

Summons to Attend

Full Council

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To: The Mayor and Councillors of Haringey Council.

Dear Sir/Madam,

A meeting of the Council of the London Borough of Haringey will be held at the Civic Centre, High Road, Wood Green, N22 8LE on MONDAY, 20TH MARCH, 2006 at 19:00 HRS, to transact the following business:

AGENDA

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

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest

becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

4. **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 20 FEBRUARY 2006 (PAGES 3 - 10)**
5. **TO RECEIVE SUCH COMMUNICATIONS AS THE MAYOR MAY LAY BEFORE THE COUNCIL**
6. **TO RECEIVE A STATEMENT BY THE LEADER OF THE COUNCIL**
7. **TO RECEIVE A PRESENTATION FROM THE METROPOLITAN POLICE SERVICE - HARINGEY'S BOROUGH COMMANDER**
8. **TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE**
9. **TO RECEIVE THE REPORTS OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES**
10. **TO MAKE APPOINTMENTS TO OUTSIDE BODIES**
11. **TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM**
12. **TO ANSWER QUESTIONS, IF ANY, IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NOS. 9 & 10**

Oral Question 1 – To the Leader of the Council from Cllr Neil Williams

If he thinks it is appropriate for the Labour party to hold its 'campaign team' meetings in River Park House.

Oral Question 2 – To the Executive Member for Children and Young People from Cllr Jean Brown

Would he highlight the achievements of Children's Services in the past four years and outline his vision for another four years under Labour?

Oral Question 3 – To the Executive Member for Crime and Community Safety from Cllr Aitken

What information has she about possible closures and disposals of Police Stations in the Borough?

Oral Question 4 – To the Executive Member for Environment and Conservation from Cllr Q Prescott

Would he highlight what he sees as the achievements of this Labour administration in the past four years, How would he like to see the Better Haringey Project develop in the coming four years under another Labour Council?

Oral Question 5 – To the Executive Member for Environment and Conservation from Cllr Edge

If he can confirm that the council's graffiti hotline is a dedicated number with staff deployed specifically to deal with the reporting of graffiti.

Oral Question 6 – To the Executive Member for Enterprise and Regeneration from Cllr E Prescott

Would he highlight the achievements in this field over the past four years and outline what he would like to see in the coming four years under another Labour Council?

Oral Question 7 – To the Executive Member for Organisational Development and Performance from Cllr Hoban

If he will please inform me of measures being taken by the Council to improve public access to the Haringey Website

Oral Question 8 – To the Executive Member for Crime and Community Safety from Cllr Bevan

What does she believe are the key achievements on community safety in the borough for this administration?"

Oral Question 9 – To the Executive Member for Social Services and Health from Cllr Engert

Following the Council's decision of the 31st January 2006 to close Cooperscroft and Trentfield residential care homes, and in light of the decision to withdraw from the plans to place a care home and centre for the care of those with dementia on the Hornsey Central Hospital site, what assurance can the Council give that adequate provision of care for the elderly, especially those with dementia, will be maintained in the borough?

Oral Question 10 – To the Executive Member for Community Involvement from Cllr Patel

Would she highlight the achievements in opening up council services and community engagement over the past four years? How would she like to see community involvement develop in the coming four years under another Labour Council?

Written Question 1 – To the Executive Member for Children and Young People from Cllr Krokou

Could he outline what Early Years Provision we have here in Haringey?

Written Question 2 – To the Executive Member for Social Services and Health from Cllr Makanji

Could she detail how meals on wheels have increased, relative to the last year of the last administration, for each ward in the borough?

Written Question 3 – To the Executive Member for Social Services and Health from Cllr Jean Brown

Could she detail how older peoples day-care, has improved for the people receiving it, for each ward in the borough?

Written Question 4 – To the Executive Member for Social Services and Health from Cllr Bevan

Could she provide details of how many people have benefited from adaptations or occupational therapy equipment during this administration?

Written Question 5 – To the Executive Member for Enterprise and Regeneration from Cllr Q Prescott

How much money has been gathered in Hornsey ward through Section 106, and to what purposes has it been put to? How does this compare to neighbouring Crouch End ward?

Written Question 6 – To the Executive Member for Crime and Community Safety from Cllr Patel

Could she detail how and when the roll out of Safer Neighbourhoods Policing Teams will commence across the remainder of the borough?

Written Question 7– To the Executive Member for Crime and Community Safety from Cllr E Prescott

Could she outline what is being done in the borough to combat hate crimes and harassment in recent months?"

Written Question 8 – To the Executive Member for Social Services and Health from Cllr Robertson

Could she detail how home care provision has increased and improved over this administration, and on a ward by ward basis how many people have benefited from these improvements?

Written Question 9 – To the Executive Member for Social Services and Health from Cllr Basu

Could she detail how many more older people are in receipt of sheltered or supported housing in each ward, relative to the last year of the last administration?

Written Question 10 – To the Executive Member for Children and Young People from Cllr Aitken

What alternative provision does the Council intend to provide for the up to 77 reception children from the Crouch End area who will not have a local school place in September 2006?

Written Question 11 – To the Leader of the Council from Cllr Beacham

What staff resources, internal or consultancy based, have been deployed to investigate the Tech Refresh project and overspend, how much have they cost, who made the decision to conduct them, and how were outside consultants (if any) chosen, and what was the outcome?

Written Question 12 – To the Executive Member for Community Involvement from Cllr Bloch

Given the appalling state of repair of the Children's Library and public lavatories on the top floor of Muswell Hill Library which include wallpaper hanging off the walls and flaking paintwork, what measures will the Council be taking to urgently address repairs using the Library Services dedicated Maintenance and Repair budget?

Written Question 13 – To the Executive Member for Environment and Conservation from Cllr Davies

When did the CCTV cameras on Muswell Hill Broadway (between the roundabout and Woodberry Crescent) start being used to monitor (i) bus lane offences (ii) other parking offences; how many fixed penalty notices of each type have been (i) issued and (ii) contested; and what signage and other methods have been used to ensure that residents are aware of both the parking restrictions on that stretch of road and the fact that CCTV camera is being used?

Written Question 14 – To the Executive Member for Crime and Community Safety from Cllr Edge

On how many occasions have the Police Kiosks in Tottenham and Wood Green been open in the last two years and how much was the cost to the Council or other agencies of erecting them?

Written Question 15 – To the Executive Member for Environment and Conservation from Cllr Engert

What is the current status of the proposed skateboard park in Priory Park including Thames Water's position over building it on the basketball area, and if the Council still proposes to go ahead with this, and what is the proposed timetable, including full consultation?

Written Question 16 – To the Executive Member for Social Services and Health from Cllr Featherstone

Why has the Council pulled out of Phase 2 of the development plan for the future of Hornsey Central Hospital and if she will make public any exchange of correspondence on this subject between the Council and the Haringey Teaching Primary Care Trust.

Written Question 17 – To the Executive Member for Social Services and Health from Cllr Floyd

What is the procedure for assessing the needs of individuals or carers who may need an additional room because they are in receipt of homecare or other domiciliary health or social care needs and if she will state:

- a) How many medical or housing transfers have taken place in the last three years where Council Tenants required additional room because of homecare needs and how many people are on the waiting list.
- b) How many applications for Disabled Facilities Grants have been received in the last three years, how many were successful and how many are on a waiting list.
- c) Are such housing needs facilitated through the Choice-Based lettings scheme or the points system and do GPs or the Council's own medical assessor carry out examinations; what is the average waiting time for an assessment to be carried out?

Written Question 18 – To the Executive Member for Environment and Conservation from Cllr Hare

What, if any, consultation did the Council carry out before erecting 130 lamppost banners measuring 2m x 0.8m throughout the borough which are four-times larger than the 90 lamp post boards that they are meant to replace and how will the Council go about consulting over Advertising Planning Consent for commercial (non-Council) advertising at these sites?

Written Question 19 – To the Executive Member for Children and Young People from Cllr Hoban

With regard to “Every Child Matters” what efforts is the Council making to improve the collection of data regarding children with disabilities. Will he state for the last three years the number of children on the Child Protection Register or who have been referred for support broken down by disability. What advocacy and support is provided to this group of children from the independent or voluntary sector and how can families access these services.

Written Question 20 – To the Executive Member for Community Involvement from Cllr Newton

When will the feasibility study for the future development of Muswell Hill's Library facilities, which has been received by the Council, be made public and go out to public consultation?

Written Question 21 – To the Leader of the Council from Cllr Oatway

To list the occasions, if any, in the past four years, in which Labour councillors have appeared on behalf of members of staff of the council at employment tribunals of any sort, and to set out the nature of their role at those tribunals and in what capacity they appeared – subpoenaed witnesses, voluntary advocates or any representational role for the staff in question.

Written Question 22 – To the Leader of the Council from Cllr Simpson

On how many occasions has he appeared at an employment tribunal of the council, and in what capacity (voluntarily on behalf of a member or former member of staff of the council or subpoenaed, etc) what was the outcome of the case or cases (if any), and was there in any such case any cost to the council?

Written Question 23 – To the Leader of the Council from Cllr Williams

What, if any, investigations have been commissioned and reported on into any aspect of the Council's relationship with the Haringey Business Development Agency, what staff resources, internal or consultancy based, have been deployed in this regard, what was the reason for conducting such investigations, how much have they cost, who made the decision to conduct them, and how were outside consultants (if any) chosen (ie the nature of the tendering process for such work) , and what was the outcome of these investigations?

Written Question 24 – To the Executive Member for Finance from Cllr Winskill

If he will list for the last three years all property sold by the Council and the receipts from such sales and state for the next 12 months all proposed sales of property by the

Council and the likely budgeted receipts, and if he will also list the agents who have acted or are acting on behalf of the Council with regard to these sales and the fees they receive.

13. TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 11 - 132)

- a) The Executive – Reports 16,17 & 18 – 2005/6
- b) General Purposes Committee – Reports 5 & 6 – 2005/6
- c) Audit Committee – Report 1 – 2005/6

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

MOTION P (2005/06):

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

“This Council welcomes the new Bruce Grove youth centre, and the additional new centre being built on the site focusing on performing arts and media.

This council notes that youth services provide a crucial outreach mechanism to reach out to young people, and supports the purchase of three mobile units for hard to reach young people.

This council also notes the importance of innovative youth services as a means of getting young people involved in their communities. The Duke of Edinburgh scheme offers a chance for young people to participate in local projects as well as encouraging them to develop a skill and get involved in a sport. And so, the Council welcomes the new Duke of Edinburgh’s Award centre that is based at the new state of the art training centre at St Thomas More School, and wishes success to all those who are currently working towards getting an award”.

MOTION Q (2005/06):

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

“Haringey Council notes with concern that:

- a) the Secretary of State has predicted a high deficit in the NHS budget for 2005-06
- b) Deficits in NHS Trust budgets have been caused by Trusts trying to fulfil objectives set not by them, but by the Government.
- c) Such deficits mean that Community Hospitals in Haringey face cuts or even closure.
- d) There is an absence of local accountability over major decisions affecting local health services

- e) The Government's incoherent reform programme in the NHS has made it impossible for NHS Trusts to plan effectively
- f) There may be increased calls on Haringey Local Authority services as a result of these deficits

Haringey Council believes that:

- I. Community Hospitals offer a vital local service to patients and their families
- II. Provision of good quality care close to home is particularly important for elderly or vulnerable patients
- III. Community Hospitals treating less serious cases relieve the pressure of work on acute hospitals

Haringey Council calls for the Leader, Chief Executive and Haringey's MP's to lobby for:

- 1. Urgent Government action to address the consequences of NHS Trust deficits
- 2. The Government to re-evaluate its target driven approach, to allow clinicians to make judgements based on clinical need and to ensure that patients being treated in the community do not lose out
- 3. Development of Community Hospitals and other local health units to allow for an increasing range of treatments, such as diagnostic and rehabilitation services, traditionally available only in large hospitals, to be delivered in the community
- 4. Any necessary reconfiguration of local services to be subject to full local consultation with patient and community groups
- 5. Long-term reform of the NHS to be based on the principle of greater local democratic accountability"

MOTION R (2005/06):

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

"That this Council, as a recognised Fair Trade Council that aims to meet ethical standards, endorses the aims of the Campaign for Social Audit of companies and contractors which supply the Council and the people of Haringey with goods and services.

Social Audits involve operating and financial reviews of the social and environmental performance and transparent reporting of companies supplying goods and services to the public and private sector; local authorities like Haringey have a responsibility on behalf of their residents and the planet to promote such practices.

Making the reporting of such reviews mandatory for UK Companies would level the playing field between those that are responsible enterprises who respect ethical trade and those that are not. Such reporting would be a valuable tool for the Council to ensure that it chooses sustainable and socially responsible business and public sector partners.

Council therefore resolves to write to the Department of Trade and Industry to support legislation which will incorporate Social Audit as an integral part of UK law in the procurement of goods and services by the public sector including Haringey, and ensure that Fair Trade, respect for human rights and the planet are at the heart of our decision making”.

Dr ITA O'DONOVAN
Chief Executive
Civic Centre
High Road
Wood Green
London N22 8LE

10 March 2006

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Item 2

COUNCIL MEETING – 20 MARCH 2006

LATE ITEMS OF URGENT BUSINESS**The Chief Executive**

Mr Mayor, there are three late items of business, which could not be available earlier, and which will need to be dealt with at this meeting. The reasons for lateness and urgency is given in the report laid round.

Item 12 – To receive Questions

Notice of questions is not requested until 5 clear days before the meeting, following which the matters raised have to be researched and replies prepared to be given at the meeting.

Item 13 – Executive Report No.18 and General Purposes Report No.6

Both reports were late because the meetings of the Special Executive and General Purposes Committee were only held last week on 14 and 16 March respectively.

The reports were too urgent to await the next meeting as they contain recommendations for approval by full Council.

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**MINUTES OF THE COUNCIL MEETING
20 FEBRUARY 2006**

Councillors: *The Mayor (Councillor Griffith), *The Deputy Mayor (Councillor Adamou);
Councillors *Adjé, *Aitken, *Basu, *Bax, *Beacham, *Bevan, *Blanchard, *Bloch, *Herbie Brown, *Jean Brown, *Bull, Canver, *Davidson, *Davies, *Dawson, *Diakides, *Dillon, *Dobbie, *Dodds, Edge, Engert, Featherstone, *Floyd, *Haley, *Hare, *Harris, *Hillman, *Hoban, *GMMH Rahman Khan, *Knight, *Krokou, *Lister, *Makanji, *Manheim, *Meehan, *Millar, *Milner, *Newton, *Oatway, Patel, *Peacock, *Erline Prescott, *Quincy Prescott, *Reith, Reynolds, *Rice, Robertson, *Santry, Simpson, *Stanton, *Sulaiman, *Williams, *Winskill and Wynne (one vacancy).

* Members present

104. APOLOGIES: (Agenda Item 1) Apologies were received from Councillors Canver, Engert, Featherstone, Gilbert, Patel, Reynolds, Simpson and Wynne and Cllr Bull for lateness.

105. LATE/URGENT ITEMS OF BUSINESS: (Agenda Item 2) See items 108, 111 and 115.

106. DECLARATIONS OF INTEREST: (Agenda Item 3)

Members were asked by the Mayor to declare any personal interest in respect of items on the agenda. In accordance with Part 2 of the Members Code of Conduct set out in the Council Constitution, any member disclosing a personal interest which was also prejudicial would be asked to withdraw from the Chamber during consideration of the item and neither were they to seek to improperly influence a decision on the said item.

No such declarations were made.

107. DECLARATIONS OF INTEREST CONCERNING OUTSTANDING COUNCIL TAX OR COMMUNITY CHARGE: (Agenda Item 4)

Members were also reminded of the need to consider whether they needed to make a declaration in accordance with Section 106 of the Local Government Finance Act 1992 in relation to unpaid community charge or council tax liability which was two months or more outstanding.

No such declarations were made.

108. MINUTES: (Agenda Item 5)

The Mayor agreed to the admission of the minutes as urgent business. Due to the short time scale between meetings, it had not been possible to circulate the minutes with the Council Summons. The minutes needed to be confirmed at the next available meeting.

Copies of the Minutes having been circulated, they were taken as read.

RESOLVED:

That the minutes of the meeting of the Council held on 6 February 2006 be signed as a true record.

**MINUTES OF THE COUNCIL MEETING
20 FEBRUARY 2006**

109. MAYOR'S COMMUNICATIONS: (Agenda Item 6)

The Mayor thanked the Interim Chief Executive, Max Caller for the service he had given to the Borough over the last few months and wished him well for his future endeavours.

110. STATEMENT BY THE LEADER: (Agenda Item 7)

The Leader of the Council referred to the Council Tax rate which would be set at this meeting and he was pleased to announce that this represented just a 51p per week rise for a Band D property. Further, he felt that this had not impacted on service delivery as the Council had recently been awarded a 3 Star CPA Rating (out of a possible 4 stars). The Leader stressed the importance of keeping tax increases low whilst keeping service levels high. The Council's priorities were based on working with partners and local communities, to raise educational achievement for all children, to make our services excellent for every resident, to build strong and safe and to put people first. The Leader of the Opposition spoke in response.

111. FINANCIAL PLANNING 2006/7 AND 2008/9 AND TO AGREE THE COUNCIL TAX FOR 2006/7 (Report of the Director of Finance, Agenda Item 8):

The Mayor agreed to admit the report as urgent business. The report could not be circulated earlier as vital information was awaited from the preceptors. The report needed to be admitted in order that the Council Tax may be set for 2006/07.

RESOLVED:

1. That the final settlement and the decisions of the school's forum and levying authorities be noted.
2. That the consequent changes to budgets be agreed.
3. That the business unit cash limits, set out in Appendix C of the report, be agreed.
4. That the Greater London Authority precept be noted.
5. That the budget resolution in the specified format as set out in the attached appendix be agreed.
6. That the reserves policy attached at Appendix E of the report, be noted.

112. REPORT OF THE CHIEF EXECUTIVE (Agenda Item 9)

The meeting received a tabled addendum following the resignation of Councillor Gilbert.

RESOLVED

1. That the commencement of employment of Dr Ita O'Donovan, the new Chief Executive, be noted as 6 March 2006.
2. That Dr O'Donovan be confirmed to the positions of Chief Executive, Head of

MINUTES OF THE COUNCIL MEETING

20 FEBRUARY 2006

Paid Service and Returning Officer with effect from 6 March 2006.

3. That all references in the Council's Constitution to Interim Chief Executive that were agreed at the Council meeting on 18 July 2005 be amended to read Chief Executive with effect from 6 March 2006.
4. That the resignation of Councillor Gilbert with immediate effect, due to personal family reasons, be noted.
5. That the following vacancies on bodies created by the resignation of Councillor Gilbert be noted:
 - Audit Committee
 - Licensing Committee
 - Licensing Sub D
 - Muswell Hill Area Assembly
 - Hornsey Housing Forum

113. REPORT OF THE MONITORING OFFICER: (Agenda Item 10)

There were no matters to report.

114. DEPUTATIONS AND PETITIONS: (Agenda Item 11)

There were no requests for deputations. There had been no petitions for submission.

115. QUESTIONS: (Agenda Item 12)

The Mayor agreed to the admission of this report as urgent business. Under Standing Orders, notice of questions was not requested until five clear days before the meeting, following which matters raised had to be researched and replies prepared, in order to be given at the meeting.

There were 8 oral questions and 17 for written answer.

Oral Question 8 was not reached in the allotted time and a written answer was supplied to this question.

116. MOTIONS: (Agenda Item 13)

It was moved by Councillor Williams and Seconded by Councillor Davies that:

“This Council recognised that the illegal use of knives among the young is unacceptably high, that stiffer sentences for carrying a gun have been successful and stiffer sentencing for carrying a knife would be similarly successful in reducing knife crime;

Calls on the Government to treat knife crime more seriously by amending the Violent Crime Bill currently progressing through Parliament to increase the sentence for carrying a knife in public from two to seven years.”

An amendment to the motion was moved by Councillor Sulaiman and seconded by Councillor Dobbie proposing :

**MINUTES OF THE COUNCIL MEETING
20 FEBRUARY 2006**

That everything after “is unacceptably high” be deleted and the following inserted:

“and notes that over 5800 convictions were secured in 2004 (the last year for which figures are available) for carrying an offensive weapon (a category which may include knives and bladed weapons), an offence carrying a penalty of up to 4 years imprisonment.

The Council notes that the Liberal Democrats have referred to the “Scandal of prison overcrowding” and rejects a policy that would lead to people who happened to be carrying a knife filling our prisons for seven years each, while the maximum penalty for actual bodily harm remains at five years.

This Council believes that the Labour Government’s decision not to enter in a Dutch auction on prison sentencing policy to garner headlines, but instead to tackle at source the roots of knife and gun crime, through building respect in our communities and promoting safer streets for all, is the correct policy and reflects the Labour Movement’s emphasis on tackling the causes of crime not just the symptoms.

This Council deplores the decision of Liberal Democrats on the Greater London Assembly last week, to vote against introducing Safer Neighbourhoods teams for every ward in London this April; deplores the policy of the Liberal Democrats to legalise buying alcohol at the age of 16, regrets the support of the Liberal Democrats for giving convicted murderers the vote, and most of all deplored the repeated efforts by the Opposition to make up simplistic policies for our communities on the back of an envelope.

This Council therefore endorses and supports the government’s temperate and proportionate approach and welcomes the introduction of new policing teams for every ward by London’s Labour Mayor.

This Council therefore supports neighbourhood policing in every ward as a central part of ensuring our communities are safer and as a key pillar of our strategy for reducing knife and gun crime in our communities.

This Council is committed to working with the Mayor to deliver neighbourhood policing in every ward in Haringey by May of this year”.

The Amendment to the Motion was then put to the meeting and declared CARRIED.

A named vote was requested in respect of the Substantive Motion.

For: The Mayor (Councillor Griffith), the Deputy Mayor (Councillor Adamou), Councillors Adje, Basu, Bevan, Blanchard, Herbie Brown, Jean Brown, Bull, Davidson, Dawson, Diakides, Dillon, Dobbie, Dodds, Haley, Harris, Hillman, Khan, Knight, Krokou, Lister, Makanji, Manheim, Meehan, Millar, Milner, Peacock, E Prescott, Q. Prescott, Reith, Rice, Santry, Stanton and Sulaiman.

Against: Councillors Aitken, Beacham, Bloch, Davies, Floyd, Hare, Hoban, Newton, Oatway, Williams and Winskill.

**MINUTES OF THE COUNCIL MEETING
20 FEBRUARY 2006**

Absent : Councillors Bax, Canver, Edge, Engert, Featherstone, Patel, Reynolds, Robertson, Simpson and Wynne.

Councillor Gilbert – resigned from the Council.

The Substantive Motion was declared CARRIED.

