly noted the work of the 'smart move' programme which sought to match under occupiers with tenants in overcrowded

¹² National Federation of ALMOs, Welfare Reform Survey October 2013

¹³ Impact of welfare reforms on housing associations: early effects and responses by landlords and tenants IPSOS/Mori for National Housing Federation 2014

properties. The panel noted that 47 mutual exchanges have been supported by this programme in Islington in Q1-Q3 of 2013/14, this is in addition to the 214 housing transfers over the same period.

6.25 There were a number of factors which contributed to the success of the mutual exchange and transfer model adopted by Islington, which were:

- The operation of localised events to match under occupiers with tenants on overcrowded properties supported by regularly updated literature/ brochures;
- Formalised financial incentives payable to those wishing to downsize;
- Small works grants (up to £1000) for home decoration to improve the chances of those in under occupation to exchange;
- Rent guarantee scheme (further details to be provided)
- Recognition that a significant degree of 'handholding' is required to assist tenants to transfer as many may be vulnerable or do not have the confidence to engage and follow through (e.g. officer taking pictures of properties and uploading for tenants);
- Offer 'vacant one-bed property' to under occupier to help complete chains of mutual exchanges;
- Staff briefings and training for related council services.

6.26 At an evidence session held with local social landlords, the Committee noted that they would support further local work to coordinate transfers and exchanges. It was indicated that it was particularly important that more is done to support the active participation of local tenants in transfer and exchange schemes, and that this could be coordinated at the local level.

6.27 Evidence presented to the Committee from the Chartered Institute of Housing would also concur with the experience and learning from of Islington. Here it was noted that the Council and social landlords needed to work in partnership to help address the structural barriers to transfer and exchanges (e.g. allocation policies) and to increase the opportunities for local tenants to transfer through a dedicated programme of mutual exchange and transfers. It was suggested that key features of a programme would include:

- Matching events – to put under occupiers in touch with overcrowded householders;
- Dedicated officers and advice (hand holding was important to help people through the process, make aware of process, steps, liaison)
- The provision of financial incentives to support transfer.

Discretionary Housing Payments

6.28 Discretionary Housing Payments (DHP) are short term payments to help people pay their rent if they are experiencing financial difficulties. It is awarded to those tenants in receipt of Housing Benefit and can be a one off payment or a series of payments, usually of three months duration. In 2013/14, £155m was provided by DWP to local authorities to assist local DHP schemes.¹⁴

DHP Budget

¹⁴ HB/CTB Circular S1/2013 DWP

6.29 From this national allocation, Haringey received £2.422m of which was made up of the following:¹⁵

- £1.353m was to support benefit cap;
- £0.56m was to support Local Housing Allowance Reforms;
- £0.292m was a core payment;
- £0.216m was to support under occupancy.

6.30 The Council may contribute additional resources to the local DHP budget, but these cannot exceed 2.5 times the total DHP allocation (creating a potential budget of £6.056m for 2013/14). Haringey contributed £0.443m to the central allocation, creating a total DHP budget of £2.865m for 2013/14.

6.31 The Committee noted that there were extreme pressures on the DHP budget. The central DHP allocation to assist with affects of the 'bedroom tax' was £0.216m in 2013/14, though this equates to about 1/10 of the cumulative Housing Benefit deductions applied to local tenants as a result this particular reform (between £2.3m and £2.9m). Furthermore, when taking all welfare reforms into consideration, total Housing Benefit deductions were likely to exceed £8m in Haringey, thus the total DHP allocation even with a local top up, would be insufficient to meet the local shortfall and prospective demand.

DHP policy and award criteria

6.32 Each local authority is required to have a DHP policy setting out the eligibility criteria, any case prioritisation and the application process. Although responsibility for the production and administration of the DHP Policy rests with Revenues Benefits & Customer Services, the Policy is produced in collaboration with Housing Services. The DHP Policy was updated in 2013 to reflect welfare changes, including the benefit cap and the 'bedroom tax').

6.33 Given the level of Housing Benefit reductions and the DHP budget, demand for such an award is high. As a consequence, the criteria for awarding such payments is necessarily restrictive, indeed, it was noted that it was only awarded in extreme and unusual circumstances and where additional financial support would have a significant impact:

- in alleviating hardship;
- in reducing the risk of homelessness;
- or helping in the transition back to work.

6.34 The Committee noted that the DHP policy was a substantive and detailed document that ran to 12 pages. Whilst accepting that it was necessarily detailed to explain its purpose, eligibility criteria and the application process, the Committee questioned how accessible this was to local tenants.

6.35 In terms of the local DHP policy, social landlords suggested to the Committee that additional priority should be given within the eligibility criteria to those facing legal action or eviction as a result of rent arrears. The DHP policy is due to be updated, therefore it was suggested that social landlords should be consulted in this process

¹⁵ Haringey Discretionary Housing Payment Policy, Haringey Council

to ensure that the totality of local housing needs is reflected in the eligibility criteria agreed for DHP.

Uptake among tenants

- 6.36 National figures suggest there are wide variations in the allocation of DHP awards. Among tenants of Arms Length Management Organisations (that manage Council owned stock) it is estimated that about 8% of tenants affected are in receipt of DHP.¹⁶ Evidence submitted by the National Housing Federation suggested that 15% of social landlord tenants affected by the 'bedroom tax' are in receipt of DHP.¹⁷
- 6.37 Locally, although the actual number of individual tenants in receipt of DHP award was not available, it was noted that 350 awards for DHP have been made to tenants affected by the 'bedroom tax'. It was noted that these payments were not ongoing, but were granted for a fixed period of time, usually between three and six months. The average DHP award in Haringey was approximately £20 per week. Data supplied by Homes for Haringey to November 2013 indicated that there were 189 successful applications for DHP made by 148 individual tenants.
- 6.38 The accessibility and uptake of DHP was assessed within the focus groups among affected tenants. There were four important issues raised by tenants in respect of DHP, which included:
- Firstly, and perhaps most importantly, awareness of this local benefit was very poor. Most of those attending were not aware of what this payment was, who was eligible or how to apply for it.
 - Secondly, for those who had been made aware of DHP, it was noted that the administration of this benefit was slow and cumbersome, often taking 3 months to process applications. In the meantime, applicants were falling into debt and into rent arrears.
 - Thirdly, that there was poor communication between Revenues Benefits & Customer Services and social landlords and applicants in processing applications and processing
 - Fourthly, for those in receipt of DHP, there was anxiety as to what would happen once the payment stopped, would they be able to re-apply and if there would be sufficient money.

Uptake among social landlords

- 6.39 In evidence submitted to the Committee it was noted that there were wide variations in the number of tenants in receipt of DHP among different social landlords. As the largest manager of social housing stock in Haringey, it was not unexpected that 189 Homes for Haringey tenants were in receipt of DHP. There were significant variations among other social landlords however, where for example 42 tenants of Sanctuary Housing were in receipt of DHP as compared to just one tenant from Newlon.
- 6.40 A number of social landlords that gave evidence to the committee suggested that improved access to DHP processing (the Revenues and Benefits & Customer

¹⁶ National Federation of ALMOs, Welfare Reform Survey October 2013

¹⁷ Impact of welfare reforms on housing associations: early effects and responses by landlords and tenants IPSOS/Mori for National Housing Federation 2014

Services) could assist further applications (e.g. dedicated contact or telephone line). It was suggested that further work should be undertaken to promote and improve DHP uptake among social landlords.

Future of DHP

- 6.41 Of those social landlords directly consulted within this project, 3 out of 6 indicated that the allocation of the DHP was the most effective method of support that could be provided to tenants affected by the 'bedroom tax'. Whilst DHP support has inevitably helped those who have received it, it is apparent DHP can only offer a short term solution to a small number of tenants. Furthermore, there are concerns about viability of this response to the 'bedroom tax' in the medium term as:
- Demand continues to outstrip available funds available through DHP;
 - DHP budgets are finite and those affected by the 'bedroom tax' will continue to compete against those affected by other welfare reforms (i.e. benefits cap, Local Housing Allowance);
 - That there has been no guarantee that 'bedroom tax' element of the DHP will be funded beyond 2015/16.
- 6.42 In evidence presented to the Committee from the Chartered Institute of Housing, it was noted that a small number of other authorities had sought to boost contributions to the local DHP budget from other sources, including the Housing Revenue Account (HRA). Given the effectiveness of this intervention in supporting local tenants, the Committee suggested that similar funding sources should be explored locally (e.g. homelessness budget, HRA) which may add further to the local funds available through the DHP.

Taking in a lodger

- 6.43 Under the new Housing Benefit rules regulations have been relaxed to allow those tenants subject to the 'bedroom tax' to take in a lodger. This would raise the prospect of offsetting any benefit reduction for under occupancy against the potential increase in rental income from a lodger. Only the first £20 of income however, would be disregarded in calculating benefit entitlement.
- 6.44 In evidence to the Committee, the Chartered Institute of Housing noted that whilst some social landlords had an active programme to support tenants to find lodgers (e.g. Nottingham City Homes), there was a general reluctance to promote this option because of welfare and financial concerns. This approach was verified by social landlords in Haringey which indicated the option of taking in lodgers to increase the income of affected tenants had not been promoted because of:
- The safeguarding implications of taking in unknown people in to the household where vulnerable adults or children were present.
 - The potential complications for income assessment and benefit entitlement (particularly where a turnover of lodgers is likely);
 - The possible links to fraud.
- 6.45 Analysis of focus group evidence also confirmed that tenants themselves were reluctant to take in a lodger to increase household income. It was noted that for some this was impracticable to take in a lodger as the supposed under occupied room was in fact being used for other health or welfare issues (e.g. a visiting disabled child). Most indicated however, that they would be reluctant to let a room

because of personal safety concerns, that there was no guarantee that a lodger would pay rent and uncertainly that this would have on benefit entitlement.

- 6.46 As a consequence, most of those social landlords that gave evidence to the Committee indicated that few, if any, of their tenants affected by the 'bedroom tax' had taken up the option of taking in a lodger. It was noted however that the introduction of Universal Credit (end 2017) would allow a more generous income assessment of lodger income¹⁸, which may increase the uptake of this policy option in the future.

Re-designation of properties

- 6.47 It was apparent that in some circumstances, it may be appropriate for social landlords to re-designate the size of a property where significant adaptations have been made (to accommodate health and social care needs of the tenant) or earlier misclassification has occurred (a small box room counted as a bedroom). Thus re-designation may represent a process through which a small number of tenants may avoid the 'bedroom tax'.
- 6.48 There was some evidence of social landlords undertaking a 'blanket re-designation' of properties in response to the 'bedroom tax' in which up to 850 properties have been re-designated as having one bedroom less.¹⁹ This approach has not been widely deployed however, as re-designation should be accompanied by a corresponding reduction in the rental value of that property which would impact on the rental income and financial viability of social landlords. Furthermore, where a reduction in the rents of re-designated properties has not been applied, social landlords may be subject to DWP penalties.²⁰
- 6.49 Most social landlords however, would appear to have deployed re-designation on a very limited scale. Evidence from a national survey of social landlords by the National Housing Federation (NHF) suggested that just 0.02% of properties affected by the 'bedroom tax' have been re-designated.²¹
- 6.50 Local evidence would also verify limited use of this approach. In evidence to the Committee, social landlords indicated that re-designation was applied on a case-by-case basis and where it was apparent that this would represent the best use of the property (e.g. where accommodation had been adapted for the tenant).

Work and employment training

- 6.51 For those tenants choosing to stay on in the property, taking paid employment may be one way of increasing income which may help reduce the shortfall of the Housing Benefit cut. Many of the social landlords that gave evidence to the Committee indicated that dedicated work and employment training programmes were offered to tenants through their organisation.

¹⁸ There is no room allowance, but tenants will be able to keep all income from lodgers

¹⁹ *Cities stand firm on 'bedroom tax' tactics*, [Local Government Chronicle](#) 24 June 2013

²⁰ *Freud issues 'bedroom tax' reclassification warning*, [Inside Housing](#) 20 June 2013

²¹ Impact of welfare reforms on housing associations: early effects and responses by landlords and tenants IPSOS/Mori for National Housing Federation 2014

6.52 The Chartered Institute of Housing highlighted areas of good practice for work and employment training, in particular the programme provided by Family Mosaic. In this Registered Providers employment and training programme the Committee noted that:

- This was part of long standing response to welfare reform;
- Welfare rights advisers attempt personal contact with all affected by size criteria, to assess appropriate support;
- 460 tenants were helped back in to work through the “employment boot camp” and “get that job” schemes;
- Cost-per-job outcome is extremely favourable compared to national work programme.
- An employment support programme has resulted in a 42% reduction in arrears for Family Mosaic in 2012-13, who are confident it will reduce impact of arrears resulting from the ‘bedroom tax’.

6.53 National data however, would suggest that such employment and training schemes have provided little assistance to those affected by the ‘bedroom tax’. In a national survey of registered Providers, of those tenants who were no longer affected by the bedroom tax, just 7% was attributable to gaining paid employment, which on average, equated to about 4 tenants per Registered Provider.²² This was substantiated in the focus groups with local tenants, where there was little or no mention of tenants having received any employment or training interventions to help them back to work.

6.54 The Committee were of the view that more could be done to increase the employment and training opportunities to tenants affected by the ‘bedroom tax’ and possibly other welfare reforms. In particular, it was noted that the good practice exhibited at Family Mosaic, could guide and inform employment and training schemes more widely across the sector. Furthermore, given the evident success of the Family Mosaic Scheme, it was suggested that consideration should be given to joint commissioning of this or a similar scheme in Haringey.

Effectiveness of interventions

6.55 To date, there is little direct evidence to inform the relative merits of interventions to support those affected by the ‘bedroom tax’. However, the cumulative impact of all such intervention to support those affected by the ‘bedroom tax’ would appear to be small, being as there is only a small decline in the total number of tenants affected both nationally and locally:

- Nationally, NHF research indicated that the average number of tenancies that were no longer affected to November 2013 was 52 per Registered Provider;
- Between April 2013 and November 2013, there was a 2.9% reduction in the number of tenants affected by the bedroom tax among Homes for Haringey and the 5 other largest local Registered Providers.

6.56 Nationally, it would appear that housing transfers and mutual exchanges have made the largest contribution to the fall in tenants no longer being affected by the bedroom

²² Impact of welfare reforms on housing associations: early effects and responses by landlords and tenants IPSOS/Mori for National Housing Federation 2014

tax; of all those who are no longer affected 45% had transferred or had a mutual exchange.

- 6.57 The Committee assessed the perceived effectiveness of interventions by Homes for Haringey and other Registered Providers, which included interventions impact on tenancy sustainability as well as no longer being subject to the 'bedroom tax'. From this evidence it was concluded that the award of DHP and the provision of budgeting advice and money management skills were most effective in enabling tenants to sustain their tenancy.
- 6.58 It can be concluded however, that such interventions will continue to have limited impact due to the underlying structural problems in housing stock availability and of tenant mobility.

7. Bedroom Tax Loophole

- 7.1 The Committee noted that in January 2014, a 'bedroom tax' loophole was identified due to a technical error in the primary legislation. It was noted that the 'bedroom tax' reduction had been misapplied to those tenants who had been continuously claiming Housing Benefit from before 1 January 1996 at the same address (as a previous set of Housing Benefit rules were in operation before this time). The legislation has now been corrected and will be effective from April 1st 2014.
- 7.2 The Committee noted that there has been considerable work within the Council to identify and notify those claimants affected by the 'bedroom tax' loophole. The Revenues, Benefits and Customer Service team worked with software suppliers to allow the council to identify those affected. An initial examination of claimants identified that approximately 350 tenants would potentially be affected by the loophole. It was noted that necessary adjustments would be made in the rent accounts of tenants affected.
- 7.3 The RBCS team noted that approximately 10% of those entitled to a refund of HB deduction because of the 'bedroom tax' loophole have received a DHP. It was confirmed to the Committee that any DHP awarded to tenants affected by the 'bedroom tax' loophole would be reclaimed and would be offset against any Housing Benefit owed.

8. Partnership working

- 8.1 It is clearly important that in supporting tenants affected by the bedroom tax, that local housing providers and the Council work together to develop the network of services available and to improve coordination and effectiveness of services. The Committee noted many examples of good practice among housing providers in many areas of service provision (e.g. money advice, work and employment training) which should be disseminated and could improve practice across the sector.
- 8.2 On a more localised basis, a number of providers noted that improved partnership with the Revenues Benefits and Customer Services department (as administrators of Housing Benefit locally) would be welcome. In particular:

- improved information sharing arrangements by RBCS, with Registered Providers requiring more timely notifications as tenants move in and out of being affected by the bedroom tax;
- improved liaison with RBCS – including the reinstatement of its Landlord Liaison Officer for social landlords - would also help to minimise the instances of over payment of benefits, which is also a contributing factor to money problems of affected tenants;
- improved telephone access to RBCS staff in relation to Housing Benefit and DHP claim processing.

APPENDIX B - Community Engagement with Planning Scrutiny Report

Report for:	Overview & Scrutiny Committee April 10 th 2014	Item Number:	

Title:	Community Engagement with Planning – Final Report

Report Authorised by:	Cllr Stuart McNamara, Chair of Environment and Housing Scrutiny Panel

Lead Officer:	Martin Bradford, Scrutiny Officer, Corporate Governance, martin.bradford@haringey.gov.uk

Ward(s) affected: All	Report for Key/Non Key Decisions:

1. Describe the issue under consideration

- 1.1 As part of its work programme for 2013/14, the Environment and Housing Scrutiny Panel agreed to assess how the planning service engages and involves the community in local planning processes. The attached report details the conclusions and recommendations developed within this work, for which approval of the Committee is sought.

2. Cabinet Member Introduction

- 2.1 This is not applicable at this stage. The relevant Cabinet Member will introduce a response to the conclusions and recommendations reached in this report when presented at Cabinet.

3. Recommendations

- 3.1 That the Overview & Scrutiny Committee a) note contents of the report and b) agree the recommendations contained within it.

4. Other options considered

- 4.1 This conclusions and recommendations developed within this report have been reached after consideration of the evidence obtained from local stakeholders, national organisations and other local authorities.

5. Background information

- 5.1 Under the agreed terms of reference, Environment and Housing Scrutiny Panel can assist the Council and the Cabinet in its budgetary and policy framework through conducting in depth analysis of local policy issues.
- 5.2 In this context, the Environment and Housing Scrutiny Panel may with the approval of the overarching Overview & Scrutiny Committee:

- Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- Conduct research, community and other consultation in the analysis of policy issues and possible options;
- Make recommendations to the Cabinet or relevant nonexecutive Committee arising from the outcome of the scrutiny process.

5.3 An assessment of community engagement practices used within the planning service was agreed to be included within the Environment and Housing Scrutiny Panel work programme by the Overview & Scrutiny Committee at its meeting on June 17th 2013 and the scope of this work agreed by the Environment and Housing Scrutiny Panel on the 19th November 2014.

6. Community engagement with planning service

6.1 As part of its work programme for 2013/14, the Environment and Housing Scrutiny Panel agreed to undertake an assessment of how the local planning service engages and involves local communities.

6.2 The overarching aim of this work was to:

‘To assess whether residents and communities have appropriate opportunities to engage meaningfully in local planning processes through community engagement and involvement strategies within the planning service (with particular reference to the Statement of Community Involvement).’

6.3 In undertaking this work, the Panel has consulted widely with the following stakeholders and agencies:

- Local community groups (via an on line survey and a dedicated meeting);
- Local planning officers (Assistant Director, policy and development management);
- Developers (through a planning consultancy)
- Other local authorities (Islington, Hackney)
- Specialist contributors (Planning Advisory Service, Planning Aid for London).

6.4 The Panel has made 23 recommendations for approval by Overview & Scrutiny Committee to support community engagement with planning in the following areas:

- The need to develop the capacity of the community (improve trust, developing skills, improve understanding);
- The need to develop the capacity of planning officers (consultation skills, accessibility, approach);
- The importance of early engagement in planning consultation processes;
- The need to provide feedback to participants in planning consultations;
- The need to evaluate and evolve consultations to community needs;
- The need to further involve members in planning consultations;
- Improving the quality of planning proposals;
- Greater use of new technology.

7. Comments of the Chief Financial Officer and Financial Implications

- 7.1 At this point the recommendations within this report have not been evaluated to determine the cost of implementation.
- 7.2 It is likely that there will be cost implications associated with additional training, extra public meetings and use of technology and at this point no budget has been identified to fund these initiatives. Therefore the exact cost would need to be determined before any recommendations proceed to Cabinet, so that it is clear whether additional funding is required.

8. Comments of the Assistant Director of Corporate Governance and legal implications

- 8.1 The Assistant Director of Corporate Governance has been consulted on the preparation of this report, and makes the following comments.
- 8.2 The promotion of democratic engagement underpins a number of recent legislative developments relating to Planning and is to be encouraged.
- 8.3 Notwithstanding these developments, Planning remains a statutory process with local decision making open to both statutory appeal and judicial challenge.
- 8.4 The recommendations touch on a number of different elements of that process and will inevitably go some way to increasing the accountability and robustness of local decision making.
- 8.5 The report raises a number of issues which will need specific legal advice and guidance as they are being implemented.

9. Equalities and Community Cohesion Comments

- 9.1 Overview and scrutiny has a strong community engagement role and aims to regularly involve local stakeholders, including residents, in its work. It seeks to do this through:
- Helping to articulate the views of members of the local community and their representatives on issues of local concern
 - As a means of bringing local concerns to the attention of decision makers and incorporate them into policies and strategies
 - Identified and engages with hard to reach groups
 - Helping to develop consensus by seeking to reconcile differing views and developing a shared view of the way forward
 - The evidence generated by scrutiny involvement helps to identify the kind of services wanted by local people
 - It promotes openness and transparency; all meetings are held in public and documents are available to local people.
- 9.2 A number of engagement processes will be used to support the work of the Environment & Housing Scrutiny Panel which will seek to include a broad representation from local stakeholders. It is expected that any equalities issues

identified within the consultation processes will be highlighted and addressed in the conclusions and recommendations reached by the panel.

10. Head of Procurement Comments

10.1 Not applicable.

11. Policy Implications

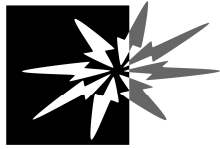
11.1 It is intended that the work of the Environment and Housing Scrutiny Panel will contribute and add value to the work of the Council and its partners in meeting locally agreed priorities. In this context, it is expected that the work of the Panel may contribute to improved policy and practice in the following corporate priorities:

- **Opportunities for all:** drive economic growth in which everyone can participate
- **A better council:** ensure that the Council works in a customer focused way

12. Use of Appendices

12.1 Any appendices are listed at the end of the report

13. Local Government (Access to Information) Act 1985



Haringey Council

Community Engagement by the Planning Service

April 2014

A PROJECT BY THE ENVIRONMENT & HOUSING SCRUTINY PANEL

www.haringey.gov.uk

Foreword

Having a good planning service is integral to shaping local areas and regeneration, something the Council is committed to.

A huge change has been implemented in how the Council operates, including at the planning service, and scrutiny has undertaken work to assist in that process by researching and identifying areas for improvement and ongoing development.

The recommendations bring together a series of themes that are intended to put a greater emphasis on community engagement, including more pre-application consultation and a greater focus and clarity around the role of ward councillors and community groups.



Councillor Stuart McNamara (Chair Environment and Housing Scrutiny Panel)

Environment & Housing Scrutiny Panel members:

Cllr Alexander

Cllr Bloch

Cllr Bull

Cllr Gibson

Cllr Stanton

Cllr Weber

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	Improve planning enforcement	
	Greater use of new technology	

Recommendations

Capacity Building (Community)

1. That there should be an ongoing programme of information provision for local community groups, residents associations, CAACs and residents to build links, confidence and trust between the planning service and the local community and specifically to:
 - Promote an understanding of the local planning process;
 - Support their engagement and involvement in the development of planning policy; and
 - Support their input into consultations on planned development;
 - Further encourage the cascading of planning information and awareness within the community.

This programme should include:

a) Provision of generic training on planning policy issues (e.g. the Local Development Plan and local planning guidance) and an update on specific planning policy issues (e.g. new legislation, new local planning policies, and current planning policy consultations).

b) Provision of advice and training on the process for considering planning applications (including pre-application engagement, development management fora, the role of the Planning Sub Committee and advice on making representations about planning policy and development proposals)

2. Provision of an information sheet/website detailing all sources of independent planning advice available to local residents, community groups and residents associations and guidance on how to get involved.
3. As part of the corporate customer transformation project, consider the potential for planning officers to provide planning surgeries within the community.

Capacity building (Officers)

4. Officers should take up the support and training offered by the Planning Advisory Service, including ensuring that consultation programmes are coherent and targeted, make use of new methods and are properly evaluated. This should support the development of their skills/ techniques regarding community engagement and a 'train the trainer' session in order to support community engagement.
5. Planning consultations should be seen in the context of wider corporate engagement and should draw upon consultation skills, prior learning and resources available elsewhere in the Council (e.g. parking, regeneration, public health and CYPS). A coordinated approach should be taken with other Council consultations, with a view to a common consultation database being used by all services.

Feedback

6. To improve the feedback given to respondents as part of planning policy consultations as well as respondents to individual planning applications, ensure that the outcomes of the consultation are accurately noted and recorded within final planning decisions / documents.

7. It is recommended that in consultation with the local community and reference groups, the planning service develop brief guidance notes and practical sources of advice to:
 - Assist the community in commenting on planning applications and contributing to planning policy consultations within the context of what counts as material considerations;
 - Guide and signpost householders with submitting properly validated planning applications.
8. It is recommended that an additional condition is placed on decision notices when granting planning permission, especially for larger schemes requiring applicants to place a copy of the notice on the site premises during construction so as to facilitate community inspection and monitoring and where necessary, enforcement.

Early involvement

9. That pre-application engagement is embedded within the planning consultation structures to ensure the earliest engagement possible with ward councillors, local residents associations, CAACs, local businesses, traders associations and members of the public (the reference group).
10. For major proposals, in addition to any consultation undertaken by the applicant, the Council should ensure that the Development Management Forum (DMF) is held at the pre-application stage. This should be linked to greater coordination with the considerations of the Design Panel at the pre-application stage.
11. That there is a pre-committee call over meeting established, open to all members of the Planning Sub Committee, to provide information to members including details of the planning applications to be considered and the planning path taken (e.g. DMF, site visits, consultation).
12. In line with the Localism Act 2011, a revised planning protocol should give greater clarity as to how members can be involved in the pre-application process (including clear and consistent advice on predetermination and predisposition), and in particular how ward councillors for the areas affected by the proposed development can be engaged with. The service may wish to consider the development of a model based on best practice in other local authorities for their Planning Committee to be formally engaged at the pre-application stage (e.g. Hackney, Croydon & Islington).
13. Further consideration should be given to the facilitation of provision for community engagement, including some funding within Planning Performance Agreements for complex planning proposals to allow:
 - The identification of key stakeholders;
 - More time for involvement of local stakeholders (including the reference groups);
 - The development of clear consultation timelines and planning milestones in the planning process.
14. Explore provision within the customer transformation project for residents to provide with email address, so as to facilitate the receipt of notification alerts for planning development/policy in their ward (and or set at a radius of 500m). A local consultation should include as a minimum local councillors, residents, associations,

community groups, businesses and traders associations together with other residents who proactively request inclusion – the reference group.

15. Update the procedure for how members are involved in the planning process for delegated decisions during both the application and consultation stages. This should include the retention of the weekly distribution list of new planning applications, the reporting to Planning Committee of major applications in the pipeline and also recent delegated decisions.

Planning Consultations

16. It is recommend that within planning consultations, processes should:
 - Maximise the use of participative methods;
 - Maximise access to planning officers;
 - Include an evaluation as standard;
 - Involve the reference group (e.g. members, residents associations, community groups, business and traders associations).
17. That the planning service should reconsider how Area Fora are used for planning consultations particularly in relation to:
 - the reach, participation and involvement of the local community;
 - links to development management forum at the pre-application stage;
 - improving the presentation of consultation documents which may support better understanding and engagement at these fora.

Improving quality of planning proposals

18. Greater use of community consultation events to support the formation of pre-planning advice and information for the top 10 planning issues i.e. to create a detailed checklist of information that's needed and how it is presented (N.B what are the top planning issues for the community e.g. design, heritage, conservation, enforcement capacity, durability of materials landscaping etc).

Member development

19. In recognition of the important roles of the ward councillor and the planning champion, engagement, involvement and 'planning champion' have, there should be:
 - A minimum (Level 1) programme of member training and development for all 57 councillors to further enable them to represent community interests within their wards;
 - More Councillors given full (Level 2) training in planning so as to increase the pool of Councillors available to sit on Planning Committee;
 - Further training on planning policy (scope and content of documents as well as timetable for remerging documents);
 - Bespoke web page(s) providing information, advice and support;
 - Clarity over key local contacts in the planning process.
20. That the planning service develop a 'feedback loop' whereby periodically (every 6 months) a review process is undertaken with members to look at development schemes that have been authorised, the purpose being to review development help and ensure that future proposals reflect the views and aspirations of the community and are policy compliant.

Statement of Community Involvement (SCI)

21. It is recommended that in the updating of the SCI the community is consulted so as to reflect the emerging consultation priorities and processes listed elsewhere within this report:
 - 1) Renewed emphasis on the role of members and the reference group;
 - 2) Importance of pre-application discussions and involvement to be given greater status.
22. A dedicated webpage to be provided for the SCI so as to allow for more frequent updates and the provision of useful links for the community.
21. That a short executive summary of the SCI be developed and distributed among the reference group.

New technology

22. Given the importance of digital processes in conveying information and advice in support of planning processes, it is recommended that the planning service reviews the layout, function and utility of the planning section of the so as to:
 - Ensure that GIS technology is fully utilised in planning processes (to enable real location viewing of planning applications (e.g. Wiltshire) and assist in planning notifications;
 - Ensure that the website can be used to capture and report community intelligence that may assist planning enforcement;
 - Ensure that feedback provided within planning and development proposals is clearly labelled;
 - Ensure that existing planning notification, consultation and reporting media (e.g. press, posters, letters) are maintained so as to be best utilised to underpin the increasing shift towards web based services.
23. To improve the accessibility of planning documents it is recommended that the planning service consider the acquisition of 3D modelling software, so as to help the reference group and other interested parties better visualise (and obtain a more accurate representation of) planned major development and planning proposals.

1. Introduction

- 1.1 A review of the Development Management function within Haringey Council was undertaken in May 2012. This review encompassed all service aspects including the planning process, service performance, leadership and customer service. As a result of this evaluation, a Development Management Improvement Programme (DMIP) was established which is being monitored and overseen by Regulatory Committee.
- 1.2 As part of its work programme for 2013/14, the Environment and Housing Scrutiny Panel agreed to undertake an assessment of how the local planning service engages and involves local communities. In particular, the panel agreed to assess Haringey's Statement of Community Involvement (SCI) and to undertake a comparative assessment with other Local Planning Authorities. It is expected that this work will contribute to the DMIP.
- 1.3 In undertaking this work, the Panel consulted widely with local stakeholders, including local community groups, residents' associations and Conservation Area Advisory Committees (CAACs). In addition, evidence has been received from planning services in other London Boroughs as well as specialist planning services such as the Planning Advisory Service and Planning Aid for London. It is hoped therefore, that the conclusions and recommendations developed within this report will guide and inform the approach to community engagement by Haringey Planning Service.

2. Background

- 2.1 It is broadly acknowledged that community involvement is key factor in the delivery of good planning outcomes as this can help to empower individuals and communities to play an active role in shaping the community in which they live. Furthermore, community engagement within planning processes can:
 - Help to identify local needs;
 - Inform policy development;
 - Provide evaluative feedback on local projects and plans; and
 - Develop a sense of local ownership and civic pride.
- 2.2 Evaluative studies¹ have highlighted a number of significant challenges that Local Planning Authorities experience in engaging and involving local communities in local planning processes, including:
 - Costs for participation and running involvement exercises;
 - The complexity of the planning issues under consideration;
 - Reaching hard to reach or seldom heard communities such as young people and older people;
 - Planning is often perceived as a remote bureaucratic process which does not encourage involvement;
 - Language of planning, with technical expressions and jargon can be a deterrent to involvement;

¹ Planning and Community Involvement: A guide to effective S106 agreements and Statements of Community Involvement Town and Country Planning Association (with The Rayne Foundation & Ethical property Foundation)

- Perception that planning consultation is dominated by highly vocalised local interest groups.

Community involvement in planning at the local level

- 2.3 There is an extensive legislative framework in place which governs community involvement in planning. There are statutory requirements for making information available about development plans and planning applications to ensure that local people can make appropriate representations on plans and planning applications.
- 2.4 The planning process is process driven, and planners need input from the public at certain points in plan making to ensure that statutory requirements are met. There are two categories of consultation at the local level:
- Local plan making process: each Local Planning Authority (LPA) is responsible for the preparation of Local Development Documents which make up the Local Development Framework (LDF).
 - Development Management: This is the decision-making process for planning applications.
- 2.5 A summary of the key local planning processes in which public consultation is sought are outlined in Appendix A.

Statements of Community Involvement

- 2.6 Local Planning Authorities are statutorily required to develop a Statement of Community Involvement (SCI). This is a document that sets out the framework for how the Local Planning Authority will engage with the public in preparing Local Development Plans in plan making and in commenting on planning applications.
- 2.7 The aim of the SCI is to set out the ways (e.g. how and when) the Local Planning Authority will consult on planning decisions and the plan making process. More specifically however, the SCI should encourage and support 'front loading' where consultation with the public begins at the earliest stages of each document's development to ensure that communities are given the fullest opportunity to participate in planning processes.
- 2.8 The SCI sets out a framework of minimum standards for community involvement standards that the Local Planning Authority will comply with in local planning processes.

Local Context

- 2.9 Haringey SCI (was initially adopted in 2007, but has since been updated in 2011). The SCI and the methods and processes of community involvement proposed within aim to reflect local demography and needs of local residents and communities. In addition, the SCI has been developed with reference to other key strategies and policy documents:
- Haringey Council Consultation Strategy: which sets out the guiding principles of how the Council will engage with local people;
 - Haringey COMPACT: an agreement between voluntary, community and statutory organisations on how they intend to engage and work with each other;
 - Council Equal Opportunities Policy.

- 2.10 As part of the plan making process, public consultations that are carried out are assessed against the SCI during the public examination of plans. Haringey's Core Strategy (now called the Local Plan Strategic policies) was found to be sound by the Planning Inspector who carried out the examination in Public including compliance with the SCI.
- 2.11 Together with other customer service functions, Haringey SCI was assessed as part of an external review of the Development Management Function.² It was concluded from this assessment that:
- There was a broad range of written guidance on the development management process available on and off line;
 - That service standards in the customer charter and SCI were not clear, were not monitored or reported upon;
 - There could be further improvement in the way neighbours and objectors are given clear, timely information about proposals and amendments.

3. Scrutiny aims, objectives and work-plan

Aims

- 3.1 The overarching aim of the EHSP was agreed as:

'To assess whether residents and communities have appropriate opportunities to engage meaningfully in local planning processes through community engagement and involvement strategies within the planning service (with particular reference to the Statement of Community Involvement).'

Objectives

- 3.2 Within the overarching aim, the EHSP agreed to address a number of key objectives, which were to assess:
- The Haringey Statement of Community Involvement (SCI) and make recommendations for development / improvement;
 - Community perceptions of local engagement and involvement for consultations for planning policy consultations and individual planning consultations;
 - The use of digital, new technology and social media as a means to engage and involve local residents and communities with planning development processes;
 - The need for local provision of education and training among local community groups to support engagement with local planning process (capacity building);
 - The role of members in community engagement, and consider ways in which they can be engaged in the pre-application process;
 - How recent legislative changes have impacted on community engagement.

Processes

- 3.3 The EHSP sought to meet the above objectives through the following processes:
- Discussions with local officers from Planning Policy and Development Management to establish local policy and practice;
 - Consultation with local community groups involved in local planning processes to assess engagement and involvement processes;

² Development Management (DM) Diagnostic review – Haringey Council 2013 (Regulatory Committee)

- Consulting other local authority planning services to draw on their comparative experiences and learning for community involvement;
- Consultation with specialist agencies to help identify good practice which may inform developments here in Haringey.

Work-plan

- 3.4 A range of information gathering methods were employed to ensure that the EHSP had access to evidence necessary to assist them in this investigation. This included:
- Desk based reviews (local policy and performance data);
 - Formal panel meetings (to hear evidence from officers and to coordinate work programme)
 - Informal evidence gathering sessions (with local stakeholders and other informed agencies);
 - Primary data collection among those involved in community planning exercises (e.g. survey and focus group).

- 3.5 A range of stakeholders were involved in this project within the following themes:

Community	Local Policy & Practice	Comparative Policy & Practice
▪ Community groups ▪ Conservation Area Advisory Committees ▪ Residents	▪ Haringey Planning Service	▪ Other Local Authorities (Islington, Hackney) ▪ Planning Aid for London ▪ Planning Advisory Service ▪ Dp9 Planning Consultants

- 3.6 As part of the work programme, the EHSP used the following methods to support the investigative process:
- *Formal panel meetings*: with planning officers;
 - *Informal evidence gathering sessions* with specialist agencies and other local authorities
 - *Community meetings* with local community groups, CAACs and resident associations (a list of all groups that attended is contained in **Appendix B**);
 - *Survey* of local community groups, CAACs and resident associations (full analysis is contained in **Appendix C**).

- 3.7 The following table provides a summary of the panel work-plan in completing this project.

Aim	Purpose / Activity	Time line
Local Policy & Practice	A. Panel Meetings with Officers B. Evidence / Report from Planning Service C. Assessment of Haringey Statement of Community Involvement (Planning)	November 2013
Comparative Policy and Practice	A. Other planning authorities - Islington, Hackney B. Specialist Agencies - Planning Advisory Service - Planning Aid For London	January 2014
Community	A. Dedicated consultation event	February

feedback	B. Survey	2014
Developer perspectives	A. Dp9 – Planning Consultants	February 2014

4. Statement of Community Involvement

- 4.1 The panel noted that consultations on both planning applications and planning policy documents are subject to statutory consultation requirements. In addition, the principles and methods of local planning consultations are statutorily required to be set out in a local Statement of Community Involvement (SCI). The panel noted that the SCI is generally produced as a framework document to allow consultations to be tailored to the needs of the local community. The panel noted that the planning service would aim to exceed minimum consultation requirements detailed in the SCI, though this will depend on the type of consultation, the target consultees and resources available.
- 4.2 The panel noted that Haringey's SCI was first adopted in May 2007 and was subsequently reviewed again in February 2011 (due to changes in planning law). The panel noted that a further review is expected in 2014 to reflect legal requirements set out in the Localism Act (2011). The panel hope that its work would contribute to this review process.
- 4.3 National guidance³ issued in 2008 to Local Planning Authorities for the development of SCIs indicates that these should include:
- A clear explanation of the process and methods for community involvement for different types of documents (e.g. Development Plan, Supplementary Planning Guidance) and how diverse sections of community involved;
 - Details of those community groups that need to be involved at different stages of the process;
 - An explanation of the process and methods for effective community involvement in determining of planning applications;
 - Details of the Local Planning Authorities approach to pre-application discussions;
 - Details of the Local Planning Authorities approach to community involvement in planning obligations;
 - Information on how the SCI will be monitored, evaluated and scrutinised at the local level;
 - Details of where community groups can get further information on the planning process (e.g. Planning Aid);
 - How landowners and developer interests will be engaged.
- 4.4 Evaluative studies amongst community groups as to what makes an effective SCI have identified the following characteristics:
- Clear, written in plain English;
 - Clarity about the SCI and its role;
 - Practicality and usability: use of simple summaries, provision of examples (e.g. site notices, neighbour notifications);
 - Detail of priorities and resources available for community involvement;
 - Clear explanation of how the SCI will influence policy development;

³ Planning Policy Statement 12 – Local Spatial Planning DCLG 2008

- Engagement with the whole community especially hard for each or seldom heard groups.

Local perceptions of the SCI

4.5 The Panel sought the views of local community groups on the Haringey SCI via a survey and dedicated focus group. The survey sought to assess community groups awareness of this document, whether they had read or used it and if so, how useful it was. Analysis of survey data indicated that of those local community groups that responded:

- 55% were aware of the SCI;
- 35% had read the SCI;
- Of those who had read the SCI, 71% found it useful.

4.6 Qualitatively, local perceptions of the SCI were that it was not widely publicised and needed further promotion across the community, including greater prominence on the council website. Furthermore, there was a perception that the content was fairly turgid, and that a short summary document would be of benefit:

‘Not publicised widely enough. Many residents are not aware of the statement or its implications.’

‘The content is also fairly dense and needs to be simplified with summary to help guide readers through the processes.’

4.7 Of most concern to the community however, was the perception that the document was an aspiration for consultation rather than an implementable approach. Qualitatively, local community groups voiced scepticism as whether the community engagement or involvement processes described in the document are followed through in practice:

‘... more a statement of intentions than a recipe for action.’

4.8 The panel noted that the SCI was of critical importance to local engagement as this document should set out the context, nature and approach of consultations undertaken by Local Planning Authorities. It was therefore of critical importance that the future re-assessment of the SCI is validated with the community to demonstrate that the prospective approaches to engagement and involvement are endorsed locally.

5. Local Planning Consultation framework

5.1 The panel noted that the Planning Service was committed to involving and consulting local people in planning processes and that the views of local people were important in shaping the future of the borough. Effective community involvement and consultation is fundamental to this process to ensure that decisions are reasoned, transparent and accountable to the community.

5.2 The Planning Service consults in the formulation of local planning policies. These would include major planning documents at the Core Strategy, as well as more specific policies for particular planning issues. Minimum requirements for consultations are set out by government, and the SCI provides additional methods

and approaches to help ensure community involvement is effective and reaches local stakeholders.

- 5.3 Different methods and requirements for consultation are required depending on the status of the planning document. For example, whether it is a Development Plan Document (DPD) or a Supplementary Planning Document (SPD):
 - A DPD brings forward statutory local policy which requires at least two stages of community consultation and an independent examination;
 - An SPD provides further guidance for policies in DPDs and as such requires only one stage of community consultation and is not subject to an examination.
- 5.4 The panel noted that a variety of local stakeholders were involved at various stages of the plan making process and include:
 - Statutory consultees (e.g. Mayor of London, neighbouring boroughs, Fire Service, Police Service, utilities, health, transport);
 - Representative bodies;
 - Community groups;
 - Business groups, planning agents and consultants;
 - Local residents and individuals.
- 5.5 The planning service maintains a database of local stakeholders and currently this has almost 1,500 entries. The database is updated every three years and this last occurred in 2012. In some cases the Planning Policy team will access other consultation databases to target groups or individuals for particular issues, for example the London Landlord Association database was used for consultation on the introduction of the Article 4 Direction.
- 5.6 The panel noted that Consultations should be flexible, accessible and tailored to meet the needs of consultees and the scope of the planning document. In this context, a wide range of consultative methods can be deployed to inform and engage local residents. These could include:

• On line surveys	• Workshops
• Dedicated focus groups	• Area Fora
• Drop in sessions	• Street leafleting
• Attendance at residents and community group meetings	• Public road-shows, exhibitions, stalls.
- 5.7 It was noted that informal methods of consulting, such as drop-in sessions, public exhibitions and on street leafleting, have proved to be successful in engaging with individuals who have not been involved with planning before and who would otherwise not have the time or interest to submit a formal response to a consultation. Their views and issues are captured through these processes and, in some cases, participants will ask to be included in the consultation database to receive information on future consultations.
- 5.8 Notifications setting out when and how the Council will consult on a particular document are published through a variety of media including: local press; the Council's website; emails and letters to statutory consultees, all organisations, voluntary and community groups, and individuals on the Planning Policy consultation

database; the Council's consultation calendar; Haringey People (when appropriate); and information leaflets and posters (when appropriate). Printed documents are made available in public libraries and in the Planning Service office.

- 5.9 The panel noted that wherever possible, the Planning Service sought to work with established structures such as the Developers Forum, Conservation Area Advisory Committees, Tenants Forums and Residents' Associations which allow engagement with a wider audience.

6. Barriers to effective community engagement and involvement

- 6.1 From evidence presented to the panel via the community focus group and community survey, it was apparent that there were a number of issues that inhibited engagement and involvement by local community groups, residents associations and local residents in planning consultation processes. In summary, these included:
- The complexity and volume of planning processes;
 - Not recognising or utilising the community knowledge, skills and understanding of local issues in planning processes;
 - The need for greater transparency in planning processes (the role of the Planning Authority);
 - The need for greater trust and openness and joint working in local planning processes.

Volume and complexity of planning information

- 6.2 A significant problem for local residents and community groups for involvement in local planning consultations was the accessibility of planning documentation. The panel noted that many local groups and individuals struggled with the volume and complexity of planning documentation. In addition, potential contributors to planning consultations found it difficult to keep pace with new planning legislation and how reforms impacted on local planning policies and local development plans.

- 6.3 The panel noted that even well established community groups that had a good knowledge of national and local planning policies and were actively involved in local planning consultations, reported difficulties in keeping up to date with changes to the national, regional and local planning policy framework. It was noted that the complexity of planning policies and processes was such, that few individuals or groups had the necessary time or resources to meaningfully contribute to development management or planning policy consultations.

Under utilisation community knowledge and resources

- 6.4 It was emphasised to the panel, that local community groups should be recognised as a significant resource for local planning services given their detailed knowledge of geographical areas, local issues and experience of planning processes. A number of community groups consulted in this investigation suggested however, that to the detriment of local planning consultations and planning outcomes, communities were not as fully involved and engaged as they would like to be in local planning process.
- 6.5 The failure to fully capture local knowledge and understanding in planning processes had lead to a perception that the local Planning Service is too far removed from local communities. In this context, it was suggested that there was a need to further

involve local residents and assesses community opinion to ensure that this was factored in to final planning applications or planning policies.

Transparency

- 6.6 It was communicated to the panel that greater transparency in local planning processes would help to encourage and support further community engagement in local planning consultations. It was suggested that there was often a welter of supporting information within planning consultations which local residents found difficult to navigate and to draw out key facts from.
- 6.7 In addition, community groups were confused by the role of the Council in local planning processes, which outwardly appeared to straddle the interests of both developers and the community. Furthermore, many residents remained confused as to the role of the Council, local Planning Service and other council departments within planning consultations and would welcome greater clarity, particularly around:
- The strategic aims of the Council;
 - The role of interested parties being made clearer in planning processes;
 - The aims of individual consultations.

Openness, trust and joint working

- 6.8 During the consultation with community groups, it was apparent that a perceived lack of openness in previous planning processes had in some cases, lead to a breakdown in trust between the community and local planning services and was an inhibitor to community involvement in local planning processes.
- 6.9 It was suggested to the panel that it was the Council's role to ensure that interested parties and stakeholders worked together for best effect in local planning processes and for the betterment of the community as a whole. At present, the perception was that there was too much 'head-to-head' in planning processes which has lead to resources being wasted and under achievement of planning aims. It was suggested that the Council should adopt a more strategic approach to community engagement and involvement which included a:
- Clearer strategic vision for what the Council is trying to achieve;
 - More detailed assessment of community resources and how these can contribute to this vision;
 - More cooperation between interested parties (the planning service, local communities and developers).

7. Steps to improve community engagement

7.1 During the course of this investigation, the Panel have highlighted a number of areas for development that could further develop community engagement and involvement in planning processes. These were:

- Building the capacity of the community;
- Building the capacity of officers;
- Early involvement in planning process;
- Planning Performance Agreements;
- Improving the quality of planning proposals;
- Provision of feedback to participants in planning consultations;
- Adapting the approach and methods of community consultations;
- Further developing the role of members in local planning consultations;
- Improvement planning enforcement function;
- Greater use of new technology.

Building the capacity of the local community

7.2 The panel recognised, that as a priority, there should be a ongoing programme of capacity building for local community groups, Residents Associations, CAACs and residents to build links, confidence and trust between the Planning Service and the local community. Such a programme would be necessary to:

- Promote an understanding of the local planning process;
- Support community engagement and involvement in the development of planning policy;
- Support their input onto consultations on planned development;
- Further encourage the cascading of planning information and awareness within the community.

7.3 Evidence from the survey of community groups (Appendix C) recorded that there was a substantial appetite for community capacity building. Here it was noted that:

- 89% of respondents thought that more community based events (e.g. workshops) would be helpful to community engagement;
- 79% of respondents thought that more generic training on planning issues would be helpful to community engagement.

7.4 On the evidence presented in this investigation, the panel noted that community capacity building should focus on a number of areas:

- The provision of advice, information and training on generic planning policy issues as well as planning processes for consideration of individual planning proposals;
- Working with, and building the capacity of existing community networks;
- Draw on skills of existing community infrastructure;
- Increasing access to independent advice.

7.5 In evidence presented to the panel both the Planning Advisory Service and Planning Aid for London concurred that it was important that the local community represents a significant resource to local planning services, and where possible it should seek to harness such skills and expertise and local knowledge to the benefit of local planning processes.

- 7.6 In order to support meaningful engagement in consultations for new planning development or planning policies, the panel recognised the need to invest in training for local groups and residents. Through enhancing local planning knowledge, skills and understanding, the capacity of the community to engage, be involved and meaningfully contribute is increased. It is anticipated that such training could be cascaded more widely throughout the community.

Working with existing community networks

- 7.7 Evidence presented to the panel suggested that it was important to build the capacity within existing community groups. Both PAL and Islington Council indicated that they had worked with local voluntary sector umbrella groups (Voluntary Action Camden and Voluntary Action Islington) to help build local capacity to engage and be involved in local planning processes. It was also noted that community capacity building was an important step in supporting cultural change to encourage local community leadership and responsibility for planning issues.
- 7.8 In its evidence to the panel, the Planning Advisory Service recommended that community engagement and capacity building should be focused and objective and *properly evaluated* to ensure that what work is undertaken is done well and builds up positive experiences and confidence within the community (and encourage further participation in the future).

Independent Advice

- 7.9 Given the complexity of the local planning processes and the resources available to developers, it was suggested that as part of any capacity building programme, there should be improved access for the community to independent planning advice and support. The panel sought to assess the range of independent advice available to individuals and local communities to support their engagement with local planning processes. It was noted that there were a number of sources which included:
- Royal Town Planning Institute (RTPI) a charitable body supporting spatial, sustainable and inclusive planning;
 - Planning Portal;
 - Planning Advisory Service;
 - Planning Aid for London.
- 7.10 The panel recommended that an advice sheet is developed for local residents and community groups in Haringey which provides details of those organisations from which independent planning advice can be obtained.

Building capacity of individual residents (small scale development)

- 7.11 There was a perception among those community groups consulted within this investigation that whilst community engagement and involvement for large scale developments was important and necessary, engagement and involvement on smaller scale developments in comparison often felt 'overlooked'. The panel noted that in this context, individual residents in neighbouring properties of proposed smaller developments often do not know where to start in participating in a consultation or indeed in developing a response. Whilst it was noted that there was information available, individual residents may not have the not knowledge or confidence to draft a response

- 7.12 Thus in addition to building the capacity of community groups, it was suggested that there should be a mechanism through which individual residents can be signposted to local Residents Associations, community groups and other sources of planning information to ensure that planning knowledge, skills and understanding is cascaded widely in the community. Furthermore it was suggested that there should be:
- More information for local householders on the council website (particularly in the form of 'how to' guides to make applications and to contribute to consultations);
 - More guidance from planning officers as to what information is expected, or what issues are valid and can be considered within planning applications;
 - Signposting to independent planning advisory services.

