

**MEETING**

**CABINET RESOURCES COMMITTEE**

**DATE AND TIME**

**THURSDAY 13 JANUARY 2011**

**AT 7.00PM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, HENDON NW4 4BG**

**TO: MEMBERS OF THE COMMITTEE (Quorum 3)**

Chairman: Councillor Daniel Thomas

**Councillors:**

Brian Coleman  
Lynne Hillan

Richard Cornelius  
Robert Rams

Andrew Harper

**You are requested to attend the above meeting for which an agenda is attached.  
Aysen Giritli – Acting Democratic Services Manager**

Democratic Services contact: Jonathan Regal, 020 8359 2012

Media Relations contact: Sue Cocker, 020 8359 7039

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**CORPORATE GOVERNANCE DIRECTORATE**

## ORDER OF BUSINESS

Item No.	Title of Report	Pages
1.	MINUTES	-
2.	ABSENCE OF MEMBERS	
3.	DECLARATION OF MEMBERS' PERSONAL AND PREJUDICIAL INTERESTS	-
4.	PUBLIC QUESTION TIME (If any)	-
	<b>Report of the Cabinet Member for Resources and Performance and the Cabinet Member for Environment</b>	
5.	Fees and Charges for Environment and Operations	1 – 13
	<b>Report of the Cabinet Member for Housing, Planning and Regeneration and the Cabinet Member for Governance and Civic Affairs</b>	
6.	Fees and Charges for the Planning, Housing and Regeneration Directorate	14 – 29
	<b>Report of the Cabinet Member for Housing, Planning and Regeneration</b>	
7.	Voluntary Mortgage Scheme	30 – 33
	<b>Report of the Cabinet Member for Resources and Performance and the Cabinet Member for Adults</b>	
8.	Section 75 Partnership Agreement – Learning Disabilities Integration Project	34 – 49
	<b>Reports of the Cabinet Member for Adults</b>	
9.	Contract Award – Meals at Home	50 – 55
10.	Use of capital money for developing Adult IT infrastructure	56 – 74
11.	Prevention Services for Vulnerable Adults – Extension of Contracts	75 – 82
	<b>Reports of the Cabinet Member for Resources and Performance</b>	
12.	Removal of Long Term Empty Property Council Tax Discount	83 – 85
13.	Frith Manor School, Lullington Garth, Finchley N12	86 – 94
14.	Park House, 16 High Road, Finchley N2 9PJ	95 – 99
15.	ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	
16.	MOTION TO EXCLUDE THE PRESS AND PUBLIC: That under Section 100A (4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 9 of Part 1 of Schedule 12A of the Act (as amended):	

Item No.	Title of Report	Pages
	EXEMPT AGENDA	Exemption category
X1	<b>Reports of the Cabinet Member for Adults</b> Exempt information relating to item 9 in public session – Contract Award – Meals at Home	3 X1 – X2
X2	Exempt information relating to item 10 in public session – Use of capital money for developing Adult IT infrastructure	3 X3 – X4
X3	Exempt information relating to item 11 in public session – Prevention Services for Vulnerable Adults – Extension of Contracts	3 X5 – X12
	<b>Reports of the Cabinet Member for Resources and Performance</b>	
X4	Exempt information relating to item 13 in public session – Frith Manor School, Lullington Garth, Finchley N12	3 X13 – X15
X5	Exempt information relating to item 14 in public session – Park House, 16 High Road, Finchley N2 9PJ	3 X16 – X19
X6	ANY OTHER EXEMPT ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT	

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**AGENDA ITEM: 5**      Pages 1 – 13

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Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Fees and Charges for Environment and Operations</b>
Report of	Cabinet Member for Resources and Performance Cabinet Member for Environment
Summary	To approve the Environment and Operations fees and charges increase for 2011/12.

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Officer Contributors	Pam Wharf – Interim Director of Environment and Operations
Status (public or exempt)	Public
Wards affected	All
Enclosures	Appendix A – Environment and Operations fees and charges (general) Appendix B – Parking Pay and Display Fees and Charges
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not Applicable

Contact for further information: Karen Jones, Business Improvement Officer (Environment and Operations), 020 8359 2506.

## **1. RECOMMENDATIONS**

- 1.1 That the fees and charges for Environment and Operations Services detailed in the appendices to this report be approved to take effect from 1 February 2011, or as soon as practicable.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Cabinet Resources Committee, 23 September 2004 (Decision item 6) – resolved:
- (1) That increases in fees and charges in line with the Financial Forward Plan are approved by Heads of Service in consultation with Cabinet Member for Resources, and that these increases be implemented from 1 January each year, with only limited exceptions to those being increased from 1 April.
  - (2) That increases in fees and charges above the rate assumed in the Financial Forward Plan are approved by Cabinet Resources Committee, and that these increases be implemented from 1 January each year, with only limited exceptions to those being increased from 1 April.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 Fees, charges and allowances need to be reviewed to ensure value for money; thus complying with the 2010/13 Corporate Plan priority 'Better Services with Less Money'.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 The increases in fees and charges are necessary to offset rising costs, meet income targets and deliver budget savings.
- 4.2 Increasing fees and charges always poses an element of risk around the proportionate level of increase, when compared to resident's ability to pay and/or resident's test of reasonableness. Every effort has been made to manage the charge increase to an appropriate level; however, some element of reputational risk will remain.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The increases in fees will enable the Council to continue to provide a high quality service to all users. This will also enable resourcing to be made available to ensure, that these services and information on how to receive assistance, is easily accessible and is also promoted through a variety of different communication channels.
- 5.2 Some charges will be the subject of public advert, which enables all residents to be made aware of the increase in charges and their applicable date of change.
- 5.3 The outcomes and impact of these changes will be monitored and measured against current information to ensure that different groups are not adversely affected. As well as compared against those of different boroughs.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 The impact of increased fees and charges will be taken into account in the 2011/12 revenue monitoring and the 2012/13 forward plan process.
- 6.2 There are no staffing, IT or property implications.

## **7. LEGAL ISSUES**

- 7.1 The Local Government Act 2003 permits charging for discretionary services provided by the Council.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's Constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including approving income sources and charging policies.
- 8.2 Paragraph 3.8 of the Council's Financial Regulations requires that the Cabinet Resources Committee (CRC) approves changes to fees and charges that are significantly different from inflation.

## **9. BACKGROUND INFORMATION**

- 9.1 The fees and charges levied on users of Council services have been reviewed as part of the development for the 2011/12 budget and Council tax setting. Fees and charges are an important element of Council income as they contribute approximately £80m per year to the cost of delivering services, which is not then required to be met from Council tax. The Environment and Operations element of this total is approximately £22.5 million, of which, around half relates to parking.
- 9.2 This report seeks approval to any changes that are higher than could be reasonably taken to be in line with that definition.
- 9.3 Some of the items listed in Appendix A are increased by inflation of 3.2%, slightly higher or lower increases are sometimes necessary to give rounded figures.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 None.