Councillor Griffith
Mayor

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COUNCIL TAX RESOLUTION

1. That it be noted that on 31 January 2006 the Director of Finance in consultation with the Executive Lead Member for Finance agreed the amount of 83,739 as the council tax base for the year in accordance with regulation 3 of the Local Authorities (Calculation of Council Tax base) Regulations 1992 made under Section 33(5) of the Local Government Finance Act 1992.
2. That the following amounts now be calculated by the Council for the year 2006/07 in accordance with the Sections 32 to 36 of the Local Government Finance Act 1992.
 - (a) £782,694,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(2) of the Act.
 - (b) £560,778,000 being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) of the Act.
 - (c) £221,916,000 being the amount by which the aggregate at 2(a) above exceeds the aggregate at 2(b) above, calculated by the Council, in accordance with the Section 32(4) of the Act, as its budget requirement for the year.
 - (d) £130,223,746 being the aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, additional grant, or SSA reduction grant increased by the amount of the sums which the Council estimates will be transferred in the year from its collection fund to its general fund in accordance with Section 97(3) of the Local Government Act 1998 or reduced by the amount of sums which the Council estimates will be transferred in the year from its general fund to its collection fund in accordance with Section 97(4) of the Local Government Finance Act 1998 and increased by the amount of any sum which the Council estimates will be transferred from its collection fund to its general fund pursuant to the Collection Fund (Community Charges) directions under Section 98(4) of the Local Government Finance Act 1998 made on 7 February 1994 or reduced by the amount of any sum which the Council estimates will be transferred from its general fund to its collection fund pursuant to the Collection Fund (Community Charges) directions under Section 98(5) of the Local Government Finance Act 1998 made on 7 February 1994.
 - (e) £1,094.98 being the amount at 2 (c) above less the amount at 2(d) above, all divided by the amount at 1 above, calculated by the Council, in accordance with Section 33(l) of the Act, as the basic amount of its council tax for the year.

(f) Valuation Bands

	£
A	729.99
B	851.65
C	973.31
D	1,094.98
E	1,338.30
F	1,581.65
G	1,824.96
H	2,189.96

Being the amounts given by multiplying the amount at 2(e) above the number which, in the proportion set out in Section 5(l) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number in which that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(l) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

3. That it be noted that for 2006/07 the amounts in precepts issued to the Council, in respect of the Greater London Authority and its functional bodies, in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown below:

Valuation Bands

	£
A	192.41
B	224.47
C	256.54
D	288.61
E	352.75
F	416.88
G	481.02
H	577.22

4. That having calculated the aggregate in each case of the amounts at 2(f) and 3 above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts as the amounts of Council Tax for the year 2006/07 for each of the categories of dwellings shown below.

Valuation Bands

	£
A	922.40
B	1,076.12
C	1,229.85
D	1,383.59
E	1,691.05
F	1,998.53
G	2,305.98
H	2,767.18

REPORT OF THE EXECUTIVE. No. 16/2005-06
COUNCIL 20 MARCH 2006

Chair:
Councillor Charles Adje

Deputy Chair:
Councillor Harry Lister

INTRODUCTION

- 1.1 This report covers matters considered by the Executive at our meeting on 31 January 2006. For ease of reference the Report is divided into the Executive portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Executive and all groups of Councillors. These reports are a welcome opportunity for the Executive on a regular basis to present the priorities and achievements of the Executive to Council colleagues for consideration and comment. The Executive values and encourages the input of fellow members.

ITEMS OF REPORT

Finance

2. FINANCE AND PERFORMANCE – NOVEMBER 2005

- 2.1 We considered the regular finance and performance monitoring report for November 2005 which showed the overall revenue position for each of the services and indicated the emerging pressures amounting to a variation of around £200,000 (less than 0.1% of the total revenue budget). This represented a significant improvement in the variation against plan and suggested that the remedial actions in place were taking root. The HRA continued to show cost pressures in repairs but options had been on how these pressures could be contained within the available resources without significant impact on service performance and they were expected to reduce the net overall overspend to £300,000 an improvement of £200k on the projected overspend in the previous month's report.
- 2.2 With regard to the capital position, pressures on the Building Schools for the Future programme, Tech Refresh and CCTV implementation were driving the projected variance of £0.6 million and work was continuing to resolve these with the objective of balancing at year end.
- 2.3 In terms of performance, Haringey was officially an improving borough as recognised by the Comprehensive Performance Assessment made by the independent Audit Commission. The report highlighted improvements in a wide range of service areas from Children Service's completion of all reviews of children on the register due so far this year, to Social Service's improvement in waiting times for new older clients, to Environmental Service's acceptable standard of cleanliness for 98.2% of Zone 1 streets. There remained areas for improvement which were receiving support from managers in the improvement and performance service.
- 2.4 Financial regulations required that proposed budget changes be approved by us and those agreed were shown in the table below. These changes fell into one of two categories:

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

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

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

Key decisions were highlighted by an asterisk in the table.

2.6.1 The following table sets out the proposed changes. There were two figures shown in each line of the table the first amount column related to changes in the current year's budgets and the second to changes in future years' budgets (full year). Differences between the two occurred when, for example, the budget variation required related to an immediate but not ongoing need or where the variation took effect for a part of the current year but would be in effect for the whole of future years. We report that we agreed to the virements set out in the following table:

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
8	Housing	Cap	49		Additional allocation of disabled facilities grant
8	Environment	Cap*	430		Leisure services health and fitness equipment funded from revenue lease rentals budget
8	Environment	Rev	109		Additional TFL funding for London cycle network
8	Environment, Finance	Rev	43	86	Merger of Parking shop with Cahiers – transfer of overhead charges
8	Children	Cap	107		New LSC allocation for neighbourhood learning in deprived communities
8	Children	Cap*	5,087		New DFES funding for sixth form centre construction
8	Children	Cap	150		New SF allocation for city learning centres
8	Children	Cap*	1,033		New big lottery funding for St Thomas More school
8	Chief Executive's	Rev*	589	589	Agreed increase in legal fees to fund new case management system
8	Chief Executive's	Rev	120	120	Customer focus budget funded from business units in Access services

3. FINANCIAL PLANNING 2006/7 TO 2008/9

3.1 We reported on this matter to the Council meeting held on 6 February 2006.

Children and Young People

4. CROWLAND SCHOOL – ARRANGEMENTS FOR THE TEMPORARY SCHOOL, THE PERMANENT REBUILD AND THE OUTCOME OF THE INVESTIGATION FOLLOWING THE FIRE

- 4.1 The Council will be aware that on 4 October 2005, an accident caused a fire to start on Crowland School which spread rapidly. All children and staff swiftly evacuated the building to safety. The Children's Service moved rapidly to create an alternative location to deliver education by the following Monday at the PDC. We considered a report which advised us that since the October fire, the Service had been transporting children twice a day to the PDC. This arrangement was not a sustainable long term option for children, parents or staff and it would take some 18 months to re-establish permanent education provision on Crowland school.
- 4.2 Alternative options had been reviewed to deliver education in this interim period and the Children's Service had sought to find a solution that kept the children together ideally within the Crowland community. A proposal was made to create a temporary school on the sports pitch within the Gladesmore Community School site, with an all weather sports pitch being provided in Markfield Park as a temporary replacement. It was reported to our meeting that the Planning Applications Sub-Committee had granted the necessary planning consent and plans to proceed with the works would be implemented as soon as possible so that the temporary school was operational by April 2006 assuming the building works were not interrupted for any unforeseen reason. All areas affected by the works connected with the temporary provision would be re-instated, including all areas in Markfield Park affected by the construction of the all weather sports pitch immediately after building works to Crowland School were completed.
- 4.3 Design work had progressed in developing a solution to re-instate the fire damaged teaching block at Crowland Primary School. This would be subject to a separate procurement action and current forecasts indicated a re-occupation of the teaching block by the school around August 2007 in readiness for the new school year. Costs incurred, excluding betterment, would be recovered through the Insurance policy provided by AIG Insurance Company.
- 4.4 Immediately following the making safe of the school site, the Chief Executive had commissioned an investigation into the contractual, health and safety and site operations and management of the building works at the school. This had not included an evaluation of the cause[s] of the fire and any recommendations that flowed from that Report as this required receipt of the Fire Investigation Branch Report which was still awaited at the time of our meeting. However, it appeared that the fire was started by a domestic sub-contractor of the main contractor which had not been notified to the Council in accordance with Contract Standing Orders.

- 4.5 The investigation report was not submitted to us or publicly available presently as it made some recommendations which had resulted in disciplinary investigations being undertaken. Until these proceedings were complete the full report could not be made available. Irrespective of the incident itself the Investigation Report had highlighted both areas of non-compliance with Council Standing Orders and areas of learning which would improve the Council's performance in the future. Key recommendations were made to us together with the action being undertaken.
- 4.6 We report that we approved the actions taken by officers to offer temporary accommodation and to re-instate the school following the remedial works including the submission of a Planning Application for service provision in the interim period. We also approved the actions and instructions of the Chief Executive in commissioning the Crowland School Fire Investigation Report and giving directions to both the Children's Service and to officers generally in terms of its outcome which we endorsed and adopted. We also agreed that the scope of the re-instatement of the School be defined by what the loss adjuster agreed to fund so that there would be no additional resource requirement. We placed on record our thanks to pupils, parents and teachers for their forbearance.

5. CHILDREN'S CENTRE DEVELOPMENT: SUPPORTING THE ORTHODOX JEWISH COMMUNITY IN THE SEVEN SISTERS AREA

- 5.1 We considered a report which advised us that, consistent with the principles of the Every Child Matters Change for Children Programme, children's centre services had to include support those in most need, and should be tailored to meet the particular needs of individual children, their families, and the communities in which they were based. We noted that by March 2006 there would be 10 Children's Centres (4 already designated) and a further 8 by 2008. Together they would target almost 15,000 children under 5 years of age. The capital grant funding for Children's Centres for Phase I (2004-2006) was £3.4m and for Phase II (2006-2008) was £3.3m.
- 5.2 Through long term partnership working with the neighbouring authority, Hackney Council and with the Lubavitch Foundation, an opportunity had been identified to develop a Children's Centre which would meet the needs of Orthodox Jewish families living in the Seven Sisters area. By contributing to a new Children's Centre, including nursery provision, there would be opportunities for Haringey's Orthodox Jewish families to access high quality early education, family support, health and children's services.
- 5.3 We also noted that the £1.2 million scheme involved building a multi-purpose building adjacent to the existing nursery facility. The centre would provide the children's centre core offer services that met the cultural and religious needs of the Orthodox Jewish families and a range of universal services that would be accessible to all local families. In addition, 25 new full-time day care places and 9 childminder places would be created from 6 months upwards. Without a specific and tailored Children Centre, there was a risk that young Orthodox Jewish children and parents would not access early learning and family support services.
- 5.4 We report that we agreed that the Children's Service should seek to work in partnership with Hackney Council and the Lubavitch Foundation to support the needs of the Jewish community in Seven Sisters ward as part of the second phase of the Children's Centre

development and that, through contracting with Hackney Learning Trust, a maximum contribution of £300,000 of Phase II Children's Centre capital be made from within the current programme for Haringey to the £1.2 million Children's Centre development to support the needs of the Charedi Orthodox Jewish Communities in Seven Sisters ward.

- 5.5 We also agreed that the contract with Hackney Council outline the range of children's centre services to be delivered in line with the children's centre core offer up to a maximum of £45,500 in year 1 and year 2 with an allowance of 3% for inflation and that all of these decisions be subject to a legal agreement with the Hackney Learning Trust who would undertake all contractual arrangements with the voluntary sector children's centre provider, including monitoring and evaluation requirements.

6. PROPOSAL TO AMALGAMATE CAMPSBOURNE INFANT AND JUNIOR SCHOOLS

- 6.1 The Council will be aware that the Commission for Social Care Inspection (CSCI) Record of Performance Assessment for Adult Social Care is an annual review of Social Service Performance. We considered a report which advised us that there was a requirement for the Annual Review Meeting letter to be presented to us at an open meeting. The CSCI's independent judgements of performance across all Social Services rated the service on a scale of zero to three stars. The ratings aimed to improve public information about the current performance of services and the capacity for improvement.
- 6.2 We noted that the report evidenced high-level support and promotion of independence for people to live at home. Also, that services and involvement of users and carers through the partnership board structure was strong, with evidence of good partnership working across agencies, other Council departments and with local community and voluntary groups. The report also highlighted solid evidence of financial stability partnered with a positive performance management culture, while the Council's implementation of Framework-I promised an efficient electronic social care system.
- 6.3 The report identified a strong senior management team that demonstrated a clear understanding and vision for adult and older people's services. There was a strong commitment and understanding to delivering a range of services to meet the needs in such a diverse community. Development of skills and awareness of staff had been a positive focus, noticeable though improvements in management capacity through training and development.
- 6.4 The report also identified areas for improvement and in this respect the Council should carry on developing support for people with mental health problems to live in the community and supply evidence of users who were actively involved in assessments and care plans. A focus should also be maintained towards people acquiring quick services by reducing the time they wait for assessments. Haringey had made good progress regarding recruitment and retention of experienced and qualified staff, currently performing better than a number of similar authorities. However, recruitment and retention across social care remained an important challenge to the Council.
- 6.5 In noting the annual review monitoring letter for 2004/5 we were pleased to note the significant improvement to the Council's Social Services which followed the award of two stars by the CSCI.

Health and Social Services**7. COMMUNITY CARE STRATEGY FOR OLDER PEOPLE – THE FUTURE OF TRENTFIELD OLDER PEOPLE’S RESIDENTIAL STRATEGY**

- 7.1 As part of the Council’s Older People’s Community Care Strategy which, in essence, moved resources from residential beds to community support, we agreed at our meeting on 5 October 2004, that the feasibility of disposing of Trentfield with vacant possession should be explored. A subsequent soft market testing exercise in April 2005 indicated that potential purchasers were not interested in buying a relatively small home in a residential area, as a going concern. The report had set out in detail the overarching policy and resource considerations which now had to be taken into account in making our decision.
- 7.2 When considering the closure of any care home, it was considered best practice to undertake both medical and social care assessments of need. In addition, it was clear from recent case law that an assessment of the risks of moving from the home must also be undertaken, so that an informed decision to close or not can be taken and we considered, following the exclusion of the public and press, an anonymised summary of the risk assessments and state of health of 15 permanent residents in November 2005.
- 7.4 We report that having noted the outcomes of the residents’ assessments (including medical risk assessments) we authorised officers to proceed with the disposal of Trentfield with vacant possession, with due concern for the care and future placements of the remaining residents and future arrangements for staff.

8. COMMUNITY CARE STRATEGY FOR OLDER PEOPLE: COOPERSCROFT CARE HOME

- 8.1 At our meeting on 4 October 2005 we asked our officers to look into the feasibility of marketing Cooperscroft Residential Care Home as a going concern. We recommended using a tender process to ensure prospective bidders could provide and maintain a comparable service to residents and employment to staff.
- 8.2 Messrs. Christie & Co., a specialist agency, was instructed to market Cooperscroft as a going concern and received interest from over 58 parties. We considered a report, following the exclusion of the public and press, which informed us that final bids had been accepted on 2 December 2005 with a positive response of 17 tenders received. These tenders have been subsequently evaluated with 2 recommended for our consideration.
- 8.3 We report that, having noted the outcome of the tender evaluation process, we agreed to the disposal of the Home and to delegate the finalisation of the sale and associated care contract to the Director of Social Services and the Director of Finance in consultation with the Executive Member for Social Services and Health and the Executive Member for Finance.

Housing

9. EXECUTIVE RESPONSE TO THE REPORT OF THE SCRUTINY REVIEW OF ESTATE PARKING

- 9.1 The Council will be aware that the pressure on parking facilities in London continues to rise and parking on public highways and Council housing estates is a major issue. Parking management, control and enforcement on public highways within the Council was the responsibility of the Parking Service. While parking on highways was regulated through the Road Traffic Act issued by the Department for the Environment, Food and Rural Affairs (DEFRA), parking management control and enforcement on housing estates was the responsibility of the Housing Service. Normal Road Traffic Act parking regulations did not apply to Council estates as they were classified as private property.
- 9.2 We considered a report which advised us that two contractors (the Council's own Parking Service and Wings Security) were used to carry out the enforcement of parking restrictions and the removal of abandoned vehicles on Council housing estates. Wings Security operated on all estates with an estate car parking scheme while the Parking Service carried out these functions where those which did not.
- 9.3 We welcomed the Scrutiny Review and its recommendations, many of which represented work already in progress, and which both reinforced and extended the range of service improvements. In total 17 recommendations were made, the majority of which were agreed either fully or in principle. There was only one, which called for the appointment of a full time parking manager, with which we could not agree because we believed that the appropriate co-ordination and prioritisation of parking services in Housing Services could be delivered within existing resources.

Leader**10. CONSULTATION ON THE MAYOR'S AND GLA POWERS**

- 10.1 We considered a report which advised us that the Office of the Deputy Prime Minister (ODPM) had launched a consultation exercise about extending the role and powers of the GLA and the Mayor. The consultation period ended on 22 February 2006 and the report recommended a detailed response.
- 10.2 We noted that the most significant and far reaching changes were contained in those proposals about housing and planning. Coupled together they could give the Mayor significant new powers. Our response was premised on ensuring that there were robust checks and balances in place to ensure proper scrutiny of any new powers. Additionally, any new powers should be drawn down from Government rather than removed from local authorities. To ensure this there would need to be built in mechanisms to make certain that the views of London boroughs could be heard in the right place at the right time.
- 10.3 In approving the response to the consultation we noted that there were merits in affording greater strategic responsibilities to the Mayor but that the Mayor should not take control of any operational functions.

11. ACTIONS TAKEN UNDER URGENCY PROCEDURES

- 11.1 We were informed of two actions taken by Directors under urgency procedures following consultation with Executive Members.

Leisure Centres Investment – Procurement

Approval to a revised contract price of up to £3.462 million (including fees) in connection with the previously approved investment programme (Health and Fitness Facilities and Strategic Renewals).

Housing Rent Increase 2006/07 – Approval to Consult

Approval to consult secure tenants on proposed increases in rent and service charges effective from April 2006 at an average level increase of 4.99%.

12. DELEGATED DECISIONS AND SIGNIFICANT ACTIONS – DECEMBER 2005

- 12.1 We were informed of the following significant actions taken by Directors under delegated powers which involved expenditure of more than £50,000.

Assistant Chief Executive (Access)

Heritage Economic Regeneration Scheme (HERS), English Heritage Grant Scheme, - Appointment of Architect

Microsoft Services for the Enterprise – Provision of Premier Support Services - Approval for award of contract under Contract Standing Order (CSO) 11.02

IT Technical Refresh – Delayed Handover and Deployment Support – 3rd Addendum for Logicalis

Director of Environmental Services

Stroud Green Area 20 m.p.h. Zone. Approval to proceed with the implementation of Phase 1 of the Zone with an allocation of £150,000 from the BSP being used to fund the scheme.

Chair:
 Councillor Charles Adje

Deputy Chair:
 Councillor Harry Lister

INTRODUCTION

- 1.1 This report covers matters considered by the Executive at our meeting on 21 February 2006. For ease of reference the Report is divided into the Executive portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Executive and all groups of Councillors. These reports are a welcome opportunity for the Executive on a regular basis to present the priorities and achievements of the Executive to Council colleagues for consideration and comment. The Executive values and encourages the input of fellow members.

ITEMS OF REPORT

Finance

2. FINANCE AND PERFORMANCE – DECEMBER 2005

- 2.1 We considered the regular finance and performance monitoring report for December 2005 which showed that finance performance had been adversely affected by the fire at Hemel Hempstead in December. Council Tax and Business rate collection had both fallen to 91.5% and 97% respectively. However, we noted that steps had been taken to ensure that normal service was resumed and that we meet our annual targets. In order to meet our agreed Invoice Payment target 91.1% of invoices will have to be paid on time in the remaining months of the year. We also noted that we continued to perform well in processing new benefit claims, and were above target for the year to date.
- 2.2 In terms of performance, 78% of performance indicators had been achieved or were close to being achieved. The report highlighted continued good performance (on target or exceeding target) in a wide range of services from Housing's continued high percentage of urgent repairs completed within Government time limits, to Environmental Services' excellent performance on determining planning applications. The report also highlighted improvements in a wide range of service areas including the rise in the number of items of equipment delivered by Social Services within 7 working days, Housing's improvement in rent collected of rent due, and the Chief Executive's Service's improvement in the number of member enquires responded to within timescale. However, there remained areas which needed improvement, such as Children Services' dealing with complex Children's Act stage 2 complaints, which were receiving support from managers.
- 2.3 Financial regulations required that proposed budget changes be approved by us and those agreed were shown in the table below. These changes fell into one of two categories:
 - budget virements, where it was proposed that budget provision be transferred between one service budget and another. Explanations were provided where this was the case;

- Increases or decreases in budget, generally where notification had been received in-year of a change in the level of external funding such as grants or supplementary credit approval.

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

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

Key decisions were highlighted by an asterisk in the table.

2.5 The following table sets out the proposed changes. There were two figures shown in each line of the table the first amount column related to changes in the current year's budgets and the second to changes in future years' budgets (full year). Differences between the two occurred when, for example, the budget variation required related to an immediate but not ongoing need or where the variation took effect for a part of the current year but would be in effect for the whole of future years. We report that we agreed to the virements set out in the following table:

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
9	Chief Executives, Childrens, Environment, Housing, Social Services, NSR	Rev*	2,520		Chief Executives 282 BWFCC 88 Land charges 400 Management 770 NSR 800 Procurement Social Services 600 Adults & O.People Environment 350 Parking Total 2,520 Met from contingency
9	Chief Executives	Rev	81		Skills for Care Training Forum funding.
9	Finance	Rev	7		Additional SRB income re West Green and JUNP.
9	Chief Executives	Rev	231		Additional SRB income re North London Strategic Alliance £138k, Milton Road community activity scheme £30k, Environmental visioning event and action plan £25k, Young people and parents project £10k and various smaller schemes.
9	Chief Executives	Cap	149		Additional SRB income re Finsbury Park Partnership - Green Lanes Bridge £88k. NDC police kiosk slippage £6k and NDC

					sports & play equipment £55k.
9	Chief Exec /Social Services	Rev*	320		Reallocation of some investment fund monies to Social Services aids & adaptations.
9	Chief Exec	Rev	50		Safer Communities funding for employee seconded to Youth Justice Board.

3. HARINGEY COUNCIL PROCUREMENT STRATEGY

- 3.1 The Council's Procurement Strategy for the period 2002-05 expired in July 2005. We considered a report which advised us that since the publication of the 2002-05 Strategy local government procurement had been subject to transformational change through the publication of the National Procurement Strategy which provided a benchmark for all local authority procurement functions and as a result of the revised CPA framework which placed a greater emphasis on procurement in demonstrating value for money.
- 3.2 The period between August and October 2005 had been spent reviewing achievements against the Strategy and scoping the actions required to mature the Haringey Procurement Service. We noted that in producing a strategy for 2006-09 consideration had been given to the above-mentioned policy drivers as well as to the changing priorities of the Council.
- 3.3 The 2006-09 Strategy recommended to us had been subject to internal consultation with services and had received the endorsement of both the Procurement Stream Board and the Chief Executive's Management Board and, along with its dependencies would provide the route-map for achieving improved procurement performance across the Council as well as the delivery of community services dependent upon procurement.
- 3.4 We report that we approved the Procurement Strategy for the period 2006-09 which was in three parts
- Executive Summary – which set out high level objectives for Council Procurement
 - Strategy Context – which detailed the position of Haringey procurement and detailed plans for maturing the service having regard to the national, regional and local drivers. This section also considered the procurement framework and recommended actions for building capacity.
 - Action Plan – which summarised the actions required to deliver the strategy. We noted that the Procurement Stream Board had yet to agree responsibilities and timescales for delivering the action plan.

Community Involvement

4. DEVELOPMENT AND IMPLEMENTATION OF HARINGEY'S COMPACT

- 4.1 The Council will be aware that local Compacts followed on from the National Compact between the Government and Voluntary, Community and Faith Sector (VCS). A Compact was a set of principles and undertakings that provided a framework for partnership and relations between the public sector and the VCS.

