

MINUTES OF MEETING CABINET HELD ON TUESDAY, 12TH NOVEMBER, 2019, 6.30PM

PRESENT:

Councillors: Joseph Ejiofor (Chair), Zena Brabazon (Vice-Chair), Charles Adje, Kaushika Amin, Mark Blake, Seema Chandwani, Kirsten Hearn, Emine Ibrahim and Sarah James

ALSO ATTENDING: Councillors: Emery, das Neves.

65. FILMING AT MEETINGS

The Leader referred to agenda item 1, as shown on the agenda in respect of filming at meetings and Members noted this information.

66. APOLOGIES

There were apologies for absence from Cllr Bull.

67. URGENT BUSINESS

There were no items of urgent business.

68. DECLARATIONS OF INTEREST

Councillor Chandwani declared a personal interest in agenda items 9&10 as a Homes for Haringey leaseholder.

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

There were no representations received.

70. MINUTES

RESOLVED

1. To approve the minutes of the 8th of October 2019 as an accurate record of the meeting.
2. To agree the clarification to minute resolution 44 as set out in the addendum at page 41 of the attached agenda pack.

71. MATTERS REFERRED TO CABINET BY THE OVERVIEW AND SCRUTINY COMMITTEE

There were no specific matters referred to the cabinet from Overview and Scrutiny Committee.

72. DEPUTATIONS/PETITIONS/QUESTIONS

There were no deputations, petitions or questions put forward.

73. THE NEED FOR ADDITIONAL HOUSING REVENUE ACCOUNT SPEND ON NEW BUILD PROPERTIES AND TEMPORARY ACCOMMODATION ACQUISITIONS

The Cabinet Member for Finance and Strategic Regeneration introduced the report which proposed increasing the Housing Revenue Account's (HRA) Capital Programme funding envelope to finance the construction of new build properties; the acquisition of new build properties for affordable housing and the acquisition of existing properties to house homeless households.

This was an essential step in ensuring that the Council can deliver on key housing commitments. The additional funding would also allow the Council to acquire properties to house homeless households – and re-municipalise former Council homes lost under the right to buy over the past few years.

The Cabinet Member referred to paragraph 4 on the options that were considered when considering these proposals and highlighted the statutory officer comments contained in the report at section 8, including equalities comments.

In response to questions from Cllr das Neves, the following information was provided:

- The Cabinet Member was satisfied with the proposals and referred to section 8.13 which contained a financial table with a breakdown of the proposed allocations of HRA capital funding. The Cabinet Member felt that there were good reasons for this course of action and this would allow the Council to take advantage of certain new acquisitions that come to the Council's attention as well as potential sites, and also enable the acquisition of street properties to increase Council housing stock. The Cabinet Member was confident that the Council would be embarking on a course that was of benefit to people in the borough seeking housing and tackling homelessness.
- Noted that the additional £12.8m funding was for construction of new build properties and the acquisition of new build properties for affordable housing. There was supporting analysis in the paper regarding the two primary components for acquisitions and development.
- In relation to the question on the precise figure for Right to Buy projections and the precise projection on the available funding, the report referred to the sum being adequate but did not reference how much was available. The Director for Finance agreed provide this information in writing to Cllr das Neves.

- With regard to impact on rents for tenants, the change to the HRA capital programme for new homes built and acquisitions was in effect bringing forward what the Council would have spent in later years on housing. The report provided understanding on how the business plan accommodates this by the time the financial year of 2020/21 is reached. With regards to TA accommodation there was a business plan focused on affordability without impacting on tenants.

RESOLVED

To recommend to Full Council that it approves additions to the 2019/20 HRA capital programme of £70.4m to finance: the construction of new build properties (£4.1m); the acquisition of new build properties for affordable housing (£8.7m) and the acquisition of existing properties to house homeless households (£57.6m).

Reasons for decision

On 10 September 2019, Cabinet approved a re-profiled HRA capital budget of £77.8m, for 2019/20. This included £62.8m for existing stock, £2.9m for the Council housing delivery programme and £12m for new homes acquisition. There is also a £41.4m in the General Fund capital budget to acquire existing properties to be used to house homeless households.

The construction of new build properties is now moving at a faster pace than anticipated in February 2019. The current budget provision of £2.9m for new build properties as outlined in the quarter 1 (period 3) budget monitoring report for 2019/20 to Cabinet dated 10 September 2019 has become insufficient to cover the cost of the accelerated works in this year.

Hence, the need for an increase of £4.1m within the 2019/20 HRA budget for the construction of new build properties by the Council. This is following a reassessment of the budget required given the faster speed and greater progress on these projects by the Council than projected in February 2019.

New opportunities have come forward to acquire properties under development by other organisations that were not previously foreseen. Thus, the need for an increase of £8.7m within the 2019/20 HRA budget, for the acquisition of new homes.

In respect of the acquisition of existing properties to be used as temporary accommodation for homeless households, the Council recently received legal advice that acquisitions of such properties should be purchased within the HRA, rather than the General Fund. A decision is needed to regularise the current year's purchases and historic purchases. Further details are outlined in the report to Cabinet on 12 November 2019: 'Update on the Community Benefit Society'.

An additional capital provision of £57.6m within the 2019/20 HRA budget is required for the actioned, identified and potential purchase of existing properties, to be used to house homeless households. Further details are outlined in the report to Cabinet on 12 November 2019: 'Update on the Community Benefit Society'.

This report requests that Cabinet recommends Full Council approves a total sum of £70.4m of additional funding within the 2019/20 HRA budget to finance the activities detailed above and set out in more detail in section six.

Alternative options considered

Not allowing an increase in the programme of new build or acquisition of new build properties: This option was rejected because there is a need to press ahead rapidly on the 1,000 Council homes target and to deliver the interim target of 500 having planning permission and 350 having a start on site by May 2020.

Not allowing additional provision for the purchase of properties to be used to house homeless households: This option was rejected because there is a need to ensure there is a supply of good quality, long term housing for homeless households.

74. AMENDMENTS TO THE COMMUNITY BENEFIT SOCIETY

The Cabinet Member for Housing and Estate Renewal introduced this report which provided an update on progress on the Community Benefit Society (CBS) and noted the amendment to its funding arrangements from being a General Fund supported activity to a Housing Revenue Account supported activity. In addition, the report proposed a change to the agreed leasing arrangements so that properties are leased to CBS for periods of up to seven years instead of up to ten years.

The Cabinet Member highlighted the administration was elected on a manifesto that made it clear that it would act decisively to reduce homelessness and take action to improve the poor quality and precarious temporary accommodation in which nearly 3,000 homeless households in Haringey live. The administration argued: *“Poor housing has knock-on effects everywhere; from education to health to crime. And the regular churn of families and children moving from one temporary tenancy to another makes it difficult to build strong local communities.”* The administration promised that it would do housing differently.

The Cabinet Member outlined that in July 2018, Cabinet approved the establishment of the Haringey Community Benefit Society, with its sole aim being to improve the housing available to Haringey’s homeless households. Many of these households often ended up in private rented accommodation, which was expensive, insecure and often not of the quality the Council would like. Also, much was provided outside of Haringey. The recommendations in this report were the final steps in putting in place the CBS, which would help the Council ensure homeless families can have a home which is better, more stable and with lower rents than that provided by the market. Meanwhile, the Council would make substantial savings in its annual temporary accommodation budget and, ultimately, re-municipalise stock that was lost under Right to Buy.

RESOLVED

1. To approve the new lease arrangements set out in paras 6.15 to 6.16, with each lease lasting up to seven years and comprising a portfolio of properties.
2. To note that 52 residential units have already been acquired for transfer to the Community Benefit Society on its registration pursuant to the authority given on 17 July 2018 and:

3. To agree to the acquisition of a further 17 residential units up to the end of financial year 2019/2020: and
4. To agree to the acquisition of a further 65 residential units per year from financial year 2020/21; and
5. To agree that this authority replaces that given on 17 July 2018
6. To note that properties bought and leased to the CBS should be accounted for in the Housing Revenue Account, rather than the General Fund as set out at 8.15 below.
7. To note that the detail of this change is set out in a report titled 'Approval of additional Housing Revenue Account budget for new build properties and acquisitions of existing properties to house homeless households' to be presented to Cabinet on 12 November 2018. [decision item 73]
8. To give delegated authority to the Director of Housing, Regeneration and Planning, after consultation with the Assistant Director of Corporate Governance and Cabinet Member for Housing and Estate Renewal to make any changes that may be required by the Financial Conduct Authority to the Rules for the CBS so the CBS can be registered.

Reasons for decision

The decision being made is essential to the operation of the CBS.

The approval of seven-year leases and the “batching” of a number of properties into each lease will negate the need to seek approval for the leasing of each individual property from the Secretary of State. Seeking approvals in that way would inevitably significantly increase void times, delay the benefits to the households who would be offered the home and reduce the financial savings to the Council. The change to the purchasing of properties to be leased to the CBS being undertaken in the HRA rather than in the General Fund (proposed in a separate report and noted here) is necessary to comply with statute.

The Cabinet of July 2018 approved the acquisition of the first 100 homes with a further report to be presented to Cabinet for authority to acquire the additional 300 properties. With 52 homes already purchased for the CBS, and a further 17 expected before March 2020, it is anticipated that this target will be reached in the summer of 2020. To avoid a further report in the spring of 2020, or delays in continuing the programme, authority is sought as set out at 3.2.1-3.2.3

The July 2018 report set out expectations that the CBS would have two Council nominated Directors and that the Council would hold two of the CBS's five shares. These rules were approved by the Director for Housing, Regeneration and Planning as delegated by the Cabinet and submitted to the FCA. However, the FCA had concerns about any shareholder having more than one share. These rules have thus been amended and resubmitted and the CBS is currently awaiting a response on

whether these are acceptable to the FCA. A delegated authority is therefore required to deal with any further changes that the FCA may require before the CBS can be registered.

Alternative options considered

To keep the lease at 10 years: This option was rejected because leases of more than seven years on properties purchased through the HRA would require the specific consent of the Secretary of State. That process could be expected to take up to 6 months and may not result in an approval, which will add to void times and undermine the viability of the CBS model.

To return to Cabinet to seek approval any purchased over the first 100 as set out in the July 2018 report: This option was rejected because the sale process can take up to 6 months and with the limit expected to be reached in summer of 2020, this would require a second CBS report in early 2020.

