Councillors Kober (Chair), Reith (Vice-Chair), Bevan, Canver, Dogus, Goldberg,

Present: Strickland and Vanier

Also Councillors Bull, Jenks and Wilson.

Present:

MINUTE		ACTION
NO.	SUBJECT/DECISION	BY

NO.	SUBJECT/DECISION	D .
CAB41.	APOLOGIES FOR ABSENCE (Item 1)	
	There were no apologies for absence.	
CAB42.	URGENT BUSINESS (Item 2)	
	The following late items of Urgent Business were considered under the agenda item where they were listed:	
	 Item 8: Financial Planning 2012/33 2014/15 Item 26: Proposed Pensions Funding Approach to the Leisure Services Contract (this item was exempt) 	
CAB43.	DECLARATIONS OF INTEREST (Item 3)	
	Councillor Lorna Reith declared a personal and prejudicial interest with respect to Item 14 and left the Chamber for the duration of that item.	
CAB44.	MINUTES (Item 4)	
	RESOLVED:	
	That the minutes of the meetings held on 19 July, 28 July and 18 August 2011, were confirmed as a correct record.	HLDMS
CAB45.	DEPUTATIONS/PETITIONS/QUESTIONS (Item 5)	
	Deputation from the Lewis and Mary Haynes Trust	
	The Cabinet received a deputation from the Lewis and Mary Haynes Trust in objection to proposals (detailed in item 15) to merge the Grange and Hayes dementia day care centre and the closure of Woodside day centre. The spokesperson, Mr Patrick Morreau, addressed the meeting and outlined the group's objections to the proposals.	
	Mr Morreau expressed concern that the merger of the Hayes and the Grange would result in overcrowding that would significantly lower the quality of life of the centres current users. It was contended that the proposed closure of Woodside would result in a level of capacity at the Grange that was unacceptable. In addition the loss of lunch clubs, dropin and residential services were likely to lead to an increased demand being placed on the remaining services.	

It was argued that the importance of day centres in terms of the stimulation and social contact they provided was invaluable and that this type of contact helped dementia patients stay healthier and independent for longer. There was a risk that increased care at home may lead to isolation and increased illness and stress both for the client and carer.

It was suggested that the loss of the preventative role that day centres played in identifying health care needs early on would lead an increase in the numbers of people needing to move into residential care and that there would be an increase in the costs attached to this as a result.

Concern was also raised around the potential for independent providers to increase the cost of placements and that data with respect to the comparative costs, set out in the report, did not provide a sound basis upon which a decision could be made.

In conclusion Mr Morreau requested that Cabinet refuse the proposals set out under Item 15 and instead seek alternative ways of creating the savings required.

The Cabinet Member for Health and Adult Services responded to the points raised in Mr Morreau's submission. She began by thanking Mr Morreau and other members of the group that had been in dialogue with the Council during the consultation process. It was noted that the capacity of each of the centres affected by the proposals had been analysed and that the Council was confident that the proposals would provide sufficient capacity to deliver a good service.

Additional training and development was being provided for day centre staff and voluntary sector providers to enable them to deal with the needs of all clients.

With regard to the use of the Voluntary Sector it was proposed that services would be commissioned from the sector rather than relying on the use of volunteers. It was noted that the use of personalised budgets was a national policy and that the Council was required to respond to this. It was recognised that this would not be appropriate for everyone and that there would be people who wanted the Council to manage budgets on their behalf.

<u>Unison</u>

With the agreement of the Chair, Chris Taylor of Unison addressed the meeting setting out Unisons concerns with respect to the proposals to merge the Grange and Hayes dementia day care centre and the closure of Woodside day centre (detailed Item 15).

Concern was raised with regard to the outsourcing of services and the impact of this upon clients and staff. It was noted that in the past where this that had not been successful services had been brought back in house after a period of significant disruption.