Building the capacity of officers

- 7.13 The panel noted that the issue of capacity building also extends to the role of local planning officers, in that it may be necessary to build and extend the community engagement skills of local planning officers. Evidence to the panel suggested that it was rare for dedicated community engagement or consultation expertise within planning services and this is carried out generically within existing planning officer roles.
- 7.14 As part of the investigative process, Planning Advisory Service attended to give evidence to the panel. During this evidence, PAS representatives offered further training to local planning officers to help support community engagement and involvement function within the service. The panel hoped that such training would enhance consultation skills and practices of officers and develop the consultation capacity and expertise within the department as a whole.
- 7.15 The panel noted that there was there was substantive consultation experience and expertise across the Council in other departments (e.g. parking, adults service, CYP). It was suggested that planning officers should, where possible, draw on the consultation and engagement experience of these services and where appropriate, seek to develop such consultations in tandem (in particular transport and parking services).
- 7.16 A key finding from the survey and the consultation with local community groups was that the accessibility of local planning officers is a key factor in community engagement and involvement. Indeed, from the survey it was noted that 95% of respondents indicated that improved access to planning officers would support further participation in local planning processes (Appendix C).
- 7.17 From the consultation, community groups acknowledged that as a result of budgetary pressures, there had been a reduction in planning officers which evidently had created additional workload pressures for those that remained. It was apparent however, that the community wanted to see a further development in the way that local planning officers operated and worked with the community. It was suggested that local officers should:
- Have a developed knowledge and understanding of the local area, its issues as well as local resources (e.g. community groups);
 - Adopt an holistic approach to planning needs assessments in those areas and seek to involve a wider range of stakeholders in planning consultations;

- Have more mobility to ensure greater connectivity with the community, local issues and proposed developments;
- Offer local surgeries to improve access to advice and information on local planning processes.

Early involvement in planning process

7.18 National guidance updated through the National Planning Policy Framework,⁴ emphasises the importance of early and meaningful engagement in planning processes:

'Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.'

7.19 The panel noted that constructive pre-application discussions between potential applicants, planning officers and the community can help to ensure all relevant considerations are addressed before an application is formally submitted. Earlier opportunities for local stakeholders to engage and discuss proposals offers a number of potential benefits to the planning process:

- It can help to identify improvements needed to a scheme before it is formally considered;
- Improve the quality of the submitted application (for example, ensure that it is supported within development plans and conforms with local planning policies);
- Facilitate the speedier delivery of decisions, time and cost savings and higher quality development;
- Bring greater certainty into the process;
- Less pressurised timescales allows for greater community engagement and involvement.

Local perceptions

7.20 Within the focus group, there was a perception that the timescales for consultations for new development was insufficient to allow members of the public, residents and local community groups to read and absorb paperwork and to construct meaningful responses. It was suggested that there were a number of factors which were not given enough prominence in developing timeframes for local consultation frameworks. These included:

- The ability of local communities to access information digitally or via the internet;
- The proportion of non- English speaking communities resident in Haringey;
- Unreliability of existing notification processes (letters to households, posters in lampposts);
- Lack of baseline planning knowledge and understanding within the community (which may necessitate potential respondents to undertake research or seek other sources of advice or support).

7.21 Analysis of both quantitative and qualitative data from the community suggested strong support for earlier involvement in consultations for new planning policies or

⁴ National Planning Policy Framework DCLG 2012

individual developments. Analysis of survey data found that 84% of respondents agreed that earlier notification of planning application proposals would improve community engagement (Appendix C).

- 7.22 Qualitative analysis would suggest that earlier engagement with the local community, particularly in relation to new development, would be most beneficial as this would allow more timely input into development proposals which may avoid later problems in the planning process:

‘Early notification of proposed plans or changes is essential if people are to have time to respond.’

‘Representatives of local community groups could be invited to attend pre-application advice meetings. We might then avoid having unsuitable designs inflicted on us, and address contentious issues at an early stage.’

- 7.23 Similarly, qualitative analysis also suggested that earlier consultation in the development of local planning policy would be helpful:

‘To be consulted about new policies at an early stage and not just to find out about things when they are published as happened recently with the policy on basement extensions.’

- 7.24 In the focus group among community groups, the importance of pre-application consultation was also underlined to the panel. It was suggested that early stakeholder liaison had numerous benefits and communities welcomed early sight of development proposals and the opportunity to feedback and influence plans. It was pointed out to the panel however, there was inconsistent support and take up among developers for pre-application discussions and more should be done to encourage them to support and attend such fora.

Developers

- 7.25 The review also found support for early engagement in planning processes among developers. The panel noted that developers recognised the importance of early engagement where it was suggested that such early investment in local communities had a number of significant benefits:

- Allows more time for greater representation local stakeholders to be involved including community groups, local councillors as well as local residents;
- There was more time for meaningful engagement and for opinions to be canvassed fully and objections dealt with at an early stage;
- It minimises the risk of later (and more costly) legal challenge in the planning process.

- 7.26 It was also noted that it was important that developers were notified of key objections or problems with any proposed scheme as early as possible within planning processes, as this could allow for planned and timely solutions to be put in place. It was noted that significant delays can occur when:

- Local planning policies are not compliant (out of date, in need of updating);
- There is poor member engagement;
- Issues or objections being raised for the first time at Planning Committee.

Member involvement at pre-application stage

- 7.27 Traditionally, local Planning Services have been wary of involving councillors at any pre-application stage to avoid any notion of predetermination. It is recognised however, that members can play an important role in pre-application discussions as their involvement can assist the planning process through:
- Local knowledge (groups, representatives, area, history);
 - Their understanding and representation of community views;
 - The early identification of planning problems.
- 7.28 As a result of provisions within the Localism Act (2011) the panel noted that there was new probity guidance for Councillors and officers particularly in relation to the consideration of planning proposals at the pre-application stage. Provisions within the Act allow Councillors more freedom to engage, express their views and question the applications so long as this is done with an 'open-mind' and without pre-determination. This guidance recommends that in particular, Planning Committee members:
- Avoid expressing an overall view and indication of how they intend to vote;
 - Limit their questions to an understanding of the proposal;
 - Avoid asking questions which could not be viewed as having a closed mind.
- 7.29 In written evidence submitted to the panel, it noted that a number of other London Authorities had established pre-application consultation processes in which members were involved:
- *Camden* – Development Management Fora that enable local residents, business and organisations to comment on proposals at an early stage. Members and officers attend but do not express any opinions on the merits of the proposal.
 - *Croydon* – operate a Strategic Planning Committee for major planning applications (both at pre-application and decision). Members receive presentations from developers, though avoid giving an opinion on the scheme as a whole;
 - *Lambeth* – operate a strategic non-decision making panel where members and senior officers are briefed on major development proposals at pre-application stage.
- 7.30 Evidence from other authorities indicated that it was often difficult for people to meaningfully engage at the pre-application stage, particularly when plans may be still in their infancy and fully worked up (i.e. exactly what it planned, what this will it look like and what impact that it may have in the community). This required the need for pre-application protocols around the provision and exchange of information.
- 7.31 The panel noted that a review of the current member protocol for involvement in pre-application planning processes is scheduled for 2014 which will draw on experience and best practice in other authorities and evidence emerging from this review.
- 7.32 The panel noted that as part of this process it would be essential to establish rules of engagement for developers, members and the local community at the pre-application stage. In this context, the panel noted the recent joint publication by the Local

Government Association and British Property Federation: *10 Commitments for effective pre-application engagement*,⁵ which covered the following areas:

- Parameters of consultation (timing, proportionality);
- Open exchange of information;
- Collaborative working to find deliverable outcomes;
- The need to involve members;
- Need to keep a record of meetings held.

7.33 In addition, it was noted that Planning Advisory Service was intending to provide further support to local authorities to develop and improve local pre-application processes. It was envisaged that this support would consist of a programme of workshops that could be operated locally, to help services evaluate and improve existing pre-application processes.

Planning Performance Agreements

7.34 The panel noted that it can be difficult to determine planning applications within the statutory timeframe, particularly when large developments may raise many complex issues (e.g. high density development, mixed use, historic environment, local community concerns). In such cases, a Planning Performance Agreement between the Local Planning Authority and prospective developers can allow decisions to be taken outside the statutory timeframe.

7.35 The panel noted that Planning Performance Agreements (PPAs) are essentially a project management process and tool to improve the quality of major planning applications. PPAs can provide greater certainty and transparency in the development of major schemes, particularly in relation to the assessment of the planning applications and in the decision making process. PPAs can help to provide:

- Key timescales for the applicant for submissions and decisions
- Information to support engagement and consultation (e.g. details of who is consulted and when).

Improving the quality of planning proposals

7.36 Survey and focus group evidence presented to the panel suggested that an improvement in the quality of planning proposals would be beneficial to community involvement in local planning processes. Data from the survey indicated that just:

- 50% of responding community groups were satisfied with accessibility or readability of planning documents;
- 39% were satisfied with the quality of planning consultation documents (Appendix C).

7.37 The panel noted evidence from Planning Aid for London on the work that had been undertaken in a neighbouring authority to improve the quality of planning applications submitted. Every developer and every agent working in the borough were consulted to identify those planning issues of most concern for which a pre-application information guidance (Top Ten Issues) were developed. Through involving local developers, it was hoped that this would improve the quality of submissions (given that this was what was agreed) and help to minimise later enforcement action as this

⁵ 10 Commitments for effective pre-application engagement, Local Government Association (2014)

guide would set out 'up front' what is needed and expected from developers. It was noted that this process could also help to speed up the planning process.

Feedback from consultations / proposals

7.38 An important part of the community engagement and consultation cycle is the provision of feedback, where participants are informed of how their contributions have impacted on proposals. It was suggested that this was a weakness in local planning processes, in that whilst many people take the time to develop reasoned and meaningful responses to planning proposals, there is generally little record as to how such contributions have shaped and informed final plans. This is problematic for the community in that:

- There is no validation of responses (what information has been useful, what has been disregarded);
- It does not stimulate or encourage participation in future consultations.

7.39 Analysis of data obtained from community groups via the focus group and survey would appear to verify this assessment. Qualitative analysis would appear to suggest that little feedback is provided to contributors to planning consultations which makes it difficult to determine the usefulness of submissions and how this has impacted on final plans:

'Often the designated planning officer does not mention comments in her/his report.... '

'Consultation should directly involve residents and the results need to be made transparent.... '

'Community Engagement would be improved if the Council were to publish and explain the reasons for their decisions when they are contrary to the views expressed through this process.'

7.40 In this context, many community groups indicated that this gave rise to considerable local frustration as it was not clear if submissions had been noted or indeed were useful to planning officers, and that overall this suggested that consultations were not a two way process:

'... if you call it a consultation it must be one. It is a two way process or don't bother.'

'The consultation process is a charade. While it is easy to comment online on planning applications, local residents' opinions seem to be totally ignored. One questions whether the planning officers read them.'

7.41 Respondents suggested that if it was apparent that consultation contributions had been assessed and recorded where these had influenced planning decisions, this would encourage further participation:

'[Our community group would be more involved] if they felt that their comments were taken more seriously. It is often the case that the comments submitted by this CAAC for example are not mentioned at all in a planning officer's report.....'

- 7.42 The panel noted that it was important to demonstrate the impact consultation with local residents and community groups had had upon individual planning proposals and that it was important to provide a mechanism for such feedback to:
- Provide reassurance to participants that contributions were useful, valid and contributed to the planning process;
 - Provide a guide to potential participants future in planning consultations;
 - Facilitate further community engagement in the future;
 - Manage the expectations of the community.
- 7.43 The panel were keen to see the development of a systematic process in which contributions to planning consultations were accurately noted and if these had been of material influence to final planning proposals.
- 7.44 In evidence from the planning consultant, the panel noted that it was equally important for developers to receive feedback on planned developments from numerous council services (e.g. waste, transport, planning), though this is not always coordinated, consistent or timely (e.g. responses were provided at different times, different recommendations etc). The panel noted that it was important that there is coordinated multidisciplinary feedback on proposed development which is both timely and coherent.

Adapting consultation methods

- 7.45 The survey administered to community groups sought to assess the use and perception of consultative methods used by the planning service. The key quantitative findings from this survey indicated that the consultation methods that respondents found were most helpful were:
- Residents meetings (38% agreed these were very helpful or helpful);
 - Development Management Fora (34%); and
 - Planning Workshops (27%).
- 7.46 Qualitative analysis of responses gave a more detailed assessment of some of the consultation methods used within the Planning Service. Quantitatively, 34% respondents indicated that it was unhelpful to use Area Fora as a medium through which to conduct planning consultations and this was substantiated in qualitative comments provided within the survey:
- 'The Area Forum is not an appropriate forum to gather consultation opinions due to the shortage of time and need to follow a set agenda which means residents are unable to speak freely. It should be used to publicise proposed developments instead and events.'*
- 'The Area Forums are a good idea in principle... must be a total waste of public money and time. There are always more officers and Councillors than members of the public. Those few who attend are the same as make their voices heard anyway. The local publicity for these is also very poor – i.e. emailed posters not sent till almost last minute.'*
- 7.47 In contrast, respondents were more satisfied with dedicated planning forums such as Development Management Forums which are operated to support large scale developments. Survey respondents were generally pleased with this process, though it was suggested that they could be offered more frequently:

'The Local Development Forums can be extremely useful and we hope that these will continue.'

'.... DMFs held which are also not frequent enough.'

7.48 In addition, there was a perception that there was too great a reliance on digital and on-line response for planning consultations which may exclude those who did not have access to digital systems. This creates a disconnect between people and the areas in which the development proposals are centred:

'Web-based material is useful, but not readily accessible to many residents.'

"Consultations tend to rely far too much on internet access. As noted at the meeting, not everyone has access nor do they wish to participate in this form."

7.49 Given the complexity of planning issues, it was suggested that greater use should be made of more participative consultation engagement methods, such as face to face meetings with planning officers and community consultation events (such as workshops). It was also noted that such an approach would also help local planning officers to build knowledge and understanding of local issues and further extend contact with local community groups and residents associations. This was verified in survey responses:

'More, localised, Public Meetings would be an advantage... '

'Residents have strong views about planning issues and welcome opportunities to discuss planning matters, rather than simply responding in writing.'

'Meetings and personal contact with genuine discussions.... '

Evaluation

7.50 Perhaps more importantly, it was suggested that it was important to evaluate the methods used in consultations, and to maintain an organisational record of the approaches adopted to engage and involve the community. This would help to improve organisational awareness of successful methods or approaches, or those that require further adaptation. Without this analysis, the organisation is liable to continued repetition of ineffective consultation processes. Such records will also help to establish the journey that the Planning Service has embarked upon in relation to community engagement and involvement and guide and inform future processes.

Member involvement (general)

7.51 The panel noted that local councillors play an important role in local planning processes as they embrace a number of key roles:

- Strategic leadership: setting the vision and direction;
- Plan making: to reflect local values and priorities in policies;
- Ward level representation: representing local views;
- Neighbourhood planning - link between community and the council and council services.

7.52 In addition, the panel noted that local councillors have a particularly important role in Development Management to help ensure that:

- Involvement with the community and developers is at an early stage;

- Areas of local concern are raised;
- There is an informed debate on the issues presented;
- A wide range of issues and material considerations are considered in helping to make the right decision.

7.53 It was also noted within survey responses that, in recognition of the important role that local councillors play in supporting community engagement with planning processes, further training for them may also help to promote greater understanding of planning issues within the community:

'The Planning Process is complex and difficult to understand. Not only should residents be given clear, readable information but local ward councillors must be trained in the Planning system.'

7.54 The need to support members in their advocacy / champion role in planning consultation was highlighted to the panel by both the Planning Advisory Service and Planning Aid for London. It was suggested that a dedicated web page for members (and the community) on how to support individual and local community groups through the planning consultation process could assist members in community engagement in planning processes. In relation to member development, the panel noted that there was a Councillor area on the Planning Advisory Service website which provided briefings, updates and training to support their role in local planning processes.

7.55 To conclude, the panel noted that there were three issues for member development:

- That greater use could be made of the existing knowledge and skills of local councillors in planning consultations and processes;
- The need to further publicise to members the planning resources available to them (e.g. website, publications, public advice services) to support their role in community planning processes (e.g. liaison with local residents and groups);
- The need for further ongoing tiered training on the role of members in local planning processes should be made available to support members role (as above).

Improved planning Enforcement

7.56 The panel noted community concerns with the planning enforcement function of the council. Local residents and community groups indicated that there were numerous incidents of unauthorised development which was going unchecked or that the council appeared powerless to stop. It was suggested that retrospective planning applications were being used which in effect, bypassed local consultation and scrutiny and which left local residents and community groups feeling frustrated and disengaged.

7.57 Dissatisfaction with the planning enforcement function was also raised within the survey. It was suggested that improved arrangements for reporting planning infringements could help build community trust and engagement:

'The survey should also include community engagement with Planning Enforcement, an area which desperately needs to be addressed and which Noel Park has been badly let down on.'

'Enforcement is a real problem. We notify Haringey of infringements and then very little happens. This is discouraging to say the least.'

- 7.58 The panel noted that in other boroughs (e.g. Westminster) an additional condition is placed on granting planning applications which requires applicants (particularly of larger schemes) to place a copy of the decision notice on the site premises during construction. The panel noted that this approach could help to facilitate community inspection and monitoring and where necessary, enforcement and recommended that it should be considered in Haringey.
- 7.59 In addition, the panel indicated that it was undertaking a similar investigation in to the enforcement functions of the Council and had made recommendations to support a more strategic approach. The panel have made recommendations in this report⁶ which will hopefully lead to improved enforcement outcomes, including:
- Improved arrangements for sharing enforcement information;
 - Better local enforcement partnerships;
 - Improved surveillance systems.

New technologies

Website

- 7.60 The panel discussed the use of the website as a tool through which to provide planning information. A wide range of planning information is contained on the site, including local planning policies, planning proposals and planning advice. Whilst it was acknowledged that there was a lot of information on the website and that improvements have been made, that further work to improve the content and accessibility should be undertaken.
- 7.61 Feedback from the focus group and survey would indicate that further work may need to be undertaken to improve the accessibility of the website. Whilst over 2/3 (68%) of respondents indicated that they found planning information on the council website useful, there were technical difficulties and layout issues in accessing certain planning documents:
- '.... some documents are not easy to use on line, there can be problems for Mac users.'*
- 'With regard to the planning applications on the website, there could be better labelling of the pdfs. Sometimes there is no labelling at all... and it can take a long time to find the relevant one. It would also be useful if the pdfs containing comments from the statutory consultees or the design officer could be marked accordingly.'*
- 7.62 The panel noted in evidence from community associations, that there was considerable reliance on the Planning Service website to communicate planning information to local residents and community groups, yet there were evident concerns around the accessibility and navigability of the website. It was noted that there were particular concerns around:

⁶ Strategic Enforcement – Final Report of the Environment and Housing Scrutiny Panel available at: haringey.gov.uk

- The labelling of individual responses submitted to planning consultations;
- The effectiveness of the planning search tool.

7.63 It was clear that there was a strong appetite for more web based information in the community. Survey analysis demonstrated that 95% of community respondents wanted more information about planning services on the website (appendix C).

7.64 Panel members noted that whilst digitalisation clearly offers numerous potential benefits to assist community engagement and involvement in local planning processes, there was an underlying concern about the accessibility of digital systems to a significant proportion of local residents, particularly the elderly, socially and economically disadvantaged and non-English speaking groups. The 'digital by default' approach would omit those 20% of residents who were not connected to the internet or other digital media.

7.65 Whilst it was acknowledged that web based technologies were an important tool for community engagement and involvement, the community were keen to ensure that such methods or approaches were continued to be augmented by more traditional approaches (e.g. written notifications, face to face consultations, notices on lamp-posts).

Geographical Information Systems

7.66 On evidence received to the panel it was suggested that Geographical Information Systems (GIS) could be used to provide greater assistance in local planning consultation processes. It was noted that GIS technologies could assist:

- The community to identify planning applications and other planning information (Conservation Areas, Tree Preservation);
- More systematic notification of planning applications to the community.

7.67 It was noted that two other neighbouring authorities (Islington and Camden) had incorporated GIS within notification processes for development management. It was also noted that Wiltshire County Council uses GIS to map local planning information (e.g. conservation areas, flood zones, listed buildings, tree preservation orders) alongside local planning applications.

7.68 The panel noted that the planned review of the SCI would include an assessment of new methods of engagement, particularly the use of more interactive online tools, such as SNAP surveys and online discussion forums. The panel noted that the service is trialling a SNAP survey tool which not only allows for on-line consultation, but can also record and note responses and non-responses.

7.69 In addition, the panel noted that the Planning Service would be working with IT services to ensure that there was provision for local residents to receive email notifications of planning applications and other planning proposals through the development of 'My Haringey' portal.

Appendix A – Planning Framework and opportunities for community involvement in planning⁷

National Planning Policy

- Wider stakeholder involvement in the preparation of draft policy statements and guidance.
- Government White papers on policy proposals issued for public consultation.
- Planning Policy Statements and other guidance documents issued in draft for public consultation.
- Draft regulations issued for public consultation.

Regional Spatial Strategies (as supported by Mayor of London)

- Focus group on project plan for RSS revision.
- Focus groups of stakeholders, consultation seminars and other opportunities to be involved in emerging issues and options for draft RSS revision.
- Formal opportunities to make representations when draft revision of RSS is submitted to the Secretary of State.
- Examination in public into the draft RSS revision.
- Opportunities to make representations on changes to the RSS revisions proposed by the Secretary of State.

Local Development Documents (as supported by Local Planning Authority)

- Statement of Community Involvement sets out the Local Planning Authority's policy on involving the community in the preparation of its Local Development Documents.
- Early dialogue on LDDs, in line with the SCI.
- Before draft proposals are finalised, the authority will formally publish its preferred options for consultation and must consider representations.
- Draft Development Plan Documents are published and submitted for public examination. Representations can be made, to be considered at the examination.
- Those making representations seeking changes to a DPD will have a right to appear in person at the examination.
- Inspector's report will be made available for public inspection.
- Annual monitoring report published by local authority.

Planning Applications (as supported by Local Planning Authority)

- The SCI will set out the LPA's proposals for consulting the community on planning applications.
- Third parties can make representations on planning applications.
- Objectors can speak at Planning Committee meetings at the discretion of the LPA.
- Reasons for decisions are published.
- Third parties can make representations on appeals and at inquiries into called in applications.
- Additional consultation with regional and national bodies where appropriate for Major Infrastructure Projects.

⁷ Community Involvement in Planning: the Governments objectives Office of Deputy Prime Minister (2004)

Appendix B – Community groups participating in the focus group

Bowes Park Community Association
Bounds Green District Residents Association
Wards Corner Community Coalition
Haringey Federation of Residents Associations
Our Tottenham Network
Highgate Society
Alexandra Ward Mobility Group
Freeholder Community Association
Parkside Malvern Residents Associations
Pinkham Way Alliance
West Green Residents Association
Tottenham CAAC

Appendix C – Survey of Community Groups

Environment & Housing Scrutiny Panel

**Community Engagement and
Planning Services**

Survey Analysis

March 2014

1. Introduction

1.1 As part of the work programme for 2013/14, the Environment & Housing Scrutiny Panel (EHSP) agreed to look at how the Haringey Planning Service engages and involves local residents and community groups in planning processes.

1.2 The overarching aim of this work was agreed as follows:

'To assess whether local residents and community groups have appropriate opportunities to engage meaningfully in planning processes through the community engagement and involvement strategies of the Local Planning Authority.'

1.3 Within this, the EHSP agreed to address a number of specific objectives including:

- To assess the nature and scope of community consultation and involvement in planning processes (including local standards, how these are measured, monitored and published);
- To assess the Haringey Statement of Community Involvement (SCI) and make recommendations for development / improvement;
- To assess whether there is appropriate education and training for local community groups to support engagement and involvement in local planning processes;
- Identify opportunities for the further development of digital, new technology and social media within community engagement and involvement strategies;
- To evaluate community perceptions of local engagement and involvement within the planning process;
- To assess the impact of recent legislative and policy changes for community engagement and involvement in the planning sector and how these are reflected in local arrangements.

1.4 To support this work, the EHSP held a number of dedicated evidence gathering sessions as set out below:

1. Local Policy and Practice (November 2013)	▪ AD Planning, ▪ Planning Policy Officers, ▪ Development Management Officers
2. Comparative Policy and Practice (January 2014)	▪ Planning Aid For London ▪ Planning Advisory Service ▪ Islington / Hackney
3. Community stakeholders (February 2014)	▪ Consultation with community groups

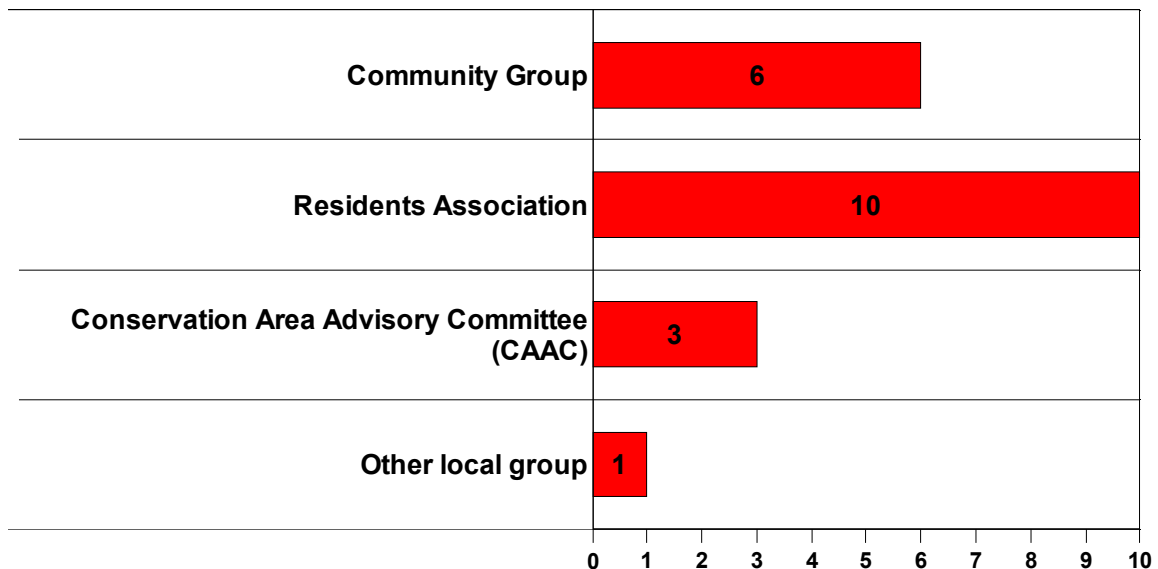
1.5 A dedicated evidence gathering session was held with local community groups on 18th February 2014 at which representatives from community groups and residents associations attended. The purpose of this meeting was to enable local groups to feedback on their experiences of involvement within local planning consultations and to identify priorities for improvement.

1.6 To support its involvement of local community groups in this work, a short on-line survey was created and distributed to those groups on the Planning Service Consultation database and all local residents associations. This report provides a summary of the quantitative and qualitative analysis of the 20 responses received.

2.0 Survey analysis

2.1 The on-line survey was distributed to 42 community groups contained on the planning consultation database. In total, 20 responses were received by the deadline date to be included within this analysis. Responses were received from a variety of local groups including Residents Associations, community groups and Conservation Area Advisory Committees (Figure 1).

Figure 1 - Source of survey response (n=20)



Statement of Community Involvement (SCI)

2.2 The SCI sets out a framework of minimum standards for community engagement and involvement that the Local Planning Authority will comply with in local planning processes. The survey sought to assess community groups awareness of this document, whether they had read or used it and if so, how useful it was.

2.3 In total, 11 of the 20 (55%) community groups that responded indicated that they were aware of the SCI (Figure 2). Analysis of qualitative data would suggest that this document is not publicised widely enough and is difficult to locate on the Council website:

‘Not publicised widely enough. Many residents are not aware of the statement or its implications.’

‘Not publicised.’

‘..... we were unable to find the Statement of Community Involvement on the website.’

2.4 Of those nine respondents who were aware of SCI, seven (78%) had read or used the document (Figure 3). Analysis of qualitative comments would suggest that some community groups found the SCI difficult to access, and that it would be of benefit if summarised version was available:

'The content is also fairly dense and needs to be simplified with summary to help guide readers through the processes.'

Figure 2 - Respondents aware of Statement of Community Involvement (n=20)?

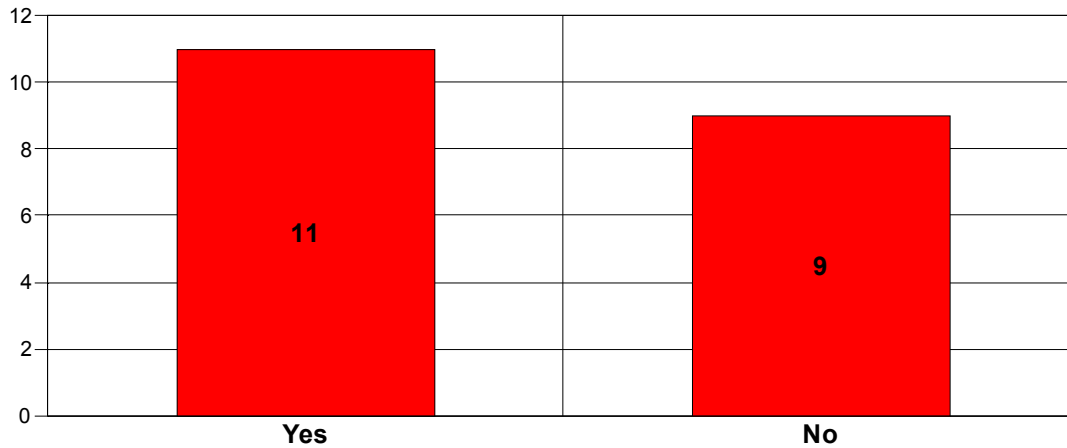
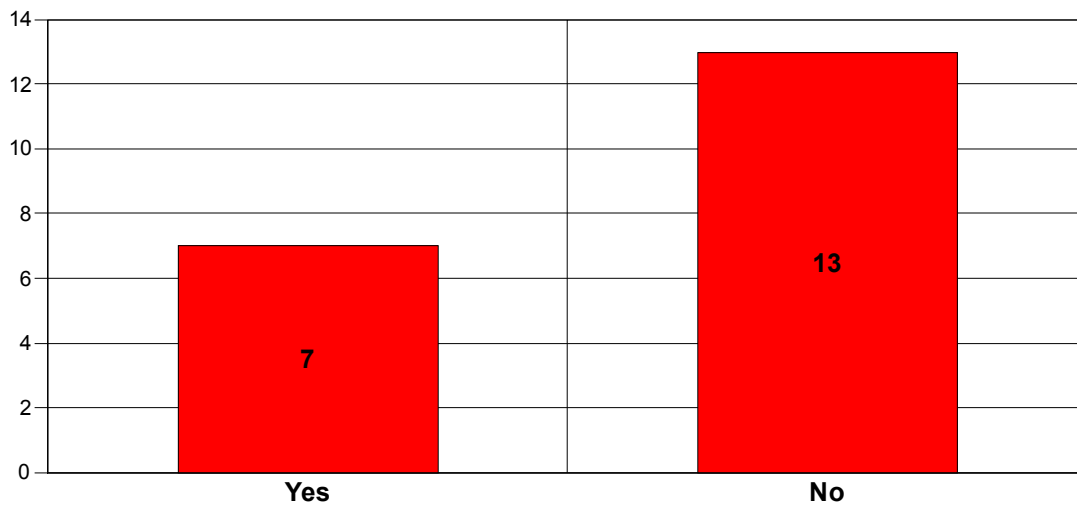


Figure 3 - Respondents indicating that they had read or used Haringey Statement of Community Involvement (N=20)

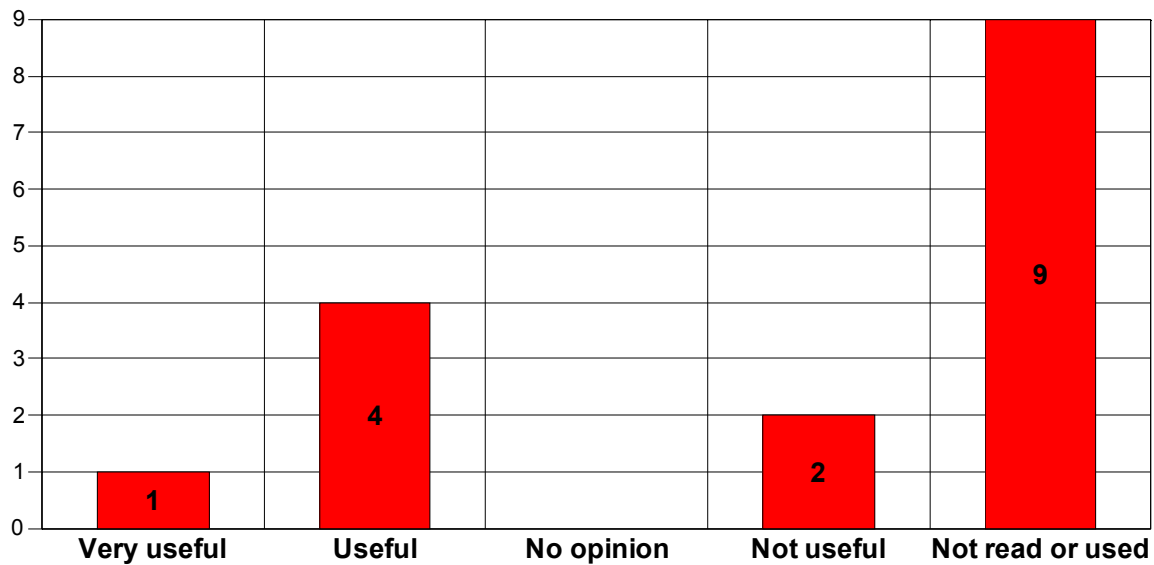


- 2.5 Of those seven respondents who had read the SCI, five (71%) found it either 'very useful' or 'useful' (Figure 4). Analysis of qualitative responses would suggest that there is some scepticism as whether the community engagement or involvement processes described in the document are followed through in practice:

'Have just looked at it.. and good in theory but in practice?

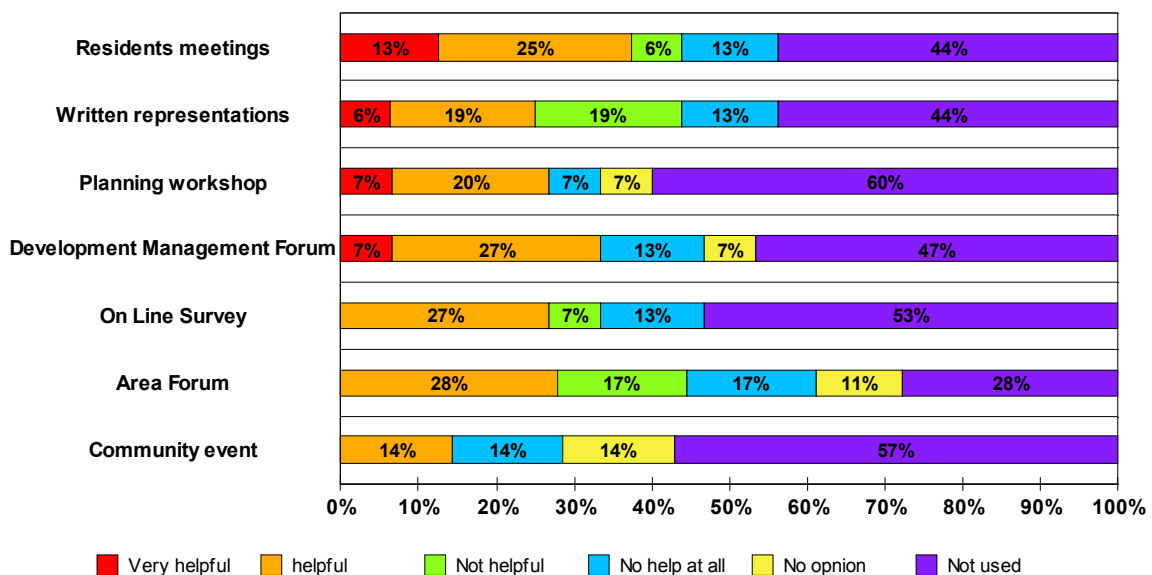
'.... more a statement of intentions than a recipe for action.'

'Haringey planners need to read it and it should do what it says on the tin.'

Figure 4 - How useful was the Statement of Community Involvement (n=16)?

Consultation methods

- 2.6 The survey sought to assess the consultation methods in which local community groups had been involved and perceptions of how helpful these were to planning processes. Almost $\frac{3}{4}$ (73%) of respondents had participated in a planning consultation at a local Area Forum, though on the whole, the survey would appear to suggest low levels of engagement with other consultation methods (Figure 5).
- 2.7 The consultation methods that respondents indicated were most helpful included residents meetings (38% agreed these were very helpful or helpful), Development Management Forums (34%) and Planning Workshops (27%) (Figure 5).

Figure 5 - Use and perception of local consultation methods (n=20).

- 2.8 Further analysis of qualitative responses give a more detailed assessment of some of the consultation methods used within the planning service. Quantitatively, 34% respondents indicated that it was unhelpful to use **Area Forums** as a medium through which to conduct planning consultations and this was substantiated in qualitative comments provided within the survey:

'The Area Forum is not an appropriate forum to gather consultation opinions due to the shortage of time and need to follow a set agenda which means residents are unable to speak freely. It should be used to publicise proposed developments instead and events.'

'The Area Forums are a good idea in principle... must be a total waste of public money and time. There are always more officers and Councillors than members of the public. Those few who attend are the same as make their voices heard anyway. The local publicity for these is also very poor – i.e. emailed posters not sent till almost last minute.'

- 2.9 Contrastingly, respondents were more satisfied with dedicated planning forums such as **Development Management Forums** which are operated to support large scale developments.

'Development forums are very helpful.'

'The Local Development Forums can be extremely useful and we hope that these will continue.'

- 2.10 There was a perception however among some respondents, that Development Management Forums could be held more frequently:

'... DMFs held which are also not frequent enough.'

- 2.11 Further data analysis would suggest that there is too greater reliance on **digital and on-line** responses for planning consultations which may exclude those who are not digitally connected and which disconnects people from the areas and proposals on which they are commenting:

'Web-based material is useful, but not readily accessible to many residents.'

'The effect of on line surveys is very hard to gauge.'

'Consultations tend to rely far too much on internet access. As noted at the meeting, not everyone has access nor do they wish to participate in this form.'

- 2.12 On the whole, respondents would appear to demonstrate a preference for more **participative methods of consultation** in which local communities could physically meet and discuss planning proposals with planning officers:

'More, localised, Public Meetings would be an advantage... '

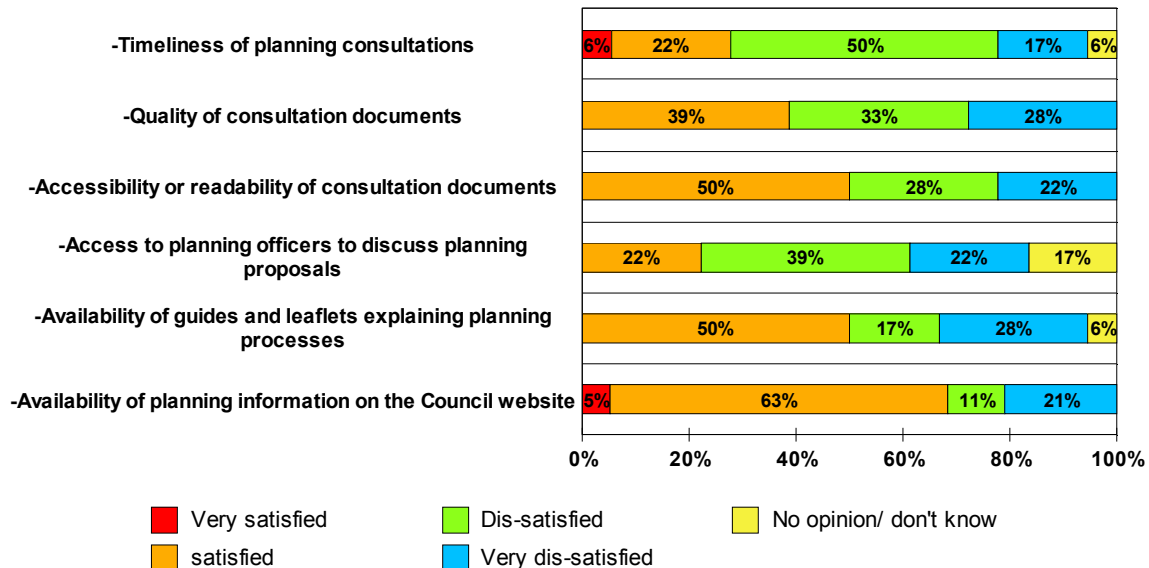
'Residents have strong views about planning issues and welcome opportunities to discuss planning matters, rather than simply responding in writing.'

'Meetings and personal contact with genuine discussions.... '

Overall satisfaction with planning consultations

2.12 Respondents were asked to indicate how satisfied they were with aspects of the planning consultation process such as the timeliness of consultations, quality of consultation documentation and access to planning officers. These responses are summarised in Figure 6.

Figure 6 - Overall satisfaction with aspects of planning consultations (n=16)



2.13 Over 2/3 (68%) of respondents indicated that they found planning information on the **council website** useful (Figure 6). Whilst some respondents indicated that there were some technical difficulties in accessing certain planning documents on the website, overall there appeared to be a general satisfaction with information available on the website:

'.... some documents are not easy to use on line, there can be problems for Mac users.'

'I think information on council website is very good, Very pleased that CAAC minutes and annual reports are on council website. Thanks.'

2.14 One suggested improvement that could enhance the accessibility of planning documentation on the website was better **labelling of consultation submissions** or comments received for individual applications:

'With regard to the planning applications on the website, there could be better labelling of the PDFs. Sometimes there is no labelling at all... and it can take a long time to find the relevant one. It would also be useful if the PDFs containing comments from the statutory consultees or the design officer could be marked accordingly.'

2.15 Analysis of quantitative responses also indicated that two-thirds of respondents were dissatisfied (67%) with the **timeliness of planning consultations** (Figure 6). This was verified in qualitative responses where respondents indicated that there was insufficient time to respond to development notifications:

'If [we] do get a letter then the deadline for responding is almost up. We are notified too late.'

'21 days is not long enough for comment to be made.'

'If you are on holiday or away, you may be too late to provide input.'

- 2.16 There was also a perception that there was insufficient time given to respond to major development proposals:

'An example of a current method is the Site Allocations DPD which I was told about on 20 January for consultation until 7 March. This is a very short time for such a central policy proposal.'

- 2.17 Survey analysis indicated that just 39% of respondents were satisfied with the **quality of documentation** for planning consultations (Figure 6). Analysis of qualitative comments would suggest that the main concerns that potential contributors with planning consultations was that documentation did not give enough detail or that information which was submitted was incomplete:

'Documentation supplied by applicants often contain insufficient detail with poorly drawn or no plans.'

'There are often examples where the description of the proposed development is incomplete and quite important aspects of the development are just left out entirely. The planning officers should check the description against the submitted drawings and not just the information provided in the application form.'

- 2.18 Whilst 50% of respondents indicated that they were satisfied with the accessibility or readability of planning consultation documentation (Figure 6), qualitative analysis would suggest however that there was too great an **emphasis placed on digital distribution** of planning documentation and that physical access to hard copies of planning documentation could be improved:

'Applications are not sufficiently well publicised. Too much reliance is placed on online dissemination and merely having the documentation at libraries is insufficient.'

'More active information so that we don't have to search out.'

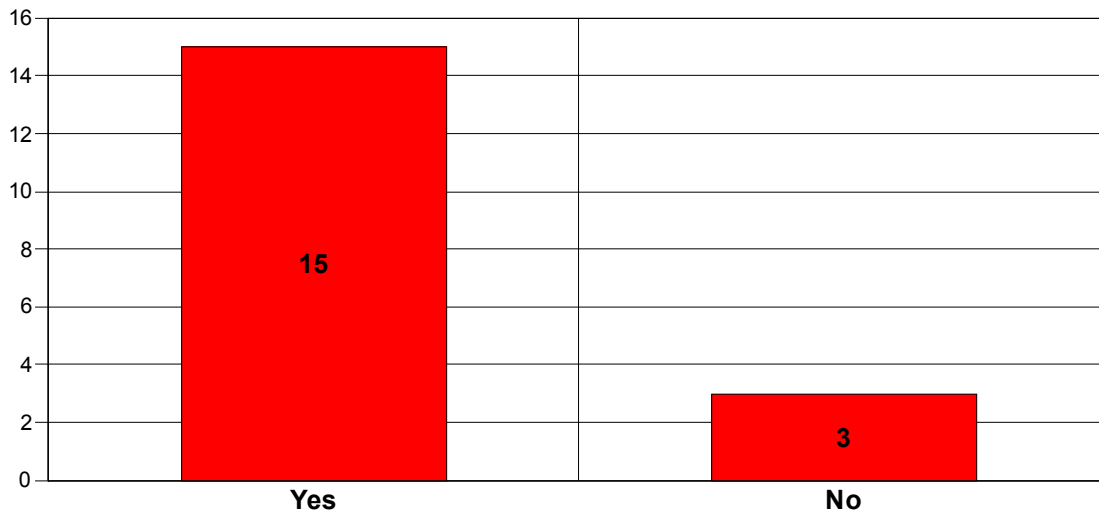
'..... it is essential that any supporting documentation should be made available in 'hard copy'.'

More involvement in Planning Consultations

- 2.19 Quantitative analysis indicated that 15 out of 18 respondents (83%) would like to be more involved in local planning consultations (Figure 7). Analysis of qualitative data would indicate that local community groups and residents associations contain many informed individuals who are familiar with planning systems and want to play a more active role. Of particular note, analysis suggested that the community should be seen as a resource and that local residents could help to provide key local information to support planning officers and planning processes:

'We can easily supply specific information re an application because of our local knowledge; context of proposals not easy for officers to understand on occasion.'

Figure 7 - Would your community group like to be more involved in planning consultations (n=18)?



2.20 Respondents also indicated that it would be useful if **planning officers** could attend local meetings to discuss consultations for local planning applications or planning policies, particularly as group members may not have the confidence to attend official planning meetings:

'Discussion with officers at our meetings.'

'Planning Officers to be available to attend group meetings.'

'... planning officers coming to our meetings. Many people are too nervous to go to official meetings.'

Factors to help improve community engagement and involvement

2.21 Respondents were asked to indicate what practical steps could be taken to improve community engagement within planning consultations. Quantitative analysis indicated that the most favoured way to improve community engagement for planning consultations was earlier notification of planning application proposals where 84% of respondents indicated that this would be helpful (Figure 8).

2.22 Analysis of qualitative comments would suggest that **earlier engagement** with the local community, particularly in relation to new development would be most beneficial as this would allow more timely input into proposed development which may avoid later problems in the planning application process:

'Early notification of proposed plans or changes is essential if people are to have time to respond.'

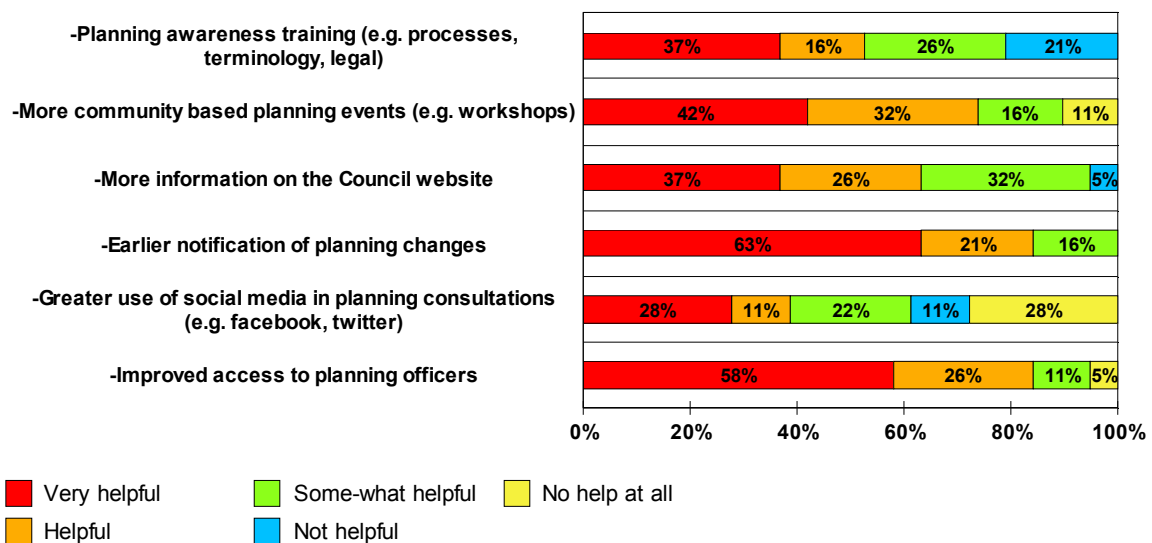
'Engage with applicant at pre-application stage.'

'Representatives of local community groups could be invited to attend pre-application advice meetings. We might then avoid having unsuitable designs inflicted on us, and address contentious issues at an early stage.'

2.23 Qualitative analysis also suggested that almost all (100%) respondents to some degree, would welcome earlier consultation in the development of local planning policy:

'To be consulted about new policies at an early stage and not just to find out about things when they are published as happened recently with the policy on basement extensions.'

Figure 8 - Factors that would assist further community engagement in planning consultations (n=16).



2.24 Earlier sections of this report have highlighted that residents would like planning officers to attend local group meetings and events as a further way to encourage participation. This was also verified in quantitative responses here, where most respondents (95%) indicated that improved access to planning officers would also support further engagement and involvement in local planning consultations (Figure 8).

2.25 In general, qualitative analysis would suggest that improvement to planning notification systems would also help to develop community engagement and involvement. Firstly, there was a concern that the **weekly notification list** of new planning applications was about to be discontinued. Respondents evidently found this weekly notification very helpful and suggested that it be retained:

'We regret that it is proposed to discontinue the weekly list of planning applications which is a valuable method of community involvement.'

'You should not stop sending the planning app lists to people currently on the distribution list. I learnt that this is the intention.'

'It's a shame the weekly/monthly email of current applications to interested parties by ward is ending. This is very useful.'

'The present system of the weekly distribution of Planning Applications by email must be continued.'

- 2.26 A number of respondents indicated that the community group of which they were a member was not routinely included in local notifications or consultation processes. As a consequence, this required members to be **proactive in researching proposed new developments** or policies that may impact on the local area in order for them to respond or be involved:

'In order to respond, our group needs to be proactive, by scanning the application lists and website to see what is coming up. We receive neither written nor electronic notification of proposed developments.'

'The only way to find out what is happening is to continually check the planning website.'

- 2.27 Qualitative analysis would also suggest that respondents had concerns around the efficacy of notification systems to inform residents of proposed development within the local area.

'Very few residents get notification of development plans in the immediate vicinity.'

'Community groups, Residents Associations and residents should be sent letters of notification of proposals.'

- 2.28 In the context of the above, respondents underlined the importance of other traditional methods of distributing planning notifications such as advertising in **Haringey People** and the placement of **posters** displayed in local areas affected:

'Local newspapers are not delivered so the Council must advertise in Haringey People also.'

'I know it sounds odd in the present age, but the practice of sticking a notice on or near the application premises is still a very useful way of alerting residents to an application.'

- 2.29 What is apparent from qualitative analysis is that, where possible, the Planning Service should support a **multi-faceted approach**, where the diversity of methods deployed can further ensure that planning notifications (for new development or new policies) reach the target residents and communities:

'I would like people whose lives will be profoundly affected by plans and decisions to be informed by all possible methods.'