Legal – PR  
CFO – MC

## Environment and Operations - Fees and Charges - Inflation Increases, Above Inflation Increases And New Charges

### Appendix A

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
<b>Highways</b>					
Consideration of an application each skip on the highway	N	Each	£39 for 2 weeks £63 for 4 weeks	£40 for 2 weeks £65 for 4 weeks	Inflation Increase
Unlicensed Skip found on the highway	N	Each	£100	£250	Revised charge
Renewal for expired skip licence	N	Each	£27	£40	To cover administration cost
Site inspection charge	N	Each	£49	£50	To incentivise better compliance by skip companies
Consideration of a request to construct a vehicle crossover, where works are arranged by the authority via the highways term contractor	N	Each	£94	£100	Process application with site visit and provide quotation
Ditto, but in conjunction with the council's planned footway works programme	N	Each	£89	£100	Process application with site visit and provide quotation
Consideration of an application for a licence to erect or retain on or over a highway any scaffolding or other structure	N	Each	£130	£150	Revised charge
Consideration of an application to erect a hoarding or fence and site inspections to monitor compliance	N	Each	£130	£150	Revised charge
Consideration of a request to construct works, cellars, cranes, portacabins, temporary crossovers, vaults or pavement lights under or on a street	N	Each	£130	£150	Revised charge
Consideration of an application to temporarily deposit materials in a street or to make an excavation in it and the undertaking of site inspections to monitor compliance	N	Each	£130	£150	Revised charge
Consideration of an application for a licence to erect or retain on or over a highway any scaffolding or other structure	N	Each	£335	£500	Revised charge
Consideration of an application to erect a hoarding or fence and site inspections to monitor compliance	N	Each	£335	£350	Revised charge
Consideration of a request to construct works, cellars, cranes, portacabins, temporary crossovers, vaults or pavement lights under or on a street	N	Each	£335	£350	Revised charge
Consideration of an application to temporarily deposit materials in a street or to make an excavation in it and the undertaking of site inspections to monitor compliance	N	Each	£335	£350	Revised charge
Works directed under the Highways Act 1980 and the Town & Country Planning Act 1990: Pre-application initial meeting to discuss proposed developments.	N	Each	£450	£500	Inflation Increase
Vehicle Crossover Legal Agreement	N	Each		£150	Cost includes recovery of costs relating to the processing of the application and scheduling agreement for Legal. Legal costs in preparing for signing agreements and Local Land charges.
Vehicle crossover application	N	Each		£100	Revised charge following revision of process
Vehicle Crossover White Line - Process Application	N	Each		£100	Revised charge following revision of process
Vehicle Crossover White Line Installation	N	Each		£105	Charge includes for up to 5 metres - Each additional metre is charged at £20.

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
Vehicle Crossover - Processing and monitoring of Crossover applications and works under new arrangements where works are arranged by residents rather than the Authority.	N	Each	£0	£350	Charge includes for an initial site visit on receipt of a crossover application, granting or refusing application, further site visits as required to monitor the works carried out and issuing a completion certificate. Revised crossover process where the authority do not arrange the works through the term contractor.
Vehicle Crossover - On occasions where it is necessary for obstructions to be considered for removal in order for a crossover to be constructed such as a tree or lighting column, thereby necessitating a site visit by a tree officer/lighting engineer.	N	Each	£0	£100	Charge allows for site visit and quotation to be prepared and posted to the applicant. Revised crossover process
Rechargeable construction Works - Vehicle Crossovers, Street Lighting, Highway Construction, Sign supply and installation etc.	N	Each		Cost + 40%	On cost covers the cost of admin, contract monitoring, specification compliance, final measure and paying contractors
Vehicle Crossover White Line Re-marking existing faded lines	N	Each		£100	Charge includes for up to 5 metres - Each additional metre is charged at £20.
Private Street Name Plate - Quote and Specification Fee	N	Each		£125	Revised charge following revision of process
Consideration of a request to place a traffic sign to indicate the route to specified land or premises and the placing of such a sign	N	Per Sign		Individual Applicant £125 Commercial Business £250	Revised charge following revision of process
Works directed under the Highways Act 1980 and the Town & Country Planning Act 1990: Pre-approval meeting to discuss the scope of adoptable highway works in connection with new roads within proposed developments	N	Hourly Rate	£0	Up to Snr Eng £110 Above Snr Eng £170	These works include all related sections of the Highways Act 1980 and the Town & Country Planning Act 1990. Revision of 3 previous charges into 1
The alteration of parking layout through Traffic Management Order (TMO) processes. Charge covers the public consultation, advertising and one TMO alteration	Y	Each	£0	£1,700	See notes 2 and 7
Enquiries on Highway matters requiring an official response. To cover all enquiries including GIS, Traffic Management Order, traffic schemes, accident data, rights of way and similar	N	Each	£0	£180	Revision of previous charge One-off charge per site, per request
Works directed under the Highways Act 1980 and the Town & Country Planning Act 1990: Pre-application advise following initial meeting to discuss proposed developments.	N	Hourly Rate	£0	Up to Snr Eng £110 Above Snr Eng £170	Revision of two previous charges Revision of previous charge
Section 38, 278 and 106 Highway Work : Technical approval of highway layout & construction details and the supervision of adoptable highway works in connection with new estate roads offered for adoption	N	Each	15.5% and 20.5%	12%, 15.5% and 20.5%	These works are carried out under Section 38 / 278 of the Highways Act 1980 and / or Section 106 of the Town and Country Planning Act by Agreement. See Note 5. Highest percentage figure used when works cost in under £400,000. Lowest percentage used when works cost £1m to £5m. When works cost over £5m they are subject to individual negotiation
Minor Offsite Highways Work : Technical approval of highway layout & construction details and the supervision of highway works on the public highway for minor offsite highways work necessitated by the new development	N	Each	£2,411	£2,488	Under Section 184 of the Highways Act 1980. The charges relate to each access created or closed. See Note 5.
Highway Licences : Processing of Licences under the Highways Act 1980 on new developments (i.e. under Sections 142;177;179;181 etc.)	N	Each	£3,020	£3,117	See Note 5.
Processing of Stopping Up Order Under Section 247 of Town & Country Planning Act 1990	N	Each	£3,943	£4,069	Initial fee per application, additional charges may be levied as per Note 5.
Processing of Stopping Up Order Under the Highways Act 1980	N	Each	£6,193	£6,391	Initial fee per application, additional charges may be levied as per Note 5.
Section 50 Street works licence	N	Per licence	£150	£275	Revised charge



SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
Works directed under the Highways Act 1980 and the Town & Country Planning Act 1990: Pre-application advise following initial meeting to discuss proposed developments.	N	Hourly Rate	Up to Snr Eng £108 Above Snr Eng £162	Up to Snr Eng £110 Above Snr Eng £170	Revision of 2 revious charges
Section 50 inspections	N	Per licence	£156	£161	This is a one off charge for carrying out inspections in accordance with NRSWA 1991.
Processing of Notification for Transport for London approval under TMA 2004	N	Each	£3,020	£3,117	Inflation Increase
Memorial seat 6' with inscribed bronze plaque	N	Each Bench	£932	£962	Increase to include the maintenance during the life expectancy of the bench. This would normally be 10 to 15 years.
<b>Rechargeable Works</b>					
Provide traffic flow data from automatic traffic counters or previously conducted manual counts	N	Each	£308	£350	Current low level of activity, price standstill to attract demand.
Approval to carry out a traffic count on borough roads	N	Each	£256	£275	Additional charge of £50/day after the first three days. Current low level of activity, price standstill to attract demand.
Anything done to restrict or prohibit traffic on a road in order to carry out works on or near the road. Includes making temporary traffic orders, advertising, providing notification of the restrictions and making, erecting, maintaining diversion signs, barriers etc. to implement the road closure and removal thereof	N	Per order	£3,250	£3,354	Fixed fees for making temporary traffic orders to be charged ar £500.00 for activities covered in the Co'ordination Code of Practice Para 7.3.21 & 22. Includes for maintaining signs for 3 months. Additional charges to apply beyond 3 months. Includes for up to 6 signs - additional charge of £500.00 per sign thereafter.
Anything done to temporarily restrict or prohibit traffic in order to carry out works on or near the road. Includes site meetings, making and advertising temporary traffic orders and erecting street notice. Excludes signs/road markings	N	Per order	£1,575	£1,625	Fixed fees for making temporary traffic orders to be charged ar £350.00 for activities covered in the Co'ordination Code of Practice Para 7.3.21 & 22. Includes for maintaining signs for 3 months, additional fee thereafter of £150.00 per month.
Recover keys from road gully	Y	Item	£156	£161	Inflation Increase
Consideration of a request to place a traffic sign to indicate the route to specified land or premises and the placing of such a sign	N	Per Sign	£282	£291	Inflation Increase
Anything done to temporarily restrict or prohibit traffic in order to facilitate a Special Event or similar whether on or off-street. Includes site meetings, making and advertising temporary traffic orders and erecting street notice. Excludes signs/road markings.	N	Per order	£170	£175	Fee to cover initial consideration including site inspection, consultations, estimate preparation and processing costs. The cost of actual work will be a separate composite unit rate based on contractor's tendered rate plus 30% overhead costs to cover detailed design, drafting and advertising traffic order/notice(s), supervision and admin costs.
Provide and place new salt bin, incl salt	N	Item	£238	£246	Inflation Increase
Replace damaged salt bin, incl salt refill	N	Item	£238	£246	Inflation Increase
Salt refill of bin	N	Item	£78	£80	Inflation Increase
<b>Refuse - Collection and disposal of dead animals from private dwellings</b>					
Charge for removal	Y	Each	£19	£50	Revision due to combination of two previous fees
<b>Street Cleansing - Trolley Collection, Storage and Disposal</b>					
To collect trolley	Y	Per trolley	£23	£50 to collect	Revised fees following revision of process
To return trolley	Y	Per trolley	£23	abandoned trolley	
Storage of trolley(per day up to 5 days)	Y	Per trolley	£5	£10 per day	
Storage of trolley(per week after first week)	Y	Per trolley	£26	storage	
Disposal	Y	Per trolley	£1	£100 disposal	
Maximum charge if trolley disposed of after 6 weeks	Y	Per trolley	£203	£1 charge if not collected within	
<b>Refuse - Removal of graffiti from private and Commercial property</b>					