It was contended that the use of direct payments should not be adopted as they could not be used to pay for services delivered by the Council and therefore promoted the outsourcing of services. It was suggested that Cabinet should ask officers to put together proposals that focussed on delivering more Council delivered services.

The Cabinet Member, Health and Adult Services responded to the points made above. It was noted that where services were outsourced the Council would play a crucial role in monitoring contracts to ensure that clients received the best possible services.

It was necessary to test the market and identify where services might be provided at less cost and where this was considered appropriate services supplied by the independent sector would be brought in. Given the financial position that the Council was working from all options had to be considered to ensure that the best possible value for money was achieved.

Petitions

Two petitions were received; the first was from the Relatives Support Group, The Hayes Dementia Day Centre, which was signed by 2822 people. The petition was in objection to the Council's proposals to merge the Hayes and Grange Dementia Care Centres and to the closure of Woodside and other day care centres.

The second petition was from the Help Save Our Day Centre Group on objection to the merger of the Hayes and Grange Dementia day centres and to the closure of the Grange, Woodside, Have and Six8Four day centres, which was signed by 106 people.

RESOLVED:

That, in accordance with the Council's Constitution, a response to both petitions would be compiled and submitted to the Cabinet on 8 November 2011. *

DAHS

*(The response to the deputation at the meeting also covered the issues raised in the petitions. Following the meeting the petitioners were supplied with a written response, attached at Appendix 1, and this fulfils the requirement to provide a response to the November meeting).

CAB46. MATTERS REFERRED BY THE OVERVIEW AND SCRUTINY COMMITTEE (Item 6)

Prior to consideration of this item the financial comments set out below, which had been omitted from the original report in error, were circulated:

'The Chief Financial Officer has reviewed the attached scrutiny review and the recommendations and notes the financial comments highlighted in section 10.0 of this covering report.

The majority of the recommendations should be able to be contained within existing budget provisions over the longer term although should Members wish to prioritise any there may be implications in terms of staff and budget resources.

As highlighted in section 10.2 the recommendation with the largest financial implication is the possible adoption of a local Article 4 Direction. At this stage the recommendation to undertake some further cost benefit appraisal appears the most pragmatic approach'.

The Clustering of Betting Shops in Haringey

Cabinet noted the Scrutiny Review of the Clustering of Betting Shops and the Cabinet Member for Environment expressed her thanks to the Panel members (Councillor Winskill (Chair) Councillor Browne, Councillor Diakides, Councillor Ejiofor and Councillor Newton) for their work in carrying out the review.

RESOLVED:

That the report be noted and that (in accordance with the requirements of the Constitution) officers be requested to submit a Cabinet response including a detailed tabulated implementation action plan (to be presented to Cabinet on 20 December 2011).

DPS

CAB47.

COUNCIL'S QUARTERLY PERFORMANCE ASSESSMENT QUARTER 1, 2011/12 (Report of the Chief Executive – Item 7)

The Cabinet received a report that provided an overview of performance during the first quarter of 2011/12 against the Council's agreed priorities and outcomes.

It was noted that despite the constraints of the current economic climate good progress was being made in reducing the number of young people not in education, employment or training. Particular areas for focus for the remainder of the year would include: working with partners to provide support and advice to people moving into employment and working with Veolia to improve recycling and street cleaning.

Members were advised that details with respect to the number of schools in the Borough that intended to apply for academy status could be obtained from the Deputy Director of Children's Services.

RESOLVED:

- That progress against the five outcomes during the first quarter of 2011/12 be noted.
- ii. That the issues and challenges identified in the report with regard to the next reporting period be noted.

CAB48.

FINANCIAL PLANNING 2012/13 - 2014/15 (Report of the Director of Corporate Resources – Item 8)

The Cabinet received a report that provided an update with respect to the Council's Medium Term Financial Plan (MTFP) that covered the three years to March 2015. The report contained proposals around how the remaining budget gap of £21m would be closed.