- 2.30 Qualitative responses provided elsewhere in this survey indicated that local communities found it difficult to access planning consultations due to the complex nature of planning processes. Further evidence of this concern is provided here where just over 1/2 (53%) of respondents suggested that further **training on local planning issues** would be helpful to support community engagement (Figure 8):

'More training for Community groups.'

'There is little information for the public as to how the planning system works, its implications and how residents should be participating.'

'It would also be useful to have something similar on generic subjects rather than individual applications. For example on shop-fronts, basement extensions

or front garden parking. The idea being for the officers to describe policy and what powers the Council has and for residents to get a better understanding of the issue and raise any questions or concerns.'

- 2.31 Further analysis of qualitative data revealed one important further issue which would help to support further engagement and involvement by the community in local planning consultations. Many respondents indicated that at present, little **feedback** is provided to contributors to planning consultations which makes it difficult to determine the usefulness of submissions and how this has impacted on final plans:

'Often the designated planning officer does not mention comments in her/his report.... '

'Lots of good intentions at consultation meetings and such.... but then? Often disappear without trace or the agreed actions don't happen etc.'

'Consultation should directly involve residents and the results need to be made transparent.... '

'Community Engagement would be improved if the Council were to publish and explain the reasons for their decisions when they are contrary to the views expressed through this process.'

- 2.32 With little feedback as to how contributions have informed consultations and impacted on final plans, there was a perception that planning consultations were not a **two way process**, which left participants feeling frustrated:

'... if you call it a consultation it must be one. It is a two way process or don't bother.'

'Prove that you have listened to what we say.'

'Planning Officers must be open to listening to the public's view.'

'The consultation process is a charade. While it is easy to comment online on planning applications, local residents' opinions seem to be totally ignored. One questions whether the planning officers read them.'

- 2.33 Respondents suggested that if it was apparent that consultation contributions had been assessed and recorded where these had influenced planning decisions, this would encourage further participation:

'[Our community group would be more involved] if they felt that their comments were taken more seriously. It is often the case that the comments submitted by this CAAC for example are not mentioned at all in a planning officer's report.....'

3.0 Other issues identified within the survey

- 3.1 To conclude, respondents were invited to provide any further information on any related issues to those covered within the survey. Analysis of these responses highlighted a number of areas for possible follow up.

Role of local Councillors

- 3.2 It was suggested that in recognition of the important role that local councillors play in supporting community engagement with planning processes, further training may help to promote greater understanding within the community

'The Planning Process is complex and difficult to understand. Not only should residents be given clear, readable information but local ward councillors must be trained in the Planning system.'

Planning Enforcement

- 3.3 Although not the focus of this survey, but clearly linked to how the community engages with the planning, planning enforcement was raised as a concern. It was suggested that arrangements for reporting planning infringements are not operating as effectively as they could:

'The survey should also include community engagement with Planning Enforcement, an area which desperately needs to be addressed and which Noel Park has been badly let down on.'

'Enforcement is a real problem. We notify Haringey of infringements and then very little happens; this is discouraging to say the least.'

APPENDIX C – Strategic Enforcement Scrutiny Report**Haringey Council**

Report for:	Overview & Scrutiny Committee	Item Number:	

Title:	Strategic Enforcement – Final Report

Report Authorised by:	Cllr Stuart McNamara, Chair, Environment & Housing Scrutiny Panel

Lead Officer:	Martin Bradford, Scrutiny Officer, Strategy & Business Intelligence, martin.bradford@haringey.gov.uk

Ward(s) affected: All	Report for Key/Non Key Decisions:

1. Describe the issue under consideration

- 1.1 The Environment and Housing Scrutiny Panel agreed to examine the strategic enforcement functions of the Council and its partners as part of its work programme for 2013/14. The following provides a report of the work it has carried out, together with its conclusions and recommendations.

2. Chair of Environment and Housing Scrutiny Panel

- 2.1 Enforcement is a key area of responsibility, not only for the council, but for the many local, regional and national partners it works with. Coordinated working practices with a clearly defined framework that sets out manageable yet ambitious expectations for what enforcement seeks to achieve is central to this.
- 2.2 A wide range of evidence has been gathered from all departments with enforceable functions, as well as from key partners and other local authorities. This report makes a number of focused and themed recommendations that aim to build on the very good work already undertaken and address the key areas of development with workable solutions.

3. Recommendations

- 3.1 That the Overview & Scrutiny Committee notes the contents of this report and agrees the recommendations contained within it.

4. Other options considered

- 4.1 The conclusions and recommendations developed within this report have been reached after consideration of the evidence obtained from local stakeholders, partner organisations and other local authorities.
- 4.2 The Cabinet member will respond to the recommendations contained within this report when it is presented at Cabinet.

5. Background information

- 5.1 Under the agreed terms of reference, the Environment and Housing Scrutiny Panel can assist the Council and the Cabinet in its budgetary and policy framework through conducting in depth analysis of local policy issues.
- 5.2 In this context, the Environment & Housing scrutiny panel may:
- Review the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
 - Conduct research, community and other consultation in the analysis of policy issues and possible options;
 - Make recommendations to the Cabinet or relevant non-executive Committee arising from the outcome of the scrutiny process.
- 5.3 Cabinet Members, senior officers and other stakeholders were consulted in the development of an outline work programme for Overview & Scrutiny Committee and Scrutiny Panels. An assessment of the strategic enforcement functions of the Council was agreed to be included within this work programme by the Committee at its meeting on June 17th 2013 and a scoping report agreed at Environment and Housing Scrutiny Panel in September 2013.

6. Regulatory and Enforcement functions of the Council.

Background

- 6.1 The Council and its partners hold a number of regulatory functions that allow them to control the behaviour of individuals and organisations in the public interest. These regulatory services cover a wide range of areas including:
- Environmental Health (e.g. pollution, food protection, noise, health and safety);
 - Fire safety;
 - Licensing (e.g. alcohol, entertainment, gambling, street trading);
 - Trading Standards (e.g. fair trading, animal health, product safety, metrology);
 - Planning (enforcement and building control).

(A full list of local regulatory functions of the Council and its partners, together with a brief description of their relevant duties is contained in Appendix A)

- 6.2 Nationally, over 18,000 officers are employed in delivering regulatory services for the local community for which the net cost of this investment is approximately £1.2billion per annum (Appendix B).
- 6.3 In addition to regulatory functions, Local Authorities may carry out a number of enforcement actions which support statutory powers or duties of regulation. Such enforcement action may encompass a wide range of activities including:
- Highways and Parking (e.g. network management and obstruction);
 - Local benefits and taxation (e.g. Council Tax and Housing Benefit);
 - Anti Social Behaviour; and

- Waste and Recycling.

6.4 A wide range of tools and processes are used to support enforcement action taken by local regulatory and enforced services. These may include:

- Issuing of licenses or permits: which may bind the applicant to certain service standards, principles or behaviours which can be subsequently monitored and enforced;
- Inspections: to ensure compliance with statutory duties and or license conditions;
- Investigations: responding to public or member complaints or intelligence to ensure compliance or adherence to duties, standards or permissions;
- Notices: issuing of legal notifications to both residential or commercial premises outlining breaches, rectifications needed and consequences of non compliance;
- Imposition of conditions: for a license, consent or other formal permission;
- Fixed Penalty Notices (FPN): on the spot fines for non compliance (e.g. litter);
- Court Prosecutions.

6.5 Preliminary scoping of this area with council enforcement officers identified a number of issues which would benefit from further scrutiny investigation and assessment:

- How internal services and external agencies work together to deliver coordinated enforcement action (e.g. joint working, shared protocols);
- How information is collected, held and shared across the Council to improve enforcement action;
- How improved compatibility of enforcement IT systems could support effective enforcement action;
- How developing a more coordinated and consistent approach to enforcement will help with establishing local priorities and target setting and facilitate clearer communications with local stakeholders (e.g. local residents, businesses).

6.6 With almost 20 individual services involved in a local regulatory or enforcement roles, it is important that these services liaise and work together to ensure that any action taken to support enforcement is coordinated, consistent and effective.

7. Aims, objectives and outcomes from scrutiny involvement

Aims and objectives

7.1 It is anticipated that the through its work with local regulatory and enforcement services, the EHSP will focus on:

- Coordination, consistency and effectiveness of enforcement functions across the Council;
- Public awareness of and engagement with enforcement functions across the Council.

7.2 Within these overarching aims, the panel agreed the following objectives:

- Establish baseline data by conducting an audit of enforceable functions across the Council and its partners;
- Identify best enforcement practice and how this can be shared across Council enforcement services;
- Identify barriers to effective enforcement and make recommendations as to how these can be overcome;
- Consult with specialist agencies and other local authorities to guide and inform enforcing policy and practice in Haringey;

- 7.3 In meeting these objectives, the panel agreed that its work would contribute to the following outcomes:
- The development of an overarching enforcement policy or approach to enforcement across the Council;
 - To support the development of a strategic approach to enforcement across the council;
 - Establish criteria for enforceable actions (for example, fairness, proportionality, public safety, costs, public interest);
 - To identify how enforcement functions can be supported to work together (e.g. IT systems, protocols, data sharing, partnership working);
 - Ensure that there is an effective process for public involvement in enforcement processes (awareness, engagement and notification).

Work-plan

- 7.4 A range of information gathering methods were employed to ensure that the EHSP had access to the evidence necessary to assist them with this investigation. This included:
- Desk based reviews (local policy and performance data);
 - Formal panel meetings (to hear evidence from officers and to coordinate work programme);
 - Informal evidence gathering sessions (with local stakeholders and other informed agencies);
 - Informal focus groups with enforcement services;
 - Primary data collection (survey of enforcement services).
- 7.5 A range of internal enforcement stakeholders, external partners and agencies were consulted within this investigation, which included:

Internal enforcement and regulatory services consulted		External enforcement
• ASBAT • Neighbourhood Action Team (NAT) • Highways and Parking Services • Council Tax Investigations • Housing Benefit Investigations • Private Sector Housing Management • Homes for Haringey	• Parks and Recreation Services • Licensing • Planning Enforcement • Building Control • Regulatory Services (Environmental Health, Trading Standards, Noise and Pollution)	• Metropolitan Police • London Fire Brigade • Transport for London • London Borough of Waltham Forest • London Borough of Hackney

- 7.6 In addition to the above enforcement services, the panel held meetings with key corporate departments to consult on council enforcement issues (e.g. Data Protection, communications strategy for enforcement and enforcement information systems). Key staff consulted included:
- Head of Audit and Risk;
 - Head of Communications;
 - Head of Information Technology.

- 7.7 An outline of the work programme to support this investigation is summarised below:

Aim	Purpose / Activity
Scoping	1. Clarification of Council role in this area 2. Informal group meeting with enforcement officers 3. Agree scoping with the panel
Establish baseline data	1. Survey of officers with enforcement functions 2. Informal individual and group meetings with enforcement officers
Identifying effective enforcement	1. Evidence gathering sessions with enforcement officers (internal and external) to identify: ▪ Examples of effective enforcement coordination ▪ Barriers to effective enforcement ▪ Council support for more effective enforcement
Comparative policy and practice	1. Evidence gathering session with other local authorities: ▪ What can be learnt from their experiences ▪ Identify informed/innovative practice

- 7.8 In total, the panel held 8 evidence gathering sessions between 7th November 2013 and 10th March 2014. A full list of evidence gathering sessions held with council enforcement services and partners is contained in Appendix C.

8. Recommendations of the Environment and Housing Scrutiny Panel

1. Enforcement Culture

It is recommended that the current Council Enforcement Strategy (2007-2010) is assessed and updated to reflect the conclusions and recommendations made within this report.

The following have been developed in the context of the council's broader approach to enforcement and work already under way. It is recommended that Haringey Council adopt the following enforcement principles:

- The willingness to take direct action where appropriate and necessary;
- A fair yet firm approach to enforcement;¹
- A focus on prevention where possible as a means to promoting awareness and compliance to avoid the need for enforcement action (e.g. education and advice);
- A policy of investing to save in the short-term so that in the long-term resources can be saved on enforcement surveillance and action that could be better used across the council;
- Cross departmental and inter-agency dialogue and cooperation that lends itself to a strategic approach to enforcement and best use of finite resources in the context of a decreasing local government budget;
- Where possible, enforcement income is ring-fenced to consolidate and strengthen enforcement services;
- The central role of enforcement in supporting regeneration;
- Due diligence checks must consider an assessment of compliance with the local regulatory and enforcement framework before the award of any local grants (e.g. for shop frontages).
- As part of increasing awareness of enforcement activity and expected duties of the public, a clear description of the escalation procedures is produced and adhered to.

2. Information Systems

a) To support a strategic and more coordinated approach to enforcement across the Council, it is recommended that existing enforcement information systems are linked to a core database. This will facilitate a centralised record of enforcement actions/ events which, once analysed, can be used to guide and inform enforcement priorities and action across the Council. The core database:

- Should be linked to a Local Land Property Gazetteer to ensure that the system is underpinned by accurate and consistent property referencing;
- Be supported by a small dedicated unit (Enforcement Task Force) who can provide analytical expertise, add value to the core data and guide and inform a strategic approach to enforcement.

The establishment of a core database will assist the Council to:

- Deliver more coordinated and joined up enforcement action across the Council;
- Prioritise and target enforcement action and use resources more effectively;
- Develop a proactive approach to enforcement;
- Better respond to the enforcement concerns and priorities of the community;
- Map out the effectiveness and compatibility of existing database and IT systems.

¹ In accordance with the Enforcement Concordat and, where applicable, the recently updated Regulators Code Better Regulation Delivery Office on 6 April 2014, <https://www.gov.uk/government/publications/regulators-code>

- b) It is recommended that the Council ensure that any new information system procured for parking is fully integrated and compatible with systems used in other regulatory and enforcement services.
- c) In discussions with all regulatory and enforcement services, together with IT, it is recommended that there is a detailed assessment of the longer term viability of the M3 regulatory information system, considering that:
 - It is not presently being used to full capacity;
 - There are limitations to its use and accessibility by other enforcement and regulatory services that would benefit from having access to it;
 - It is not compatible with other enforcement systems (e.g. planning IPIAN)
 - That any replacement system should be developed so as to meet the need to the work of (mobile) front line officers.
- d. A dedicated web page (or information sheet) is developed for members and the reference group² outlining key enforcement information and contacts which may assist in the identification and or resolution of local enforcement concerns.
- e. It is recommended that the Council further promotes and extends the use of the My Haringey enforcement APP across front line council staff (e.g. Planning Service).

3. Partnership Working and Development

Improved partnership working across the enforcement sector will help to develop capacity as this may help to extend knowledge, skills, tools and a legal framework through which to support enforcement action.

- a) It is recommended that the Council develop a Top 10 or Top 20 system where enforcement and regulatory services and partners meet/communicate regularly, on items from their own (Level 2) Top 10 enforcement cases that they nominate. The collation of the range of (Level 2) Top 10 lists will then form a central top 20 (Level 1), each entry being designated to one department/ partner with a named officer to take the lead in delivering an holistic assessment, action and enforcement outcome.
- b) Where appropriate, to raise awareness and reporting of enforcement issues, relevant enforcement officers undertake selective training or briefings with other front line services, utilising the capacity for in-house training and knowledge sharing e.g. Building Control briefing for Social Workers.
- c) i) It is recommended that the key elements of success of the Partnership Tasking Group are shared more widely across the Council to promote and extend best practice in prioritising and targeting enforcement action.
ii) That an audit of Tasking Groups, including who sits on these, how frequently they meet, their remit and powers and who they report to, is undertaken to aid sharing of information and effective partnership working.
- d) a) To promote a clearer understanding of Data Protection, as well as consistency of approach and effective information sharing arrangements within the Data Protection framework, it is recommended:

² The reference group should consist of ward councillors, local community groups, residents associations and Conservation Area Advisory Committees.

- i) That there is greater consistency on data sharing statements on all council forms and applications (in consultation with Legal Services, Information Governance and Audit & Risk);
 - ii) That further guidance is provided to enforcement and regulatory services regarding Data Protection and information sharing (particularly where fraud is suspected).
- e) To promote information sharing with key partners and other external agencies, it is recommended that the Council:
- i) Should seek to develop the provision and use of Memoranda of Understanding (particularly with utility companies);
 - ii) Establish a named contact within NATs to liaise with Mental Health Services (BEHMT) to support enforcement outcomes, whilst also being sensitive to mental health needs.
- f) To further promote local enforcement partnership working, it is recommended that the Council work with the Police to support local SNT panels and ensure that there is representation from key council services such as NATs and Homes for Haringey.
- g) In the context of substantive organisational change, it is important that the Council retains those informal partnerships and information sharing arrangements which underpin effective enforcement action (organisational memory). It is therefore recommended that where possible, information sharing protocols are developed across enforcement and regulatory services so as to formalise such arrangements.
- h) To increase the investigative capacity and skills of the organisation, it is recommended that the Council should develop and train a pool of Proceed of Crime Act (POCA) trained staff (e.g. through future recruitment, provision of educational allowances).
- i) That the Council, (perhaps in conjunction with other North London Boroughs) and through the Chair of the North London Magistrates Bench, seek to offer updates and training to local magistrates, so as to promote mutual awareness and appreciation of the problems of regulation in the private rented housing sector (e.g. how cases are handled in court and how costs are recovered).

4. Selective Licensing

Using the evidence and learning provided so far from the London Borough of Newham and on the basis of numerous other London councils proceeding with some form of Selective Licensing, it is recommended that an appropriate form of Selective Licensing is adopted borough wide, subject to the following criteria:

- Further work by the EHSP to identify and compare what work is underway in the 31 other London boroughs;
- Identification of key legal & IT barriers and risks and how they might be overcome or minimised;
- Identification of a financial business case, in terms of the optimum start up costs and how any such scheme could progress to a self-financing model within a reasonable time period;
- The development of a sound evidence base for implementation (e.g. prevalence of ASB in private sector housing);
- That greater emphasis is placed on the landlord for regulatory compliance;
- Identify improvements to private sector management and the quality of housing services for local tenants in the private rented sector;

- This should link to a) Discretionary Licensing Pilot Scheme b) the enforcement work with the illegal conversion of industrial units to residential units.
- The development of a pilot area for implementation to facilitate the above criteria.

5. Communications

- a) It is recommended that a 'welcome pack' is developed for new businesses³ that sets out the duties and expectations of responsible businesses as well as the range of support services available. It is suggested that this is systematically distributed to new businesses as they are identified to promote awareness and compliance with local regulatory and enforcement frameworks.
- b) It is recommended that regeneration, enforcement (planning and licensing) and local taxation services develop a mechanism through which the details of new businesses are communicated and shared across the council to ensure, where necessary, business are appropriately registered (e.g. food premises, council tax etc).
- c) The frequency, profile and substance of successful enforcement outcomes are communicated to local residents and businesses to reinforce the strategic enforcement approach and culture of the organisation.
- d) That further consideration is given within the Customer Service Transformation Programme to the way that local residents engage and present enforcement information and intelligence to the Council (Level 1 Customer Services) and how this is effectively shared (with Level 2 enforcement services).
- e) It is recommended that further work is undertaken by the EHSP to gauge how enforcement services can improve the way that they engage and involve local residents, businesses and traders' associations.
- f) It is recommended that the relevant Cabinet member writes to London Councils, local MPs and appropriate government ministers to seek clarification and further guidance in relation to:
 - i) The designation of multiple housing units by the Valuation Office as an HMO or separate unit for the purpose of Council Tax liability;
 - ii) New framework for the 'Right to Buy' for local council housing and dealing with potentially fraudulent applications;

6. Member Involvement

It is recommended that further use should be made of members, in terms of their knowledge and understanding of the local area and issues (e.g. community concerns, new businesses,) in order to identify and prioritise local enforcement action. It is recommended that:

- a) Members should be encouraged to identify local hotspots and priorities for enforcement action which would benefit from an holistic enforcement approach from a range of services (e.g. waste, planning, licensing);
- b) That NATs officers undertake a walkabout with ward members every 3 months;
- c) Introductory member training is provided to promote an understanding of the enforcement and regulatory framework and the powers available to the council;

³ And also for chain stores, where new managers are frequently appointed.

- d) An enforcement circular is developed and periodically distributed to improve member interaction with enforcement and regulatory services (where action is being taken and progress made, so this can be communicated to the community).

9. Key evidence received by the panel

Survey of enforcement officers

9.1 A survey was designed by the EHSP and distributed to all enforcement services. The aim of the survey was to identify:

- Enforceable functions – statutory / local policy;
- Enforcement data held – enforceable actions;
- Lead officers, staffing and resources;
- Liaison with other services and agencies;
- Data sharing, joint working, IT systems used to support enforcement function;
- Public engagement.

9.2 Analysis of survey data highlighted that there was:

- A positive response to aims and objectives of the EHSP investigation;
- Evidence of good coordinated enforcement practice already taking place (e.g. Partnership Tasking Group);
- Evidence of where more co-ordinated enforcement action could take place.

9.3 The survey highlighted a number of general challenges for enforcement:

- Supporting legislation was varied, complex and often inadequate to secure tangible enforcement outcomes
- Due process was lengthy and resource intensive;
- Case complexity, time-lapses and inadequacy of legislation often inhibits the delivery of successful enforcement outcomes;
- The volume and nature of enforcement requests often generate competing priorities for enforcement services.

9.4 In developing a more strategic approach to enforcement, the survey also highlighted a number of specific organisational challenges for the Council:

- Information Technology:
 - Incompatible systems (software, viewing platforms, training)
- The Council is a data rich organisation – but information is not always effectively shared across services, underlining the need to develop shared intelligence;
- Access to existing internal enforcement databases by enforcement services should be developed and extended;
- Perception that joint enforcement work based on *informal relationships*– institutional risk that this may be lost (through staff leaving, restructures);
- There is a degree to which enforcement services are risk averse (e.g. interpretation of Data Protection);
- The need to develop access to external data sources (Experian) and information systems (e.g. Flickr);
- Public expectations on what can and cannot be enforced and communicating enforcement action should be a priority.

From the 8 evidence gathering sessions

9.5 From the **Health & Safety and Food Health** the key messages were:

- Improved public engagement is critical to support the work of the service;
- The volume of enforcement work (inspections) together with staffing levels inevitably means that work needs to be prioritised;

- Lack of staffing support (administrative) means that there are instances where highly qualified officers are undertaking administrative tasks instead of other more qualified duties – which is not best use of time and resources.

9.6 From the **Licensing Service** the key messages were:

- There are good examples of joined up working. For example with Public Health – Drink Aware (Reducing the Harm Annual Public Health Report);
- There is an information gap for new businesses in respect of their civic obligations and compliance with local regulatory and enforcement framework (e.g. registration requirements, Council Tax).

9.7 From the **Pollution Service** the key messages were:

- IT systems need to be developed to encourage and support information sharing;
- More cross-departmental working would be beneficial to support enforcement;
- Communication interface with the public needs a thorough reassessment (how members of the public contact enforcement services and how intelligence is gathered, recorded and shared).

9.8 From **Trading Standards** the key messages were:

- There are good examples of joint enforcement with external partners (e.g. HMRC);
- The public are an important source of information and intelligence for work of enforcement services. There needs to be a corporate approach to how services can engage the public and encourage reporting (Customer Service Transformation Project);
- Engagement with Councillors is important to develop understanding of local issues and processes;
- Links with regeneration and new businesses needs to be improved to ensure that there is a planned and prepared response for new businesses and that there is appropriate information sharing between services.

9.9 From the **Noise Enforcement service** the key messages were:

- Enforcement outcomes are not always that tangible, for example in terms of numbers of prosecutions;
- Further liaison with Mental Health Services may be necessary to ensure appropriate and sensitive enforcement outcomes.

9.10 From the **Regulatory Services Manager** the key messages were:

- There should be a renewed effort to link information systems that underpin enforcement;
- More use could be made of M3 (regulatory services database);
- There is potential to develop and extend existing good coordinated enforcement action across the council (e.g. Partnership Tasking Group);
- There is a need to further promote successful outcomes of enforcement projects across the organisation, and with members and the public.

9.11 From **Parking and Highways** service the key messages were:

- A broader enforcement role for Civil Enforcement Officers could be envisaged where appropriate, though parking enforcement would remain a top priority;
- Parking in parks and open spaces was highlighted as an area of recent collaboration between these two services;

- Parking on Homes for Haringey sites and other RSL estates was known to be an area of local contention in the management and enforcement of parking options.

9.12 From **Building Control** the key messages were:

- Access to Electoral Register and Council Tax records to assist in the identification of building owners would be helpful to assist enforcement;
- Whilst there was dialogue enforcement services across the council these relationships were predominantly informal and centred on individual staff;
- There were opportunities to use intelligence gathered from front line staff, particularly those that visit residents in their homes (opportunities to record a range of health safety issues to support enforcement in other services);
- Building Control does not have access to M3 (the regulatory services database), though this would be helpful.

9.13 From **Parks and Open Spaces** the key messages were:

- Two enforcement issues that are of concern for parks and open spaces for which more coordinated enforcement or support is needed are: Rough sleepers and Encroachment;
- Responsibility for particular green spaces is not always clear in the public perception which can give rise to enforcement issues where problems occur (e.g. fly tipping, poor land management).

9.14 From **ASBAT** the key messages were:

- There has been a six-fold increase in the number of higher level ASB reported (e.g. violence, threats, hate crime);
- Coordinated enforcement is central to ASBAT team operation as often numerous agencies are involved in finding solutions for ASBAT problems.
- A particular challenge that the service has to face is the engagement and response of local mental health services;
- ASBAT service does not have access to M3 the regulatory service, though it would be useful to have access to this database.

9.15 From **Revenues, Benefits and Customer Services** the key messages were:

- The department is reliant on a wide range of other sources to help build up a database of what properties there are in the borough and liability to Council Tax or Business Rates;
- The possibility of an audit of all the properties in the borough should be undertaken to ensure that there is an accurate and up-to-date base with which Council tax, and many other services, can work with;
- Improved access to local databases would help address validation processes.
- Memorandums of Understanding with utility companies would be beneficial to promote information exchange;
- Given the importance of Council Tax and Business Rates revenues streams, further investment to provide sound base/method/process for identifying both residential and commercial properties may be needed.

9.16 From **Audit and Risk Management** the key messages were:

- One of the key challenges for the borough is to keep up with local 'churn', to know what properties there are and who resides in these. This is a common problem across many services and it would be more effective to have a corporate response to ensure that there are sufficient resources / systems to meet this challenge;

- The establishment of a core database would be important to take a more coordinated approach to enforcement across the Council. This should link to existing databases used by individual enforcement services and create a centralised record of events or actions relating to a specific property reference;
- Right to Buy was an area of potential fraud given the large amount of monies involved (up to £100k discount).

9.17 From **Planning Enforcement** the key messages were:

- If there were more trained Proceeds of Crime Act trained officers, income retention would rise to 35% from 17.5% from POC cases. It was the view of the panel that the Council should explore ways to develop POCA capacity within the organisation;
- In some instances, the penalty regime in planning enforcement was not operating as an appropriate deterrent;
- There are many potential delays in the planning enforcement process e.g. appeals can suspend an enforcement notice for 9 months;
- It was noted that there is a training issue for staff to ensure that full and best use of information systems available to the service.

9.18 From the **Neighbourhood Action Team** the key messages were:

- A key issue for this service is that it is difficult to respond to all enforcement requests given the volume of requests received. In this context, it would be helpful if further guidance could be provided to help define priorities and guide and inform enforcement work;
- Members reported that in some instances, NAT officers undertook local walkabouts to help identify enforcement issues of concern in particular community areas. This was felt to be successful in developing communication and awareness and in helping to resolve local issues of concern;
- It was noted that NAT officers had issued over 800 FPNs in the past year, which provides some indication of the volume of enforcement undertaken by the NAT.

9.19 From **Homes for Haringey** the key messages were:

- That HfH had good working enforcement partnerships with a number of services including Noise Team (enforcement response) and ASBAT;
- In respect of environmental services, there was also a good working relationship where waste problems (such as dumping and clear up) were generally dealt with quickly. What was less robust, particularly in the estate setting, was identifying and taking action against those who were causing the environmental nuisance (i.e. those people dumping);
- It was also noted that internal IT systems could also be improved to monitor and identify repeat or common 'transgressors';
- It was noted that whilst police patrolled neighbouring areas, it was difficult to get police patrols within estates. It was felt that there should be a more strategic approach to policing on estates.

9.20 From **Private Sector Housing** the key messages were:

- Three types of licensing to private sector landlords, Mandatory – Large HMOs, Additional (for other HMOs), Selective - defined area all private rented properties. Selective Licensing scheme would be beneficial for coordinated enforcement:
 - Creates a central registry base tool
 - Fosters common enforcement approach
 - Penalty regime clear

- Should be accompanied by clear priorities
 - Newham – emerging findings
- Additional HMO licensing scheme has been in operation in Harringay Ward since October 2011. The relationship with landlords is different now as the onus is with landlords to engage with the Council;
- Although the scheme has been running for 12 months, there is no published evaluation of the Newham Selective Licensing scheme available as yet;
- It was noted that other local authorities (e.g. Enfield) have consulted on the introduction of selective licensing. Other boroughs may also be considering similar schemes (Hackney).

9.21 From **TFL** the key messages were:

- There are 70 PCSOs working for TFL enforcement in NE London. Enforcement on red routes undertaken primarily through CCTV and PCSO can be deployed on local intelligence for ongoing or persistent contraventions;
- Aside from the City of London, there are no joint enforcement partnerships;
- Legislation clearly sets out where CCTV can be used and this has to be focused on the road and not used for kerbside enforcement.

9.22 From Corporate Resources (**Communications, Audit & Risk, & IT**) the key issues were:

- The number of POCA cases in the council small at present, and cost benefit analysis should be undertaken in respect of providing further training;
- Data Protection Act does not restrict data sharing in cases of fraud;
- Channel shift to digital technologies is on a natural progression; without anything being done to promote this, it was noted that there was a 12.5% growth in council web usage and the use of on-line forms;
- Audit & Risk play an important role which underpins enforcement, in that it helps to ensure that relevant services have correct systems and procedures in place to reduce risk of fraud;
- There were two critical communications issues (1) how to publicise successful enforcement responses (2) how enforcement responses interact with the public in generating intelligence to inform work / enforcement action.

9.23 From other Local Authorities (Waltham Forest & Hackney) key issues were:

- London Borough of WF operates a top 20 system, where priority enforcement cases from respective enforcement services are referred centrally. A single point of contact is allocated for centrally prioritised cases which aims to bring a more coordinated response to multiple and persistent enforcement cases. Regular meetings are held with the cabinet member and ward members to provide progress updates. Cases are not taken off the list until resolved;
- It was important that there was a public narrative / perception around enforcement to back up policy actions i.e. there needs to be a supporting media strategy;
- Selective licensing is being considered other authorities and the evidence base needs to be established before this can be applied, and the Council should work to develop this (e.g. incidence and prevalence of ASB, working with landlords etc). A pilot scheme was a suggested approach;
- WF does not give grants to those premises which are not compliant with regulatory and enforcement framework and this is verified by street visits by officers;
- Given the centrality of data, information and intelligence to support enforcement function in Hackney a dedicated team has been established with the Community

Safety Service. One of the key functions of the team is to interrogate existing council databases to guide, inform and prioritise council enforcement work. An important part of this work has been to link these databases to Local Land Property Gazetteer to create a unique property reference number. The team is currently developing information sharing agreements with external partners.

9.24 From other partners (**London Fire Brigade and Metropolitan Police**) key issues were:

- Police and Fire Brigade respond to all licensing and planning application requests (statutory consultees under Licensing Act);
- The Fire Safety Order (2006) provides the main enforcement framework for the Fire Brigade (16 orders);
- When working in partnership with Private Sector Housing, enforcement processes rely on the Housing Act (2006) as there is a greater range of enforcement options;
- There should be a communications strategy to support the Partnership Tasking Group;
- Police indicated that it would be useful to have a central Council database to which it could refer and add data;
- Police can only produce a heat map to 250m² and would require further data for more proactive enforcement;
- As individual PCs are responsible for making contact with appropriate bodies, it is important that information about council enforcement services is regulatory distributed through to local SNTs.

9.25 Other key evidence recorded by the panel has been grouped under the following themes.

Data Sharing / Partnerships

- Improved **partnership working** across enforcement will help to develop the capacity for enforcement as this may help to extend knowledge, skills and tools (i.e. legislation) through which to support enforcement action;
- New technology is assisting with reporting e.g. the development of the new **My Haringey APP**;
- It would be helpful if **Data Protection statements** were consistent across the organisation (e.g. on forms, licences and applications) as this would present a coherent message to the public and support information sharing across the organisation;
- There is evidence that some services are **actively profiling** the most prolific properties and are working with other services to deliver joined up enforcement action;
- The Council should make more use of intelligence from front line officers (to be the '**eyes and ears**' of the organisation). There are examples of coordinated action across the Council where services meet to prioritise (**red flag**) particular cases which are of concern across numerous council departments;
- Opportunities to develop **Memoranda of Understanding** with key organisations (such as utility companies) to share data and cooperative working (enforcement) should be explored further;
- The **Customer Services Transformation Programme** should acknowledge the intelligence gathering role of enforcement services and ensure that there is effective notification and reporting;
- In the issuing of **council grants** (e.g. shop frontage), businesses should undergo **due diligence** check to ensure that they are fully compliant with local regulatory and enforcement frameworks;

- There was some consensus on the need to improve the accuracy of the current **property base record** on which many services were dependent, including council tax, planning, NAT, housing benefits
- The panel recommended that an **A5 flyer** is developed for members that outlines key enforcement contact details which may assist in the resolution of local casework and other resident enquiries (NAT, waste, traffic, SNT, Housing etc).

IT and enforcement

- The establishment of a **core data base** would be important to take a more coordinated approach to enforcement across the Council. This would link to existing databases used by individual enforcement services and create a centralised record of events or actions relating to a specific property reference or NI number;
- Parking Service is about to commence **procurement for a new IT** system as the current contract with Civica will expire in 2015. Procurement should ensure that the any new system can integrate with other relevant enforcement or regulatory services;
- There was a perception that the Council was **risk averse** in developing new technology. Whilst the need to deliver stable and secure systems was acknowledged, it was felt that more could be done to update and renew existing technology;
- It was noted that there are a number of issues around the effective use of the **M3** database used for regulatory services (improved access, used to full potential and future viability);
- Officers highlighted how practical and useful **smart-phones** would be for front line officers (with multiple inbuilt technologies) which in reporting and recording processes.

Barriers to enforcement

- **Transience** (high geographical turnover) is a significant barrier for local enforcement services and is experienced in both public and commercial spheres;
- Securing positive enforcement outcomes is problematic when involving people with **mental health** problems and a more supportive or holistic approach may be needed. There is a need to develop liaison with local mental health services.

Communications

- **Communications** was central to the function and operations of enforcement services – particularly in the way that the public are made aware of services, how enforcement services operate, how successful enforcement issues are publicised (as preventative) and most importantly, how local residents can report enforcement issues.

Regeneration

- The panel noted that there was an inherent tension between regeneration and enforcement, and whilst new business and regeneration opportunities should be encouraged, these should be compliant with local and national enforcement standards;
- The possibility of developing a '**welcome pack**' for new businesses should be explored to highlight services available, advice and support in the area as well as duties and responsibilities (e.g. to register with appropriate regulatory services such food health etc);

- There should be a fuller assessment of the demand for regulatory and enforcement services ahead of major **regeneration**;
- There are issues among a number of services with the **Valuation Office** and the designation of multiple units in houses as either separate flats or an HMO. This is important as it will determine who is liable for council tax.

Role of Members

- **Members** represent a significant enforcement resource in respect of local knowledge (new businesses, community issues) and in the identification of local enforcement priorities. Members also need to be kept up to date with local enforcement outcomes;
- A key issue for NAT officers is that it is difficult to respond to all enforcement requests given the volume of enquires received. **Members** should be involved in helping to guide and inform priorities for local areas. It was also suggested that there should be some level of **public and resident engagement** around enforcement to help identify local priorities for enforcement.

Training and development

- There was a consensus within the panel that the council should adopt an '**invest to save**' approach to enforcement services. The panel noted that a number of individual cases could be made for investment which would at worst be cost neutral, or indeed, have the potential to deliver increased income for the Council (Private Sector Licensing Scheme, POCA);
- There was a perception among the panel that **Magistrates** may not be fully aware of the situation with 'rogue landlords' and the problems that poor housing management causes in the community. It was felt that there should be more dialogue with local Magistrates and judiciary to promote in-service training on how such cases are handled in the courts.

10. Comments of the Chief Financial Officer and Financial Implications

- 10.1 There are a large number of recommendations within this report and before proceeding to Cabinet these should be reviewed to more clearly define what actions are being recommended in order that an accurate cost of implementation can be calculated. There is likely to be a significant cost of implementing the recommendations and although some have the potential of leading to service improvements and savings to the Council, more work on likely costs and benefits is required before decisions to proceed with additional work could be made.
- 10.2 Specifically there are likely to be significant costs relating to Information Technology recommendations and amendments to computerised systems and these need to be considered in light of the fact that IT systems used are often bespoke for a certain process and amending to ensure compatibility with other systems is likely to be expensive.
- 10.3 There is also a degree of overlap with the recommendations and existing Corporate programmes and projects, for example the Customer Services Transformation programme and Investment in HMOs and Planning Enforcement and any work needs to be integrated with those projects to avoid duplication.

11. Head of Legal Services and Legal Implications

11.1 The Assistant Director of Corporate Governance has been consulted in the preparation of this report. There are no immediate legal implications arising from this report.

12. Equalities and Community Cohesion Comments

12.1 Overview and scrutiny has a strong community engagement role and aims to regularly involve local stakeholders, including residents, in its work. It seeks to do this through:

- Helping to articulate the views of members of the local community and their representatives on issues of local concern;
- Bringing local concerns to the attention of decision makers and incorporate them into policies and strategies;
- Identifying and engaging with hard to reach groups;
- Helping to develop consensus by seeking to reconcile differing views and developing a shared view of the way forward;
- Using the evidence generated by scrutiny involvement to help to identify the kind of services wanted by local people;
- Promoting openness and transparency; all meetings are held in public and documents are available to local people.

12.2 A number of engagement processes have been used to support the work of the Environment & Housing Scrutiny Panel and a broad representation from local stakeholders has been included.

13. Head of Procurement Comments

13.1 Not applicable.

14. Policy Implications

14.1 It is intended that the work of the Environment and Housing Scrutiny Panel will contribute and add value to the work of the Council and its partners in meeting locally agreed priorities. In this context, it is expected that the work of the Panel may contribute to improved policy and practice in the following corporate priorities:

1. Safety and well being:
 - Making Haringey one of the safest boroughs;
 - Providing a cleaner, greener environment with safer streets.
2. A better council:
 - Ensure that the council works in a customer focused way;
 - Strive for value for money.

15. Use of Appendices

15.1 All appendices are listed at the end of the report:

16. Local Government (Access to Information) Act 1985

Appendix A – Local Authority Regulatory Functions -Department for Business, Innovation and Skills (www.bis.gov.uk)

Function	Authority	Detail
Fire Safety	Fire Brigade	Local fire and rescue authorities are the primary enforcing authority for the Fire Safety Order in their

		area. The Order applies to all commercial premises and other premises to which the public have access, including the common parts of multi-occupied residential buildings. It does not apply to premises which are used exclusively as domestic dwellings.
Age-Restricted Sales	Local Authority	Unitary and county local authorities are responsible for regulating and controlling the sale and supply of goods that have an age restriction associated with them.
Alcohol and Entertainment Licensing	Local Authority	Unitary and district local authorities are licensing authorities in relation to alcohol, entertainment and late night refreshment licensing. This includes issuing and reviewing premises licenses and club premises certificates, ensuring that temporary event notices have been issued correctly and issuing and renewing personal licenses for individuals.
Animal Establishments and Animal Welfare	Local Authority	Unitary and district local authorities are responsible for the licensing of animal establishments and regulating the welfare of companion animals.
Animal Health	Local Authority	Unitary and county local authorities are responsible for regulating the movement, importation and marking of farm animals and the control of animal disease.
Building Control	Local Authority	Unitary and district local authorities are responsible for ensuring the standards set out in the Building Regulations are met. This includes making sure building work complies with the appropriate standards, that the health and safety of people in or about buildings is not compromised and that the welfare and convenience of people with disabilities are catered for satisfactorily.
Consumer Credit	Local Authority	Unitary and county local authorities are responsible for regulating the requirements surrounding the way consumer credit license holders conduct business.
Environmental Protection	Local Authority	Unitary and district local authorities, and port health authorities where separate, are responsible for regulation relating to the control of noise, pollution including the pollution permitting process, statutory nuisance, contaminated land and waste.
Fair Trading	Local Authority	Unitary and county local authorities are responsible for regulating fair trading legislation. This covers business operations relating to business-to-consumer transactions, including pricing, description of goods and services, trading practices and intellectual property.
Food Safety and Hygiene	Local Authority	Unitary and district local authorities, and port health authorities where separate, are responsible for regulating the safety and hygiene of food, the controls under which food is manufactured, prepared and sold, and matters of pest control. Unitary and county local authorities are responsible for regulating food hygiene at primary production premises (e.g. farms) and for the controls under which animal feed is manufactured.
Food Standards	Local	Unitary and county local authorities are responsible for

	Authority	regulating the composition and labelling of food and animal feed products.
Gambling Licensing	Local Authority	Unitary and district local authorities are licensing authorities in relation to gambling regulations. This includes issuing premises licences, regulating gaming and gaming machines in certain premises, granting permits for prize gaming and registering small society lotteries.
General Licensing	Local Authority	Unitary and district local authorities are responsible for a range of licensing regimes such as alcohol and gambling, including the licensing of taxis, house-to-house collections, sex establishments, Sunday trading, charity collections, scrap metal dealers and pavement cafes.
Health and Safety	Local Authority	Unitary and district local authorities are responsible for regulating health and safety in certain types of business, for example shops, hotels and restaurants as well as other low risk premises.
Housing	Local Authority	Unitary or district local authorities are responsible for enforcing regulations concerning housing, including provisions for area improvement, responsibilities of landlords, compulsory purchase, housing in multiple occupation and licensing of housing
Metrology	Local Authority	Unitary and county local authorities are responsible for regulating in relation to the control of weighing and measuring equipment and the sale of goods by quantity
Planning	Local Authority	Unitary and district local authorities are responsible for regulating in relation to planning controls.
Product Safety	Local Authority	Unitary and county local authorities are responsible for regulating the safety and labelling of products used by consumers.
Road Traffic	Local Authority	Unitary and county local authorities have some responsibility for regulating the control of overloaded and inappropriately loaded vehicles.
Explosives Licensing	Local Authority/ Fire Brigade	Unitary and county local authorities, or fire authorities where separate, are responsible for the licensing and storage of explosives including fireworks in certain premises.
Petroleum licensing	Local Authority/ Fire Brigade	Unitary or county local authorities, or fire authorities where these are separate, are responsible for regulatory activity relating to the licensing and storage of petroleum.

Appendix B - Summary of expenditure & staff with Local Authority Regulatory Services (Data relates to 2010-2011) (www.bis.gov.uk)

	Expenditure (000)		
	Gross	Income	Net
Alcohol and Entertainment Licensing	78,577	-63,892	14,685
Animal Health	30,934	-9,266	21,668

Animal Welfare – Licensing	18,933	-2,861	16,072
Environmental Protection	164,969	-24,357	140,612
Environmental Protection – Environmental Crime	32,541	-5,668	26,873
Food Safety	123,505	-8,614	114,891
Health, Safety and Welfare	62,069	-4,316	57,753
Infectious Disease Control	9,486	-1,348	8,138
Pest Control	57,386	-22,287	35,099
Port Health	10,271	-5,746	4,525
Private Sector Housing Standards	274,663	-82,438	192,225
Public Health	35,442	-6,503	28,938
Taxi Licensing	60,569	-56,524	4,045
Water Safety	5,583	-938	4,644
Other Regulatory Services	79,985	-34,659	45,327
Trading Standards	197,136	-20,856	176,280
	1,242,049	-350,273	891,776
Staffing			
FTEs	16,977		
Student officers	871		
Contract/Agency Staff	476		

Appendix C - Environment & Housing Scrutiny Panel - Work Schedule

7th November 10.00 - Enforcement Officers - Group 1	
Regulatory Services Manager	
Lead Officer -Licensing	
Noise	
Pollution	
H& S and Food Health	
Trading Standards	
7th November 14.00 - Enforcement Officers - Group 2	
Highways and Parking Enforcement	
Parks and Open Spaces	
Building Control	
ASBAT	
28th November 14.00 - Enforcement Officers - Group 3	
Planning Enforcement	
Revenues Benefits and CS	
Audit & Risk Management	
Neighbourhood Action Team	
3rd December 14.00 - Enforcement Housing- Group 4	
Homes for Haringey	
Private Sector Housing Improvement	
Private sector licensing scheme	
3rd December 19.00 - Enforcement Housing- Group 5	
Transport for London	
31st January 10.00 - Corporate Support Group 6	
IT	
Audit and Risk Management	
Communications	
7th March 10.00 – Other LA's Group 7	
Waltham Forest	
Hackney	
10th March 14.00 - External Partners Group 8	
Metropolitan Police	
London Fire Brigade	

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APPENDIX D - Two-year-old Early Entitlement Scrutiny Report

Report for:	Overview and Scrutiny Committee – 10 April 2014	Item Number:	
Title:	Two-year-old Early Entitlement – Conclusions and Recommendations of Children and Young People's Scrutiny Panel Project		
Report Authorised by:	Cllr Martin Newton Chair, Children and Young People's Scrutiny Panel		
Lead Officer:	Rob Mack, Senior Policy Officer (Scrutiny)		
Ward(s) affected:		Report for Key/Non Key Decisions:	

1. Describe the issue under consideration

- 1.1. The Panel has been undertaking an in-depth piece of work on the two-year-old early entitlement. This report outlines the conclusions and recommendations from this piece of work.

2. Cabinet Member introduction

N/A

3. Recommendations

That the following recommendations, as approved by the Children and Young People's Scrutiny Panel at its meeting on 27 February and outlined in Section 6 of the report, be approved:

- (i) That further intensive work be undertaken with childcare providers to develop the two-year-old early entitlement scheme, particularly where they have expressed an interest in expanding, with a proactive approach adopted.
- (ii) That action be taken to enhance the status of childminders so that they are encouraged to provide places as part of the entitlement and parents are more likely to consider using them. This could be done through, for instance, improved training

arrangements and the development of links with Children's Centres. In addition, consideration could be given to forming them into groups/cooperatives. Childminding could also be promoted in Haringey People.

- (iii) That further consideration be given by C&YPS to the transition process for provision for three-year-olds, with a view to identifying how available funding streams can be most effectively exploited.
- (iv) That work is undertaken to identify potential sites through liaison with Ward Councillors and that consideration is given to a wider call for suggested sites which could be promoted through residents associations, the Council's website and Haringey People.
- (v) That childcare provision be prioritised when considering the future use of empty Council premises and properties.
- (vi) That communication with parents and carers be improved, including:
 - More user-friendly and attractive letters, with a named contact; and
 - A Freephone contact number that is also free from mobile phones.
- (vii) That work be undertaken with NHS commissioners to facilitate the involvement of Health Visitors in promoting the two-year-old early entitlement by providing information to parents during their visits. This should be built into protocols as the local authority will be taking over responsibility for commissioning the Health Visiting Service from 2015 and there is an aspiration for a return to a Universal Offer.
- (viii) That work to promote the entitlement be extended to other professionals in contact with expectant mothers and mothers with very young children, who should be encouraged to disseminate information on the two-year-old entitlement.
- (ix) That work is undertaken to look at setting up 'Playground Champions' within infant and primary schools as a means of promoting the scheme.
- (x) That the model used by the School Admissions service should be the template for arrangements to allocate places and fill vacancies for the two-year-old early entitlement.
- (xi) That mapping should be published which shows levels of take up, available places and children awaiting placement in each ward. A system of tracking outcomes should also be developed. This could include case studies.

4. Other options considered

N/A

5. Report

Introduction

- 5.1 The Panel has been undertaking an in-depth piece of work on the two-year-old early entitlement and its implementation within Haringey. From September 2013, all local authorities in England have had a statutory duty to secure free part time early education for the 20% most disadvantaged 2 year olds. This will be extended to the 40% most disadvantaged in September 2014. Children whose parents meet the eligibility criteria will become eligible for a place from the start of the term after they turn two years old until the start of the term after they turn three.
- 5.2 The overall aim of the scheme is to improve outcomes for two-year-olds who have been identified as potentially benefitting from access to high quality early years and childcare provision. The entitlement is for 570 hours per year, which equates to 15 hours per week for term time only. The national eligibility criterion are as follows:
- Children looked after by Local Authorities;
 - Children meeting the criteria for entitlement to Free School Meals (FSM), where the child's parents are in receipt of any one or more of the following support payments;
 - Income support (IS);
 - Income-based jobseeker's allowance (IBJSA);
 - Income-related employment and support allowance;
 - Support under Part 6 of the Immigration and Asylum Act 1999;
 - The guarantee element of State Pension Credit;
 - Child Tax Credit but not to Working Tax Credit and have an annual income not exceeding £16,190 (as of 6 April 2012), as assessed by Her Majesty's Revenue and Customs;
 - Entitled to Working Tax Credit four week run-on; and
 - Universal Credit.
- 5.3 The additional eligibility criterion for Phase Two will be as follows:
- Children in families receiving Working Tax Credits or Universal Credits and with annual gross earnings of no more than £16,190 a year;
 - Children receiving a current statement of SEN or an education, health and care plan;
 - Children attracting Disability Living Allowance; and
 - Children leaving care through special guardianship or through an adoption or residence order.
- 5.4 Local authorities have the discretion to agree their own local criteria, which will allow vulnerable and disadvantaged children whose parents do not meet the eligibility criteria to access a place.
- 5.5 The Department for Education (DfE) estimated that in Haringey, 882 two-year-olds would become eligible for a place from September 2013 and that would increase to approximately 1790 children from September 2014. The DfE is supplying local authorities with a termly list of parents who have a child they believe may be eligible for a place. This is based on benefits data held by the Department of Work and Pensions.

- 5.6 Nationally, 130,000 children qualified for the two-year-old offer in September 2013, with an estimated 26,761 (20.5%) of these in London. The high levels of poverty in some London boroughs mean that very high percentages of children within them can qualify for the entitlement. This figure is as high as 80% in some boroughs. From September 2014, 285,000 children in total will qualify for the scheme, with an estimated 50,373 (17.6%) children in London.
- 5.7 London boroughs have been allocated £86 million for the offer. This works out as an average hourly rate of £5.71 (£5.28 in Haringey), assuming all the money is transferred over to providers. However, this is below the rate that was provided for the pilot projects, which had been £6.00 per hour. No specific funding has been provided to cover the local authority costs of administering the new duty. The revenue funding allocation forms part of the ring-fenced Dedicated Schools Grant (DSG) in 2013-14. The DfE has also provided capital funding allocations. Guidance on expectations of how funding should be allocated to providers was issued by the DfE in November 2012, which included a requirement on local authorities to fund places through an Early Years Single Funding Formula (EYSFF).
- 5.8 As part of the 2013/14 budget process, the Council's Cabinet endorsed the Haringey Schools Forum recommendation to ring-fence funding for the two-year-old entitlement. The revenue funding comprised of:
- £2.656 million revenue funding for statutory place provision; and
 - £1.043 million trajectory funding to support the expansion of the programme.
- 5.9 Trajectory funding has been provided to develop the infrastructure required to support both phases of the programme and can be used for a range of purposes, including to:
- Develop systems for the allocation of places and payments to providers;
 - Further develop systems for tracking the progress of children;
 - Improve the quality of provision so that more providers are good or outstanding;
 - Stimulate the local market and encourage new providers to set up;
 - Support the sustainability of new providers to deliver good quality places by initially funding on planned places rather than actual participation. From April 2015, Councils will only be able to fund settings based on actual participation; and
 - Promote and advertise the programme and deliver outreach to families.
- 5.10 The DfE provided capital funding for Haringey of £736,659 to support the expansion of the programme. The Cabinet noted the comments of the Chief Financial Officer that this was an extremely modest amount taking into account the work that was required. The criteria for allocating this funding are:
- Need for places in the area;
 - Number of new places that the setting will offer; and
 - Value for money e.g. number of places delivered compared to cost of adaptations.
- 5.11 Funding is currently provided on a full participation model but from 2015 this will change to a funding model based on actual participation levels.
- 5.12 Haringey's Schools Forum appointed an Early Years Working Group, comprising of forum members, Headteachers and Governors, to work with officers to develop the formula. The formula was required to use a base hourly rate and could also include a

quality supplement. The Council currently receives funding based on a notional rate of £5.28 an hour.