75. SEND TRANSPORT INVEST TO SAVE BUSINESS CASE

The Cabinet Member for Children and Families introduced the report which set out a proactive and positive plan to improve the SEND transport service. There had been a review of the service, partly initiated by the scrutiny review by the Children and Young People's scrutiny Panel on SEND over a year ago where parents highlighted the problems faced in transport services. In responding to this, the service undertook this invest to save project forward to find solutions for this much depended upon service.

The Cabinet Member outlined that with the service currently costing approximately £4.8m per annum, this was a vital service for families with children who have a range of special educational needs and disabilities. It is essential that this vital operational service was efficient, effective, and able to adapt and to accommodate a variety of individual needs. It was noted that this was an in-house service where the management and administration of SEND transport is run directly by the local authority. In addition, the escorts and travel buddies, some 110 staff, were all directly employed by the Council. The transport vehicles were currently provided by a range of contractors.

The proposed transformation had two phases. The first phase is to award a contract for an external transformation business partner who has extensive experience working with other authorities, to improve their SEND transport arrangements. This first phase will have a specific requirement for a team who will work alongside the Council's in-house officers to implement much needed changes.

This work would involve detailed review of how the service is organised and administered to ensure the Council's in-house service meets needs of children and families, and is cost-effective. Once complete, the second phase will be to review the current arrangements for provision of vehicles with a view to insourcing.

This external review would involve parents and carers alongside officers. This was central to delivering the cultural change within the team in relation to service planning and delivery for the longer-term development and sustainability of this essential in-house service.

Payment of this contract was contingent on the savings being made.

In response to questions from Cllr Tucker and Cllr Ibrahim the following information was noted:

- The Cabinet Member outlined that many authorities had problems with SEND transport, including Enfield, Camden and Hillingdon. It was noted that Enfield had worked with this particular organisation and saved £7m. The Cabinet Member had spoken with Hillingdon Council who had commented positively on this initiative and improvement to the contract. Noted that this service area was one of the most technically difficult areas of the Council which required an overhaul. The Children's Services had completed its research on this matter.
- It was clarified that the drivers were not employed by the Council. This was the result of a historical decision when the Council had previously outsourced all their vehicle drivers. To insource these drivers would require an additional process which was not feasible at this stage.
- It was underlined that this was not an outsourcing decision and the services of an external transformation expert were being commissioned to provide specialist support for transforming this service. There was a need to enlist experience of robust delivery of this particular service. The expert team would be working alongside existing officers and would not be taking over the team. This was a particular area of the Council which required transformation activity urgently.
- The contractor would be held to the agreed contract and savings.

Further to considering exempt information at item 29,

RESOLVED

1. To approve the award of a contract for the provision of SEND Transport Transformation Consultancy Services to the successful tenderer in accordance with the Council's Contract Standing Order (CSO) 9.07.1(d), for a period of two (2) years commencing end of October 2019 and at a total value of up to £600,000 over the 2 years period, with a further gainshare reward dependent upon demonstrable value of savings delivered in excess of £635,000 per annum;
2. That the date of commencement of the contract will follow immediately after five working days of the publication of the Cabinet decision to approve, plus a further ten working days standstill period as per public procurement contract regulations; and
3. That exploration of a further phase (phase 2) of transformation to insource vehicles and drivers is considered once the transformation of the SEND transport service and the associated savings is secured.
4. To note that details of the successful tenderer is outlined in Part B (exempt information) of the report.

Reasons for decision

A scoping review of SEND Transport provision was undertaken during April and May 2019 that reported opportunities to improve service, customer focus and confidence, resilience and provide a real and evidenced opportunity to deliver net savings of at least £600,000 per year. The review also found that:

Expectations from parents and schools are (rightly) high and that they wish for their services to be improved if they are to meet need.

In meetings with Headteachers and parents there was strong feedback that suggested poor communication, poor responsiveness and lack of proper consultation on changes, other than big events, by Haringey's Transport team.

An apparent lack of understanding across parents of the Council's obligations and policy in respect of transport.

Having considered the findings of the Scoping Review Report, in specific regard to the potential to improve services for families and to achieve significant sustainable savings, it was agreed to proceed with an Invitation to Tender exercise to identify a suitable external transformation partner.

This decision was reached after due consideration was given to the option of an in-house delivery model, where it was agreed that:

- A lack of SEND transport transformation/change management experience would impact adversely on the delivery of service improvements;
- the necessary step change in cultural and operating practice would not be realised;
- savings would only partially be realised;
- the inability to flex the necessary additional SEND transport related experience during expected 'resource-heavy' periods would impact delivery and incur additional staffing costs; and that
- an external SEND Transport transformation partner would strengthen the service offer to families and the in-house team.

In deciding to seek an experienced external transformation partner, and with due regard to feedback received from the Overview & Scrutiny Committee in July 2019 who requested that 'the voice of users should be at the heart of that service and that it should be co-designed, where possible', it was further agreed that:

- The approach to change must consider and engage appropriately and robustly with both parents and schools and, where possible, with our children and young people;
- the Assistant Director for Schools and Learning will ensure that during the early stages of the partnership with the transformation partner, parents, children and schools will be involved during the transformation process;
- the changes must be sustainable, and robust demand management and innovative travel solutions be established to best deal with new and any increasing demand or need for travel;

- to reduce the financial risk and to achieve best value for money for the Council and our residents, the preferred bidder must provide a guarantee of cost savings by being prepared to place contract fees at risk for non or partial delivery; and that;
- a monthly steering board made up of officers, parents and Members as appropriate, will review progress and provide assurance of 'signed off' savings against target. Savings will be signed off by the Council's financial team every month.

As well as the financial savings, this programme will be tasked to deliver a critical new and high performing travel operation for Haringey which is fit for purpose to meet current and future demand. The service will fit with a wider SEND strategy to improve services and make best use of resources.

In undertaking the restricted tender exercise to identify a suitably experienced external transformation partner to support the change process, prospective bidders needed to demonstrate:

- Evidence of very specific operational knowledge and transformation experience of SEND transport services; and
- guarantee of projected savings that are sustainable, by putting their consultancy fees at risk.

Subsequent to the tendering exercise, a bid has been received from a prospective supplier that promises a sustainable £635,000 per annum saving against a baseline 2018/19 expenditure of approximately £4,800,000 and that is guaranteed against provider delivery costs. This work would transform how the service is delivered and embed strong management and delivery.

The contract value is up to £600,000, subject to the full delivery of agreed savings (as set out in paragraph 8.1 below), with a further gainshare reward dependent upon value of savings delivered in excess of £635,000 per annum.

The contract value is £180,000 below the budget envelope approved by Cabinet in July 2019 of £780,000, representing a 23% saving on the budget envelope.

Outcome of Tender Process

In order to ensure compliance with EU procurement legislation and to ensure value for money, a mini-competition exercise in accordance with CSO 7.01(b) was conducted. The tender was conducted via the Crown Commercial Services (CCS) Management Consultancy Framework 2, lot 1, which contained 275 suppliers. A shortlisting exercise was carried out, based on the Council's minimum requirements for the service, which narrowed the suppliers down to 57. All 57 suppliers were contacted with an invitation to submit an Expression of Interest, of which 11 suppliers expressed interest in bidding for the service. The Competition was in accordance with the framework conditions, which was based on an evaluation weighting of:

- Price 40%
- Quality 60%

Following the receipt of 11 Expressions of Interest, a single bid was received that has been independently evaluated by three Council officers in accordance with the pre-determined evaluation criteria and subsequently moderated with procurement colleagues. The bid passed the minimum requirements and scored a total of 45% from the available 60% for quality.

Assessment of bidder response to the Service Specification

A low number of bids was expected because SEND Transport is a highly specialised service and a prerequisite for any bid to be considered was that the supplier would be able to demonstrate a deep and clear understanding of the service, the depth of the transformation needed and be able to show a proven track record in having delivered the transformation, including stipulated savings, in other local authorities. The examples of this to support the supplier we are recommended as part of this report can be found at Part B of this report.

Alternative options considered

Appendix A details options that were appraised by the Children's Services Directorate, together with the respective advantages and disadvantages of each option.

The recommendation arising from the option appraisal is to:

- Procure a specialist external transformation partner through a competitive restricted tender to support the change process, with:
- sustainable savings guaranteed against consultancy charges; and
- a gainshare agreement regarding additional sustainable savings that may be realised above contractual agreement.

Once transformation is underway and improvements begin to be secured and embedded, officers will begin a 'Phase 2' of the process which will give full consideration as to if and how vehicles might be procured and drivers employed by the Local Authority to further support the transformation process.

76. ADMISSION TO SCHOOLS – PROPOSED ADMISSION ARRANGEMENTS FOR 2021/22

The Cabinet Member for Children and Families introduced this report which sought Cabinet approval to commence a six-week period of statutory consultation. This report and the consultation that would flow from it, if the report's recommendations were agreed, would ensure that the Council's proposed admission arrangements for 2021/22 were consulted upon and the co-ordinated scheme was set in accordance with the mandatory provisions of the School Admissions Code 2014.

In response to questions from Councillor Emery, the following information was provided:

- Officers informed that admission arrangements fully complied with the Schools Admission Code 2014, which meant the Council prioritised looked after children, children with SEND, and children with siblings at the school. The

fourth admission criteria was the distance from home to school which meant the Council prioritised families who lived closer to schools. This ensured the school was made up of children from families who lived locally. Where the Council suspected that families were renting closer to schools in order to gain an advantage over local residents, the Council had a policy to investigate such cases. However, if a family moved close by, bought/rented a home which was their single and only home, then they would be offered a school place in accordance with the fourth criteria based on home distance from the school.

- Officers confirmed that Council tenants living close to schools would not be disadvantaged by potentially wealthier families in the catchment area, insofar as they are able to meet the criteria as set out in the Schools Admission Code 2014.
- The Cabinet Member informed that all schools had a curriculum which included LGBT+ inclusive education.