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
Charge for 1st square metre	Y	1st Metre	£48	£50	Inflation Increase
Charge for each additional square metre	Y	Each	£15	£15	Inflation Increase
<b>Refuse - Collection of furniture and rubbish from domestic premises</b>					
Prepaid charge for removal 1 large item of rubbish or furniture	N	each	£18	£19	Inflation Increase
<b>Refuse Collection - Charging for Green Waste</b>					
Prepaid charge for removal of up to 15 bags	N	Each	£48	£54	Revised fee following base calculation of cost. Cost based on 5 bags = 1 special collection
<b>Waste &amp; Sustainability - Compost bins and wormerfes</b>					
220 ltr compost converter	N	Each	£15	£19	This is no longer being subsidised. Barnet will join the National Home Composting Framework, and residents will be able to purchase containers through this. An indicative cost is shown, the actual price may vary.
330 ltr compost converter	N	Each	£20	£22	This is no longer being subsidised. Barnet will join the National Home Composting Framework, and residents will be able to purchase containers through this. An indicative cost is shown, the actual price may vary.
200 ltr tumbler	N	Each	£40	£65	This is no longer being subsidised. Barnet will join the National Home Composting Framework, and residents will be able to purchase containers through this. An indicative cost is shown, the actual price may vary.
Junior Wormery	N	Each	£20	£30	This is no longer being subsidised. Barnet residents will be able to purchase these containers direct from the supplier. An indicative price is shown, the actual price may vary.
Original wormery	N	Each	£30	£50	This is no longer being subsidised. Barnet residents will be able to purchase these containers direct from the supplier. An indicative price is shown, the actual price may vary.
<b>Refuse - Household waste wheeled bins</b>					
Lid for 940 ltr bin	Resident	Charge	£0	£38	Revision of 2 previous charges to simplify charging structure
<b>Greenspaces - Allotments</b>					
Rent - Residents of the Borough per pole	N	Each	£6	£17	Revised charges
Rent - Non Residents per pole	N	Each	£11	£34	Revised charges
<b>Greenspaces</b>					
Bowls Pavilion - Winter use (Nov to Mar)	Y	each	£19	£28	Revised charges
Bowls casual - per rink	Y	hour	£4	£5	Revised charges
Bowls season flat rate (April - Oct)	Y	each inc. Pavilion	£84	£101	Revised charges
<b>Refuse - Household waste wheeled bins</b>					
Request for additional 660 Litre bin per 3 flats	N	Each	£215	£258	Revised charges based on actual costs
Request for initial 720 ltr bin 3/4 flats	N	Each	£284	£357	This type of bin is rarely provided and is only used when a 940 ltr bin is not suitable for the premises. The cost reflects the price of the bin which is expensive as not a common size
Request for additional 720 ltr bin 3/4 flats	N	Each	£324	£536	This type of bin is rarely provided and is only used when a 940 ltr bin is not suitable for the premises. The cost reflects the price of the bin which is expensive as not a common size
Request for initial 940 ltr bin per 4 flats	N	Each	£323	£340	Revised charges based on actual costs
Request for additional 940 ltr bin per 4 flats	N	Each	£323	£510	Revised charges based on actual costs

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
Request for initial 1100 ltr bin per 5 flats	N	Each	£286	£377	Revised charges based on actual costs
Request for additional 1100 ltr bin per 5 flats (always with lic)	N	Each	£325	£626	Revised charges based on actual costs
<b>Trade Waste - Fees and charges take effect from 1 April 2011, but may be subject to further review, if appropriate, following 2010/2011 NWLA waste disposal cost charges to Barnet.</b>					
660 Litre Bins	Y	Each	£391	£440	These charges have been recalculated from base to take into account cost of providing the service and cost of disposal.
Chamberlain Bins (940 Litre)	Y	Each	£475	£633	These charges have been recalculated from base to take into account cost of providing the service and cost of disposal.
1100 Litre Bins	Y	Each	£546	£710	These charges have been recalculated from base to take into account cost of providing the service and cost of disposal.
Plastic sacks (Trade) first pack of 50	Y	Each	£81	£108	These charges have been recalculated from base to take into account cost of providing the service and cost of disposal.
Plastic sacks (Trade) first pack of 100	Y	Each	£146	£177	These charges have been recalculated from base to take into account cost of providing the service and cost of disposal.
<b>Refuse - Collection of furniture and rubbish from domestic premises</b>					
Prepaid charge for removal of up to 15 bags	N	Each	£48	£56	Costs calculated on the basis that 5 bags is equal to cost of collection and disposal of 1 item special collection
<b>Greenspaces - pitches and lettings</b>					
Memorial Tree (Standard 45/65 litre, 12-14cm girth)	N	per item		£325 - £500	New Charge
Memorial Bench (Standard wooden or metal)	N	per item		£780 - £1,685	New Charge
Netball per hour	Y	hour		£13	Junior rate only was on last years fees and charges
Tennis per court - Coaching (Min. 10 bookings)	N	hour	£0	£10	New charge required due to coaches operating in tennis courts
Tennis per court - Club/group bookings - OAP/Junior (Over 10 bookings VAT exempt)	Y/N	hour	£0	£2	New charge
LBB Schools (Cricket, Football, Rugby)	N	each	£0	£303	New charge required for school use at reduced rate
NON - LBB schools (Cricket, Football, Rugby)	Y	each	£0	£455	New charge required for school use at reduced rate
Pavilion with event/sports booking per hour (min charge 2 hrs per day)	Y/N	Hour	£0	£14	New charge to reflect usage of pavilion and associated costs
Pavilion - without sport booking per hour (min charge 2 hrs per day)	Y/N	Hour		£28	Changed fee from max 4 hours booking to min charge of 2 hours to reflect actual usage and costs
Sports markings - 8x100m track similar	Y/N	Each		£85	Most schools have these standard markings but price is adapted per request as there are so many variations
Sport markings - 200 m track	Y/N	Each	£0	£165	New standardised charge to replace individual quotations
Sport markings - 400 m track	Y/N	Each	£0	£250	New standardised charge to replace individual quotations
Sports markings - mini soccer pitch, rounders, soft ball or similar (25% discount on additional marking on the same site)	Y/N	Each	£0	£85	New standardised charge to replace individual quotations
Over mark for sports markings	Y/N	Each	£0	£30	New standardised charge to replace individual quotations
Events - Fitness programmes i.e. exercise classes. (Min. 20 session booking)	Y	1 hr sessions	£0	£20	New Charge due to demand
Events - Community event (inc 2 set up days, 25% reduction for further non-trading days)	Y	Day		£56	New Charge
Events - Charity event (inc 2 set up days, 25% reduction for further non-trading days)	Y	Day		£140	New Charge
<b>Events - Commercial (25% reduction non-trading days):-</b>					
- Fun Fairs (up to 12 rides) & Private functions	Y	Day	£0	£560	New Charges
- Event size 1-100	Y	Day	£0	£250	New Charges
- Event size 101-1,000	Y	Day	£0	£560	New Charges