- 5.13 The Early Years Working Group consulted with potential providers for their views. In particular, it looked at what places might be available and what providers considered to be a reasonable rate. The results of the consultation were inconclusive due to the low response rate but feedback from the majority of those who did respond suggested that very few providers felt able to deliver places for less than the funded rate of £5.28. Most respondents indicated that a rate of £6.00 per hour would be most appropriate but it was not considered possible to fund all potential eligible places at this rate within current levels of funding.
- 5.14 The Cabinet meeting of 9 July 2013 agreed that the Council would adopt a formula model underpinned by the following approach:
- A flat rate for all types of providers;
 - A modest top slice of 2% on the rate to meet the cost of administering the programme; and
 - Maintaining existing levels of provision by continuing to fund an existing, fixed number of places at the current provider rate (£5.74) to the end of March 2013.
- 5.15 The flat rate that was agreed for all providers was £5.18 per hour and reflected a 2% top slice on the funded rate of £5.28. It was acknowledged that this was a challenging rate for maintained childcare provision and some private providers. It was therefore also agreed that further work would be done to support some providers to develop sustainable models for the delivery of places at this funding rate. It was noted by Cabinet that there was a risk that there may be a statutory requirement for a flat rate from September 2014.
- 5.16 In December 2013, the DfE announced the two-year-old funding allocations for each local authority for 2014-15. The basis on which the funding allocation has been calculated for Haringey is split between 891 children for the first term of the 2014-15 financial year and 1790 for the remaining two terms. Funding allocations have been based on estimates for children meeting the economic criteria only (i.e. children from families meeting the benefits-related criteria also used for free school meals or children whose parents are in receipt of working tax credits and earning under £16,190)
- 5.17 Numbers used to calculate funding allocations do not include children eligible under non-economic criteria (i.e. looked after children, children with special educational needs, children from asylum seekers, adopted children) and the DfE's expectation is that funding for those children meeting the non-financial eligibility criteria is provided through the allocation of trajectory funding.

Panel Project

- 5.18 The Panel's project began in September and has looked in detail at plans by the Council to implement the early entitlement offer and, in particular, ensuring that there are sufficient high quality places available for two-year-olds in all areas of the borough where they are needed and that take up levels meet targets. In addition, it also looked at the transition process for places for three-year-olds. The objective of the project was

to make recommendations for endorsement by the Overview and Scrutiny Committee and submission to the Cabinet on potential measures that could be taken by the Council and its partners to improve support for the most disadvantaged children and maximise the benefits and outcomes of the new entitlement.

5.19 The terms of reference were as follows:

“To consider and make recommendations to the Overview and Scrutiny Committee on local arrangements to implement the early entitlement offer for two-year-olds and, in particular, measures to ensure that;

- Sufficient high quality places are available for two-year-olds in all areas of the borough where they are needed;
- Take up levels meet targets;
- There is a smooth transition to provision for three-year-olds.”

5.20 The work of the Panel was informed by evidence from a number of sources:

- The Children and Young Peoples Service (C&YPS) provided briefings to the Panel on progress with implementation locally;
- London Councils made a presentation to the Panel and answered questions on the specific research that they have commissioned on the issue and the implementation of the entitlement across London;
- Local providers from across the borough, including maintained and independent ones, on the challenges that they face; and
- The Chair of the Early Years Working Group of the Schools Forum on the work undertaken by them on the issues and the conclusions that they reached.

6. Conclusions and Recommendations

6.1. For the two-year-old entitlement to be effectively implemented, it is dependent on the following:

- Enough places of the required quality being available for children eligible for a place; and
- Parents and carers taking up the places to which they are entitled to in sufficient numbers.

6.2. 666 places have been established in Haringey to date for eligible two-year-olds. The number of children taking up their entitlement in Haringey has increased from 266 at the end of the pilot to 423 of the 882 who are eligible by December 2013.

6.3. The number of children that will be eligible for a place in the next academic year (2014-15) will be 1790. Whilst the aspiration is that all eligible children will take up their two-year-old programme place, the DfE has anticipated that 80% of all eligible children will actually take up a place. If this was the case, a minimum of 1432 places would be required.

Challenges

- 6.4. In ensuring that sufficient places are available and take-up levels meet the anticipated level, there are some specific challenges that all London boroughs are facing to some extent. A number of these are particularly relevant to Haringey.
- 6.5. There are currently insufficient providers within the capital that meet the necessary quality threshold. The Panel notes the view of London Councils that funding from government is not sufficiently high enough to offer a competitive hourly rate to attract many providers to expand or set up new provision to provide additional places for two year-olds. Their research has found that a rate closer to £8 is required. There are additional costs associated with looking after two-year-olds. It is not possible, for instance, to use the same toys as for three-year-olds. There are also additional costs associated with children with additional needs, such as family support, disability, attending conferences, reviews.
- 6.6. A proposal to increase the current place funding rate from £5.18 per hour to £6.00 per hour was approved by the Council's Cabinet on the 11th February 2014. This was strongly supported by the Overview and Scrutiny Committee and will bring the funding rate in line with the minimum rate being paid by many neighbouring local authorities and encourage more childcare providers to participate in the scheme. This has been made possible due to underspends arising from low participation in the Dedicated Schools Grant (DSG). Although this will be sufficient to fund the increase for the next two years, after this time additional resources will need to be identified.
- 6.7. The Panel noted that families from minority ethnic communities are less likely to take up early entitlement places and that parents/carers from such communities were also generally less likely to place their children in early years settings. London has a higher percentage of families from ethnic minorities than other regions and boroughs are therefore likely to have greater challenge in ensuring that places are taken up. In addition, residential mobility in London is the highest of any English region. Amongst other things, this can result in extra costs to local authorities and early years' providers, including additional costs of enrolment outside normal cycles.
- 6.8. The anticipated take-up rate of 80% has also proven to be a very challenging target for London boroughs so far. The Panel noted that anecdotally, according to London Councils, take-up of the entitlement across London was likely to be below the government target of 80% and that average take up rate was likely to be approximately 50%, although some authorities may achieve higher.

Provision of Places

- 6.9. Officers from C&YPS estimate that significant numbers of additional places will be required in some wards to provide enough places from September 2014. The largest numbers of places required are in the following wards:
 - Bruce Grove
 - Northumberland Park
 - Seven Sisters
 - Tottenham Hale

- White Hart Lane
- West Green
- Tottenham Green.

6.10. Work is being carried out by the Children and Young Peoples Services (C&YPS) to develop provision for the scheme across the early years sector and maximise the capacity of current providers to expand. This will take into account the need to ensure effective transition for two-year-old children once they reach the term after their third birthday and become eligible for a universal three and four-year-old free entitlement place.

6.11. The Panel received evidence from providers who were restricted in their capacity to offer places due to lack of physical capacity and were keen to expand. As previously mentioned there is some limited capital funding available to assist with this.

- *1. The Panel recommends that further intensive work be undertaken with childcare providers to develop the two-year-old early entitlement scheme, particularly where they have expressed an interest in expanding, with a proactive approach adopted.*

6.12. The Panel noted that there are currently only 13 childminders offering 43 places within the borough in total as part of the scheme. In addition, there are comparatively fewer childminders than elsewhere and, in addition, some parents and carers can be reticent to use them. Work is being undertaken by C&YPS to encourage more good and outstanding childminders within the borough to participate in the programme. Childminders are also being provided access to training and business support.

- *2. The Panel recommends that action be taken to enhance the status of childminders so that they are encouraged to provide places as part of the entitlement and parents are more likely to consider using them. This could be done through, for instance, improved training arrangements and the development of links with Children's Centres. In addition, consideration could be given to forming them into groups/cooperatives. Childminding could also be promoted in Haringey People.*

6.13. The Panel noted the suggestion from London Councils that moving three-year-olds from Private, Voluntary and Independent (PVI) providers to schools, thus freeing up space for two-year-olds, could assist in maximising available spaces. In addition, effective liaison with Primary schools is important in order to encourage children to move onto nursery classes therefore liberating places for two-year-olds in PVIs. However, evidence from a local provider suggested that such moves could have the potential to impact adversely on providers as three and four-year-olds are more lucrative sources of income for them than the two-year-old entitlement.

- *3. The Panel recommends that further consideration be given by C&YPS to the transition process to provision for three-year-olds, with a view to identifying how available funding streams can be most effectively exploited.*

6.14. Plans to develop further the childcare market in the borough are also being implemented by C&YPS and include the commissioning of additional places from new

providers and the establishment of cross-borough protocols. Planned market expansion and engagement activity includes targeted work with schools and childminders to support the development of good quality places, particularly in areas where we anticipate the highest demand for places.

6.15. In order to assist in developing additional provision to meet the number of places required, the Panel would emphasise the need for services to liaise closely with people who have local knowledge in order to assist in identifying potential sites for provision. For example, Panel Members have suggested a number of potential premises for provision through their knowledge of their local area. Ward Councillors are particularly well placed to assist. In addition, a wider call for suggestions for sites might assist in identifying sites with potential. Childcare provision could also be prioritised when considering the future use of empty Council premises and properties.

- *The Panel recommends;*
 - *4. That work is undertaken to identify potential sites through liaison with Ward Councillors and that consideration is given to a wider call for suggested sites which could be promoted through residents associations, the Council's website and Haringey People.*
 - *5. That childcare provision be prioritised when considering the future use of empty Council premises and properties.*

Take Up

6.16. Haringey's current level is approximately 48%, which is very close to the average. However, the Panel is of the view that the borough should aspire to be better than the average for London, particularly in the light of the challenges that it faces and the work that is being undertaken as part of the Haringey 54000 scheme. In addition, revenue funding will be dependent on participation levels in future years and therefore any underachievement will have an impact on resources for the scheme.

6.17. Termly lists of potentially eligible families are provided by the DfE. The eligibility checking system that the Council currently uses to check these lists will be enhanced from April 2014 to enable checking of families who may meet the Working Family Tax Credit criteria. This will support plans for the early introduction of this eligibility criteria which it is anticipated will increase access to, and the take-up of, the scheme.

6.18. The Panel concurs with the view of C&YPS that active engagement with parents and carers to encourage more children to benefit from the free entitlement is required. Promotion of the two-year-old offer will be a top priority for the borough in the coming months, with the launch of a marketing and awareness-raising campaign, including parent road shows and established information points at key locations in the community. Action is also being taken, together with partners, to improve communication. As part of this, a marketing day is being held.

6.19. The Panel is of the view that communication with parents and carers needs to be reviewed to ensure that its effectiveness is maximised in order to encourage further

those entitled to free places to take them up. The Panel feel that personalised letters to parents and carers could help promote higher levels of response. It suggests that a Freephone number would assist residents who needed advice and information and that this should also be free for people using mobile phones.

- *6. The Panel recommends that communication with parents and carers be improved, including:*
 - *More user-friendly and attractive letters, with a named contact; and*
 - *A Freephone contact number that is also free from mobile phones.*

6.20. The Panel believes that all professionals in contact with expectant mothers and mothers with very young children should be encouraged to disseminate information on the two-year-old entitlement as a means of promoting the scheme. Health visitors could play a particularly important role and this should be built into protocols, particularly as the local authority will be taking over responsibility for commissioning the Health Visiting Service from 2015 and there is an aspiration for a return to a Universal Offer. In addition, “playground champions” could also be identified to promote the scheme to parents and carers who might be entitled.

- *The Panel recommends:*
 - *7. That work be undertaken with NHS commissioners to facilitate the involvement of Health Visitors in promoting the two-year-old early entitlement by providing information to parents during their visits. This should be built into protocols as the local authority will be taking over responsibility for commissioning the Health Visiting Service from 2015 and there is an aspiration for a return to a Universal Offer;*
 - *8. That work to promote the entitlement be extended to other professionals in contact with expectant mothers and mothers with very young children, who should be encouraged to disseminate information on the two-year-old entitlement.*
 - *9. That work is undertaken to look at setting up 'Playground Champions' within infant and primary schools as a means of promoting the scheme.*

6.21. The implementation of the scheme initially relied on self-referral for the allocation of places, with parent/carers receiving letters informing them of their entitlement which they could then take to providers who were offering places. The Panel received evidence from providers that there had been a lack of awareness of where there were vacancies. In addition, whilst some providers were oversubscribed, others in the same area had vacancies.

6.22. The Panel is of the view that self-referral has not proven to be effective in allocating places and that it is important that the process is managed. It notes that C&YPS has been addressing this issue. The Panel feels that much could be learnt from the very effective and efficient way that school admissions are administered and suggests that this could be the template for good practice.

- *The Panel recommends:*

- 10. *That the model used by the School Admissions service should be the template for arrangements to allocate places and fill vacancies for the two-year-old early entitlement; and*
- 11. *Mapping should be published which shows levels of take up, available places and children awaiting placement in each ward. A system of tracking outcomes should also be developed. This could include case studies.*

6.23. London Councils research has identified the need for a flexible approach to deliver long term improved outcomes for the most disadvantaged two-year-olds that also included working with the family. They are of the view that the government should relax the requirement to only provide 15 hours of funded childcare for the most disadvantaged children and allow flexibility for an alternative model whereby local authorities would instead be allowed to make two offers to parents, based on 15 hours funded childcare:

- 10 hours of early education, plus additional home learning and parenting, developing the model trialled by the Royal Borough of Greenwich and in more local authorities in the 2009 offer. Evidence had so far suggested it was the model that delivered the best long term outcomes; and
- 15 hours of early education.

6.24. To date, the DfE had rejected any calls for greater flexibility in the programme. The Panel endorses London Councils proposal that flexibility should be built into the scheme so that the hours can be used in innovative ways that maximise outcomes.

7. Comments of the Chief Finance Officer and financial implications

Funding for the free early education offer for two-year-olds is provided through the Dedicated Schools Grant. As explained in the body of the report, this funding has been ring-fenced within the Early Years Block. Through modelling take-up from September 2013, it became clear that significant underspends would occur in 2013-14 and 2014-15 as a result of low take-up. In order to support increasing the supply of places, Cabinet has now approved an hourly rate of £6 per hour. This exceeds the £5.28 per hour funding provided with the result that a funding gap is projected by 2016-17. Schools Forum has committed to continuing to fund a rate of £6 per hour through a combination of increasing 3 and 4 year old participation and reductions in other Early Years Block budgets.

Whilst the recommendation to focus limited capital funding on increasing places through expansion is supported, members should note that it is increased participation that will ultimately maximise future funding and outcomes for vulnerable children.

Although the specific cost of the recommendations are unclear, it is anticipated that they would be met through two-year-old participation and trajectory funding.

8. Head of Legal Services and Legal Implications

From 1st September 2013 as a result of section 7 of the Childcare Act 2006 and the Local Authority (Duty to Secure Early Years Provision Free of Charge) Regulations 2012, the Council has had the duty to secure for all eligible two-year-olds in its area free early education for 570 hours a year over no fewer than 38 weeks of the year. Children are eligible for such education if they are looked after by a local authority or if they come within the criteria used to determine eligibility for free school meals. One of the aims of the recommendations in this report is to ensure that the Council complies with this duty by putting forward measures to ensure that sufficient high quality places are available for two-year-olds in all areas of the borough where they are needed.

9. Equalities and Community Cohesion Comments

- 9.1. The report concerns the implementation of the two-year-old early free entitlement, which aims to improve outcomes for identified two-year-olds who would benefit from access to high quality early years and childcare provision. The scheme is particularly targeted at the most disadvantaged children from within the community. The recommendations within the report seek to enhance the effectiveness of the scheme and maximise its effectiveness in addressing disadvantage.

10. Head of Procurement Comments

- 10.1. N/A

11. Use of Appendices

N/A

12. Local Government (Access to Information) Act 1985

Report for:	Cabinet 16 September 2014	Item Number:	

Title:	Response to the report from the Overview & Scrutiny Committee on "Under occupation of Social Housing and Housing Benefit Entitlement"

Report Authorised by:	Tracie Evans, Chief Operating Officer 

Lead Officer:	Andrew Billany, Managing Director, Homes for Haringey

Ward(s) affected: All	Report for Key/Non Key Decisions:

1. Describe the issue under consideration

1.1. The Overview & Scrutiny Committee has produced a detailed report which identifies issues arising from the reductions in housing benefit to social housing tenants and recommends policies to address these matters. Tenants lose benefit on account of the penalties they now receive when they are deemed to have a 'spare' bedroom or bedrooms under the rules the government introduced in April 2013. This report provides a proposed Cabinet response to the recommendations contained in the Committee's report for consideration by the Cabinet on the 16 September.

2. Cabinet Member introduction



Haringey Council

2.1. As the Committee have noted, the government's introduction of the bedroom tax must be seen in the context of a programme of reductions in benefits with only pensioners being largely unaffected. Although the bedroom tax only affects a relatively small number of the Council's tenants (about 1,500), the difficulty of downsizing and hence the loss of between £18 and £33 per week often makes it very difficult for them to avoid building up large arrears of rent. This has the potential to cause significant deficits impacting on the housing revenue account.

2.2. The Committee's report has identified all of the main issues. It contains a great deal of information and makes relevant comments about addressing the issues. A number of the points it contains have already been taken on board by the services concerned. I feel sure that some of the suggestions concerning closer cooperation and improving the flow and quality of information to both tenants and front line staff will be taken seriously by the services concerned, though I appreciate they normally put a lot of work into these areas as part of the day to day implementation of the Council's policies.

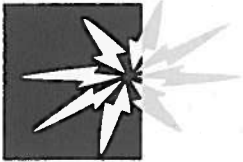
2.3. As the Council is facing challenges in resourcing core services, many of the report's recommendations will need to be considered in line with the Council's Corporate Priorities and development of the Medium Term Financial Plan. In some ways, we are unable to find some solutions until the government clarifies the manner and timetable by which it proposes to introduce its policy for the Universal Credit. This is especially in view of the substantial problems identified by the rather limited pilot studies which they have carried out so far. However the Committee's report will undoubtedly constitute an important reference document in mapping the future direction of travel.

3. Recommendations

3.1. The Cabinet is requested to agree the responses to the recommendations as set out in the table in Appendix B. The recommendations and the service responses are summarised in Appendix A.

3.2. The Committee made a number of recommendations (please see page 10 of Appendix C) on matters relating to the remits of the Council's Strategic Housing Service, the Revenues, Benefits and Customer Services, the Regeneration, Planning and Development Service, Homes for Haringey and other registered housing providers in Haringey.

3.3. All the Committee's recommendations seek to enhance and develop principles and objectives most of which have been adopted by the Council as goals it wishes to achieve. However a large number of the recommendations have significant resource implications which will require further consideration.



Haringey Council

4. Alternative options considered

4.1. Not applicable

5. Background information

5.1. In their report the Committee has provided a set of recommendations based on an assessment of the effects and consequences of the recent changes in the rules for housing benefit. These changes introduced size criteria whereby social housing tenants have their benefit reduced by 14% or 25% if they are deemed to have a spare bedroom or bedrooms in their home.

5.2. This reduction known as the 'bedroom tax' or under occupation penalty has reduced the incomes of over 2,000 social housing tenants in the borough (of whom about 1,500 are council tenants) by between £18 and £33 per week. This has resulted in an annual loss of housing benefit to them of about £2.25 million every year.

5.3. The Committee found that most of these tenants (in the region of 85%) had no realistic plans for moving and up to 75% are experiencing financial problems resulting in about 30% of them incurring increasing levels of arrears. The Council can assist those in particular need, with exceptional circumstances, for a period of up to 6 months through Discretionary Housing Payments (DHP). These grants can also be renewed if necessary.

5.4. In order to provide alternative accommodation for all the tenants subject to the bedroom tax it would require a net additional 1,000 one or two bedroom units (whilst freeing up an equal number of three and four bedroom properties).

6. Comments of the Chief Finance Officer and financial implications

6.1. The introduction of Housing Benefit size criteria is a significant financial issue both for individual residents and for the Council as a whole. The Council has already introduced several initiatives in order to mitigate the negative impacts of the policy.

6.2. This report makes a number of recommendations that have potential cost implications. Although many of these have not been agreed, the full cost of each recommendation needs to be established before any can be agreed, as there will be cost implications of items that involve reallocating staffing resources, improving communications and providing training.



6.3. Where references are made to bids for additional resources in 2015-16, it needs to be borne in mind that the Council will face further substantial reductions in funding in 2015-16 and later years, and any bids for additional funding need to be seen in light of that. This applies to both General Fund items and activities funded from the Housing Revenue Account which also has several pressures on it in future years.

6.4. Additional provision for bad debt has been made within the HRA budget for 14-15 and the position is being closely monitored by Homes for Haringey and the Council and will feed into the 2015-16 budget-setting process. However, budget allocated for bad debts, clearly reduces funding available in other areas.

6.5. Several recommendations concern Discretionary Housing Payments. It should be noted that this is funded by a cash limited grant and so an increase in applications may require a tightening of award criteria and other controls in order to remain within budget. Additionally this grant is not guaranteed as a source of funding in the longer term and thus the Council cannot make long-term commitments to fund expenditure in this way. The Council has the legal ability to add its own resources to DHP but this needs to be seen in light of the wider reductions in resources the Council will need to address in coming years.

7. Comments of the Assistant Director of Corporate Governance and legal implications

7.1. The Assistant Director of Corporate Governance has been consulted in respect of this report.

7.2. The Welfare Reform Act 2012 and other benefit reforms have had a significant impact on the Council as a Social Landlord and on the Council's tenants. Whilst there are no specific legal implications arising from this report, where appropriate, Council policies will need to take into account the responses that are adopted.

8. Equalities and Community Cohesion Comments

8.1. This is only one of several other Haringey policies relating to the administration of the Welfare Reform Act (the others include the Council Tax Reduction Scheme, which was agreed by Full Council in January 2013; the Welfare Reform Act 2012 and; Implementation of the Social Fund, which went to Cabinet in April 2013. All of these were fully equality impact assessed to identify how they would impact on existing benefits claimants who have the characteristics protected by section 4 of the Equality Act 2010 as well as other vulnerable groups such as homeless people not specifically identified in the Act.



8.2. The results of those assessments show that although in each case, the reforms would impact on claimants in all protected characteristics, certain groups are at a higher risk of negative impact than others. In regard to this policy, those same groups are also likely to be disproportionately affected.

8.3. Those measures agreed in response to recommendations of this Scrutiny Committee report and indicated in the appendix B will target remedial actions at all council tenants at risk of negative impact of the bedroom tax policy, whatever their protected characteristics.

8.4. We do not think a separate full EqlA is necessary in respect of this report as this will be covering the grounds already covered in EqlAs on other related policies and recommending actions that are already covered in this policy and in the related report.

9. Head of Procurement Comments

9.1. Not applicable

10. Policy Implication

10.1. The recommendations are broadly in line with the Council's existing policies and objectives.

11. Reasons for Decision

11.1. The report seeks approval of the responses to the recommendations set out in Appendix B

12. Use of Appendices

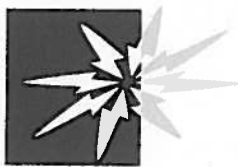
12.1. Appendix A – Summary of the Scrutiny Committee's recommendations and the service responses

12.2. Appendix B – service responses to the Scrutiny Committee's recommendations

12.3. Appendix C - Overview & Scrutiny Committee's report on the Under Occupation of Social Housing and Housing Benefit Entitlement ('Bedroom Tax') – Final Report

Please see separate report

13. Local Government (Access to Information) Act 1985

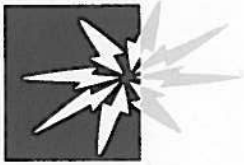


Haringey Council

Appendix A – Summary of the Scrutiny Committee's recommendations and the service responses

The Committee made 16 recommendations in the following areas (as contained in paragraph 8.3 of their report). The recommendations and the service responses are summarised below (please see Appendix B for full details of the recommendations and the service responses). The service responses are given in square brackets.

- a. Recommendation 1: Supporting tenants to swap and mutual exchange. This recommendation comprises 8 parts covering closer cooperation between the Strategic Housing Service (SHS), Homes for Haringey (HfH) and Registered Housing Providers (RHPs). This recommendation includes the provision of a rent guarantee for downsizers; more information and support for tenants on a borough wide basis regarding exchange options; the undertaking of small scale repairs at no cost and actively marketing 1 bedroom properties to under occupiers. [SHS and HfH do not regard the rent guarantee proposal as a viable option, so this is not agreed. Otherwise they state there are policies in place to provide information and support. This work can be expanded and policies put in place regarding small scale repairs and the marketing of 1 bedroom properties with the allocation of additional funding, where this can be justified.]
- b. Recommendations 2-6: Discretionary Housing Policy (DHP) payments – prioritising tenants facing legal action, improved information across the borough about the eligibility criteria and additional funding from the HRA to facilitate DHP payments to more tenants affected by the bedroom tax. [The priorities contained in the Council's DHP Payments Policy 2014-15 do not allow for a significant expansion of this form of assistance at present to tenants affected by the bedroom tax, so the allocation of additional funding for this purpose is not agreed. Careful assessments are made of all tenants facing legal action before proceedings are commenced. Consideration continues to be paid to the best ways of providing good information to tenants on the DHP eligibility criteria.]
- c. Recommendation 7: Rent arrears policy – realistic projections of rent arrears and assessments of the impact of court orders and evictions by Homes for Haringey and RHPs. Financial barriers to downsizing should be minimised. [HfH has advised that it has procedures in place to safeguard the interests of tenants facing legal action. Furthermore it is undertaking work on assessing rent arrears issues and SHS will consider the Council's allocations policy. The costs / benefits of altering policies on transfer and exchange will be kept under review, so as to avoid unnecessary financial disincentives.]
- d. Recommendation 10: Financial advice and support to tenants – improving budgeting information, access to banking services (such as 'jam jar' accounts), advice and support to tenants to mitigate the effects of the welfare reforms. [HfH is working closely with agencies such as the Citizens Advice Bureau, Moneywise and Haringey & Islington Credit Union. It is currently engaged in



Haringey Council Appendix A – Summary of the Scrutiny Committee's recommendations and the service responses

discussions with the Credit Union about how they can set up a basic jam jar account. It has set up Project 20/20, based in Tottenham to help unemployed people develop the skills to gain confidence and obtain employment.]

- e. Recommendation 16: Vulnerable adults – more work to identify them and support them access the best housing and welfare options, improved and ongoing support.

[HfH undertakes checks twice a year of vulnerable tenants and is further developing the risk assessment criteria used to detect problems. It works closely with the Council's Key Support service, Family Mosaic and SHS to provide initial support to vulnerable tenants. This work can be expanded with the allocation of more funding.]

- f. Recommendation 13: Referring tenants to related support programmes – more advice and information and a more coordinated approach on employment opportunities and training, sharing best practice and considering the possibility of sector wide joint commissioning.

[The Council's 'Jobs for Haringey' service and HfH's Project 202/20 and local events for tenants provide a good basis for undertaking such work. Further initiatives would require additional funding.]

- g. Partnerships.

- i. Recommendation 8: More coordinated process for communicating data between Revenues, Benefits and Customer Services (RBCS) and local housing providers in respect of those tenants affected by the bedroom tax.

[The Council has recently revised the Partnership Agreement which will facilitate this.]

- ii. Recommendation 9: Closer cooperation between the Council, Homes for Haringey and other RHPs to identify partnership opportunities to provide information, advice, support or services to tenants affected by the bedroom tax (e.g. budgeting skills, welfare rights advice, employment and training).

[Please see response to recommendation 8 above.]

- iii. Recommendation 12: Front line staff should receive refresher courses on welfare reform issues and the effects these may be having on local residents. [HfH Financial Inclusion Team will undertake work to roll out an updated training programme.]

- h. Recommendation 11: Bedroom tax' loopholes (tenants lose benefit as a result of defects in the primary legislation) - Revenues Benefits and Customer Services should notify tenants as soon as possible where these arise to enable them to reclaim their lost benefit. [This work has been completed].



Haringey Council

Appendix A – Summary of the Scrutiny Committee's recommendations and the service responses

- i. Recommendation 15: Core strategy – planning is required to ascertain the likely future size requirements of social housing units in view of the impact of the bedroom tax and other welfare reforms.

[This is agreed - the Council commissioned a new Strategic Housing Market Assessment which is currently in draft form and this will be used to inform future housing needs.]

- j. Recommendation 14: Customer Service Transformation Project – the Committee felt there had been problems for vulnerable tenants in accessing information and requested information about the level of advice and support for vulnerable adults in respect of digital inclusion policies.

[The way in which this matter is to be addressed will form part of the remit of the CST Project.]



Haringey Council

Response to the Overview & Scrutiny Committee's report on the Under Occupation of Social Housing and Housing Benefit Entitlement ('Bedroom Tax') – Final Report

<u>TRANSFERS AND MUTUAL EXCHANGES</u>		Agree/Disagree	Commentary/ Action/ Responsibility
1. In order to successfully tackle under occupation and overcrowding, the Council should work with Homes for Haringey and Registered Providers to develop, publish and promote a comprehensive programme of support that makes it as easy as possible for tenants affected by the 'bedroom tax' to move to accommodation that has fewer rooms.		Partly agreed	The Council's Strategic Housing Service already provides an Under-Occupation Officer who supports tenants under occupying by one or more bedrooms to move to smaller accommodation. There is a comprehensive range of information on the Council's website for those seeking opportunities to downsize their home. HFH also provides information on its website for tenants wishing to engage in mutual exchanges. It has an internal mutual exchange board and is planning to increase the use of this. It is preparing promotional materials to encourage tenants to move. More comprehensive programmes of support can be developed in due course (as required) when additional resources become available.
	The programme, underpinned by a review of social landlords housing allocations arrangements and supported by written advice on the full range of options available to tenants, should include the following:		
	Borough wide and localised events that bring together under occupiers and over-crowded tenants across Haringey (to include a programme of published events held by Council, Homes for Haringey and other Registered Providers)	Noted	Homes for Haringey held 2 events in 2013 for under-occupying tenants and are planning a further event this year with details of overcrowded tenants available as possible exchanges. It is also proposed to follow this



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		with a matching event for overcrowded tenants in Council properties with details of under-occupying tenants. Resources to be considered for a programme of published events from 2015/16 for under-occupiers and overcrowded tenants by the Council, HFH and other registered providers.
Collect, review and publish details of financial incentives (to downsizers), allowances (e.g. removals) that support housing transfers and exchanges (across Homes for Haringey and other Registered Providers);	Partly agreed	The Council's Strategic Housing Service lead on this, to provide up to date information on their website such as the "Money to move" leaflet. The "Home Connections" service (and website) is amongst a number of options for tenants wishing to downsizer which the Council publicises on its website. The Council and HFH plan to promote this type of service more in future. Links are provided to both these options on the HFH website. It is not considered that it would be cost effective at the present time to introduce new financial incentives to downsizer.
Explore the possibility of developing a rent guarantee for downsizers (which ensure that the rent that tenants are charged for their new home does not exceed the rent that they have been charged for the home they are leaving)	Not agreed	Potentially long term financial subsidies would not be a viable financial option even for the few cases which might arise. The situation would only be an issue for HFH tenants wishing to move to the private sector or other RHP with a higher rent. The Council's Strategic Housing Service has a



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		policy of only moving tenants into accommodation which provides long term affordability.
That Registered Providers support mutual exchanges by offering small scale repairs and provide decorating materials for tenants where this will encourage mutual exchange between downsizers and tenants who are living in overcrowded housing;	Partly agreed	HFH will prepare a bid for additional resources for 2015/16 for a decorating pack and small scale repairs as an incentive for mutual exchanges.
Actively market 1 bedroom properties to under-occupying tenants and ask all Registered Providers to make available all of their 1 bedroom properties (including those that are not subject to the Council's nomination rights) for a specific period of time in order to assist Haringey's efforts to tackle under occupancy and overcrowding;	Noted	Although this is constitutes a useful objective it will need to be considered with the review of the Allocations policy.
Develop mutual arrangements across the sector through which tenants of all local social landlords (Homes for Haringey and other Registered Providers) are supported in mutual exchange processes, including three and four way swaps;	Partly agreed	The Council (&HFH) pay for the service that HomeSwapper provides tenants. Tenants are encouraged to register their details on HomeSwapper and search for matches to maximise their chance of an exchange. HFH tenants have been included in a number of three way swaps in the last six months, and consideration will be given to developing this policy in future.
The provision of dedicated support to guide tenants through the process of mutual exchange or home swap (hand-holding) e.g. to help tenants to register on Homeswapper, upload photos and support active engagement.	Noted	The Council's Strategic Housing Service already has an under-occupation officer. Further provision will be considered for a bid for additional resources from 2015/16/.
Training and updates provided to other relevant staff groups (social workers etc)	Noted	The Council publishes a range of information about the choices available for people needing accommodation on its website, for instance on its "Housing Options" page (with



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		links to a number of mobility/home swap schemes). Both the Council and HFH accept the need to disseminate this information as widely as possible and will continue to do so within existing programmes.
	Not agreed	As indicated in the paper "Haringey's DHP Payments Policy 2014-15" funding for DHP is very limited (please see page 1 for a breakdown of the allocations of funding). Thus DHP can only be provided to tenants in exceptional circumstances as an interim measure – the criteria (and a large number of illustrative examples) are clearly set out on the Council's web page on DHP and in the above mentioned paper (page 7), which is also provided on this web page.
DISCRETIONARY HOUSING PAYMENTS (DHP) 2. The Committee recommended that a summary DHP guide is developed for social housing tenants which: - Clearly sets out the eligibility criteria, application process and timeframe for processing and assessment - Ensures that the commitment to change (e.g. job search, training) is made explicitly clear in the applications criteria and assessment process; - Makes tenants aware that reapplications are possible; - Is systematically distributed to those affected by welfare reforms.		
3. In order to increase awareness and uptake of DHP among Registered Providers (RHPs) and Council tenants: The DHP policy should be re-circulated to all RHPs (including Homes for Haringey) to help improve awareness of these payments, particularly in relation to the eligibility criteria and the application process;	Noted	HFH Financial Inclusion Team is helping tenants to understand their eligibility and the application process and is assisting tenants to make claims
Further guidance should be provided to RHPs and Homes for Haringey, making use of case study examples of successful and unsuccessful DHP claims;	Noted	Please see the response to point 2 above.
The above information should be cascaded to front line RHP and Homes for Haringey staff to better advise potential applicants.	Noted	Please see the response to point 2 above.



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4. It is recommended that, when considering DHP applications, the Council give greater priority to tenants who are facing legal action or eviction.	Noted	HFH only takes action against tenants after very careful consideration of their family circumstances, their payment record and their eligibility for financial assistance. In addition the Courts only sanction legal action after very careful consideration. Occasionally it becomes impossible to avoid imposing a penalty on a tenant who refuses to engage. This matter will be considered by the Revenues and Benefits service with Housing and HFH in formulating DHP policy for 2015/16.	
5. Improvements are made to the DHP assessment and notification process, including; Faster processing of applications (it is suggested that this is 18 working days to conform with the targets for the processing of new Housing Benefit applications)	Noted	The service endeavours to process applications as quickly as possible. The speed with which an application is processed depends to some extent on the quality of the information provided by the applicant. Recovery of overpayments of housing benefit constitutes a significant problem which could be exacerbated if priority were given to fast processing of applications.	
Improved communication between Revenues Benefits & Customer Services	Partly	Substantial information flows already take	



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(RBCS) - as the processor of Housing Benefit claims, housing providers (RHPs) and tenants.	agreed	place between RBCS, HFH, other RHPs and the tenants (claimants). HFH's Financial Inclusion and Income Collection teams also inform and advise tenants about HB issues in person, by letter, telephone and text, through the Homes Zone magazine and the website. Liaison meetings between RBCS and HFH take place in the course of which communication matters are discussed.
6. As shortfall between the Housing Benefit lost and the availability of DHP may grow the Council should explore the merits and feasibility of using other budgets – such as the HRA (as other LAs have done so) and the homelessness budget – to supplement, even on a temporary basis, the financial support that is provided to tenants through the DHP.	Not agreed	DHP is only intended as short term help for tenants suffering hardship as a result of exceptional circumstances. Only a small number of councils so far have opted to provide additional funding from the HRA to supplement their government allocation. Current policy (as described in the responses to Recommendations 2 and 4 above) incorporates careful assessments where it is fair and cost effective to avoid evictions and homelessness by giving additional temporary support. Every effort is made to maintain a case by case approach and a long term plan for each tenant to avoid repetition (similar to the work of the coordinated Benefit Cap Hub approach in 2013/14).
<u>RENT ARREARS POLICY</u>		
7. Given the growing level of rent arrears among tenants affected by the 'bedroom tax' across the sector, it is recommended that		



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Homes for Haringey and other Registered Providers make a realistic projection of rent arrears for 13/14 and for 14/15 (financing, impact).	Partly agreed	The factors affecting rent arrears depend to a certain extent on external factors. Thus in 2013/14 HFH rent arrears were significantly reduced by large credits to accounts resulting from "loophole cases" (resulting from defects in primary legislation). In 2014/15 HFH will be able to make an analysis based on the average level of arrears for each tenant, and trend in reducing number of cases.
- Rent arrears policies are reviewed to ensure: - Implications for court order and evictions are full assessed;	Agreed	HFH accepts the need to keep its arrears procedures under review. It is very mindful of the need to identify under occupying tenants likely to be subject to legal processes with a view to early intervention before court hearings to offer support by the Financial Inclusion Team and by referring them to the CAB and Moneywise project. This helps tenants manage their finances better and avoid accumulating large arrears.
That policies and practices are not a barrier to further action by the tenant (e.g. swaps, exchange and transfer).	Noted	HFH works with the Council's Under-Occupation Officer to offer the existing financial incentives to tenants for moving to smaller properties to reduce their arrears to bring them in line with the agreement as laid down in the Allocations policy. The Council's Allocation Policy presently



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			allows transfers or mutual exchanges if tenants have maintained a repayment agreement for one year. A cost benefit analysis of the financial implications of varying this policy will be necessary before putting forward any proposals for changes.
PARTNERSHIPS			
8. That Revenues Benefits and Customer Services develop a more systematic and coordinated process through which data on those tenants affected by the 'bedroom tax' is communicated with local housing providers (particularly as tenants move in and out of 'bedroom tax' deductions).	Noted	The Housing Investment & Sites Team (within the Regeneration, Planning and Development Service) has recently introduced a revised Partnership Agreement between the Council and all registered providers in the borough. The Partnership Agreement addresses this matter. It sets out, among other key requirements, the need for registered providers to "<i>adapt their income collection procedures and have proactive measures in place to mitigate the impact of Universal Credit and other benefit reforms</i>". The Partnership Agreement calls on registered providers and the Council to share information to facilitate this aim. The Housing Investment and Sites Team monitor the agreement but there is an expectation that each service unit will carry out the activities within its own remit and not rely on	

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		the Housing Investment and Sites Team to manage this relationship. The partnership agreement can be made available to all relevant parties within the Council and contains senior contacts for every registered provider, including their chief executive and senior leadership team.
	Noted	The response is as above for Recommendation 8. The Housing Investment and Sites Team can facilitate partnership working through regular monitoring of the Partnership Agreement where appropriate.
9. The Council should work with Homes for Haringey and other Registered Providers to identify partnership opportunities in the provision of information, advice, support or services to those tenants affected by the 'bedroom tax' and other welfare reforms (e.g. budgeting skills, welfare rights advice, employment & training). This will ensure a more consistent, efficient and coordinated approach to the housing and welfare needs of residents across the borough.		
FINANCIAL ADVICE AND SUPPORT		
10. To improve the level of budgeting information, advice and support available to tenants affected by the 'bedroom tax' and other welfare reforms that the Council with Homes for Haringey and other Registered Providers:		
Promote further awareness of the role of local (e.g. Moneywise at Haringey CAB) and national (e.g. Shelter, Crisis) advice services;	Noted	As a general rule effective arrangements are in place. HFH already works closely in partnership with the CAB (where it funds 2 workers) and Moneywise and makes appointments for tenants with them where appropriate. It publicises services such as the CAB and national money advice services through the provision of money factsheets for tenants which are available on its website



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		and which also provides links to national debt advice services.
Work with the Haringey & Islington Credit Union to develop awareness of this service and where possible, extend the accessibility and range of budgeting services available to local tenants (e.g. jam jar accounts).	Partly agreed	HFH advertises the services of the Haringey and Islington Credit Union (CU) in its leaflets. However this CU does not offer a "jam jar" account at present. Their budgeting account has a charge of £10 to the account holder and the matter is under discussion. HFH will continue to develop a continuing relationship with this CU.
Explore the possibility of joint training to help improve budgeting and money management skills;	Partly agreed	HFH's 20/20 Project works with young people in Tottenham to support them develop life skills including financial management. HFH Financial Inclusion Team provide workshops with Moneywise for young people leaving care and moving into a Council flat; and with MIND for tenants with mental health problems. HFH Financial Inclusion and Resident Involvement teams are exploring the possibility of working with the Quaker Social Action project (FutureProof) – an initiative funded by the Council – to develop tenant champions in preparation for Universal Credit and with other providers on welfare reform issues. HFH Financial inclusion Team will explore opportunities for working with other

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		registered housing providers to provide joint training on budgeting and money management skills.
Promote further awareness of other financial assistance schemes (energy/utility e.g. British Gas Energy Trust, EDF Energy Trust and Thames Water Trust Fund);	Noted	HFH promotes the Council's Haringey Big Switch (run by Living Under one Sun) to combat high gas and electricity bills. It will continue to publicise these schemes. Through its Financial Inclusion Team it also makes applications to local charities on behalf of tenants in need. This team attends training with the charity Turn2us to acquire more information on different sources of financial assistance.
Consider jointly producing a short guide/ booklet/ webpage detailing the above for Haringey residents.	Noted	The dissemination of this kind of information to residents takes place through a number of different channels, including leaflets, letters and webpages from various organisations. The effectiveness of communicating to residents on this and other subjects is under continual review.
'BEDROOM TAX' LOOPHOLE 11. It is recommended Revenues Benefits & Customer Services assess and notify tenants affected by the 'bedroom tax' loophole as soon as practicable, ensuring that the implications of any Housing Benefit adjustments together with any reclaim of any DHP awards, is clearly communicated to tenants to allow them to plan and manage their finances.	Noted	Revenues Benefits & Customer Services has already completed the work of adjusting tenants' benefits and advising them accordingly. The "bedroom loophole" arose from the defect in the government's legislation.



FRONT LINE SERVICES (HOUSING BENEFIT AND HOUSING OFFICERS)			
12. It is recommended that front line staff in both housing services (Homes for Haringey) and Revenues (Housing Benefit & DHP) receive a refresher on the welfare reform issues and the impact that this may be having upon local residents, particularly in respect of:		Partly agreed	
• Improve knowledge and understanding of welfare reform issues and how this may affect residents;		Partly agreed	HFH Financial inclusion team will commence work on an updated training programme covering welfare reform issues, suitable for all staff. The programme will be developed as the government clarifies how the welfare changes are to be implemented and it will include how these impact on residents, and the options for moving to smaller properties.
• Awareness of other support services and agencies with appropriate signposting;		Agreed	HFH training programme will include signposting to other support and advice agencies
• Sensitivity of client issues;		Partly agreed	Current procedures and practice include the importance of sensitivity to tenants in financial hardship and encouraging them to explore downsizing options and improve their budgeting and finance management skills. Most staff are very aware of the importance of sensitivity and renewed guidance is issued where appropriate.
• Accessibility of services (telephone access).		Partly agreed	This matter is the subject of ongoing review as the options for access to services on line and by telephone is promoted, particularly as part of the Customer Transformation programme.



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and support available to vulnerable adults or those less IT literate in the move towards greater digital service provision (channel shift).			tenants to a Tenancy Management Officer or the Financial Inclusion Team depending on the type of information and advice they require.
CORE STRATEGY – FUTURE UNIT SIZE			
15. In recognition of the impact of the 'bedroom tax' on local housing needs (e.g. increase demand for smaller properties and increased availability of larger properties) it is recommended that the Council undertake further modelling to fully assess the impact of this and other welfare reforms, and ensure that this is reflected in plans for future housing and development.		Agreed	The Council commissioned a new Strategic Housing Market Assessment which is currently in draft form and will be used to inform future housing needs. The need for new affordable housing, and in particular the bedroom size requirements, will take into consideration the potential impact of the bedroom tax. However, building additional smaller homes is only part of the answer, as new larger homes can be used to alleviate overcrowding within the existing social housing stock and therefore release additional smaller units to enable tenants to downsize. As a result, a comprehensive approach will be adopted to ensure that new and existing stock are used in the most effective way to meet housing need, including that which is brought about as a direct result of the bedroom tax.
VULNERABLE ADULTS			



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16. A significant number of those affected by the 'bedroom tax' were identified as having multiple and complex health and social care needs (e.g. chronic long term conditions, mental health needs). It is recommended that all housing providers:		
Undertake additional work to further identify such tenants;	Partly agreed	HFH has had a programme of visiting all tenants over a 5 year period and identified residents with different disabilities, and recorded the ages of occupants. There are now checks twice a year on those already identified as elderly or vulnerable, and there is an ongoing programme of checks on a number of different categories of tenants. New tenants signed up by HFH's New Tenant Liaison Officers identify the new tenants with particular needs. HFH is developing triggers to enable a better risk assessment based programme of more frequent visits.
Ensure that <i>additional</i> and <i>ongoing</i> support is provided to assist them in accessing and navigating housing and welfare options available (e.g. access to budgeting advice, transfer and mutual exchange).	Noted	HFH Financial inclusion Team, and the Council's Under-Occupation Officer, with other staff, and Key Support and Family Mosaic, provide initial support to vulnerable and elderly tenants on how to access and navigate a range of financial and housing options. The provision of additional and ongoing support for vulnerable people will need to be addressed as part of coordinated strategy involving a wide range of organisations but for HFH this will need to be

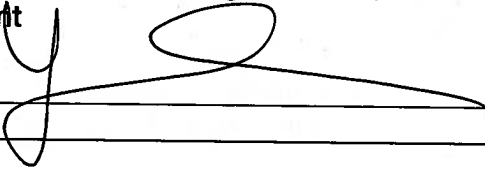


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		included in a bid for additional resources for 2015/16



Haringey Council

Report for:	Cabinet – 16 September 2014	Item Number:	
Title:	Community Engagement in the Planning Service		
Report Authorised by:	Lyn Garner – Director of Regeneration, Planning and Development 		
Lead Officer:	Stephen Kelly		
Ward(s) affected: All		Report for Key/Non Key Decisions:	

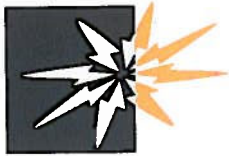
1. Describe the issue under consideration

1. As part of its work programme for 2013/14, the Environment and Housing Scrutiny Panel agreed to assess how the planning service engages and involves the community in local planning processes.

2. The overarching aim of this work was to:

'To assess whether residents and communities have appropriate opportunities to engage meaningfully in local planning processes through community engagement and involvement strategies within the planning service (with particular reference to the Statement of Community Involvement).'

3. In undertaking this work, the Panel consulted widely with the following stakeholders and agencies:
 - Local community groups (via an on line survey and a dedicated meeting);
 - Local planning officers (Assistant Director, planning policy officers and development management officers);
 - Developers (through a planning consultancy)
 - Other local authorities (Islington, Hackney)
 - Specialist contributors (Planning Advisory Service, Planning Aid for London).



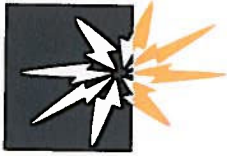
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4. The panel concluded that a number of issues inhibited engagement and involvement by local community groups, residents associations and local residents in planning consultation processes:
 - The complexity and volume of planning processes;
 - A failure to recognise and utilise the community knowledge, skills and understanding of local issues in planning processes;
 - The need for *greater transparency in planning processes (the role of the Planning Authority)*;
 - *The need for greater trust, openness and joint working in local planning processes.*
5. The Panel have accordingly made a number of recommendations to support community engagement with planning which focused on the following areas:
 - Measures to support community capacity building (improve trust, developing skills, improve understanding);
 - Measures to support the capacity of planning officers (consultation skills, accessibility, approach);
 - Measures to support early engagement in planning consultation processes;
 - Measures to further involve members in planning consultations;
 - Measures to improve the quality (and accessibility) of planning proposals;
 - Greater use of new technology.

2. Planning Service Response

The Scrutiny Panel review came at a time of significant change for the planning service. New leadership and the focus required around improving performance against National Indicators had already lead to a pro-active "improvement plan" (DMIP) being developed for and resourced by the Council as part of its corporate improvement programme. The programme has been positive in addressing speed of decision making and the focus on meeting emergent and recently introduced national performance standards. Alongside the focus on "speed" in decision making the DMIP, together with feedback that has been made directly to the service management team, also identified a series of qualitative actions that embraced the issues examined by scrutiny to achieve greater participation and openness to the planning process.

The appended schedule therefore contains the service's response to each of the recommendations made and highlights where progress has already been achieved, or is in train. The DMIP is in the process of being "refreshed" by the new management team in Planning. This exercise has allowed for careful consideration of the Scrutiny Panel recommendations and, as the attached schedule demonstrates, where possible the service has or will be incorporating the recommendations into the updated improvement plan.



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Some of the recommendations that seek to extend the reach and involvement of external groups in the planning process, will have budgetary implications. Against the background of reducing resources, the service is already having to consider the significant costs of written consultation and engagement (some 175,000 letter per annum are already sent out by the service notifying of applications and DM forum meetings). In addition, the aspirations for the recruitment and retention of highly skilled staff capable of effective community engagement will also represent a challenge, given competition with our neighbours, and the scarcity of skills available. Investment in and retention of professional skills and staff to support community groups and the establishment of additional groups and forum proposed by the Scrutiny Panel will therefore need to be carefully balanced alongside other budget priorities. The service is nevertheless committed to training, and to engagement with the community (see table) but the pace and frequency of such engagement (including scope to use Area Forums) will necessarily be limited by budget resources (unless other sources of income can be developed).

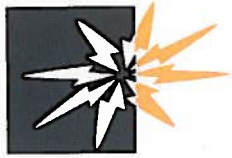
In respect of Member participation and awareness, the service has recently completed induction training for all new Planning Committee Members and is developing a programme of member engagement for the year ahead, focused around a greater number of shorter "briefing" type events. The recommendation for the expansion of IT resources, both through the Transformation Projects and through expanded GIS and digital imaging capabilities will have budgetary implications for enhancements beyond those contained within the existing Transformation Programme. These have also not yet not been fully costed or funded. Officers will continue to seek to identify resources to facilitate these important developments.