- 4.2 We were advised that the Compact recommended to us would enhance the Council's community leadership role and would ensure more effective working with partners to deliver the Council's strategic objectives. We recognised the importance of voluntary sector organisations in delivering services, building community cohesion and encouraging civic pride throughout Haringey and the Compact would assist Haringey's Local Area Agreements (LAA) which would locally integrate funding and, through that, services. Strong partnerships were a pre-requisite for a functioning agreement. Based on the Corporate Peer Review Benchmark, which was devised to reflect changes in the new Corporate Performance Assessment, the Compact could also make a real contribution to the authority becoming an excellent Council and so the Council needed to be committed to work in partnership with the VCS to complement each other to the best of their abilities. To facilitate this there had to be a clear partnership that supported the VCS ability to deliver services to the community at the highest level.
- 4.3 We were also advised that the Compact was the result of a 20 month development process managed by a multi-agency steering group and that over 300 representatives from statutory, voluntary, community organisations have participated in the process. The process had included a 13 week consultation period on the Compact and the Compact document had been reviewed by the Council's Legal Service, as well as the Communications Team and the Equalities Team to ensure that the Council could confidently sign up to the agreement. The Compact had also been presented at the Haringey Strategic Partnership (HSP) in November 2005 and the Metropolitan Police, the Haringey Teaching Primary Care Trust and the Mental Health Trust had endorsed it in principle both at an organisational level and through the Haringey Strategic Partnership (HSP). Our Voluntary Sector Grants Committee had endorsed the process and valued the development of Haringey's Compact. Further engagement and signatories, particularly from VCS organisations to the Compact would be forthcoming once the Council had endorsed their commitment to the agreement. We noted that it was anticipated that a public launch of the Compact will take place at the end of March 2006.
- 4.4 We also noted that there would be further revisions to the Compact agreement and that the finalised agreement would be supported by a 3-year Work Plan on how the principles would be implemented. The Compact also outlined the areas identified as objectives and targets within the agreement. Partners to the Compact would be invited to state how they would work towards and achieve the objectives and targets and its effectiveness would be reviewed, monitored and evaluated by a steering group who would report the outcomes annually to the HSP.
- 4.5 The Council as a whole needs to be seen to be delivering the Compact in the spirit of partnership and demonstrating that it was committed to securing a mutually advantageous agreement so involvement needed to be encouraged across other Council departments at all levels and in order to move this forward it was recommended that Compact Link Officers be appointed across the Council directorates involved in partnership working reporting to the relevant Director for a time limited period of no longer than 6 months during the implementation period and a timetable put in place to support this. This recommendation was supported by our Voluntary Sector Grants Committee.
- 4.6 In order to ensure that the Council used a standardised approach in implementing the

Compact, partnership training courses would be mainstreamed and officers encouraged to attend any other relevant training either through the Council or partner agency. Joint Compact and Champion training, workshops and support would be organised by the HCWG. We report that we approved the Compact agreement and supported its effective implementation both within the Council and with key partnerships including the Haringey Strategic Partnership. We also asked that the Chief Executive and the Leader of the Council agree the Compact with other key partners involved in the process including Haringey Association of Voluntary and Community Organisations (HAVCO), Haringey Strategic Partnership and the Teaching Primary Care Trust (TPCT) at the public launch of the Compact scheduled to be held in March 2006. We also agreed that Compact Link Officers be appointed across the Council Directorates reporting to the relevant Directors involved in partnership working.

Regeneration and Enterprise

5. CONSULTATION PAPER ON A NEW PLANNING POLICY STATEMENT 3 - HOUSING

- 5.1 The Council will be aware that Planning Policy Statement (PPS) 3 sets out the national planning policy framework for delivering the Government's housing objectives. These policies were firmly based on the principles of sustainable development (set out in PPS1 *Delivery Sustainable Development*) and sought to provide for housing in the most sustainable way. The Government's key objective for planning for housing was to ensure that everyone had the opportunity of living in a decent home, which they could afford, in a community where they wanted to live. To achieve this objective, the Government was seeking to:
- (a) ensure that a wide choice of housing types is available, for both affordable and market housing, to meet the needs of all members of the community;
 - (b) deliver a better balance between housing demand and supply in every housing market and to improve affordability where necessary; and
 - (c) create sustainable, inclusive, mixed communities in all areas. Developments should be attractive, safe and designed and built to a high quality. They should be located in areas with good access to jobs, key services and infrastructure.
- 5.2 In December 2005, the Government published for public consultation its draft revision to PPS3. The consultation period ended on 27 February 2006. The new PPS3 will set out the national planning policies for housing, which regional planning bodies and local authorities should take into account in developing regional spatial strategies and local development frameworks. Its objective will be to deliver new homes at the right time in the right place. The national policy framework will reflect the need for flexibility in planning between urban and rural areas, and in areas experiencing high or low demand. The aim was that the planning system was used to its maximum effect to ensure the delivery of decent homes that were well designed, made the best use of land, were energy efficient, made the most of new building technologies and helped to deliver sustainable development.
- 5.3 We noted that the proposals set out in draft PPS3 were generally welcomed, that the Council's emerging UDP was in accord with the new guidance and that the Council was already taking a pro-active approach to housing development by preparing planning briefs and master plans as well as working in partnership with developers and landowners.

- 5.4 However, we also noted that there were some concerns with the new guidance and how it would work in practice. The draft PPS3 placed great emphasis on increasing the supply of housing, raising densities and providing housing according to regional and sub-regional housing needs. This might make it difficult for Haringey to focus on the local housing market and housing needs. There was a strong emphasis on housing delivery, but little mention of the impact of new development on infrastructure, other land uses and existing communities. This was a weakness in the guidance and it failed to adequately mention how the need for necessary infrastructure would be assessed when identifying sites and applying policies.
- 5.5 The Government had promised further guidance on delivering mixed communities, the use of planning obligations and the delivery of affordable housing and the preparation and use of design codes which was to be welcomed. The ODPM asked a number of questions in the consultation paper and we report that we endorsed the responses recommended by our officers as the Council's response to the Government.

Crime and Community Safety

6. ASSOCIATION OF LONDON GOVERNMENT – PROPOSED ARRANGEMENTS FOR THE SETTING OF FIXED PENALTY NOTICES LEVELS

- 6.1 The London Local Authorities and Transport for London Act 2003 (2003 Act) and the London Local Authorities Act 2004 (2004 Act) provided for local authorities to use fixed penalty notices in relation to a number of offences. Both Acts provided a duty on local authorities to set the level of fixed penalty notices but provided that this should be exercised by a joint committee established under section 101(5) of the Local Government Act 1972. In 2001 London boroughs established arrangements that discharged certain functions to a joint committee known as the Association of London Government Transport and Environment Committee (ALGTEC).
- 6.2 We considered a report which advised us that the Association of London Government was proposing that the existing agreement for ALGTEC be varied so that on behalf of participating boroughs it could exercise the joint functions established under both the 2003 and 2004 Acts. Specifically, this would include the setting of fixed penalty fine levels for offences and other functions such as the publishing of relevant codes of practice.
- 6.3 The 2003 and 2004 Acts prescribed arrangements for fines to be limited by the Secretary of State and the matters to be considered in the setting of fines. The ALG had consulted on the levels of fines that might be set under the 2003 and 2004 Acts and had approved in principle consultation findings that established £100 as the appropriate level for fixed penalty notices arising from the 2003 Act. More recently, the ALG had initiated consultations on the 2004 Act and proposed fines which had been endorsed by the ALGTEC in December 2005. The proposals would authorise ALGTEC to support co-ordinated action in relation to offences and would allow London Council's to have the same levels set for a range of fixed penalty notices relating to highways, street trading and environmental protection issues. The setting of fines would release these powers for authorised officers to use in Haringey.

- 6.4 We report that we approved the proposed variation of agreement with ALGTEC providing authority for it to act on our behalf as a “joint committee” for the purposes of the London Local Authorities and Transport for London Act 2003 (2003 Act) and the London Local Authorities Act 2004(2004 Act). We also authorised the Director of Environmental Services or the Head of Legal Services to sign the proposed variation to ALGTEC agreement in accordance with Part H4 of the Constitution.

7. HOUSES IN MULTIPLE OCCUPATION - LICENSING

- 7.1 We considered a report which advised us that the Housing Act 2004 was a wide ranging Act which would implement reforms in the private housing sector and contribute towards establishing ‘sustainable communities’. It was recognised that the private rented sector made a valuable contribution to the housing market and the Act sought to provide additional powers to regulate the market. The provisions included :
- Replacement of the current housing fitness standard with a new Housing Health and Safety Rating System (HHSRS).
 - Introduction of mandatory licensing for certain larger Houses in Multiple Occupation (HMO's).
 - Local discretion to apply additional licensing to other types of HMO's.
 - Introduction of selective licensing
 - New enforcement powers following the HHSRS
 - Changes to the Right to Buy
 - Additional powers to take over the use and management of empty properties
- 7.2 The Act sought to enable landlords in the management of their properties in a professional manner and also to improve the quality and status of the sector by providing stronger powers to deal with bad landlords and poor tenants who caused problems to others. We welcomed the introduction of the Act, as the new powers would enhance our successful private sector work and would help us to deliver our Private Sector Housing strategy objectives. The provisions fitted well with our existing work on Landlord Accreditation, empty properties and area based intervention. We noted that while the remainder of the report we considered concentrated on the implementation of HMO licensing, it was proposed to submit a further report to us on the broader provisions at a later date.
- 7.3 The Act introduced a mandatory licensing scheme for certain categories of HMO's and discretionary powers to extend licensing to other types of HMO's through additional licensing schemes. Mandatory HMO licensing was to commence borough-wide in April 2006 when Haringey's existing HMO registration control schemes would cease.
- 7.4 Mandatory licensing would apply to HMO's of 3 or more storeys and 5 or more residents who constituted more than one household. Therefore, It would not affect a majority of the HMO's in Haringey and particularly not those found in the east of the Borough. We noted the intention of officers to bring a further report to us on the potential of additional licensing to better regulate and control the operation of HMO's in the east of the borough and in smaller premises. However, these powers were unlikely be released until mandatory licensing had been completed.

7.5 The Act imposed a duty on the Council to:-

- Effectively implement a HMO licensing regime;
- Ensure that all applications for licensing are determined within a reasonable time; and
- To satisfy itself as soon as is reasonably practicable (within a 5 years maximum) that inspections to identify and remove serious hazards have been carried out.

A licence might therefore be granted prior to an inspection.

7.6 The Act provided that a Council might charge a fixed fee for an application, and provided for secondary legislation in the form of regulations which might specify maximum fees (either by amounts or calculation methods), fee exemptions, or refunds. In fixing the fee, the Act allowed the Council to take into account all costs incurred in carrying out HMO licensing functions as well as all enforcement costs incurred in relation to HMO Management Orders, where the costs of the latter were not recoverable elsewhere. We noted that the resources required to support mandatory licensing were in addition to existing responsibilities relating to HMO enforcement and that whilst there was some limited potential for the absorption of field time spent on assisted applications and of management costs within the existing establishment, some growth from fee income was required.

7.7 We report that we approved the following HMO licensing fees as well as arrangements to support the HMO licensing provision -

Unassisted applications

A. Fixed standard fee per letting	£164
B. Full application received pre 30/9/2006 10% discount	£148
C. Application from accredited landlords 2006-2008 20% discount:	£131
D. If both B and C	£115

Assisted applications (no discounted rates will apply)

E. An additional charge per HMO	£230
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Health and Social Services

8. RESPONSE TO SUPPORTING PEOPLE CONSULTATION (GOVERNMENT'S PROPOSALS FOR A FUTURE NATIONAL SUPPORTING PEOPLE STRATEGY)

8.1 We considered a report the first part of which provided a brief overview of the development of the Supporting People programme since its inception in April 2003 and set out some basic facts about how much was being spent on Supporting People services at national and local level. The report also detailed the requirements the Government imposed on local authorities regarding decision making and planning, contract and performance management and the review of services. Details were also provided of how Haringey had implemented these requirements including how local Supporting People decisions were made. This offered a context to the Government's consultation on its future national Supporting People strategy.

8.2 The report also provided a detailed summary of the key suggestions and proposals the Government had set out in their national consultation document *Creating Sustainable Communities Supporting Independence* and the key issues the Government had identified with regard to the future management and funding of Supporting People services for vulnerable households: We noted that the key issues were:

- The better integration of Supporting People strategic planning, commissioning and service delivery with other planning frameworks
- Identifying three key groups of vulnerable household around which joint planning arrangements and more flexible funding could be arranged, which include highly vulnerable people requiring care and support; households who are independent but who need some support and households who are socially excluded including homeless households
- The possibility of removing the ring fencing around SP decision making and funding and allowing greater flexibility, possibly within the context of Local Area Agreements
- A move towards a needs based formula framework for allocating Supporting People funding and the redistribution of SP funds between authorities based on the formula

8.3 We noted the summary and conclusions to the report and we authorised the Director of Social Services in consultation with the Executive Member for Social Services and Health and the Leader of the Council to produce a formal response to the Government's proposals on the future direction of the Supporting People programme.

Leader

9. PROJECT AND PROGRAMME MANAGEMENT – RESPONSE TO THE AUDIT COMMISSION REVIEW

9.1 We considered a report which advised us that the Programme Management framework in Haringey consisted of CEMB Programme Board, four Stream Boards and one Project Board, as follows:

- Assets
- Customer Focus
- E-Care (Project Board)
- Procurement
- Information Management

9.2 The Programme encompassed all the Council's major internal projects but there were also a number of externally focused projects that report separately to the Chief Executive's Management Board (CEMB), for example Better Haringey, Change for Children Programme and the Community Care Strategy. Programme management was essential to co-ordinate the delivery of a set of projects and ensure that the outcomes of the programme were greater than the sum of outcomes from the individual projects and was key to performance improvement and the realisation of our corporate strategy.

- 9.3 Over the past year, the Programme had improved the way the Council managed projects corporately and was a key part of our response to the CPA Corporate Assessment. Despite the successes of the first year, further work was required to ensure that programme management was fully embedded and a discussion paper on restructuring the Programme was presented to CEMB in December 2005. This built on discussions with senior Councillors following the June 2005 Outturn report to the Executive. Programme Board agreed that:
- Further consideration should be given to Member involvement in projects;
 - That the Programme be strengthened to respond to the value for money and use of resources agenda;
 - A dedicated Programme Management Office be established.
- 9.4 Subsequently, in January 2006, the Audit Commission published a report which examined the Council's arrangements for managing the Tech Refresh project. Their report highlighted a number of concerns with the governance arrangements for Tech Refresh and specifically outlined inadequate project and financial management practices. Concerns about reporting arrangements for high risk, major projects had also been highlighted in the Use of Resources Assessment in November 2005.
- 9.5 The report advised us that the Council was required to produce an action plan to address the issues raised by the Audit Commission report and that Commission would be carrying out a follow-up review in late February/early March 2006. The report recommended a response to the Audit Commission report and Use of Resources assessment and outlined new arrangements for programme and project management in Haringey which build on the discussion paper presented to Programme Board.
- 9.6 We report that we adopted the recommendation contained in the report which involved the approval of a detailed action plan in response to the Audit Commission's recommendations and agreement to a new Programme Management structure. We also agreed to the establishment of Member Steering Groups for each Stream Board in order to provide strategic direction as well as political input and steer. Approval was also granted to the establishment of a dedicated Programme Management Office in the Improvement and Performance Team. We asked that a separate report be submitted to us that clarified the links between change, programme management, policy development and the Member decision making process and we noted that a separate Project Implementation Review would be produced for us in respect of Tech Refresh.

10. ACTIONS TAKEN UNDER URGENCY PROCEDURES

- 10.1 We were informed of one action taken by Directors under urgency procedures following consultation with Executive Members.

Purchase of Deployment Infrastructure for Computerised Report Running in Housing Services

Approval to a waiver of Contract Standing Order 6.4 (Requirement to Tender) in connection with the procurement and implementation of a deployment infrastructure to support the use in Housing Services of the corporate standard computerised reporting tool.

11. DELEGATED DECISIONS AND SIGNIFICANT ACTIONS – JANUARY 2006

- 11.1 We were informed of significant actions which involved expenditure of more than £50,000 taken by Directors under delegated powers.

Assistant Chief Executive (Access)

Milton Road Estate Phase 3 – House Storage and Associated Works – Appointment of Miller & Barker.

IT Technical Refresh – Delayed Handover and Deployment Support – 4th Addendum for Logicalis.

Director of Environmental Services

Contract for the Macadam Resurfacing as part of the Open Spaces Infrastructure Improvement Programme was awarded to Southern Landscape Ltd. in the sum of £146,417.

Contract for the Fences and Railings as part of the Open Spaces Infrastructure Improvement Programme was awarded to Metalcraft (Tottenham) Ltd in the sum of £211,145.

Restructure of Streetscene Business Improvement Team with additional costs of £78,541 being charged to the 3 main sections within the Streetscene Service.

Director of Housing Services

Commerce Road Estate Lighting Improvements (Better Haringey Estates Improvement Programme) - Award of contract for street lighting replacement and improvement to Seeboard Contracting Services in the sum of £56,875

Acacia/Winkfield Estate Lighting Improvements (Better Haringey Estates Improvement Programme) - Award of contract for street lighting replacement and improvement to Seeboard Contracting Services in the sum of £53,796.

Love Lane Door Entry Works (Better Haringey Estates Improvement Programme) - Award of contract for the provision of new controlled entry systems and work to existing systems to C J Bartley in the sum of £67,564.

The Sandlings Lighting Improvements (Better Haringey Estates Improvement Programme) - Award of contract for street lighting replacement and improvement to Seeboard Contracting Services in the sum of £103,967.

Remington Road/Pulford Road Environmental Works - Award of contract for environmental works to T E Beach Ltd in the sum of £222,035.

Fladbury Road Environmental Works - Award of contract for environmental works to T E Beach Ltd in the sum of £243,233.

Fladbury Square Environmental Works - Award of contract for environmental works to T E Beach Ltd in the sum of £249,266

Garton House, Moore House, Mildura Court Door Entry Works (Better Haringey Estates Improvement Plan) - Award of contract for the provision of new controlled entry systems and work to existing systems to Dennis Johns in the sum of £106,924

The Sandlings/Commerce Road Door Entry Works (Better Haringey Estates Improvement Plan) - Award of contract for the provision of new controlled entry systems and work to existing systems to Cartel Security Systems PLC in the sum of £141,645

Rothbury Walk, Broad Lane, Cordell House Door Entry Works (Better Haringey Estates Improvement Plan) - Award of contract for the provision of new controlled entry systems and work to existing systems to Eversafe Security in the sum of £170,208.

Bracknell Close Lighting Improvement (Better Haringey Estates Improvement Plan) - Award of contract for lighting improvement work to Seeboard Contracting Services in the sum of £85,000.

Howfield Place Door Entry Works (Better Haringey Estates Improvement Plan) - Award of contract for the provision of new controlled entry system and work to existing system to Cartel Security Systems plc in the sum of £108,754.

Chair:
 Councillor Charles Adje

Deputy Chair:
 Councillor Harry Lister

INTRODUCTION

- 1.1 This report covers matters considered by the Executive at our special meeting on 14 March 2006. For ease of reference the Report is divided into the Executive portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Executive and all groups of Councillors. These reports are a welcome opportunity for the Executive on a regular basis to present the priorities and achievements of the Executive to Council colleagues for consideration and comment. The Executive values and encourages the input of fellow members.

ITEMS FOR DECISION

Housing

2. HOMES FOR HARINGEY DELIVERY PLAN

- 6.3 The Council will be aware that it's relationship with Homes for Haringey is defined in the management agreement which sets out the obligations of each party. This agreement covers:

- the functions to be delegated to and carried out by Homes for Haringey;
- the standards to which they are to be carried out;
- arrangements for reporting on and monitoring performance;
- requirements for involvement of tenants in decision making;
- the financial relationship and obligations of each party;
- arrangements for liaison and consultation between the Council and Homes for Haringey;
- Homes for Haringey's role in helping to deliver the Councils housing strategy;
- the length of the agreement;
- actions to be taken where there is non-compliance or failure; and
- arrangements for termination.

At our meeting on 20 December 2005 we agreed that approval of the final version of the Management Agreement on behalf of the Council be delegated to the Director of Housing in consultation with the Executive Member for Housing.

- 2.2 During its first year Homes for Haringey is required to complete a Delivery Plan set by the Council in consultation with the ALMO Board. The first year Delivery Plan is formally part of the Management Agreement, and it will be re-negotiated each year.
- 2.3 We considered a report which advised us that the Delivery Plan which was available on the Council's Web Site set out the purposes and mission of the ALMO, its business objectives and its performance targets and was, in many ways, the critical document within the Management Agreement.

- 2.4 We noted that the Delivery Plan had been discussed by the ALMO Transition Member Working Group, residents and the Shadow ALMO Board. The document would be included with the Management Agreement before it was formally signed at the end of March 2006 and a draft Delivery Plan had been submitted with the Section 27 application.
- 2.5 'Homes for Haringey' was due to go live as Haringey Council's arms length management organisation (ALMO) on 1 April 2006. The Board, made up of residents, Councillors and independent experts, had been meeting since October 2005 to prepare for its new role and to plan the service. The Delivery Plan once agreed by the Council and by the Board, would set out the organisation's aims and objectives and what it plans to do in its first year. Crucially, by the end of 2006/07, Homes for Haringey was aiming -
- to have secured around £200 million of funding over 4 years to improve tenants' homes and environments; and
 - to be providing high quality services to at least a 2 star standard.

The Council and the Board were committed to working in partnership, with Government support, to achieve real improvements in residents' lives and living conditions.

- 2.6 The Delivery Plan submitted to us outlined the main services which will be delivered during the first year of operation of Homes for Haringey. The Plan -
- Showed how services provided by Homes for Haringey would meet the needs of residents
 - Showed how Homes for Haringey would be accountable to residents and the Council
 - Set out priorities and targets for delivering and improving services
 - Showed how Homes for Haringey would meet the Decent Homes Standard by 2010, subject to funding
 - Set out the key performance targets that would be used to monitor progress against the plan
- 2.7 We noted that the primary and supporting objectives had been agreed by residents, the Shadow Board and the ALMO Transition Member Working Group and these are listed below. Each section had a detailed table in the Plan showing what the deliverable will be for year one in addition to best value and local performance indicators.

Primary & Supporting Business Objectives

The two primary objectives of the organisation flowed directly from the Mission Statement. They were:

Homes for Haringey: Primary Objectives

- To improve the quality of the housing stock to a modern standard and to achieve the Decent Homes standard by 2010.
- To deliver a high quality and improving service to all residents and achieve excellence.

Homes for Haringey: Supporting Business Objectives

Seven supporting business objectives flowed from our primary objectives and were:

- To work in partnership with Haringey Council and key partners to deliver the objectives of the Community Strategy.
- To maximise the participation and influence of residents.
- To ensure that our estates are safe and decent places to live.
- To become an excellent and well-led organisation that values its staff.
- To create a service based on equality of opportunity for all which recognises the diversity of the community it serves.
- To manage in the most efficient and effective manner revenue and capital resources.
- To be a model of good practice in governing the affairs of Homes for Haringey.

- 2.8 The final section of the Plan detailed how the Council would monitor Homes for Haringey against agreed performance targets. A copy of the Delivery Plan as it stood at the time of our meeting was available on the Council's Web Site and we noted that it was still subject to further input by Homes for Haringey as it became operational and in the light of the indicative inspection by the Audit Commission.