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
- Event size 1,001-2,500	Y	Day	£0	£750	New Charges
- Event size 2,501-5,000	Y	Day	£0	£1,000	New Charges
- Event size 5,000 +	Y	Day	£0	By Negotiation	New Charges
Performance/Entertainment Permit (10 performances of 1 hr)	Y	Each	£0	£150	New Charges
Tree safety inspection - Education sites/LBB sites (5 hrs max, charge £40.00 p/h over and above)	N	Each	£0	£165	New Charges
Tree safety inspection - Various other sites (5 hrs max, charge £40.00 p/h over and above)	Y	Each	£0	£200	New Charges
<b>Leisure</b>					
Football season adult + junior	Y	Each	£1139 £569	£1175 £587	Inflation Increase
Cricket season adult + junior	Y	Each	£1198 £599	£1236 £618	Inflation Increase
Gaelic season adult + junior	N	34/17 weeks inc. Pavilion	£1,215	£1,254	Inflation Increase
34 week season			£608	£627	Inflation Increase
Casual cricket	Y	Each	£105 £53	£108 £55	Inflation Increase
Summer Football (no changing available)	Y	game	Adult £63 Junior £32	£65 £33	Inflation Increase
Casual football - Adult	Y	each	£84	£87	Inflation Increase
Casual football - Junior	Y	each	£42	£43	Inflation Increase
Rugby casual - adult	Y	game	£79	£82	Inflation Increase
Rugby season adult + junior	Y	Each	£1404 £731	£1449 £754	Inflation Increase
Rugby casual - junior	Y	game	£39	£41	Inflation Increase
Netball per hour	Y	hour	£6	£7	Inflation Increase
Cricket Nets adult + junior	Y	each	£6	£7	Inflation Increase
Rounders - junior	Y	game	£3	£3	Inflation Increase
Rounders - senior	Y	game	£18	£19	Inflation Increase
Rounders - junior	Y	game	£37	£38	Inflation Increase
Postage - per key(s) return and/or collection	N	each	£10	As postage cost	
<b>Parking Permits</b>					
Resident Permit (first)	N	Each	£42	£100	New charges following revision of permit structure and costs
Resident Permit (second)	N	Each	£75	£125	New charges following revision of permit structure and costs
Resident Permit (third)	N	Each	£75	£150	New charges following revision of permit structure and costs
Visitor Vouchers	N	Each	£12.00 per book	£48	New charges following revision of permit structure and costs
Amendments to existing permit	N	Per Application	£0	£20	New Charge
Permit refunds	N	Per Application	£0	£20	New Charge
Green residents permit	N	Each	£15	£50	New charges following revision of permit structure and costs
Three month temporary permit	N	Each	£37	£240	New charges following revision of permit structure and costs
Housing Permit (first)	N	Each	£42	£42	New charges following revision of permit structure and costs
Housing Permit (second)	N	Each	£75	£75	New charges following revision of permit structure and costs
Housing Permit (third)	N	Each	£75	£75	New charges following revision of permit structure and costs
Doctors Permit	N	Each	£160	£200	New charges following revision of permit structure and costs
Community Permit (first)	N	Each	£75	£100	New charges following revision of permit structure and costs

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
Community Permit (second)	N	Each	£42	£125	New charges following revision of permit structure and costs
Community Permit (Third)	N	Each	£75	£150	New charges following revision of permit structure and costs
Carers Permit	N	Each	Free	Free	New charges following revision of permit structure and costs
Designated Disabled Bay Permit	N	Each	Free	Free	New charges following revision of permit structure and costs
Members Permit	N	Each	Free	Free	New charges following revision of permit structure and costs
Essential Service Vouchers (per book of 10)	N	Each	£12	£20	New charges following revision of permit structure and costs
Suspensions	N	Per suspension	£60 Initial charge + £7.00 per space per day	£60 per space per day	New charges following revision of permit structure and costs
<b>Business Permit</b>					
Weekly	N	Each	£12	£25	New charges following revision of permit structure and costs
Monthly	N	Each	£38	£70	New charges following revision of permit structure and costs
Annually (Spec Reg)	N	Each	£310	£500	New charges following revision of permit structure and costs
Annually (Any Reg)	N	Each	£620	£800	New charges following revision of permit structure and costs
<b>Trading Standards and Licensing</b>					
<b>Weights and Measures</b>					
Linear Measure not exceeding 3m for each scale	N	Each	£11	£12	Inflation Increase
Capacity measures (without divisions or sub divisions) (not exceeding 1 L)	N	Each	£11	£12	Inflation Increase
Cubic Ballast measures (other than brim measures)	N	Each	£176	£182	Inflation Increase
<b>Petrol Pumps</b>					
Container type unsubdivided	N	Each	£77	£79	Inflation Increase
Multigrade type (price computing) single outlet	N	Each	£112	£116	Inflation Increase
Other types (price computing) single outlet	N	Each	£112	£116	Inflation Increase
<b>Other types</b>					
1 meter test	N	Each	£135	£139	Inflation Increase
2 meter tests	N	Each	£223	£230	Inflation Increase
3 meter tests	N	Each	£279	£288	Inflation Increase
4 meter tests	N	Each	£352	£363	Inflation Increase
5 meter tests	N	Each	£424	£438	Inflation Increase
6 meter tests	N	Each	£502	£518	Inflation Increase
7 meter tests	N	Each	£580	£599	Inflation Increase
8 meter tests	N	Each	£652	£673	Inflation Increase
Additional costs involved in testing ancillary equipment which require additional testing on site such as credit card acceptors	N	Per extra officer hour	£83	£86	Inflation Increase
<b>Measuring equipment for intoxicating liquor</b>					
Not exceeding 150ml	N	Each	£18	£19	Inflation Increase
Other	N	Each	£34	£35	Inflation Increase
Weights	N	per Officer Hour	£83	£86	Inflation Increase
<b>Weighing instruments</b>					
<15kg	N	Each	£43	£44	Inflation Increase
15 - <100kg	N	Each	£57	£59	Inflation Increase
100kg - ,250kg	N	Each	£80	£83	Inflation Increase
250 -< 1 tonne	N	Each	£130	£134	Inflation Increase

SERVICE	VAT	UNIT	CHARGES 2010/2011	PROPOSED CHARGES 2011/2012	COMMENTS
1 tonne - < 10 tonne	N	Each	£174	£180	Inflation Increase
10 tonne - < 30 tonne	N	Each	£362	£374	Inflation Increase
30 tonne - < 60 tonne	N	Each	£556	£574	Inflation Increase
Additional costs involved in testing instruments calibrated to weigh	N	Per additional hour	£83	£86	Inflation Increase
Measuring equipment for measuring liquid fuels in excess of 100L dispensed from road tankers					
Meter measuring system					
Wet hose type, based on 2 liquids being used for testing	N	Each	£186	£189	Inflation Increase
Dry hose type, based on 2 liquids being used for testing	N	Each	£202	£204	Inflation Increase
Dipstick measuring system					
2.1 up to and including 7600 L	N	Each	£171	£176	Inflation Increase
> 7600L	N	Each	£168 plus £83 per officer hour	£173 plus £86 per officer hour	Inflation Increase
Initial dipstick	N	Each	£21	£22	Inflation Increase
Spare dipstick	N	Each	£21	£22	Inflation Increase
Replacement dipsticks (including examination of compartment)	N	Each	£45	£46	Inflation Increase
Other weighing or measuring equipment					
For examining, adjusting, testing, stamping, authorising, waiting/downtime (at the cause of the customer) during normal office hours	N	Per Officer Hour	£83	£86	Inflation Increase
For examining, adjusting, testing, stamping, authorising, waiting/downtime (at the cause of the customer) outside of office hours	N	Per officer hour	£166	£171	Inflation Increase
<b>Trade Waste</b>					
Fees and charges take effect from 1 April 2011, but may be subject to further review, if appropriate, following 2010/2011 NWLA waste disposal cost charges to Barnet.					
Compactor Skip: Annual charge for one collection per week	Y	Each	£6,856	£7,075	Charge does NOT incl. provision of skips
Charge for single occasion (Compactor Skip)	Y	Each	£172	£178	Charge does NOT incl. provision of skips
Trade special collections : initial 30 mins	Y	Each	£81	£83	Inflation Increase
Trade special collections : Subsequent 30 mins	Y	Each	£59	£61	Inflation Increase

## Appendix B – Parking Pay and Display Fees and Charges

### On Street - Most of the Borough

The current typical on-street parking tariffs for pay and display/cashless parking that apply across the borough, and agreed through the 2009/10 Parking Fees and Charges Report approved by CRC on 23 April 2009 are detailed below along with suggested actual and percentage increases that would apply for 2011/12 based on the existing pay by coin charges.