RESOLVED

1. To agree to consult on the proposed admission arrangements, including the proposed in-year admissions scheme for the academic year 2021/22;
2. To agree to consult on the proposed IYFAP which, if agreed at Cabinet in February 2020, would be come into force from 1 March 2020;
3. To agree that the co-ordinated scheme for the admission of children to maintained primary and secondary schools as set out in Appendices 2 and 3 of this report can be published on the Haringey website on 1 January 2020;
4. To note that consultation on the proposed admission arrangements is scheduled to take place between 26 November 2019 and 7 January 2020;
5. To note that following the consultation, a report will be prepared summarising the representations received from the consultation and a decision on the final admission arrangements and the In-Year Fair Access Protocol will be taken by Cabinet in February 2020.
6. To note that at the November 2019 Cabinet meeting, the Council's Cabinet is due to make a decision in a separate report on whether to agree to the recommendation to publish a statutory notice on the amalgamation of Stamford Hill Primary with Tiverton Primary School. If it were to go ahead, this will result in displaced pupils transferring to Tiverton Primary School.[item 77]

Reasons for decision

Why do we consult? - This report and the consultation that will flow from it if the report's recommendations are agreed will ensure that our proposed admission arrangements for 2021/22 are consulted upon and the co-ordinated scheme is set in accordance with the mandatory provisions of the School Admissions Code 2014.

The School Admissions Code (2014) requires all admission authorities to publicly consult on their admission arrangements where changes are being proposed. The Code stipulates that if no changes are made to admission arrangements, they must be consulted on at least once every 7 years.

We consult on our admission arrangements annually irrespective of whether or not there is a proposed change to the arrangements⁴. This is to ensure transparency and
3 In July 2019, Cabinet agreed that a formal consultation would be carried out between 9 September and 21 October 2019 on the future of Stamford Hill Primary and the Council's preferred option of amalgamation with Tiverton Primary School. More information can be found on the Haringey website.

The Schools Admission Code 2014 (para 1.42) sets out that when changes are proposed to admission arrangements, all admission authorities must consult on their admission arrangements (including any supplementary information form) that will apply for admission applications the following school year. Where the openness on the contents of our arrangements and to allow parents, carers and other stakeholders who might not previously been interested in admission arrangements (perhaps because they didn't have a child of school age) to make a representation which can then be considered as part of the determination of the arrangements.

Alternative options considered

We are required by the School Admissions Code 2014 (para 1.42 – 1.45 of the Code) to carry out any consultation on our admission arrangements between 1 October and 31 January each year for a minimum period of six weeks. We are not proposing any changes to the proposed admission arrangements for the year 2021/22. As set out in para 4.3 above, we consult annually on our arrangements irrespective of whether we are proposing any changes, to allow transparency and openness in the process.

This year we are not proposing a change to the oversubscription criteria for community and VC schools. While there are other ways admission arrangements can influence the allocation of school places set out in the Schools Admissions Code 2014 (e.g. designated catchment areas, identified feeder schools or giving priority in our oversubscription criteria to children eligible for the early years premium/ pupil premium) no alternative option is being considered at the time of writing this report.

77. OPTIONS FOR THE FUTURE OF STAMFORD HILL PRIMARY SCHOOL

The Cabinet Member introduced the report which updated the Cabinet on the statutory process for the amalgamation of Stamford Hill Primary School with Tiverton Primary School. This was a significant school issue and the Council had to follow a statutory process and this report was another milestone in the process. The Council had completed a further statutory 6 week consultation and came to a view that amalgamation was still the preferred course of action.

Cabinet were asked to note the responses to the consultation contained at appendix 1 and to agree that the Council publish the statutory notices, on the proposal to amalgamate Stamford Hill Primary School with Tiverton Primary School. This included a four-week representation period of statutory consultation which is published, and

which is the final opportunity for people and organisations to express their views about the proposal.

The Cabinet Member emphasised the reasons for pursuing the course of amalgamation, including a drop in the numbers of pupils attending the school and flattening birth rates.

RESOLVED

1. To note the summary of representations from the formal consultation at **Appendix 1**.
2. To note all material considerations listed at para 8.13.
3. To note the summary of benefits in support of amalgamation at para 8.14.
4. To agree to proceed to the publication of the appropriate Statutory Notice on the proposal to amalgamate Stamford Hill Primary School with Tiverton Primary School, which includes four-week representation period of statutory consultation which is published, and which is the final opportunity for people and organisations to express their views about the proposal.

Reasons for decision

There is significant concern over the long-term sustainability of Stamford Hill Primary School and, to a lesser extent, Tiverton Primary School, in terms of their falling rolls and the resultant risk to their financial stability. The former is a result of a flattening birth rate which means that local demand for school places has fallen and is projected to remain broadly static until 2026/27 and possibly beyond.

The Council has a duty of care to ensure children in its schools are able to receive a good education and to access the full curriculum. A school with a declining roll will be challenged to do this effectively because of inevitable financial pressures from reduced funding.

This report provides a summary of the representations received from the recent consultation at Appendix 1 together with representation from the informal consultation at Appendix 2. Cabinet are asked to review the summary of representations and make an informed decision on the next steps based on all material considerations.

Alternative options considered

A number of options on the future of Stamford Hill Primary School were presented to local stakeholders as part of the informal consultation that initially took place between the 27 March and 8 May 2019. Stakeholders were informed of the reasons why these options were less desirable than the Council's preferred option of amalgamation.

- a) **Keeping Stamford Hill open:** This option does not provide a long-term sustainable solution to falling local demand and leaves other local schools

- vulnerable because demand for school places are falling more widely in the locality.
- b) **Federation:** Federation is an option that focuses on improving educational delivery by allowing the governing body to use budget, resources and staff across a federation to improve the educational outcomes for all pupils. This option would need another school to federate with Stamford Hill Primary. Also, under a federation, schools would remain as separate organisations and this would not address the decline in numbers on roll at Stamford Hill (and other local schools) or the financial challenges that other schools are facing. This option is therefore less desirable than amalgamation.
 - c) **Amalgamation with split site:** This would involve Tiverton Primary School having two permanent sites and would not be desirable because it would involve the overheads of permanently running two sites in a context of falling demand for school places.
 - d) **Closure of Stamford Hill Primary with pupils moving to other local schools (including Tiverton Primary):** This would involve closing Stamford Hill Primary School and giving parent/carers the opportunity to apply for a school place at any other Haringey primary school (including Tiverton) and in other local authorities. This option provides a less outcome focused solution to those parents with children currently at Stamford Hill Primary and doesn't provide a mechanism for ensuring cohorts of children are, as far as reasonably possible, kept together, which is an outcome some parents expressed as part of the informal consultation.

78. CHILDCARE SUFFICIENCY STRATEGY

The Cabinet Member for Children and Families introduced this report which provided an overview of the many issues related to provision of childcare in Haringey.

The Cabinet Member highlighted the Childcare Act 2006 placed a duty on the Council to ensure there is enough childcare within its area for working parents. Childcare was a service which straddled many different themes- early education; social and emotional support for children and families; early intervention; help for working parents or those seeking employment. As such it was an issue which was important in delivering many priorities within the Borough Plan.

The Cabinet Member noted this childcare sufficiency assessment (CSA) makes plain the complexity supporting the childcare market, where the Council acts as a commissioner, broker and enabler, supporting a wide diversity of providers in a competitive market environment. Government policy in this area imposed many roles on local authorities, and this Childcare Sufficiency Assessment highlighted key areas of development needed to ensure childcare places were taken up, especially by those who were hardest to reach and yet have the free entitlement.

The Cabinet Member informed the CSA sets out many challenges for the local authority, amongst which was the need to support providers in remaining sustainable and viable in a very volatile market. The report highlighted key areas of work and issues raised during this assessment which were at paragraph 6.3. These confirm the cross departmental nature of childcare provision, covering employment support, social regeneration, early intervention and prevention, health and well-being, family support

as well as the critical and central issue of early childhood education. It follows that to achieve the goal of supporting providers in delivering childcare, a high level of inter-departmental and multi-agency working was necessary.

RESOLVED

1. To approve the Childcare Sufficiency Assessment 2019 and key findings attached as Appendix 1.
2. To approve the proposed Childcare Action Plan 2019-2022 attached as Appendix 2.

Reasons for decision

The reason for the recommendation is that a decision to approve the proposed Childcare Action Plan, 2019-2022, will ensure that the Council is fulfilling its statutory duty, under the Childcare Act 2006.

The proposed Childcare Action Plan, 2019-2022, provides a framework for action which should ensure that the Council is proactively addressing some of the key issues and challenges currently having an impact on the accessibility and sufficiency of childcare provision for 0-14 years olds and those aged up to 18 years of age if they have a disability. The implementation of an approved Childcare Action Plan underlines the Council's role as market manager and a drive to continually improve the sufficiency of and the access to childcare across the borough.

A further reason for the recommendation lies in the fact that the Childcare Sufficiency Assessment (CSA) has identified the need for focused work to address sustainability within the childcare market, to tackle barriers in access to, and the affordability of, childcare, to develop plans for future childcare demand in areas of economic growth and to maximise participation in the free early education entitlements. Having a robust Childcare Action Plan in place will enable the Council to further enhance work currently being undertaken with internal and external partners, to bridge gaps in childcare, support parents' childcare needs, support providers to deliver sustainable childcare and improve support to children with special educational needs.

Alternative options considered

The requirement to complete a CSA and produce an Action plan is part of the statutory requirement placed on the Council by the Childcare Act 2006. There are no alternative options to consider.

79. CHARGING FOR MANAGED ACCOUNTS 2018/19 MTFS PROPOSAL: CONSULTATION FINDINGS AND FEEDBACK REPORT.

The Cabinet Member for Adults and Health introduced the report which proposed an introduction of an annual management fee of £650 for the administration of accounts of clients who are self-funders. The report further sought approval to the introduction

of an annual management fee of £650 for the administration of accounts of persons to whom the Council act as Department of Works and Pensions Appointee.

Following consultation in June 2019 , the findings were presented .The Cabinet noted that the set of proposals standardises the Council's approach to the application of management fees where the Council acts on behalf of users to arrange care or to manage their affairs.

The Cabinet Member outlined that this service was currently provided for 180 individuals. The proposal was to charge for these services in line with fees already charged for Deputyships under the court of protection.

In response to a question from Cllr Emery, the Council had not assumed a particular drop off percentage of clients no longer seeking this service. The service had completed considerable work on the financial assessment processes and would be clear with clients on the charging, early on in their care assessment, and support understanding the benefits of this care and highlight the implications for the client in not accessing this service. The Council would be monitoring the impact of the changes on a case by case basis to understand individuals that were having difficulties in paying the fee or where there was impact on care provision to step in where required.

RESOLVED

1. To consider the findings of the consultation, the equalities impact assessment of the proposal on protected groups and the actions proposed to mitigate the impact.
2. To approve the introduction of an annual management fee of £650 for the administration of accounts of clients who are self-funders.
3. To approve the introduction of an annual management fee of £650 for the administration of accounts of persons to whom the Council act as Department of Works and Pensions Appointee. Where the person net savings are below £16,000, the annual fee will not exceed 3.5% of the net savings.

