

Chair:  
Councillor George Meehan

Deputy Chair:  
Councillor Lorna Reith

## **INTRODUCTION**

- 1.1 This report covers matters considered by the Cabinet at our meeting on 20 November 2007. For ease of reference the Report is divided into the Cabinet portfolios.
- 1.2 We trust that this Report will be helpful to Members in their representative role and facilitate a fruitful dialogue between the Cabinet and all groups of Councillors. These reports are a welcome opportunity for the Cabinet on a regular basis to present the priorities and achievements of the Cabinet to Council colleagues for consideration and comment. The Cabinet values and encourages the input of fellow members.

## **ITEMS OF REPORT**

### **Regeneration and Enterprise**

#### **2. NORTH LONDON WASTE PLAN – ISSUES AND OPTIONS**

- 2.1 We considered a report which sought our approval for public consultation of the North London Waste Plan - Issues and Options. We noted that the Plan was a joint waste development plan document which was being prepared jointly with the other boroughs of the North London Waste Authority (Barnet, Camden, Enfield, Hackney, Islington and Waltham Forest). The Issues and Options report was the first consultation stage and would be followed by public consultation on 'preferred options' before the document was submitted to the Government for independent examination.
- 2.2 The North London Waste Plan was a statutory planning document which would identify future sites for waste management facilities. It was a site allocations development plan document which would form part of the Council's Local Development Framework. The arrangements for the production on the Plan had been agreed in a Memorandum of Understanding and approval granted to its preparation as a joint development plan document. The Memorandum of Understanding set out a project management and decision-making arrangements which included a programme manager, employed by the London Borough of Camden, as lead authority, a planning officers group and a planning Members group to steer the process.
- 2.3 A considerable amount of preparatory work had already been undertaken by consultants, including community awareness raising and initial consultation. The North London Waste Plan process had been launched through public advertising in local papers, a travelling exhibition and a mail out by each borough. A dedicated website [www.nlwp.net](http://www.nlwp.net) had been developed and launched. A number of supporting documents were being produced as part of the process, including a sustainability appraisal, a strategic flood risk assessment, a habitats assessment and an equalities impact assessment. A copy of the supporting technical report and the sustainability appraisal report was available for inspection in the Members' Room.

- 2.4 We report that we approved the Issues and Options report for the North London Waste Plan for public consultation and the consultation arrangements proposed in the report. We also agreed that authority to make any necessary minor changes to the Issues and Options report prior to public consultation be delegated to the Director of Urban Environment in consultation with the Cabinet Member for Enterprise and Regeneration.

## **Environment and Conservation**

### **3. PROGRESS REPORT ON THE OPERATION OF THE NEW TECHNICAL GUIDANCE FOR CROSSOVER APPLICATIONS**

- 3.1 We considered a report which contained an evaluation of the impact of the new guidance for crossover applications since its adoption in February 2007. A review of the operation of the new guidance had been conducted in September 2007 and key statistics on applications processed between February and August 2007 produced and analysed against the same period in 2006.

#### **3.2 Key changes noted during the review period included –**

- A 28% decrease in the number of requests for crossover applications compared to the same period in 2006. The main reason for the reduced number of requests in the review period was because majority of potential applicants aborted the process after obtaining informal pre-application advice from the Council indicating that their applications might not satisfy all the new criteria. Informal pre-application communication with staff had been significantly less in previous years.
- A 45% decrease in the number of completed crossover applications returned to the Council for consideration compared to the same period in 2006. The main cause for the reduction was also attributed to the increased informal pre-application advice.
- A 180% increase in the number of crossover applications rejected in comparison to the same period during 2006. The current criterion for available depth of hard standings within private properties was very stringent and had been the main reason for rejections. 93% of applications were refused during the review period because applicants did not have sufficient depth of hard standing within their properties. In comparison only 40% of applications had been refused for the same reason during the same period in 2006 when applications with considerably shallower hard standings were granted permission.
- A 77% decrease in the number of crossovers constructed in comparison to the same period in 2006. It was evident that fewer crossovers were constructed during the review period because of non conformity with key criteria such as depths of hard standings. However, other stipulations designed to ensure sustainable construction had also contributed to streamlining crossover constructions, including inspections of each private hard standing prior to construction of a vehicle crossover to confirm that the resident had made adequate provision for drainage of the hard standing within the property. This inspection was conducted to ensure that constructions of approved crossovers did not adversely impact on localised highway drainage.