WE RECOMMEND

That the Council

1. Agree in principle the Homes for Haringey's first year Delivery Plan as outlined above pending further input by Homes for Haringey as it becomes operational and in the light of feedback from the indicative Inspection by the Audit Commission expected to be carried at the end of March 2006.
2. Agree that approval of the final Delivery Plan document be delegated to the Executive Member for Housing and the Chief Executive of Homes for Haringey.

Children and Young People

3. CHILDREN AND YOUNG PEOPLE'S PLAN 2006- 09

- 3.1 We considered a report which advised us that under Section 10 of the Children Act 2004 each Children's Services Authority (CSA) had to make arrangements to promote co-operation with all relevant bodies to improve the well being of the children and young people in their area. Partner organisations named in the Act had a duty to co-operate with the CSA in this endeavour. One expression of this duty was the requirement to produce a strategic plan for children and young people.
- 3.2 We noted that following the introduction of the Act the Government had introduced guidance for production of the Plan during 2005. Strategic plans had to be produced by 1 April 2006 and cover the following three years. They had to be developed together with partners and in consultation with children and young people and the local community.

- 3.3 Prior to writing the Plan, widespread consultation had taken place and a needs assessment had been produced entitled "Knowing our Children and Young People - Planning for their Futures". The annual health report of HTPCT "Growing Up in Haringey" had also focused on children and young people. The Plan had been drawn up in response to:

- the Government guidance
- the views and opinions collected during consultation
- the results of the needs assessment and the annual health report.

The development had been overseen by the Children and Young People's Strategic Partnership.

- 3.4 The Plan has been formed around the five outcomes set out in the Children Act; be healthy, stay safe; enjoy and achieve; make a positive contribution; and achieve economic well being. An additional section focused on vulnerable children and young people. The full Plan was available on the Council's Web Site.
- 3.5 We also noted that consultation had been carried out over the last 12 months in a variety of formats with a wide range of people including several events with young people such as the "Come and Be Heard" conference for 150 young people last July, a question time event in October and the recent "Safer Solutions" conference held in February 2006. In addition a major multi-agency event for over 400 practitioners "Improving Outcomes for Children and Young People in Haringey" had been held in September 2005 followed by consultation at HarCEN's annual conference. Presentations had also been made at a range of forums and meetings to give as many people as possible the chance to make comments and observations.
- 3.6 The results of the consultations and surveys had been used to develop 13 priorities which were the subject of formal consultation in January and 24 February 2006. A formal consultation leaflet had been designed by Exposure, a design agency that specialised in working with young people. 25,000 of these leaflets had been distributed across Haringey and it was also available on the Council's Web Site. The leaflet included a freepost tear off slip for people to return comments. A full list of the consultation events and surveys was reported to us.

WE RECOMMEND

That the Children and Young People's Plan 2006-09 as outlined above be approved.

Leader

4. CO-ORDINATING THE RESPONSE TO EMERGENCIES IN LONDON

- 4.1 The Council at its meeting on 22 March 2004 at the request of the Association of London Government (ALG) passed the first "LA Gold" resolution which delegated each Council's emergency powers, under section 138 Local Government Act 1972, to a "Gold" Chief Executive, that is, one of several of the serving London Chief Executives trained and ready to

take on this role. The Gold Chief Executive had powers to co-ordinate a response on a London-wide basis to a “catastrophic incident” declared by Central Government. The emergency powers under section 138 enabled a Council to incur expenditure in response to an imminent or actual emergency/disaster involving danger to life or property and likely to affect the whole or part of a Council’s area.

- 4.2 Under the first resolution and arrangements, the Gold Chief Executive could only incur expenditure if Central Government had confirmed that it would reimburse any exceptional expenditure reasonably incurred in taking immediate action to safeguard life or property or to prevent suffering or severe inconvenience.
- 4.3 We considered a report which advised us that the ALG had recently asked all London Councils to pass a revised LA Gold resolution. There were two main reasons for this new development:
- the impact of the Civil Contingencies Act 2004; and
 - the lessons of the July 2005 bombings which illustrate the need for the Boroughs to work together when an event is serious but insufficiently drastic in its effect to warrant being declared “catastrophic”.
- 4.4 The Civil Contingencies Act 2004 conferred no new powers on local authorities but it did confer an Order-making power on Ministers which had yet to be exercised. This would involve special legal powers needed for the most serious or catastrophic events. Under the 2004 Act, the Government had issued non-statutory guidance entitled “Emergency Response and Recovery”. The Guidance obliged Regional Civil Contingencies Committees (RCCCs) to organise multi-agency planning and strategic management. RCCC meetings set three levels of response:
- Level 1: convened when prior warning of an emergency is available, or
 - Level 2: a single site or wide area disruptive challenge needing a co-ordinated response by various agencies, or
 - Level 3: the most serious, which would involve a Central Government declaration that special legislative Orders were to be made under the 2004 Act.
- 4.5 In London, unlike other regions in England, the RCCC was likely to be referred to as a Strategic Co-ordinating Group (SCG) particularly for immediate impact, police-led emergencies. The revised LA Gold resolution would take effect in the event of an emergency requiring a level 2 response. This could be an event broadly equivalent in its impact to the July 2005 bombings, or worse, but less drastic than a “catastrophic incident” meriting a level 3 response. The revised resolution had to be passed by all the London Councils before it could come into operation.
- 4.6 The power of the Gold Chief Executive to incur expenditure would only come into effect if the Gold Chief Executive had received prior confirmation from:
- (i) the Minister of State for Resilience that Central Government would reimburse expenditure reasonably incurred by the Gold Chief Executive to safeguard life or property or to prevent suffering or severe inconvenience;

- (ii) the Council(s) in whose area the emergency had occurred that the Council(s) would reimburse expenditure incurred for the purposes in (i) above.

4.7 The report we considered requested us to recommend agreement to the revised LA Gold resolution and we were informed that there had been a similar but separate report to the General Purposes Committee on 2 March recommending consequential amendments to Part J.1 of the Council's Constitution relating to "Joint Arrangements". We noted that once the Council had confirmed the resolution below, it would be asked to adopt the amendments to the Constitution.

WE RECOMMEND

That the following resolution be adopted –

1. This resolution is made in accordance with section 138 Local Government Act 1972, section 101 Local Government Act 1972, section 19 Local Government Act 2000, Regulations 7 and 10 Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and all other enabling powers. The resolution has regard to "Emergency Response and Recovery" the non-statutory Guidance issued pursuant to the Civil Contingencies Act 2004.
2. As from the date of this resolution the Council's functions under section 138(1) Local Government Act 1972 (Powers of principal councils with respect to emergencies or disasters) are delegated to the Council which has appointed the Head of Paid Service as defined in paragraph 3 below in the circumstances set out in paragraphs 4-7 below.
3. The Head of Paid Service is the person appointed by one of the Councils under section 4 Local Government and Housing Act 1989 who, following the convening of the Strategic Co-ordinating Group ("Gold Command") to respond to an incident requiring a "Level 2" response (as defined in paragraph 4 below) has agreed to discharge the functions under section 138(1) Local Government Act 1972 ("the functions") on behalf of the Councils.
4. An emergency requiring a Level 2 response is a single site or wide-area disruptive challenge which requires a co-ordinated response by relevant agencies.
5. The functions hereby delegated shall not be exercised until resolutions delegating the functions have been made by all the Councils.
6. The powers hereby delegated to the Council which has appointed the Head of Paid Service shall not include any power to incur expenditure or to make grants or loans to any person unless either:
 - the Head of Paid Service has received confirmation from the Minister that expenditure reasonably incurred by the Head of Paid Service in taking immediate action to safeguard life or property or to prevent suffering or severe inconvenience will be reimbursed by HM Government; or

- the Head of Paid Service has received confirmation on behalf of the Council(s) in whose area(s) the incident has occurred that expenditure reasonably incurred by the Head of Paid Service in taking immediate action to safeguard life or property; to prevent suffering or severe inconvenience and to promote community cohesion and a return to normality, will be met by the Council (or the Councils in proportions to be agreed by them).
7. In the event the Minister has confirmed that expenditure will be reimbursed by HM Government, the Head of Paid Service shall, insofar as reasonably practicable, consult with and inform the Council(s) in whose area(s) the incident has occurred regarding any action proposed to be taken.

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**REPORT OF THE GENERAL
PURPOSES COMMITTEE No.05/2005-06**

Page 1

COUNCIL 20 MARCH 2006

Chair:
Councillor Reg Rice

Deputy Chair:
Councillor Jean Brown

INTRODUCTION

- 1.1 This report covers four matters considered by the General Purposes Committee at our meeting on 2 March 2006. All of them resulted in recommendations from the Committee to full Council to make amendments to the Council's Constitution. A fifth matter, "Decision-making in Election Year" was deferred on 2 March for further consultation and further consideration at a special meeting of the Committee on 16 March. There is likely to be a late report on this to Council.

**ITEMS FOR DECISION FROM THE MEETING OF THE
COMMITTEE ON 2 MARCH 2006**

**2. AMENDMENTS TO CONTRACT STANDING ORDERS ON
TENDER OPENING.**

- 2.1 We received a report on proposed changes to the procedures for opening tenders in Contract Standing Orders (Procedure Rules). At present there is a "two-tier" system with tenders estimated at over £150,000 being opened by the Legal Service while tenders below that threshold are opened in the Directorate commissioning the tendering exercise. The proposal is for a uniform system for the custody and opening of all tenders regardless of value. Tenders would be opened in the commissioning Directorate but by independent officers from teams outside the tendering exercise and subject to strict safeguards.
- 2.2 We had received a report on this matter in January 2005. At that time we had accepted the argument that costs must be saved by avoiding the use of expensive legal staff for routine administrative tasks. However, we had expressed concern about the commissioning Directorates opening their own tenders without extra safeguards to prevent fraud or negligence.
- 2.3 Officers had considered the option of Directorates opening each other's tenders but regarded this as likely to result in serious extra costs and delays. More detailed thought was then given to the original uniform tender opening proposal but with additional measures to ensure the robustness and transparency of the procedures.
- 2.4 The Head of Internal Audit agreed that any extra risks from the proposals would be mitigated by the provision of a "framework" or

procedure for regulating the receipt and opening of tenders and the recording of tender details. We noted that such a “framework” had been provided. This will facilitate a proper audit trail with spot checks by Service managers. Internal Audit will include a Review of the new tender opening procedures in the annual audit work programme. The Review will highlight any possible areas of non-compliance or weakness.

- 2.5 The Head of Procurement had approved the selection of four officers from each Directorate who are trained for the tender opening duties. They are drawn from several different teams so as to ensure that at least two tender opening officers will be available in every case from outside the commissioning team. The introduction of a more rigorous uniform procedure for all tenders will help ensure consistency of process and standards across the Council. It should also result in staff cost savings.
- 2.6 We noted that the proposals had been reported to, and approved in principle by, the Procurement Committee on 3 January. Members of that Committee had asked for a report to them on the operation of the new procedures.
- 2.7 The amendments to Contract Standing Orders only affect section 9 on “Receipt and Opening of Tenders”. The changes are set out in Appendix 1 to this report.

WE RECOMMEND

That Council adopt the changes to Contract Standing Orders (Procedure Rules), set out in Appendix 1 to this report, and that Part G.3 of the Council’s Constitution be amended accordingly with effect from 1 April 2006.

3. AMENDMENTS TO THE CONSTITUTION CONSEQUENT ON THE HOUSING “ALMO”.

- 3.1 We noted that the substantive decisions leading to the establishment of the “Arms Length Management Organisation” (Homes for Haringey) had been taken by The Executive culminating in a detailed allocation of functions between the ALMO and the residual in-house Service decided on 20 December 2005. The ALMO is expected to come into operation on 1 April 2006. It will be a separate legal entity from the Council. Accordingly, the statutory functions exercised by the ALMO alone should be removed from the Council’s Scheme of Delegation to Officers.

- 3.2 The residual housing functions retained by the Council are to be managed under the Director of Social Services. This is an interim arrangement pending a further decision on the long term structure after the Council Elections. The Director will have the delegated authority to monitor the performance of the ALMO under the Management Agreement.
- 3.3 The main Council retained functions will be allocations and homelessness duties. These are currently managed by the Assistant Director of Housing Strategy & Needs, who will now be titled the Head of Housing, with a Head of Housing Needs and Head of Housing Supply reporting to him. These new roles are shown in Appendix 2 to this report which is the schedule of Housing Functions in the Scheme of Delegation to Officers (Part F.7 of the Constitution).
- 3.4 The ALMO will take over all responsibility for the management, and the maintenance and repair, of the Council's housing stock and its services to Right-to-Buy (RTB) leaseholders. These statutory functions are therefore shown deleted (i.e. struck through) in Appendix 2. The administration of RTB sales will involve the ALMO but formal authorisations are retained in-house by the Head of Housing.
- 3.5 Enforcement action against anti-social behaviour will remain with the Council but is to transfer to the Head of the Safer Communities Unit (HSCU) under the Assistant Chief Executive, Strategy (ACE-S). These statutory delegations under the Crime and Disorder Act 1998 and the Housing Act 1996 are shown in Appendix 3 to this report which is the schedule of delegations to the Chief Executive's Service including the ACE-S.
- 3.6 The opportunity has been taken to add to these amendments to the Scheme of Delegation, certain changes that are not related to the ALMO but derive from the transfer of Youth Offending functions following the re-structuring of services relating to children. These Youth Offending delegations are shown transferred to the ACE-S and HSCU in Appendix 3 and deleted from the delegations to the Directorate of Social Services as shown in Appendix 4 to this report.
- 3.7 There will be changes to Financial Regulations in Part G.2 of the Constitution concerning procedures for writing off housing rent arrears considered irrecoverable. Under the new arrangements these transfer from the Housing Service to Finance but the threshold of responsibility as between the Director and Executive Member remains the same. The Director of Finance will write off arrears below £1,000 and the Executive Member will authorise greater write offs. Similar but distinct arrangements are made for rents administered by the ALMO. These changes are shown in Appendix 5 to this report.

- 3.8 Finally, we noted that Appendices 6 and 7 to this report contain consequential changes to the Officers' Article and the Officer Management Structure in Parts K.1 and K.5 of the Constitution.

WE RECOMMEND

That Council adopt the changes to the Scheme of Delegation to Officers, Financial Regulations and Officer Structure set out in Appendices 2, 3, 4, 5, 6 and 7 to this report, to have effect as amendments to Parts F.7, G.2, K.1 and K.5 of the Council's Constitution.

4. MAKING THE SCHEME OF MEMBERS' ALLOWANCES FOR 2006/07.

- 4.1 We received a report attaching the proposed Scheme of Members' Allowances for the next year starting on 1 April 2006. This is shown as Appendix 8 to this report. We were advised that it was a legal requirement to make the Scheme afresh each year before the end of March even if no substantive changes were to be incorporated. It would be possible for this Scheme to be revised during the course of 2006/07 and for any changes to be made retrospective to 1 April 2006.
- 4.2 The only amendment as compared to the current Scheme for 2005/06 is the express reference to the fact that Councillors are not entitled to parking concessions within the Borough. We asked that this be clarified so that it would not exclude a Councillor from any concession they might otherwise be entitled to in a private capacity, for example, a disabled parking badge. This is now reflected in the added text at paragraph 3.01.
- 4.3 Once the Scheme has been made by the Council details must be published in a local newspaper and copies of the Scheme must be available for public inspection at the Civic Centre.

WE RECOMMEND

That Council adopt the Scheme of Members' Allowances for the year 2006/07, as set out in Appendix 8 to this report, to have effect as a replacement for Part C.7 of the Council's Constitution.

5. CO-ORDINATING THE RESPONSE TO EMERGENCIES IN LONDON BY REVISING THE “L.A. GOLD” RESOLUTION

- 5.1 We were informed that the Association of London Government (ALG) had asked all London Councils to pass a revised “L.A. Gold” resolution to extend the existing joint arrangements for a co-ordinated London-wide response to future emergencies. We recalled that the initial resolution, passed by all London Councils in early 2004, had delegated every Council’s emergency powers to a “Gold” Chief Executive in the event of a “catastrophic incident” declared by Central Government. The proposal now was to extend these joint arrangements to cover situations less serious than a “catastrophic incident” but still amounting to a major disruptive challenge needing a co-ordinated response by various agencies (a “level 2 response”).
- 5.2 The report before us explained that the ALG had asked for the revised resolution because of (i) the impact of the Civil Contingencies Act 2004 and (ii) the lessons of the July 2005 bombings which illustrate the need for Boroughs to work together when an event is serious but insufficient in its effects to warrant being declared “catastrophic”.
- 5.3 Government Guidance under the 2004 Act requires Regional Civil Contingencies Committees (or the Strategic Co-ordinating Group in London) to organise multi-agency planning and strategic management for emergencies.
- 5.4 We noted that the emergency powers under section 138 of Local Government Act 1972 enable a Council to incur expenditure in response to an imminent or actual emergency or disaster involving danger to life or property and likely to affect the whole or part of a Councils’ area. The power of the “Gold” Chief Executive to incur expenditure would only come into effect if (i) Central Government confirmed that it would reimburse this, or (ii) the Council(s) of an area where an emergency had occurred had confirmed that it or they would reimburse.
- 5.5 We were informed that the revised L.A. Gold resolution would be recommended to the meeting of The Executive on 14 March and, if passed, would then be recommended for confirmation by this full Council. The report before us was intended to secure consequential amendments to Part J.1 of the Council’s Constitution dealing with Joint Arrangements. The changes resulting from the new extended arrangements are set out in Appendix 9 to this report.

WE RECOMMEND

That Council adopt the extension of ALG arrangements for co-ordinating the response to emergencies, set out in Appendix 9 to this report, and that Part J.1 of the Council's Constitution be amended accordingly.

APPENDIX 1

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

PART G.3 of the Constitution – CONTRACT PROCEDURE RULES (CONTRACT STANDING ORDERS) – this extract starts at page 9 of the version last updated in June 2005

9. RECEIPT AND OPENING OF TENDERS

9.01. Contractors must be informed that their tenders will only be considered if they are:

- a) sent in a plain envelope or parcel with a label on which is printed the word "Tender" followed by the subject of the contract; and
- b) contained in a sealed envelope or parcel which does not show the identity of the tenderer in any way; and
- c) delivered to the place and by the time stated in the tender invitation.

9.02. Tenders which do not meet the requirements of Contract Standing Order 9.01 may only be considered if the other tenders have not yet been opened and:

- a) failure to comply is the Council's fault; or
- b) a tender is late, and it is clear without any contact with the contractor that the tender was sent in such a way that in the normal course of events it would have arrived on time.

9.03. Tenders must be kept safe until the time for their opening by an officer given this duty by the Director responsible for the tendering process.

- ~~a) Director for contracts with an estimated value of £150,000 (one hundred and fifty thousand) or less, and~~
- ~~b) Head of Legal Services for all other contracts.~~

Records of the time and date of receipt of all unopened tenders must be kept by that Officer.

9.04 Tenders for a particular contract must be opened at the same time in the presence of two officers who ~~have not been~~ are employed in teams not involved in the tendering process. ~~and who~~ These officers are responsible for properly recording receipt. ~~the price, duration of works and all other relevant details of each opened tender.~~

- 9.05 The Head of Procurement must approve the training and seniority of all officers employed to open tenders and also the arrangements in each Directorate for ensuring the independence of such officers from the teams involved in the tendering process.
- 9.06 Tenders may be received electronically with the prior approval of, and in accordance with, a procedure specified by the Head of Procurement.

APPENDIX 2

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

PART F.7 of the Constitution – Scheme of Delegation to Officers

Section 6 – Housing Functions

(this extract starts at page 117 of Part F.7 in the version of the Constitution updated in June 2005)

Section 6. Housing Services <u>Functions</u> – Scheme of Delegation

To the Director of Housing- Social Services

All Housing Services functions of retained by the Council, except those powers and responsibilities undertaken by the Executive or Executive Member with this portfolio or reserved to the Council. Included in this delegation are the statutory and non-statutory functions also delegated to the designated officers as listed below

Schedule of abbreviations used in the Schemes of Delegation for Housing

Director of Housing- <u>Social Services</u>	DH <u>DSS</u>
Assistant Director – Housing Strategy & Needs	AD – HS&N
<u>Head of Housing</u>	<u>HH</u>
Assistant Director – Housing Management	AD – HM
Assistant Director – Haringey Home and Building Services	AD – HH&BS
<u>Head of Housing Needs</u>	<u>HHN</u>
<u>Head of Housing Supply</u>	<u>HHS</u>

Non-statutory delegations

<u>Power to monitor performance of the ALMO under the Management Agreement and to take any action in the interests of the Council's "client side"</u> <u>Housing functions in accordance with policies</u>	<u>DSS</u>
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<u>agreed by The Executive</u>	
Power to accept properties for temporary accommodation.	AD – HS&N <u>HH HHS</u>
Power to alter levels of arrears tracing and collection as costs and circumstances dictate <u>in relation to the Council's retained housing functions.</u>	AD – HM <u>HH</u>
Power to negotiate and complete agreements for the temporary re-housing of private sector tenants to facilitate house renovation	AD – HS&N <u>HH</u>
Power to authorise all action to enforce provisions of right-to-buy leases and to authorise Court proceedings for enforcement	AD – HS&N <u>HH</u>
Power to authorise service of Notice to Quit for all non-secure tenancies	AD – HS&N <u>HH</u>
Power to determine requests for access to personal files <u>in relation to the Council's retained housing functions.</u>	AD – HM <u>HH</u>
Authority to waive the requirement for an owner to have lived in a property for three years prior to applying for a House Renovation Grant.	AD – HS&N <u>HH</u>
<u>Power to provide services for travellers in accordance with policies agreed by The Executive</u>	<u>HH</u>

Statutory Delegations

National Assistance Act 1948		
Section 21	Power to provide accommodation for persons in need	AD – HS&N <u>HH</u>
Section 22	Power to make charges for such accommodation in accordance with persons income	AD – HS&N <u>HH</u>
Section 23	Power to make rules in respect of the management of premises in which accommodation is provided	AD – HS&N <u>HH</u>
Section 24	Power to provide residential accommodation for any person subject to provisions under this Act.	AD – HS&N <u>HH</u>
Section 26	Power to provide accommodation in premises maintained by voluntary organisations	AD – HM
Section 29	Power to make welfare arrangements for people with disabilities	AD – HS&N