Time	Existing	Cashless	Proposed	% Increase
Up to 15 mins	£0.35	£0.30		
Up to 30 min	£0.70	£0.50	£1.00	43
Up to 45 mins	£1.00	£0.80		
Up to 1 hr	£1.70	£1.50	£2.00	18
Up to 90 mins	£2.70	£2.50	£3.00	
Up to 2 hrs	£3.50	£3.00	£4.00	14
Up to 3 hrs	£3.50	£3.00	£4.00	14
Up to 4 hrs	£3.50	£3.00	£5.00	43
Up to 4 Hrs	£4.50	£4.00	£5.00	11
Over 3 hrs	£4.50	£4.00	£7.00	56
Over 4 Hrs	£4.50	£4.00	£7.00	56

Only applicable if maximum stay of 90 minutes only

Although the above proposed charges would apply at most locations across the borough there are a

#### Brent Cross station CPZ

Time	Existing	Cashless	Proposed	% Increase
Up to 6 hours	£1.20	£1.00	£1.50	25

#### Golders Green CPZ

Time	Existing	Cashless	Proposed	% Increase
Up to 15 mins	£0.35	£0.35	£0.50	43
Up to 30 min	£0.70	£0.70	£1.00	43

#### Bell Lane

Time	Existing	Cashless	Proposed	% Increase
Up to 20 mins	£0.20	£0.20		
Up to 40 mins	£0.40	£0.40	£0.50	25
Up to 1 hr	£0.60	£0.60	£1.00	67

#### Bittacy Hill

Time	Existing	Cashless	Proposed	% Increase
Up to 20 mins	£0.20	£0.20		
Up to 40 mins	£0.40	£0.40	£0.50	25
Up to 1 hr	£0.60	£0.60	£1.00	67

#### Hampden Square

Time	Existing	Cashless	Proposed	% Increase
Up to 30 mins				
Up to 1 hr	£0.50	£0.50	£1.00	100
Up to 3 hrs	£1.00	£1.00	£1.50	50

## Mowbray Parade

Time	Existing	Cashless	Proposed	% Increase
Up to 30 min				
Up to 45 mins	£1.00	£0.80		
Up to 1 hr	£1.70	£1.50	£2.00	18
Up to 90 mins	£2.70	£2.50		
Up to 2 hrs	£3.50	£3.00	£4.00	14

## Off Street Car Parks

The current typical off-street parking tariffs for pay and display/cashless parking that apply across the

Time	Existing	Cashless	Proposed	% Increase
Up to 15 mins	£0.35	£0.30		
Up to 30 min	£0.70	£0.50	£1.00	43
Up to 45 mins	£1.00	£0.80		
Up to 1 hr	£1.70	£1.50	£2.00	18
Up to 90 mins	£2.70	£2.50	£3.00	11
Up to 3 hrs	£3.50	£3.00	£4.00	14
Over 90 mins	£3.50	£3.00	£5.00	43

### East Barnet Road Car Park (N&S)

Time	Existing	Cashless	Proposed	% Increase
Up to 1 hr	£0.40	£0.40	£0.50	25
Up to 2 hrs	£0.80	£0.80	£1.00	25
Up to 3 hrs	£1.20	£1.20	£1.50	25
Up to 4 hrs	£1.60	£1.60	£2.00	25
Over 4 Hrs	£3.00	£3.00	£5.00	67

### Watling Avenue Car Park

Time	Existing	Cashless	Proposed	% Increase
Up to 2 hrs	£0.50	£0.50	£1.00	100
Up to 4 hrs	£1.00	£1.00	£1.50	50
Over 4 Hrs	£1.50	£1.50	£2.00	33



**AGENDA ITEM: 6**      Pages 14 – 29

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Meeting	Cabinet Resources Committee
Date	13 January 2011
Subject	<b>Fees and Charges for the Planning, Housing and Regeneration Directorate</b>
Report of	Cabinet Member for Housing, Planning and Regeneration Cabinet Member for Governance and Civic Affairs
Summary	To approve fees and charges for the Planning, Housing and Regeneration Directorate.

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Officer Contributors	Stewart Murray, Director of Planning, Housing and Regeneration
Status (public or exempt)	Public
Wards affected	Not applicable
Enclosures	Appendices A-J – Proposed fees and charges for: Planning; Residential Environmental Health (EH); Commercial EH; Cemetery and Crematorium; Street Naming and Numbering; Building Control; Housing, Regeneration; Land Charges and Explanation of changes to Environmental Health Charges.
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable
Contact for further information:	Paula O'Dumody, Business Performance & Development Manager (020) 8359 4368.

## **1. RECOMMENDATIONS**

- 1.1 That the fees and charges for the Planning, Housing and Regeneration Directorate as detailed in Appendices A – J of the report be approved to take effect from 1 February or 1 April 2011 as indicated.**
- 1.2 That the new schedule of fees and charges be published on the Council's website and within the Planning Customer Reception.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Cabinet Resources Committee, 23 September 2004 (Decision item 6) – agreed that increases in fees and charges above the rate assumed in the Financial Forward Plan be approved by the Cabinet Resources Committee.
- 2.2 Cabinet Resources Committee 8 December 2009 (Decision item 8) – approved fees and charges for 2010.
- 2.3 Cabinet Resources Committee, 2 September 2010 (Decision item 8) – approved fees and charges for Building Control, to take effect from 1 October 2010, to comply with The Building (Local Authority Charges) Regulations 2010 which came into force on 1 April 2010.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 Monitoring the fees and charges enables the Council to better meet the needs of customers and provide value-for-money services so complying with the 2011/13 Corporate Plan cross-cutting priority of More Choice Better Value.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 Without the appropriate levels of fees and charges the Council would not achieve income targets, thereby undermining the ability to ensure a robust budget and value for money.
- 4.2 The increases in fees and charges are necessary to deliver essential budget savings.
- 4.3 The global recession is affecting the number of Land Charge searches and Planning and Building Regulation applications making it more essential to increase non-statutory fees to maximise income potential and allow for cost recovery.
- 4.4 There is a possibility of legal challenge for the charge for Planning Decision Notices (see Appendix A below) as the Information Tribunal has determined that the price charged should be the cost of photocopying only and has given a guide price of ten pence. A higher charge is more likely to be challenged and could result in the refund of past charges.
- 4.5 There is a risk of refunds being requested for Environmental Information following guidance issued by the Information Commissioner. This states that 'the majority of property search data is environmental information and that local authorities are required to allow inspection of this data at no charge.' Access to view the information is given free of charge but the Council continues to charge for compiled information. The decision has been made not to change the search fee until further guidance is issued by Central Government.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The increases in fees and charges alongside the introduction of new charges will enable the Council to continue to provide a high quality service to all users. This will also enable resourcing to be made available to ensure that services and information on how to receive assistance is easily accessible and promoted through different channels to all sections of the Borough's diverse communities.
- 5.2 The different outcomes of these changes and the impact that they will have on customers of Planning, Housing and Regeneration and the Borough's diverse population will be monitored and measured against current information and against those of different Boroughs.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 The increased fees and charges will assist the Directorate to meet the income targets set out in the 2011/12 budget and forward plan.
- 6.2 The new charging schedule will achieve retail price index increases to assist in the continued delivery of high quality services.
- 6.3 Prices are inclusive of VAT unless otherwise highlighted on the attached schedule.

## **7. LEGAL ISSUES**

- 7.1 None, except as mentioned in the body of this report.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's Constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including approving income sources and charging policies.
- 8.2 Paragraph 3.8 of the Council's Financial Regulations requires that the Cabinet Resources Committee (CRC) approves changes to fees and charges that are significantly different from inflation.