Haringey has an exciting future - the regeneration and development plans for the whole Borough require an efficient, accessible and trusted service with the expertise and capability to secure high quality outcomes in collaboration with the Community and with Developers. The recommendations from Scrutiny Panel provide some helpful insights and support for officers already implementing a far reaching improvement plan for the Planning Service. This plan already includes specific actions which have been "validated" by the Review. As the table appended demonstrates the further recommendations, as far as they can be contained within existing resources, have been accepted and form part of the ongoing work of the service.

3. Cabinet Member introduction

The Planning Service is committed to improving understanding of and participation within the planning process. In that regard, the findings of the Scrutiny Panel provide welcome validation of the work that the service has already identified as necessary and is already undertaking. The additional insights into how the Planning Service can further improve participation with the Community are also helpful for the evolution and "refresh" of the improvement plan which me and my officers are currently undertaking.

4. Recommendations



Haringey Council

That the recommendations from the Scrutiny Panel are noted.

5. Alternative options considered

N/A – The report represents the Planning Service consideration of the recent recommendations from Scrutiny Panel

6. Background information

The report follows Scrutiny Panel's recommendations following a comprehensive reviewed of public participation in the planning process. This reached the broad conclusions (above) and has been shared with the Planning Service.

7. Comments of the Chief Finance Officer and financial implications

At this point the recommendations within this report have not been evaluated to determine the cost of implementation.

It is likely that there will be cost implications associated with additional training, extra public meetings and use of technology and at this point no budget has been identified to fund these initiatives. Therefore the exact cost would need to be determined before any recommendations proceed to Cabinet, so that it is clear whether additional funding is required.

8. Comments of the Assistant Director of Corporate Governance and legal implications

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

The promotion of democratic engagement underpins a number of recent legislative developments relating to Planning and is to be encouraged.

Notwithstanding these developments, Planning remains a statutory process with local decision making open to both statutory appeal and judicial challenge.

The recommendations touch on a number of different elements of that process and will inevitably go some way to increasing the accountability and robustness of local decision making.



Haringey Council

The report raises a number of issues which will need specific legal advice and guidance as they are being implemented.

9. Equalities and Community Cohesion Comments

The report sets out a series of recommendations that seek to improve participation in the planning process for all. The recommendations encompass online, written and physical (face to face) meetings within which equalities and community cohesion aspirations form a key consideration. There are no other specific implications from the wider aspirations within the report that would have a differential impact upon groups or individuals with protected characteristics.

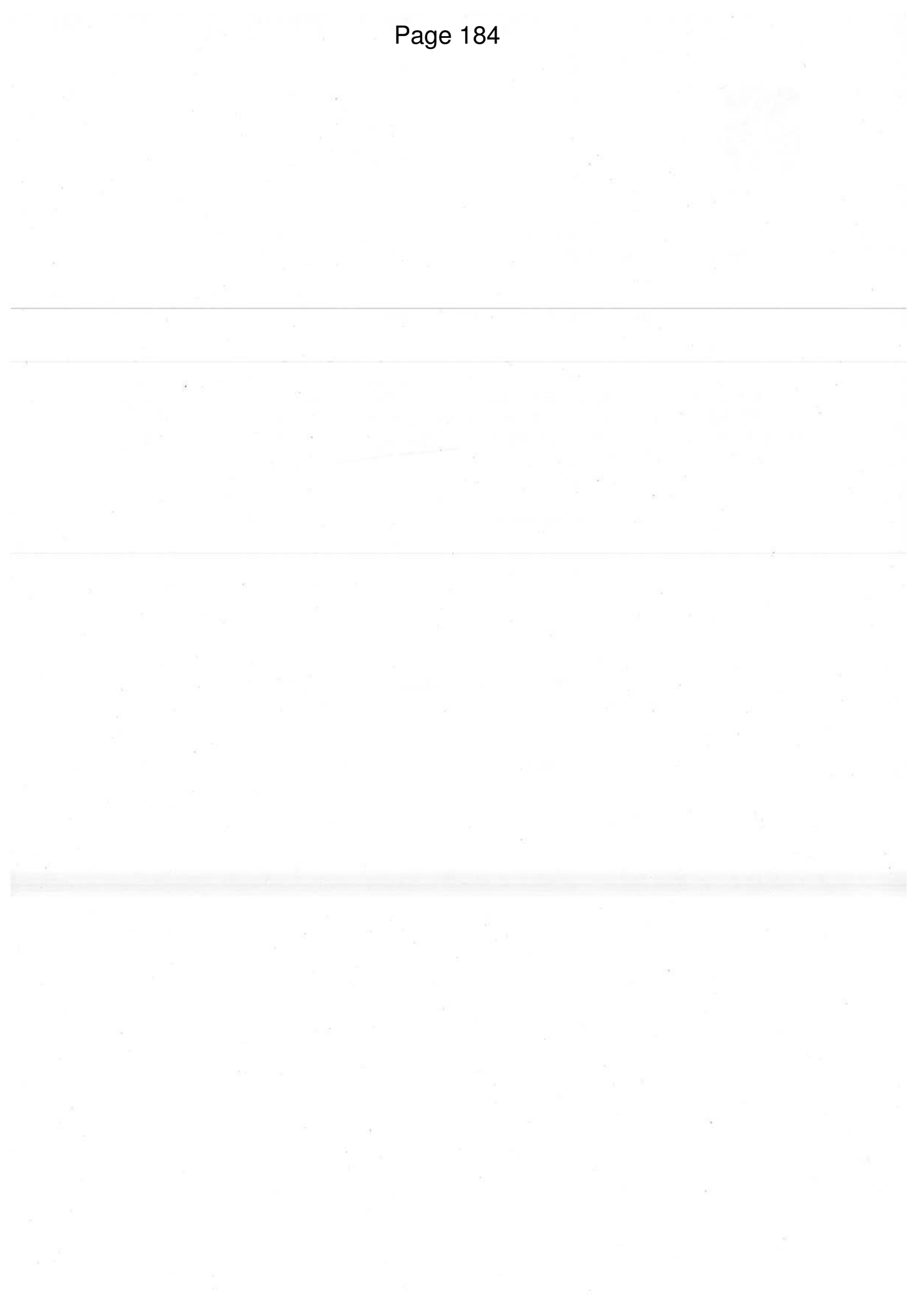
10. Head of Procurement Comments

Not relevant

11. Use of Appendices

A schedule of recommendations, together with specific comments is appended to the report, setting out the detailed response of the service to each of the recommendations made by Scrutiny Panel.

12. Local Government (Access to Information) Act 1985



Summary of Recommendations:

The Panel has made a number of recommendations to support community engagement with planning which focused on the following areas:

- Measures to support community capacity building (improve trust, developing skills, improve understanding);
- Measures to support the capacity of planning officers (consultation skills, accessibility, approach);
- Measures to support early engagement in planning consultation processes;
- Measures to further involve members in planning consultations;
- Measures to improve the quality (and accessibility) of planning proposals;
- Greater use of new technology.

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
<u>Capacity Building (Community)</u> That there should be an ongoing programme of information provision for local community groups, residents associations, CAACs and residents to build links, confidence and trust between the planning service and the local community and specifically to: • Promote an understanding of the local planning process; • Support their engagement and involvement in the development of planning policy; and • Support their input into consultations on planned development; • Further encourage the cascading of planning information and awareness within the community	Re-establish Policy Member Advisory Group for new administration and clarify membership. ToR and the nomination process will be clarified and agreed with the Lead Member. (SN) . Community Conference for all amenity societies to be held annually. (TM) AD to meet with Conservation Area Advisory Committees and Amenity Groups with PH to a programme (CD to arrange). Web site to continue to be refined to ease access on planning cases, strategic schemes and -frequent updates on Plan-making.
<u>Capacity Building (Community)</u> Provision of generic training on planning policy issues (e.g. the Local Development Plan and local planning guidance) and an update on specific	See above. An annual community conference is proposed and additional information to be made available on the website following migration to the new platform.



Community Engagement by the Planning Service April 2014

A PROJECT BY THE ENVIRONMENT & HOUSING SCRUTINY PANEL

www.haringey.gov.uk

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
planning policy issues (e.g. new legislation, new local planning policies, and current planning policy consultations).	
<u>Capacity Building (Community)</u> Provision of advice and training on the process for considering planning applications (including pre-application engagement, development management fora, the role of the Planning Sub Committee and advice on making representations about planning policy and development proposals)	See above – Community Conference to identify community leaders and review support needs and capability. Additional information on the role of the Planning Sub Committee has been prepared and is available on the website and at Planning Sub Committee meetings.
<u>Capacity Building (Community)</u> Provision of an information sheet/website detailing all sources of independent planning advice available to local residents, community groups and residents associations and guidance on how to get involved.	To be web based. To be part of upgraded web page project. (EW)
<u>Capacity Building (Community)</u> As part of the corporate customer transformation project, consider the potential for planning officers to provide planning surgeries within the community.	Move towards fee based service delivery to engage Corporate savings project presents challenge with this objective. Support to communities and discussion with Community Leaders to determine what is feasible.(EW)
<u>Capacity Building (Officers)</u> Officers should take up the support and training offered by the Planning Advisory Service, including ensuring that consultation programmes are coherent and targeted, make use of new methods and are properly evaluated. This should support the development of their skills/ techniques regarding community engagement and a 'train the trainer' session in order to support community engagement.	Formal training completed by PAS Need to identify community leaders to roll out second phase "train the trainer" (EW)
Planning consultations should be seen in the context of wider corporate engagement and should draw upon consultation skills, prior learning and resources available elsewhere in the Council (e.g. parking, regeneration,	Meeting has already taken place between Planning and Communications. Alignment of DPD's and planning outcomes to be linked to corporate plan narrative for future coms at key stages of

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
public health and CYPs). A coordinated approach should be taken with other Council consultations, with a view to a common consultation database being used by all services.	consultation. (EW/ SN)
<u>Feedback</u> To improve the feedback given to respondents as part of planning policy consultations as well as respondents to individual planning applications, ensure that the outcomes of the consultation are accurately noted and recorded within final planning decisions / documents.	Consultation outcomes are one of the key pieces of evidence that inform that emerging planning policy documents. Following consultation on draft policy documents, consultation outcomes reports are prepared, and, final reports are put on the website. Additionally, a copy of consultation report to be provided to all respondents with an email address. (SN) Planning applications - we currently give feedback to all those who send in comments on individual planning applications in accordance with the SCI. This is under review as all reports and information on applications is now available on our website. Potential for corporate solution (in due course) to provide more tailored response. AD to investigate scope for a technology support system to engage (possibly as part of wider corporate CRM)
<u>Consultation and Feedback</u> In consultation with the local community and reference groups, the planning service develop brief guidance notes and practical sources of advice to: • Assist the community in commenting on planning applications and contributing to planning policy consultations within the context of what counts as material considerations; • Guide and signpost householders with submitting properly validated planning applications.	Guidance on how to comment on planning applications is provided on all letters sent out on the reverse of all letters to neighbours about planning applications. Signposting is given to the Planning Portal and the Interactive House and validation requirements are included in the validation checklist on the website. A more formalised paid pre-application service for householder applications is being developed. (EW)
<u>Consultation and Feedback</u>	To be implemented Autumn 2014 (EW)

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
An additional condition is placed on decision notices when granting planning permission, especially for larger schemes requiring applicants to place a copy of the notice on the site premises during construction so as to facilitate community inspection and monitoring and where necessary, enforcement.	
<u>Early involvement</u> Pre-application engagement is embedded within the planning consultation structures to ensure the earliest engagement possible with ward councillors, local residents associations, CAACs, local businesses, traders associations and members of the public (the reference group). For major proposals, in addition to any consultation undertaken by the applicant, the Council should ensure that the Development Management Forum (DMF) is held at the pre-application stage. This should be linked to greater coordination with the considerations of the Design Panel at the pre-application stage. There is a pre-committee call over meeting established, open to all members of the Planning Sub Committee, to provide information to members including details of the planning applications to be considered and the planning path taken (e.g. DMF, site visits, consultation).	A new Planning Protocol was adopted by the Regulatory Committee in June 2014. This includes the provision for pre-application briefings on the larger schemes to the Planning Sub Committee (the first one took place on 28 July 2014, New SCI under development and will be subject to consultation (SN/EW). Development Management Forum provisions have changed by new Planning Protocol so that where possible proposals are discussed at the pre-application stage. The Design Review Panel terms of reference under review and will be confirmed in September 2014. (EW) A call over procedure for Planning Sub Committee is now in place from July 2014 (EW)
<u>Early involvement</u> In line with the Localism Act 2011, a revised planning protocol should give greater clarity as to how members can be involved in the pre-application process (including clear and consistent advice on predetermination and predisposition), and in particular how ward councillors for the areas affected by the proposed development can be engaged with. The service may wish to consider the development of a model based on best practice in other local	Completed and a revised Planning Protocol was adopted in June 2014 (EW)

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
authorities for their Planning Committee to be formally engaged at the pre-application stage (e.g. Hackney, Croydon & Islington).	
<u>Early involvement</u> Further consideration should be given to the facilitation of provision for community engagement, including some funding within Planning Performance Agreements for complex planning proposals to allow: • The identification of key stakeholders; • More time for involvement of local stakeholders (including the reference groups); • The development of clear consultation timelines and planning milestones in the planning process.	PPA protocol under review (EW)
<u>Early involvement</u> Explore provision within the customer transformation project for residents to provide with email address, so as to facilitate the receipt of notification alerts for planning development/policy in their ward (and or set at a radius of 500m).	To be determined by the PPA. Neighbour notification template has been updated to reflect timelines for responses.
A local consultation should include as a minimum local councillors, residents, associations, community groups, businesses and traders associations together with other residents who proactively request inclusion – the reference group.	Dependent upon wider corporate CRM and stakeholder management software.
<u>Early involvement</u> Update the procedure for how members are involved in the planning process for delegated decisions during both the application and consultation stages. This should include the retention of the weekly distribution list of new	How to balance the cost implications of consultation and the developments predicted impact will be considered and reported through the Cabinet Report for the refreshed Statement of Community Involvement. (EW)
	The weekly list sent to all members of the Council has been retained. Planning Sub Committee has a monthly report on all major applications including those recently granted planning permission. Applications determined under delegated powers are also reported monthly to the

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
planning applications, the reporting to Planning Committee of major applications in the pipeline and also recent delegated decisions.	Planning Sub Committee. (AA)
<u>Planning Consultations</u> Within planning consultations, processes should: • Maximise the use of participative methods; • Maximise access to planning officers; • Include an evaluation as standard; • Involve the reference group (e.g. members, residents associations, community groups, business and traders associations).	Part of ongoing service engagement and development, to be reviewed as part of updating the Statement of community Involvement. Role of reference groups to be determined having regard to appointment process and scheme specific characteristics.
<u>Planning Consultations</u> The planning service should reconsider how Area Fora are used for planning consultations particularly in relation to: • the reach, participation and involvement of the local community; • links to development management forum at the pre-application stage; • improving the presentation of consultation documents which may support better understanding and engagement at these fora.	Part of a corporate response required. The future of Area Forums and the role of them in consultation, would require potentially greater frequency in some areas and risks duplication with other consultation programmes.
<u>Improving quality of planning proposals</u> Greater use of community consultation events to support the formation of pre-planning advice and information for the top 10 planning issues i.e. to create a detailed checklist of information that's needed and how it is presented (N.B what are the top planning issues for the community e.g. design, heritage, conservation, enforcement capacity, durability of materials	A report on design quality is being prepared with associated action plan. (SK)

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
landscaping etc).	
<u>Member development</u> In recognition of the important roles of the ward councillor and the planning champion, engagement, involvement and 'planning champion' have, there should be: • A minimum (Level 1) programme of member training and development for all 57 councillors to further enable them to represent community interests within their wards; • More Councillors given full (Level 2) training in planning so as to increase the pool of Councillors available to sit on Planning Committee; • Further training on planning policy (scope and content of documents as well as timetable for remerging documents); • Bespoke web page(s) providing information, advice and support; • Clarity over key local contacts in the planning process.	A 2 day training programme has been delivered for all members of the Planning Sub Committee and was offered to all members of the Council. Ongoing (level 1) programme of events to be commenced from Autumn 2014 reflecting aspirations for wider engagement and dialogue on planning and related matters.
<u>Member development</u> The planning service develop a 'feedback loop' whereby periodically (every 6 months) a review process is undertaken with members to look at development schemes that have been authorised, the purpose being to review development help and ensure that future proposals reflect the views and aspirations of the community and are policy compliant	See above
<u>Statement of Community Involvement (SCI)</u> In the updating of the SCI the community is consulted so as to reflect the emerging consultation priorities and processes listed elsewhere within this report: Renewed emphasis on the role of members and the reference group;	SCI scheduled for review and a short executive summary will be developed as part of an updated SCI. (SN/EW) There is an SCI webpage and the website is regularly updated. . (SN) Importance of pre-application discussions and involvement has been given greater status by the introduction of pre-application briefings to

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
• Importance of pre-application discussions and involvement to be given greater status. • A dedicated webpage to be provided for the SCI so as to allow for more frequent updates and the provision of useful links for the community. • That a short executive summary of the SCI be developed and distributed among the reference group.	Planning Sub Committee – these are public meetings which are webcast and moving the discussion at Development Management Forums to the pre-application stage.
<u>New technology</u> Given the importance of digital processes in conveying information and advice in support of planning processes, it is recommended that the planning service reviews the layout, function and utility of the planning section of the so as to: • Ensure that GIS technology is fully utilised in planning processes (to enable real location viewing of planning applications (e.g. Wiltshire) and assist in planning notifications; • Ensure that the website can be used to capture and report community intelligence that may assist planning enforcement; • Ensure that feedback provided within planning and development proposals is clearly labelled; • Ensure that existing planning notification, consultation and reporting media (e.g. press, posters, letters) are maintained so as to be best utilised to underpin the increasing shift towards web based services.	The layout, function and utility of the planning section has been reviewed as part of the DMIP and a new structure is being rolled out as part of the transfer of the Council's website to a new platform. This should bring greater clarity. New GIS officer to be recruited to Council to increase capacity. Information available for public access from the website is being upgraded to include information on planning enforcement history, listed buildings and trees. There is an online planning investigation form for members of the public to report alleged breaches of planning control. Discussion on automatic notification of planning applications through the website is underway as part of the Customer Service Transformation programme of migration to self service.
New technology	Cost of model and data for whole Borough to be subject of a business

<u>SCI SCRUTINY RECOMMENDATIONS</u>	<u>SERVICE RESPONSE</u>
To improve the accessibility of planning documents it is recommended that the planning service consider the acquisition of 3D modelling software, so as to help the reference group and other interested parties better visualise (and obtain a more accurate representation of) planned major development and planning proposals.	case. Selective areas of greatest change likely to be prioritised.



Haringey Council

Report for:	Cabinet - 16 September 2014	Item Number:	
Title:	Response to Scrutiny Review - Strategic Enforcement		
Report Authorised by:	Tracie Evans, Chief Operating Officer		
Lead Officer:	Graham Beattie		
Ward(s) affected: All	Report for Key/Non Key Decisions: Key Decision		

1. Describe the issue under consideration

- 1.1 The Environment and Housing Scrutiny Panel examined the council's strategic enforcement functions as part of its 2013/14 work programme. Their resultant report was considered by the Overview & Scrutiny Committee at their meeting in April when a range of recommendations presenting workable solutions designed to build on the already good work being undertaken by the council were agreed.
- 1.2 This report, and more specifically the appendix to it, lists the recommendations and presents the Cabinet Member's response to them.

2. Cabinet Member introduction

2.1 I find myself in a somewhat unique position having both been involved in the original scrutiny review of the council's strategic enforcement functions and, as the new Cabinet Member for Environment, in responding to it. I am therefore able to commend the recommendations to the Cabinet and the measured response to them. I say measured, because the present administration's manifesto seeks a more robust enforcement role by the council in supporting law abiding residents against the actions of irresponsible residents, landlords and businesses, while also recognising the challenging financial framework within which the council finds itself having to operate.

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The preparation of a new council enforcement policy is perhaps the most important of the recommendations as this will provide the framework within which the other recommendations can be addressed in a consistent and complementary manner.

3. Recommendations

3.1 That Cabinet note the recommendations arising from the Overview and Scrutiny Committee review of the council's strategic enforcement functions and agree the response to these set out in the appendix to this report.

4. Alternative options considered

4.1 The appendix to this report sets out a considered response to all twenty seven of the original Overview & Scrutiny recommendations. In arriving at these responses officers have had regard to the intention behind the recommendations and the practicality of their delivery in terms of both staff and other resources. Appropriate option comments are contained in the individual responses.

5. Background information

5.1 The council undertakes a number of regulatory functions that control the behaviour of individuals and organisations in the public interest and support its statutory powers. In undertaking their review, the Scrutiny Panel placed a particular focus on the co-ordination, consistency and effectiveness of council enforcement functions and public awareness of and engagement with them.

6. Comments of the Chief Finance Officer and financial implications

6.1 There are no specific additional financial commitments identified in the responses to the recommendations. Actions will be met through existing budgets including, where noted, those aligned to Council transformation programmes. Where subsequent additional resource requirements are identified these will need to be presented to Cabinet at that time.

7. Head of Legal Services and legal implications

7.1 The Assistant Director of Corporate Governance has been consulted in the preparation of this report. The majority of the recommendations are operational matters delegated to officers. The implementation of other decisions such as the adoption of a revised enforcement policy and selective licensing scheme will need to be agreed by members in due course.



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8. Equalities and Community Cohesion Comments

8.1 Policy and Equalities Team have consulted in the preparation of this report and have commented that:

8.2 A key recommendation of this review which, in his response, the Cabinet Member has agreed is that Haringey Council adopts a set of enforcement principles among which is “A fair yet firm approach to enforcement”.

8.3 This principle underpins and will continue to underpin any Haringey enforcement policy now and in the future. It is consistent with the Council’s general equality duty which requires that in all its functions and activities, the Council must have due regard to the need to eliminate discrimination, harassment and victimisation; advance equality of opportunity and foster good relations between groups in the wider Haringey community.

8.4 It is also consistent with the Council’s equal opportunities policy and with the Council’s Corporate Plan, which has “Promoting equality” as a cross-cutting theme, which all parts of the Council including enforcement will have to embrace and be guided by in everything they do.

8.5 We do not think that the adoption of any of the recommendations of this report will require a full equality impact assessment as it is not likely that any of them will have a disproportionate negative impact on any persons or groups possessing any of the characteristics protected by the Equality Act 2010 nor is it likely to have a negative effect on community cohesion in Haringey.

9. Head of Procurement Comments

9.1 This report has no procurement implications.

10. Policy Implication

10.1 A key recommendation from the review is the assessment and updating of the council’s current Enforcement Strategy. This will serve as a framework for addressing the various other review recommendations.

11. Reasons for Decision

11.1 This report seeks Cabinet agreement to the proposed response to the Overview & Scrutiny recommendations on the council’s strategic enforcement functions.

12. Use of Appendices

12.1 Appendix : Response to Scrutiny Panel recommendations.



Haringey Council

13. Local Government (Access to Information) Act 1985

13.1 None.

Appendix: Strategic Enforcement Scrutiny Report - Response to Recommendations

		Response	Who & When
	Enforcement Culture		
	A. It is recommended that the current Council Enforcement Strategy (2007-2010) is assessed and updated to reflect the conclusions and recommendations made within this report.	Agreed. The council's Regulatory Services Manager will take the lead in reviewing the council's enforcement strategy and preparing a new enforcement policy. This will seek to give strategic direction to the Council's enforcement strategy. This work will involve input from a range of services including Planning, Neighbourhood Action, Parking, Housing and Building Control. It is not intended for areas falling outside "environment and housing" to be included in this particular policy, some of which have their own enforcement policies, e.g. benefit fraud. However, relevant service heads will be consulted in the preparation of the policy.	Regulatory Services Manager, supported by identified Services January 2015
	B. The following recommendations have been developed in the context of the council's broader approach to enforcement and work already under way. It is recommended that Haringey Council adopt the following enforcement principles:	Generally agreed. To be addressed as part of a new enforcement policy and strategic direction. Enforcement income is commonly used to defray enforcement costs although there are certain statutory constraints on its use, for example in terms of parking enforcement.	Regulatory Services Manager January 2015

	• A fair yet firm approach to enforcement; • The willingness to take direct action where appropriate and necessary; • A focus on prevention (through education and advice) where possible as a means to promoting awareness and compliance to avoid the need for enforcement action; • A policy of investing to save so that resources can be saved on enforcement surveillance and action that could be better used across the council; • Cross departmental and inter-agency dialogue and cooperation that lends itself to a strategic approach to enforcement and best use of finite resources in the context of a decreasing local government budget; • Where possible, enforcement income is ring-fenced to consolidate enforcement services; • Raising the profile of Haringey's enforcement actions through effective communications with partners, residents and local businesses.	Part of this conversation will be what sort of funds we need to set aside with regard to facilitating direct action and what service would be most appropriate to carry this out for any given breach. Need to bear in mind that not all costs will be recovered and may be locked into the property as a charge on the land for many years.	
	Information systems		
1	To support a strategic and more coordinated approach to enforcement across the Council, it is recommended that existing enforcement information systems are linked to a core database. This will create a centralised record of enforcement actions/ events which, once analysed, can be used to guide and inform enforcement priorities and action across the Council. The core database: • Should be linked to a Local Land Property	Generally agreed. The contract for one of the council's existing enforcement databases, M3, is currently up for renewal. IT will be asked to examine the potential for a more integrated database approach as part of this exercise. However, it should be appreciated that this is a complex requirement that will require clear definition of the	Assistant Director for Communications

	Gazetteer to ensure that the system is underpinned by accurate and consistent property referencing; • Be supported by a small dedicated unit (Enforcement Task Force) who can provide analytical expertise, add value to the core data and, guide and inform a strategic approach to enforcement. The establishment of a core database will assist the Council to: • Deliver more coordinated and joined up enforcement action across the Council; • Prioritise and target enforcement action and use resources more effectively; • Develop a proactive approach to enforcement; • Better respond to the enforcement concerns and priorities of the community • Map out the effectiveness and compatibility of existing database and IT systems.	requirements. Any new procurement and/or development will need to be subject to a business case. There may be scope for this as part of the wider customer services database being pursued by the council. In addition the Business Infrastructure Programme manager will be consulted to ensure alignment to the work of this programme. In preparing a new enforcement policy for the council consideration will be given to the value of seeking a dedicated Enforcement Taskforce. Given the financial constraints faced by the council any associated costs would need to be sought from existing budgets or additionally generated enforcement income.	
2	It is recommended that the Council ensure that any new information system procured for parking is fully integrated and compatible with systems used in other regulatory and enforcement services.	Not agreed. Parking enforcement systems are very much bespoke and designed to address specific parking income recovery including bailiff services.	

3	In discussions with all regulatory and enforcement services together with IT, it is recommended that there is a detailed assessment of the longer term viability of M3 regulatory system, considering that: • It is not presently being used to full capacity; • There are limitations to its use and accessibility by other enforcement and regulatory services that would benefit from having access to it; • It is not compatible with other enforcement systems (e.g. planning IPIAN) • Any new system should be developed with need to support the mobility of front line officers.	Agreed. The M3 contract is up for renewal and there is currently a review underway as indicated in 1 above.	Regulatory Services Manager Business Support & Development Manager January 2015
	Collaborative top 10/20 enforcement priorities		
4	It is recommended that the Council develop a Top 10 system where enforcement and regulatory services and partners meet/communicate regularly, on items from their own of their own (level 2) Top 10 enforcement cases that they nominate. The collation of the range of (Level 2) Top 10 lists to form a central top 20 (level 1), each entry being designated to one department/ partner with a named officer to take the lead in delivering a holistic assessment, action and enforcement outcome.	Agreed. Within existing resources a top 10/20 task and finish group should determine corporate enforcement priorities and how these might most effectively be pursued.	Regulatory Services Manager January 2015
5	It is recommended that the Council further promotes and extends the use of My Haringey enforcement APP across front line council staff (e.g. Planning service).	The My Haringey App was originally developed by Single Frontline to principally for the highways, waste and cleansing service areas and to allow more convenient public reporting of	IT Business Support & Development Manager

		issues, defects and complaints. A key component of this was the integration of the App with the Highways Confirm and Veolia waste management systems to minimise the manual intervention required. The Mobile Device Management Project (MDM) provides a platform for all Frontline Staff to easily report defects. Homes for Haringey are currently developing an extension to the App to report Housing repairs. Originally the App development looked at integration with the M3 system for enforcement activity, however integration was not possible due to the current development status of M3. As part of the M3 review we will be seeking that this is addressed	
6	Where appropriate, to raise awareness and reporting of enforcement issues, enforcement services undertake selective training or briefings with other front line services, utilising the capacity for in-house training and knowledge sharing e.g. Building Control briefing for Social Workers.	Agreed. Service performance briefing already taking place to cascade information. The proposed Top 10 officer and partner group referred to in 4 above would appear to be a suitable mechanism through which to deliver this recommendation.	Regulatory Services Manager January 2015
7	a) The Partnership Tasking Group is an effective group for prioritising and targeting enforcement action, and it is recommended that its key elements of success (e.g. partnerships, prioritised activity) are shared more widely across the Council to	Agreed.	Head of Community and Enforcement January 2015

	promote and extend best practice. b) That an audit of Tasking Groups, including who sits on these, how frequently they meet, their remit and powers and who they report to, is undertaken to aid sharing of information and effective partnership working.	This would appear to be ideally pursued through the group tasked with determining the Top 10 system by way of essential background input to that process.	Regulatory Services Manager January 2015
8	a) To ensure that public is aware of the context and need to share information across the Council, there should (where possible) be council wide conformity to Data Protection and sharing statements on all forms and applications (developed in consultation with legal, Information Governance and Audit). b) In addition, to promote clearer understanding, consistency of approach and effective information sharing arrangements it is recommended that the Council further Data Protection guidance is provided to enforcement services. Guidance should work on a proactive 'how can we act' principle if basic criteria are set.	Agreed. Lead will be with individual services with appropriate support from Legal, Audit and Information Governance.	Enforcement Services January 2015
9	It is recommended that a key link (named contact) is established within NAT (or other lead enforcement service) to liaise with Mental Health Services (BEHMT) to support enforcement outcomes (whilst also being sensitive to mental health needs).	Agreed. A meeting will be arranged with an appropriate contact within BEMHT to explore how this might best operate for the benefit of both organisations.	Neighbourhood Action Manager November 2014
10	To promote information sharing, the Council should	Agreed. The Neighbourhood Action	Neighbourhood Action

	seek to develop the provision and use of Memorandums of Understanding that services have with key utility companies. The Council may build on those experiences of the NAT in this process.	Manager will be asked to make an appropriate presentation to the multi-service prioritisation group.	Manager January 2015
11	To further promote local enforcement partnership working, it is recommended that the Council work with Police Service to reinvigorate local SNT panels and ensure that there is representation from key council services such as NAT and Homes for Haringey.	Agreed. The SNT panels are however not directly under council control in terms of what they are used to achieve. In a similar vein the Council will need to work with the London Fire Brigade with regard to certain housing and planning matters.	Head of Community Safety and Enforcement/Neighbourhood Action Manager/HfH Director of Operations January 2015
12	In the context of substantive organisational change, it is important that the Council retains those informal partnerships and information sharing arrangements which underpin effective enforcement action (organisational memory). It is therefore recommended that where possible, information sharing protocols are developed across enforcement and regulatory services to formalise such arrangements.	Agreed. To be pursued through 4 and 10 above	Regulatory Services Manager January 2015
	Training and development		
13	To increase the investigative capacity and skills of the organisation, it is recommended that the Council should develop the pool of Proceeds of Crime Act (POCA) trained staff (e.g. through future	Agreed. There have been three complete POCA cases for planning enforcement which	Regulatory Services Manager/Legal Services January 2015

	recruitment, provision of educational allowances).	should bring in a total of over £70K to the Council. Planning enforcement has identified several cases at prosecution stage where the perceived benefits would qualify them as suitable for confiscations under POCA if convictions are successful. A Trading Standards test POCA case has taken place. Although an Order is in place the authority has not received the full amount. The service is using this to develop its understanding of this legislation and the potential it affords to the council. This experience will be shared with other internal enforcement services. The opportunity will be taken as part of the preparation of a new enforcement policy to ensure this is further developed and suitable staff training arrangements put in place. When considering whether to invest in training Council staff to become accredited financial investigators (which would result in the Council gaining a further 18.75% share of POCA awards), the capacity of the police (who currently	

		undertake this role) will be taken into account along with the fact that POCA awards cannot always be recovered.	
14	That the Council, (perhaps in conjunction with other North London Boroughs) and through the Chair of the North London Bench, seek to offer update and training to local magistrates to promote mutual awareness and appreciation of the problems of regulation in the private rented housing sector (e.g. how cases are handled in court, costs are recovered).	Agreed.	Housing Improvement Manager/Legal Services March 2015
	Selective Licensing		
15	Using the evidence and learning from London Borough of Newham, it is recommended that the Council adopt Selective Licensing in a pilot area, and if successful roll it out more widely across the borough. This approach will; • Help to develop an evidence base for implementation (e.g. ASB) • Help to coordinate enforcement action; • Place greater emphasis on the landlord for regulatory compliance; • Focus on core IT and legal issues that other local authorities (including Newham) have encountered; • Improve private sector management and the quality of housing services for local tenants in the private rented sector;	Selective licensing needs to be whole borough or the biggest scheme the data will allow, otherwise it will not stack up. The effort to set a pilot is just as demanding as a larger scheme. The fee level is low so need ?as many properties as possible. Selective licensing will give the flexible powers to support a co-ordinated enforcement programme and provide serious sanctions for all officers to use. Selective licensing also gives Rent Repayments Orders which will complement the Proceeds of Crime activity.	Housing Improvement Manager

	This should link to a) Discretionary Licensing Pilot Scheme b) the conversion of industrial unit to residential units.	Selective and Additional HMO licensing also can tackle all the properties that are subject to certificates of lawfulness but fail to meet housing standards, often through room sizes. Selective licensing will need to be considered as part of a new enforcement strategy and will require a separate Cabinet report and decision. Article 4 Direction regarding change of use to HMO is now in force in east of borough. Whilst there are referrals between services, greater focus and control is likely to mean more planning applications / unauthorised changes of use which will attract no fee as in Article 4 area.	
	Communications		
16	Effective enforcement is underpinned by sound communication and information sharing processes between enforcement services, local residents and businesses. Three critical areas for development are: The way in which enforcement services communicate and engage with the local community to set local regulatory or statutory requirements - the enforcement framework – including the development of realistic	Agreed. This will be achieved through the development of a communications plan to support the delivery of the council's new enforcement policy and the associated co-ordinated cross-service approach. The new enforcement policy will need to address the issue of the collection of local intelligence.	Communications

	expectations and a culture of co-production with residents and other local groups; • The way in which intelligence is garnered from local residents to guide and inform local enforcement action; • The frequency, profile and substance of successful enforcement outcomes are communicated to local residents, businesses to reinforce enforcement approach, culture of the organisation;		
17	It is recommended that further work is undertaken by the EHSP to help gauge how enforcement services can improve the way that they engage and involve with local residents, business and traders associations.	EHSP to determine future review priorities.	EHSP
18	That further consideration is given within the Customer Service Transformation Programme in the way that local residents present enforcement information and intelligence to the Council (level 1 customer services) and how this is effectively shared (with level 2 enforcement services).	Agreed.	CST Team
	Regeneration and enforcement		
19	It is recommended given the substantive new development planned for the borough that further assessment and modelling is undertaken to assess the demand for demand for enforcement services in the future.	It is anticipated that the current extent of enforcement issues faced by the council will not be replicated in future development and regeneration as a result of robust and effective	

		development control through the planning system. Future demand assessment is not seen therefore as a current necessity although this can be reviewed at a future date should time series analysis of enforcement demands suggest otherwise. Any such future reassessment would also have to have regard to the council's budgetary position at the time. Where there is a profit motive or the surrounding area suffers from poor and unauthorised development breaches of planning control are likely to occur. This is where project orientated integrated enforcement, e.g. town centres will be most effective and make efficient use of resources.	
20	It is recommended that a 'welcome pack' is developed for small business that sets out the duties and expectations of responsible businesses as well as the range of support services available. It is suggested that this is systematically distributed to new business as they are identified to promote awareness and compliance with local regulatory and enforcement frameworks.	Agreed. Communications team to lead on this and to link it to the responsible retailers' pack being prepared by Trading Standards/Public Health. Recommend welcome pack on housing and planning front for private landlords and for Council tenants and what they can or cannot do especially in Tower Gardens / Noel Park.	Communications
21	It is recommended that regeneration, enforcement (planning and licensing) and local taxation services	Agreed.	Enforcement Services/Business Rtes

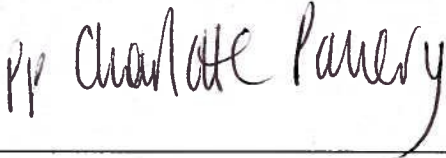
	develop a mechanism through which the details of new businesses are communicated and shared across the council to ensure, where necessary, business are appropriately registered (e.g. food premises, council tax etc).		
22	It is recommended that a due diligence checklist operates together with an assessment of compliance with local regulatory and enforcement framework before the award of any local grants (e.g. shop frontage).	Agreed with this extended to any other type of council award. The database recommendations in recommendation 1 above should assist with this process.	Relevant council service areas November 2014
23	It is suggested that, periodically, enforcement officers walk local high streets to gauge compliance with and adherence to the local enforcement and regulatory frameworks (e.g. waste, planning and licensing).	Agreed. This already happens through the NA Team in relation to visible street-related issues. This can also be tied into the joint enforcement project being pursued by the council.	Regulatory Services Manager Ongoing
	Member involvement		
24	It is recommended that further use should be made of members extensive knowledge and understanding of a local areas and issues (e.g. community concerns, new businesses,) in order to identify and prioritise local enforcement action. It is recommended that members should be encouraged to identify local hotspots and priorities for enforcement action which would benefit from a holistic enforcement approach from a range of services (e.g.	Agreed. This already happens in relation to the NA Team. NA Officers regularly meet and communicate with Ward Members on local enforcement matters. The NA Team already produces a monthly enforcement activity summary which is circulated officers and Members. The collaborative Top 10/20	Neighbourhood Action Manager Ongoing

	waste, planning, licensing); • The provision of introductory member training to promote an understanding of enforcement and regulatory framework and the powers available to the council; • It is recommended that a enforcement circular could help to improve member interaction with enforcement and regulatory services (where action is being taken, progress, so this can be communicated to community).	enforcement priority approach suggested in recommendation 4 above should facilitate communication with councillors regarding both priorities and progress. Suitable briefing sessions should be considered for Members to increase their awareness of key enforcement issues and how the council can best respond to them.	Regulatory Services Manager January 2015
25	A dedicated web page (or information sheet) is developed for members outlining key enforcement information and contacts which may assist in the identification and or resolution of local enforcement concerns.	Agreed. Appropriate enforcement contacts already exists on Hairinet. These will be reviewed to see if they can be more effectively brought together.	Communications supported by Enforcement Services
	Lobbying for change		
26	It is recommended that the relevant Cabinet member writes to relevant Minister and local MPs to seek clarification in which multiple units are designated as such by the Valuation Office (there is currently some ambiguity as to whether multiple units are HMO's or separate flats - test is can they be sold as 1 contained unit and do they have shared facilities). This is important as it decision determines who is liable for council tax (residents if	Agreed	Cabinet Member

	separate and owner if HMO) and other regulatory compliance. It is also suggested that the Cabinet member write to and to ascertain if this is an issue with other representative bodies (e.g. London Councils / GLA).		
27	Appropriate Cabinet member write to local MPs, London Councils to highlight issued and problems associated with new conditions for 'right to buy'.	Agreed	Cabinet Member

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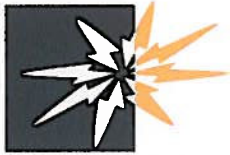

Haringey Council

Report for:	Cabinet – 16 September 2014	Item Number:	
Title:	Response to Recommendations of Children and Young People's Scrutiny Panel on the delivery of the Two Year Old Early Entitlement		
Report Authorised by:	Zina Etheridge - Deputy Chief Executive 		
Lead Officer:	Ngozi Anuforo, Early Years Commissioning Manager		
Ward(s) affected: All		Report for None Key Decision	

1. Describe the issue under consideration

The Children and Young People's Scrutiny Panel undertook an in-depth piece of work on the two-year-old early entitlement and its implementation within Haringey. From September 2013, all local authorities in England have had a statutory duty to secure free part time early education for the 20% most disadvantaged 2 year olds. This will be extended to the 40% most disadvantaged in September 2014. Children whose parents meet the eligibility criteria will become eligible for a place from the start of the term after they turn two years old until the start of the term after they turn three.

The overall aim of the scheme is to improve outcomes for two-year-olds who have been identified as potentially benefitting from access to high quality early years and childcare provision. The entitlement is for 570 hours per year, which equates to 15 hours per week for term time only.



Haringey Council

The Panel's project began in September 2013 and looked in detail at plans by the Council to implement the early entitlement offer and, in particular, ensuring that there are sufficient high quality places available for two-year-olds in all areas of the borough where they are needed and that take up levels meet targets. In addition, it also looked at the transition process for places for three-year-olds.

The panel proposed number of recommendations for approval by Overview and Scrutiny Committee on 10th April 2014.

This paper will provide a summary of how the recommendations of the scrutiny panel have been addressed as part of the wider development of the two year old free early education programme in Haringey.

2. Cabinet Member introduction

Whilst the Two Year Old programme presents a great opportunity to support the delivery of early help to our most disadvantaged children in Haringey, there are clearly challenges, particularly for local authorities in London, to ensuring that those children who would benefit from the experience of good quality, early education are able to take up this opportunity through access to a free early education place. The depth and breadth of the Children and Young People's Scrutiny Panel review highlights the importance placed on the programme in Haringey. The subsequent recommendations, as the responses show, helpfully underpin the work being undertaken to meet the challenges highlighted during review and contribute to the wider, more robust planning required to ensure the successful delivery of this programme.

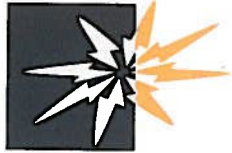
3. The Children and Young People's Scrutiny Panel Recommendations

Recommendation 1

That further intensive work be undertaken with childcare providers to develop the two-year-old early entitlement scheme, particularly where they have expressed an interest in expanding, with a proactive approach adopted.

Recommendation 2

That action be taken to enhance the status of child minders so that they are encouraged to provide places as part of the entitlement and parents are more likely to consider using them. This could be done through, for instance, improved training arrangements and the development of links with Children's Centres. In addition, consideration could be given to forming them into groups/cooperatives. Childminding could also be promoted in Haringey People.



Haringey Council

Recommendation 3

That further consideration be given by Children and Young People's Service (CYPS) to the transition process for provision for three-year-olds, with a view to identifying how available funding streams can be most effectively exploited.

Recommendation 4

That work is undertaken to identify potential sites through liaison with Ward Councillors and that consideration is given to a wider call for suggested sites which could be promoted through residents associations, the Council's website and Haringey People.

Recommendation 5

That childcare provision be prioritised when considering the future use of empty Council premises and properties.

Recommendation 6

That communication with parents and carers be improved, including:

- More user-friendly and attractive letters, with a named contact; and
- A Free phone contact number that is also free from mobile phones.

Recommendation 7

That work is undertaken with National Health Service (NHS) commissioners to facilitate the involvement of Health Visitors in promoting the two-year-old early entitlement by providing information to parents during their visits. This should be built into protocols as the local authority will be taking over responsibility for commissioning the Health Visiting Service from 2015 and there is an aspiration for a return to a Universal Offer.

Recommendation 8

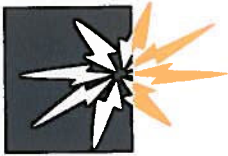
That work to promote the entitlement be extended to other professionals in contact with expectant mothers and mothers with very young children, who should be encouraged to disseminate information on the two-year-old entitlement.

Recommendation 9

That work is undertaken to look at setting up 'Playground Champions' within infant and primary schools as a means of promoting the scheme.

Recommendation 10

That the model used by the School Admissions service should be the template for arrangements to allocate places and fill vacancies for the two-year-old early entitlement.



Haringey Council

Recommendation 11

That mapping should be published which shows levels of take up, available places and children awaiting placement in each ward. A system of tracking outcomes should also be developed. This could include case studies.

4. Programme Development to date

Delivery of the two year old programme in Haringey continues to present some challenges as we work towards meeting the target of providing access to free entitlement places for approximately 1,790 children from September 2014. A Department for Education (DfE) estimation of 80% take- up takes this figure to 1,432.

From September 2014, the full national eligibility criteria will be;

- Children looked after by Local Authorities;
- Children meeting the criteria for entitlement to Free School Meals (FSM), where the child's parents are in receipt of any one or more of the following support payments;
 - Income support (IS);
 - Income-based jobseeker's allowance (IBJSA);
 - Income-related employment and support allowance;
 - Support under Part 6 of the Immigration and Asylum Act 1999;
 - The guarantee element of State Pension Credit;
 - Child Tax Credit but not to Working Tax Credit and have an annual income not exceeding £16,190 (as of 6 April 2012), as assessed by Her Majesty's Revenue and Customs;
 - Entitled to Working Tax Credit four week run-on; and
 - Universal Credit.
- Children in families receiving Working Tax Credits or Universal Credits and with annual gross earnings of no more than £16,190 a year;
- Children receiving a current statement of Special Educational Needs or an education, health and care plan;
- Children attracting Disability Living Allowance(DLA); and
- Children leaving care through special guardianship or through an adoption or child arrangements order.



Haringey Council

A number of issues have emerged as the development of the programme has progressed and are being tackled through the specific plans that are in place to meet the sufficiency and take-up targets;

- Finding sufficient number of providers to deliver places in key locations
- The need to increase current number of good quality places available in the market
- The need for additional delivery spaces to be found within school premises
- The limited places on offer amongst childminders and reduction in numbers of places available through childminders due to low take up. Some parents appearing unwilling to take up places offered by childminders.
- A generally lower than anticipated take up of places with some eligible children not taking up a place at any provision
- Language and literacy barriers to parents accessing information about the 2 year old programme

The anticipated 80% take-up rate continues to be a challenging target for Haringey and other local authorities in London as London Councils presented to the Scrutiny panel during the evidence gathering phase. A range of support, targeted at the London boroughs, is being developed and implemented by the DfE from August 2014. In Haringey, delivery of the programme remains a priority and we have directed more project resources to the work.

5. Response to the Children and Young People's Scrutiny Panel Recommendations

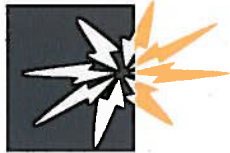
5.1 Place Development

There are currently **642** places available for children across a range of providers.

5.1.1 Recommendation 1

Intensive work continues to be undertaken with childcare providers to develop two year old early years free entitlement places. This includes the targeting of providers not yet engaging in the programme, new providers opening up in the borough and existing providers who have the capacity to expand. We routinely inform all private, voluntary and independent childcare providers and childminders in the borough about where places are needed and inviting them to express an interest.

All new providers are kept informed about the two year old programme through regular forums meetings and have access to ongoing support and training to deliver places.



Haringey Council

5.1.2 Recommendation 2

There is a need to raise the profile of child minding in the borough and encourage the parents of eligible children to consider a childminder as an option for their child's place. To this end, we are working with the corporate communications team to develop material aimed at promoting childminding as a childcare choice.

We continue to support childminders in the borough through on-going training and network meeting which offer the childminders the opportunity to meet regularly with children's centre staff. Childminders have access to two year old programme focused training, alongside PVI providers, children's' centres and schools.

The scope for developing a model for groups of childminders to work collaboratively is being explored with reference to the emerging picture from national childminder agency initiative.

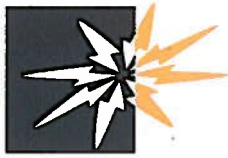
5.1.3 Recommendation 4 & 5

An exercise to review all potential council owned premises was completed in May 2014. As number of sites were identified and form part of our plans to increase the sufficiency of places. It is anticipated that the successful development of these sites could yield approximately 216 places. The need to prioritise the future use of empty council premises and properties is known by the council's asset management team.

5.2 Take up of places

By the end of July 2014, the take up of places by children was 441. As Haringey are currently below the 50% take up level, additional support is being provided from the DfE commissioned Achieving 2YO team(Hempsells) with an agreed focus on developing provision in schools and provided by childminders.

Poor take-up, particularly with childminders is a common picture across London and improving this remains a key priority and the focus of the support offered through the DfE and Hempsells.



Haringey Council

5.2.1 Recommendation 6

The introduction of two-year-old branded envelopes with our existing freepost return address in April 2014 has contributed to increased response rates. Communication to parents/carers has been supported by an on-going marketing campaign to increase awareness in the community about the programme and encourage more parents and carers to take up the entitlement for their child. A number of approaches are being implemented to maintain communication and improve take-up by parents/carers including;

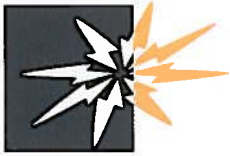
- Enabling Children's Centres to carry out targeted engagement of eligible 2 year olds in their reach area.
- An on-going programme of targeted follow-up telephone calls to the parents/carers of eligible children and brokerage support for parents/carers.
- Refreshed information to professionals; including children's social care.
- Targeted information and community outreach to support engagement.
- Series of parent road shows to raise awareness and support parents to access the programme.
- The development of childminding promotional material; including promotional video supported by a campaign to promote childminding as a childcare choice.

Work is being undertaken, supported by the DfE, to develop the capability for parents/carers to check eligibility online; particularly in light of the widening of the eligibility criteria to include those parents accessing Working Tax Credits or Universal Credits and with annual gross earnings of no more than £16,190 a year. This will be accessed via refreshed information pages on the corporate web site.

5.2.2 Recommendation 7 & 8

Health Visitors have been aware of the two year old programme since the implementation of the pilot initiative. Health Visitors and Family Nurse Partners are involved in, and support the engagement of parents and carers in the programme.

In anticipation of the expansion of the programme to include the wider criteria from September 2014, further information has been prepared and will be made available to professionals; including health visitors, midwives and social workers.



Haringey Council

5.2.3 Recommendation 9

The 'Champions' model is being developed and forms part of our overall communication strategy for improving the engagement in the programme of children and families from different communities in Haringey. To date, our outreach into the community and exploration of barriers to take up, have identified language as a significant barrier for some parents' awareness and understanding of the two year old free entitlement. The intention is to establish a number of parent champions from the autumn who will be supported to undertake a targeted programme of promotion, information giving and signposting.

5.2.4 Recommendation 10

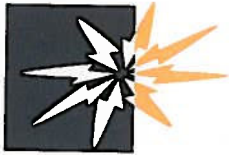
The model used by Haringey's School Admissions service was considered but did not offer an appropriate template for arrangements for the allocation of places and the filling of vacancies without introducing a new centralised admissions process. A centralised admissions service would need to encompass the maintained and PVI sector and would require the ongoing investment of funding in the development and maintenance of central administrative infrastructure. The steer from the Department for Education (DfE) was for local authorities to work with providers on more local arrangements for the managing the admission of children into 2 year old places.

Improvements have been made to the IT system used to manage the 3 and 4 year old free entitlement to include the 2 year old free entitlement. We have been working with providers to develop the system further and are exploring how the full implementation of an online checking system can be linked with our existing systems to enable local admissions systems to be swifter, robustly managed and enable the effective tracking of take-up and gathering of data by the council for the annual DfE census.