Reasons for decision

As part of the MTFFS [Medium Term Financial Strategy] for 2019/20 the Council agreed to take forward the proposals made to introduce a fee for the administration of accounts, which would generate income of approximately £120K p.a. in relation to self-funders and the management of Department for Work and Pension (DWP) Appointeeship clients.

The number of self-funders who approach the Council for support in arranging their care has been increasing and, it is anticipated, will increase further over the coming years. There is currently no arrangement fee in place to cover the Council's administrative costs which therefore are met by the Council and to ensure there is a sustainable arrangement in place to deliver this service for the future. It is notable that

self-funders currently benefit from the preferential rates for care which the Council is able to negotiate on their behalf.

As the number of clients on behalf of whom the Council has DWP Appointeeship also increases, the Council notes that the administrative costs of managing appointee client accounts are growing and that there is no income stream to off-set these costs currently.

The Council already charges administration fees to clients (as set out by the Court) when appointed by the Court of Protection as Deputies to manage their Property & Affairs. The level and type of service provided to Appointeeship clients is similar to that provided to Deputyship clients. The proposal to introduce fees for Appointeeship clients that are comparable for Deputyship client fees would address the current disparity in approach.

Alternative options considered

The alternative not to charge was considered but would leave the service unsustainable given the increasing number of clients requiring the service and the commitment to the continued delivery of high-quality service provision that supports the needs of clients.

The option to charge at different rates from those rates applied to Deputyship clients was also considered but it was felt to be more equitable to apply comparable rates of administration for all clients and which would also enable recovery of the costs of the service supplied.

80. COMMUNITY INFRASTRUCTURE LEVY (CIL) PARTIAL REVIEW: DRAFT CHARGING SCHEDULE (DCS) CONSULTATION

The Cabinet Member for Climate Change and Sustainability introduced this report which sought Cabinet's approval to publish the Draft Charging Schedule and associated evidence base documents for public consultation; and sought that the Director for Housing, Regeneration and Planning be given delegated authority to finalise and approve the proposed Submission documents, and submit the Draft Charging Schedule for examination.

The Cabinet Member informed the Community Infrastructure Levy (CIL) was a charge based on the floor space of new buildings to help fund infrastructure needs arising from new development. CIL can generally be spent in any part of the borough. CIL rates were calculated based on financial viability of development. As financial values of development were different across Haringey CIL rates vary geographically to reflect this. Financial values were also why affordable housing had a big impact on CIL rates. While a private home and a social rented home cost broadly the same amount for a developer to build, a developer can sell a private home for a greater price than a social rent home. This meant that the more affordable housing the Council seeks and the more affordable the tenures are for residents, the lower the financial value of development to a developer and the less money that is available to contribute towards CIL.

The Cabinet Member highlighted that the report proposed to increase CIL rates levied by the Council in the east of the borough for residential development, build to rent and student accommodation. It also proposed to introduce a new rate for warehouse living. Until now, the CIL rate for residential development in the east of the borough had been extremely low at £15 per square metre. This report proposed increasing it to £50. In setting CIL rates the Council was required by national guidance to strike a balance between investment to support development and the potential effect on the financial viability of developments. A comprehensive review had been carried out to decide how much to increase CIL rates in the east of the borough. The proposed rates maximise financial contributions from development towards infrastructure whilst ensuring the economic viability of development and protecting the Council's ability to secure its preferred affordable housing tenures as part of new development.

The Cabinet Member closed by noting the proposed rates were set out in a Draft Charging Schedule for consultation. They were subject to approval by an independent examiner.

In response to a question from Cllr Emery, the Cabinet Member noted that the three strategic development sites already in existence at Tottenham Hale were not affected by the higher CIL rate because the rate increase was not being applied retrospectively. Only new developments would be affected by the revised CIL rates as set out in the Draft Charging Schedule.

RESOLVED

1. To note that following the clarifications set out in Section 8, the proposals were endorsed by Regulatory Committee for approval by Cabinet without any changes for consideration
2. To note the update on the Haringey CIL.
3. To note the next steps outlined in the report for the partial review of the Council's CIL Charging Schedule;
4. To approve for public consultation, in accordance with Regulation 16 of the CIL Regulations 2010, the following Proposed Submission documents, prior to their submission for examination:
 - the Haringey CIL Draft Charging Schedule (Appendix B) as revised and updated from the Preliminary Draft Charging Schedule;
 - Community Infrastructure Levy: Eastern Haringey Viability Update Study prepared by BNP Paribas (October 2019) (Appendix C)
5. To delegate authority to the Director for Housing, Regeneration and Planning, following consultation with the Cabinet Member for Climate Change and Sustainability, to finalise and approve the Proposed Submission documents (as set out in recommendation 4), in accordance with section 212 of the Planning Act 2008 and Regulation 19 of the CIL Regulations 2010 (as amended) for submission for examination, including to:

- a. make modifications to the Submission documents arising from consultation and throughout the examination, including undertaking any necessary further consultation, to ensure the legal requirements are met;
- b. submit the Draft Charging Schedule, the Council's responses to the representations submitted to the Draft Charging Schedule, and the necessary procedural and evidence base documentation, together with any proposed modifications;

Reasons for decision

In October 2017 Cabinet agreed to pause a partial review of the Council's CIL Charging Schedule to ensure that known development within Tottenham Hale was not put at viability risk. The known developments have now been issued with CIL liability notices and consequently the viability risk to them from a change in CIL rates has been mitigated. It is therefore considered appropriate to move forward with a partial review of the Council's CIL Charging Schedule. Specialist consultants BNP Paribas were commissioned to update the Council's viability evidence in relation to CIL rates in the east of the borough. Having regard to the updated viability evidence and BNP Paribas' consequent recommendations, a Draft Charging Schedule has been prepared for consultation setting out the proposed changes to CIL rates in the Eastern Charging Zone. Following consultation, the next step towards implementation of the revised rates will be to submit the Draft Charging Schedule and associated documentation for examination.

Alternative options considered

The alternative options considered are:

Option 1 – To cancel the partial review. The advantage of this is it would not prejudice or restrict new affordable housing planning policies for the emerging new Local Plan and lower-rent tenures could be maximised. The disadvantage would be that CIL rates and therefore the amount of financial contributions from developers for infrastructure would remain the same and may not be maximised.

Option 2 – To publish a Draft Charging Schedule not taking into account the new Appendix C of the Council's Housing Strategy. The advantage of this is that CIL rates and therefore the amount of financial contributions from developers for infrastructure would be higher than if the new Appendix C were taken into consideration. The disadvantage would be that the CIL rates would not be set in accordance with the latest Council preferences for lower-rent affordable housing tenures, there would be a risk that the Draft Charging Schedule would be found unsound at examination, and the increased CIL rates would prejudice and restrict new affordable housing planning policies for the emerging new Local Plan.

Option 3 – To publish a Draft Charging Schedule, taking into account the new Appendix C of the Council's Housing Strategy. The advantage of this is that CIL rates and therefore the amount of financial contributions from developers would be increased but not to a level that would be incompatible with the latest Council preferences for lower-rent affordable housing tenures or that would significantly prejudice and restrict new affordable housing planning policies for the emerging new

Local Plan. The disadvantage would be that CIL rates and therefore the amount of financial contributions from developers would not be as high as for Option 2.

Option 3 is being recommended as it will set an appropriate balance between the rates of CIL to pay for infrastructure required to support the development of the borough and the economic viability of development proposals with the same.

81. UPDATE OF THE HARINGEY LOCAL DEVELOPMENT SCHEME (LDS) 2016 - 2019

The Cabinet Member for Climate Change and Sustainability introduced the Haringey Local Development Scheme which set out a timetable for the preparation of a new Local Plan for the Borough, alongside updates to the timetable for progression of the Wood Green Area Action Plan and the North London Waste Plan through to adoption, which was required by legislation. The LDS does not set out any draft or emerging policy content but provided an important indication to members, the public and businesses when the Council intends to prepare and consult on Planning Policy documents.

RESOLVED

To approve the revised Local Development Scheme (LDS) at Appendix A for publication with immediate effect (12 November 2019) as noted and endorsed by Regulatory Committee.

Reasons for decision

Under Section 15 (1) of the Planning and Compulsory Purchase Act 2004 (as amended), the Council has a statutory duty to maintain an up-to-date LDS. The revised LDS fulfils this duty, reflecting the current timetable for the preparation of the Development Plan Documents (DPDs) that, when adopted, will comprise Haringey's Local Plan.

Alternative options considered

The option of not updating the LDS has been considered but is dismissed. Section 19 (1) of the Planning and Compulsory Purchase Act 2004 (as amended) requires that all DPDs be prepared in accordance with the LDS. This includes complying with the timetable contained in the LDS for each of the relevant DPDs. If the project timetables for preparing a DPD and that in the LDS differ significantly, this is likely to lead to a finding of non-compliance with the statutory legal test at the independent examination of the relevant DPD.

Therefore, the only valid option available is to revise the out-of-date timetable in the LDS to reflect the current timetable to satisfy the legal requirements of the Act.

82. LONDON BOROUGH OF HARINGEY AIR QUALITY ACTION PLAN 2018-22 PUBLIC AND ENFORCEMENT OF ANTI-IDLING REGULATIONS

The Cabinet Member for Climate Change and Sustainability introduced this report which provided an update on the final draft of the Haringey Air Quality Action Plan

2019-24, following public & statutory consultation. Cabinet's approval was sought for the Council to become a designated authority to issue fixed penalty notices for stationary idling engine offences.

The Cabinet Member noted the Air Quality Action Plan 2019-24 laid out the Council's current and future ambitions to reduce air pollution. As, with much of London, improving air quality was a key priority in Haringey and in London because of the negative effect it had on residents health, particularly on older, disabled residents and our children. The air quality was particularly bad in the east of borough. The air quality agenda affects all aspects of the Council's work and our activities go hand in hand with our commitments to combatting climate change, developing walking, cycling and the wider use of public transport.

In response to questions from Councillor Emery, the following information was provided:

- The Cabinet Member confirmed a follow up letter had been sent to the Secretary of State with regard to the joint letter previously sent by Haringey Labour and Liberal Democrat Councillors calling for reform of the restrictive vehicle idling laws.
- The Cabinet Member informed that funding had been set aside in the next Capital Budget to fund new School Streets. Officers added that the School Streets action plan was being compiled would look to reduce children's exposure to poor air quality.