Section 32	Power to make financial adjustments between Authority providing accommodation etc. and Local Authority area of residence	DH <u>HH</u>
Section 43	Power to recover cost of assistance from persons liable for maintenance	AD – HS&N <u>HH</u>
Section 48	Power to provide temporary protection for property of persons admitted to hospital etc.	AD – HS&N <u>HH</u>
Section 55	Powers of entry <i>in relation to the Council's retained housing functions.</i>	AD – HM <u>HH</u>
Section 56	Power to recover sums due summarily as a civil debt <i>in relation to the Council's retained housing functions.</i>	AD – HM <u>HH</u>
Land Compensation Act 1973		
Section 39	Power to re-house residential occupiers displaced pursuant to certain compulsory acquisition or housing powers	AD – HS&N <u>HH</u> <u>HHN</u>
Section 40	Power to re-house caravan dwellers displaced by Council as above	AD – HS&N <u>HH</u> <u>HHN</u>
Rent Act 1977		
Section 68	Power to apply to the rent officer for consideration of a fair rent	AD – HM <u>HH</u> <u>HHN</u>
Criminal Law Act 1977		
Section 12A(6)(d)	Power to sign and issue a certificate to a protected intending occupier	AD – HM <u>HH</u> <u>HHN</u>
Housing Act 1980		
Section 81	Power to consult tenants on improvements	AD – HHBS
Section 82	Power to give statement for refusal of Section 81 to consult	AD – HM
Housing Act 1985		
Section 9	Power to provide accommodation by the erection, conversion, acquisition, altering, enlarging, repairing or improving of houses	AD – HHBS <u>HH</u>
Section 10	Power to provide furniture in respect of	AD – HS&N

	any house acquired etc. under S.92	<u>HH</u>
Section 11	Power to provide board and laundry facilities in connection with housing accommodation already provided	AD – HS&N <u>HH</u>
Section 12 & 15	Power to provide buildings or land connected with providing accommodation	AD – HM <u>HH</u>
Section 13	Power a) to lay out public streets, and open spaces when developing housing land; b) to contribute to expenses of laying out streets etc when selling land for housing purposes	AD – HM <u>HH</u>
Section 14	Power to execute works in connection with housing operation outside own area	AD – HM <u>HH</u>
Section 18	Power to deal with land acquired or appropriated for provision of accommodation	AD – HM <u>HH</u> <u>HHS</u>
Section 21	Power to manage, regulate and control local authority houses	AD – HM
Section 26	Power to make financial assistance available towards tenant's removal expenses	AD – HM
Section 32-42	Powers in relation to disposals of any housing land including repayment of discounts	AD – HM <u>HH</u>
Section 48	Duty to provide information on service charges	AD – HM
Section 82	Power to decide to apply to Court for Order determining secure tenancy	AD – HM
Section 83	Power to serve notice terminating secure tenancy	AD – HM
Section 89	Functions in relation to succession to periodic tenancies	AD – HM
Section 92	Consent to assignment of tenancies by way of exchange	AD – HM
Sections 93 & 94	Functions relating to consent to sub-letting of secure tenancy of dwelling house	AD – HM
Section 96	Functions under tenants' right to repairs	AD – HM
Section 97	Power to consent to tenant's improvements	AD – HM

Section 98	Power to give statement of reasons for refusal of Section 97 consent	AD – HM
Section 100	Power to reimburse cost of tenant's improvements	AD – HM
Section 102	Power to vary terms of secure tenancy upon service of appropriate notice	AD – HM
Section 104	Power to provide information about secure tenancy	AD – HM
Section 105	Power to consult secure tenant over matters of housing management	AD – HM
Section 106	Power to provide information about housing allocation of secure tenancies	AD – HM <u>HH</u> <u>HHN</u>
Section 118	Power to determine whether conditions giving right to buy are satisfied	AD – HM <u>HH</u>
Section 121A	Power to apply for Court Order suspending the right to buy in cases of anti-social behaviour etc.	AD – HM <u>HH</u>
Section 124	Power to serve Notice admitting/denying right to buy	AD – HM <u>HH</u>
Section 125	Power to serve Notice on tenant in relation to purchase price and mortgage advance	AD – HM <u>HH</u>
Sections 126, 127 & 129	Power to determine purchase price and discount	AD – HM <u>HH</u>
Section 128	Power to exercise the right of landlord to require re-determination of price by DV	AD – HM <u>HH</u>
Section 128	Power to serve Notice informing tenant of re-determination	AD – HM <u>HH</u>
Section 132 and 133	Power to determine right to and minimum amount of mortgage	AD – HM <u>HH</u>
Section 134	Power to extend period in which tenant can claim right to mortgage	AD – HM <u>HH</u>
Section 135	Power to serve Notice as to amount of mortgage	AD – HM <u>HH</u>
Section 136	Power to serve Notice on new tenant of right to purchase and obtain mortgage (after former tenant has given notification of desire to buy and obtain mortgage)	AD – HM <u>HH</u>
Section 138	Power to complete sale	AD – HM

		<u>HH</u>
Section 138(2)	Power to exercise discretion not to complete if more than four weeks' rent outstanding	AD – HM <u>HH</u>
Section 138A & Schedule 5A	Power to serve initial demolition notice on secure tenant claiming right to buy	AD – HM <u>HH</u>
Section 138B & Schedule 5	Power to serve final demolition notice	AD – HM <u>HH</u>
Section 139	Power to determine terms of mortgage deed	AD – HM <u>HH</u>
Section 140	Power to serve completion notice	AD – HM <u>HH</u>
Section 141	Power to extend period in which tenant can serve notice claiming deferral of completion	AD – HM <u>HH</u>
Sections 144 & 146	Power to serve the notice of admission or denial of tenant's right to acquire on shared ownership terms	AD – HM <u>HH</u>
Section 147	Power to serve notice of initial contribution.	AD – HM <u>HH</u>
Section 150	Power to grant shared ownership lease.	AD – HM <u>HH</u>
Section 151 and Schedule 9	Power to serve notice on tenant of entitlement to further advance.	AD – HM <u>HH</u>
Section 152	Power to serve pre-completion notice.	AD – HM <u>HH</u>
Section 153	Power to serve completion notice.	AD – HM <u>HH</u>
Section 154	Power to give certificate as to title	AD – HM <u>HH</u>
Sections 155, 155A, 155B & 155C	Powers to determine and demand repayment of discount on early disposals	AD – HM <u>HH</u>
Section 156	Power by written notice to postpone the change taking effect in favour of a legal charge advanced by a specified body	AD – HM <u>HH</u>
Section 178	Power to charge tenant Council's legal costs of mortgage, in accordance with scheme as laid down from time to time by the Council	AD – HM <u>HH</u>
Section 184	Power to decide whether inclusion of land with dwelling house is reasonable	AD – HM <u>HH</u>
Section 197, 222,	Power to authorise entry for inspection	AD – HM

260, 319 & 395	etc. for various purposes	<u>HH</u>
Section 428	Power to borrow for purposes of Act	AD – HM <u>HH</u>
Section 435-440	Powers to make advances etc	AD – HM <u>HH</u>
Section 438	Power to waive or reduce interest to a person acquiring a house in need of repair	AD – HM <u>HH</u>
Section 438 and Sch 16	Power to alter certain mortgage interest rates to the higher of standard national rate or applicable local average rate	AD – HM <u>HH</u>
Section 438 and Sch 16	Power to charge the higher of the standard national rate or the applicable local average rate upon Council mortgages	AD – HM <u>HH</u>
Section 438 and Sch 16	Power to declare at six-monthly intervals the rate of interest applicable to certain advantages, transfers and monies left outstanding as described in Section 110(1)	AD – HM <u>HH</u>
Section 438 and Sch 16	Power to serve Notice of variation of mortgage rate	AD – HM <u>HH</u>
Section 442	Power to indemnify Building Societies in respect of mortgage advances, where the Council has obtained the Secretary of State's agreement to a Scheme	AD – HM <u>HH</u>
Section 442 and 444	Power to indemnify recognised bodies, with the approval of the Secretary of State	AD – HM <u>HH</u>
Section 443	Power to make contributions towards mortgage costs incurred.	AD – HM <u>HH</u>
Section 449	Power to approve loans and bonuses in accordance with the directions of the Secretary of State	AD – HM <u>HH</u>
Section 452	Power of Council to vest mortgage property in itself where it is entitled to exercise power of sale	AD – HM <u>HH</u>
Section 452 and Sch 17	Power to vest in the Council with leave of the County Court.	AD – HM <u>HH</u>
Section 452. and Sch 17	Power to set up fund equal to value of property, and interest from date of vesting.	AD – HM <u>HH</u>
Section 523	Power to assist in provision of separate service pipes for houses	AD – HM <u>HH</u>
Section 536	Power to give notice in writing of determination.	AD – HM <u>HH</u>

Section 537	Power to determine whether assistance in respect to a defective dwelling be by way of reinstatement grant or by way of repurchase.	AD – HM <u>HH</u>
Section 540	Power to give notice in writing as to form of assistance.	AD – HM <u>HH</u>
Section 547 and Sch 20	Power to serve notice specifying proposed terms and conditions of acquisition.	AD – HM <u>HH</u>
Section 547 and Sch 20	Power to extend period for request or notification.	AD – HM <u>HH</u>
Section 562	Power to publish notification in local newspaper of effect of designation or valuation	AD – HM <u>HH</u>
Section 582	Power to notify persons that compulsory purchase order not confirmed	AD – HM <u>HH</u>
Section 583	Power to authorise continuance of tenancies of houses compulsorily acquired and to be used for housing purposes	AD – HM <u>HH</u>
Section 610	Power to apply to Court to modify covenants relating to converting of houses into several tenements	AD – HM <u>HH</u>
Schedule 6 Part I	Power to require reservation of easements on disposal of secure tenancy	AD – HM <u>HH</u>
Schedule 6 Part I	Power to seek indemnities in respect of restrictive covenants on disposal	AD – HM <u>HH</u>
Sch 17 Para 3	Power to determine compensation and accounting provisions arising upon vesting under Section 112	AD – HM <u>HH</u>
Sch 18 Para 1	Power to advance money to residents for the purchase of houses	AD – HM
Sch 18 Paras 2,4,5	Power to take possession or order the sale of houses	AD – HM <u>HH</u>
Para 7	Duty to provide information as to cost of service charges	AD – HM <u>HH</u>
Sch 18 Para 3	Power to allow proprietors to permit occupation as a furnished house	AD – HM
Schedule 19, Paras 2-6	Power to obtain estimates and consult tenants before undertaking certain works (to be recharged to tenant as part of service charge)	AD – HM & BS
Para 7	Duty to provide information as to cost of service charges	AD – HM & BS

Schedule 21 Para 5	Power to determine whether designation <u>relating to defective dwelling is</u> to be disregarded and give notice accordingly.	AD – HM HH
Schedule 21 Para 6	Power to give appropriate notice when s.13(4) <u>new designation of defective dwelling is</u> applicable.	AD – HM HH
Housing Associations Act 1985		
Sections 34 & 58	Power to promote and assist housing associations	AD – HS&N HH
Section 61	Power to sell furniture to persons housed by housing associations	AD – HM HH
Landlord & Tenant Act 1985		
Sections 20 & 20ZA and Regulations made under these sections	Power to: — provide details of proposed works or agreements to tenants or to recognised tenants' associations representing them; — to obtain estimates for the proposed works; — to invite tenants or the recognised tenants' association to propose the name of persons from whom the landlord should try to obtain estimates; — to have regard to observations made by tenants or the recognised tenants' association in relation to proposed works or agreements and estimates; — to give reasons for carrying out works or entering into agreements	AD – HH & BS
Section 20B	Power to issue notices to leaseholders that relevant costs have been incurred	AD – HH & BS
Section 21	Power to provide summaries of costs	AD – HH & BS
Section 22	Duties in relation to inspection of documents by leaseholders	AD – HH & BS
Section 23	Duties in relation to information held by superior landlords	AD – HH & BS

Housing and Planning Act 1986		
Section 4	Power to write off losses due to estimates of service charges and rechargeable works given to leaseholders proving to be inadequate	HP
The Leasehold Reform, Housing and Urban Development Act 1993		
Sections 104-107	Power to amend the Council's Voluntary Sales Scheme.	AD – HM <u>HH</u>
Section 108-120	Power to administer the Rents to Mortgages Scheme	AD – HM <u>HH</u>
Housing Act 1996		
<i>Part V Chapter I – Introductory Tenancies</i>		
Section 124	Functions relating to introductory tenancies	AD – HM
Section 125	Duration of introductory tenancies	AD – HM
Section 125A	Power to serve notice extending trial period of introductory tenancy	AD-HM
Section 125B	Power to arrange a review, by a different senior officer, of a decision under s.125A	AD-HM
Section 127	Authorising proceedings for possession	AD – HM
Section 128	Service of notice of proceedings for possession	AD – HM
Section 129	Authority to review decision to seek possession	AD – HM
Section 133	Functions in relation to succession to introductory tenant	AD – HM
Section 136	Provision of information about tenancies	AD – HM
Section 137	Consultation on matters of housing management	AD – HM
<i>Part V Chapter III – Injunctions against anti-social behaviour</i>		

Section 152	Power to apply for injunctions against anti-social behaviour	AD – HM
Sections 153 – 157	Functions in relation to powers of arrest and injunctions	AD – HM
<i>Part VI – Allocation of housing accommodation</i>		
Section 159-160A	Functions in relation to allocation of housing accommodation	AD – HS&N <u>HH</u> <u>HHN</u>
Section 166	Functions in relation to applications for housing accommodation	AD – HS&N <u>HH</u> <u>HHN</u>
Section 167	Functions in relation to allocation scheme	AD – HS&N <u>HH</u> <u>HHN</u>
Section 168	Publication of information about allocation scheme	AD – HS&N <u>HH</u> <u>HHN</u>
Section 170	Making requests to registered social landlords about accommodating persons with priority under the allocation scheme.	AD – HS&N <u>HH</u> <u>HHN</u>
Section 171	Authorising prosecutions for false statements and withholding information	AD – HS&N <u>HH</u>
<i>Part VII - Homelessness</i>		
Section 177	Determining whether it is reasonable to continue to occupy accommodation	AD – HS&N <u>HH</u> <u>HHN</u>
Section 179	Duties of local housing authority to provide advisory services	AD – HS&N <u>HH</u> <u>HHN</u>
Sections 180-181	Power to assist voluntary organisations	AD – HS&N <u>HH</u>
Section 184	Duties relating to inquiry into cases of homelessness or threatened homelessness	AD – HS&N <u>HH</u> <u>HHN</u>
Section 187	Making requests for information to Secretary of State about persons from abroad	AD – HS&N <u>HH</u>
Section 188	Interim duties to accommodate in case of apparent priority need	AD – HS&N <u>HH</u>

		<u>HHN</u>
Section 190	Duties to persons becoming homeless intentionally	AD – HS&N <u>HH</u> <u>HHN</u>
Section 191	Determining whether persons are homeless intentionally	AD – HS&N <u>HH</u> <u>HHN</u>
Section 192	Duties to persons not in priority need who are not homeless intentionally	AD – HS&N <u>HH</u> <u>HHN</u>
Section 193	Duties to persons with priority need who are not homeless intentionally	AD – HS&N <u>HH</u> <u>HHN</u>
Section 195	Duties in case of threatened homelessness	AD – HS&N <u>HH</u> <u>HHN</u>
Section 196	Determining whether persons are threatened with homelessness intentionally	AD – HS&N <u>HH</u> <u>HHN</u>
Section 198	Powers to refer case to another local housing authority	AD – HS&N <u>HH</u> <u>HHN</u>
Section 200	Duties to applicant whose case is considered for referral or referred	AD – HS&N <u>HH</u> <u>HHN</u>
Section 202	Power to review decisions on request	AD – HS&N <u>HH</u> <u>HHN</u>
Section 203	Functions relating to procedure on review	AD – HS&N <u>HH</u> <u>HHN</u>
Sections 204 & 204A	Functions relating to provision of accommodation during appeals	AD – HS&N <u>HH</u> <u>HHN</u>
Section 206	Functions relating to discharge of functions by local housing authorities	AD – HS&N <u>HH</u> <u>HHN</u>
Section 208	Functions relating to discharge of functions by out of area placements	AD – HS&N <u>HH</u> <u>HHN</u>
Section 209	Functions relating to discharge of functions by arrangements with private landlord	AD – HS&N <u>HH</u> <u>HHN</u>
Section 210	Functions relating to suitability of accommodation	AD – HS&N <u>HH</u> <u>HHN</u>

Sections 211 & 212	Duties to protect property of homeless persons and persons threatened with homelessness	AD – HS&N <u>HH</u> <u>HHN</u>
Section 213	Duties relating to co-operation between relevant housing authorities and other bodies	AD – HS&N <u>HH</u> <u>HHN</u>
Section 214	Action in relation to false statements withholding information and failure to disclose changes in circumstances	AD – HS&N <u>HH</u> <u>HHN</u>
Crime and Disorder Act 1998		
Section 1	Power to apply for anti-social behaviour orders	AD-HS&N
Regulation of Investigatory Powers Act 2000		
Part II	Authorisation of all action related to surveillance for the detection of crime	DH <u>DSS</u>

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APPENDIX 3

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

PART F.7 of the Constitution – Scheme of Delegation to Officers

(this extract starts at page 8 of Part F.7 in the version of the Constitution updated in June 2005)

Section 2 Chief Executive's Service – Scheme of Delegation
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To the Chief Executive

1. All the powers delegated to the other Senior Officers and shall be able to exercise those powers in the place of that Senior Officer. Further, in the event of any dispute or doubt as to the delegated powers of any other Senior Officer, the Chief Executive shall have the authority to determine which Senior Officer is to exercise that power.
2. Excluded from this delegation is the withdrawal or modification of public library facilities.
3. The corporate management of the Authority and specifically through the Chief Executive's Management Board
 - (a) Advice to the Council on the Policy Framework
 - (b) The preparation and consultation in draft of the Forward Plan on a monthly basis
 - (c) The responsibility for the discharge of the Council's functions in implementation of statutory and non-statutory plans including the modernisation, collation, indexation and publication of policies and practices of the Council within the evolving Policy Framework as the Council and the Executive shall determine
4. The authority to institute, defend or settle any legal proceedings or arbitration where urgent action is needed to protect the interests of the Council.
5. To be Head of the Paid Service.

6. The power to incur expenditure and take any necessary action within local authority statutory functions, including jointly with other authorities, in the event of a civil emergency.
7. To nominate other senior officers of the Council, whether orally or in writing, to take administrative decisions in the event of a civil emergency.
8. In the event that all Members of the Executive are removed from office under **Article 15.05** (in **Part H**), to exercise all Executive functions in consultation with the Mayor until the Council shall appoint a new Executive.
9. Included in this delegation are the statutory and non-statutory functions also delegated to the designated officers listed below.

Schedule of abbreviations used in the Scheme of Delegations for the Chief Executive's Service

Chief Executive	CE
Assistant Chief Executive - Strategy	ACE-S
Assistant Chief Executive – Organisational Development	ACE-OD
Assistant Chief Executive - Access	ACE-A
Head of Legal Services	HLS
Head of Libraries	HL
Head of Information Technology	HIT
Head of Equalities	HE
Head of Communications	HC
Corporate Complaints Manager	CCM
Head of Personnel	HP
Head of Members and Democratic Services	HMDS
<i>Head of Safer Communities Unit</i>	<u>HSCU</u>

Non-statutory delegations

1. Power to grant a licence to display the Borough Coat of Arms to other organisations.	HMD S
2. Power to provide town maps by advertising companies.	HC

3. Power to provide official guides, street maps and similar publications.	HC
4. Power to authorise attendance by Members at conferences, seminars etc. which do not appear in the approved list of conferences in consultation with the Chief Whips of the Party Groups.	HMD S*
5. Power to authenticate any notice, order, assent, demand or other document which the Council are authorised or required by or under any Act and any instrument made thereunder to give make or issue.	HLS
6. Power to obtain particulars of occupiers of and other persons interested in land and of persons authorised to manage or to arrange for the letting of land.	HLS
7. Power to make minor boundary adjustments between adjoining parcels of Council owned land and to authorise the necessary Appropriation Orders and adjustments to accounts to be made.	HLS
8. Power to administer any charity of which the Council is trustee (except Alexandra Park and Palace and The Mayor's Charity).	HLS
9. Power to administer the Mayor's Charity in consultation with the Mayor	HMD S*
10. Power, notwithstanding the arrangements for the discharge of the function by the appropriate Designated Officer, to authorise, institute, defend, compromise or adjourn any form of legal proceedings or statutory procedure and to make any appeal or contend any appeal in criminal or civil proceedings where such action is desirable to protect the Council's interests.	HLS
11. Power to authorise other officers to represent the Council in civil or criminal proceedings.	HLS
12. Power to issue or serve any statutory notice on instructions from a designated officer who has delegated power to issue or serve such a notice.	HLS
13. Power to take part in such schemes of co-operation between library authorities as will improve the library service.	HL
14. Power to permit groups from interested organisations to visit the library buildings at suitable times during the day and after closing hours when necessary.	HL
15. Power to approve the conditions for the display of works of historical, archaeological and artistic interest which are the responsibility of the Libraries and Community Information Department where it may be desirable to	HL

show them elsewhere than in Library premises.	
16. Power occasionally to vary library opening hours.	HL
17. Power to fix the number of items loaned per borrower and loan period.	HL
18. Power to adopt appropriate pricing policy for sale of withdrawn stock.	HL
19. Power to charge for copies of local studies material.	HL
20. Power to permit the use of library premises for adult literacy and English language classes.	HL
21. Power to determine the charges for the reproduction of Local Studies material required for commercial purposes having regard to the scales recommended by the Museums Association.	HL
22. Power to approve appropriate charges for events of an educational or cultural nature held on library premises.	HL
23. Power to approve charges for individual library or museums publications.	HL
24. Power to alter the library charge for copies produced from microforms to conform to that levied by the Planning Department.	HL
25. Power to introduce modifications to the employees' car leasing scheme which do not adversely affect the Council's financial position.	ACE -OD
26. Power (in consultation with the relevant Executive Member) to make exceptions to the Council's Policy to re-employ officers, craft or manual workers either as an individual consultant, or in temporary or permanent employment, who have left the Council's employment under the special early retirement/voluntary schemes	ACE -OD*
27. Power (in consultation with the relevant Executive Member) to implement discretionary elements of nationally negotiated agreements	ACE -OD*
28. Power to identify posts/jobs exempt from the Job Share Policy	HP
29. Power to agree special leave entitlements in the case of sick dependants leave	HP
30. Power to implement statutory or case law changes to employment issues where no exercise of discretion is required	HP
31. Power to implement nationally negotiated agreements affecting employees where no exercise of discretion is involved	HP
32. Power to authorise the 'certificate of opinion' for employees on SCP44 or above making application for exemption under the Local Government & Housing Act 1989 - Politically Restricted Posts	HP
33. Approval of time off for accredited Trade Union representatives to	HP

attend training courses or other approved activities in connection with their industrial duties	
34. Approval of time off for Special Branch Meetings	HP
35. Approval of payments made in respect of injury allowances within the scope of part L of the Superannuation Regulations	HP
36. Power to vary enhanced severance payments in individual cases, subject to appropriate statutory provisions	HP
37. Power to enter into and agree appropriate settlements for individuals at termination of employment or in legal proceedings including those reached by compromise agreement	HP
38. Power to implement scales of election expenses recommended by the Association of London Government.	CE
39. Duty and power in consultation with the relevant Executive Member to monitor the Council's compliance with: - the Disability Discrimination Act 1995 - the Race Relations Act 1976 and the Race Relations Amendment Act 2002 - Sex Discrimination Act 1974	HE*

Statutory Delegations

Land Registration Rules 1925		
Rule 12	Power to sign instrument in form 53	HLS
Law of Property Act 1925		
Sections 115 & 120	Power to sign receipt on discharge	HLS
The Public Libraries and Museums Act 1964		
Section 12	Power to contribute to expenses of any person providing or maintaining or benefiting a museum or art gallery	HL
Section 15	Power to establish a fund for purchase of objects for exhibition	HL
Section 20	Power to allow use of library and museums premises for meetings etc of an educational or cultural nature	HL
<u>Children and Young Persons Act 1969</u>		<u>ACE-S</u>