6. Data and mapping

6.1 Recommendation 3

All providers expressing an interest in developing places or developing places are supported with information and access to training. As part of this support, providers are encouraged to plan for transition of two year olds into three year old places and have access to business support materials that include exemplars and options for place provision that models transition planning.



Haringey Council

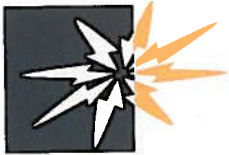
6.2 Recommendation 11

Information about levels of take up, available places and numbers of eligible children not taking up a place is collated and reviewed on a regular basis. These figures are monitored on a fortnightly basis.

Through the development of our strategy for early years, we are working closely with partners such as health and other council services. Through this work we will identify the outcomes we are seeking for those children accessing a two year old programme place, how we will measure improvements and track children's progress towards these outcomes.

7. Comments of the Chief Finance Officer and financial implications

- 7.1 The Two Year Early Entitlement is funded from the Dedicated Schools Grant (DSG). In the 2013-14 and 2014-15 financial years funding has been provided on a place basis and funding will remain with local authorities regardless of actual take-up.
- 7.2 Trajectory funding within the DSG and capital funding was also provided in 2013-14 to promote and develop local two year old provision, with unspent balances rolling forward to 2014-15.
- 7.3 From April 2015 funding will be on the basis of participation. Haringey Council will receive £5.28 for each free hour provided. Following a recommendation from the Schools Forum, the Cabinet agreed that providers will receive £6 an hour, requiring a top-up of £0.72 per hour from the Early Years Block of the DSG. The top-up can be funded in 2015-16 from unspent balances brought forward and the Schools Forum have agreed to find savings in the Early Years Block for future years to cover the top-up. These will form part of the Early Years and DSG strategies.
- 7.4 Any development and promotional costs arising from the recommendations and officers' responses will need to be met from Trajectory Funding. It should be noted that each child accessing the two year old entitlement will require top-up funding of £410 from elsewhere within the Early Years Block



Haringey Council

8 Head of Legal Services and legal implications

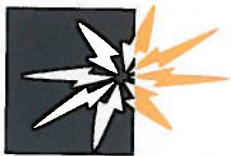
- 8.1 From 1st September 2013 as a result of section 7 of the Childcare Act 2006 and regulations made under that Act, the Council has had the duty to secure for all eligible two-year-olds in its area free early education for 570 hours a year over no fewer than 38 weeks of the year. Paragraph 5.2, of the report, sets out which children are eligible. One of the aims of the recommendations in this report is to ensure that the Council complies with this duty by putting forward measures to ensure that sufficient high quality places are available for two-year-olds in all areas of the borough where they are needed.

9 Equalities and Community Cohesion Comments

- 9.1 An update report to Cabinet in December 2013 included the finds of a full equality impact assessment carried out on the original proposal presented to Cabinet in July 2013. That assessment found that:

- The Two Year Old Early Entitlement Programme and the associated funding formula will benefit all eligible two year olds whose families meet the free school meals criteria, or are looked after children whatever the protected characteristics of the children or their parents.
- Children with disabilities will be included in the scheme from September 2014, as part of the planned expansion. The council has designated places for children with complex needs. Targeted funding ensures that appropriate places are available for all children with a disability who are known to the Local Authority.
- The experience of the current programme shows that there is a high take up across ethnic minority groups, which will continue to be monitored through collection of ethnic data on take-up.
- There is a proportional balance between boys and girls accessing the current two year old programme.
- The application of the formula will be common across all participating settings including denominational and faith based settings in both maintained and PVI settings.

- 9.2 Paragraphs 9.7.1 and 9.7.2 of that December 2013 Cabinet report indicated that, any future arrangements, including the Council's future strategy for childcare would need to consider how best to maximise the benefits of the single funding formula to ensure that children with disability and Special Educational Needs and other vulnerable and disadvantaged children continue to receive the quality services they need.



Haringey Council

- 9.3 The key issue now appears to be lower than anticipated take up across settings especially with childminders, which as the CYP's response to Recommendation 6 of this report indicates, steps are being taken to address.

10 Head of Procurement Comments

N/A

11 Policy Implication

- 11.1 There are no policy implications for the recommendations made within this report.

12 Reasons for Decision

- 12.1 This report is for information. There is no decision to be made as a consequence of this report.

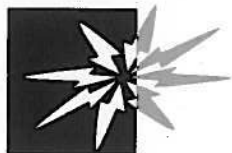
13 Use of Appendices

N/A

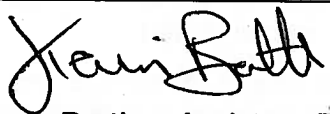
14 Local Government (Access to Information) Act 1985

N/A





Haringey Council

Report for:	Cabinet, 16 September 2014	Item Number:	
Title:	Budget Monitoring Report 2014/15 - Period 4		
Report Authorised by:	 Kevin Bartle – Assistant Director - Finance (CFO)		
Lead Officer:	Neville Murton, Head of Finance (BAS)		
Ward(s) affected: All		Report for Key/Non Key Decisions:	

1. Describe the issue under consideration

- 1.1 To consider the forecast financial revenue and capital outturns for 2014/15 based on actual performance to 31 July 2014 (Period 4).
- 1.2 To consider the proposed management actions and approve the budget adjustments (virements) and draw downs from reserves set out in Appendix 3 as required by Financial Regulations.

2. Introduction by Cabinet Member for Resources and Culture – Councillor Jason Arthur

- 2.1 The budget for 2014/15 requires the delivery of a significant level of savings in addition to those already successfully delivered in previous years. We are all aware that this is not the end of the savings that we will have to make going forward with £54m needed by 2017 identified in the budget report to Cabinet and full Council in February 2014, increasing to a forecast £70m by 2019.
- 2.2 We managed to deliver a net under spent budget in 2013/14 and that is to be highly commended given the challenges faced both from reduced government funding and increasing demographic pressures.



Haringey Council

- 2.3 It is these demographic pressures that are beginning to bite further in this financial year and I, therefore, have to report to members a forecast overspend in both the Children's and Adults Services budgets based on the budget monitoring undertaken at the end of July 2014. This report explains the position in more detail.
- 2.4 I am naturally concerned about this and have personally reviewed the management action plans that have been put in place by the Directors concerned. Directors will be expected to report back to me on a regular basis to ensure that these plans are being fully implemented.
- 2.5 These are volatile budgets that require careful monitoring and control but I am nevertheless confident that we will make inroads into the forecast overspend and expect to be able to report an overall balanced position by the end of the financial year.
- 2.6 I will report on this position again this year and I commend this report to you.

3. Recommendations

That Cabinet:-

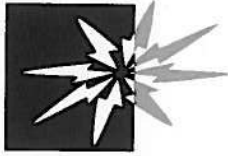
- 3.1 Consider the report and the progress being made against the Council's 2014/15 budget in respect of revenue and capital expenditure;
- 3.2 Approve a £5m transfer to HRA reserves as a result of improved treasury management activity (paragraph 5.15); and,
- 3.3 Approve the budget changes (virements) and draw downs from Service Reserves set out in Appendix 3.

4. Alternative options considered

- 4.1 This report proposes that the Cabinet should consider the overall financial position for 2014/15 in line with existing procedures.
- 4.2 A risk based approach to budget monitoring has been developed in order to manage the Council's finances in a time of economic and financial uncertainty.
- 4.3 Cabinet could choose to adopt a less rigorous regime and examine the financial position at a later stage. Projections could be marginally more accurate if a delayed approach was adopted, but there would be less time for robust development and consideration of management action and virements.

5. 2014/15 Budget Outturn Forecast as at 31 July 2014

- 5.1 In overall terms a net revenue *overspend* of £1.9m is being forecast by officers for the Council's General Fund. An *overspend* of £0.4m is forecast in respect of the Housing Revenue Account (HRA) as set out in Appendix 1.


Haringey Council

- 5.2 The overall position on capital is a forecast overspend of £1.2m; a £2.7m *overspend* on general fund and a £1.5m underspend against HRA capital projects as set out in Appendix 2.
- 5.3 Budget holders have provided an estimated outturn position based on data to the end of July 2014. Because of significant overspends initially indicated in both the Children's and Adults Service areas, both mainly in relation to their placement budgets, specific meetings were held with the Directors of Children's and Adults Services separately in July to discuss the position and identify the action being taken. The summary overall revenue position is set out in Table 1 below.

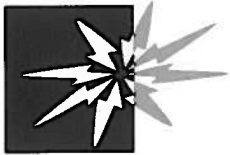
Table 1 – Summary 2014/15 Revenue Position

General Fund	2014/15 Budget Variance		
	Budget	Estimated Outturn at period 4	Variance
	£000	£000	£000
Leader and Chief Executive	117	117	0
Chief Operating Officer	77,818	78,342	524
Deputy Chief Executive	162,517	168,467	5,950
Dir. of Regeneration/ Planning	7,284	7,448	164
Non Service Revenue (NSR)	33,963	29,263	(4,700)
Total	281,699	282,613	1,938

	2013/14 Budget Variance		
	Budget	Estimated Outturn at period 4	Variance
	£000	£000	£000
Housing Revenue Account (HRA)	(10,432)	(10,033)	400

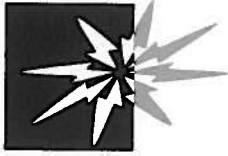
Significant issues identified
Deputy Chief Executive

- 5.4 There are pressures being reported within both Children's and Adults Services. The former is currently projecting an overspend of £2m arising from pressures in the Looked after Children, No Recourse to Public Funds and homelessness budgets. The latter is forecasting an overspend of £3.5m on Adults Social Care. Further details, including management action to address these pressures are set out below.



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- 5.5 A previously approved budget saving of £2.25m has been actioned this year and taken from the Looked after Children's budget, however the number and cost of placements have not yet fallen to the targeted level. There are also pressures arising from increased numbers of children and families in need including those from overseas who have no recourse to public funds through the benefits system.
- 5.6 These pressures are being addressed as part of the ongoing improvement programme within Children's. This includes:
- A weekly Resources Panel chaired by the Assistant Director and tighter managerial controls and systems in place;
 - Weekly meeting with the Director of Children's Services, Assistant Director for Safeguarding to review performance on reduction targets;
 - Reviewed monthly at the Director's Management Team and Monthly Budget call over and with the Cabinet Lead Member on a monthly basis;
 - Increasing the number of internal and more cost effective foster carers;
 - Reviewing high cost foster care placements to ensure they are still appropriate and required;
 - Efficient and effective permanency planning, or safe return home with better quality care at home;
 - Early Help and prevention effectively implemented through the establishment of an early help service to address social care demand at a much earlier stage and with a view to reducing the need for long term care.
- 5.7 Within Adults, Haringey is continuing to experience high levels of demand for care, especially amongst Older People. The Director has put in place a management action plan which:
- identifies areas where compensatory savings can be made from within their service areas;
 - puts into effect the cleansing of the underlying placement data in order to ensure that the projections are as accurate as possible; and,
 - instigates high cost placement reviews to challenge the appropriateness of new high costs placements.
- 5.8 Clearly in light of the projected overspend these areas need to be kept under close review and progress towards bringing the projections back into line with the approved budget monitored over the forthcoming months. The Senior Leadership Team and the Cabinet Lead Member will be kept apprised of progress on reducing the forecast overspend.
- 5.9 There is also a projected overspend within Schools and Learning of £450k. The largest component is the projected costs of redundancy payments within schools although this figure will need to be updated once all schools have completed all



Haringey Council

their staffing plans. The Assistant Director for Schools is currently carrying out a review of traded services that will seek to address other shortfalls in this budget.

Chief Operating Officer

5.10 The variance within the Chief Operating Officer (COO) budgets is a net £524k *overspend* which includes a number of under and overspends as outlined below:

- £601k net underspend within Community Housing predominately within the Housing Related Support budget where there is now a reduced need to support clients with learning disabilities (£405k). Also, within the direct budget there is an underspend on repairs and maintenance budgets (£494k) due to better controls. These underspends are partially offset by a £298k overspend on salary budgets across the service (savings not fully achieved).
- £450k *overspend* in Environment & Community Services largely within direct services as a result of slippage in transferring the White Hart Lane Sports Centre to Fusion (£73k); the loss of 17 further schools from the Catering Service (£241k) and an emergency bridge repair (£57k). There are further cost pressures from security costs at vacant council sites.
- £275k overspend in Libraries from a number of pressures including the service's inability to meet its income target and planned savings not achieved.
- £400k overspend in Customer Services predominately due to slippage in delivery of the 2014/15 savings (£660k) partially offset by forecast over achievement of court costs income.
- There are also staffing budget pressures in Human Resources and a further pressure on Culture and Change. It is currently assumed that these costs will be met from the Transformation Reserve subject to further approval.

5.11 The forecast underspend of £4.7m in Non Service Revenue (NSR) consists of an assumption that the Council's £2m contingency will not be required; that no call will be made this year on the recently approved borrowing costs budget to support the new acquisitions fund (£1.9m) and that the Council continues to manage down debt costs through its successful internal borrowing programme, which is currently estimated to contribute a further £800k this year.

5.12 The Interim Chief Operating Officer will be working with Assistant Directors to manage these cost pressures down and expects to be able to report an improved position by the next report to Cabinet.



Haringey Council

Director of Regeneration, Planning & Development

5.13 The variance within the Director of Regeneration, Planning and Development's budgets is a forecast overspend of £164k with includes a number of under and overspends as outlined below:

- Within Regeneration there are pressures largely arising from the decision not to revise the Adult Learning Service fee structure in 2014/15; the service manager is, however, confident that these pressures will be managed by the year-end.
- There are minor overspends reported within the Planning Service and the Tottenham programme; both should be managed within the overall service budget by the year-end through management action or additional funding.

Housing Revenue Account (HRA)

5.14 The HRA forecast position for period 4 is a net *overspend* of £400k. This is made up of a £1m pressure in the company account as some agreed savings have yet to be met. The company expects to make significant inroads into this overspend by the year end; the unification of the service is also expected to contribute to the required saving. There is also a £600k underspend in the managed account relating to provision for bad debts due to the implementation of a revised methodology for calculation, bringing it in line with normal Council procedures.

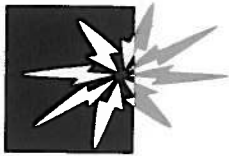
5.15 There is a significant contribution (£5m) that it is proposed should be made to HRA reserves as a result of re-financing our long term debt which is part of the Council's successful treasury management policy (also impacting positively on the General Fund highlighted elsewhere in this report).

6. 2014/15 Capital Programme

6.1 The overall forecast position as at period 4 is an overspend of £1.2m of which £2.7m relates to an overspend on the general fund and a £1.5m underspend on the HRA. The detail is set out in Appendix 2.

6.2 The only significant issue to highlight within the Capital Programme relates to the forecast overspend on the Technopark project of £1.7m, within Regeneration, Planning and Development. The imperative is to establish the final costs to complete the Technopark sale and the potential movement of part of the Ashley Road Depot site. A separate report on this agenda addresses this issue in more detail including recommendations for resolution.

6.3 The reported variance on the HRA is mainly slippage in relation to Decent Homes mainly as a result of delays in the procurement process.



Haringey Council

7. Comments of the Chief Finance Officer and financial implications

- 7.1 As the report is primarily financial in its nature, comments of the Chief Finance Officer are contained throughout the report.

8. Head of Legal Services and legal implications

- 8.1 There are no specific legal implications in this report.

9. Equalities and Community Cohesion Comments

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

10. Head of Procurement Comments

- 10.1 Not applicable.

11. Policy Implication

- 11.1 There are no specific policy implications in this report.

12. Use of Appendices

Appendix 1: Forecast Revenue Outturn by Service Area

Appendix 2: Forecast Capital Outturn by Service Area

Appendix 3: Virements and Reserve transfers requiring Cabinet approval

13. Local Government (Access to Information) Act 1985

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

- Budget management papers
- Medium Term Financial Planning Reports

- 13.2 For access to the background papers or any further information please contact
Neville Murton – Head of Finance (Budgets, Accounting and Systems Team)

Service Area	Approved Budget	Estimated Outturn @ Period 4	Projected variation
	£'000	£'000	£'000
Leader and Chief Executive Office - Total	117	117	0
Chief Operating Officer (COO)			
COO management	1,381	1,381	0
AD - Finance	249	249	0
AD - Customer Services	12,665	13,340	675
AD - Human Resources	275	275	0
AD - Environmental Servs & Community Safety	43,539	43,989	450
AD - Housing	18,407	17,806	(601)
AD - Corporate Prog & Chief Information Officer	1,302	1,302	0
Chief Operating Officer - Total	77,818	78,342	524
Deputy Chief Executive			
Deputy Chief Executive management	189	189	0
AD - Commissioning	10,324	10,324	0
Director - Children's Services	56,113	58,113	2,000
Director - Adult Social Services	74,318	77,818	3,500
Director - Public Health	18,078	18,078	0
AD - Schools & Learning	3,399	3,849	450
AD - Communication	96	96	0
Deputy Chief Executive - Total	162,517	168,467	5,950
Director of Regeneration, Planning & Development			
Director of RP&D management	438	438	0
AD - Planning	2,336	2,363	27
AD - Regeneration	1,563	1,642	79
AD - Corporate Property Projects	313	313	(0)
Programme Director Tottenham	2,634	2,692	58
Director of Regeneration, Planning & Devpt. - Total	7,284	7,448	164
Non Service Revenue	33,963	29,263	(4,700)
Total General Fund	281,699	283,637	1,938

	Approved Budget	Estimated Outturn @ Period 4	Projected variation
	£'000	£'000	£'000
Housing Revenue Account	(10,433)	(10,033)	400

Capital Programme 2014/15 - The aggregate projected position in 2014/15 is shown in the following table.

Capital Scheme	Approved Budget	Spend to Date	Forecast @ Period 4	Projected Variance
	£'000	£'000	£'000	£'000
Transport for London Funded Works	7,147	328	7,147	0
Recreation projects	669	25	548	(121)
Leisure External Capital Works	314	2,695	314	0
Parking Plan	384	(50)	384	0
Street Lighting	412	(25)	412	0
Borough roads and footways	4,531	27	4,531	0
Other Small Schemes	424	43	424	0
Total - Place and Sustainability	13,881	3,044	13,760	(121)
Corporate Management of Property	1,175	141	960	(215)
Accom Strategy - Smarter Working	2,241	90	1,500	(741)
Accom Strategy - Technopark	17,300	18,043	19,000	1,700
Hornsey Town Hall redevelopment	1,784	82	861	(923)
Green Lanes Projects *	0	207	1,172	1,172
Recycling Centre Reprovision	300	251	482	182
Tottenham Regeneration Master Plan	500	0	500	0
Growth on Tottenham High Road *	0	421	2,147	2,147
Other Small Schemes	723	80	1,045	322
Total - Regeneration, Planning & Development	24,023	19,315	27,667	3,644
Devolved Capital	550	0	550	0
PFI Costs	1,595	59	1,592	(3)
Repair & Maintenance	820	29	820	0
Electrical & ICT Infrastructure	573	1	100	(473)
Schools - roof work	200	0	200	0
Social Care Projects	236	0	180	(56)
Alexandra Park Sports Club Drainage	0	0	20	20
Capital for 2 yrs old provision	737	46	567	(170)
Programme Contingency	582	0	582	0
Primary Capital Programme	2,793	359	2,971	178
School Expansion - Permanent	1,632	106	1,327	(305)
St James' Projects	1,065	113	1,065	0
Match Funded Projects	400	5	400	0
School Expansion - Temporary	500	208	500	0
Other Small Schemes	0	21	0	0
Total - Children's	11,683	948	10,874	(809)
Disabled Facilities Grant - Agency	1,536	95	1,536	0
Housing Aids and Adaptations	1,200	214	1,200	0
Multiple Client Group Schemes	183	(5)	183	0
Other Small Schemes	0	9	0	0
Total - Adults & Housing	2,919	313	2,919	0
Compulsory Purchase Order's (CPO)	500	(440)	500	0
Other Small Schemes		(95)	0	0
Total - General Fund Housing	500	(535)	500	0

Proposed Virements & Release from Reserves for Cabinet Approval

Virements						
Period	Directorate / AD Area	Rev/ Cap	Amount current year (£'000)	Full year Amount (£'000)	Reason for budget changes	Description
5	HRA	Cap	1,171	0	Budget re-alignment	Increase budget on mechanical & electrical works, stock surveying, property refurbishment & invoice management by realigning resources between managed and retained HRA accounts.
5	HRA	Rev	437	0	Budget re-alignment	To eliminate unnecessary invoicing between management and retained HRA accounts
5	Env Serv & Com Safety	Cap	(7,147)	0	Budget re-alignment	Re-alignment of Initial Transport For London Grant allocation for 2014-15
5	Env Serv & Com Safety	Cap	6,010	0	Budget re-alignment	Re-alignment of updated capital Transport For London Grant allocation for 2014-15
5	Env Serv & Com Safety	Rev	939	0	Budget re-alignment	Re-alignment of revenue elements of Transport For London Grant allocation for 2014-15
5	Env Serv & Com Safety	Rev	781	0	Receipt of Grant	Allocation of 2014-15 Mayors Office for Policing & Crime (MOPAC) Grant allocation
5	Env Serv & Com Safety	Rev	400	0	Budget re-alignment	Re-align 2014-15 budget to reflect the revenue financing of capital expenditure for Parks infrastructure Programme from additional event income in Finsbury Park.
5	Customer Service	Rev	566	669	Budget re-alignment	Re-alignment of salary budgets to reflect agreed staff transfers as part of Wave 1 of the Customer Service Transformation Programme.
5	Env Serv & Com Safety	Cap	438	0	Allocation of S106 monies	Allocation of S106 monies to fund Hale Village access and footway enhancements
5	Schools & Learning	Rev	3,150	3,150	Budget re-alignment	Adjustment to the DSG allocation following the conversion of the Octagon pupil support centre (PSC) to academy status and the transfer of remaining budgets to the Alternative Provision Commissioning Budget.
5	Schools & Learning	Rev	908	908	Budget re-alignment	Correction of dedicated schools grant (DSG) allocation to AD Schools & Learning
5	Commissioning	Rev	286	0	Receipt of additional Grant	Allocation of the Youth Secure Remand Grant contributing to the cost of secure placements (Part of the Children's placement budget)
5	Commissioning	Rev	375	0	Receipt of additional Grant	Allocation of the final year of 2014/15 Multi-Systemic Therapy grant which contributes towards the costs of specialist therapeutic work targeting children on the cusp of care.
5	Children's	Rev	658	0	Receipt of additional Grant	Allocation of the Youth Justice Board Good Practice Grant to improve practice for the Youth Offending Service
5	Children's	Rev	200	0	Receipt of additional Grant	Allocation of Adoption Reform Grant to improve Adoption services
5	Children's	Rev	274	0	Budget re-alignment	Re-alignment of budget between Housing and Childrens to fund salaries in the Young Adult Service by Housing Related Support Grant.
5	Children's	Rev	436	0	Receipt of additional Grant	Allocation of Special Educational Needs and Disability Implementation Grant
5	Children's	Rev	282	0	Receipt of additional Grant	Allocation of Troubled Families Grant which targets the most vulnerable families in the Borough
5	Public Health	Rev	5,421	5,421	Budget re-alignment	Re-alignment of budgets to reflect Public Health Service priorities as discussed at the Health and Wellbeing Board.
5	Public Health	Cap	116	0	Receipt of additional Grant	Allocation of Recovery Centre Grant
5	Env Serv & Com Safety	Cap	630	0	Receipt of additional Grant	Allocation of Community Capacity Grant
5	Env Serv & Com Safety	Cap	10,955	0	Capital Programme enhancement	Capital support as agreed as part of the Fusion contract
5	Env Serv & Com Safety	Cap	206	0	Allocation of S106 monies	Allocation of Section 106 monies for enhancement to Alexandra Palace Park landscaping
5	Children's	Rev	200	400	Budget re-alignment	Re-alignment of budget from social care to early help service in line with service priorities
5	Children's	Rev	211	281	Budget re-alignment	Re-alignment of budget from first response to safeguarding and support in line with refocused assessment and intervention model.

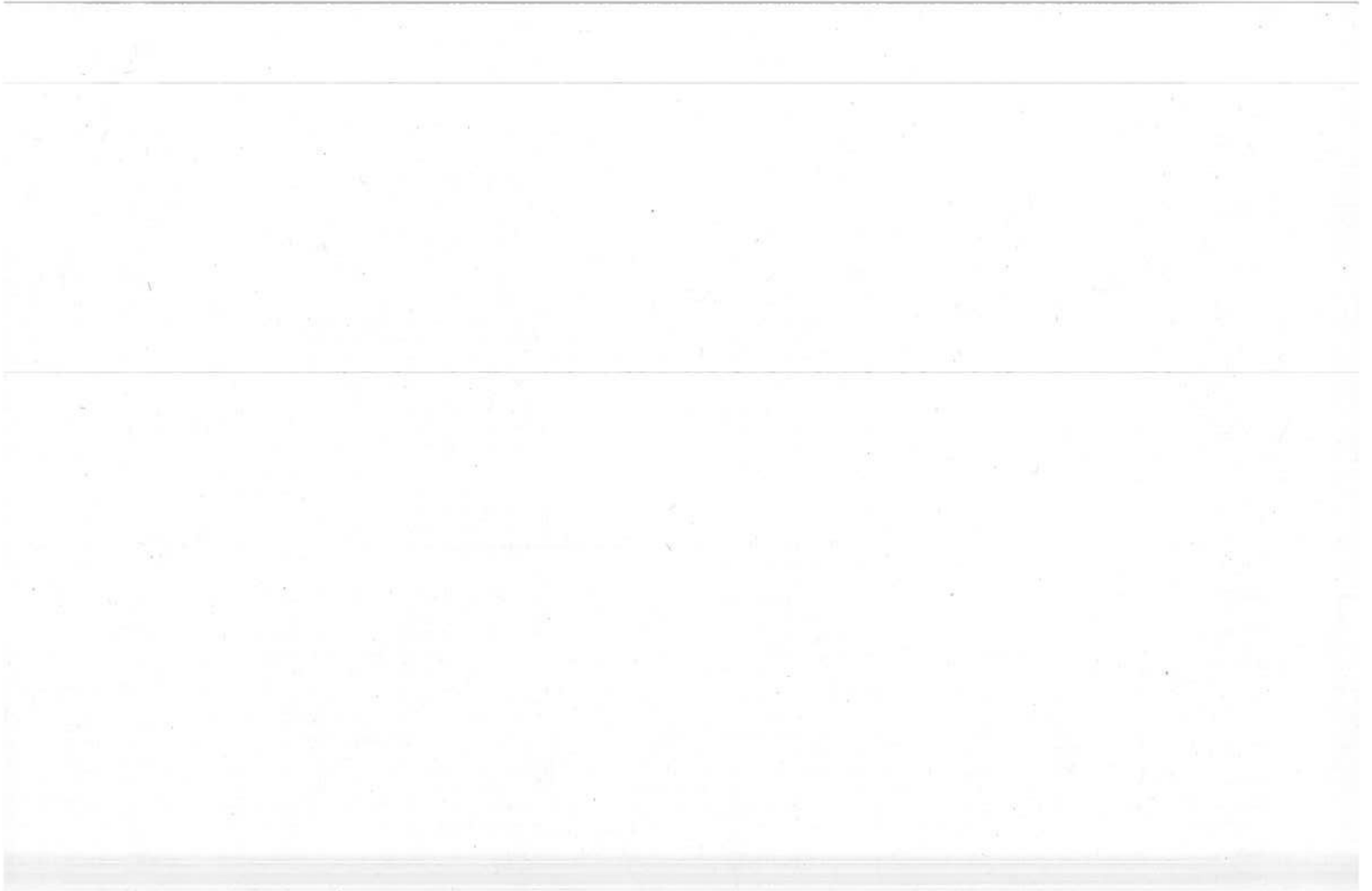
1 Financial regulations require proposed budget changes to be approved by Cabinet. These are shown in the above table. These changes fall into one of the following categories:

- all changes, other than technical virements, in the gross expenditure and/or income budget of a business unit in excess of £250,000; and
- all changes, other than technical virements, in the gross expenditure and/or income budgets within a business units in excess of £250,000; and
- any virement that affects achievement of agreed policy if above £100,000.

- for capital, any virement which results in the change of a programme area of more than £250,000.

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

Release from Reserves						
Period	Directorate / AD Area	Rev/ Cap	Amount current year (£'000)	Full year Amount (£'000)	Reason for budget changes	Description
5	Env Serv & Com Safety	Rev	127	0	Release from Reserves	Allocation of budget for the renewal of parks plant and machinery following procurement in April 2014
5	Env Serv & Com Safety	Rev	524	0	Release from Reserves	Allocation of budget for the roll out of estates re-cycling collection scheme
5	Human Resources	Rev	75	0	Release from Reserves	Allocation of budget for the social work trainee training programme
5	Commissioning	Rev	2,612	0	Release from Reserves	Allocation of budget to support the Two Year Old Programme in 2014-15 and future years as agreed by Schools Forum on 3 July 2014
5	Schools & Learning	Rev	337	0	Release from Reserves	Allocation of additional budget for delegated schools and early years as agreed by Schools Forum 3 July 2014.
5	Children's	Rev	954	0	Release from Reserves	Allocation of additional budget for the Families First (Troubled Families) initiative in 2014-15 which will be used to smooth delivery targets over the remaining life of the project.
5	Children's	Rev	784	0	Release from Reserves	Allocation of additional budget for the Haringey 54k programme in 2014-15 to match the spending profile of the programme.





Haringey Council

Report for:	Cabinet 16 September 2014	Item Number:	
Title:	Disposal of Land at Ashley Road Depot/Technopark		
Report Authorised by:	Lyn Garner, Director of Regeneration, Planning & Development 		
Lead Officer:	Jon McGrath, Assistant Director Property & Capital Projects		
Ward(s) affected: Tottenham Hale		Report for Key/Non Key Decisions: Key	

1. Describe the issue under consideration

- 1.1 Ashley Road depot and Technopark are in the heart of the Tottenham Hale Regeneration area, within the Tottenham Housing Zone, and are important sites in supporting the delivery of the Tottenham Strategic Regeneration Framework which sets out an exciting vision for the future of Tottenham
- 1.2 Cabinet on 16th January 2014 approved the sale of Technopark to the Harris Foundation for an all through school which will bring Education facilities to the area in the context of the Housing Zone and regeneration proposals. Cabinet are asked to include part of the Ashley Road Depot site as part of the sale in order to support the Educational requirements and to complete this opportunity.
- 1.3 Ashley Road depot is currently used in its entirety as an operational asset by the Council as a depot/waste management site. It is adjacent to the Lea Valley Technopark site.
- 1.4 The Education Funding Agency (EFA), working on behalf of the Harris Federation, has identified that part of the Ashley Road depot site is required to support their plans for an all through free school on the Technopark site.

- 1.5 An offer has been made to the Council to acquire the freehold for part of the Ashley Road depot site in order to provide space for a sports hall and multi-use games areas. The offer is based on purchasing the land and providing funding for the Council's relocation and disturbance costs for the service accommodation affected within the boundary of land for sale. The sale of this land will enable, the Harris Federation to meet DfE guidelines for play space for the all through school at Technopark which is critical to the curriculum requirements
- 1.6 This report seeks approval for the sale of the freehold of part of the Ashley Road depot site to support the Harris Federation's plans for an all through free school on the Technopark site.
- 1.7 It is also intended that, should approval be granted for sale of part of the depot site, this should initiate a review of the remainder of the land to consider opportunities for the long term relocation of the waste management operation and the subsequent potential redevelopment opportunities for the depot site in the context of regeneration plans for the Tottenham Hale area.

2. Cabinet Member introduction

- 2.1 The Harris Federation's plans for an all through school at Technopark presents an excellent opportunity to provide school places in an area of demand, offering more choice for parents in the heart of Tottenham.
- 2.2 The Harris Federation bring a high class educational offer and £30m investment into the borough.
- 2.3 The land proposed to be included in the sale to Harris Federation at Ashley Road Depot will ensure that the school is able to provide a full range of facilities for providing the Educational Curriculum.

3. Recommendations

- 3.1 Members are asked to agree:

- a) To declare the land shown edged red on the plan in Appendix A and being part of the Ashley Road depot surplus to requirement and for the sale of the Council's freehold interest in that land (subject to the final boundary being agreed) to the Harris Federation for the offer price set out in the exempt part of the report to support their plans for an all through school at Technopark, subject to the Council's relocation costs being fully met.
- b) That delegated authority be given to the Director of Regeneration, Planning & Development to agree the final boundary of the land to be disposed (including any variation in the offer price provided it represents best consideration) and the final terms of the sale, following consultation with the Section 151 Officer and Cabinet Member for Finance and Culture.
- c) To delegate determination of the final relocation costs in order to support the sale of the site to the Director of Regeneration, Planning and Development following consultation with the Section 151 Officer and Cabinet Member for Housing and

Regeneration. Authority to determine these costs is limited to the capped sum that will be reimbursed to the Council, this will ensure that there is no net additional cost to the Council as a result of this transaction.

- d) For Officers to take forward plans for the relocation of some of the affected accommodation on the Ashley Road depot site to Marsh Lane with the remainder of the affected accommodation relocated within the existing site via reconfiguration or moved to an alternative off site location. These plans will take consideration of any potential longer term plans for the future location of the depot and waste management operation. All services and affected accommodation will be relocated to achieve vacant possession prior to completion of sale of the freehold.
- e) For Officers to initiate a feasibility study, as a separate exercise, to explore options for the long term future location of the waste management operation and the potential redevelopment opportunities for the remaining Ashley Road depot site in the context of wider regeneration plans for the Tottenham Hale area.

4. Alternative options considered

Do Nothing

- 4.1 In a 'do nothing' scenario, if the Council decided not to sell part of the depot site, the Harris Federation would not be able to provide the recommended areas for play for pupils attending the all through school at Technopark. The guidance under current regulations (DfE Building Bulletin 103) sets out a requirement for hard and soft outdoor PE and social space. This requirement cannot be met on the Technopark site, due to the constraints of the existing Technopark building and site and the funding the EFA has available.
- 4.2 In the scenario where they do not have the additional depot land, the Harris Federation would have to consider options for play for their pupils off site. This scenario has occurred for other free schools on restricted sites, however the Harris Federation have clearly stated this is far from ideal and would likely impact their decision to proceed with the school as this would detrimentally affect the quality of the Harris education offer for pupils in the borough.

5. Background information

Strategic Context

- 5.1 The Tottenham Strategic Regeneration Framework (SRF) sets out an exciting vision for the future of Tottenham. This vision proposes Tottenham Hale developing as a quality place that will bring substantial benefits to existing and future residents, offering a thriving district centre, with a neighbourhood that will offer a housing market that affords working Londoners a greater range of quality housing options.
- 5.2 Ashley Road depot and Technopark are in the heart of the Tottenham Hale Regeneration area, and are within the Tottenham Housing Zone. The proposed all through school at Technopark will be a major employer in the area and will provide school places in an area of demand, offering more choice for parents. The Harris Federation propose to bring a high class educational offer and investment to the borough that will support delivery of the transformation of Tottenham Hale for current and future residents in line with the SRF vision. The school will enhance facilities available to the local community and this will be protected through the land sale to the Harris Federation.

5.3 The Ashley Road depot site is also located in an identified growth area in the Local Plan and identified in the Sites DPD as a site presenting an opportunity to provide a range of high density uses, including residential. Sale of part of the depot site and the rationalisation of the remainder of the land will act as a catalyst to prompt a review of the longer term planned location for the waste management operation. There is an aspiration for future redevelopment of the depot site subject to relocating the depot elsewhere.

Technopark

5.4 A cabinet decision was taken in January 2014 :

- a) For the Council to purchase the Head Leaseholder's interest in the Technopark site.
- b) To sell the freehold of the Technopark site to the Harris Federation for the purpose of creating an all through free school on the site.

5.5 The Council has recently completed the deal to purchase the Head Leaseholder's interest in the Technopark site and is at advanced negotiations for sale of the freehold to the Harris Federation.

5.6 At the time that an offer was made for the Technopark site, the EFA made an offer for the combined Technopark and Depot site. The Council decided against accepting the offer for the depot at the time of the Technopark cabinet decision until the EFA had completed their feasibility work and confirmed the additional land was definitely required.

5.7 The Education Funding Agency, working on behalf of the Harris Federation, has now identified that part of the Ashley Road depot site is required to support their plans for an all through free school on the Technopark site. Due to the constraints of the Technopark site and the space available, without the additional depot land the Harris Federation will be unable to provide sufficient play space in accordance with DfE guidance.

Depot Site

5.8 The following should be noted in understanding the current situation of the Ashley Road depot site:

- a) Ashley Road depot is currently used in its entirety as an operational asset by the Council as a depot/waste management site. It is adjacent to the Lea Valley Technopark site and within the Tottenham Housing Zone.
- b) The Council owns the freehold of the Ashley Road depot site subject to a 14 year lease to Veolia commencing on 17 April 2011. The lease contains a Landlord's break clause allowing the Council to give a minimum of 3 months notice to Veolia, relocate them and pay for any disturbance costs.
- c) A high level review of the depot site has been conducted previously which indicated the depot and waste management operation could be rationalised to release part of the site for redevelopment, sale or alternative use.
- d) A feasibility study has also previously been completed indicating the depot site in its entirety could be relocated to the Marsh Lane site.
- e) The land proposed for sale is shown edged red on the plan in Appendix A is currently classified as employment use. It is laid out as hard standing supporting a

number of outbuildings in various state of repair/condition together with ancillary surface car parking spaces.

5.9 A valuation of the land for possible sale or redevelopment was completed by the DVS in 2013. Details of this valuation are included in Part B, the exempt section of this report. .

5.10 In order to release a portion of the depot site for sale, existing service accommodation on this part of the site would need to be relocated or rationalised and the site would need to be remediated for redevelopment. The accommodation currently located within the site proposed for sale to the Harris Federation includes the following:

- Main Electrical intake for the site
- Council storage for seized goods, archive filing, Parks services, electoral poll station booths
- Veolia storage
- Gas bottles, tyres & hazardous waste
- Bin, gritters & dry salt storage
- Parks vehicles & machinery
- Refuse HGV vehicle parking plus coaches
- Dog compound
- Office accommodation (largely unused)
- Vehicle wash & fleet workshop

5.11 The table included at Appendix B confirms the proposal for the future location of affected accommodation at Ashley Road depot.

5.12 A Council site at Marsh Lane has been identified as a suitable site for relocation of some of the affected service accommodation at Ashley Road depot. The site is 1.85ha and has been vacant since December 2009.

5.13 A more detailed study has been completed to assess options for relocating and reconsolidating the service accommodation affected at Ashley Road depot. This study has prepared a proposed option for reconsolidating the remaining land at the depot and sets out a layout for the service accommodation proposed to be re-housed at Marsh Lane. All proposals for Marsh Lane have been made in consideration of potential long term plans for the Marsh Lane site. This study has indicated that the earliest vacant possession could be achieved on the depot site is summer 2016. Veolia are also engaged and willing to progress discussions about the potential long term relocation of the depot.

5.14 The feasibility study is being undertaken on the basis that it is prudent to undertake works at Marsh Lane now for the future relocation of the whole depot site and this is being built in to the specification for the phase 1 Harris relocation costs. These will need to be apportioned appropriately. The land not being sold to Harris Federation could be available for residential development subject to planning.

EFA/Harris Federation all through school requirements

5.15 The new Harris Academy Tottenham will be an all through free school comprising 300 children at preparatory stage, 480 at middle school stage and 790

children in the senior school (including 250 in the sixth form). At capacity the school will have 1570 students.

- 5.16 Since the Cabinet decision for Technopark in January 2014, more detailed work has been undertaken by the EFA, including a draft feasibility study for the all through school at Technopark. The feasibility study has confirmed that without part of the depot site, the site cannot provide all the facilities required to function as a school.
- 5.17 The proposed school at Technopark would have insufficient open space for a school of this size (3,500m², which is approximately one third of the size of a football pitch). This would only meet the recommended areas for hard informal and social areas and would not satisfy the minimum recommended areas for hard outdoor PE and soft informal and social play (soft outdoor play has been excluded from the calculations). The additional land at Ashley Road Depot allows Harris Federation to meet the DfE requirements and will also be available for community use.
- 5.18 The EFA scheme proposes to remodel the existing Technopark building, maximising the available educational space, whilst working with the constraints of the building and funding available. This will be supported by 4300sqm of new build accommodation in order to provide sufficient education space for the 1570 students. It is proposed that this accommodation will be arranged by providing 3250sqm on the Technopark site, and 1050sqm on the depot site. Given the specific nature of a sports hall and the constraints of the Technopark site/ buildings the new build sports hall is proposed to be located on the depot site together with Multi Use Games Areas (MUGA).
- 5.19 The Harris Federation have confirmed that the sports, and other facilities proposed to be provided, will be made available for community use after the school day and during all holidays and weekends. It is anticipated that these facilities could be managed by a joint use agreement, between the Council and Harris Federation. In principle discussions have already taken place between Fusion Lifestyle, Harris Federation and the Council about how the facilities may be operated as part of the existing Leisure services offer and it is intended that the final terms of the sale will make community use conditional on the future use of this land for sports facilities. The proposed sports facilities will include –
- A 4 badminton court sports hall
 - Fitness area
 - 4 external Multi Use Games Areas,
 - Reception area
- 5.20 The EFA have approached the Council with an offer to purchase part of the Ashley Road depot site to provide the additional space for a sports hall and up to 4 MUGAs. The EFA have indicated they would need to provide this additional space and sports facilities in 2016. Their feasibility plan showing the area of the depot site they require can be seen in Appendix C.

Alternative red line boundary

- 5.21 Appendix A shows the red line boundary of the land that is currently in discussion with Harris Foundation. Officers may seek to reduce the site in order to maximise efficiency and ensuring that it still meets the requirements for the new school.
- 5.22 In the event that the red line boundary included in this report at Appendix A is changed, then the terms for the sale to Harris Federation will be updated to reflect the final plot of land proposed for sale and a valuation obtained to confirm that the sale price reflects best consideration. It is not anticipated that the plot of land proposed for sale will increase in size.

Other adjacent land & proposals

A connection to Park View Road

- 5.23 There is an aspiration to improve connectivity from Park View Road to Down Lane Park and Ashley Road through the introduction of a new public footpath and cycle way or new highway through the depot site. Should disposal go ahead, a new route could be introduced that would improve connectivity for residents, exploit the planned green link through Tottenham Hale to Lea Valley Park and offer a more desirable and safer link than existing routes which are currently unsupervised. The footpath/cycle way would be between the land proposed to be sold to the Harris Federation and the remainder of the depot. This could also benefit any future redevelopment proposals for the site.
- 5.24 A plan showing the potential new cycle and footpath through the depot site is included at Appendix D.

Timescales

- 5.25 The Harris Federation is due to open a school at Technopark from September 2014 (under a lease until completion on the sale of the freehold) with admissions for Reception age pupils only at this time. They need to secure a planning consent and complete building and refurbishment works on the Technopark site and are therefore working towards a fully operating school on the Technopark site opening in September 2016.
- 5.26 The current Heads of Terms for the Technopark deal require vacant possession to be achieved on the site for end December 2014, with completion pending the EFA securing a planning consent for the site. This is currently estimated to be around March 2015.
- 5.27 On the basis of the proposed plan of works for Marsh Lane to house some of the relocated accommodation, works are projected to be completed by early 2016 if the Council initiate design and planning application preparation immediately after Cabinet approval.
- 5.28 The Marsh Lane works would need to be completed prior to the vacation and relocation of affected accommodation at Ashley Road depot. Works on the depot site would then commence in early 2016 and are anticipated to take a period of six months. This would mean that vacant possession on the depot site and

completion of the sale to the Harris Federation could be achieved by summer of 2016.

Risks

- 5.29 **Future use of the Depot Site:** The Harris Federation intend to use the depot land for sports facilities and MUGAs. The Council will use the contractual documentation and terms of sale to ensure the land is used as intended and also that community use and access to the proposed sports facilities is protected.
- 5.30 **Costs:** The EFA have offered a capped budget to cover the costs of relocation and disturbance in achieving vacant possession. These costs are still being ascertained and there is a risk that the offer from the EFA may not be sufficient to fully fund these costs. The final terms of sale, offer, costs and budget available will all be reviewed prior to sale of the site to ensure these are in the best interests of the Council. The long term relocation of the rest of the depot site will need to be funded through the capital programme as a separate budget.
- 5.31 **Revenue costs:** The contract to Veolia requires the Council to pay disturbance costs should any changes to the contract be made. The offer from the EFA is intended to cover capital costs but there could be on going revenue implications of changes to the operational arrangements that are not yet fully understood. For example, operating with a satellite salt and bin store may require additional labour and vehicle operating costs that may need to be added to the budget for the contract. Such costs are to be mitigated by ensuring the majority of affected accommodation is consolidated on the remainder of the depot site and storage and ancillary services moved to off site locations.

6. Comments of the Chief Finance Officer and financial implications

- 6.1 The Education Funding Agency has made an offer for both the purchase of the relevant part of the Ashley Road site and a capped offer for the relocation costs. The offer for the purchase of the site has been certified as meeting best consideration requirements.
- 6.2 However, at this point the costs of relocating some services provided at Ashley Road depot or re-providing them within the smaller site boundary are estimates. Therefore there is a risk that the costs of relocation will exceed the initial capped amount offered by the EFA. In this scenario, further negotiation on the final terms of the sale will be necessary to ensure the offer meets all legitimate costs for achieving vacant possession, otherwise the sale cannot proceed as no additional budget is available to fund the relocation. The total budget available is effectively the sum of the EFA offer for the site plus the capped amount offered by the EFA, this is outlined in the exempt part of this report.
- 6.3 In making the decision to accept the offer from the EFA, the benefits of a new all through school meaning that the Council does not need to expend additional monies on providing additional school places in this area, is a relevant consideration. The availability of Leisure facilities for Community use is also beneficial to the Council.

6.4 Additionally the funding received from the EFA will help to facilitate the relocation of the Ashley Road depot which is part of the Councils wider Regeneration ambitions and thus can be seen as potentially helping the Council avoid incurring costs at a later date.

6.5 Costs of undertaking feasibility studies to determine the likely cost of the moves can be contained within existing budgets

7. Comments of the Assistant Director of Corporate Governance and legal implications

7.1 The Ashley Road depot site is currently operational and is subject to a lease granted to Veolia ES (UK) Limited pursuant to a Service Contract between the Council and Veolia. Any part of the land which is subject to the lease will have to be released by Veolia before the Council can dispose of it and the implications on the Service Contract (if any) will also have to be considered. Legal advice should be sought on how best to deal with this issue.

7.2 Members will have to declare the land surplus to requirement and any disposal with have to be for the best consideration that can reasonably be obtained.

8. Equalities and Community Cohesion Comments

8.1 We have a legal obligation as a local authority to pay due regard to equalities in an appropriate and proportionate manner. In Haringey, we do this by assessing the impact of the Council's decisions on different groups across the borough including those identified in equality legislation as protected characteristics.

8.2 This proposed land sale will ensure the provision of new school places in the Tottenham Hale area and represents £30m worth of investment in the borough. As indicated earlier in this report, the sports hall and other leisure facilities will be accessible for use by the local community outside of school working hours.

8.3 A new footpath and cycleway connection to Parkview Road and Down Lane Park is being considered which will be beneficial to the local area. There is a potential impact in terms of access to waste management and recycling facilities at the depot. Any impact should be considered when alternative options and sites for these services are being fully developed.

8.4 Where any local consultation process is taking place, it should be as inclusive as possible, considering the impact on groups currently using the services and facilities potentially affected by this proposal.

9. Head of Procurement Comments

9.1 The Head of Procurement notes the current contents and recommendations within this report and that there is no current procurement process included.

10. Policy Implication

- 10.1 The policy implications remain as those set out in the Cabinet report for Technopark in January 2014 which are referenced again below.
- 10.2 The recommendations in this report are related to a number of Council wide corporate policies and priorities and will help deliver the following Council outcomes and priorities as set out in the Corporate Plan 2013-2015: a better council:
- a) Outstanding for all: the new free school and the education offer put forward by the Harris Federation supports the Council priority to 'deliver high quality education for Haringey children and young people'. Their vision and specialism focus on Mathematics and Enterprise and the target for its young people to become highly employable, self-confident citizens will also support delivery of the Council priority to 'enable every child and young person to thrive and achieve'.
 - b) Opportunities for all: the creation of a school on the Technopark and part of the Ashley Road depot sites will support the Council priority to 'deliver regeneration at priority locations across the Borough'. The Tottenham Hale masterplan refresh and the Site Allocations DPD indicate significant development opportunity in the Tottenham Hale area, including these sites, to support and deliver regeneration in Tottenham.
- 10.3 The Council also sets out in the Corporate Plan an overarching principle to 'work in partnership – leading local partnerships so that we achieve more, together'. The proposed collaboration and partnership working with the Harris Federation to inspire high achievement and raise aspirations for students is clearly aligned with this principle also.

11. Reasons for Decision

- 11.1 Ashley Road depot and Technopark are in the heart of the Tottenham Hale Regeneration area, are within the Tottenham Housing Zone and identified as growth areas in the Local Plan. Sale of part of the depot site will act as a catalyst for the review of longer term plans for the waste management depot in the context of the site presenting opportunity to provide a range of high density uses, including residential, and an aspiration for future redevelopment of the depot site, subject to re-housing the depot elsewhere.
- 11.2 Sale of part of the Depot site will facilitate the Harris Federation's plans for an all through school at Technopark and enable them to provide sufficient play space to meet DfE guidance and support their aspirations for delivering a high quality education offer for their pupils. They propose to build a new Sports Hall and 4 MUGAs on the depot site and have agreed in principle that the sports, and other facilities provided will be made available for community use after the school day and during all holidays and weekends, which will be part of the terms of the sale to the Harris Federation.
- 11.3 The introduction of new sports facilities that can be accessed by local residents at discounted prices under the Leisure contract is a positive addition

to the local area and will benefit the local community. The possibility of a new access route through the depot site will also improve connectivity for residents to Down Lane Park and Ashley Road, exploit the planned green link through Tottenham Hale to Lea Valley Park and offer a more desirable and safer link than existing routes which are currently unsupervised.

- 11.4 It has been identified that the waste management service on the depot site can be rationalised with some accommodation relocated off site to release part of the site for sale, redevelopment or alternative use.
- 11.5 Cabinet members have previously approved the sale of Technopark to the Harris Federation for the provision of an all through school on the site.
- 11.6 An offer for sale of the freehold of part of the Ashley Road depot site has been made by the EFA on behalf of the Harris Federation which is in line with existing use market value for the site.