Officers confirmed that the Central Government's Clean Air Strategy 2019 will require the Council to monitor PM2.5. The reason why the Council has not been monitoring PM2.5 levels to date was because London in general was not considered to be breaching the levels that had been previously set by the EU. However, the Council will be monitoring and complying with the legislative requirements of the strategy surrounding PM2.5 by the deadlines within the policy paper. The date of implementation would be provided to Cllr Emery in writing by the Commercial EH & TS Manager.

RESOLVED

1. To consider the outcome of the consultation on the draft AQAP set out in Appendix A of the report and the Equality Impact Assessment screening tool set out in Appendix C.
2. To approve the revised Air Quality Action Plan 2019 - 24 in Appendix B; and
3. To approve the use of fixed penalty notices pursuant to the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 to sanction drivers who have committed a stationary idling offence.

Reasons for Decision

Air Quality Action Plan 2019-24

A copy of the amended AQAP following consultation is attached to this report as Appendix B. The consultation is summarised in section 7 below. The draft AQAP 2019-2024 has been developed with consideration to priority 3 – Place of the Borough Plan 2019-23, in that it will help to deliver an environment that is safe, clean, green and where people can lead active and healthy lives.

Like other London Boroughs, Haringey was declared an Air Quality Management Area (AQMA) in 2001 due to air quality levels for two key pollutants exceeding statutory limits - Nitrogen Dioxide (NO₂) and fine particulates (PM₁₀).

Under Part 4 of the Environment Act 1995, Haringey is required to provide an AQAP to address the areas of poor air quality identified within the AQMA.

There is strong evidence that NO₂ and PM₁₀ are harmful to health in the following ways:

- **Short term exposure:** - is associated with worsening symptoms of pre-existing lung disease and asthma, as well as increased risk of cardiovascular events such as myocardial infarctions and stroke;
- **Long term exposure:** - is associated with an increased risk of developing cardiovascular disease, cancer, reduced lung function and low birth weights (higher risk of complications);
- **Vulnerable Groups** – age, the very young and old are high risk groups as well as those with pre-existing conditions i.e. diabetes, respiratory disease and obesity. Poor diet, deprivation and proximity to pollution sources also have an impact on health inequalities.

NO₂ is created when fuel is burnt, the main sources have been combustion engines, heating plants and construction plant/vehicles.

PM₁₀ is made up from a variety of substances i.e. soot, dust and secondary particles formed by the reaction of other pollutants in the air. The main sources of particulate matter are combustion engines, biomass heating plants (wood fuelled), brake and tyre wear, construction activity and HGVs.

The AQAP 2019-24 aims to tackle these areas of poor air quality. It sets out 25 actions and commitments, developed under the following seven broad themes in order of priority, that propose to reduce air pollution in Haringey over the next five years:

- **Monitoring and other core statutory duties:** maintaining monitoring networks is critical for understanding where pollution is most acute, and what measures are effective to reduce pollution. There are also a number of other very important statutory duties undertaken by local authorities, which form the basis of action to improve pollution;

- **Emissions from developments and buildings:** emissions from buildings account for about 15% of the Nitrogen Oxides (NOX) emissions across London so are important in affecting Nitrogen Dioxide (NO₂) concentrations;
- **Public health and awareness:** raising increased awareness can drive behavioural change to lower emissions as well as to reduce exposure to air pollution;
- **Delivery servicing and freight:** vehicles delivering goods and services are usually light and heavy-duty diesel-fuelled vehicles with high primary NO₂ emissions;
- **Borough fleet actions:** our fleet includes light and heavy-duty diesel-fuelled vehicles such as minibuses and refuse collection vehicles with high primary NO₂ emissions. Tackling our own fleet means we will be leading by example;
- **Localised solutions:** these seek to improve the environment of neighbourhoods through a combination of measures; and
- **Cleaner transport:** road transport is the main source of air pollution in London. We need to help facilitate a change to walking, cycling and ultra-low emission vehicles (such as electric).

The plan brings together and references several policies and strategies across the Council including:

- Haringey Transport Strategy
- Haringey Carbon Reduction Strategy
- Haringey Development Plan
- Parks and Open Spaces Strategy
- Low Emission Vehicle Strategy Parking Permits Strategy (Ongoing)

In response to the consultation, most respondents favoured traffic reducing interventions such as pedestrianisation, road closures, temporary and permanent car free days as well as green infrastructure. The consultation is summarised in section 7 below.

Fixed penalty notices for idling

The Council has power to authorise the imposition of fixed penalty notices on drivers who commit an idling offence, i.e. leaves their engine running while stationary and fails to stop the engine running when requested to do so.

This had not previously been recommended because research had shown that few fixed penalty notices were served in boroughs where officers have been authorised to issue such notices. Therefore, it did not appear the most cost-effective means of reducing air pollution. However, this position has been reviewed in light of the points outlined below.

Idling was one of the most discussed problems by respondents to the AQAP consultation, with 10% of respondents requesting stricter enforcement measures around schools and other common places for idling. The results of the consultation are summarised in section 7 below.

Fixed penalty notices would be a useful tool as well as a positive message in tackling idling because they would give more weight to existing measures used to promote behavioural change. For example, the Council encouraged drivers to switch off their engines at school gates during Clean Air Day in June 2019. The schools involved were Bounds Green and Coleridge Primary School. The Council has also sent letters to bus and coach companies and mini cab operators within the borough advising them of the health risks associated with idling and requesting that they remind staff not to leave their engines running whilst stationary. It is likely that these measures would be taken more seriously by drivers if officers were authorised to enforce them by way of fixed penalty notices.

The key implication associated with enforcement for idling would be infrastructure and staffing costs.

To help assist, Haringey along with 27 other London Boroughs will take part in a pan-London anti-idling project funded by the Mayors Air Quality Fund (MAQF), coordinated by City of London Corporation and London Borough of Camden. The Fund (£500,000) will provide 2 full time project officers to deliver the following within Haringey:

- Idling action events,
- Workshops for schools; and
- Engage with businesses who have their own fleets

Enforcement to combat idling is a condition of participation in the project. For the purpose of the project, enforcement would include:

- A website page outlining fines and penalties, and a Council contact to report idling.
- Ideally, introducing an order to allow for higher fines than the regulatory minimum (as per Westminster, Islington etc.). Although this is not essential, it is likely that this will make the process easier and more viable for boroughs. The Idling Project will share resources to assist.
- Press release outlining the commitment to enforce against idling and detailing the fines (to be undertaken as a single borough or collectively).
- Dedicated officer/s (as per Westminster's Marshalls scheme) or idling enforcement formally incorporated into the role of street marshals/traffic wardens etc. This does not mean they will be required to routinely enforce to the detriment of their day-to-day roles but, at a minimum, there must be a capability and a public commitment to enforce so that idling problems and complaints can be dealt with effectively.

Each borough will be required to provide the following Enforcement Monitoring data annually:

- The number of staff undertaking on-street enforcement as part of their role.
- The number of idling drivers spoken to by these officers (even if not fined).
- Number of penalty notices served.
- Idling complaints received. This will be recorded in complaints software.

Match funding from boroughs will consist of:

- Purchasing consumables for the idling action days (leaflets, car stickers etc.).
- Officer time for supporting the idling behaviour change project.

- Officer time for the enforcement work (this could be street enforcement officers/traffic wardens etc. as per above).

Therefore, it is recommended that officers be authorised to impose fixed penalty notices because it is now clear that the cost implications would be lower (given the funding from the Mayor of London), residents appear to favour such stricter enforcement measures and it would strengthen the Council's ability to tackle this source of air pollution.

Alternative options considered

The development of an AQAP is a statutory requirement and therefore there are no lawful alternative. The proposed draft plan integrates a number of key strategies and Council services that all have an impact on air quality and therefore it is considered the best option.

Three options have been considered with regard to taking enforcement action against drivers who commit stationary idling offences: i) do nothing ii) continue to encourage behaviour change using existing measures but without enforcement by way of fixed penalty notices iii) authorise the issue of fixed penalty notices as well as encouraging behaviour change. The reasons why options i) and ii) are not recommended are set out in 5.3 and 5.4. below.

Do nothing

Whilst issuing fixed penalty notices against drivers who commit stationary idling offences is unlikely to have significant effect on air quality by itself, it is nevertheless part of a tool kit for changing the behaviour of drivers. Traffic is the main cause of poor air quality in Haringey and so changing drivers' habits is an important step towards improving air quality. In order to change the culture and behaviour of drivers, idling can be tackled through a variety of measures.

The consultation showed that addressing idling is an important issue for Haringey residents. If the Council does nothing, it would not be doing all it reasonably can to tackle air quality issues related to traffic, which is the biggest source of poor air quality in Haringey and a significant concern for its residents.

Therefore, this option is not recommended.

Continue to encourage behaviour change using existing measures but without enforcement by way of fixed penalty notices.

The AQAP (2019-2024) includes a range of measures to tackle air quality within the Borough. Measures include education / behaviour change.

Haringey, like many other local authorities, has encouraged behavioural change in order to reduce idling. Some of our recent actions are outlined in paragraph 4.12 above and similar action could be continued in the future without the use of fixed penalty notices. However, whilst these actions will have some effect, if officers are authorised to issue fixed penalty notices, this will give more weight to such requests

for drivers to switch their engines off whilst stationary and so would be likely to make the existing measures more effective.

Therefore, this option is not recommended.

83. AFFORDABLE ENERGY STRATEGY AND AGREEMENT TO PROCEED WITH PUBLIC CONSULTATION

The Cabinet Member for Climate Change and Sustainability was pleased to introduce Haringey's Affordable Energy Strategy which set out the Council's 5 year plan to improve the energy efficiency of homes in all tenures and a referral network throughout the borough to tackle fuel poverty. Unlike previous Affordable Warmth Strategies, the risk of overheating and the associated health impacts were considered due to the impacts of Climate Change already being felt in Haringey.

The Cabinet Member described tackling fuel poverty as a priority and one which was even more important with the ever-increasing cost of energy. Given the impact of climate change, there was also an urgent need to reduce carbon emissions from homes.

In response to questions from Cllr Brabazon and Cllr Emery, the following was noted:

- Agreed that Cllr Brabazon be provided with a written response outlining the learning from the previous strategy. A key issue was considering fuel poverty and energy use in relation to the cold and heat and this was a significant change from the previous strategy as there was also now increased costs associated with warmer weather and keeping cool in the summer.
- With regards to consideration being given to encouraging properties that cannot connect to the DEN[District Energy Network] to utilise use of solar power, the Council had done some work with N10, a year ago ,and spoke with residents to come forward if they wanted to have solar panels in their home and they were supported to this. The service would look at a whole range of issues to make home more energy efficient.