		<u>HSCU</u>
<u>Section 9</u>	<u>Power to make investigation concerning the home surroundings, school record, health and character of any young person against whom proceedings for an offence are commenced by the Council and provide the court with such information</u>	
<u>Section 13</u>	<u>Power to select a supervisor where a Supervision Order is made</u>	
<u>Section 15</u>	<u>Power to apply for discharge or variation of Supervision Orders</u>	
<u>Section 23</u>	<u>Power to provide accommodation (including secure accommodation) for children and young persons remanded or committed by a court to local authority accommodation; to authorise any officer or other person to detain any person so remanded or committed; to apply to any court for conditions to be attached to any such remand or committal; and to seek the Secretary of State's consent to arrangements that the whole or part of any period of any such remand or committal should be in a secure training centre</u>	
<u>Section 23AA</u>	<u>Power to inform a court of the view of a youth offending team that an electronic monitoring condition is suitable in the case of the remand or committal of any person under section 23 of this Act and to exercise and perform all powers and duties conferred by any rules made by the Secretary of State under this section</u>	
<u>Section 30</u>	<u>Power to detain any person in a community home or controlled community home in accordance with directions given by the Secretary of State, and to recover from the Secretary of State any expenses reasonably incurred in discharging this duty</u>	
Attachment of Earnings Act 1971		
Section 3	Power to apply to Court for attachment of earnings order against debtors	HLS
Local Government Act 1972		
Section 222	Power to prosecute and defend, compromise or adjourn proceedings and power to authorise	HLS

	legal proceedings on recommendation by relevant Designated Officer	
Section 223	Power to authorise a Member or officer to appear in legal proceedings.	HLS
GLC (General Powers) Act 1974		
Section 16	Power to enter into agreements affecting land	HLS
Local Government Act 1974		
Section 28	Power to comment on any allegations contained in a complaint to the Local Government Ombudsman	CCM
Section 32(3)	Power to give notice to Local Government Ombudsman that disclosure of any document or information would be contrary to the public interest	CCM
Local Land Charges Act 1975	All functions	HLS
Local Government (Miscellaneous Provisions) Act 1976		
Section 16	Power to serve requisitions for information	HLS
Section 28	Power to apply for the repayment of unclaimed compensation paid into court	HLS
Section 32	Powers to execute works outside local area	HLS
Employment Protection (Consolidation) Act 1978		
Section 5	Power to exclude certain contracts in writing (from sections 1-4)	ACE-OD
Section 11	Power to refer certain questions (re. Section 1 or Section 4 or Section 8 Statements - or lack of) to industrial tribunals for determination	ACE-OD
Data Protection Act 1984		
Section 4	Power to register personal data	HIT
Housing Act 1985		

Section 73	Power to assist voluntary organisations	ACE-S
Local Government and Housing Act 1989		
Section 33	Steps to promote economic development	ACE-S
<u>Criminal Justice Act 1991</u>		<u>ACE-S</u> <u>HSCU</u>
<u>Section 61</u>	<u>Duty to secure that the Council is in a position to comply with any security requirement which may be imposed by a remand or committal to local authority accommodation by providing secure accommodation or by making arrangements with other local authorities or other organisations for the provision of such accommodation, and to comply with and exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section with regard to such accommodation</u>	
<u>Section 65</u>	<u>Power to appoint a social worker or member of a youth offending team to supervise a person under the age of 22 years who has been released from a term of detention in a young offender institution or under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000</u>	
Marriage Act 1994		
Section 1 and Regulations made thereunder	To recommend the scale of fees for applications for approval of premises for civil marriages and the attendance thereof of the Superintendent Registrar, Registrar of Marriage or their deputies, such scale to recover all of the Council's costs involved, and subject to approval by the relevant Executive Member	HLS*
<u>Housing Act 1996</u>		
<u>Sections 153A-E, 154, 155, 156 and 157</u>	<u>Functions in relation to powers of arrest and injunctions against anti-social behaviour</u>	<u>ACE-S</u> <u>HSCU</u>
<u>Crime and Disorder Act 1998</u>		<u>ACE-S</u>

		<u>HSCU</u>
<u>Section 1</u>	<u>Power to apply for an Anti-Social Behaviour Order</u>	
<u>Section 11</u>	<u>Power to apply for a Child Safety Order</u>	
<u>Section 12</u>	<u>Power to apply for the discharge or variation of a Child Safety Order</u>	
<u>Section 14</u>	<u>Power to make a local child curfew scheme, to consult before making such a scheme, to respond to consultation by the police where they intend to make such a scheme, to seek the Secretary of State's confirmation for such a scheme, and to publish a curfew notice given under such a scheme</u>	
<u>Section 38</u>	<u>Power to secure, in co-operation with the police and other authorities, that appropriate youth justice services are available in the Council's area, (including, but not limited to, the provision of appropriate adults, the assessment of children and young persons and the provision of rehabilitation programmes, the provision of support to such persons when remanded or committed on bail, the placement of such persons in accommodation, the provision of reports, the provision of responsible officers, and the supervision of children and young persons) and the making of payments towards expenditure incurred in the provision of such services</u>	
<u>Section 39</u>	<u>Power to establish a youth offending team as defined in this section, to make payments towards expenditure incurred by or for purposes connected with such a team, and to appoint any social worker to form part of such a team</u>	
<u>Section 40</u>	<u>Power to formulate and implement a youth justice plan as defined in this section, to submit such a plan to the Youth Justice Board, and to publish it in such manner as the Secretary of State may direct. (This delegation does not include the power to approve, adopt or revoke any such strategy or any modification or variation of it)</u>	
<u>Section 65</u>	<u>Power to act as an appropriate adult for an offender under the age of 17 when a reprimand or warning under this section is given</u>	
<u>Section 66</u>	<u>Power to assess a person referred to the youth</u>	

	<u>offending team under this section (following a reprimand or warning under section 65 of this Act), to arrange for him to participate in a rehabilitation programme, and to have regard to any guidance in relation to rehabilitation programmes issued by the Secretary of State under this section</u>	
<u>Powers of Criminal Courts (Sentencing) Act 2000</u>		<u>ACE-S HSCU</u>
<u>Section 21 & 22</u>	<u>Power to adjourn any meeting of a youth offender panel, to refer an offender back to the appropriate court, and to allow any person to attend a meeting of a youth offender panel</u>	
<u>Section 23</u>	<u>Power to seek to reach agreement with an offender on a programme of behaviour the aim of which is to prevent re-offending (a youth offender contract) and to record and sign any such agreement</u>	
<u>Section 25</u>	<u>Power to end an initial meeting with an offender without agreeing a youth offender contract, to resume consideration of such a contract at a further meeting, and to refer the offender back to the appropriate court</u>	
<u>Section 26</u>	<u>Power to request a youth offending team to arrange for the holding of a progress meeting in respect of any offender party to a youth offending contract, and to review any such contract at any meeting so arranged</u>	
<u>Section 27</u>	<u>Power to conduct a final meeting, to review a offender's compliance with a youth offending contract, to decide whether such compliance has been such as to justify the conclusion that any offender will have satisfactorily completed any youth offending contract by the end of the compliance period, to give written confirmation of any such decision, and to refer any offender back to the appropriate court</u>	
<u>Section 29</u>	<u>Power to arrange for the provision of administrative staff, accommodation and other facilities as are required by a youth offender panel, to make arrangements for supervising any offender's compliance with a youth offending contract, and to ensure that the member of any youth offender panel appointed by the youth offending team keeps</u>	

	<u>records of any offenders' compliance with such a contract</u>	
<u>Section 46</u>	<u>Power to appoint an appropriate officer to give information to a court as to the suitability of making a community punishment order</u>	
<u>Section 47 & 48</u>	<u>Power to appoint a member of a youth offending team to discharge the functions of a responsible officer with regard to the operation of a community punishment order and to exercise and perform the powers and duties in Schedule 3 of this Act</u>	
<u>Section 63 & 65</u>	<u>Power to act as a supervisor for any child or young person in relation to whom a supervision order has been made under this section and to exercise and perform the powers and duties in Schedule 7 of this Act</u>	
<u>Section 64</u>	<u>Power to agree to the designation of the Council as the supervisor of a child or young person under a supervision order made under section 63 of this Act, and to defray any expenditure incurred by a supervisor in compliance with directions or requirements given by virtue of the provisions of Schedule 6 of this Act</u>	
<u>Section 66</u>	<u>Power to make arrangements with other persons for the provision of facilities for enabling directions and requirements made under Schedule 6 of this Act to be carried out effectively, to consult with a local probation board about any such arrangements, to specify any such arrangements in a scheme, to provide copies of any such scheme to the chief executive of the Haringey petty sessions area and others, to keep a copy of any such scheme available for inspection by members of the public, and to make a further such scheme</u>	
<u>Section 69</u>	<u>Power to appoint a social worker to; act as a responsible officer for the purposes of an action plan order made under this section, and provide a written report prior to the making of such an order</u>	
<u>Section 71</u>	<u>Power to provide a further report to the court with regard to the effectiveness of an action plan order made under section 69 of this Act</u>	

<u>Section 70 & 72</u>	<u>Power to give directions under an action plan order made under section 69 of this Act and to and perform the powers and duties in Schedule 8 of this Act</u>	
<u>Section 73</u>	<u>Power to appoint a social worker to prepare a report for any court considering the making of a reparation order under this section</u>	
<u>Section 74 & 75</u>	<u>Power to appoint a social worker to act as a responsible officer for the purposes of a reparation order made under section 73 of this Act and to exercise and perform the powers and duties in Schedule 8 of this Act</u>	
<u>Section 103</u>	<u>Power to appoint a social worker to supervise an offender subject to a detention and training order</u>	
<u>Section 36 & 162</u>	<u>Power to appoint an appropriate officer to prepare any pre-sentence report</u>	
Local Government Act 2000		
Sections 2, 3 and 4	Steps to promote economic, social and environmental well-being	ACE-S

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**REPORT OF THE GENERAL
PURPOSES COMMITTEE No.06/2005-06**

Page 1

COUNCIL 20 MARCH 2006

Chair:
Councillor Reg Rice

Deputy Chair:
Councillor Jean Brown

INTRODUCTION

- 1.1 This report covers matters first considered by the General Purposes Committee at our meeting on 2 March 2006. It was then deferred for further consultation with Members and for recommendations on licensing arrangements to come from a special meeting of the Licensing Committee on 14 March. We considered all the related matters at our special meeting on 16 March and made recommendations to full Council to adopt amendments to the Council's Constitution. In view of the timing of the relevant Committee meetings, we are asking the Mayor to accept this late report as urgent business.

**ITEM FOR DECISION FROM THE SPECIAL MEETING OF THE
COMMITTEE ON 16 MARCH 2006**

2. DECISION-MAKING IN ELECTION YEAR.

- 2.1 We received a report on proposed changes to Part H.1 of the Council's Constitution (the Executive Article). These changes are to clarify the terms of office of the Leader and Executive Members especially in a Council Election Year.
- 2.2 If the majority party retains control after the Elections, those former Executive Members who are re-elected as Councillors will continue to have power to take urgent decisions between Election day and the Annual Meeting of the Council. The Leader will continue to chair The Executive if personally re-elected as a Councillor.
- 2.3 If there is a change in party control after the Elections, power to take urgent decisions will be delegated to the Chief Executive in consultation with the representative of the largest political group on the Council.
- 2.4 We discussed and agreed further changes to ensure that all decisions on "executive" functions in this interim period are taken collectively. Only genuinely urgent matters as advised by the Chief Executive would be decided. All such decisions would be reported to the first meeting of The Executive after the Annual Meeting.

- 2.5 We were advised that the existing emergency procedures in election year for non-executive decision-making needed to be changed for legal reasons. In place of the current delegation to the Mayor, power to take any urgent non-executive decisions required during the period between the Election and the Annual Meeting would be delegated to the Chief Executive in consultation with the Mayor. All such decisions would have to be reported to the next meeting of the appropriate Committee or full Council.
- 2.6 We were asked by the Licensing Committee to consider arrangements to ensure that contested licensing applications could be heard and decided in the period between the Election and the Annual Meeting. There was a legal requirement to hold such hearings within a narrow time-table and decisions could not be delegated to officers.
- 2.7 The Licensing Committee had asked for, and considered, Counsel's Opinion on the options available. Counsel had advised that the Licensing Committee would still be able to act with less than 10 Members after the Elections provided that there was a quorum of 4 Members present as prescribed by the Local Procedure Rules for hearings.
- 2.8 As a matter of precaution, it was desirable to make express provision for extending the current appointments of Members to the Licensing Committee so that the Committee could act until the Annual Meeting. We are recommending full Council to resolve to this effect but subject to the conditions that the individual Members are re-elected as Councillors and that the Committee only acts to determine cases that must legally be decided before the new licensing bodies are able to meet.
- 2.9 We were also advised that the terms of reference of the Licensing Committee needed amendment to provide for such hearings. After discussion we agreed that in the period between the Election and the Annual Meeting the Committee should meet to discharge the functions of the Licensing Sub-Committees and would elect its own Chair for the meeting.

WE RECOMMEND

- (1) That Council adopt:
- (a) the changes to the term of office of the Leader and Executive Members and the delegation to the Chief Executive, set out in Appendix 1 to this report, to have effect as amendments to Part H.1 of the Councils' Constitution; and

- (b) the adoption of the changes to the “Emergency Procedures in Election Year” including the delegated powers to the Chief Executive, set out in Appendix 2 to this report, to have effect as amendments to Part E.7 of the Councils’ Constitution; and
 - (c) the adoption of the changes to the terms of reference of the Licensing Committee, set out in Appendix 3 to this report, to have effect as amendments to Part E.7 of the Councils’ Constitution.
- (2) That Council resolve to extend the current appointments of Members to the Licensing Committee until the Annual Meeting of the Council on 22 May 2006 subject to the following conditions:
- (a) the individual Members being re-elected as councillors, and
 - (b) the Licensing Committee only having power to act for the purpose of determining contested matters that the Licensing Authority is required to decide before the newly appointed licensing bodies are able to meet.

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APPENDIX 1

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

Part H.1

The Executive Article

Article 15 - The Executive

15.01. Role

The Executive will carry out all of the local authority's functions that are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

15.02. Form and Composition

The Executive will consist of the Executive Leader together with 9 other councillors ("Executive Members") appointed to the Executive by the Council

15.03. Leader

The Leader will be a councillor elected to the position of Leader by the Council. The Leader may exercise powers delegated by the Executive within the specific portfolio responsibilities allocated to the Leader as set out in **Part H** of this Constitution.

The Leader will hold office until:

(a) He/she resigns from the office; or

(b) He/she is suspended from being a councillor under Part III of the Local Government Act 2000 (although he/she may resume office at the end of the period of suspension); or

(c) He/she is no longer a councillor; or

- (d) He/she is removed from office by resolution of the Council; or
- (e) He/she is removed from office in the manner described in 15.05 below; or
- (f) ~~The end of the municipal~~ *Annual Meeting following the year* in which he/she is elected to the position of Leader save that the Council may remove the leader from office at an earlier date in the event of a change in political control of the Council.

Council Election Year Provisions:

In a Council Election Year the provisions below will apply in place of (f) above in the period between Election day and the Annual Meeting:

- (i) If the Leader is re-elected as a councillor, and if there is no change in the political group having an overall majority of councillors after the Elections, then the Leader shall continue in office until the Annual Meeting of the Council and may exercise executive functions in accordance with (ii) below but only in cases of urgency,
- (ii) All urgent and unavoidable executive decisions shall be made by the Leader
and those Executive Members re-elected as councillors acting collectively as
The Executive in accordance with the provisions of Part H.2 (Executive
Procedures) and Part D.2 (Urgency Procedures) so far as practicable.
Individual Executive Members shall not take decisions under these
provisions other than collectively either relating to their previous portfolio
areas or to other matters.
- (iii) If the Leader ceases to be within the political group having an overall majority of councillors after the Elections, then the Leader and Executive Members shall not continue in office and delegated power is granted to the Chief Executive to exercise all "executive" functions of the Council in consultation with the representative of the

largest political group of councillors (or groups in the event of a parity of councillors) but only in cases of urgency,

- (iv) If there is no change in the political group having an overall majority of councillors after the Elections but the Leader is not re-elected as a councillor, then the Leader shall not continue in office and delegated power is granted to those of the former Executive Members who are re-elected as councillors to exercise all "executive" functions of the Council in accordance with (ii) above (except for the reference to the Leader) but only in cases advised by the Chief Executive to be urgent,
- (v) Decisions made under these Council Election Year Provisions must be reported to the first meeting of the appropriate body after the Annual Meeting which will normally be the first meeting of the newly constituted Executive of the Council

15.04. Other Executive Members

Each Executive Member will be elected by the Council to cover one of the specific portfolio responsibilities (other than that of the Leader) set out in **Part H**. Individual Executive Members may exercise powers delegated by the Executive within their specific portfolio responsibilities as set out in **Part H**. Executive Members shall hold office until one of the events (a) to (f) but in a Council Election Year the Provisions above will apply in place of paragraph (f) in the period between Election day and the Annual Meeting:

- (a) They resign from office; or
- (b) They are suspended from being councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- (c) They are no longer councillors; or
- (d) They are removed from office, either individually or collectively, by resolution of the Council; or
- (e) They are removed from office in the manner described in 15.05 below; or

- (f) ~~The end of the municipal~~ *Annual Meeting following the year* in which he/she is elected to the position of Executive member save that the Council may remove all members of the Executive at an earlier date in the event of a change in political control of the Council.

15.05. Votes of No Confidence

A member of the Executive shall cease to hold office as an Executive member if a vote of no confidence, of which notice appears on the agenda, is carried at a meeting of the full council by a majority of the members of the whole council then present. The responsibilities of that member shall be carried out by the Executive collectively until such time as the appointment of a replacement or the reappointment of the member concerned by full Council. In the event of all members of the Executive having been removed from office in this way at any time, Executive functions shall in the interim be carried out by the Chief Executive in consultation with the Mayor.

15.06. Proceedings of the Executive

Proceedings of the Executive and decisions by individual Executive Members shall take place in accordance with the **Executive Procedure Rules** set out in **Part H**.

15.07. Responsibility for Functions

The Leader will maintain a list in **Part H** of this Constitution setting out which individual Executive Members, Committees of the Executive or officers are responsible for the exercise of particular Executive functions.

APPENDIX 2

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

PART E.7 of the Constitution – Terms of Reference of Full Council

(this extract from the version of the Constitution updated in June 2005 starts at page 18 of Part E.7 after the reference to the Area Assemblies)

SECTION 6 - EMERGENCY PROCEDURES IN ELECTION YEAR

In the year of the ordinary election of Borough Councillors, ~~the Mayor may sanction~~ between the ~~fourth~~ day after the election and the day of the Annual Meeting, the Chief Executive may, so far as is lawful, exercise any of the ~~Council's~~ functions of the Council or its non-executive bodies in cases of urgency in consultation with the Mayor. Decisions made by the Chief Executive ~~Mayor~~ in accordance with this paragraph shall be reported to the next meeting of the appropriate body.

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APPENDIX 3

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

PART E.7 of the Constitution – Terms of Reference of Regulatory and Non-Executive Committees

(this extract from the version of the Constitution updated in June 2005 starts at page 7 of Part E.7 after the reference to the Remuneration Committee)

SECTION 2 - COMMITTEES

6. Licensing Committee

- (1) The Licensing Committee has all the functions referred to it by law under the Licensing Act 2003. These include:
- (a) To be responsible for monitoring the operation of the Act and licensable activities in the Borough;
 - (b) To receive reports on these matters and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case;
 - (c) To be consulted on the review and determination of the Licensing Policy Statement including procedures for Council consultation with external stakeholders;
 - (d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;
 - (e) To exercise the functions of the Licensing Sub-Committees in relation to any premises, site or event where 500 or more persons are to be present;
 - (f) To exercise the functions of the Licensing Sub-Committees in any case referred to the Committee by its Chair, or by the Chair of a Licensing Sub-Committee on the grounds of its special significance or difficulty;

(g) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those Members of the Licensing Committee who are re-elected as Councillors shall meet as the Licensing Committee to exercise any of the functions of the Licensing Sub-Committees, or under (e) above, and shall elect a Chair for the meeting.

- (2) Excluded from the Licensing Committee's terms of reference are:
- (a) The functions statutorily referred to the General Purposes Committee including the review and determination of the Licensing Policy Statement;
 - (b) The functions delegated to the Licensing Sub-Committees, as set out below, except where referred back to the Committee under sub-paragraph 6(1)(f) above.

APPENDIX 4

(the word recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

PART F.7 OF THE CONSTITUTION**Section 7 – Social Services Functions**

(this extract starts at page 127 of Part F.7 in the version of the Constitution updated in June 2005)

Section 7 Social Services - Scheme of Delegation**To the Director of Social Services**

All Social Services functions of the Council, except those powers and responsibilities undertaken by the Executive or Executive Member with this portfolio or reserved to the Council and excluding decisions on the permanent closure, relocation or change of use of residential establishments and day establishments, which shall be reserved to the Executive.

Included in this delegation are the statutory and non-statutory functions also delegated to the designated officers as listed below. All the powers delegated to any senior officer within the Directorate will be able to be exercised by other senior officers, in place of that senior officer. Each Assistant Director shall be authorised to exercise other Assistant Director's delegations in their absence to ensure 24 hour service provision.