It was noted that the proposals included savings to the running costs of residential children's homes and measures to achieve the savings outlined were being considered at present. Given the scale of the savings that were required it was important that all aspects of the running of the two homes were reviewed. In reviewing them there would need to be an assessment of whether the Council was the best placed organisation to run them.

RESOLVED:

- i. That the latest revenue financial forecasts for 2012-14, as set out at paragraph 9.39 and Appendix 1, of the report be noted.
- ii. That the new savings proposals, set out in Appendix 2 of the report, for review by the Overview and Scrutiny Committee and external consultation, be approved in principle.

DCR

iii. That at its meeting on 20 December 2011 the Cabinet would consider further the revenue budget proposals for 2012/13 and the proposals for the Medium Term Financial Plan 2012-15 informed by responses to the consultation and scrutiny reviews set out at (ii) above.

DCR

CAB49.

SUSTAINABLE PROCUREMENT POLICIES (Report of the Director of Corporate Resources – Item 9)

The Cabinet received a report that sought the approval of two new sustainable procurement policies relating to the procurement of timber and food and drink.

It was noted that sustainable procurement was becoming increasingly important and that the Government was placing an increasing emphasis on this. In addition there were also new regulatory and policy requirements being established around energy use and sustainable production and consumption.

RESOLVED:

That the sustainable timber policy and sustainable food and drink policy be adopted as formal policies of the Council.

DCR

CAB50.

BEREAVEMENT SERVICES TRANSFER (Report of the Director of Place and Sustainability – Item 10)

The Cabinet received a report that provided an overview of the results of the recent informal tender disposal exercise for Bereavement Services. The report also sought approval of the preferred bidder and disposal of the Bereavement Service.

Exempt information pertaining to the report was set out in Item 25.

Cabinet was advised that since the publication of the report paragraph 5.4.2 had been updated to read as follows:

'Dignity Funerals Ltd are the largest private sector cemetery and crematoria operator in the United Kingdom running 34 crematoria, four cemeteries and operating a further 20 cemeteries on behalf of local authorities. Dignity performs more cremation and burials then any other private or public sector organisation in the UK. They are a FTSE 250 company and a Registered Provider regulated by the Financial Planning Authority. In 2010, their turnover from cemetery and crematoria operations was £38m'.

It was noted that three bids had been received and evaluated and it was recommended that 'Company A' should be selected as the preferred bidder.

The Cabinet was advised that the potential for re-using graves had been explored; however the costs attached to the work that would need to be undertaken to make this viable outweighed any income that could be derived from this. It was noted that the heads of terms would state that the Council's permission would need to be obtained if the successful company wanted to pursue this.

It was noted that recommendation 3.4 detailed in the report had been amended to require the submission of a Biodiversity Management Plan to cover all three sites as part of the negotiations with regard to the final terms and conditions. In addition recommendation 3.6 had also been amended to state that the final heads of terms and related sale and lease agreements would be agreed in conjunction with the Cabinet Member for Environment.

RESOLVED:

- i. That on completion of the proposals described in 3.2 of the report the Council would cease to directly provide crematorium and cemetery services ('Bereavement Services').
- ii. That the disposal of the Council's Bereavement Services as a going concern and its three sites, known as Enfield Crematorium, Tottenham Cemetery and Wood Green Cemetery be approved.

DPS

DPS

- iii. That 'Company A' be selected as the preferred bidder and its bid (as set out in paragraph 2.2 of the exempt report).
- iv. That 'Company B' be selected as the reserve bidder and its bid

(as set out in paragraph 2.2 of the exempt report).

v. That the preferred bidder would produce an agreed Conservation and Biodiversity Management Plan to cover all three sites during the negotiation on final terms and conditions and before the date of disposal.

DPS

vi. That Cabinet delegates authority to the Director of Place and Sustainability, in conjunction with the Cabinet Member for Environment, to agree the final heads of terms and related sale and lease agreements.