RESOLVED

1. To approve the draft Affordable Energy Strategy 2020-2025 at appendix 1 for public consultation.
2. To note that following the public consultation the final strategy will come back to Cabinet for approval

Reasons for decision

'Energy vulnerability' is a recognised term that highlights that some households find it difficult to adequately power their homes which adversely affects their daily life and health. It incorporates fuel poverty, which is caused by low incomes, high energy

prices and energy inefficient housing. In England fuel poverty is currently measured using the low income-high cost definition, which states that a household is in fuel poverty if:

- Their income is below the poverty line (taking into account energy costs and;
- Their energy costs are higher than is typical for their household type

Overheating can impact the same groups that are at risk from fuel poverty.

The existing Affordable Warmth Strategy (2009-2019) has now expired. It is estimated that over 15,000 households in Haringey experience fuel poverty. By adopting a new strategy Haringey will have a clear way forward to tackle fuel poverty in the borough and improve the health and wellbeing of its residents.

The proposed revised strategy- the Affordable Energy Strategy (2020-25), has a wider scope to recognise that fuel poverty goes beyond cold homes. The ability to adequately power household appliances, lighting and communication equipment can impact academic attainment, digital inclusion, access to employment opportunities and increase social isolation. The strategy also recognises that in a changing climate, there is a need to keep homes cool during periods of high temperatures as well as warm in winter.

The government's Fuel Poverty Strategy For England (Cutting the Cost of Keeping Warm) 2015 and Fuel Poverty Regulations (England) 2014 set a target to ensure that as many fuel poor homes 'as is reasonably practicable' achieve a minimum energy efficiency rating of Band C by 2030.

Interim milestones have also been set to ensure 'as many fuel poor homes as is reasonably practicable' achieve a minimum energy efficiency rating of Band E by 2020, and Band D by 2025. The phased approach follows a principle of prioritising assistance to those in the deepest levels of fuel poverty.

Public consultation will ensure that residents have the opportunity to reflect on the proposals and provide their views. A key recommendation of the strategy is to develop a referral network to reach those most in need, conducting a public consultation exercise will begin the relationship building process required to develop such a network.

The draft vision is:

"To reduce the number of households struggling to afford to adequately power their homes and improve the health and wellbeing of residents by:-

- *Improving the energy efficiency of housing and reducing overheating risks,*
- *Connecting residents to support services and initiatives to overcome the many causes of fuel poverty, such as energy prices, low incomes and unemployment."*

This vision will be delivered through the following objectives:-

- Increase the number of struggling households receiving energy advice and expand the support available to create a people-centred solution
- Improve housing energy performance to reduce fuel poverty, cold homes and overheating

- Maximise the funding and resources secured within Haringey to alleviate fuel poverty

Alternative options considered

Do nothing

The strategy would not be redrafted and released. The Council will have no coherent strategy to improve the circumstances of around 15,000 households living in fuel poverty in Haringey and meet the ambitions of the Borough Plan by driving up the quality of housing for everyone and exploring setting up an alternative local or regional energy savings company(s).

Reduce the scope of the strategy

Reducing the scope to address the energy efficiency of homes would not necessarily lift households out of fuel poverty. Ignoring overheating risks could cause problems in the future as periods of hotter weather increase.

84. COUNCIL ENERGY CONTRACT AWARD

The Cabinet Member for Climate Change and Sustainability introduced this report which sought formal approval for use of the LASER Energy Framework Agreement to administer the purchase and supply of the Council's corporate gas and electricity contracts for the period 1 April 2020 to 31 March 2022 with the option to continue with the purchasing arrangements under a rolling forward buying commitment arrangement until 31 March 2025 (unless terminated by the Council).

The Cabinet Member noted the Council's energy consumption represented a significant, but necessary cost to the Council. Haringey Council was committed to mitigating these costs as much as possible through flexible purchasing solutions, transactional efficiencies and energy conservation measures.

The strategy set out in this report ensured the Council reduced exposure to peaks in energy prices by spreading our purchasing over several months. In addition, the aggregation of our consumption with other public sector bodies helps reduce costs further, through economies of scale. And finally, this new contract would enable the Council to purchase green energy for a competitive price and give access to an energy efficiency advice service for all users to reduce carbon and costs.

In response to a question from the Leader, Officers informed LASER was not an acronym but just the name of the company.

Further to considering exempt information at item 30,

RESOLVED

1. To approve the use of the LASER Energy Framework Agreement to administer the purchase and supply of the Council's corporate gas and electricity contracts for the period 1 April 2020 to 31 March 2022 (at an annual cost of £7.2m per annum) with the option to continue under a rolling forward buying arrangement

up to 31 March 2025 (unless terminated by the Council) at an estimated total value of £36m.

2. To approve the use of LASER's appointed energy framework suppliers for the supply of gas and electricity through the framework duration. The breakdown of contract spend between the appointed suppliers is estimated at; Npower (LASER Framework Y18003 - corporate electricity supplies, HRA and street lighting) at £5.2m per annum (up to £26m over 5 years), and Corona Energy (LASER Framework Y18002 - corporate gas supplies) at £2.02m per annum (up to £10m over 5 years); and to authorise the Director of Housing, Regeneration, & Planning to award the contracts and facilitate the execution, implementation and operation of the contract, including the use of ancillary services available under the contract
3. To authorise the Director of Housing, Regeneration, & planning to manage the Council's energy purchasing strategy through price and risk. Reviewing options for alternative price risk management strategies for the supply of energy during this supply period in order to minimise risk and market volatility and obtain best value. This will be undertaken though advice of the LEP, LASER and energy suppliers.
4. To approve the use of a REGO backed 'green' tariff for Corporate Estate (Schools, Civic Buildings, Street Lighting etc.), as part of the Council's commitment to carbon reduction. This will cost approximately £17k per year on top of the £5.2m electricity contract. This cost will be shared among all services who pay for electricity (Schools, Council Buildings.) The green tariff will not cover Homes for Haringey as this would require tenants voting on this policy and its implications.

Reasons for decision

Following a previous failed procurement the LEP accessed an existing LASER National framework which had been awarded in December 2018.

- Y18002 – Flexible Procurement and Supply of Daily and Non-Daily Metered Natural Gas
- Y18003 – Flexible Procurement and Supply of Half Hourly and Non-Half Hourly Metered and Unmetered Electricity

The LEP specification for transactional efficiency, online portal, budget tools, customer service and wider strategic objectives including social value and green energy were embedded as an enhanced Service Level Agreement with the suppliers for LEP members. The social benefit is secured by requiring suppliers to ensure the London Living Wage is delivered through direct employees and being worked towards through their contractors. The suppliers are also required to recognise unions and the right for workers to join them. To demonstrate the green energy supply suppliers are required to produce REGO backed certificates that demonstrate a green energy supply chain has been followed.

The contract to supply Electricity (Half Hourly – covering large electricity sites, Non-Half Hourly – covering small electricity sites, unmetered supplies and street lighting) was awarded directly to the Framework supplier following formal evaluation to ensure the enhanced SLA for LEP members could be fully delivered.

A mini-competition was undertaken between the Framework gas suppliers that assessed the supplier's capability and price to deliver the enhanced pan-LEP SLA. Corona Energy was evaluated to be the most economically advantageous provider following this process. Full details of the evaluation is detailed in the Part II.

In utilising the proposed pan-LEP arrangements, the Council will be able access best practice energy contract arrangements as endorsed by the LEP. Implementing the new arrangements from the 1 April 2020 to:

Address the Council's target to become carbon neutral by 2030 through:

- securing arrangements for the supply of 100% Renewable Energy Guarantee Origin (REGO) sourced energy
- deliver arrangements which facilitate on-site energy generation, demand side response, community engagement, development of district heat networks and Power Purchase Initiatives
- implement energy supply contracts that provide a one-stop route for energy efficiency, financing innovation and carbon reduction measures

Build on Value for Money and efficiencies already achieved in working in collaboration with the London Energy Project (LEP)

- achieve better budget, price and risk management through the continued aggregation of the Council's energy supplies with the rest of the public sector portfolio managed by Central Purchasing Bodies
- adapt to the changing energy supply market, the changing makes up of energy cost and move away from a transactional relationship with the appointed energy suppliers
- implement arrangements where the supplier is required to facilitate better energy consumption data analysis to support energy efficiency measures, improved billing quality and increase efficiency of back office processes

Ensure that the Council's Fairness and Responsible Procurement ambitions are realised.

- The Living-Wage will be applicable for directly employed and sub-contracted staff with respect to the proposed contracts.
- The providers are signatories of the Modern Slavery Act (2015) incorporating a whistleblowing policy and enabling the freedom of employees to join a trade union and not be treated unfairly because of belonging to one.
- Both providers have committed to the provision of Quality Apprenticeships under the contractual arrangements
- Both Providers have more than 250 staff and are signatories of the London Healthy Workplace Charter
- The necessity for rolling arrangements are to allow effective risk management and to accommodate decision making processes and timescales for Cabinet on extensions and terminations. Haringey Council would typically need to serve termination notice by March at least one or two years in advance of the supply period, e.g. in March 2020 to prevent a contract being delivered in April 2022.

- For effective management, our recommendation is that call-off contracts can roll forward with a final supply date of 31st March 2025, unless terminated by the Council, which is allowed as per recommendation number 3b).
- If the termination notice is not given the arrangement rolls forward automatically. The contracts allow us to reduce or increase our overall volume requirement each year prior to supply delivery without attracting a financial penalty. During each forward buying commitment period and contract delivery period the Council may remove Sites from the Site Schedule in the event that such Site has been sold or closed, without attracting a take or pay penalty and may add new sites to the contract under the same terms and conditions and non-energy pricing offered by the framework.

Alternative options considered

Spot Buy (Fixed Price Contracts)

This is where the Council would buy short-term contracts for a fixed price over the time period. Although there are savings that could be made, the Council would be more exposed to the vagaries of the wholesale market (a price is fixed on a single day in the year) and could pay higher off-contract prices until an appropriate new contract is in place. It is also not compliant with either Procurement Standing Orders (PSOs) or public procurement legislation. This was ruled out due to the risk of price volatility, lack of in-house expertise and the fact that this does not comply with Council Standing Orders.