- A 25% increase in number of applications requiring planning permission or requiring construction within conservation areas. While this statistic appeared to reverse the trend of reduction of applications requested during the review period it reflected the fact that nationally proposals to planning authorities involving private developments and alterations to domestic dwellings (that might include vehicle crossings) had significantly increased in the recent past.
- 3.3 The Council will be aware that previously approval had been granted to a significant number of applications received from residents requiring vehicle crossovers in controlled parking zones. In some instances these approvals had impacted to the detriment of the on-street parking capacity of the location. With more attention now paid to subsequent loss of parking spaces within controlled parking zones, it was expected that fewer applications would be approved in the future. In order to protect the environment where possible, residents were now being advised on practical construction techniques including use of permeable surfacing within the hard standings or creating paved tracks just wide enough to accommodate the car wheels. Council staff responsible for administration of crossovers applications had also highlighted the significant rise in the number of informal pre-application communications with applicants and correspondence appealing rejection decisions.
- 3.4 A meeting had been held with residents to discuss the effectiveness of the new guidance and residents had been positive about the new criteria and the significant reduction in the amount of crossings constructed during the review period. It was their view that the new policy recognised the environmental damage caused by paving over front gardens and the degradation this caused to quality of conservation areas and the street scene environment in general.
- 3.5 At our meeting we also received a deputation which addressed our meeting and welcomed the new guidance notes and criteria to promote sustainable design and construction of future crossovers. However, they referred to continuing problems where residents had existing crossovers and urged us to consider making greater use of Article 4 Directions to require planning permission to be obtained for works normally deemed to be permitted development in order to prevent front garden parking in conservation areas. They also expressed about developers constructing crossovers at new developments.
- 3.6 In response we referred to the rapid review of a policy and the implementation of revisions and to the effectiveness of the new guidelines which had also contributed to the Council's green borough strategy. Because some crossovers had been approved months in advance of construction some of those constructed during the period under review had been approved before the new guidance came into effect. While the new guidelines required adequate provision for drainage of the hard standing within the property this requirement might need to be further tightened to ensure use of permeable materials if the current guidelines did not prove to be sufficient. The use of Article 4 Directions to prevent front garden parking in conservation areas as requested by the deputation was possible but there were a number of limitations to such a use and, as the new procedures were successfully reducing the number of new crossovers, we did not feel it necessary to utilise this method of control this stage.

- 3.7 We noted the impact of the stringent criteria on crossover applications since adoption of the new guidance notes and we approved their continued use to determine current and future applications for crossover construction. We thanked the deputation for their attendance and for their participation in the cross borough resident group and had met with officers from the Street Scene Division as part of the progress review of the new technical guidance.

## **Housing**

### **4. 80 BEACONSFIELD ROAD N15 – COMPULSORY PURCHASE ORDER**

- 4.1 We considered a report which set out proposals to make a Compulsory Purchase Order at address 80 Beaconsfield Road, N15. The Council will be aware that the use of Compulsory Purchase powers forms part of Haringey's Empty Properties Strategy, Housing Strategy, and Sub-Regional strategy to bring back into use residential premises that have been long term vacant and where no other course of action was appropriate or could be pursued. It was also in pursuance of achieving a year-on-year increase in the number of privately owned empty properties brought back into use through advice or intervention (Best Value Performance Indicator 64).
- 4.2 We noted that 80 Beaconsfield Road was a two storey, turn of the century Victorian, double fronted, end of terrace property, situated in a residential street within the Clyde Circus conservation area. The property was first referred to the Council in December 2004 by a concerned neighbour complaining about the condition of the property and the effect it was having on the local area. Further investigation showed that the property had been empty since July 2004 and that many complaints had been made about this property from individuals and local residence associations.
- 4.3 Attempts had been made to enforce the sale for outstanding unpaid Council Tax debt on the property, but the owner had paid the debt before the enforced sale went through. The Enforcement Service had also taken action under the Prevention by Damage by Pest Act 1949 and Section 215 of the Town and Country Planning Act 1990. We also noted that, in general, the property was in very poor condition. Photographic evidence suggested that the building retained most of its original features prior to the suffering severe fire damage in 2004. The exterior brick was in need of cleaning, the fascia board and guttering was broken in places and the sash windows were all broken and in need of replacement. The roof had recently been replaced and is in good condition.
- 4.4 The front garden had frequently been used for fly-tipping and the Environmental Health Service had to respond every time this problem arose. The back garden was covered in building rubbish and Japanese knot weed was growing there. Internally the property was in need of total refurbishment. The fire destroyed the walls, floors and all services. The owners had carried out some works to the property but it had been left unfinished. All external works needed to be carried out to re-instate the traditional period features in order to ensure that the character of the conservation area is preserved and enhanced as per Council policy. The Council's Empty Property Officer had written a number of letters to the freeholder of this property offering assistance, both practical and financial including empty property grants, to help them bring the property back into use voluntarily.