## **9. BACKGROUND INFORMATION**

- 9.1 Fees and charges are normally increased annually as appropriate. The level of increase is a decision delegated to Service Directors in consultation with the Cabinet Member for Resources. Increases exceeding the rate of inflation assumed in the Financial Forward Plan need to be reported to Cabinet Resources Committee.
- 9.2 In Appendix A-J, the proposed increases are detailed for:
- A – Planning;
  - B – Residential Environmental Health;
  - C – Commercial Environmental Health;
  - D – Cemetery and Crematorium;
  - E – Street Naming and Numbering;
  - F – Building Control;
  - G – Housing;
  - H – Regeneration;

I – Land Charges; and  
J – Explanation of changes to Environmental Health Charges.

- 9.3 Appendix J has a detailed explanation of the changes in Environmental Health Charges.
- 9.4 Many Planning, Housing and Regeneration Services are income generating including Planning, Building Control, Land Charges and some Environmental Health services. Fees and Charges have been amended after close examination of the individual service because of the business need to remain competitive.
- 9.4 Whilst a range of fees and charges are locally set and discretionary, some are set nationally by Government and are therefore not included in this report such as planning application fees.

## **10 LIST OF BACKGROUND PAPERS**

- 10.1 None.

Legal – JMck  
CFO – AA

**Appendix A  
Planning Services**

<b>Service</b>	<b>2010 charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
<b>Policy Publications</b>			
Adopted Unitary Development Plan 2006	£97.00	<b>£97.00</b>	0.00
(for residents only)	£50.00	<b>£50.00</b>	0.00
CD of Adopted Unitary Development Plan 2006	£75.00	<b>£75.00</b>	0.00
(for residents only)	£40.50	<b>£40.50</b>	0.00
UDP Inspector's Report	£75.50	<b>£80.00</b>	5.96
(for residents only)	£22.00	<b>£25.00</b>	13.64
Planning Briefs & Supplementary Planning Guidance	£33.00	<b>£35.00</b>	6.06
(for residents only)	£14.00	<b>£15.00</b>	7.14
<b>Conservation Publications</b>			
Conservation Area Character Appraisals*	£25.00	<b>£30.00</b>	20.00
(for residents only)	£11.00	<b>£15.00</b>	36.36
Statutory List of Buildings of special architectural or historic interest	£37.00	<b>£40.00</b>	8.11
(for residents only)	£16.00	<b>£20.00</b>	25.00
Schedule of Building of local or historic interest	£27.00	<b>£30.00</b>	11.11
(for residents only)	£12.00	<b>£15.00</b>	25.00
Statutory List extracts	£16.00	<b>£20.00</b>	25.00
One building per extra copy	£12.00	<b>£15.00</b>	25.00
Article 4 Directions per area	£5.00	<b>£30.00</b>	500.00
Conservation Area Maps	£30.00	<b>£35.00</b>	16.67
(for residents only)	£15.00	<b>£20.00</b>	33.33
<b>Development Control Publications</b>			
Copies of Planning Decisions	£20.00	<b>£25.00</b>	25.00
Copies of Enforcement Notices	£20.00	<b>£25.00</b>	25.00
Tree Preservation Order Full Document	£40.00	<b>£45.00</b>	12.50
Tree Preservation Order Extract	£20.00	<b>£25.00</b>	25.00
Weekly list of Planning applications per area by email		<b>No Charge</b>	
<b>All Planning Services</b>			
<b>Photocopying per copy</b>			
A3	£0.45	<b>£1.00</b>	122.22
A4	£0.25	<b>£0.50</b>	100.00
<b>Reproduction of maps/drawings (Historic Applications)</b>			
A1-A0	£16.00	<b>£20.00</b>	25.00
A2	£11.00	<b>£15.00</b>	36.36
A3	£0.45	<b>£1.00</b>	122.22
A4	£0.25	<b>£0.50</b>	100.00
<b>Reproduction of maps/drawings (Live Applications)</b>			
A1-A0	£16.00	<b>£20.00</b>	25.00
A2	£11.00	<b>£15.00</b>	36.36
A3	£0.45	<b>£1.00</b>	122.22
A4	£0.25	<b>£0.50</b>	100.00
<b>Dyeline paper copies (per copy)</b>			
A1-A0	£16.00	<b>£20.00</b>	25.00
A2	£11.00	<b>£15.00</b>	36.36
A3	£8.50	<b>£10.00</b>	17.65
A4	£7.50	<b>£10.00</b>	33.33
<b>CD copy of applications</b>			
Per CD	£25.00	<b>£30.00</b>	20.00
(for residents only)	£12.50	<b>£15.00</b>	20.00
<b>Postage</b>			
A4 package	£5.00	<b>£5.50</b>	10.00
A4	£3.00	<b>£3.50</b>	16.67
A5	£1.00	<b>£1.50</b>	50.00
Faxed Information - per A4 page in addition to relevant charge	£3.00	<b>£5.00</b>	66.67
<b>Ordnance Survey Extracts</b>			
Price for 4 extracts	£64.00	<b>£70.00</b>	9.38
Additional extracts (requested at the same time)	£10.00	<b>£15.00</b>	50.00
<b>Historic Planning Information</b>			
Price per file	£11.00	<b>£15.00</b>	36.36
(for residents only for applications decided before 1 Jan 2005) (excluding Part I and II of Register for which no charge) for files may take a month to process as the files are archived off site.	Requests £5.50	<b>£10.00</b>	81.82
<b>Correspondence requiring research to answer</b>			
per question per address	£60.00	<b>£65.00</b>	8.33
Enforcement Enquiry per question per address	£60.00	<b>£65.00</b>	8.33
(Minimum charge for this service is £120)			
<b>High Hedge Complaints</b>			
Complaint Investigation (Fee agreed at Cabinet Resources July 2005)	£500.00	<b>£525.00</b>	5.00
(50% discount for specified benefits)	£250.00	<b>£260.00</b>	4.00

<b>Other Planning Costs</b>			
<b>Planning Advice Charges (Pre-Application Advice) (including VAT)</b>			
Category A (Complex - 100+ residential units or 4000m <sup>2</sup> + of commercial floor space)		<b>£5,000.00</b>	New Charge
Category B (Complex - 25+ residential units or 2000m <sup>2</sup> + of commercial floor space)	£3,500.00	<b>£4,000.00</b>	14.29
Category C (Major - 10-24 residential units or 1000m <sup>2</sup> -2000m <sup>2</sup> commercial floor space)	£1,750.00	<b>£1,875.00</b>	7.14
Category D (Minor - 2-9 residential units, 100m <sup>2</sup> -999m <sup>2</sup> commercial floor space or creation of one residential unit where there are complex heritage issues)	£700.00	<b>£750.00</b>	7.14
Category E (Creation of one residential unit: creation of one additional residential house or flat; The replacement of an existing residential unit; The conversion of 1 property into 2 residential units (Please note, where there are complex heritage listed building or conservation issues, a replacement or additional dwelling may still fall within category D )		<b>£250.00</b>	New Charge
Category F (Small scale development: Small extensions/ alterations (including advertisements) to commercial or similar premises below the threshold of category D; Small changes of use to such premises below the threshold of category D; Other small scale developments below the threshold of category D		<b>£200.00</b>	New Charge
Category G (Householder development: Extensions or alterations to a single residential unit)	£100.00	<b>£110.00</b>	
<b>Hourly Rates For Officers Giving Specialist Advice &amp; Charges for Subsequent Meetings (Including VAT).</b>			
Case Officer (up to Principal Planner/Deputy Team Leader/Manager)	£140.00	<b>£200.00</b>	42.86
Team Leader/Manager	£170.00	<b>£250.00</b>	47.06
Service Heads and Directors	£250.00	<b>£300.00</b>	20.00
Specialist Advice (Conservation & Design, Highways)	£150.00	<b>£160.00</b>	6.67
Business relationship manager (annual charge)	£1,850.00	<b>£2,000.00</b>	8.11
<b>Section 106 Agreements Recovery of Professional Planning Services Costs</b>			
Category A (Complex for first 10 hours)	£1,600.00	<b>£1,720.00</b>	7.50
Category A per hour after initial 10 hours	£150.00	<b>£160.00</b>	6.67
Category B (Major)	£1,350.00	<b>£1,450.00</b>	7.41
Category C (Minor)	£810.00	<b>£860.00</b>	6.17
*Each sub area within the Hampstead Garden Suburb Conservation Area will be charged as a single Appraisal document.			