DPS

CAB51. TOTTENHAM HALE GYRATORY SYSTEM - SIGNING THE SECOND FUNDING AGREEMENT (Report of the Director of Place and

Sustainability – Item 11)

The Cabinet received a report that provided an update on progress with respect to the Tottenham Hale Gyratory Scheme following the signing of the first funding agreement between the Council and Transport for London (TfL).

Authorisation for the completion of the second and final phase of the scheme by Autumn 2014, subject to the satisfactory completion of the Hale Village Section 106 Agreement, was also sought.

Cabinet was advised that since the publication of the agenda the objection to the transfer of land, as recommended in 4.6 of the report, had been withdrawn and as such the recommendation had been amended to reflect this.

It was noted that measures had been put in place to mitigate the risk attached to the receipt of monies from the Section 106 Agreement being delayed. The current economic climate and housing downturn had had an impact on the Hale Village scheme and in order ensure that the scheme could progress in the event of a delay in receiving this a sum of £500k had been included in the Council's indicative capital programme to cover, in part, any shortfall. This sum would then be recouped when the Section 106 contribution had been received.

RESOLVED:

i. Approval of commitment of Council funds: That the sum of £5,141,900 should be committed as the Council's contribution to the Phase Two main construction works for the Tottenham Hale Gyratory Scheme (together with the use of remaining Growth Fund money from Phase One work), having fully considered the risks associated with the possible non-receipt of funds (as set out in paragraphs 6.20 – 6.29 of the report).

DPS

ii. Approval of additional 'contingency' provision in the indicative capital programme: That the sum of £878,000 should be allocated in the indicative capital programme for 2012/13 as an additional contingency fund to mitigate the risk of shortfall in

DPS

Section 106 receipts that could be allocated to the scheme (as set out in paragraphs 6.21 – 6.29 of the report).

iii. Authorisation of completion of the second funding agreement: That the Director of Place and Sustainability and Head of Legal Services should be authorised to finalise the drafting and completion of the second funding agreement for the Tottenham Hale Gyratory Scheme, along with Transport for London, that would commit the Council funds approved under point (i) of this resolution, subject to the prior completion of the Hale Village Section 106 Agreement, which provides for infrastructure payments that can be used towards the scheme.

DPS

iv. **Responsibility of any cost increase:** That Transport for London will be responsible for funding any increase in the costs above the estimated total cost of £34.176m for the whole scheme was noted.

DPS

- v. Conditions for reimbursement of funds by the Council to Transport for London and Homes and Communities Agency: That the principle (without fettering any future decisions of the Council) that up to £10,002,000 of the investment by Transport for London and up to £4,998,000 by the Homes and Communities Agency, for the scheme may reimbursed to those organisations by the Council subject to:
 - a. the receipt of appropriate and sufficient payments that could be allocated to the scheme from Section 106 agreements or a Community Infrastructure Levy system (if such a levy was introduced by the Council in the future) with such decisions being at the sole discretion of the Council and:
 - b. any reduction in the actual cost of the scheme being used to reduce the Transport for London and Homes and Communities Agency investment that was reimbursable by the Council from Section 106 contributions or a Community Infrastructure Levy.
- vi. **Transfer of land to allow localised road widening**: That the transfer to Transport for London of two strips of land (marked 1 & 2 on Plan 1 attached to this report) at nil cost to facilitate localised road widening for the Gyratory Scheme be approved.

CAB52. ANNUAL FUNDING SUBMISSION FOR TRANSPORT SCHEMES (Report of the Director of Place and Sustainability – Item 12)

The Cabinet received a report that sought approval to submit the Local Implementation Plan (LIP) Annual Spending Submission for 2012/13 to Transport for London.