- 4.5 We concluded that, as a last resort compulsory purchase of the property by the Council was justified and our officers were of the opinion that it represented the most effective solution. Acquisition of the property by the Council and the subsequent sale to and refurbishment by a housing association or private sector developer would achieve a quantitative and qualitative housing gain and also improve the aesthetics of the local area. The property was in a conservation area and with careful monitoring from the Council, it would be re-instated into use to high conservation standards thus greatly adding to the local community.
- 4.6 We report that we approved the use of compulsory purchase powers to acquire the 80 Beaconsfield Road, N15 and authorised the Head of Legal Services to make and seal the Order for submission to the Secretary of State for Communities and Local Government for consideration, to confirm the CPO in the event of the Secretary of State returning the Order and, upon confirmation of the CPO to proceed with the acquisition. Subject to its confirmation, we also agreed to the disposal of the property to a Registered Social Landlord in the first instance, or to a Private Developer (in which case the sale would be made by way of auction with covenants applied to bring the property back into use as soon as possible). Further, to the re-cycling of the receipt from the disposal back to the capital programme budget and indemnification of the financial costs of the CPO through the capital programme.

## **Resources**

### **5. PLACING INSURANCE BUSINESS WITH THE LONDON AUTHORITIES MUTUAL LTD.**

- 5.1 In October 2006, we considered a report which advised us that London Authorities Mutual Limited (LAML) would offer its members savings of 15%, on average, on insurance premiums for liability and property insurance with a possibility that it might offer cover for motor vehicle policies. LAML also estimated that it could generate estimated surpluses of approximately £8 million over the first five years of trading, which would be available to re-invest in LAML or provide further reductions in premiums. We reported to the Council on 8 January 2007 on our decision that the Council should become a full member of LAML from April 2008 when the current, externally purchased, insurance contracts expired subject to LAML demonstrating value for money.
- 5.2 However, LAML was the subject of a legal challenge by one of the insurance companies and a judicial review set for 11 February 2008. LAML had taken advice from external counsel and was confident that it would remain legally able to operate. Further legal advice from counsel instructed by LAML recommended that if the Councils who would be joining LAML in April 2008 formally confirmed their participation in LAML without qualification and accepted offers of insurance with effect from 1 April 2008 on or before 11 November (i.e. 3 months before the court hearing), any request for judicial review into whether individual local authorities had to participate in LAML would be time barred.
- 5.3 If LAML had not been subject to the legal challenge, the decision to confirm the Council's participation in LAML as a full member with effect from 1 April 2008 and to accept offers

of insurance from LAML with effect from 1 April 2008 would have been included in the Forward Plan and a report submitted to us for formal approval. The timescales recommended by the external counsel opinion received by LAML had not allowed for this and the matter had to be progressed under urgency arrangements by the Chief Financial Officer in consultation with the Leader of the Council. We noted that the Chair of the Overview and Scrutiny Committee had agreed that the decision in respect of this matter was both reasonable in all the circumstances and that it should be treated as a matter of urgency for the purposes of Paragraph 18 of Part 4 Section H of the Constitution and that the call in procedure should not apply to the action being taken.

## **6. FINANCIAL PLANNING 2008/09 – 2010/11**

- 6.1 We reported to the Council on 15 October on our financial strategy for the period 2008/09 to 2010/11 and the business planning and budget-setting process. At that time the budget showed a significant gap for the years 2008/09 and 2010/11, with an overall gap of £15.2 million over the full three year planning period. This assumed the achievement of pre-agreed savings proposals of £16.4 million. The previous planning assumption for Council Tax was an increase of 3.0% in each of the three years although noting that the Council might wish to reconsider this assumption in light of the overall financial position later in the process. An estimated grant settlement figure of zero % in each of the three years was also assumed for planning purposes.
- 6.2 We considered a report which considered the Comprehensive Spending Review 2007 (CSR07) announced on 9 October 2007 by the Chancellor of the Exchequer in the Pre-Budget Report and other national issues in relation to the Council's financial and business planning process. The CSR07 set out a three year period of considerably less resources for local government than in recent years including tougher targets for new efficiency savings and significant changes to the specific grant regime.
- 6.3 We noted that local financial issues were being managed as planned, and the pre-business plan reviews, including savings and investment options, were scheduled for release to enable the consultation process to begin. We also noted that the Council had significant financial challenges in terms of producing a balanced budget over the planning period whilst continuing the improvement in services achieved over recent years.
- 6.4 We report for information that we noted the national and local updates and agreed that the pre-business plan reviews be released for consultation and budget scrutiny.

## **Leader**

## **7. THE COUNCIL'S PERFORMANCE – SEPTEMBER 2007**

- 7.1 We considered the regular finance and performance report which monitored the Council's position in relation to a number of indicators that would be used to assess the Council in the Comprehensive Performance Assessment (CPA). Performance against these measures would determine Haringey's rating in 2008. The report also gave an indication of the level and quality of services delivered on the ground and sought our approval to a number of virements.