Director of Social Services	DSS
Assistant Director - Adults	AD-A
Assistant Director - Older People	AD-OP
Assistant Director - Youth Offending Service	AD-YOS

Non-statutory delegations

Appoint review panels to consider Stage 3 complaints in Social Services that fall within the National Health Service and Community Care Act 1990	DSS
Power to determine requests for access to personal files	DSS

Statutory delegations

Census Act 1920		
Section 3(1)(d)	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the making of census returns in respect of the inmates of any institution for which the Council is responsible	DSS
National Assistance Act 1948		
Section 21	Power to make arrangements for the provision of residential accommodation for persons aged 18 or over who by reason of age, illness, disability or any other circumstances are in need of care and attention which is not otherwise available to them and for the provision of residential accommodation for expectant and nursing mothers who are in need of care and attention which is not otherwise available to them	AD-A AD-OP
Section 22	Power to make and recover charges in respect of accommodation provided under section 22 of this Act, to assess the ability of any person to pay any such charges and to charge a lower rate accordingly, to limit payments required for accommodation for a period of no more than eight weeks, and to comply with and exercise and perform any powers and duties contained in any regulations made under this section with regard to the assessment of a person's ability to pay. (The power to fix any standard rates for accommodation under this section shall be exercised in consultation with the Executive Member for Social Services and Health)	AD-A* AD-OP*

Section 23	Power to make rules for the conduct of premises managed by the Council in which accommodation is provided under Part 111 of this Act	AD-A AD-OP
Section 24	Power to provide accommodation under Part 111 of this Act for any person with no settled residence or in the Borough and in urgent need of accommodation as if they were ordinarily resident in the Borough, and to provide accommodation for any person ordinarily resident in the area of another authority with that authority's consent	AD-A AD-OP
Section 26	Power to make arrangements with any voluntary organisation for the provision of accommodation under Part 111 of this Act	AD-A AD-OP
Section 29	Power to make arrangements for promoting the welfare of persons aged 18 or over who are blind, deaf or dumb, who suffer from mental disorder of any description or who are substantially and permanently handicapped by illness, injury or congenital deformity or such other disabilities as may be prescribed	AD-A AD-OP
Section 30	Power to employ any voluntary organisation or any other person as the Council's agent for the purposes of section 29 of this Act	AD-A AD-OP
Section 32	Power to recover expenditure incurred under Part 111 of this Act from another local authority, and to refer any question arising as to the ordinary residence of a person to the Minister	AD-A AD-OP
Section 43	Power to make a complaint to any magistrates' court for an order requiring any person who is liable to maintain any other person to contribute to the Council's costs of providing assistance to that person under Part 111 of this Act	AD-A AD-OP
Section 45	Power to recover any expenditure incurred under Part 111 of this Act incurred as a result of any misrepresentation or non-disclosure	AD-A AD-OP

Section 47	Power to apply to a magistrates' court for an order requiring the removal of any person to a suitable hospital or other place where this is necessary in the interests of that person or for preventing injury to the health of or serious nuisance to other persons, to apply to extend or vary any such order, to give notice of intention of applying for such an order, and to recover any expenditure incurred	AD-A AD-OP
Section 48	Power to provide temporary protection for the property of any person admitted to hospital, accommodation provided under Part 111 of this Act, or removed under section 47 of this Act, to enter any premises for the purposes of this section, and to recover reasonable expenses incurred in providing such protection	AD-A AD-OP
Section 49	Power to defray the expenses of any officer who applies for appointment as a receiver for any patient under Part VII of the Mental Health Act 1983	AD-A AD-OP
Section 55	Power to authorise any person to exercise any power of entry conferred by this Act	AD-A AD-OP
Section 56	Power to recover any sum due under this Act summarily as a civil debt	AD-A AD-OP
National Assistance (Amendment) Act 1951		
Section 1	Power to make an application under section 47 of the National Assistance Act 1948 without notice where the medical officer and another medical practitioner certify that removal is necessary without delay	AD-A AD-OP
Births and Deaths Registration 1953		
Section 16	Duty to give information to the registrar in respect of any person dying in any institution for which the Council is responsible	AD-A AD-OP
Section 18	Duty to give preliminary notice of death in accordance with this section	AD-A AD-OP

Disabled Persons (Employment) Act 1958		
Section 3	Power to seek approval from the Secretary of State for, and to comply with directions from the Secretary of State with regard to, the making of arrangements for the provision of facilities for any of the purposes mentioned in section 14(1) of the Disabled Persons (Employment) Act 1944 (provision of employment or work for registered persons who are seriously disabled)	AD-A AD-OP
Mental Health Act 1959		
Section 131	Power to prosecute for any offence under Part IX of the Act	AD-A
Health Services and Public Health Act 1968		
Section 45	Power to seek the approval of the Secretary of State for arrangements for promoting the welfare of old people, and to employ any voluntary organisation or other person as the Council's agent in this respect	AD-OP
Section 65	Power to give assistance by way of grant or loan to a voluntary organisation whose activities consist of or include the provision of a service similar to a relevant service (services under the National Assistance Act 1948, Adoption Act 1976, Children Act 1989, etc)	AD-A AD-OP
Local Government Grants (Social Need) Act 1969		
Section 1	Power to comply with and to exercise and perform any powers and duties contained in any conditions made by the Secretary of State when making a grant to the Council	DSS
Children and Young Persons Act 1969		
Section 9	Power to make investigation concerning the home surroundings, school record, health and character of any young person against whom proceedings for an offence are commenced by the Council and provide the court with such information	AD-YOS

Section 13 (as amended by Powers of Criminal Courts Act 1973).	Power to select supervisor where a Supervision Order is made	AD-YOS
Section 15	Power to apply for discharge or variation of supervision orders	AD-YOS
Section 23	Power to provide accommodation (including secure accommodation) for children and young persons remanded or committed by a court to local authority accommodation; to authorise any officer or other person to detain any person so remanded or committed; to apply to any court for conditions to be attached to any such remand or committal; and to seek the Secretary of State's consent to arrangements that the whole or part of any period of any such remand or committal should be in a secure training centre	AD-YOS
Section 23AA	Power to inform a court of the view of a youth offending team that an electronic monitoring condition is suitable in the case of the remand or committal of any person under section 23 of this Act and to exercise and perform all powers and duties conferred by any rules made by the Secretary of State under this section	AD-YOS
Section 30	Power to detain any person in a community home or controlled community home in accordance with directions given by the Secretary of State, and to recover from the Secretary of State any expenses reasonably incurred in discharging this duty	AD-YOS
The Chronically Sick and Disabled Persons Act 1970		

Section 1	Duty to take steps to determine the number of persons in the Borough to whom section 29 of the National Assistance Act 1948 applies (deaf, blind and other disabled persons) and of the need for making arrangements under that section, and to publish information about any such arrangements	AD-A
Section 2	Duty to provide welfare services to any person to whom section 29 of the National Assistance Act 1948 applies	AD-A
Section 18	Duty to provide to Secretary of State information as to accommodation of younger with older persons under Part III National Assistance Act 1948	AD-A
Local Authority Social Services Act 1970		
Section 7	Power to exercise the Council's social services functions, including the exercise of any discretion, under the general guidance of the Secretary of State	DSS
Section 7A	Power to exercise the Council's social services functions in accordance with such directions as may be given by the Secretary of State under this section	DSS
Section 7B	Power to establish a procedure for considering any representations and complaints concerning the exercise of the Council's social services functions, to comply with and exercise and perform any powers and duties contained in any directions given by the Secretary of State under this section with regard to the procedure to be adopted in undertaking any such consideration, and to publicise any such procedures, and to take action on the recommendations of any panel established under this section	DSS
Local Government Act 1972		

Section 195(3)	Power to submit proposals for - the care of mothers and young children under the National Health Service Act 1946 - prophylaxis care and after care under the Health Services and Public Health Act 1968 and - schemes under the National Assistance Act 1948 relating to the accommodation and welfare of handicapped persons and the employment of disabled persons	AD-A
National Health Service Act 1977		
Section 21 & Schedule 3	Power to place persons in residential accommodation	AD-A
Section 21	Power to exercise and perform the powers and duties contained in Schedule 8 of this Act in relation to; the care of mothers, prevention, care and aftercare; home help and laundry facilities; and research, to permit other authorities to use any premises, furniture or equipment provided under this section, and to provide accommodation for officers of the Council or a voluntary organisation employed in providing the services specified under this section.	AD-A
Section 22	Power to co-operate with any National Health Service body when exercising the Council's functions	AD-A
Section 28	Power to make the services of employees employed for the purposes of the Council's functions under the Local Authorities Social Services Act 1970 available to National Health Service authorities so far as is reasonably necessary and practicable to enable them to discharge their functions under this Act and the National Health Service and Community Care Act 1990	AD-A

Section 28BB	Power to make payments to any NHS body in connection with the performance by them of any by regulations made under this section by the Secretary of State, and to comply with and exercise and perform any powers and duties contained in any directions given by the Secretary of State under this section with regard to conditions governing any such payments	AD-A
Mental Health Act 1983		
Section 4	Power to make an emergency application to admit a patient for assessment	AD-A
Section 7	Power to apply for the guardianship of any patient who has attained the age of 16 years	AD-A
Section 8	Power to accept an application for the guardianship of any patient who has attained the age of 16 years and thereafter to act as that person's guardian, and to exercise and perform any powers and duties contained in any regulations made under this section with regard to guardianship	AD-A
Section 9	Power to comply with and to exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section with regard to the exercise of the functions of a guardian in relation to any patient, and with regard to the supervision of any guardianship where the guardian is a person other than the Council	AD-A
Section 10	Power to take over guardianship of a patient in case of death, incapacity etc of guardian (other than a local authority).	AD-A
Section 11	Power to apply for the admission for assessment of, admission for treatment of, or for the guardianship of any patient under sections 2, 3 and 7 of this Act	AD-A
Section 13	Power to apply for the admission to hospital of or guardianship of any patient where it is necessary for such an application to be made, and to notify the patient's nearest relative in writing where a decision not to make such an application is made	AD-A

Section 13(4)	Power to direct an approved social worker to take a patient's case into consideration as soon as practicable where so requested by the patient's nearest relative	AD-A
Section 14	Power to arrange for the interview of any patient and the preparation of a report on them where they are admitted to hospital	AD-A
Section 15	Power to rectify or amend any application made where a patient has been admitted to hospital under the terms of this Act	AD-A
Section 18	Power to authorise any officer in writing to take into custody any patient subject to guardianship under this Act who is absent without leave from the place at which he is required to reside	AD-A
Section 19	Power to transfer any patient to or from the guardianship of the Council, and to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the transfer of patients	AD-A
Section 20	Power to renew the guardianship of any patient, and to inform the patient of the report from the responsible medical officer supporting such a renewal	AD-A
Section 23	Power to make an order discharging any patient who is subject to guardianship	AD-A
Section 25A	Power to consult with the Health Authority before accepting a supervision application	AD-A
Section 25B	Power to make a written supervision recommendation	AD-A
Section 25C	Power to visit and interview any patient for the purpose of deciding whether to make a supervision recommendation and to require the production of records in that connection	AD-A
Section 25D	Power to impose requirements on any patient subject to after-care under supervision where the Council are supervising the after-care	AD-A
Section 25E	Power to keep the after-care services provided under section 117 of this Act for a patient who is subject to after-care under supervision, and any requirements made under section 25d of this Act under review	AD-A

Section 25F	Power to inform any patient where a report is furnished under subsection (1) of this section (reclassification of patient subject to after-care under supervision)	AD-A
Section 25G	Power to extend the period of after-care under supervision, and to inform the patient of this	AD-A
Section 25H	Power to take part in any consultation with regard to ending any after-care under supervision, and to inform any patient where any such supervision comes to an end	AD-A
Section 29	Power to make an application for an order that the functions of the nearest relative of a patient shall be exercisable by the Council	AD-A
Section 30	Power to apply for an order discharging an order made under section 29 of this Act, or varying such an order	AD-A
Section 32	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section with regard to the manner of exercising the provisions of Part II of this Act (compulsory admission to hospital and guardianship)	AD-A
Section 37	Power to agree to any criminal court making an order placing an offender under the guardianship of the Council	AD-A
Section 39A	Power to provide a criminal court minded to make a guardianship order with information about whether the Council is willing to accept any offender into guardianship and indicating how it would exercise its powers under section 40 of this Act	AD-A
Section 40	Power to exercise the powers of a guardian conferred by Part II of this Act in respect of an offender named in a guardianship order made under section 37 of this Act	AD-A
Section 114	Power to appoint approved social workers	AD-A
Section 115	Power to enter and inspect any premises in which a mentally disordered patient is living	AD-A

Section 116	Power to arrange for visits to be made to any patient in a hospital or care home and to take such other steps as would be expected to be taken by the patient's parents	AD-A
Section 117	Power to provide after-care services in accordance with the provisions of this section	AD-A
Section 135	Power to apply to a justice of the peace for a warrant to search for and remove any patient	AD-A
Section 136	Power to interview a mentally disordered person removed to a place of safety	AD-A
Section 137	Power to exercise the powers, authorities and privileges of a constable when having someone in their custody under the terms of this Act	AD-A
Health and Social Services & Social Security Adjudications Act 1983		
Section 17	Power to recover charges in respect of services to which this section applies and to determine to recover a lesser amount where the person's means are insufficient for it to be reasonably practicable for them to pay the full amount	AD-A
Section 21	Power to recover charges due to the Council in respect of accommodation provided under part III of the National Assistance Act 1948 from persons other than the person receiving the accommodation where they have disposed of their assets with the intention of avoiding such charges	AD-A
Section 22	Power to create a charge over any person's interest in land where that person fails to make payments in respect of any accommodation provided under Part III of the National Assistance Act 1948, and to comply with any directions given by the Secretary of State under this section with regard to the creation of such charges	AD-A

Section 24	Power to determine the rate of interest payable in respect of any charge created under section 22 of this Act. (This power is to be exercised in consultation with the Chief Finance Officer)	AD-A
Public Health (Control Of Disease) Act 1984		
Section 46	Power to bury or cremate the body of any person who has died whilst receiving accommodation under Part 111 of the National Assistance Act 1948, and to recover the costs of burying or cremating any person who was receiving Part 111 accommodation	AD-A AD-OP
Transport Act 1985		
Section 106	Power to make grants for transport facilities and services for disabled people	AD-A
Disabled Persons (Services Consultation and Representation) Act 1986		
Section 1	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the appointment of authorised representatives of disabled persons	AD-A
Section 2	Duty to comply with the requirements of this section with regard to the rights of authorised representatives of disabled persons appointed pursuant to any regulations made under section 1 of this Act	AD-A
Section 3	Power to carry out any assessment of the needs of any disabled person, to allow for the making of representations in respect of any such assessment, and to consider any such representations	AD-A
Section 4	Power to decide whether the needs of any disabled person call for the provision of any services in accordance with section 2 of the Chronically Sick and Disabled Persons Act 1970 when requested to do so	AD-A

Section 7	Power to make arrangements for assessing the needs of any person in respect of whom the Council has received a notification under this section (notification that a person receiving medical treatment for mental disorder will be discharged from hospital), to co-operate with any health authority in this respect and to appoint any appropriate officer under the terms of this section	AD-A
Section 8	Power to take into account the abilities of any carers when determining what services to provide for any disabled person	AD-A
Social Security Act 1988		
Section 13	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the distribution of welfare foods	DSS
NHS & Community Care Act 1990		
Section 46	Power to consult in connection with and to publish any plan for community care services. (The power to prepare and modify any such plan is not hereby delegated)	AD-A AD-OP
Section 47	Power to carry out any assessment of any person's need for community care services, and to comply with and exercise and perform any powers and duties contained in any directions made by the Secretary of State under this section with regard to the making of such assessments	AD-A AD-OP
Criminal Justice Act 1991		

Section 61	Duty to secure that the Council is in a position to comply with any security requirement which may be imposed by a remand or committal to local authority accommodation by providing secure accommodation or by making arrangements with other local authorities or other organisations for the provision of such accommodation, and to comply with and exercise and perform any powers and duties contained in any regulations made by the Secretary of State under this section with regard to such accommodation	AD-YOS
Section 65	Power to appoint a social worker or member of a youth offending team to supervise a person under the age of 22 years who has been released from a term of detention in a young offender institution or under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000	AD-YOS
Carers (Recognition and Services) Act 1995		
Section 1	Power to carry out an assessment of any carer's ability to provide and continue to provide care for any person when so requested before making any decision as to the care to be provided by the Council, and to comply with any directions made by the Secretary of State under this section with regard to the carrying out of such assessments	AD-A AD-OP
Housing Act 1996		
Section 182	Duty to have regard to any guidance issued by the Secretary of State under this section when performing any functions under Part VII of this Act (homelessness)	DSS
Section 213(1)(b)	Duty to co-operate in rendering assistance to any local authority in discharging their functions under Part VII of this Act (homelessness) where so requested	DSS
Community Care (Direct Payments) Act 1996		

Section 1	Power to make direct payments in respect of any community care under section 47 of the National Health Service and Community Care Act 1990, and to comply with and exercise and perform any powers and duties contained in any regulations made under this section	AD-A AD-OP
Crime and Disorder Act 1998		
Section 1	Power to apply for an Anti-Social Behaviour Order	AD-YOS
Section 11	Power to apply for a Child Safety Order	AD-YOS
Section 12	Power to apply for the discharge or variation of a child safety order	AD-YOS
Section 14	Power to make a local child curfew scheme, to consult before making such a scheme, to respond to consultation by the police where they intend to make such a scheme, to seek the Secretary of State's confirmation for such a scheme, and to publish a curfew notice given under such a scheme	AD-YOS
Section 38	Power to secure, in co-operation with the police and other authorities, that appropriate youth justice services are available in the Council's area, (including, but not limited to, the provision of appropriate adults, the assessment of children and young persons and the provision of rehabilitation programmes, the provision of support to such persons when remanded or committed on bail, the placement of such persons in accommodation, the provision of reports, the provision of responsible officers, and the supervision of children and young persons) and the making of payments towards expenditure incurred in the provision of such services	AD-YOS
Section 39	Power to establish a youth offending team as defined in this section, to make payments towards expenditure incurred by or for purposes connected with such a team, and to appoint any social worker to form part of such a team	AD-YOS

Section 40	Power to formulate and implement a youth justice plan as defined in this section, to submit such a plan to the Youth Justice Board, and to publish it in such manner as the Secretary of State may direct. (This delegation does not include the power to approve, adopt or revoke any such strategy or any modification or variation of it)	AD-YOS
Section 65	Power to act as an appropriate adult for an offender under the age of 17 when a reprimand or warning under this section is given	AD-YOS
Section 66	Power to assess a person referred to the youth offending team under this section (following a reprimand or warning under section 65 of this Act), to arrange for him to participate in a rehabilitation programme, and to have regard to any guidance in relation to rehabilitation programmes issued by the Secretary of State under this section	AD-YOS
Health Act 1999		
Section 28	Duty to participate in the preparation and review of any Health Authority plan which is required to be prepared under this section, and to comply with any directions made under this section	DSS
Section 31	To comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to entering into arrangements with prescribed bodies in connection with the exercise of prescribed functions of NHS bodies and prescribed health related functions of the Council	DSS
Care Standards Act 2000		
Section 12	Duty to apply to register any establishment or agency to which this Act applies (care home, residential family centre etc.) with the National Care Standards Commission, and to apply for registration as the manager of any such establishment or agency	AD-A AD-OP

Section 15	Power to apply for the variation or removal of any condition attached to any registration granted under section 13 of this Act, or for the cancellation of any such registration	AD-A AD-OP
Section 16	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the making of applications for the registration of any establishment or agency to which this section applies	AD-A AD-OP
Section 18	Power to make written representations to the National Care Standards Commission in response to a notice served under section 17 of this Act (notice of proposed refusal of registration or of proposed attaching of un-agreed conditions to a registration)	AD-A AD-OP
Section 21	Power to appeal to the Tribunal against any decision of the National Care Standards Commission as regards registration or against any order made by a justice of the peace under section 20 of this act	AD-A AD-OP
Section 22	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the regulation of any establishment or agency to which this Act applies	AD-A AD-OP
Section 28	Duty to display any certificate of registration issued under this Act in respect of any establishment or agency to which the Act applies	AD-A AD-OP
Section 31	Duty to provide information relating to any establishment or agency registered under this Act to the National Care Standards Commission if so requested	AD-A AD-OP
Section 32	Duty to provide such facilities and assistance as may be required by any inspectors carrying out an inspection of any establishment registered under the terms of this Act	AD-A AD-OP

Section 33	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the making of an annual return to the National Care Standards Agency in respect of any establishment registered under the terms of this Act	AD-A AD-OP
Section 51	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the payment of an annual fee to the National Care Standards Commission	AD-A AD-OP
Section 82	Duty to refer to the Secretary of State a care worker for inclusion in the list maintained under section 81 of this Act (individuals who are considered unsuitable to work with vulnerable adults)	AD-A AD-OP
Powers Of Criminal Courts (Sentencing) Act 2000		
Section 21 & 22	Power to adjourn any meeting of a youth offender panel, to refer an offender back to the appropriate court, and to allow any person to attend a meeting of a youth offender panel	AD-YOS
Section 23	Power to seek to reach agreement with an offender on a programme of behaviour the aim of which is to prevent re-offending (a youth offender contract) and to record and sign any such agreement	AD-YOS
Section 25	Power to end an initial meeting with an offender without agreeing a youth offender contract, to resume consideration of such a contract at a further meeting, and to refer the offender back to the appropriate court	AD-YOS
Section 26	Power to request a youth offending team to arrange for the holding of a progress meeting in respect of any offender party to a youth offending contract, and to review any such contract at any meeting so arranged	AD-YOS

Section 27	Power to conduct a final meeting, to review a offender's compliance with a youth offending contract, to decide whether such compliance has been such as to justify the conclusion that any offender will have satisfactorily completed any youth offending contract by the end of the compliance period, to give written confirmation of any such decision, and to refer any offender back to the appropriate court	AD-YOS
Section 29	Power to arrange for the provision of administrative staff, accommodation and other facilities as are required by a youth offender panel, to make arrangements for supervising any offender's compliance with a youth offending contract, and to ensure that the member of any youth offender panel appointed by the youth offending team keeps records of any offenders' compliance with such a contract	AD-YOS
Section 46	Power to appoint an appropriate officer to give information to a court as to the suitability of making a community punishment order	AD-YOS
Section 47 & 48	Power to appoint a member of a youth offending team to discharge the functions of a responsible officer with regard to the operation of a community punishment order and to exercise and perform the powers and duties in Schedule 3 of this Act	AD-YOS
Sections 63 & 65	Power to act as a supervisor for any child or young person in relation to whom a supervision order has been made under this section and to exercise and perform the powers and duties in Schedule 7 of this Act	AD-YOS

Section 64	Power to agree to the designation of the Council as the supervisor of a child or young person under a supervision order made under section 63 of this Act, and to defray any expenditure incurred by a supervisor in compliance with directions or requirements given by virtue of the provisions of Schedule 6 of this Act	AD-YOS
Section 66	Power to make arrangements with other persons for the provision of facilities for enabling directions and requirements made under Schedule 6 of this Act to be carried out effectively, to consult with a local probation board about any such arrangements, to specify any such arrangements in a scheme, to provide copies of any such scheme to the chief executive of the Haringey petty sessions area and others, to keep a copy of any such scheme available for inspection by members of the public, and to make a further such scheme	AD-YOS
Section 69	Power to appoint a social worker to; act as a responsible officer for the purposes of an action plan order made under this section, and provide a written report prior to the making of such an order	AD-YOS
Section 71	Power to provide a further report to the court with regard to the effectiveness of an action plan order made under section 69 of this Act	AD-YOS
Sections 70 and exercise 72	Power to give directions under an action plan order made under section 69 of this Act and to and perform the powers and duties in Schedule 8 of this Act	AD-YOS
Section 73	Power to appoint a social worker to prepare a report for any court considering the making of a reparation order under this section	AD-YOS
Section 74 & 75	Power to appoint a social worker to act as a responsible officer for the purposes of a reparation order made under section 73 of this Act and to exercise and perform the powers and duties in Schedule 8 of this Act	AD-YOS

Section 103	Power to appoint a social worker to supervise an offender subject to a detention and training order	AD-YOS
Sections 36 & 162	Power to appoint an appropriate officer to prepare any pre-sentence report	AD-YOS
Local Government Act 2000		
Section 93	Power to apply to the Secretary of State for any grant under this section in respect of welfare services, to provide such information as the Secretary of State may require in connection with any such application, to have regard to any guidance issued by the Secretary of State under this section, and to comply with and exercise and perform any powers and duties contained in any direction given by the Secretary of State under this section with regard to the administration and application of any such grants	DSS
Health and Social Care Act 2001		
Section 50	Duty to provide community care services for persons with preserved rights under this section, and to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the provision of such services and the identification of persons entitled to them	AD-A AD-OP
Section 51	Power to request or supply information from in relation to persons with preserved rights under this Act	AD-A AD-OP
Section 54	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the making of additional payments in respect of accommodation provided under Part 111 of the National Assistance Act 1948	AD-A AD-OP
Section 55	Power to enter into a deferred payment agreement with any resident in respect of accommodation provided under Part 111 of the National Assistance Act 1948	AD-A AD-OP

Section 56	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to making arrangements under section 21 of the National Assistance Act 1948 for a person to be provided with residential accommodation in Scotland, Northern Ireland, the Isle of Man or the Channel Islands	AD-A AD-OP
Section 57	Duty to comply with and to exercise and perform any powers and duties contained in any regulations made under this section with regard to the making of direct payments	AD-A AD-OP
Homelessness Act 2002		
Section 1	Power to assist in the carrying out of a homelessness review, and to take account of any homelessness strategy formulated under this section	DSS

APPENDIX 5

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

PART G.2 of the Constitution – Finance Procedure Rules

Section 4 – Systems and Procedures

[this extract starts at page 19 of Part G.2 in the version of the Constitution updated in June 2005]

DEBT WRITE OFF

4.11 ~~Housing~~ rents below £1,000 (one thousand) may be written off on ~~the authority of the Director of Housing who shall keep a record of~~ ~~all sums written off. Housing rents above this sum may be written off~~ ~~on the authority of the Executive Member for Housing upon the~~ ~~advice of Director of Finance.~~

4.11 Arrears of housing rents administered by the ALMO below £1,000 (one thousand pounds) may be written off on the authority of the
Director of Finance upon the advice of the Chief Executive of the ALMO. The ALMO shall keep a record of all sums written off.