**Appendix B**  
**Residential Environmental Health**

<b>Service and Category</b>	<b>2010 Charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
<b>Works in Default - Admin Fee</b>			
30% on building costs plus surveyors/architects fees or 45% on building costs where work supervised by Barnet Council - Minimum charge	£110.00	<b>£114.00</b>	3.64
<b>Noise Act 1996</b>			
Charges made for the seizure, removal and detention of equipment.			
Storage fee (total)	£135.00	<b>£140.00</b>	3.70
<b>Housing Reports</b>			
Inspection of dwellings to meet visa requirements	£140.00	<b>£145.00</b>	3.57
<b>Housing Act 2004</b>			
Service of an Improvement Notice	322.88	<b>£425.00</b>	31.63
Service of a Suspended Improvement Notice	322.88	<b>£471.00</b>	45.87
Service of a Prohibition Order	322.88	<b>£356.00</b>	10.26
Service of a Suspended Prohibition Order	322.88	<b>£402.00</b>	24.50
Service of an Emergency Prohibition Order	322.88	<b>£356.00</b>	10.26
Service of a Demolition Order	322.88	<b>Hourly rate</b>	
Taking Emergency Remedial Action	322.88	<b>£356.00</b>	10.26
Copying grant files and postage		<b>£35.00</b>	In line with Land Charges
Copying enforcement files and postage		<b>£35.00</b>	
<b>HMO Licensing</b>			
New Licence fee (cost per dwelling)	£200	<b>£209.00</b>	4.50
Assisted Licence fee (cost per dwelling)	£250	<b>£262.00</b>	4.80
Minor Amendments to Licence e.g. change of owners address		<b>£20.00</b>	New Charge
Discount for accredited landlords	10%	<b>10%</b>	
Renewal Fee cost per dwelling (where no change in conditions or licence holder or manager, otherwise fee charged as for new application)		<b>£188.00</b>	New Charge
Revocation of licence / no longer licensable / refuse to licence / numbers of occupants reduced by conditions on licence. Once application submitted for specified number of lettings, costs have been incurred in processing application, draft and/or full licence		<b>No refund</b>	
Licence holder changing nominated manager (manager has to complete a Fit & Proper Person declaration)		<b>£60.00</b>	New Charge
Variation of licence. Material change to the licence such as new facilities installed and licence can be varied for a greater number of occupiers		<b>£75</b>	New Charge
Change in Licence holder is treated as a new application	(see above)	(see above)	
<b>Pest Control</b>			
Rats	£120.00	<b>£125.00</b>	4.17
Mice	£120.00	<b>£125.00</b>	4.17
Cockroaches	£110.00	<b>£115.00</b>	4.55
Bed Bugs for a 2 bedroom property	£108.00	<b>£112.00</b>	3.70
Bed Bugs (per additional bedroom)	£27.00	<b>£28.00</b>	3.70
Fleas	£110.00	<b>£115.00</b>	4.55
Exotic Ants *	£120.00	<b>£140.00</b>	16.67
Wasps	£57.00	<b>£60.00</b>	5.26
Call out fee for advice (refundable against the full cost of treatment)	£20.00	<b>£21.00</b>	5.00
Means Tested Benefits	£20.50	<b>35% of relevant treatment fee</b>	
* Increase in cost of bait requires above RPI rise in fee			

<b>Appendix C</b>			
<b>Commercial Environmental Health</b>			
<b>Service and Category</b>	<b>2010 charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
<b>Foundation Certificate in Food Hygiene Courses</b>			
Per person	£75.50	<b>£79.00</b>	4.64
Registered Charities	£64.50	<b>£67.50</b>	4.65
Council Services	£54.00	<b>£56.50</b>	4.63
<b>Health and Safety at Work Courses</b>			
Per person	£75.50	<b>£79.00</b>	4.64
Registered Charities	£64.50	<b>£67.50</b>	4.65
Council Services	£54.00	<b>£56.50</b>	4.63
Foundation Certificate in Food Hygiene Courses examination resit	£30.00	<b>£31.50</b>	5.00
Foundation Certificate in Food Hygiene Course - Update	£48.50	<b>£50.50</b>	4.12
Foundation Certificate in Food Hygiene Group Courses (14 - 20 candidates)	£1,050.00	<b>£1,098.00</b>	4.57
<b>Copy of entry/entries in Register of Food Premises</b>			
Single entry	£5.50	<b>£5.75</b>	4.55
Per category of premises	£280.00	<b>£293.00</b>	4.64
Full copy of register	£705.00	<b>£737.00</b>	4.54
Unsound Food (Business and Commercial premises) - collection and disposal	Actual cost	<b>Actual cost + 30% admin fee</b>	
Food Export Certificates	£60.00	<b>£63.00</b>	5.00
Fresh Fish Inspection	1 ECU Equivalent	<b>1 ECU Equivalent</b>	
Sampling of Private Water Supplies (Private Water Supplies Regulations 1991)	Full analysis costs plus £46.50 per sampling visit	<b>Full analysis plus £78 per sampling visit</b>	67.7 (visit cost only)
<b>Pollution Prevention and Control Act 1999</b>			
Adopt a tube scheme p/a	£120.00	<b>£120.00</b>	0.00
<b>Contaminated Land Enquiries</b>			
Basic enquiry	£40.00	<b>£42.00</b>	5.00
Inquiry including historical land use data	£90.00	<b>£94.00</b>	4.44
<b>General Licensing Fees</b>			
<b>Animal Boarding Establishments</b>			
New	£296.00	<b>£449.00</b>	51.69
Renewal	£269.50	<b>£371.00</b>	37.66
<b>Animal Boarding Establishments -</b>			
New	£123.00	<b>£162.00</b>	31.71
Renewal	£37.00	<b>£45.00</b>	21.62
Renewal (where inspection required)	£113.00	<b>£116.00</b>	2.65
<b>Breeding establishments for dogs (Breeding of Dogs Act 1973)</b>			
New	£306.50	<b>£401.00</b>	30.83
Renewal	£275.00	<b>£345.00</b>	25.45
<b>Dangerous wild animals</b>			
New	£441.00	<b>£483.00</b>	9.52
Renewal	£397.00	<b>£371.00</b>	-6.55
<b>Performing Animals (Performing Animals (Regulations) Act 1925)</b>			
Registration	£113.00	<b>£128.00</b>	13.27
Certificate	£15.50	<b>£16.00</b>	3.23
<b>Pet Shops (Pet Animals Act 1951)</b>			
New	£420.00	<b>£462.00</b>	10.00
Renewal	£380.00	<b>£413.00</b>	8.68
Reduced fee pet shop licence limiting trading to no more than 2 weeks per year (New)	£30.00	<b>£44.00</b>	46.67
Reduced fee pet shop licence limiting trading to no more than 2 weeks per year (Renewal)	£25.00	<b>£29.00</b>	16.00
Zoo (Zoo Licensing Act 1981)	Costs incurred plus administrative on-cost of 30%	<b>Costs incurred plus administrative on-cost of 30%</b>	
<b>Riding Establishments (Riding Establishments Acts 1964-70)</b>			
New	£585.00	<b>£673.00</b>	15.04
Renewal	£525.00	<b>£547.00</b>	4.19
<b>Licence for Massage and Special Treatments (including cosmetic skin piercing)</b>			
<b>Band A - Low risk and non-invasive treatments, including manicure, pedicure, ear and nose piercing using a</b>			
New	£165.00	<b>£208.00</b>	26.06
Renewal	£150.00	<b>£172.00</b>	14.67
<b>Band B - medium risk non-invasive treatments including some beauty treatments and therapeutic treatments,</b>			
New	£315.00	<b>£281.00</b>	-10.79
Renewal	£280.00	<b>£253.00</b>	-9.64
<b>Band C - Higher risk or invasive treatments, including body massage (other than described in Band B),</b>			
New	£398.00	<b>£430.00</b>	8.04
Renewal	£359.00	<b>£359.00</b>	0.00
<b>Transfer and Variation Fee (where a variation takes the licence into a higher band then the full fee pro-rata will</b>			
Band A	£43.50	<b>£45.50</b>	4.60
Band B	£75.50	<b>£79.00</b>	4.64
Band C	£113.00	<b>£118.00</b>	4.42
Additional licensing fee for Laser Removal of hair and intense pulsed light treatments	£574.00	<b>£61.00</b>	-89.37
Environmental Health Officer hourly rate for advice, including site visit if required	£170.00	<b>£178.00</b>	4.71
10% Administration fee on all aborted licence applications			