RESOLVED:

	That the LIP Annual Spending Submission, as set out in Appendix A of the report, be approved.	DPS
CAB53.	WINTER SERVICE PLAN 2011/12 REVIEW (Report of the Director of Place and Sustainability – Item 13) The Cabinet received a report that sought approval of the Winter Service Plan for 2011/12.	
	It was noted that feedback and suggestions gathered regarding the service had been reflected in the plan. As well as an extended grit bin network measures to enable and equip residents to clear snow for themselves, as recommended by the Government, had also been included for the first time.	
	RESOLVED:	
	 That the Winter Service Plan 2011/12, appended to the report, incorporating the proposed changes to Pavement and Carriageway Priority Levels, be approved and adopted. 	DPS
	ii. That the extension of the grit bin network, to include four new sites (as detailed in paragraph 4.8 of the report) be approved.	DPS
	iii. That the amended minimum salt stock levels and in-season salt stock review arrangements (detailed in Table 1, paragraph 4.14.3 of the report) be approved.	DPS
	iv. That the promotion of the Government's self-help advice for residents and businesses who want to clear snow from the pavements outside their premises and the provision of snow shovels upon request to recognised residents groups (detailed in paragraph 4.15 and Appendix 3) be approved.	DPS
	v. That the Winter Service Operation Plan should be reviewed annually.	DPS
CAB54.	DECENT HOMES PROGRAMME 2012-13 (YEAR 5) (Report of the Director of Adults and Housing – Item 14) Prior to the consideration of this item Councillor Reith declared a personal and prejudicial interest and withdrew from the Council Chamber during its consideration.	
	The Cabinet received a report that sought approval of the investment priorities and procurement arrangements that were proposed for the 2012/13 Decent Homes Programme.	
	RESOLVED:	
	i. That the Decent Homes funding that was anticipated between 2012 and 2015 (including the provisional allocations in 2013/14 and 2014/15) be noted.	

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- ii. That the proposed priorities for 2012/13 (Year 5 of the Decent Homes Programme) as detailed in Appendix 1 of the report be approved.
- iii. That the 'reserve list' of homes, detailed in Appendix 2 of the report, be noted and approved and that these homes should be added to the Decent Homes Programme when funds allowed for this

That the 2012/13 programme should be delivered through a minitender of the four Decent Homes Programme contractors and that delegated authority for the approval of these contracts is given to

the Director of Adult and Housing Services in consultation with the Cabinet Member for Housing.

CAB55.

PLANNING DAY OPPORTUNITIES PROVISION (PROPOSED DAY CENTRE CLOSURES) (Report of the Director of Adults and Housing – Item 15)

The Cabinet received a report that provided an overview of the consultation that had been undertaken with a range of people that used Adult Services Day Opportunities, their families/carers and other key stakeholders, in relation to decisions made in principle on 21 December 2010 about the future of these services.

A range of amended proposals were set out in the report with respect to the Day Opportunities services in question, which took in to account the comments received as part of the consultation process. Cabinet was advised that the disruption caused would be minimal and that the physical movement of clients would be planned and carried out carefully.

RESOLVED:

That the following recommendations, set out below, be agreed:

The Haven Day Centre for Older People

That this would not be closed, as previously proposed, but that the service model would be adjusted to provide a new and more flexible service for all adults providing care and support to both older people and people with mental health issues who live in the east of the Borough. With the rolling out of personal budgets, older people using the centre to purchase their care via a personal budget and look to an appropriate voluntary or independent sector provider to provide the service in the future, subject to market testing.

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DAHS

Grange/Hayes Centres for Older Adults with Dementia

That this would not be combined on one site, as previously proposed, but to continue as separate units under a combined staff and management structure and the day opportunities support there would be purchased via a personal budget as above.