12. Use of Appendices

Appendix A –Possible plot of depot site land for sale & Existing Depot site layout

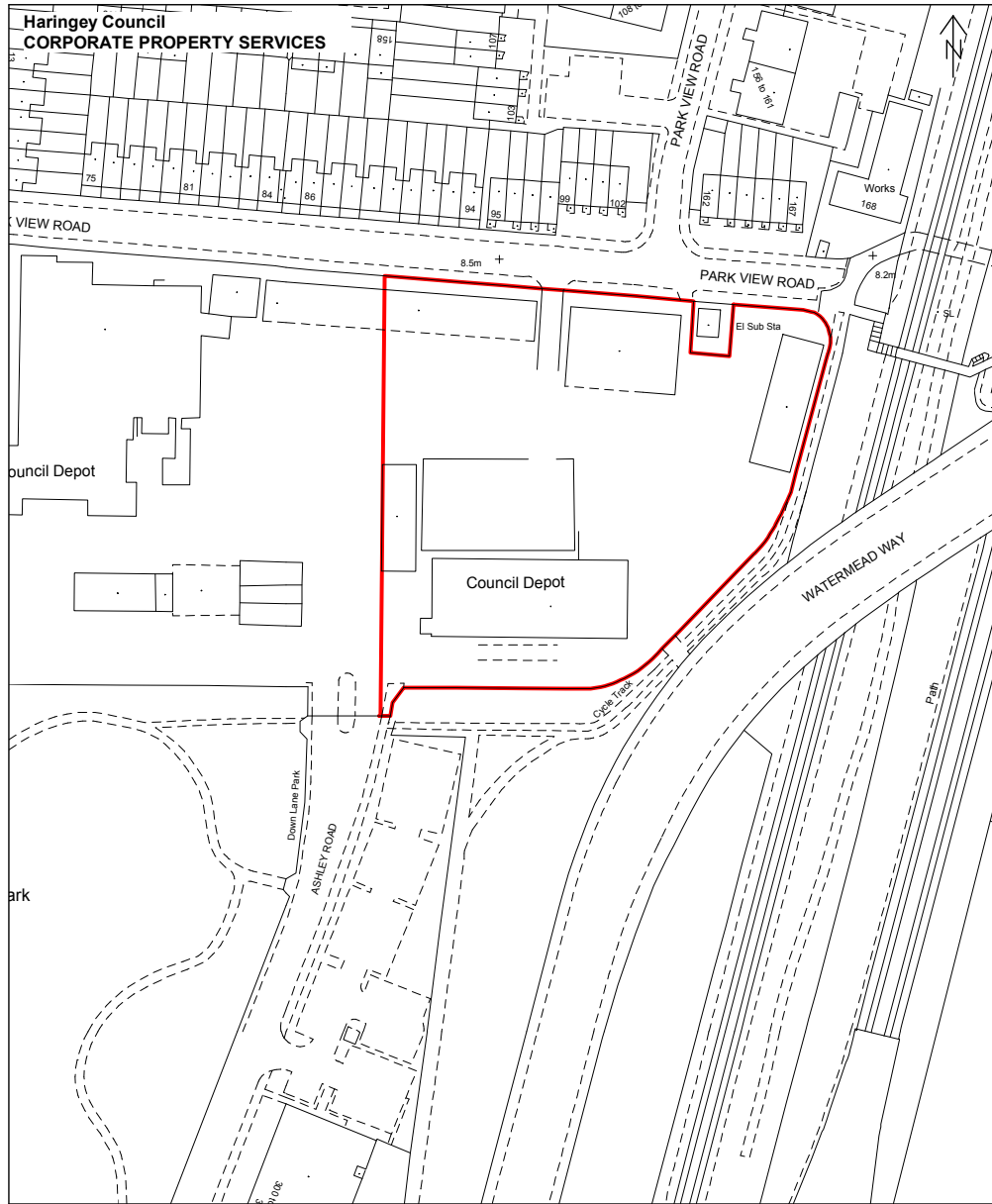
Appendix B – Proposed relocation and consolidation of affected Depot services

Appendix C – EFA/Harris proposals for depot site

Appendix D - Potential new access route to Park View Road

13. Local Government (Access to Information) Act 1985

Appendix A – Possible plot of depot site land for sale & Existing Site Layout



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Eastern Section of Depot
Ashley Road
Tottenham
LONDON
N17

Deed packet no. : 5865, 1Z

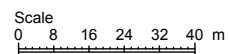
Site Area (hectares) : 0.7841 ha

Title no. : Freehold AGL202273

CPM no. 0217

Overlay : Env. Depots

Plan produced by Janice Dabinett on 18/12/2013



Scale 1:1250

BVES Drawing no. A4 2629n

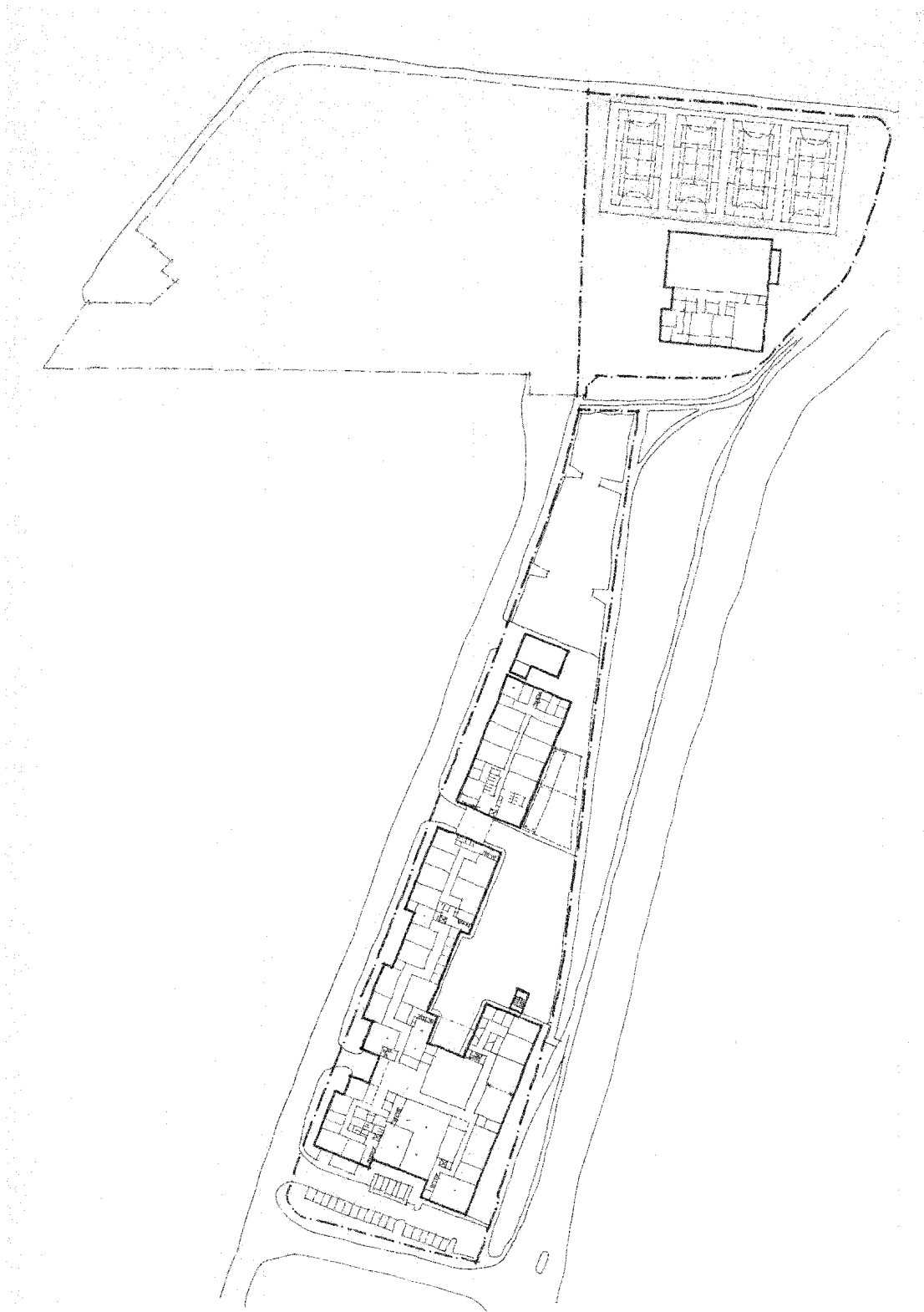
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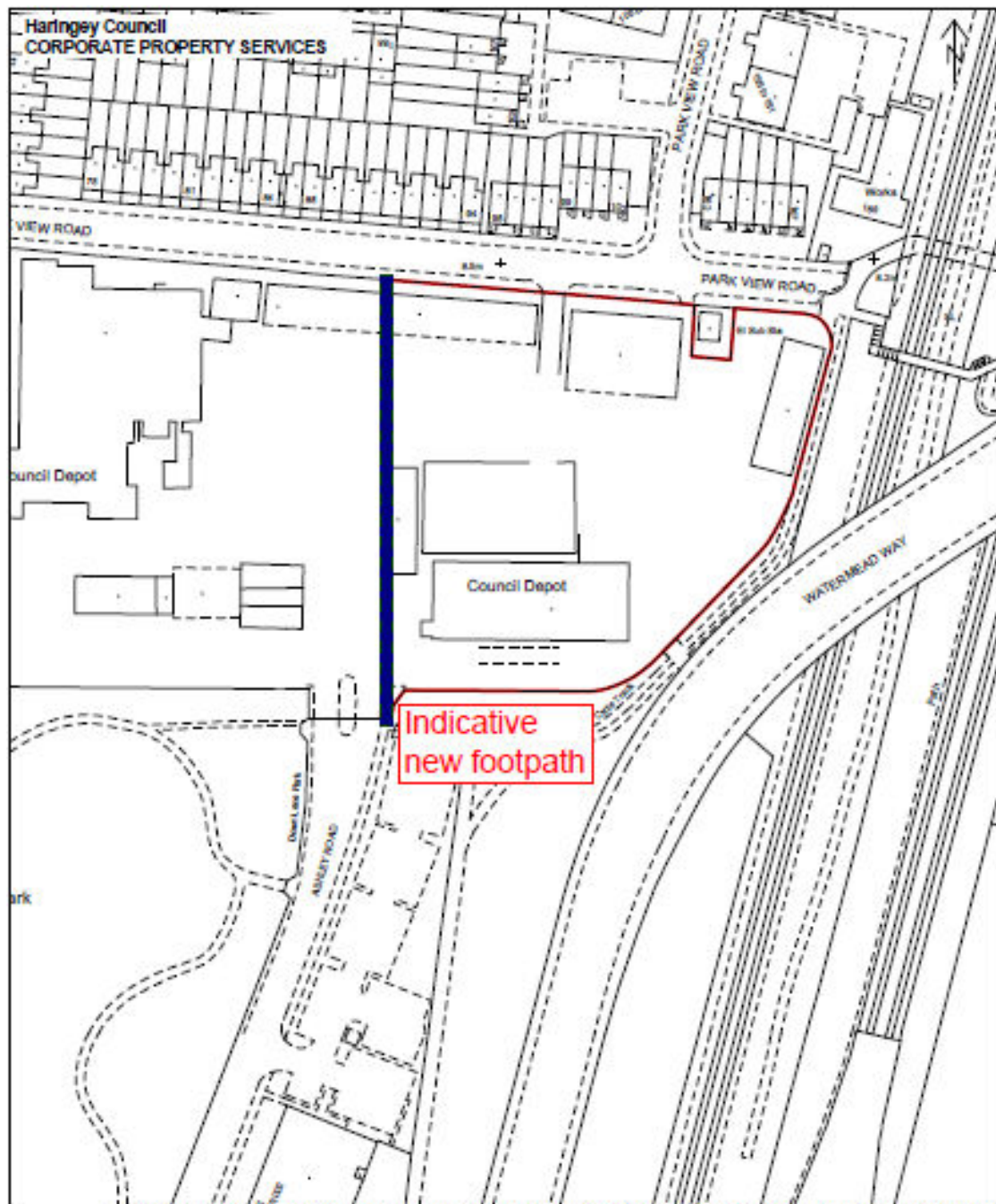
Appendix B – Proposed relocation and consolidation of affected Depot services				
BUILDING	SERVICE/FUNCTION	SIZE M2 (GFA)	RELOCATION OPTIONS	OPERATIONAL IMPACT
A	Main Electrical Intake	810	Reconfigure supply so that the existing intake can be decommissioned	Risk that this is more costly or cannot be achieved
	Emergency Planning Storage		Relocate to Marsh Lane or Other	N/A
	Ringway Highways Storage		Contractor due to Vacate site before the end of the year, will remove existing storage	N/A
	Seized Goods		Re-provide storage facility at Marsh Lane. Initial conversations have shown that approximately half the existing footprint is required	N/A
	Archive Storage (Parks,Waste Mgt,Catering)		Departments to identify those files that need to be retained Renata Pillay to organise Shredding or files not required and External Storage for those to be kept.	N/A
	Stores & Workshop		To be retained on site. Reconfiguring space within existing Building K	N/A
	Waste Mgt Storage		To be relocated to Marsh Lane if required	N/A
	Dog Compound		Being relocated to Waltham Forest	N/A
	Vehicle Wash & Associated Drainage		Retain on Site	Exact location needs to be agreed Needs to include interceptor and configuration of foul drainage
B	Electoral Booths	250	Relocate to Marsh Lane or Other	N/A
	Sand Bags		Relocate to Marsh Lane or Other Site (with other equipment)	N/A
C	Gas Bottles	150	Retain on site	N/A
	Hazardous Waste			
	Tyres			
D	Gritters and Dry Salt Storage	290	Relocate to Marsh Lane	May be operational costs for working from two site
E	Bin Storage	460	Retain a workable amount of storage on site within existing Building K Relocate a larger Satellite storage unit to Marsh Lane	May be operational costs for working from two site
	Parks Storage		Relocate to Marsh Lane Parks to confirm exactly what would need to be retained	N/A
F	Salt Compound	730	Marsh Lane	May be operational costs for working from two site
G	Offices (Unoccupied)	380 (two floors)	Retain on site re-providing within either the waste management office or vacant meeting room space.	NA

PARKING	Refuse Vehicle Parking		Retain on Site (where possible) If space does not allow locate some Vehicles to Marsh Lane	If some vehicles are relocated to Marsh Lane there would be operational costs working from two sites
	Coaches		Relocate to Marsh Lane	
	Parks Vehicles		Retain on site where required	

Appendix C – Harris proposals for depot site



Appendix D- Potential new access route to Park View Road



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Eastern Section of Depot
Ashley Road
Tottenham
LONDON
N17

Deed packet no. : 5865, 1Z

Site Area (hectares) : 0.7841 ha

Title no. : Freehold AGL202273

CPM no. 0217

Overlay : Env. Depots

Plan produced by Janice Dabinett on 18/12/2013

Scale
0 8 16 24 32 40 m

Scale 1:1250

BVES Drawing no. A4 2629n



Haringey Council

Report for:	Cabinet 16 September 2014	Item Number:	
Title:	Olympia Trading Estate – Sale of the freehold		
Report Authorised by:	Lyn Garner, Director of Regeneration, Planning & Development 		
Lead Officer:	Jon McGrath, Assistant Director Property & Capital Projects		
Ward(s) affected: Noel Park		Report for Key/Non Key Decisions: Key	

1. Describe the issue under consideration

- 1.1 The Council owns the freehold interest in the Olympia Trading Estate which is located in Heartlands and is currently leased to the Greater London Authority (GLA).
- 1.2 A Cabinet decision was made on 13th March 2008 and it agreed to grant an option to the LDA to acquire the Council's freehold interest.
- 1.3 The option was never completed with the LDA due to prevailing market conditions at the time and the LDA subsequently became part of the Greater London Authority (GLA). The Council has been reviewing the option with the GLA in order to reflect terms that are in line with current market conditions. The GLA have agreed a collaboration agreement with National Grid who own the majority of the land forming the Heartlands South development to find a developer partner to develop the land for housing in line with the outline planning permission for the site.
- 1.4 The original deal was based on a prescriptive and complex formula reflecting the property market at the time of the Cabinet decision.
- 1.5 Subsequent negotiations with the GLA have resulted in a request to simplify the deal based on an improved property market.



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- 1.6 Cabinet are requested to give the approval to the new terms agreed with the GLA and for the Council to now grant the option to the GLA to acquire the Council's freehold interest in the Olympia Trading Estate in order that a developer partner is secured to develop the Heartlands South development.
- 1.7 The Option agreement will be on the basis that the Council is in a no worse position than the previous terms approved in the Cabinet decision of 13 March 2008. Current market conditions have improved and this will be reflected in the capital receipt from the option and sale to a developer.

2. Cabinet Member introduction

- 2.1 The option to sell the freehold of the Olympia Trading Estate to the GLA is an important step in enabling the Heartlands development. This is a key regeneration project which will provide a housing led mixed use development.
- 2.2 The request to vary the terms of the deal with the GLA will reflect the current property market conditions and help to take the project forward with National Grid who own the adjacent site.

3. Recommendations

- 3.1 Cabinet agree:
- 3.2 To grant an option to sell the Council's freehold interest in the Olympia Trading Estate (as shown edged red on plan in Appendix A) to the GLA in order to support the securing of a development partner for Heartlands.
- 3.3 That authority to agree the final terms and sign off the final option agreement be delegated to the Director of Regeneration Planning and Development after consultation with the Cabinet Member for Finance and Culture.

4. Alternative options considered

- 4.1 Members have already approved that the Council enter into an option to sell the freehold of the Olympia Trading Estate.
- 4.2 The alternative option is not to agree the sale of the freehold interest in the Olympia Trading Estate to the GLA. This would result in delaying the development of Heartlands South and the deal agreed between the GLA and National Grid.

5. Background information

- 5.1 In terms of the strategic context the Olympia Trading Estate forms part of the Haringey Heartlands a key Council regeneration area. The site is an opportunity to regenerate a large underused area and to provide housing led mixed use development and is covered by the Haringey Heartlands Development Framework adopted in April 2005. The site is adjacent to the former British Gas



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site now owned by National Grid. The site occupies a key position at the northern end of the site forming 19% of the overall area of the proposed development site.

5.2 The Council is the freeholder of the estate which is leased to the GLA on a 125 year lease from 1980. The Council currently receives 11% of the rental value currently £23,460 per annum.

5.3 The site forms part of a development site which has received outline planning consent for a mixed residential and retail development scheme. This was granted on 21st March 2012. National Grid and the GLA are in the process of completing a development agreement between them.

6. Comments of the Chief Finance Officer and financial implications

6.1 The sale of the Olympia Trading Estate has previously been agreed by Cabinet, and is included in the forecast disposal receipts underpinning the existing Council capital programme. The current forecast is set out in Part B of the report.

6.2 Any additional receipt or overage achieved as a result of revised valuations or terms will be used to support the Council's capital investment plans for the future.

6.3 The total development costs so far expended by the Council are set out in Part B of the report.

7. Comments of the Assistant Director of Corporate Governance and legal implications

7.1 The Olympia Trading Estate is held by the Council for planning purposes. The Council may dispose of the land in such manner and subject to such conditions as appear to the Council to be expedient in order to secure the best use of the land, or to secure the construction of buildings or carrying out of other works needed for the proper planning of the area. The Council has to make sure that the disposal of the land would indeed result in the redevelopment as proposed and must safeguard against that in the Option.

7.2 The grant of an Option is deemed to be a disposal for the purposes of the legislation and therefore the Council must also obtain best consideration for the land.

7.3 The Call Option would allow the GLA to call for the transfer of the Council's freehold interest once all of the pre conditions have been satisfied.

8. Equalities and Community Cohesion Comments

8.1 Policy and Equalities Team have been consulted in regard to this report and have no specific equalities comments to make at this stage.

9. Head of Procurement Comments



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9.1 The Head of Procurement notes the current contents and recommendations within this report and that there is no current procurement process included.

10. Policy Implication

10.1 The recommendations in this report are related to a number of Council wide corporate policies and priorities and will help deliver the Council outcomes and priorities as set out in the Corporate Plan 2013-2015: a better council.

11. Reasons for Decision

11.1 Cabinet has previously agreed to an option to sell the freehold of the Olympia Trading Estate to the LDA.

11.2 The Olympia Trading Estate forms part of Heartlands a key regeneration area in Wood Green. The option to sell the freehold of the estate to the GLA will help enable the development and take it to the next stage.

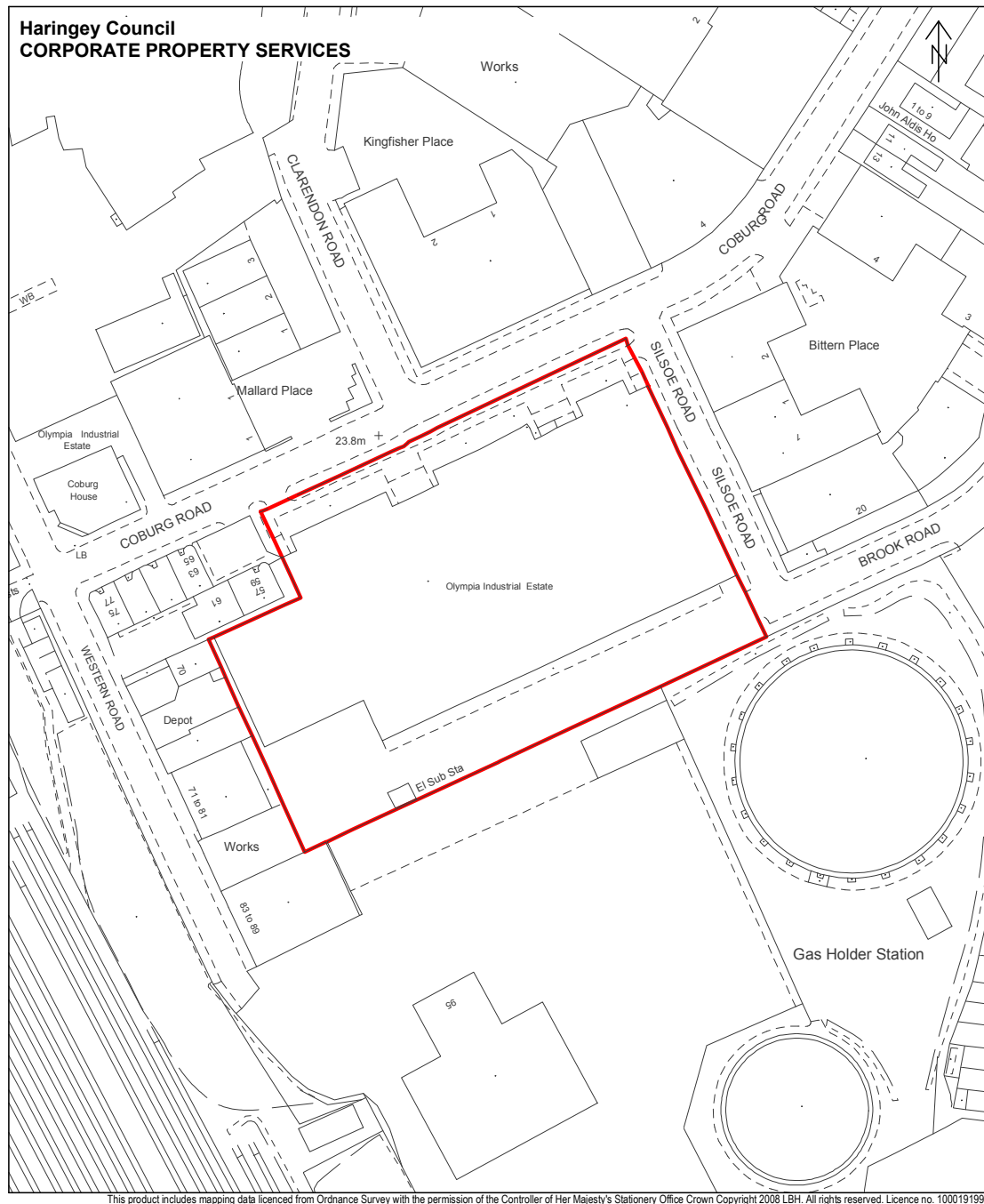
11.3 The deal with the GLA will reflect current market conditions on the basis that the Council is in a no worse position than that agreed with the LDA.

12. Use of Appendices

Appendix A – Plan of the site

13. Local Government (Access to Information) Act 1985

Appendix A – Plan of the site



Olympia Trading Estate
Coburg Road
Wood Green
LONDON N22

CPM No.

Overlay : *Heartlands - Head Leases*

Plan produced by Kevin Lincoln on 18/02/2008

Site Area (hectares) : 0.841

Scale 1:1250

Drawing No. BVES A4 1080b

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Report for:	Cabinet – 16 September 2014	Item Number:	
Title:	Building the Pipeline Contract		
Report Authorised by:	Lyn Garner Director of Regeneration, Planning and Development 		
Lead Officer:	Michael Kelleher Head of Housing Investment and Sites Tel: 020 8489 4754 michael.kelleher@haringey.gov.uk		
Ward(s) affected: All		For: Key Decision	

1. The issues under consideration

- 1.2 This report seeks Cabinet approval for the Council to enter into contract with the GLA to access grant funding to support the delivery of Phase 1 of the Council's new build programme.

2. Introduction by the Cabinet Member

- 2.1 Maximising the provision of affordable housing in the borough is a key priority for the Council. Until recently, only housing associations were allowed to build affordable homes, but recent changes brought about by HRA self Financing and the Localism Act 2011 have enabled local authorities to build their own homes for rent and shared ownership.
- 2.2 This is an exciting time in Haringey as we move towards our first new build council homes in 30 years. Phase 1 of the new build programme will shortly be going to Planning Committee with a view to building 94 homes by March 2017. To help with the cost, the Council has been awarded grant funding of £2.34m and this report sets out the requirement for the Council to enter into contract with the GLA to enable us to draw down this grant, which I fully support.



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3. Recommendations

3.1 It is recommended that: -

- (i) Approval be granted to enter into contract with the GLA by signing the GLA Delivery Agreement (attached at Appendix 1) to enable the Council to draw down the grant for the 2014/17 new build housing programme.

4. Alternative options considered

- 4.1 Capital subsidy is an important element in the delivery of affordable housing. The Council could use its Right to Buy receipts under the one for one replacement policy, and indeed will do so on some schemes as the new build and estate renewal programme moves forward. GLA subsidy and RTB receipts cannot be used for the same schemes as this counts as double subsidy, which is not permitted in law.
- 4.2 The GLA has a stake in the delivery of affordable housing in London and sets the annual target for delivery for the boroughs. Haringey's target for 2014/15 is to deliver/enable 410 new affordable homes. This target will increase to 751 per year for the 10 year period starting in April 2015. It is, therefore, essential that the Council builds and sustains a successful partnership with the GLA in all areas that support the delivery of affordable housing.

5. Background information

- 5.1 In March 2013, the GLA announced the Mayor's Housing Covenant 3 (MHC3) '*Building the Pipeline*' aimed at supporting the delivery of affordable homes to rent and buy across London. The Council submitted a bid for grant funding in May 2013 for 94 new homes across 11 sites in order to support the funding and delivery of its then emerging plans for a council new build programme.
- 5.2 In November 2013, the GLA notified the Council that it had been successful in its bid and would provide £2,340,000 grant funding to support the delivery of Phase 1 of the Council's house building programme. In order to access this funding, the Council must formally enter into contract with the GLA by signing a 'Delivery Agreement'.
- 5.3 Phase 1 of the Council's new build programme will begin in early 2015 and will be phased over two years with completion expected late 2016/early 2017. A detailed project plan setting out the delivery programme for all housing units in Phase 1 has been issued to the GLA and shows that all units will be built before March 2017, which is the deadline set by the GLA to draw down the grant.
- 5.4 In accordance with the Council's Contract Procedure Rules (January 2013), where the Council secures funding from an external funding body, and the funding is conditional upon the grant monies being used to facilitate service delivery, Contract



Standing Orders shall apply. As the value of the grant funding from the GLA is valued over £500,000, the decision whether to accept it, and the terms for its use, is a Key Decision for Cabinet to approve.

Obligations

5.5 There will be a number of obligations placed upon the Council as a result of entering into this Agreement. They are set out in section 2 (pages 19 to 20) and section 7 (pages 25 to 28) of the Agreement attached at Appendix 1. The principle obligations are set out in sections 2.2 (page 20) and 7.5 (page 27). Under these obligations: -

a) The Council acknowledges and agrees that (section 2): -

- the Allocated Grant is being made available by the GLA on the express understanding that it is applied solely for the purposes of funding the Development Costs in respect of Mayor's Housing Covenant (MHC) Dwellings which are to be (2.2.1):
 - i. (in the case of the Flexible Dwellings) disposed of to Eligible Purchasers on Flexible Product Terms; and/or
 - ii. (in the case of the Affordable Rent Dwellings) let to Tenants in accordance with the Tenancy Standard;
- any failure by the Grant Recipient to market, use and continue to use either (2.2.5):
 - i. a Flexible Dwelling as a Rent to Save Dwelling or Affordable Home Ownership Dwelling; and/or
 - ii. an Affordable Rent Dwelling on Affordable Rent terms;

constitutes a Default Event in which case the grant amount received can be recovered from the Council.

b) The Council must (section 7): -

- not use the Affordable Dwellings for any purpose other than the Agreed Purposes without the GLA's prior written consent (7.5.1);
- comply with the Regulator's Tenancy Standard in respect of the Affordable Rent Dwellings (7.5.5); and



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- participate in the CORE system from time to time and complete the "Initial Sales" data screens on IMS promptly following the sale of any Affordable Home Ownership Dwelling (7.5.6).

- 5.6 Other obligations exist around monitoring and specific products that the Council is not looking to provide (such as Rent to Buy).
- 5.7 The Council is under no obligation to agree to, or set, Fixed Term Tenancies (FTTs) in relation to any of the affordable rent units it builds as part of this programme. The obligation to impose FTTs was introduced as part of the 2015 – 18 Programme under the requirements of the Borough Framework Agreement. This condition of funding has not been retrospectively applied to the Building the Pipeline programme. The Council is, therefore, free to let all affordable rent units built with the aid of Building the Pipeline funding on secure lifetime tenancies.
- 5.8 It is recommended that approval be granted to enter into contract by signing the Delivery Agreement with the GLA (attached at Appendix 1) to enable the Council to draw down the grant from the 2014/17 programme.

6. Comments of the Chief Finance Officer and financial implications

- 6.1 This agreement will bring significant levels of funding to support the Council's new build programme to deliver increased units of affordable housing and it is likely that the programme agreed by Cabinet on 28 November 2013 would not be viable without this support.
- 6.2 The Council is required to use its Right to Buy receipts to support the development of affordable housing within defined timescales, otherwise it will need to return them to central government. Grant funding from the GLA and Right to Buy receipts cannot be combined to support the same scheme. However, at this point it is expected that the current level of Right to Buy receipts can be used to contribute to existing projects without breaching double subsidy rules, however this will require continued monitoring to ensure the Council makes best use of all resources available to it.

7. Comments of Assistant Director of Corporate Governance and legal implications

- 7.1 The Council will need to comply with the Public Contracts Regulations 2006 (as amended) where applicable when procuring works, services or goods using the monies received from the GLA grant funding.
- 7.2 The Council will also need to comply with the Council's Contract Standing Orders where the grant monies are being used to procure works, services or goods i.e follow a competitive process when selecting a service provider(see CSO 4.02) .



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- 7.3 The receipt of the GLA funding is over £500,000 and is therefore a Key Decision and as such needs to be included in the Forward Plan and comply with other constitutional requirements in this regard.
- 7.4 Officers will need to ensure that they adhere to the conditions of funding as set out in the Delivery Agreement as otherwise the grant funding will terminate and any grant received will have to be paid back. Further advice from Corporate Legal Service should be sought where necessary.

8. Equalities and Community Cohesion Comments

- 8.1 Section 149 of the Equality Act 2010 creates a duty on the Council to have due regard to the need to:
- tackle discrimination and victimisation;
 - advance equality of opportunity;
 - foster good relations groups in the community.
- 8.2 The Delivery Agreement sets out criteria that the grant recipient must have, and be in full compliance with, a policy covering equal opportunities designed to ensure that discrimination prohibited by the Equality Act 2010 is avoided at all times. Haringey Council is compliant in this respect.
- 8.3 Forming this agreement with the GLA will allow the council to draw down grant for phase one of its new build programme. That programme should help deliver better housing and other social outcomes for residents of the borough, especially in the east, which as well as having a high level of deprivation, also has a high concentration of black and minority ethnic communities and other groups who possess other of the characteristics identified and protected by sections 4 to 12 of the Equality Act 2010.
- 8.4 A full equality impact assessment will need to be undertaken to identify if, to what extent and which groups with a protected characteristic are likely to be adversely and disproportionately affected by any of the elements of the new build programme and where such is the case, to consider what mitigation measures to propose.

9. Head of Procurement Comments

- 9.1 There are no immediate procurement issues relating to any decisions regarding the Delivery Agreement and Housing New Build proposals.
- 9.2 If approval is given to enter in to the Delivery Agreement, there will be a requirement on the Council to use best endeavours to ensure any employees engaged on the building works are paid at least the London Living Wage. This requirement is entirely aligns with the Council's own policy and objectives.



Haringey Council

- 9.3 It is important that the Procurement Strategy, routes to market and forms of contract to be used are agreed as early as possible between the Head of Procurement and the Service, to ensure timely delivery, overall efficiency and best value for money.

10. Policy Implications

- 10.1 The Council is committed to creating mixed and balanced communities and providing housing that is affordable to local residents across all income levels. The infill programme supports this by building new council homes that focuses the provision of affordable homes for rent in the west of the borough where this type of housing is in particularly short supply, and low cost home ownership in the east where the majority of the borough's social housing stock is located. The homes are an important contribution towards meeting the council's aims of maximising the number of affordable homes in the borough and achieving the Mayor's housing target of 751 affordable units per annum over the period 2015 to 2025.

11. Reasons for Decision

- 11.1 To enable and facilitate the delivery of Phase 1 of the Council's new build programme and contribute towards the provision of much needed affordable housing in the borough.

12. Use of Appendices

Appendix 1 – GLA Delivery Agreement

13. Local Government (Access to Information) Act 1985

14. Background Papers:



Haringey Council

Appendix 1 – Delivery Agreement (Full 89 page document available on request)



Dated 2013

**Greater London Authority
and
[Grant Recipient]**

Delivery Agreement (local authority)

in relation to the Mayor's Housing Covenant (Building the Pipeline – Affordable Homes to Rent and Buy)

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9	Grant Claim Procedures

Trowers & Hamlins LLP
3 Bunhill Row
London
EC1Y 8YZ
t +44 (0)20 7423 8000
f +44 (0)20 7423 8001
www.trowers.com



Haringey Council

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Haringey Council

Report for:	Cabinet 16 September 2014	Item Number:	
Title:	Local Implementation Plan Annual Spending Submission for Transport 2015/16		
Report Authorised by:	Lyn Garner, Director of Regeneration, Planning and Development 		
Lead Officer:	Malcolm Smith, Team Leader, Transportation Planning		
Ward(s) affected: All	Report for Key/Non Key Decisions: Key Decision		

1. Describe the issue under consideration

1.1 Investment in transport infrastructure is a key part of the Council's programme to support economic growth and improve the health and wellbeing of our residents (and businesses). Part of that investment is provided through the Local Investment Plan (LIP), funded annually by Transport for London. The plan covers both physical renewal and improvement of the Borough's transport infrastructure alongside initiatives aimed at promoting changed travel behaviour and the use of alternative travel modes including walking and cycling. In September 2013, the Council approved an outline 3 year LIP Delivery Plan for the period 2014/15 – 2016/17. This report now seeks approval for the submission of the Local Implementation Plan (LIP) Annual Spending Submission [ASS] for the second year (2015/16) worth over £5.4m (plus a *bid* for cycle scheme funding of £561K).

2. Cabinet Member introduction

2.1 The Annual Spending Submission for 2015/6 details transport schemes for the second year of the 3-year Delivery Plan covering the period 2014-17. The Delivery Plan was agreed by Cabinet on 10 September 2013.



Haringey Council

- 2.2 Haringey's transport programmes and strategy support the Council's corporate programmes to regenerate Tottenham with the focus on Tottenham Hale and Tottenham Green and key regeneration areas across the Borough and support for our high streets. Programmes and projects will support Council plans for a cleaner, greener environment and safer streets.
- 2.3 Transport programmes will also encourage behaviour change to low carbon modes of transport, improving road safety and accessibility, minimising traffic congestion, improving air quality, reducing crime and fear of crime and reducing CO2 emissions.
- 2.4 Some of our projects for 2015/16 are a continuation of those commencing in 2014/15. These projects comprise Harringay Green Lanes corridor safety, pedestrian and urban realm scheme; environmental, safety and pedestrian and cycle schemes in Tottenham Hale, Tottenham Green and Hornsey Park neighbourhoods and Borough-wide roll out of 20mph speed limit on all residential roads. Other investments will be made in cycling and walking schemes, cycle training, smarter travel [behaviour change], road safety schemes and on Haringey Community Transport.
- 2.5 Local ward councillors and the wider community will be consulted on the detailed implementation of these schemes by Single Frontline during 2015/16.

3. Recommendations

- 3.1 Cabinet approves the Annual Spending Submission for 2015/16 as set out in Appendix of this report.

4. Other options considered

- 4.1 The Annual Spending Submission supports our approved LIP covering 2011 to 2031. It is, therefore, not considered necessary to consider other options.

5. Background information

- 5.1 The LIP is Haringey's Transport Strategy and will form the basis for our projects and programmes to be pursued over the next 20 years. Although the Mayor's Transport Strategy provides the context for our LIP, we have scope to interpret the Mayoral objectives and develop our own transport objectives.
- 5.2 This report sets out the content of the Annual Spending Submission for 2015/16. This ASS forms the second year of our LIP Delivery Plan for 2014-17 which was approved by Cabinet on 13 September 2013. See the Appendix for scheme details. We are required by TfL to complete a proforma spreadsheet summarising our proposals.



Haringey Council

5.3 TfL has prepared guidance for boroughs in submitting the ASS for 2015/16. We are required to submit the ASS by 3 October.

5.4 Our approach for prioritising LIP funded schemes over the three year period from 2014/15- 2016/17 is based on a prioritisation of Corridors and Neighbourhoods using a number of variables such as accident levels, support for regeneration, the availability of cycle routes and support for town centres. This approach was agreed at Cabinet in September 2009 and was used to prioritise areas for the first Delivery Plan for 2011-14. The same prioritisation process has been used to develop the next 3 year Delivery Plan for 2014-17. The LIP includes a number of projects that will improve streets in the Tottenham regeneration area. The second year of the Delivery Plan forms the Annual Spending Submission for 2015/16.

5.5 LIP funding for transport projects is provided through 3 main categories: Corridors/Neighbourhoods and Supporting Measures, Major Schemes and Maintenance. TfL allocate funding for all categories except Major Schemes through a needs based formula. Haringey's allocation for 2015/16 is as follows:

Corridors, Neighbourhoods and Supporting Measures	£2,055,000
Principal Road Maintenance	£571,000
Local Transport Funding	£100,000
Total	£2,726,000

5.6 TfL has advised each borough to submit Principal Road Maintenance (PRM) programmes which are 25% higher than their allocation, to allow for possible reserve schemes to be brought forward. Our submission therefore will be for £714,000. TfL allocate PRM funding based on an assessment of need taken from the most recent condition surveys.

5.7 TfL has a separate cycling programme which complements investment in cycling funded through our LIP allocation. Our allocation for 2014/17 is as follows:

Programme	Allocation 2014/15	Indicative allocation 2015/16	Indicative allocation 2016/17
Cycle training for adults and children	£29,150	£29,150	£29,150
Safer lorries and vans [FORS accreditation]	£9,000	£9,000	£8,000
Safe Urban Driving training	£10,000	£5,000	£5,000
Cycle grants to school	£12,000	£18,000	£12,000
Cycle parking	£20,000	£45,000	£45,000
Staffing	£45,000	£45,000	£45,000



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In addition we submitted a funding application in December 2013 for a cycle to school partnership for schools in the Crouch End and Northumberland Park areas totalling £561,000 for 2014-17. At the time of writing TfL has yet to advise of our allocation.

5.8 For bridge strengthening and assessment, we are seeking substantial funding over the next 3 years for assessment and strengthening of bridges on Wightman Road over rail, Muswell Hill Road over disused rail, Oakfield Road over rail and Bounds Green Road over rail near Bowes Park station. We are seeking more than £2.5m for 2015/16.

5.9 The summary of the programme areas and schemes for 2015/16 are as follows:

Corridors, Neighbourhoods & Supporting Measures:

Harringay Green Lanes corridor

This scheme will build on the schemes delivered in 2013/14 to 2014/15 for Green Lanes and Wood Green Town Centre and follows on from the design and development work being undertaken in 2014/5 for the Alfoxton Avenue/Green Lanes junction and associated urban realm improvements. Overall a budget of £1.55m is set aside for 2014-17 to deliver this scheme.

Tottenham Hale neighbourhood

This scheme would include a greatly enhanced pedestrian link between Tottenham Hale station and Tottenham Green for which design work was being carried out in 2013/14, better cycle access, urban realm and road safety improvements. Sustrans are assisting in scheme development for all the neighbourhood schemes.

Tottenham Green neighbourhood

This scheme is aimed at delivering road safety benefits, environmental and urban realm improvements and would complement the works planned for Tottenham Green.

Hornsey Park neighbourhood

Measures for this area would include environmental and traffic management measures which would complement our major scheme for Wood Green town centre which is due to complete early 2015.

20mph speed limit



Haringey Council

Cabinet approved in July the establishment of a 20mph speed limit for all residential roads, roads in the vicinity of schools and in town centres. A roads and TfL roads would be exempt. The scheme will be delivered over two years.

Local safety schemes

LIP funding is being allocated to local safety schemes and reactive safety measures. A study is being carried out by consultants that will identify a programme of measures and actions particularly targeting vulnerable road users [pedestrians, cyclists, powered two-wheelers and children]. The study will also assist in the development of road safety education and training programmes.

Smarter Travel Programme

The Smarter Travel Programme will deliver low carbon and active travel behaviour change initiatives, continuation of Smarter Travel road show events, expansion of the Personalised Travel Planning and sustainable driver training projects, road safety and cycling related school and workplace travel planning initiatives. Some of this funding will be used as match funding for an EU project to deliver personalised travel planning in the Borough. However, there would be a net increase in funding of about £150,000 for the smarter travel programme.

Cycling and Walking schemes

A recently completed cycling and walking study, together with the emerging findings from transport modelling as part of the Local Plan will help to inform future infrastructure requirements for cycling and walking in Haringey. These will be aligned with the priorities identified through consultation with cycling groups and the opportunities arising from regeneration and development projects into a more explicit cycle and walking strategy to be produced for the Borough in 2015.

Cycling training

This will be targeted at child and adult training. This will complement TfL cycle training funding through the separate cycling programme.

Local Transport funding

TfL have allocated £100,000 in 2015/16 to every London borough to develop local transport projects. It is planned this will continue into 2016/17. We are planning to use most of this funding for the community transport services provided by Hackney Community Transport, subject to a review of the service being carried out this year.



Haringey Council

Principal Road Maintenance [PRM]

We are seeking funding for Crouch End Hill, Crouch Hill, High Road N22 and Watermead Way. In addition to reflect TfL's request for 25% over programming our bid will include Priory Road.

6. Comments of the Chief Finance Officer and financial implications

- 6.1 The Local Implementation Plan funding from Transport for London represents a significant element of the funding for the Sustainable Transport capital programme and helps support the wider staffing budget within Single Frontline service due to fees earned from supporting the projects identified. Council funding for 2015/16 and future years will be confirmed as part of the 2015/16 budget process.

7. Head of Legal Services and legal implications

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

8. Equalities and Community Cohesion Comments

- 8.1 All residents will benefit, including groups that possess the equality characteristics protected by section 4 of the Equality Act 2010. An EqlA was undertaken as part of the LIP development process for all scheme proposals. The assessment found that the programme is not likely to have a disproportionate adverse impact on any of the protected characteristics. Its impact on community cohesion is likely to be positive as it would facilitate social interaction through easier access to better public transport.

9. Head of Procurement Comments

N/A



Haringey Council

10. Policy Implications

10.1 The LIP Annual Spending Submission 2015/16 supports and delivers the objectives, policies and delivery proposals of Haringey LIP (Transport Strategy). These reflect the transport needs and aspirations of Haringey's residents and businesses and contribute towards the implementation of key priorities with the Mayors Transport Strategy covering the period 2011 to 2031.

11. Use of Appendices

11.1 Appendix – LIP Annual Spending Submission 2015/16.

12. Local Government (Access to Information) Act 1985

12.1 TfL Guidance on Local Implementation Plan Annual Spending Submission for 2015/16

12.2 Final Haringey Local Implementation Plan, May 2010



Haringey Council

Appendix

LIP Annual Spending Submission for 2015/16

Programme/ Project	2015/16 £k	Reasoning
Corridors, Neighbourhoods and Supporting measures and Local Transport Funding		
Green Lanes – Alfoxton Avenue/Green Lanes junction and surrounding area	600	To complete improvements for whole corridor of Wood Green High Road and Green Lanes. 2 nd year of project.
Tottenham Hale neighbourhood	153	Complements TfL investment in gyratory. 2 nd year of project
Hornsey Park neighbourhood	100	Complements investment in Wood Green town centre. 2 nd year of project
Tottenham Green neighbourhood	100	Complements investment by TfL on gyratory and Mayoral investment for Tottenham Green. 2 nd year of project.
20mph speed limit	422	Roll out of Borough wide 20mph speed limit. 2 nd year of project.
Cycle training	100	Supports Council's targets for more cycling
Smarter travel	400	Supports Council's targets for mode share and CO2 reduction
Cycling and Walking schemes	100	Support delivery of outputs from Borough cycling and walking study
Local safety schemes	100	Supports Council and Mayoral targets for road casualty reduction
Haringey Community Transport	80	Transport provision for local community groups unable to access conventional transport
Total	2155	
Principal Road Maintenance		
Crouch End Hill inc Broadway	131	The Broadway to Hornsey Lane
Crouch Hill	127	Crouch End Hill to Dickenson Road



Haringey Council

High Road, N22	250	From Carlingford Road to Lordship Lane
Watermead Way	61	Junction with Leaside Road
Priory Road, N8	145	Park Road to Farrer Road
Total	714	
Bridge Maintenance and Strengthening		
Ferry Lane over River Lee (diversion)	15	
Duckett Road over New River	12	
Pemberton Road over New River	12	
Warham Road over New River	12	
Station Road over New River	25	
Bounds Green Road over rail	55	
Leaside Road over rail	50	
Oakfield Road over Rail	60	
Wightman Road over Rail	2000	
Shepherds Hill over disused rail	12	
Muswell Hill Road over disused rail	170	
Avenue Road over disused rail	20	
Watermead Way bridge over rail	80	
Springfield Avenue retaining wall	50	
Total	2573	

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Haringey Council

Report for:	Cabinet 16 September 2014	Item number	
Title:	Regulation of Investigatory Powers Act (RIPA) 2000: Use within the Council 2013/14; and updates to the Council's policy		
Report authorised by :	Assistant Director of Corporate Governance <i>Berani R. Fox</i>		
Lead Officer:	Anne Woods, Head of Audit and Risk Management Tel: 020 8489 5973 Email: anne.woods@haringey.gov.uk		
Ward(s) affected: ALL		Report for: Non-Key Decision	

1. Describe the issue under consideration

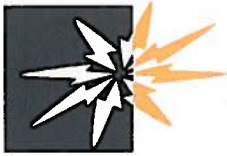
- 1.1 To inform Cabinet about issues relevant to the use of the Regulation of Investigatory Powers Act (RIPA) 2000 during 2013/14; and provide an updated policy for approval.

2. Cabinet Member for Resources and Culture

- 2.1 The Council uses its powers under RIPA infrequently, but needs to comply with legislation and report the use of directed surveillance to members on an annual basis. I am satisfied that the Council uses the powers afforded to it under the RIPA legislation appropriately, as signified by the outcome of the inspection in December 2013 by the Office of the Surveillance Commission.
- 2.2 The changes to the policy accord with Home Office guidelines and on that basis I recommend that Cabinet approve these.

2. Recommendations

- 3.1 The Cabinet notes the use of RIPA by the council in 2013/14;
- 3.2 The Cabinet approves the amended RIPA policy at Appendix 1 and agrees that the officers listed in the policy be permitted to authorise directed



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surveillance and the use of covert intelligence under s.28 and S.29 of RIPA 2000 prior to judicial approval; and

3.3 The Cabinet notes that the Assistant Director of Corporate Governance is the Council's Senior Responsible Officer for oversight of RIPA, in accordance with Home Office guidance.

3. Other options considered

4.1 Not applicable.

4. Background information

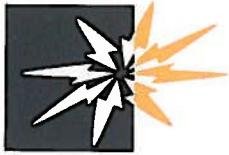
5.1 On 25 September 2000 the Regulation of Investigatory Powers Act (RIPA) was brought into effect in England and Wales. The purpose of the Act was to ensure that all public authorities were able to carry out directed (covert) surveillance on a statutory basis without breaching The Human Rights Act 1998, Article 8, the right to privacy. RIPA enables local authorities to carry out certain types of surveillance activity as long as specified procedures are followed. The information obtained as a result of surveillance operations can be relied upon in court proceedings provided RIPA is complied with.

5.2 The Protection of Freedoms Act 2012 requires local authorities to obtain judicial approval before using RIPA, in addition to the application being approved internally by an Authorising Officer. Since 1 November 2012, all applications must be authorised by a Justice of the Peace before they can take effect and the Council has to apply to the Magistrates Court to grant an order approving the authorisation. This requirement applies to all areas of RIPA, including directed surveillance, and communications data.

5.3 In addition, the legislation limits the use of RIPA to offences that have a custodial sentence of six months or more, with some exceptions relating to the sale of alcohol and tobacco to children.

5.4 The use and application of RIPA legislation is monitored by two government offices who both report to parliament and the Secretary of State. The Office of the Surveillance Commissioner (OSC) monitors the use of RIPA in relation to directed surveillance. The Interception of Communications Commissioner's Office (IOCCO) is responsible for monitoring the use of RIPA in relation to communications data. Visits are made to local authorities to monitor compliance with RIPA legislation by both the OSC and the IOCCO. Both organisations require annual returns and performance information to be made by the Council.

5.4 The Code of Practice on Covert Intelligence Sources states that elected members should review the authority's use of RIPA at least once a year.



Haringey Council

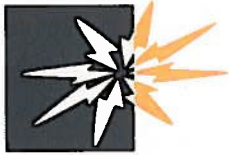
5. Operational Procedures in Haringey

- 6.1 The Home Office Code of Practice recommends that a member of the organisation's corporate leadership team should be the Senior Responsible Officer for oversight of RIPA. Within Haringey, the Senior Responsible Officer is the Assistant Director of Corporate Governance, who has been provided with guidance on the SRO role and its responsibilities.
- 6.2 It is proposed that the officers listed in the RIPA policy at Appendix 1 authorise RIPA application forms prior to seeking judicial approval. These officers have been trained in the use and application of RIPA. Refresher training is provided on a regular basis to ensure all officers are kept up to date with their roles and responsibilities.
- 6.3 Haringey has produced its own local guidance notes for RIPA, separate from the policy, which are in accordance with the Home Office's requirements; and these are circulated to all officers involved in RIPA when updates to the legislation or standard forms are issued. These guidance notes are also published on the Council's intranet site.
- 6.4 The latest OSC inspection in December 2013 confirmed that Haringey's policy and procedures are in accordance with Home Office guidance. The policy and procedures have been updated to include firstly guidance for officers on the use of social media and internet sites; and secondly to clarify the RIPA requirements on the use of targeted operations to identify premises selling alcohol and tobacco to minors.
- 6.5 Haringey makes limited use of RIPA legislation and the Council has always complied fully with the legislative requirements. A summary of the total number of applications to use RIPA from 2011/12 to 2013/14 is detailed in Table 1 below.

Table 1

Year	2011/12	2012/13	2013/14
Department			
Place & Sustainability	1	8	1
Corporate Resources	0	1	0
Total	1	9	1

- 6.6 The one application in 2013/14 for directed (covert) surveillance related to a targeted operation to identify premises believed to be selling alcohol and tobacco to minors. The Council, however, consequently reviewed the RIPA legislation and up-to-date Codes of Practice and determined that such standard test purchase operations could be undertaken without the need for RIPA authorisation. The guidance on this issue has been clarified in the policy and procedures in line with the Codes of Practice.