Procure our own energy by direct tender

This option is possible, but it would involve a standalone OJEU (Official Journal of the European Union) tender to secure contracts directly with the selected energy provider(s) (or via a broker see option 5.3). This approach is unlikely to produce the best results due to the relatively small scale of the portfolio compared that of most large purchasing organisations. In contrast, a Public Sector Buying Organisation can obtain good wholesale prices through aggregating the demand of a large number of public sector organisations. In addition, a direct tender would require the Council to engage additional resources (skilled energy traders and additional staff for contract management) and provide greater risk of exposure to energy price fluctuations. It was therefore determined as unviable.

Procure through a Private Sector based provider

The Council would require a tender for a private sector Third Party Intermediary (TPI) to procure energy supply (as Option 2), but it would need to be sure that it would be getting best value through a truly aggregated, flexible contract. Full price transparency of all costs, including TPI fees and any commission paid by suppliers to the TPI would be needed. By aggregating the Council's volumes, the TPI could access the wholesale market on our behalf but we may only receive prices based on the supplier's view of the market. A full OJEU tender process would be required to engage with such a provider with all the associated resource and time implications that would be entailed. TPIs may have issues regarding business continuity in the present economic climate are unlikely to be able to aggregate the Council's volume with other

customers in an OJEU compliant manner or to the same level or offer the same additional and social value as the Pan-LEP contracts. Due to this level of complexity and lack of in-house resources to deliver this, this option was dismissed.

Procure from generators

The Council could purchase electricity via an OJEU procedure from nominated generators. Power Purchase Agreements (PPAs) typically facilitate the sale of energy from the operators of small scale off site renewable generation assets including Combined Heat and Power (CHP) plant, wind turbines, solar PVs and anaerobic digestion. It is unlikely that the Council could rely solely on such a source, due to security of supply issues, but could combine such energy with that provided from a conventional supplier. As a customer, this could help increase the Council's environmental credentials through being seen to invest in generation from low carbon and renewable sources. Depending on the type of PPA, it could also reduce the impact of power/price volatility on the organisations as it is possible to fix prices on a long-term basis (typically up to 5 years ahead).

These are usually more attractive if the electricity can be supplied from the generator directly to the user without involving the national grid (i.e. over 'private wires') as this reduces the amount of transmission and distribution charges payable, but a conventional licensed supplier would need to be involved to ensure there is an adequate and consistent source of supply of electricity. It would also remain necessary to make suitable arrangements for the purchase of gas and oil. This type of PPA 'sleeping', will be possible through the Pan-LEP arrangement.

This option was not taken forward due to the complexity, lack of market interest for the Council (we are not a large energy purchaser in the national scale), and as similar environmental outcomes can be delivered through the Pan-LEP agreements.

Generate the Council's own energy

The Council could invest in electricity generating assets and use the output to contribute towards the supply of electricity to Council owned or operated buildings. Such as Combined heat and Power, or renewable technologies. A licensed supplier would still need to be involved to facilitate this and to ensure that the Councils still received an adequate supply of electricity. This option is available within the Pan-LEP contract and was included with the OJEU process to ensure compliance with procurement regulations. And will be delivered as the Council starts to deliver the Decentralised Energy Network (DEN) projects. But due to the high level of investment and timescales this was not taken forward.

Procure via Central Purchasing Bodies (CPB)

The Public Contracts Regulations 2015 define a Central Purchasing Body (CPB) as 'a contracting authority which provides centralised purchasing activities and which may also provide ancillary purchasing activities'. CPBs often set up and operate framework agreements which are accessible to contracting authorities such as the Council.

There are a number of advantages to using a CPB, including better prices through economies of scale, lower transaction costs, improved capacity and expertise. A key role of most CPBs is the conclusion of framework agreements or other consolidated procurement tools. Framework agreements seek to achieve efficiency gains and greater value for money in the public procurement process using the aggregated purchasing power and expertise of CPBs that creates economies of scale in both supply and demand.

Do nothing

This is not an option as the Council and users of its buildings rely on energy to operate. It would place a requirement on schools and Homes for Haringey to procure their own energy supplier or run out of contract which is a cost with a premium.

85. IMPROVEMENTS TO HIGH-SPEED BROADBAND INFRASTRUCTURE AND CONNECTIVITY IN THE BOROUGH

The Leader introduced the report which set out proposals to help improve high-speed broadband infrastructure and connectivity in the borough and thereby maximise the advantages and potential associated with high-speed connectivity for the benefits for the boroughs' residents, businesses and diverse communities.

RESOLVED

1. To seek of expressions of Interest from broadband suppliers to install full fibre high-speed broadband infrastructure and connections to Council-owned social housing stock, commercial properties and community buildings and facilities (at no cost to the Council, residents or businesses), in exchange for the Council entering into a Non-Exclusive Wayleave (Access permission) Agreement with the selected broadband supplier(s).
2. To give delegated authority to the Director of Housing, Regeneration and Planning, after consultation with the Cabinet Members for Local Investment, Economic Growth, Finance and Strategic Regeneration and Housing and Estate Renewal, to enter into the Wayleave Agreement(s) with the appointed broadband supplier(s) and approve the final terms.
3. To note the delivery plans for the £800,000 SIP funding to improve broadband infrastructure and connectivity in North Tottenham (Northumberland Park).

Reasons for decision

Investment in upgrading Haringey's digital infrastructure is of critical importance to allow the borough's residents and businesses benefit fully from the economic and social advantages provided by high-speed internet connectivity.

The proposed Wayleave/Broadband approach is one way the Council can actively incentivise broadband suppliers to provide the much-needed capital investment into broadband connectivity within its estate.

It is hoped the Wayleave/Broadband scheme could result in the following benefits for the Council, residents, businesses and the wider economy:

- 21,000 Council social housing properties being connected with full fibre high-speed internet connections
- Council-owned commercial property being connected with full fibre business-grade high-speed broadband connections. This could lead to increased rental income for the Council
- Free high-speed internet connections to community buildings and spaces including libraries, community halls, youth clubs et
- Low internet subscription charges for people on low incomes and the socially excluded
- Employment, digital training and apprenticeship opportunities for local people
- Regeneration, business and wider benefits for the local economy
- Efficiency and savings for the Council, particularly on “Access to online services” and “Housing blocks and other building management services”.

Additional information on the benefits of the Wayleave/Broadband scheme for the Council, residents, businesses and the wider economy, is outlined in Appendix 1

Alternative options considered

Option 1: ‘Do Nothing’

An option would be for the Council not to seek Expressions of Interest for broadband suppliers to upgrade the borough’s digital infrastructure through the Wayleave/broadband investment arrangement.

This would result in the Council not being able to secure external investment to improve its digital infrastructure and connectivity. There is very little public funding currently available to target upgrades to digital infrastructure.

Option 2:

The recommended option is to invite Expressions of Interests from broadband suppliers and for the Council to enter into a Non-Exclusive Wayleave Agreement with the appointed broadband supplier(s) – for them to install full fibre high-speed infrastructure and connectivity to Council-owned social housing stock, commercial properties and community buildings and facilities at no cost the Council. Enabling private sector capital investment, through the Wayleave/Broadband arrangement, is the most viable and cost-effective option – to modernise the borough’s digital infrastructure and connectivity.

86. AGREEMENT TO AWARD OF CONTRACT FOR FERRY LANE PUBLIC REALM SCHEME

The Cabinet Member for Finance and Strategic Regeneration introduced this report which sought approval for the award by Cabinet of the Ferry Lane Public Realm Scheme contract, following a competitive tendering exercise, to Bidder 1 for a total value of £913,115.61 as permitted under CSO 9.07.01(d).

The Cabinet Member noted the ambition for the scheme was for it to be an exemplar project where pedestrian and cycle access was a priority. The improvements that arose from the scheme would benefit local residents.

In response to questions from Cllr Brabazon and Cllr das Neves, the following information was provided:

- Officers noted that all of the different works taking place at Tottenham Hale were being managed by a Construction Logistics Process which saw developers and others undertaking construction work in the area all sharing their work programmes. This was then monitored and enforced with colleagues from the Highways and Planning Authorities. The Ferry Lane Public Realm Scheme was a direct Council project and would feed into that Construction Logistics Process, which sought to help minimise the impact of ongoing works on residents where possible.
- Regarding the ensuring the voices of residents were considered, Officers highlighted that this Scheme had been consulted and designed with the Haringey Cycling Campaign. A feature of the Scheme was a fully segregated cycling path.

Further to considering exempt information at item 31,

RESOLVED

1. To approve the award of the contract for the Ferry Lane Public Realm Scheme to Bidder 1 identified in the exempt report in the sum of £913,115.61 as permitted under CSO 9.07.01(d).
2. To authorise the issue of a Letter of Intent (LOI) for the amount of £91,311, being 10% of the contract price.

Reasons for decision

The appointment of the preferred bidder will enable the Council to deliver significant highway and public realm improvements for residents in accordance with the Council's Green and Open Spaces Strategy for Tottenham Hale.

Officers have undertaken a tendering exercise to secure a contractor to deliver the Ferry Lane Public Realm scheme. Through this process, Bidder 1 have demonstrated that they should be awarded the contract.

In awarding the contract to Bidder 1, the Council is securing delivery of the Ferry Lane Public Realm Scheme.

The scheme will deliver Sustainable Urban Drainage (SUDs), introduction of segregated cycle lanes, improved surfacing, street lighting and minimise maintenance costs in the long term. There is community support for the project as established through the consultation process.

Alternative options considered

Option 1: Do nothing

Pursuing this option would fail to address the lack of a clear link between Tottenham Hale, The Paddock and The Walthamstow Wetland Centre. It would also fail to resolve the safety concerns around cyclists using the main carriageway with minimal protection. Option not recommended.

Option 2 Direct Award to Term Maintenance Contractor

This option was discounted since the current term Contract expired in October 2019 and it was considered more cost effective to test the market by undertaking a competitive procurement process to secure the most economically advantageous tender to the Council.

Option 3 In-house delivery

This option was discounted as the Council currently do not have the requisite in-house resource and expertise to construct the Scheme.

87. NOVATION OF CONTRACT FOR PROVISION OF SAP MANAGED SERVICE

The Cabinet Member for Civic and Corporate services introduced the report which sought to novate the contract for the SAP managed service to replace the company serving as the Council's main contractor by another company within the HCL group. This will allow for a continuation of the service for Finance, Payroll, HR and Procurement systems until 15/3/20 when the contract expired.