- 7.2 We noted that good progress was being made across all the priorities where 90% of indicators were achieving green or amber status as at September 2007. We continued to make good progress on promoting independence (93%, 14 indicators green or amber), encouraging lifetime well-being (93% or 13 indicators green or amber) and delivering excellent services 93% or 50 indicators green or amber). In summary the balanced scorecard showed that for service delivery 89% of indicators were on target or close to the end of year target as at September 2007. For 13 of the 15 (87%) customer focus measures, performance targets were being met or close to being met. For financial health 29 of the 30 traffic lighted measures achieved green or amber status, meaning for 96.7% of traffic lighted indicators performance levels were achieving target or being maintained at an acceptable level. Our organisational development /capacity indicators showed that for 6 of the 8 (75%) measures, performance was meeting or close to expectation. In addition 83% of indicators had maintained or improved performance since the end of last year.
- 7.3 In terms of budget monitoring the September position showed a forecast net overspend of £0.5 million made up of a number of budget pressures that largely related to Asylum and adult social care. These were partly offset by a projected under spend on the Housing general fund, an earmarked reserve for asylum and additional investment income.
- 7.4 The aggregate capital projected position in 2007/08 was as shown in the following table.

Capital	Approved Budget	Spend to date	Projected variation
	£m	£m	£m
Children & Young People	43.9	13.7	(4.5)
Adults, Culture & Community	7.6	1.6	(0.3)
Corporate Resources	9.1	3.7	0
Urban Environment – General Fund	32.3	4.9	0
Urban Environment - HRA	19.8	7.1	(3.3)
Policy, Performance, Partnerships & Communications	0.3	0.1	0
<b>Total</b>	<b>113.0</b>	<b>31.1</b>	<b>(8.1)</b>

- 7.5 The latest forecast position for the HRA Capital outturn was an under spend of £3.3 million as reported by Homes for Haringey to their board. This was mainly due to slippage in the external decorations programme of £2.5m due to delays in the procurement process which would have resulted in works having to be undertaken during the winter months. The works would now be scheduled in next financial year. In addition, the Saltram Close scheme of £1m was dependant on the sale of the playground site which had not been concluded.
- 7.6 Financial regulations require that proposed budget changes be approved by the Cabinet and these are shown in the table below. These changes fall into one of two categories:
- budget virements, where it is proposed that budget provision be transferred between one service budget and another. Explanations are provided where this is the case;

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

7.7 Under the Constitution, certain virements are key decisions. Key decisions are:

- for revenue, any virement which results 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 are highlighted by an asterisk in the table.

7.8 The following table sets out the proposed changes. Each entry in the table refers to a detailed entry in the appendices, which show the budgets that it is proposed to change. There are two figures shown in each line of the table and the detailed sheets. The first amount column relates to changes in the current year's budgets and the second to changes in future years' budgets (full year). Differences between the two occur when, for example, the budget variation required relates to an immediate but not ongoing need or where the variation takes effect for a part of the current year but will be in effect for the whole of future years.

Proposed virements are set out in the following table:

Period	Service	Key	Amount current year (£'000)	Full year Amount (£'000)	Description
6	CR	Rev	132	132	Additional work from services for Legal Services.
6	CR	Rev	158	158	LCE energy work by procurement charged to services.
6	Various	Rev	80	80	Reshape of strategy legal budget
6	PPPC	Rev	55	55	Part of HSP project allocated to Performance & Policy
6	UE	Rev	103	103	Complaints team merged with street scene customer support
6	UE	Cap*	430		Section 106 funding for Street-lighting works
6	UE	Rev	87		Growth Area fund grant
6	UE	Rev	108	108	PPD restructure
6	UE	Rev*	468	468	Enforcement restructure
6	UE	Cap	160		Section 278 funding for Homebase
6	NSR/Urban Env't	Rev*	1,000		Alexandra Palace – Council continued support in 2007/08.
6	C&YP	Rev*	735		Alignment of sixth from centre LSC grant and expenditure 2007/08
6	C&YP	Rev*	250		Budget for Autism/Aspergers transferred from Change for Children to Children and Families business unit
6	C&YP	Cap	68		Standards Fund Grant 201c- School Travel Plans

## 8. DELEGATED ACTIONS AND SIGNIFICANT DECISIONS



- 14.1 We were informed of the following significant decisions taken by Directors under delegated powers -

**Director of Adult, Culture & Community Services**

Finsbury Park Restoration Project – Approval to the payment of a negotiated settlement figure of £68,953.68 in respect of a fee claim by the design consultants (King Environmental) appointed for the Project.

**Assistant Chief Executive (Policy, Performance, Partnerships and Communications)**

Youth Offending Service – Approval to the creation of a temporary post of Team Administrative Officer.

**Director of Urban Environment**

Cancellation of authorizations for Directed Surveillance.