4.12 Arrears of housing rents administered by the ALMO of £1,000
(one thousand pounds) or above may be written off on the authority
of the Executive Member for Finance upon the advice of the
Director of Finance. The ALMO shall keep a record of all
sums
written off.

4.13 Arrears of housing rents or other payments for accommodation

administered the Council: (i) if below £1,000 (one thousand pounds)
may be written off on the authority of the Director of Finance, or
(ii) if £1,000 (one thousand pounds) or above may be written off on
the authority of the Executive Member for Finance upon the advice
of the Director of Finance. The Director of Finance shall keep a
record of all sums written off.

4.14 All other debts of £1,000 (one thousand) or less which remain unpaid can be written off on the authority of the Director of Finance. Debts above this sum may be written off on the authority of the Executive Member for ~~Resources~~ Finance upon the advice of the Director of Finance.

APPENDIX 6

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

Part K.1**Officers Article****Article 18 – Officers****18.01. Management Structure**

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.
- (b) **Chief Officers.** The Council will engage persons for the following posts, who will be designated chief officers:

Post	Functions and areas of responsibility
Chief Executive	Overall corporate management and operational responsibility (including overall management responsibility for all officers). Provision of professional advice to all parties in the decision making process. Together with the monitoring officer, responsibility for a system of record keeping for all the Council's decisions. Legal Services. Representing the Council on partnership and external bodies (as required by statute or the Council).
Assistant Chief Executive – Access	IT, Customer Services, Libraries, Neighbourhoods Management, Access to Services.
Assistant Chief Executive – Organisational Development	Personnel; Organisational Development and Learning; Equalities; Improvement and Performance; Members' and Democratic Services.
Assistant Chief Executive – Strategy	Health, Safer Communities and Voluntary Sector; <i>Anti-Social Behaviour; Youth Offending; Policy</i> , Partnerships, and Consultation; Economic Regeneration; Communications.
Director of Finance	Finance, Procurement, Corporate Finance, Revenues and Benefits, Property Services.
Director of Children's Service	School Improvement and Inclusion, All Children's Services, Community and Lifelong Learning,

Post	Functions and areas of responsibility
	Resources and Planning.
Director of Housing	Housing Strategy and Needs; Housing Management; Technical and Building Services.
Director of Environment	Planning and Environmental Control, Recreation Services, Streetscene.
Director of Social Services	Adults, Older People, <u>Retained and "client side"</u> <u>Housing functions including Homelessness.</u>

APPENDIX 7

[the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined]

PART K.5 of the Constitution – Management Structure

[this extract is at page 17 of Part K.5 in the version of the Constitution updated in June 2005]

HOUSING SERVICES

<i>Director of Housing</i>	<i>DH</i>	Responsibility to provide the following Housing Services related functions: Housing Strategy and Needs Housing Management Haringey Home and Building Services
<i>Assistant Director– Housing Strategy & Needs</i>	<i>AD– HS&N</i>	Responsibility to provide accommodation and support services (including prevention advice) to people who are homeless or face homelessness.
<i>Assistant Director– Housing Management</i>	<i>AD– HM</i>	Responsibility to provide the Landlord service for of the Council 7,250 general needs and 4,000 leasehold housing stock.
<i>Assistant Director– Haringey Home and Building Services</i>	<i>AD– HH&BS</i>	Responsibility to provide corporate building construction procurement, design, engineering and surveying service plus the provision of repairs and maintenance operations. Also responsible for planning and delivering the housing capital programme.

[this extract is at page 18 of Part K.5 in the version of the Constitution updated in June 2005]

SOCIAL SERVICES

Director of Social Services	DSS	Responsibility to provide the following Social Services <i>and Housing</i> related functions: - Adults - Older People Youth Offending <i>Retained housing functions and ALMO monitoring</i>
Assistant Director - Adults	AD-A	Responsibility for the delivery of social care support for people aged between 18 and 64 who are assessed as needing and being eligible for community care services. In some cases, responsible for providing services to individuals aged 65 and over in order to ensure continuity of care. Responsible for providing services relating to mental health, learning disabilities, physical disabilities, HIV/AIDS, substance misuse, carers and the Support People Programme.
Assistant Director - Older People	AD-OP	Responsibility to provide services to older people, including: - Assessment and Care Management - Residential Services - Day Services and Supported Housing - Home Care Service. - Community Support and Partnership - Finance and Performance Management
Assistant Director- Youth Offending Service	AD-YOS	Remit to prevent offending and re-offending by children and young people aged 10–18 years, living in Haringey. Responsibility to work as part of a multi-agency, multi-disciplinary service dealing with youth offending in Haringey; set up under the requirements of the Crime and Disorder Act 1998.
<u>Assistant Director – Housing Strategy & Needs Head of Housing</u>	<u>AD– HS&N HH</u>	<i>Responsibility to provide accommodation and support services (including prevention advice) to people who are homeless or facing homelessness. Retained housing functions including allocations and monitoring ALMO performance.</i>

[this extract is at page 13 of Part K.5 in the version of the Constitution updated in June 2005]

CHIEF EXECUTIVE'S SERVICE

Chief Executive	CE	Overall corporate management and operational responsibility (including overall management responsibility for all officers) Provision of professional advice to all parties in the decision making process Together with the monitoring officer, responsibility for a system of record keeping for all the Council's decisions Representing the Council on partnership and external bodies (as required by statute of the Council)
Assistant Chief Executive - Strategy	ACE-S	Responsibility to provide policy support, project management and strategic planning in regard to: ▪ Policy and partnerships, ▪ Health, crime <i>and anti-social behaviour</i> ▪ <i>Youth Offending</i> ▪ The voluntary sector ▪ Regeneration ▪ Communications
Assistant Chief Executive - Organisational Development	ACE-OD	Responsibility to support the corporate agenda via provision of the following services: ▪ Improvement and Performance Team ▪ Personnel Services ▪ Organisational Development and Learning ▪ Equalities ▪ Member Services
Assistant Chief Executive - Access	ACE-A	Responsibility to support access to services via provision of the following services: ▪ Corporate Information Technology (IT) ▪ Libraries, Archives and Museums ▪ Customer Services ▪ Neighbourhood Management
Head of Legal Services	HLS	Responsibility to provide the following: ▪ Corporate legal services ▪ Registrars Service ▪ Local Land Charges Service

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APPENDIX 8

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

Part C.7

Members' Allowances Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

1.01 Made in accordance with the Local Authorities (Members' Allowances)
(England) Regulations 2003 and in force for the municipal year
2006/2007 *(i.e. 1 April 2006 to 31 March 2007).*

2. BASIC ALLOWANCE

- 2.01 Each Councillor will be entitled to receive the sum of £8,500 by way of Basic Allowance.
- 2.02 If a Councillor does not serve as such for the whole 12-month period or becomes disqualified, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor. This principle applies to service on Council bodies by independent Standards Committee members and education representatives on scrutiny bodies.

3. INCLUDED EXPENSES

- 3.01 Travel Expenses.
The Basic Allowance includes all travel within the M25.
Councillors are not entitled to any form of concession or special permit as Councillors for parking in the Borough.
- 3.02 Mobile Telephones.
The Basic Allowance includes Councillors' telephone call charges.

4. MAYORAL ALLOWANCES

4.01 The additional allowances for the Mayor and Deputy Mayor are unchanged from previous years.

(a) The Mayor is entitled to an additional allowance of £9,411.76.

(b) The Deputy Mayor is entitled to an additional allowance of £2,352.94.

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 Haringey Council will allocate Special Responsibility Allowances in three bands, to Councillors who take on certain additional roles:

Band	Position	Special Allowance	Total Allowance
Band 4	• Leader	£21,500	£30,000
Band 3	• 9 x Executive Members • Opposition Leader • Chief Whip • Chair of Overview and Scrutiny Committee	£12,500	£21,000
Band 2	• Chair of General Purposes Committee • Chair of Planning Applications Sub-Committee	£9,500	£18,000
Band 2 (continued)	• Chair of Licensing Committee • Chair of Alexandra Palace and Park Board • Chair of Audit Committee • Opposition Deputy Leader • Opposition Chief Whip • 6 x Councillors on Overview and Scrutiny Committee	£9,500	£18,000
Band 1	None		

6. MULTIPLE RESPONSIBILITIES

- 6.01 Where a Councillor holds more than one post of special responsibility, he/she may only receive one Special Responsibility Allowance. Where a Councillor holds more than one post of special responsibility and the posts have Special Responsibility Allowances of different monetary values, the Councillor would receive the higher one. For the purposes of this paragraph, the Mayor and Deputy Mayor count as posts of special responsibility.

7. CO-OPTEES' ALLOWANCES

- 7.01 Each independent Standards Committee member and each education representative on scrutiny bodies is entitled to an allowance of £250. This incorporates all other allowances, with the exception of babysitting and dependants allowance. No allowances are payable to others who are not elected Councillors.

8. BABYSITTING AND DEPENDANTS ALLOWANCE

- 8.01 Councillors and non-elected members can claim this allowance based on the following :
- (a) That reimbursement be made at a maximum rate of £5.05 per hour. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.
 - (b) Children over the age of 16 must not be claimed for, unless suffering from an illness or disability making constant care essential.

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

Councillors can claim this allowance for attending approved meetings, training and conferences etc. only to the extent that it involves travel outside the M25. Claims must be based on the following :

(a) The mileage rate for travel by private car is 34.6 pence per mile. An extra 3 pence per mile is payable for each passenger for whom a travelling allowance would otherwise be payable. The cost of tolls, ferries and parking charges can be claimed.

(b) The mileage rate for travel by solo motor cycle is :

	Not exceeding	150 cc	8.5 pence per mile
mile	Over	150 cc but not over 500 cc	12.3 pence per
mile	Over	500 cc	16.5 pence per

(c) On public transport only the ordinary or cheaper fare can be claimed where more than one class is available

(d) The cost of a taxi, including a reasonable tip, can be claimed only in case of urgency or where public transport is not practicable or reasonably available

(e) The maximum rates for subsistence allowance on approved duties are as follows:

For an absence of more than 4 hours before 11.00
£4.92

For an absence of more than 4 hours including lunchtime
between 12.00 and 14.00
£6.77

For an absence of more than 4 hours including the
period 15.00 to 18.00 £2.67

For an absence of more than 4 hours ending after 19.00
£8.38

10. CLAIMS AND PAYMENTS

10.01 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.

10.02 The Co-optees' Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.04 below.

- 10.03 All claims for Travelling and Subsistence Allowance and Babysitting and Dependents Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.04 below..
- 10.04 If any Allowance under paragraphs 10.02 or 10.03 is not claimed within the prescribed time limit, the Head of Members' Services shall have a discretion to make the payment nonetheless.
- 10.05 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Head of Members' Services.

11. WITHHOLDING AND REPAYMENT OF ALLOWANCES

- 11.01 The Standards Committee or any of its Sub-Committees is authorised to withdraw the payment of the allowances set out below in whole or in part, as appropriate, in the event of a Councillor being suspended or partially suspended. The allowances covered by this provision are the following:
- (a) Basic Allowance;
 - (b) Special Responsibility Allowance;
 - (c) Travelling and Subsistence Allowances; and
 - (d) Co-optees Allowance.
- 11.02 Where the Standards Committee/Sub-Committee withdraws any of the above allowances in whole or in part and it transpires that the Councillor has already been paid in whole or in part for the relevant period of suspension or partial suspension, then the Standards Committee/Sub-Committee may require that the Councillor repay the relevant amount to the Council.

12. MEMBERSHIP OF LOCAL GOVERNMENT PENSION SCHEME

- 12.01 All eligible Councillors are allowed to join the Local Government Pension scheme in respect of the Basic and Special Responsibility Allowances paid to them as part of this scheme of allowances.

APPENDIX 9

(the words recommended for deletion are shown struck through and the words recommended for addition or insertion are shown in italics and underlined)

Part J.1

Joint Arrangements Article

Article 17 - Joint Arrangements

(this extract starts at page 3 of Part J.1 in the version of the Constitution last updated in June 2005)

17.07 ALG Arrangements for Co-ordinating Response to a ~~Catastrophic Incident~~ Emergencies

- (a) The Council and Executive ~~has~~ have resolved to delegate its ~~their~~ powers under section 138 of the Local Government Act 1972 (power to incur expenditure to avert or alleviate the effects of an emergency or disaster) to an outside Chief Executive appointed to co-ordinate the response of London local authorities to a catastrophic incident or a lesser emergency. This "Gold" Chief Executive ~~would~~ will be appointed under arrangements approved by Central Government, the ALG and the London Resilience Forum. ~~and~~ The Gold Chief Executive will ~~would~~ have power to incur expenditure needed in connection with ~~the~~ a catastrophic incident or, subject to paragraph (c) below, an emergency.
- (b) These arrangements ~~would~~ will only come into effect in the event that:
- (i) the Minister of State for London Resilience ~~had~~ declareds that a "catastrophic incident" ~~had~~ has occurred or ~~was~~ is imminent, or
 - (ii) there is an emergency requiring a level 2 response as defined in
Guidance under the Civil Contingencies Act 2004.

- (c) In the event of an emergency requiring a level 2 response, the Gold Chief Executive will only have power to incur expenditure once:
- (i) the Minister of State confirms that H.M. Government will reimburse
expenditure reasonably incurred by the Gold Chief Executive in taking
immediate action to safeguard life or property or to prevent suffering
or severe inconvenience, or
- (iii) The Council or Councils in whose area the emergency occurs
confirm that it/they will reimburse expenditure incurred as in (i) above.
- (d) All Council officers are authorised to take any action in accordance with instructions issued by the appointed Gold Chief Executive in the event that such a "catastrophic incident" is declared or an emergency requiring a level 2 response occurs.

Chair:
Councillor Gmmh Rahman Khan

INTRODUCTION

- 1.1 This report covers matters considered by the Audit Committee at its three meetings held so far during the municipal year 2005/6 and is presented to Full Council for information.
- 1.2 The Committee in its normal quarterly meeting receives reports, as outlined the terms of reference approved by the last Annual General Meeting of this Council.
- 1.3 We trust that this report will be useful for councillors to evaluate the role of the Audit Committee, in the task of monitoring corporate governance and examining internal and external Audit Reports.

ITEMS OF REPORT AND DECISION

2. ANNUAL AUDIT AND INSPECTION LETTER AND COUNCIL RESPONSE

- 2.1 The Committee received the Annual Audit and Inspection Letter from the Audit Commission.
- 2.2 Prior to receiving the letter, we had also received updates from representatives of the Audit Commission as to their progress against their Annual Audit and Inspection Plan.
- 2.3 We also considered a report which set out proposals for responding to the issues raised in the Letter.
- 2.4 We noted that the Council had worked positively with District Audit and the Audit Commission during the last year. The good progress made by the Council had been recognised in the improved overall CPA score in December 2005, with the Council moving to up to 3 'stars' (good), and in the positive Direction of Travel statement and the Annual Audit and Inspection Letter. The Direction of Travel Statement judgement stated that the Council was 'improving well' and recognised that there had been 'particular positive outcomes in services for children and young people and for vulnerable adults'.
- 2.5 It also stated that nearly 75% of indicators had been maintained or improved, and similarly that user satisfaction was also improving. The challenge for the Council would be to maintain the higher levels of performance in some services whilst improving other services where performance was less consistent. There was recognition that the Council targeted resources to its priorities and that business planning, financial governance and performance management had improved since 2004. It is also stated that arrangements were in place to strengthen information, communication and technology, procurement and commissioning. A key challenge for the Council was in respect of value for money where it was noted that we had adequate arrangements for managing and improving value for money and that we needed to demonstrate that high spend was commensurate with the delivery of high quality services.

- 2.6 In the area of accounts and governance the comments were generally positive and this was reflected in the 3 out of 4 for the Use of Resources CPA score. Specific comments were as follows
- Audit of the 2004/05 accounts: the accounts were approved in advance of the statutory deadline, were well prepared with good supporting working papers and were subject to robust Member review. The Council took action to resolve the accounting treatment in respect of the Alexandra Palace long term debt. The auditor's opinion remained qualified in 2004/05 (because the 2003/04 comparative figures were not revised), however it meant that the qualification would be removed in 2005/06;
 - Financial standing: the Council's financial position remained sound, it had taken steps in recent years to provide a strong platform for financial management and improvements were being demonstrated in the collection of debt;
 - Systems of internal financial control: the Council had a generally sound framework for managing internal financial control and had developed its risk management processes although these were not yet fully embedded, the Technical Refresh project being an example of this; and,
 - Standards of financial conduct and the prevention and detection of fraud and corruption, and the legality of transactions; the Council had sound arrangements in these areas.
- 2.7 The key messages from the Audit and Inspection letter were set out in the report of the Executive to Council of 6th February, together with the Council's response and proposed actions from our colleagues on the Executive which we concurred with:
- 2.8 While agreeing the response and recommended actions above we would like to mention that we were concerned when examining the headline of the report, as to whether it happened due to a failure of Council's corporate governance arrangements and whether the structure in operation for financial management was effective or not. We will be receiving the full version of the Tech Refresh report at the next meeting of Audit Committee.
- 2.9 In addition to the other recommendations made by our colleagues on the Executive,

WE RECOMMEND:

A) That the Council ensure that the agreed action plan between the Council and the Audit Commission on the Tech Refresh report is regularly reported to the appropriate Council committee.

B) To investigate zero-based budgeting, as a budgetary approach for future years, to ensure value for money in expenditure on the Council's services.

3. INTERNAL AUDIT ACTIVITY

- 3.1 We received regular reports from officers as to Internal Audit Activities and to the progress against the plan, which the Committee noted.
- 3.2 It was brought to our attention that our auditors, Deloitte & Touche, had encountered difficulties in gaining access to audit Haringey Teenage Intervention Service. The Committee requests that Social Services and all other relevant departments to do all that is necessary to remove difficulties that have hindered the activities of our auditors.
- 3.3 Internal audit complete follow up reviews on all work and report where recommendations have not been implemented. Executive Members, through relevant Directors, were requested to take necessary action to ensure all recommendations were appropriately addressed. In case of failure, arrangements are to be made to call the respective Head of Service to the Audit Committee to explain the reasons for delay or non-compliance with the recommendations.
- 3.4 We recommend that proper procedures be followed for the drawing of staff allowances.
- 3.5 We were concerned that there were no formal procedures for writing off irrecoverable debts for NNDR, housing rent, council tax and other such debts. We recommend that the services responsible for these matters formulate a formal procedure to write off those debts that are considered irrecoverable.
- 3.6 We noted the various investigations into financial irregularity which were brought to our attention and recommended that service managers and internal audit expedite these to a conclusion as soon as possible, within the prescribed procedures.
- 3.7 We were informed that a system for whistle-blowing exists and would like to bring it to the attention of Members and others that reports of alleged irregularities can be made to Internal Audit by email. The relevant email address is fraudcall@haringey.gov.uk.

4. COUNTER-FRAUD ACTIVITY RELATING TO HOUSING AND COUNCIL TAX BENEFIT

- 4.1 We received quarterly reports from the Benefits and Local Taxation section relating to counter-fraud activity that was being undertaking relating to claims for housing and council tax benefit.
- 4.2 We were informed, in January, that the year to date figures were that 57 sanctions had been imposed for benefit fraud. We congratulated officers on their achievements in these cases.
- 4.3 The rate at which fraudulent overpayments are recovered is slow. This is a matter of concern for Members, but the reason why recovering is slow is because many people who have to repay sums paid out are in receipt of income support or are otherwise on a low income. This reduces the amount that can be recovered from them to just a few pounds per week.

- 4.5 The Audit Committee requested further information and comparative statistics from other authorities in relation to overpayments in order to gain a better understanding of the information and situation.
- 4.4 We heard about the “Pathfinder” initiative which is a pilot programme. The pilot has achieved impressive results and 24 convictions were obtained in the first two quarters of the financial year. Officers are investigating the feasibility of extending this scheme.

5. RISK MANAGEMENT AND CORPORATE RISK REGISTER

- 5.1 We received a report on the Risk Management Strategy and the compilation of a Corporate Risk Register at our October meeting.
- 5.2 Risks were classified into 3 classes based on both the probability of them occurring and the potential losses that may take place if they did occur. This enabled the creation of a risk matrix to assess all of the risks in the risk register on a systematic basis.
- 5.3 The Audit Committee put on record, in its July meeting,, that we wanted to see that there should not be any problem area, financed by the Council, which did not have a risk register.
- 5.4 Risks in the lowest category of the risk matrix were deemed to be acceptable risks, but corrective action was required for risks that fell into the two higher categories, for they dealt with larger potential losses or losses that had a higher probability of occurring.
- 5.5 We were of the opinion that the Director of Finance should be involved in the process of dealing with risks that fell either into the medium or higher category and asked that the risk management strategy be changed to reflect this recommendation.
- 5.6 We wished that ‘proper practice’, which was planned to be identified and issued as guidance by the Audit Commission or could be obtained by looking at the best practice followed by other London boroughs, was implemented by officers of this Council.
- 5.7 Job descriptions for relevant managers are to be revised to include risk management responsibilities. We asked that this process be expedited.
- 5.8 We expressed concerns with regard to risk management in relation to partnerships as mentioned in the report and as such the Audit Committee felt that effective partnerships should be established, which safeguarded the adequate interests of this Council.
- 5.9 We asked that adequate internal and external training should be given to the members of this Committee to perform duties adequately.

6. CPA USE OF RESOURCES ASSESSMENT AND ACTION PLAN

- 6.1 We received reports relating to the CPA Use of Resources assessment and to the Council’s Action Plan that followed on from the feedback from the CPA.

- 6.2 We agreed the suggestions made in the action plan and hope that this can help the authority improve its CPA score in future years as well.
- 6.3 We requested that the recommendations made by the Audit Committee in relation to the Risk Management Strategy be incorporated into the CPA action plan in order to ensure that the Council was best placed to achieve the highest rating as part of the Use of Resources.
- 6.4 We additionally recommended that improvement of guidance to budget holders take place before 31 November 2006, that a timescale be set for action by Asset Management on 'backlog maintenance', that effective partnerships with other agencies be entered into if they do not already exist. We also considered that an effective procedure needed to be introduced for reporting the exercise of delegated powers.
- 6.5 We are also of the opinion that fees and charges levied by the Council need to be reviewed strategically. This will enable the authority to boost its income if that is felt to be appropriate in that circumstance.

7. STATEMENT ON INTERNAL CONTROL

- 7.1 We received the draft Statement on Internal Control, which the Audit Committee is required to review and approve prior to its inclusion in the Council's financial statements. The Audit Committee made recommendations to include the Technical Refresh project within the draft statement and subsequently approved the revised Statement.

CONCLUSION

- 7.1 We recommend that this report on the activities of Audit Committee be noted by Full Council.

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