RESOLVED

1. To approve the novation of the SAP Managed Service Contract from Axon Solutions Ltd T/A HCL Axon to HCL Technologies UK Ltd under Contract Standing Orders 10.03 and 9.07.1(d).
2. To note that the contract value over the life of the contract, from the contract start on 16/9/13 until the contract's current 6 month extension expires on 15/3/20, is £4,124,447.00.

Reasons for decision

To make a decision as Axon Solutions T/A HCL Axon is being wound up as part of a restructure to reduce a complicated structure of the European companies within the HCL group and it will no longer exist. Axon Solutions T/A HCL Axon is proposing to novate the contract from them to another company within the HCL group, HCL Technologies UK Ltd, to allow for a continuation of the service provided. HCL's parent company in India, HCL Technologies Ltd is, and would remain after the proposed contract novation, a co-contractor with the relevant HCL subsidiary.

Alternative options considered

Axon Solutions Ltd said that we are required to novate the contract as they are winding down the company due to a restructure.

Contract termination was considered but were unable to terminate as we require their services until the contract end.

88. REGULATION OF INVESTIGATORY POWERS ACT (RIPA) 2000: USE WITHIN THE COUNCIL 2018/19 AND REVIEW OF TO THE COUNCIL'S INVESTIGATORY POWERS POLICIES UNDER RIPA 2000 AND INVESTIGATORY POWERS ACT 2016

The Leader of the Council introduced this report which informed Cabinet of issues relevant to the use of investigatory powers (under the Regulation of Investigatory Powers Act (RIPA) 2000 and Investigatory Powers Act (IPA) 2016) and provide a refreshed policy for approval.

The Leader noted RIPA provided a statutory framework for public authorities to use covert investigatory techniques, such as surveillance, where necessary and proportionate, for the purpose of preventing or detecting crime. The Council used RIPA infrequently but was required to report the use of directed surveillance to members. The Leader was satisfied that the Council uses the powers afforded to it under the RIPA legislation appropriately.

The Leader informed that changes brought in by the IPA provide a new framework for dealing with communications data; previously RIPA covered communications data. On this basis, the Leader recommended that Cabinet approve the revised RIPA policy for covert surveillance and covert human intelligence sources and a new, separate policy specific to communications data under IPA 2016.

In response to a question from Councillor James, the Leader noted that since 2015/16 RIPA had been used only once in the case of covert surveillance to capture evidence of the trade of illegally slaughtered sheep/goat carcasses.

RESOLVED

1. To note the use of RIPA by the Council;
2. To approve the amended RIPA policy at Appendix 1; and
3. To approve the new IPA policy at Appendix 2.

Reasons for decision

The RIPA codes of practice state that members should review the Council's use of investigatory powers at least annually. Therefore, although the powers under RIPA have been used sparsely in recent years, it is nevertheless important for members to be aware of the extent of usage.

There have been multiple legislative changes for investigatory powers since 2018. Therefore, it is important that the existing policy is updated. The proposed new policies reflect the most recent law and codes of practice.

Alternative options considered

Not applicable. If the Council's use of investigatory powers was not noted, the Council would not be complying with the codes of practice and so this alternative has not been considered. Similarly, if the existing policy is not updated as suggested it will not account for changes in the law and codes of practice and so this alternative has not been considered.

89. SUPPLY OF GOODS AND SERVICES FOR CAMERAS REFRESH, UPGRADE AND NETWORK EXTENSION – CONTRACT AWARD

The Cabinet Member for Communities and Equalities introduced the report which sought approval approve the award of contract for the supply of CCTV goods and services .Through this contract award, the Council would double the size of its camera network. The award of the contract included replacement, refresh and extension of the Council's camera network.

It was noted that as well as increasing the number of cameras the Council would take advantage of latest technology, providing high quality evidential footage to support any necessary enforcement and quality real time coverage to manage incidents dynamically. Through this contract award, the Council would also be able to increase coverage to enable better management of the road traffic network.

Noted that there would be an increase to the pool of redeployable cameras to increase the tools available to tackle crime and Anti-social behaviour (ASB) hotspots. This will increase flexibility and capacity, and having solved an issue in one location we can then lift and shift our capability to other areas.

The Cabinet Member expressed that the recommendations would allow for a fit out of a modern new control room, operated jointly with Homes for Haringey and the Metropolitan Police. The new control room would bring together all the key agencies in the borough able to provide a joined up seamless response to crime and ASB as it occurs.

Further to considering the exempt information at item 32,

RESOLVED

That pursuant to Contract Standing Order 9.07.1(d), to approve the award of contract for the supply of CCTV goods and services to the successful bidder named in the exempt report for a period of 4 years under a schedule of rates framework (detailed in the Contract – and Appendix A of the exempt report) up to a maximum spend of £2.1m.

Reasons for decision

The Council initiated a competitive exercise through the Official Journal of the EU (OJEU) and an OJEU notice was issued on 02 August 2019, to invite tenders with submissions due on 04 September 2019. The procurement process followed the Open Procedure in accordance with Regulation 27 of the Public Contract Regulations 2015. A total of seven providers registered interest and one provider submitted a bid for the contract.

The tender procedure consisted of a single stage process, including 'selection questions' and six qualitative questions, assessing the bidders against the broad range of required experience, skills and capabilities as described in the specification. The submitted bid has been evaluated against price and quality to ensure that it delivers value for money.

The successful bidder has demonstrated its ability and capability through responses to the tender requirements and questions, and it is therefore proposed to be the successful provider.

Alternative options considered

Doing nothing – continue as is, repairing the existing frail infrastructure that dates back to 2006. This option was not progressed as ultimately it risks infrastructure failure and loss of CCTV capability. Risks associated with failure include loss of public and key stakeholders' confidence, increased crime and disorder, failures in traffic management and loss of related income.

90. NORTH HILL RETAINING WALL WORKS

The Cabinet Member for Neighbourhoods introduced this report which sought agreement to award of Contract for North Hill Retaining Wall scheme following a competitive procurement process. The scheme forms part of the Council's Sustainable Transport Works Plan (STWP) for 2019/20.

The Cabinet Member informed the North Hill wall was in Highgate N6, between View Road and Storey Road and retains a narrow service road, which is public highway, providing access to private residential properties. The wall had been built around the 1900s and had failed a structural assessment in 2014. It was therefore necessary to replace the wall.

The Cabinet Member noted the scheme was included in the Sustainable Transport Works Plan (STWP) 2019/20 approved at the Cabinet meeting on 18th June 2019.

The Cabinet Member closed by noting the new structure would have a design life of a minimum of 120 years before it would need replacing. Part of the programme delivery included refurbishing and retaining the existing railings as they are of historical interest, resurfacing the carriageway, adding a new brick façade to the retaining wall. Further details of these works can be found at 4.5 of this report.

Further to considering the exempt information at item 33 and noting that the constitution and contract standing orders allow Directors to vary contracts up to the key decision threshold of £500k,

RESOLVED

1. In accordance with Contracting Standing Order 9.07.01(d), to approve the award of a contract for the North Hill Retaining Wall Improvement Works to Bidder 1 in the sum of £897,536.53 + VAT with provision to increase this sum, as necessary, by an amount not exceeding the risk and contingency allowance set out in the exempt report at paragraph 2 but subject to the ability of the Director to agree a variation to the contract in line with the Council's contract standing orders.
2. To authorise the issue of a letter of intent (LOI) for the amount of £89,753.65 + VAT (being 10% of the total contract price), as permitted under CSO 9.07.3.

Reasons for decision

Officers have undertaken a competitive tendering exercise to secure a contractor to deliver the North Hill retaining Wall Works. Through this process Bidder 1 have scored the highest and have demonstrated that they should be awarded the contract.

By awarding the contract to Bidder 1, the Council is securing the delivery of the North Hill retaining Wall Improvement Works. It is the Council's intention for the works to be conducted between January 2020 and October 2020.

The scheme is funded by Haringey Council's Capital expenditure - Highways Structures Budget. This includes all the staff costs, design and statutory undertakers' investigations which have been carried out ahead of the main works to minimise the risks. Other funding is: £20,000 from TfL LIP programme and a £25,000 contribution from Haringey's Maintenance budget for the resurfacing works.

The works delivered by the scheme are essential to replace the existing retaining wall structure that has passed its design life and failed a structural assessment. The works will also result in minimising maintenance costs in the long term.

As part of the scheme delivery, the following works will be carried out:

- erecting vehicle restraints on the elevated service road,
- refurbishing and reusing existing railings that are of historic interest,

- improving the width of the service road, replacing kerbs and resurfacing the service road,
- carriageway resurfacing of the main North Hill road for the full width along the retaining wall;
- adding a new brick façade to the retaining wall, and
- Improving the layout, signing and road marking of the junction of Storey Road/North Hill Road. All of the above measures would ensure Haringey's assets are up to date and would minimise maintenance.

The new structure will also create a better environment for walking by widening the existing service road and will ensure vehicles using it will not overrun the footways.

Alternative options considered

Option 1- Do Nothing: Pursuing this option would fail to address the critical issue that the wall has failed the structural assessment. It would also fail to provide the improvements to this area of Haringey, especially for walking within close proximity of a primary school. This option is not recommended.

Option 2 - Direct Award to Term Maintenance Contractor: this option was discounted as it was the intention to stop issuing works to the current term Contract at the end of October 2019 and it was considered more cost effective to test the market by undertaking a competitive procurement process to secure the most economically advantageous tender to the Council.

91. NEW ITEMS OF URGENT BUSINESS

None

92. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

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

- Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

93. SEND TRANSPORT INVEST TO SAVE BUSINESS CASE

As per item 75.

94. COUNCIL ENERGY CONTRACT AWARD

As per item 84.

95. AGREEMENT TO AWARD OF CONTRACT FOR FERRY LANE PUBLIC REALM SCHEME

As per item 86.

96. SUPPLY OF GOODS AND SERVICES FOR CAMERAS REFRESH, UPGRADE AND NETWORK EXTENSION – CONTRACT AWARD

As per item 89 and exempt minutes.

97. NORTH HILL RETAINING WALL WORKS

As per item 90 and exempt minutes.

98. EXEMPT CABINET MINUTES

RESOLVED

To agree the exempt cabinet minutes of 8th of October 2019.

99. NEW ITEMS OF EXEMPT URGENT BUSINESS

None

CHAIR: Councillor Joseph Ejiofor

Signed by Chair

Date