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	684 Centre for People with Mental Health Issues	
	This would be closed no later than 31 March 2012, as originally proposed, with eligible users of the service being offered an alternative service in The Clarendon Centre and on an outreach basis for two days in The Haven; care from The Haven to be purchased via a personal budget given to people to gain increased choice and control of their support packages.	DAHS
	Woodside Day Centre for Older People	
	That this would be closed by no later than 31 March 2012, as originally proposed, with eligible service users offered a service in The Grange, The Hayes Centre or The Haven and their care to be purchased via a personal budget.	DAHS
CAB56.	RESPONSE TO THE SCRUTINY REVIEW OF CORPORATE PARENTING (Report of the Director of Children Services – Item 16) The Cabinet received a report that set out the Children's Services response to the Scrutiny Review on Corporate Parenting.	
	It was requested that feedback was provided to the young people that had given their views to the Panel as part of the review in order to demonstrate how these had shaped the report's content and recommendations.	DCS
	RESOLVED:	
	That Cabinet agreed the response as set out in the report.	DCS
CAB57.	MINUTES OF OTHER BODIES (Report of the Assistant Chief Executive - Item 17)	
	RESOLVED:	
	That the minutes of the following meetings be noted and the necessary action be approved:	
	a. Cabinet Member (Children's Services) Signing - 15 August 2011b. Procurement Committee - 28 July 2011	HLDMS
CAB58.	DELEGATED DECISIONS AND SIGNIFICANT ACTIONS (Report of the Assistant Chief Executive - Item 18) The Cabinet received a report detailing the delegated decisions and significant actions taken by Directors since 19 July 2011.	
	RESOLVED:	
	That the report be noted.	
CAB59.	URGENT ACTIONS (Report of the Assistant Chief Executive - Item 19)	

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	The Cabinet received a report detailing urgent decisions taken by Directors in consultation with Cabinet Members since 19 July 2011.	
	RESOLVED:	
	That the report be noted.	
CAB60.	DISPOSAL OF COUNCIL PROPERTIES (Report of the Director of Corporate Resources - Item 20) The Cabinet was advised that since the publication of the agenda there had been further discussion with officers with respect to the Council Offices at Compton Crescent and it was proposed that the decision with regard to this property should be delayed until the next Cabinet meeting on 8 November.	
	Exempt information pertaining to the report was set out in Item 24.	
	RESOLVED:	
	 That the Head of Corporate Property should be authorised to dispose of the Council's freehold interest in the following property for the best consideration reasonably obtainable on the open market: 	DCR
	113 Crouch Hill, N8	
	 That decision with respect to Council offices at Compton Crescent, N17, be deferred until the next meeting of Cabinet on 8 November 2011. 	DCR
CAB61.	NEW ITEMS OF URGENT BUSINESS (Item 21)	
	There were no new items of Urgent Business.	
CAB62.	EXCLUSION OF THE PRESS AND PUBLIC (Item 22)	
	RESOLVED:	
	That the press and public be excluded as the following items contain exempt information which either relate to the business or financial affairs of particular persons (including the Authority holding that information) and the amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods and services.	
CAB63.	DELEGATED DECISION AND SIGNIFICANT ACTIONS (Item 23)	
	RESOLVED:	
	That the exempt delegated decisions and significant actions set out in the report be noted.	

CAB64.	DISPOSAL OF COUNCIL PROPERTIES (Item 24)	
	As set out under Item 20.	
CAB65.	BEREAVEMENT SERVICES DISPOSAL (Item 25)	
	As set out under Item 10.	
CAB66.	PROPOSED PENSIONS FUNDING APPROACH TO THE LEISURE SERVICES CONTRACT (Item 26)	
	The Cabinet considered a report that sought agreement to the adoption of a 'cap and collar' approach to the employer contributions and past service deficits for those employees who were being transferred to the employment of an external contractor via a TUPE arrangement.	
	RESOLVED:	
	That a 'cap and collar' approach to pensions be adopted in respect of the employer contributions and past service deficits for those employees that would be subject of TUPE as a result of the leisure management contract and who are or become active members of the London Borough of Haringey Pension Fund with the precise percentage range for the cap and collar to be agreed by the Director of Corporate Resources, mitigated by the contractor being 100% liable for pension costs within their control.	
CAB67.	NEW ITEMS OF EXEMPT URGENT BUSINESS (Item 27)	
	There were no new items of exempt Urgent Business.	

COUNCILLOR CLAIRE KOBER
Chair