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7. Comments of the Chief Financial Officer and Financial Implications

- 7.1 There are no direct financial implications arising from this report. The work within Audit and Risk Management and other service areas to undertake and manage RIPA in accordance with statutory requirements is contained and managed within the relevant revenue budgets.
-

8. Comments of the Assistant Director, Corporate Governance and Legal Implications

- 8.1 The Assistant Director for Corporate Governance has been consulted in the preparation of this report. The Legal issues have been set out in the body of the report.
-

9. Equalities and Community Cohesion Comments

- 9.1 There are no direct equality implications arising out of this report. The revisions contained in the Protection of Freedoms Act 2012 strengthen existing Human Rights legislation, protecting individuals from inappropriate levels of covert surveillance.
-

10. Head of Procurement Comments

- 10.1 Not applicable.

11. Policy Implications

- 11.1 There are no direct implications for the Council's existing policies, priorities and strategies.

12. Use of Appendices

- 12.1 Appendix 1 – RIPA Policy (updated July 2014).

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REGULATION OF INVESTIGATORY POWERS ACT 2000

HARINGEY POLICY

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Policy History					
Version	Summary of Change	Contact	Implementation Date	Review Date	EqIA Date
10.00	- Inclusion of use of social media guidance - Updated Authorised Officer list	Head of Audit & Risk Management	September 2014	July 2014	June 2014

Links and Dependencies
RIPA – Procedure/Guidance Notes Corporate Anti-fraud Policy and Fraud Response Plan Whistleblowing Policy Sanctions Policy Anti-money Laundering Policy Anti-bribery Policy Employee Code of Conduct

Related Forms
RIPA Authorisation for Directed Surveillance RIIPA Review of Directed Surveillance Authorisation RIPA Renewal of Directed Surveillance Authorisation RIPA Cancellation of Directed Surveillance Authorisation RIPA Application for Communications Data



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1. Policy Statement

- 1.1 Haringey Council will apply the principles of the Regulation of Investigatory Powers Act 2000 (RIPA) to all activities where covert surveillance, covert human intelligence sources, or communications data are used. In doing so, the Council will also take into account its duties under other legislation, in particular the Human Rights Act 1998 and Data Protection Act 1998, and its common law obligations.

2. Overview and Purpose of RIPA

- 2.1 RIPA came into force in England and Wales on 25 September 2000, and aims to balance, in accordance with the European Convention of Human Rights, the rights of individuals with the need for law enforcement and security agencies to have powers to perform their roles effectively. The Human Rights Act 1998 requires that all actions which may potentially breach an individual's human rights are proportionate; necessary; non-discriminatory; and lawful. RIPA allows local authorities to collect evidence of criminal activity lawfully where the investigation requires covert surveillance, even where that may lead to them obtaining private information about individuals.
- 2.2 RIPA provides a statutory basis for local authorities to authorise the use of directed surveillance and covert human intelligence sources (undercover officers, agents, informants); and access communications data (postal, telecoms and internet operators' data). Three Home Office Codes of Practice: [Code of practice for covert surveillance and property interference](#); [Code of practice for the use of human intelligence sources](#) and [Code of practice for the acquisition and disclosure of communications data](#) provide further detailed guidance.
- 2.3 From 1 November 2012, sections 37 and 38 of the Protection of Freedoms Act 2012 apply. Any local authority who wishes to authorise the use of directed surveillance, acquire communications data, and/or use a covert human intelligence source (CHIS) under RIPA will need to obtain an order approving the grant (or renewal) of an authorisation or notice from a Justice of the Peace (JP) before it can take effect. This is in addition to the existing internal authorisation processes under the relevant parts of RIPA.
- 2.4 RIPA requires a Senior Responsible Officer (SRO) to be appointed to be responsible for ensuring the Council's compliance with RIPA and its Codes; and to oversee the implementation of any post-inspection action plans recommended or approved by a Commissioner. The Assistant Director of Corporate Governance is Haringey's SRO.
- 2.5 Failure to comply with RIPA does not mean that an authority's actions in relation to surveillance will be unlawful; however it does mean that evidence obtained from surveillance could be inadmissible in court proceedings and jeopardise a successful outcome. Such action could also be open to challenge as a breach of the Human Rights Act and a successful claim for damages could be made against the Council.
- 2.6 Further information on RIPA can be obtained from the [Office of Surveillance Commissioners](#), the body responsible for overseeing the use of covert surveillance,



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including the relevant RIPA Codes of Practice, together with examples of frequently asked questions for local authorities.

- 2.7 The Council's [RIPA Procedure Notes](#) provide guidance to investigating and authorising officers when undertaking RIPA activities. Copies of all relevant application, review, renewal and cancellation forms, together with the application for judicial review form are held on the Council's [Intranet](#). The Head of Audit and Risk Management should be contacted in the first instance if access to Communications Data is required, or use of a CHIS is being considered.

3. Restrictions on the use of RIPA.

- 3.1 The Protection of Freedoms Act 2012 restricts the use of RIPA to conduct that would constitute a criminal offence which punishable by a maximum custodial sentence of six months or more. Low-level offences such as littering, dog fouling and school admissions should not be undertaken using RIPA.
- 3.2 There are some limited exceptions to the rule on criminal threshold levels, relating to specified criminal offences for the underage sale of alcohol (s146, s147 and s147A of the Licensing Act 2003) and tobacco (s7 of the Children and Young Persons Act 1933). The relevant RIPA tests of necessity and proportionality must still be applied and prior JP approval obtained before any surveillance takes place.
- 3.3 The purpose of this policy is to ensure that:
- the proper procedures are in place in order to carry out covert surveillance;
 - an individual's right to privacy is not breached;
 - the investigation is necessary and proportionate to the alleged offence;
 - proper authorisation is obtained for covert surveillance;
 - the proper procedures have been followed; and
 - covert surveillance is considered as a last resort having exhausted all other avenues.

4. Authorisation and Duration of RIPA Activities

- 4.1 Each covert surveillance operation involving directed surveillance, covert human intelligence sources and the acquisition of communications data must be authorised internally within the council in writing first. All applications must use the forms provided on the Council's intranet and, following internal approval, all applications must also be externally authorised by a JP. Annex A provides a summary flow chart of the RIPA process. **No investigation can commence until both internal and external authorisations have been given.**
- 4.2 The application form will only be considered by a JP if it is authorised by a relevant authorising officer. Authorising officers are those listed at Annex B to this policy. Authorising officers can only authorise the use of RIPA if they have completed the SRO approved training. Guidance on completing the application and authorisation process is included in the Council's RIPA Procedure Notes and further advice can be obtained from the Head of Audit and Risk Management.

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- 4.3 For any urgent applications, the Head of Audit and Risk Management and Legal Services should be contacted at the earliest opportunity in order to make urgent arrangements to see a JP. The application form and internal authorisation will still be needed but the time in which to get judicial approval may be reduced.
- 4.4 Authorisations only remain valid for specific periods and may require renewal or cancellation. Written authorisations can only last for a maximum period of 3 months and will expire after 3 months. Authorisations must be cancelled if the conditions are no longer met. Authorisations do not expire when the conditions are no longer met and therefore cancellations should be made at the earliest opportunity.
- 4.5 Authorisations should be kept under regular review, especially if the risk of obtaining private information or of collateral intrusion is high, and in accordance with the circumstances of the case. Internal reviews should be recorded on the relevant forms, but do not need approval by a JP.
- 4.6 Authorisations can be renewed, but these will be subject to the same internal and external authorisation processes to determine whether the grounds for authorisation still exist. A renewal can be granted for a further 3 months from the date of expiry of the original application. Any renewal application must take place prior to the expiry of the original application. If this timeframe cannot be met, no further surveillance should be carried out until a further application has been authorised.
- 4.7 If the conditions for surveillance being carried out are no longer satisfied, and the authorisation period has not ended, a cancellation form must be completed and all those involved in the surveillance should receive notification of the cancellation, which must be confirmed in writing at the earliest opportunity. Cancellations do not need approval from a JP.

5. Covert Human Intelligence Sources (CHIS)

- 5.1 If a CHIS is to be used, there are detailed requirements regarding management of their activities which are set out in the Home Office code of Practice. The use of a CHIS who is an adult and not a vulnerable person can be authorised by any of the authorising officers. In a case where the proposed CHIS is a juvenile or a vulnerable person, only the Chief Executive can grant an authorisation.
- 5.2 Before making any decisions about using a CHIS, the Assistant Director of Corporate Governance and Head of Audit and Risk Management must be consulted. There are statutory risk assessment requirements specified in section 29 of the Act which are designed for the safety of the individual acting as a CHIS and the protection of the Human Rights of those who may be directly or indirectly involved in the operation. Guidance on the use of a CHIS is contained in the Council's RIPA Procedure Notes, including the records which must be kept when using a CHIS.

6. Social Networking Sites and Internet Sites



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- 6.1 Social networking and internet sites are easily accessible, but if they are going to be used during the course of an investigation, the investigator must consider whether RIPA authorisation should be obtained.
- 6.2 In most cases, the Council will not seek to covertly breach a site's access controls, but if this is deemed necessary and proportionate, the minimum requirement is an authorisation for directed surveillance. An authorisation for the use and conduct of a CHIS is necessary if a relationship is established or maintained by the officer (i.e. the activity is more than simply reading the site's content). This could occur if an officer covertly asks to become a 'friend' or 'network contact' of someone on a social networking site.

7. Requests to undertake Covert Surveillance using CCTV

- 7.1 The Council's CCTV Control Room staff may be requested to undertake covert surveillance on behalf of other enforcement authorities, including the police. The Council supports working with external enforcement agencies and organisations to prevent and detect crime; but any requests must be supported by an appropriate RIPA authorisation from the relevant enforcement authority and be provided to the CCTV Manager before the covert surveillance is commenced.
- 7.2 Surveillance that is unforeseen and undertaken as an immediate response to a situation falls outside the definition of directed surveillance and therefore authorisation is not required.

8. Records and Inspections

- 8.1 RIPA requires the Council to maintain records, including details of all applications, reviews, renewals and cancellations. The Head of Audit and Risk Management maintains the Central Record on behalf of the SRO, and retains hard and electronic copies of all forms and JP approval records.
- 8.2 The documents in the Central Record are retained in accordance with Audit and Risk Management's records management policy which complies with relevant Data Protection legislation. The original documents should be retained by the service area responsible for the surveillance activity.
- 8.2 The Office of the Surveillance Commissioner has set up an Inspectorate to monitor compliance with RIPA. Haringey's SRO and Head of Audit and Risk Management will act as the first point of contact for the Inspectors, but all service areas that use RIPA should expect to be involved in any inspection visits.

9. Monitoring and Reporting

- 9.1 The Assistant Director of Corporate Governance is responsible for the maintenance and operation of this policy, as the Council's nominated SRO under RIPA. The Assistant Director of Corporate Governance will liaise with the Head of Audit and Risk Management to review the policy on a regular basis.



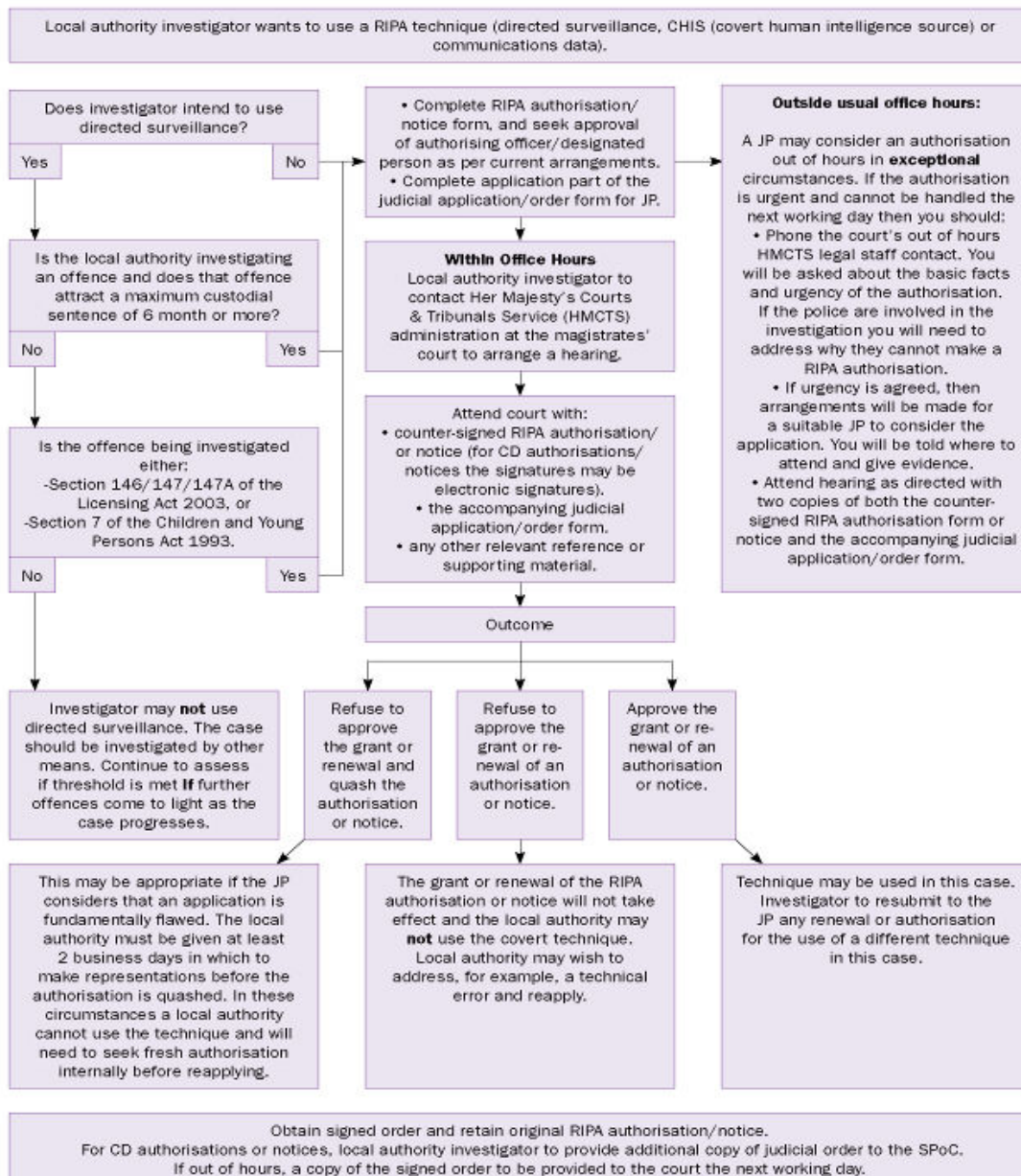
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9.2 Regular reports will be made to Members in accordance with the requirements of the RIPA Codes of Practice.

OFFICIAL

ANNEX A

LOCAL AUTHORITY PROCEDURE: APPLICATION TO A JUSTICE OF THE PEACE SEEKING AN ORDER TO APPROVE THE GRANT OF A RIPA AUTHORISATION OR NOTICE



17

OFFICIAL

Annex B

Haringey Council - Authorising Officers for RIPA

Job Title	Officer's Name	Contact number
Chief Executive (confidential information and juvenile or vulnerable adult CHIS only)	Nick Walkley	0208 489 2648
Assistant Director for Finance	Kevin Bartle	0208 489 5972
Director of Regeneration, Planning and Development	Lyn Garner	0208 489 4523
Assistant Director for Environmental Services and Community Safety	Stephen McDonnell	0208 489 2485
Interim Head of Community Service	Hazel Simmonds	0208 489 5458
Director of Children's Service	Lisa Redfern	0208 489 3206
Director of Adult Social Services	Beverley Tarka	0208 489 5919
Director of Public Health	Jeanelle de Gruchy	0208 489 2828

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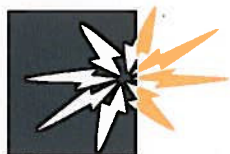
Report for:	Cabinet – 16 September 2014	Item Number:	
Title:	Occupational Health Review		
Report Authorised by:	Tracie Evans - Interim Chief Operating Officer 		
Lead Officer:	Jacquie McGeachie – Interim Assistant Director for Human Resources & Organisation Development		
Ward(s) affected: n/a		Report for: Key Decision	

1. Describe the issue under consideration

To agree funding over three years and to award a contract for the external provision of Occupational Health and Wellbeing (OHW) service to Haringey Council and Homes for Haringey staff.

2. Cabinet Member introduction

This report sets out a proposal to enter into a partnership with an external provider the provision of an Occupational Health service for Haringey Employees as well as partner organisations including Homes for Haringey and many of our schools. The proposal represents both an improvement in service offering and financial efficiencies.



Haringey Council

3. Recommendations

3.1 To approve a waiver of Contract Standing Order 9.01 (requirement to publish an appropriate tender advertisement); and

3.2 To award a contract to the NHS provider as specified in Appendix A of this report to provide a dedicated Occupational Health and Wellbeing service over a three year period and transition OHW services to the new provider as soon as practicable.

4. Alternative options considered

For the current OHW service to remain in-house and continue to provide a higher level of service, more investment would be necessary. To continue to provide this service within the Council would cost £930,000 for the same period.

5. Background information

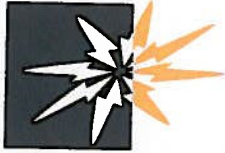
5.1 Introduction

The OHW team provide a service to around 9,000 staff comprises of Haringey Council, Haringey Schools, Homes for Haringey and other smaller external contracts.

Currently the team are based in Tulip House, 38-46 Station Road, Wood Green and the current accommodation lease expires in August 2014. Relocating this service into Council offices is difficult as there is a need for specialist clinical rooms which are expensive to set up and maintain.

The table below outlines the current cost of service (excludes corporate overheads):

Post	FTE	Grade
Nurse Manager	1	PO8
Wellbeing Adviser	1	PO5
Administrator	1	Sc 6
Sessional OH Physicians	2 (7 days a month)	
Counselling Services	As & when	
Vaccinations & other medical (GP/Specialist reports etc)	As required	
Other running costs		
Total cost £310,522		



Haringey Council

The service is currently running on a low staff basis and recent long-term sickness, holidays and increasing workloads has led to a reduction in service performance and timeframes (current OH management referrals are taking 20 working days). There is also a difficulty recruiting qualified OH Nurse Advisers with the relevant clinical experience. If the service was to remain in-house and continue to provide a higher level of service, more investment would be necessary.

The service also runs a basic Employee Assistance Programme (EAP) which helps employees deal with personal problems that might adversely affect their job performance, health, and well-being. This includes short-term counselling, referral services, legal and financial advice. Unlike many employers, Haringey currently does not provide a 24 hour EAP for staff and to have this in place would cost around £22k per year over a three year period.

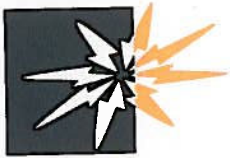
As part of the Human Resources (HR) Improvement Programme a review was undertaken into the Occupational Health, Safety and Wellbeing Service (OHSW) between February and March 2014. The aim was to establish the best and most appropriate way to deliver occupational health services.

The scope of the review focused specifically on proposals for OHW provision and in particular:

- a. Accommodation
- b. Resourcing
- c. 24hr Employee Assistance Programmes
- d. Potential for sharing services with New Provider NHS Hospital
- e. Procurement & contract implications

It was agreed by the HR Improvement Programme Board that the Health & Safety service was delivering well for such a small team and that there was little reason to consider other forms of delivery. Given this, management have decided that this service should remain within the Council. This paper therefore concentrates on a new delivery model for the OHW service.

Following an options appraisal it is now proposed to enter into a contract with a new Occupational Health Service provider. The full details of the appraisal are set out in Appendix A of this report.



Haringey Council

5.2 Benefits of the New Provision

There are a number of advantages to contracting the OHW provision to a local NHS hospital, which are:

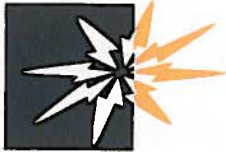
- a. Operational: they have 2 clinical sites within the borough
- b. Improved Service Offer
 - A reduced timescale for OH management referrals to 10 working days (current service timescale within 20 working days) and OH medical reports following consultation sent to referring manager within 2 working days.
 - Access to a wider team of OH professionals including OH Screening Nurses, qualified OH Health Nurse Advisers, Senior OH Nurse Managers, OH Physicians at different levels e.g. Consultant, Registrar etc
 - Experience of health care i.e. vaccinations for frontline staff, home carers, etc.
 - Fast track physiotherapy appointments
 - Buying in to their existing Employee Assistance Programme

The implementation to a full service offering by the new provider is not possible by October. As such, the following interim arrangements are envisaged:

- Accommodation: temporary use of 3 rooms in the Civic Centre
- Transition: the Council can commission ad-hoc OH appointments as required from the New Provider and recharge services/contracts as appropriate. This also introduces the new OH provision to Haringey staff and Management in a controlled way.

The new Provider does not require additional managerial or administration staff to undertake work on behalf of Haringey. It is therefore proposed that the two existing employees are redeployed within the Council. The Wellbeing Adviser does not have the appropriate transferable skills required by the New Provider to be considered as part of the transfer of work and therefore will also seek to be redeployed within the Council. The staff concerned have indicated that they would be willing to apply for voluntary redundancy if no suitable alternative employment is found. TUPE therefore will not apply to this contract

Contract management will be put in place to ensure contract compliance.



Haringey Council

6. Comments of the Chief Finance Officer and financial implications

The in-house provision of the OH/W service currently costs the Council £310,000 (£365,000 including corporate overheads). Contracting the service to a local NHS hospital will cost £245,000 pa at least for year 1, a saving of £65,000 which will contribute to the HR savings included in the 2014-17 MTFP. Future years' contract costs will be based on usage levels in year 1 however, given that the Council headcount is expected to reduce over this period, the risk of any significant increase is deemed low. Given the identified saving alongside the enhanced service provision this delivery option represents better value for money for the Council. In the event of redundancies these costs will be met from the appropriate corporate reserve.

7. Comments of the Assistant Director of Corporate Governance and legal implications

7.1 This is a Part B service for the purposes of the Public Contracts Regulations 2006 (as amended). Therefore it has not been necessary to following an OJEU tendering procedure.

7.2 Due to the value of this contract it may only be awarded by Cabinet.

7.3 This is a key decision and the Service has confirmed it has been included on the Forward Plan.

Please see additional legal comments in the exempt part of the report.

8. Equalities and Community Cohesion Comments

The Council has a general equality duty to ensure that in all its functions, it has due regard to the need to among other things, advance equality of opportunity for persons and groups who share the characteristics protected by the Equality Act 2010.

OH/W service will continue to be available to all Haringey Council staff whatever their protected characteristics and irrespective of who the provider is. There is no risk of adverse impact on any section of Council staff who use the service.

The current arrangements have three Council employees (two managerial or administrative staff and one Wellbeing Adviser) who potential will be adversely affected by the proposals in this report. In mitigation the report proposes to redeploy all three within the Council. All three have indicated that they would be willing to apply for voluntary redundancy if no suitable employment is found within the Council.



Haringey Council

In regard to both service provision and employment the proposals have no adverse implications for the Council's public sector equality duty.

9. Head of Procurement Comments

- 9.1 This is a Part B service for the purposes of the Public Contracts Regulations 2006 (as amended). Therefore it has not been necessary to following an OJEU tendering procedure.
- 9.2 Contract management will be put in place to ensure that the service delivery meets the stated quality outcomes.
- 9.3 Please see additional information in exempt part of this report.

10. Policy Implication

None

11. Reasons for Decision

- 11.1 An external organization providing a specialist dedicated OHW service, will ensure the council meets its obligations, assists managers in the timely management of absence issues and effectively support our staff.
- 11.2 There is an initial potential saving of £65,000 plus additional benefits (both financial and efficiency) which could be realised over the course of the contract and these will be confirmed as part of the procurement process. A breakdown of our current costs and predicted future costs is shown in appendix A.

12. Use of Appendices

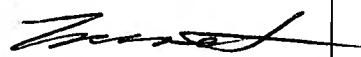
Appendix A: Business Case

13. Local Government (Access to Information) Act 1985

This report contains exempt and non exempt information. Exemption information is contained in Appendix A of this report and is NOT FOR PUBLICATION. The exempt information is under the following categories (identified in the amended Schedule 12A of the Local Government Act 1972): Information relating to the financial or business affairs of any particular person (including the authority holding that information), and information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.



Haringey Council

Report for:	Cabinet 16 September 2014	Item number	
Title:	The award of contract for the removal and disposal of Nuisance Vehicles.		
Report by:	Authorised by:	Stephen McDonnell, Assistant Director Environmental Services & Community Safety 	
Lead Officer:	Ann Cunningham, Head of Traffic Management E-mail: ann.cunningham@haringey.gov.uk		
Ward(s) affected:	All Wards	Key	

1. Describe the issue under consideration

- 1.1 Following the novation and extension of the Council's nuisance vehicle contract in March 2014, the extended contract expires on 30 November 2014. A retendering exercise has now been completed and this report seeks Cabinet approval to award a new contract for the delivery of this service.

2. Cabinet Member introduction

- 2.1 The Council has a statutory duty to manage its road network, reduce congestion, and improve road safety. The Council is also responsible for improving the quality of the local environment and for generally dealing as appropriate with Nuisance Vehicles. The enforcement activity carried out under the Nuisance Vehicle Contract is an integral part of achieving these key objectives.
- 2.2 This tendering exercise also delivers significant cost reductions, ensuring that the Council achieves value for money.

3. Recommendations

- 3.1 That Cabinet agrees

- a) The award of the nuisance vehicle contract, which includes a fully managed service for the removal and disposal of nuisance vehicles, pound provision and management to NSL Ltd for a period of 3 years from 1 December 2014.
- b) The cost of this contract over the initial 3-year period at £1,672,666.14.
- c) That this contract be awarded at a total cost of £2,787,776.09, including the provision to extend for a further 2 years, subject to satisfactory performance.

d) Other options considered

4.1 A preferred option was to secure a suitable council owned site for a vehicle pound, which could then be managed on behalf of the Council by the successful contractor. The absence of a suitable site was considered a potential deterrent to some providers, who may otherwise express an interest in this contract. Such a site could not be identified

4.2. The suitability of a council owned site at Marsh Lane (Tottenham) was considered. Following extensive discussions with relevant officers from the Tottenham regeneration team, it was decided that that this would not be the best use of that land. The service subsequently prepared tender documents on the basis of the contractor providing the pound site.

4.3 The existing contract also provides for the operation of mobile CCTV enforcement, which was outsourced as part of the tendering exercise undertaken in 2009. The options appraisal conducted prior to this tendering exercise, concluded that it was not in the Council's best interest for that service area to remain with the removal operation. It was recommended that this service should be brought back in-house and sit with the parking and traffic enforcement team. The analysis conducted, suggested that there had been no overall efficiencies gained by outsourcing. In addition, it was felt prudent in light of the proposed parking reforms (which aim to ban the CCTV enforcement of parking contraventions) not to enter into a long term arrangement for that service at this point in time.

5 Background information

5.1 The Council has operated a parking removal operation since 2004. This has worked on the basis of the contractor providing the pound site and passing those costs on to the Council.

5.2 Following an open tendering exercise the Council awarded a five year Nuisance Vehicle Removal contract to Ontime Parking Solutions Limited in 2009. This included the provision of the vehicle pound, pound management and cashiering service. It also included the personnel to deliver the mobile CCTV service. Following the Bidvest Group (parent company) acquiring a majority shareholding in the Mansfield Group, this contract was novated to the Mansfield Group in March 2014.

5.3 The existing car pound is located at the Old Gasworks site in Western Road, Wood Green, London N22 6UQ. This site will be subject to redevelopment and will not be available as a vehicle pound once this contract expires.

6 Tender process

6.1 An open tender procedure was conducted under the EU procurement rules. An advert was placed in the Official Journal of the European Union and on the Councils e-tendering portals Delta eSourcing and Compete for on the 16th May 2014.

6.2 The tender process was conducted to ensure that tenders were evaluated fairly to ascertain the most economically advantageous tender (MEAT). This involved a 2 stage evaluation of Capability, and Quality and Cost:

Stage 1 – Company questionnaire – Scored separately from the stage 2 evaluation.

Stage 2 – Quality and price evaluation – 100%

6.3 Initial stage submissions were received from three companies. One was eliminated at stage 1, as it did not achieve the minimum score required on Technical and Competency Questions, resulting in two submissions progressing to stage 2.

6.4 In terms of the evaluation criteria, the Council assessed the balance between the price and quality on the basis of price – 60% and quality – 40%.

6.5 Tenders were evaluated in accordance with the Council's instructions to tenderers by a panel of officers from the Traffic Management service, with professional advice and support provided by Corporate Procurement.

Tenderers were asked to provide a Qualitative Delivery Proposal (incorporating supporting information) and officers assessed bidders' supporting method statements. The Tender receiving the highest score out of 100 was awarded the maximum quality score of 40%.

Price assessment was based on all rates inserted by the tenderers in their pricing details. The tenderer with the lowest submitted total price received the maximum price score of 60%.

6.6 A summary of evaluations against these criteria is set out in the table below;

Company	Price Score	Quality Score	Total	Rank
NSL Ltd	60%	40%	100%	1
Tender B	32.0%	33.9%	65.9%	2

7 Comments of the Chief Finance Officer and financial implications

7.1 The cost of the recommended tender is £558k pa which represents a significant saving on the existing annual contract costs. This saving also exceeds the 2014/15

pre-agreed saving of £100k from re-tendering of contracts across the Parking service included in the 2014/15-2016/17 Medium Term Financial Plan.

- 7.2 The continued provision of a vehicle pound by the winning bidder means there are no capital expenditure implications from this contract award.

8 Assistant Director of Corporate Governance Comments and legal implications

8.1 The Assistant Director of Corporate Governance notes the contents of the report.

8.2 The vehicle removal services are classed as priority services under the Public Contracts Regulations 2006 (as amended) (the Regulations) and therefore it was necessary to follow a European tendering exercise.

8.3 An open tender exercise was followed as allowed for under Regulation 15 of the Regulations.

8.4 The Council now wishes to award the contract to the most economically advantageous tenderer as allowed for under CSO 9.06.1 b). Cabinet has power to approve the recommendation under CSO 9.06.1 d) (contracts valued at £500,000 or more).

8.5 The award of the contract is a Key Decision and, as such, needs to be included in the Forward Plan in accordance with CSO 3.01 d). The service has confirmed that this has taken place.

8.6 The Assistant Director of Corporate Governance confirms that there are no legal reasons preventing Members from approving the recommendations in this report.

9 Equalities and Community Cohesion Comments

9.1 There are no particular equalities issues arising from this report. Parking and Traffic Enforcement contributes to road safety. It ensures access for all road users, in particular disabled drivers who rely on the use of specially provided disabled parking bays.

10 Head of Procurement Comments

10.1 This Open Tender process had been carried out in line with the EU Public Contract Regulations and the Council's Procurement Code of Practice.

10.2 The recommendation follows a competitive process and has tested the market to achieve a Value for Money outcome for the Council and achieve significant savings.

- 10.3 Contract management arrangements including monthly and quarterly reviews should ensure expeditious identification and resolution of any non compliance or service delivery issues.

11 Policy Implication

- 11.1 There are no particular policy issues arising from this report. Enforcement against Nuisance Vehicles supports Corporate Plan priorities and this tendering exercise delivered significant cost reductions and value for money.

12 Reason for Decision

- 12.1 The award of this contract requires Cabinet approval.

13 Use of Appendices

- 13.1 Appendix 1 – Part B exempt information.

14 Local Government (Access to Information) Act 1985

- 14.1 List of background documents: N/A

- 14.2 This report contains exempt and non-exempt information. Exempt information is contained in Part B and is not for publication. The information is classified as exempt under the following category (identified in Part 1 of Schedule 12A of the Local Government Act 1972).



Haringey Council

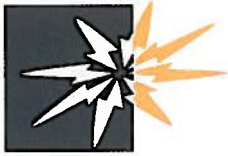
Report for:	Cabinet - 16 September 2014	Item Number:	
Title:	Award of Contract for Inpatient Detoxification for Substance Misuse for adults resident in Haringey		
Report Authorised by:	Jeanelle de Gruchy, Director of Public Health <i>JP Line Etheridge</i>		
Lead Officer:	Sarah Hart Senior Commissioner Public Health		
Ward(s) affected: ALL		Report for Key Decision	

1. Describe the issue under consideration

- 1.1 This report details the outcome of an open tender process for the award of a contract to provide Inpatient Detoxification for Substance Misuse for adults resident in Haringey. This report recommends the award of a new contract in line with Contract Standing Order (CSO) 9.07.1(d) following a robust tendering process.

2. Cabinet Member introduction

- 2.1 In accordance with regulations under the Health and Social Care Act 2012, responsibility for the commissioning of substance misuse services became the responsibility of the Local Authority in April 2013, as part of the move of Public Health into local authorities. The tendered service in this report has been commissioned from the Public Health Grant and Adult Social Care budget.
- 2.2 The award of this contract will enable the council to meet its responsibilities to: improve the health and wellbeing of local populations and reduce health



Haringey Council

inequalities across the life course, particularly in hard-to-reach groups and for those affected by the crime and poor health associated with substance misuse. The contract will specifically support the council corporate objectives to reduce the rate of alcohol related hospital admissions and to improve the rates of successful completion of drug treatment.

- 2.3 I welcome the outcome of the procurement process which will ensure that residents of Haringey have access to a cost effective, quality inpatient detoxification programme.

3. Recommendations

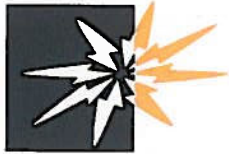
- 3.1. That Cabinet agrees the award of the contract to Broadreach House the successful tenderer in accordance with Contract Standing Order (CSO) 9.7.1(d).
- 3.2. That the contract is awarded for a period of two years with an option to extend for a further period of up to one year.

4. Alternative options considered

- 4.1. In 2008 a commissioning review of inpatient detoxification was completed across Haringey, Islington, Camden and Enfield; it included a full consultation with service users and a financial modelling exercise. The review compared two options: detoxification in NHS hospitals or in specialist community detoxification units. The review found community units to be more cost effective. The review also compared block and spot contracting; it found block contracts to have lower unit costs and greater monitoring influence and therefore quality control. As the market has not significantly changed it was agreed to continue to block contract this service and to undergo an open tender process.

5. Background information

- 5.1. This contract was previously held by the NHS on behalf of the Council. The contract was novated to the Council by statute in April 2013 (with the transfer of public health to the Council); the contract was then extended by Cabinet in December 2012 for a period of 6 months to facilitate the re-tendering process.
- 5.2. In 2013/14 Haringey used 853 inpatient bed nights. Of those entering inpatient detoxification 78% completed successfully; this high rate contributes to Haringey being one of the top performers in the country for successful completion of substance misuse treatment. Within the new contract, successful completion will be expected to reach 80% and customer satisfaction with the service will be expected to be 90%.



Haringey Council

- 5.3. The NHS and Council have been partners in the procurement of inpatient detoxification since 2000. The majority of those who detoxify from a drug or alcohol problem will do so at home. Around 10% will have more complex needs and will require a 24-hour medically-assisted inpatient programme for 7 to 21 days (depending on the substance involved). After detoxification a period of rehabilitation is required; this will either be within the community or within a residential programme.
- 5.4. Inpatient detoxification bed usage will be reduced during the life of this contract; this will enable us to continue to develop community detoxification. Currently community detoxification produces similar rates of success to more expensive inpatient detoxification for non-complex clients. Our intention is to extend this option to medium complexity patients, and so offer care closer to home.
- 5.5. The clinical and quality standards of these services are laid down by NICE guidance and Public Health England. Public Health undertakes local audits against these standards to ensure they are compliant.
- 5.6. Public Health contracts are monitored quarterly by the commissioner and other relevant specialists including clinical managers and service users.
6. **Procurement Process and Tender Evaluation**
 - 6.1. This service is an EU Part B residual service and therefore it was not necessary to advertise this requirement in the Official Journal of the European Union.
 - 6.2. The procurement process started with the placing of an advert on Haringey's website, a national newspaper, CompeteFor portal and Delta competitive contract notice. In addition the advert was circulated by Haringey Association of Voluntary and Community Organisations (HAVCO) by email to its membership, approximately 750 contacts representing 500 voluntary and community groups in the Borough.
 - 6.3. A Meet the Buyer event was held on 26th February 2014. An Open process was decided upon for this tendering exercise. The Invitation to Tender (ITT) documents were loaded on the Delta eSourcing portal and by the closing date of 16th April 2014 three tenders had been received.
 - 6.4. The tenders were evaluated using the Most Economical Advantageous Tender (MEAT) which included a split of 50% Price and 50% Quality as set out in the ITT documentation.



Haringey Council

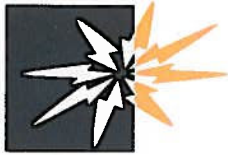
- 6.5. The table below details the outcome of the tender evaluations and respective scores of the tenders. The evaluation panel of specialist officers marked, Health and Safety, Environment & Sustainability, Equality & Diversity and Safeguarding. Council officers from public health, in conjunction with service users from recovery services who had undergone training, evaluated the quality method statements. Finance officers evaluated price submissions.

Inpatient Detoxification Substance Misuse for adults resident in Haringey

Tenderers	Company Questionnaire	Price Scores out of 500 points	Quality Scores out of 500 points	Total Score for Quality and Price	Contract Price figure over 2 years
Broadreach House	382	500	310	810	£209,132.40
Company A	365.5	368	390	758	£284,001.36
Company B	338	327	445	772	£319,499.22

6.6. Transition and Contract Management

- 6.6.1. Contract management will be incorporated into the contract. Key Performance Indicators and methods of measurement are integrated within the service specification and will be monitored through contract monitoring meetings and reports.
- 6.6.2. Data is collected nationally and reported via Public Health England on a quarterly basis, the provider and care managers also report this data locally. Monitoring meetings with the provider and local service managers are held by the commissioning manager on a quarterly basis. The purpose of monitoring meetings will be to ensure the outcomes set in the contract are reached and that service users and local managers are satisfied with the service and that their views are fed into operational delivery.



Haringey Council

7. Comments of the Chief Finance Officer and financial implications

- 7.1. This contract will replace an existing contract which expires within the current year. The total cost of the proposed two year contract is £209,132. This is the lowest cost tender and is within the allocated Service budget.
- 7.2. The savings associated with the retendering of the Inpatient Detoxification Service is c£90,000 over 2 years and represents improved value for money.
- 7.3. The level of Public Health grant in future years is not guaranteed but it is noted that any extension to the initial contract period is optional and at the discretion of the Service.

8. Comments of the Assistant Director of Corporate Governance and legal implications

- 8.1. The Inpatient Detoxification Service is not considered a priority service under the Public Contracts Regulations 2006 (as amended). Therefore it was not necessary to follow a European tendering exercise.
- 8.2. The Council followed an open tender in accordance with Contract Standing Order 9.01 (a)
- 8.3. The Council now wishes to award the contract to the contractor named in Paragraph 3.1 of the report. The recommendation is on the basis of most economically advantageous tender (see CSO 9.07.1 (b)).
- 8.4. The Cabinet has power to approve the recommendations under CSO 9.07.1 (d).
- 8.5. The Assistant Director of Corporate Governance confirms that there are no legal reasons preventing Members from approving the recommendations in this report.

9. Equalities and Community Cohesion Comments

- 9.1. Equalities principles were incorporated within the procurement process. The tenderer's equalities policies and procedures were evaluated by Haringey's Equalities Officer.
- 9.2. Equalities monitoring are incorporated as a requirement of the contract and the contract also states that access to the service must be available to the diverse community of the borough and any imbalances must be addressed.

10. Head of Procurement Comments



Haringey Council

- 10.1. The recommendation is in line with the procurement code of Practise.
- 10.2. An open tender has been undertaken to ensure that the market is tested and that a competitive process has been undertaken to deliver a Value for Money outcome.
- 10.3. Contract management has been put in place to ensure that the Quality standards are delivered and to identify any areas of performance that may need to be addressed. This will mitigate the risk of non compliance.

11. Policy Implication

- 11.1. This service is linked to the Health and Wellbeing and Community Safety Partnership strategies and respective delivery plans and the following council priorities: safety and wellbeing for all, opportunities for all, and a better Council.

12. Reasons for Decision

- 12.1. The recommendations as outlined in 3.1 and 3.2 are based on those providers who scored the highest MEAT scores and therefore would offer the best value to Council in terms of quality and price.
- 12.2. As a result of the procurement exercise, which was carried out in accordance with the Procurement Code of Practice, it is now recommended that the successful tenderer being awarded a contract as outlined in 3.1 – 3.2 in accordance with CSO 9.07.1(d).

13. Use of Appendices

- 13.1. None

14. Local Government (Access to Information) Act 1985

- 14.1. This report contains exempt and non exempt information. Exempt information is contained in Part B and is not for publication. The exempt information is under the following category: (identified in the amended schedule 12 A of the Local Government Act 1972 (3)) information in relation to financial or the business affairs of any particular person (including the authority holding that information).

MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 31 JULY 2014

Present: Councillor Kober - Leader

In Attendance: Clifford Hart – Democratic Services Manager, and Jon McGrath, Assistant Director Corporate Property and Major Projects.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
HSP111.	URGENT BUSINESS There were no items of urgent business. NOTED	
HSP112.	SMART WORKING CAPITAL PROJECTS - RIVER PARK HOUSE AND ALEXANDRA HOUSE The Leader considered a report, previously circulated, which the report sought approval to appoint a recommended contractor to deliver predominantly refurbishment works at River Park House and Alexandra House and for the issuing of a letter of intent. RESOLVED: i. That approval be given to the recommended contractor Thomas Sinden Ltd to deliver predominately refurbishment work to both River Park House, and Alexandra House Buildings, in the sum of £469,932.00; and ii. Approval be given to issue a letter of intent prior to the formal contract signature for 10% of the contract value in the value of £46,993.20. Alternative options considered i. The feasibility report explored three layout options for each of the proposed work areas (RPH Podium North), RPH Podium South, Alexandra House Level 2 and RPH level 9) and two options for the connection between the two buildings. Essentially the feasibility concluded that the scope of the works required by the project brief could not be delivered within the original indicative budget. ii. A further option was then considered, developed and designed with the main aim of meeting the Cash Limit Budget. The principle of this option was to consolidate the majority of the construction works to the podium level in River Park House to accommodate the SMART spaces and maintain	

MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 31 JULY 2014

	the ninth floor meeting rooms. This meant omitting any works to Alexandra House Level 2 and significantly reducing the scope of works to River Park House Level 9. iii. This option was approved for progression by the Programme Board on the basis it met the available cash limited budget, was in line with the project brief objectives and met the requirements of the wider Smart Working Programme. iv. The works have been designed to Stage H (Tender Action) of the Royal Institute of British Architects (RIBA) Plan of Work (Stage 5 (Specialist Design) under the new RIBA guidelines) Reasons for decision To award a contract which will enable the timely mobilisation and construction of works to River Park House and Alexandra House buildings.	
HSP113.	NEW ITEMS OF URGENT BUSINESS There were no new unrestricted items of urgent business.	
HSP114.	EXCLUSION OF THE PRESS AND PUBLIC RESOLVED: That the press and public be excluded from the remainder of the meeting as the items below contain exempt information, as defined under paragraph 3, Part 1, schedule 12A of the Local Government Act 1972.	
HSP115.	SMART WORKING CAPITAL PROJECTS - RIVER PARK HOUSE AND ALEXANDRA HOUSE Exempt information pertaining to Item 2 was considered.	
HSP116.	NEW ITEMS OF EXEMPT URGENT BUSINESS There were no new items of urgent business.	

MINUTES OF THE CABINET MEMBER SIGNING
TUESDAY, 2 SEPTEMBER 2014

Present: Councillor Alan Strickland, Cabinet Member for Housing and Regeneration.

In Attendance: Xanthe Barker, Principal Committee Officer and Mustafa Ibrahim, Head of Commissioned Services for Community Housing Services.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
HSP117.	URGENT BUSINESS There were no items of urgent business.	
HSP118.	WAIVER OF CONTRACT STANDING ORDERS FOR HOUSING RELATED SUPPORT CONTRACTS The Cabinet Member for Housing and Regeneration considered a report, previously circulated, which sought agreement to the waiver of tendering requirements, as allowed under Contract Standing Order 10.01.2(d), to permit the extension of nine contracts for housing related support to Black and Minority Ethnic (BME) service users. The Head of Commissioned Services for Community Housing Services advised that there were performance issues with one of the providers and in light of this it was proposed that 3.2 of the recommendation outlined in the report should be amended as follows: ‘Approves the extension of nine contracts to current providers in the BME Sector for two years at the current values, <i>subject to performance considerations</i>’. RESOLVED: i. That approval be given to the waiver of tendering requirements of Contract Standing Order (CSO) 10.01.2(d) on the grounds that it was in the Council’s overall interest; and ii. That approval be given to the extension of nine contracts to current providers in the BME Sector for two years at the current values, subject to performance considerations. Alternative options considered A tender process was considered but it was concluded that it would be likely to lead to an increase in the cost of BME contracts without a corresponding improvement in service delivery and quality. The factors considered that influenced commissioning and procurement options are set out in Section 6 of the report.	

**MINUTES OF THE CABINET MEMBER SIGNING
TUESDAY, 2 SEPTEMBER 2014**

	Reasons for decision The tendering of the specified contracts that have expired is unlikely to provide better value for money or improvements. Re-letting of the contracts will give officers sufficient time to conclude consultation with service users and stakeholders, and to pursue the options necessary to remodel the service.	
HSP119.	NEW ITEMS OF URGENT BUSINESS There are no new items of urgent business.	

MINUTES OF THE CABINET MEMBER SIGNING
THURSDAY, 4 SEPTEMBER 2014

Present: Councillor Joe Goldberg - Cabinet Member for Economic Development, Social Inclusion and Sustainability

In Attendance: Xanthe Barker, Principal Committee Officer, Vicky Clark, Economic Development Consultant.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
HSP120.	URGENT BUSINESS There were no items of urgent business.	
HSP121.	GROWTH DEAL PROJECT PROPOSALS The Cabinet Member for Economic Development, Social Inclusion and Sustainability considered a report, previously circulated, which sought approval of proposed projects to bid for funding for from the London Enterprise Panel (LEP). RESOLVED: That the proposed projects, outlined in the report, be approved for submission to the London Enterprise Panel. Alternative options considered The option not to submit proposals, because of the tight timeframe and because the Economic Development and Growth Strategy has not yet been finalised was considered and rejected as it would have meant forgoing the £1.7m investment. Consideration was also given to submitting proposals under other LEP priorities including Apprenticeships, Skills and Training, Unlocking Development and Digital, Creative, Science and Technology (DCST). The first two were rejected because funds are already available to address these issues through other sources. DCST activity will be supported through the Places of Work/ Business Support project as we will be prioritising these sectors when developing our workspace offer. Reasons for decision The LEP requires that councils submit projects for approval by the end of August 2014. It is therefore necessary to agree the proposals outlined in order to secure the £1.7m investment from the LEP.	
HSP122.	NEW ITEMS OF URGENT BUSINESS There were no new items of urgent business.	

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Haringey Council

Report for:	Cabinet – 16 September 2014		
Title:	Delegated Decisions and Significant Actions		
Report authorised by :	Nick Walkley, Chief Executive		
Lead Officer:	Xanthe Barker, Principal Committee Coordinator		
Ward(s) affected: Not applicable		Report for Key/Non Key Decision: For information	

1. Describe the issue under consideration

To inform the Cabinet of delegated decisions and significant actions taken by Directors.

The report details by number and type decisions taken by Directors under delegated powers. Significant actions (decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

2. Cabinet Member Introduction

Not applicable

3. Recommendations

That the report be noted.

4. Alternative options considered

Not applicable

5. Background information



Haringey Council

To inform the Cabinet of delegated decisions and significant actions taken by Directors.

The report details by number and type decisions taken by Directors under delegated powers. Significant actions) decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

6. Comments of the Chief Financial Officer and financial Implications

Where appropriate these are contained in the individual delegations.

7. Comments of Assistant Director Corporate Governance

Where appropriate these are contained in the individual delegations.

8. Equalities and Community Cohesion Comments

Where appropriate these are contained in the individual delegations.

9. Head of Procurement Comments

Where appropriate these are contained in the individual delegations.

10. Policy Implications

Where appropriate these are contained in the individual delegations.

11. Use of Appendices

The appendices to the report set out by number and type decisions taken by Directors under delegated powers. Significant actions (decisions involving expenditure of more than £100,000) taken during the same period are also detailed.

12. Local Government (Access to Information) Act 1985

Background Papers

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

Delegated Decisions and Significant Action Forms

Those marked with ♦ contain exempt information and are not available for public inspection.

The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.



Haringey Council

To inspect them or to discuss this report further, please contact Xanthe Barker on 020 8489 2957.

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DIRECTORATE OF REGENERATION, PLANNING AND DEVELOPMENT

Significant decisions - Delegated Action 2014/2015 – August 2014

◆ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1.	05.08.14	Approval for variation of a contract award in accordance with CSO 10.02.01 (c) re: Housing Regeneration Architectural Design – Kings Road/Hillcrest	For the Director of Regeneration, Planning and Development to amend the award of contract to PRP Architects for housing design services at Kings Road in the amount of £111,190 to allow the completion of design work at Hillcrest in the amount of £145,000.

Delegated Action

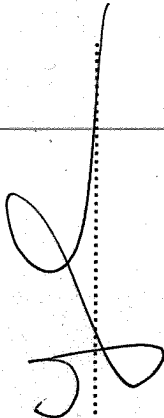
Type	Project	Value	Number
Approval for appointment of consultants under CSO 9.07	Sustainability Appraisal of three Development Plan Documents – Site Allocations, Development Management Policies and Tottenham Area Action Plan Lyn Garner 04.08.14	£29,972 (exc VAT)	
Request for waiver of CSO 8.02 under CSO 10.01	Community Transport Provision by Hackney Community Transport Lyn Garner 07.08.14	£80,000	
Approval to award two grants under CSO 17.3	Haringey 40:20 Community Fund – 2014/15 grant awards Lyn Garner 18.08.14	£14,608	
Approval for award of contract under CSO 9.06	Appointment of Quantity Surveyor for assisting Building Control to deliver various projects Lyn Garner 28.08.14	£50,026	
Approval for appointment of consultants under CSO 9.07	Local Plan Viability Assessment Lyn Garner 27.08.14	£19,500	

Request for waiver of CSO 8.02 under CSO 10.01	Tottenham Regeneration Programme – Tottenham Hale District Centre Framework Park 1A Lyn Garner 27.08.14	£50,000

Submission authorised by:

Lyn Garner

Director of Regeneration, Planning and Development.....



Date: 03.09.14.....

DIRECTOR OF CYPS

Significant decisions - Delegated Action 2014/15: July and August 2014

♦ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1.	23.7.2014	Delegation of Power to Dismiss to Headteachers	Recommendation approved

Delegated Action

Type	Number

Lisa Redfern

Lisa Redfern
Director, Children's Services

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DIRECTOR OF ADULT SOCIAL SERVICES

Significant decisions - Delegated Action – July 2014

◆ denotes background papers are Exempt.

No	Date approved by Director	Title	Decision
1.		NIL	
2.			
3.			
4.			

Delegated Action

	Number
140715: CSO 9.07 255 Waverley Road, N17 (Part of Winterbourne View Project Board)	
140723: CSO - Osborne Grove Nursing Home and contract with JLA	

Submission authorised by: B. F. Tarka
 Beverley Tarka – Interim Director of Adult Social Services

Date: 31st July 2014

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of the Local Government Act 1972.

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