<b>Appendix D</b>			
<b>Cemetery and Crematorium</b>			
<b>Service and Category</b>	<b>2010 charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
<b>A. Burials for LBB Residents:</b>			
Class 'A' 7'6" x 3' 6"	£3,867.00	<b>£4,099.00</b>	6.00
Class 'B' 6'6" x 2' 6"	£1,792.00	<b>£1,998.00</b>	11.50
Additional charge for Mausoleum spaces	£563.00	<b>£589.00</b>	4.62
<b>Half size grave for burial of children under 3 years of age.</b>			
Class 'A'	£1,742.50	<b>£1,878.00</b>	7.78
Class 'B'	£768.75	<b>£857.00</b>	11.48
<b>Grave digging only charge</b>			
Single depth	£471.50	<b>£494.00</b>	4.77
Double depth	£615.00	<b>£645.00</b>	4.88
Additional charge per Weekend Burial.	£180.00	<b>£189.00</b>	5.00
<b>Excavation and Interment Fees (all classes of private interments)</b>			
Persons over 10 years of age	£471.50	<b>£494.00</b>	4.77
Children under 10 years of age including those still born	£282.00	<b>£295.00</b>	4.61
Additional charge for any depth in excess of 6 feet	£138.50	<b>£146.00</b>	5.42
Interment of cremated remains	£250.00	<b>£262.00</b>	4.80
Common Interments:- Persons over 10 years of age	£215.00	<b>£225.00</b>	4.65
Children under 10 years of age	£77.00	<b>£81.00</b>	5.19
Stillborn children	£56.50	<b>£59.50</b>	5.31
<b>B. Burials for Non-LBB Residents:</b>			
Class 'A' 7'6" x 3'6"	£7,265.00	<b>£7,846.00</b>	8.00
Class 'B' 6'6" x 2' 6"	£3,710.00	<b>£4,137.00</b>	11.51
<b>Half size grave for burial of children under 3 years of age.</b>			
Class 'A'	£3,296.00	<b>£3,560.00</b>	8.01
Class 'B'	£1,533.00	<b>£1,710.00</b>	11.55
<b>Excavation and Interment Fees (all classes of private interments)</b>			
Persons over 10 years of age	£974.00	<b>£1,019.00</b>	4.62
Children under 10 years of age including those still born	£580.00	<b>£607.00</b>	4.66
Additional charge for any depth in excess of 6 feet	£293.00	<b>£307.00</b>	4.78
Interment of cremated remains	£477.00	<b>£499.00</b>	4.61
Common Interments :			
Persons over 10 years of age	£410.00	<b>£429.00</b>	4.63
Children under 10 years of age	£143.50	<b>£151.00</b>	5.23
Stillborn children	£87.50	<b>£92.00</b>	5.14
<b>C. General Fees</b>			
Interment of Casket	£235.50	<b>£247.00</b>	4.88
Removing and replacing Memorials for the purpose of enabling further interment	£225.50	<b>£236.00</b>	4.66
<b>D. Erecting new monuments, grave stones and tablets for the right to erect or place on</b>			
a. Headstone with kerbs	£251.50	<b>£263.50</b>	4.77
b. Headstone only	£195.00	<b>£204.00</b>	4.62
c. Conversion of existing Headstone to include kerbs	£82.00	<b>£86.00</b>	4.88
d. In the form of a Vase, Tablet or Wooden Cross	£67.00	<b>£70.50</b>	5.22
e. Renovation or additional inscription	£82.00	<b>£86.00</b>	4.88
For the right to erect, or place a memorial on a common grave	£108.00	<b>£113.00</b>	4.63
Fee for Organ Music and Services of Organist	£45.00	<b>£51.50</b>	14.44
<b>E. Cremation Fee</b>			
Persons over 10 years weekday	£462.00	<b>£502.50</b>	8.77
Persons over 10 years weekend	£518.00	<b>£602.50</b>	16.31
Adult Cremations weekday between 09:00-09:30 and 09:30-10:00	£236.00	<b>£289.00</b>	22.46
Environmental Surcharge	£54	<b>£56.50</b>	4.63
Public Health Cremations	£118.00	<b>£123.50</b>	4.66
Children over 1 month - 10 years	£50.00	<b>£53.00</b>	6.00
Children still born - 1 month	No Charge	<b>No Charge</b>	
Use of Chapel for additional ½ hour Service	£72.00	<b>£100.00</b>	38.89
Use of Chapel plus Organist for additional ½ hour Service	£117.00	<b>£151.00</b>	29.06
<b>F. Memorials</b>			
Columbarium Niche (35 year lease)	£938.00	<b>£981.50</b>	4.64
Placing additional urn in same niche	£108.00	<b>£113.00</b>	4.63
Lily Pond tablet with inscription (35 year lease)	£779.00	<b>£815.00</b>	4.62
Leather Panel Scheme (10 year lease) (Max 60 letters)	£118.00	<b>£123.50</b>	4.66
Large commemorative tablet with inscription	£2,153.00	<b>£2,252.00</b>	4.60
Cloister tablet with inscription	£1,584.00	<b>£1,657.00</b>	4.61
Wall tablet in Book of Remembrance Hall with inscription	£682.00	<b>£714.00</b>	4.69
Entry in Book of Remembrance consisting of -			
Two lines	£108.00	<b>£113.00</b>	4.63
Five lines	£154.00	<b>£161.50</b>	4.87
Book of Remembrance copy 2 lines	£51.50	<b>£54.00</b>	4.85
Book of Remembrance copy 5 lines	£82.00	<b>£86.00</b>	4.88
Armorial bearing or badges (these may be engrossed in the Book of Remembrance only if accompanied by an inscription of at least 5 lines)	£215.50	<b>£225.50</b>	4.64
<b>G. Annual Planting and General Attention of Private Graves (Large Graves on Application)</b>			
Evergreen shrubs only	£164.00	<b>£172.00</b>	4.88
Turf only	£118.00	<b>£123.50</b>	4.66
Seasonal Bedding	£251.50	<b>£263.00</b>	4.57
Turfing or Moulding (No maintenance)	£67.00	<b>£70.50</b>	5.22
Wooden cross including brass plaque	£128.50	<b>£134.50</b>	4.67
Main drive flower bed	£656.00	<b>£687.00</b>	4.73
Memorial Seat, 6ft, inclusive of plaque up to 60 letters maximum inscription, (no ongoing care)	£769.00	<b>£805.00</b>	4.68
<b>H. Additional Charges</b>			
Transfer of Grave Ownership			
By Probate, Letters of Administration, or Private Statutory Declaration	£0.00	<b>£60.00</b>	New Charge
By Assignment, Assent, Hendon Statutory Declaration or Renunciation	£0.00	<b>£100.00</b>	New Charge
Combination of the above	£0.00	<b>£150.00</b>	New Charge

**Appendix E**

**Street Naming and Numbering**

<b>Service</b>	<b>2010 charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
Application for street naming and numbering	£60.00	<b>£65.00</b>	8.33
Enforcement of street naming and numbering (where an application hasn't been made)		<b>£80</b>	New Charge

**Appendix F  
Building Control**

<b>Service</b>	<b>2010 charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
<b><u>Building Control Publications</u></b>			
Building Regulations - Additional copies of decision notices/completion certificates on full plans applications, building notices and regularisations	£82.00	<b>£85.00</b>	3.66
<b><u>Dangerous Structures</u></b>			
Cost recovery, in accordance with The London Building Acts 1939 . Dangerous Structure	Cost recovery	<b>Cost recovery</b>	
<b><u>Correspondence requiring research to answer</u></b>			
per question per address (Minimum charge for this service is £120)	£60.00	<b>£85.00</b>	41.67
<b><u>Reproduction of maps/drawings</u></b>			
A1-A0	£16.00	<b>£17.00</b>	6.25
A2	£11.00	<b>£12.00</b>	9.09
A3	£7.50	<b>£7.50</b>	0.00
A4	£6.00	<b>£6.00</b>	0.00
<b><u>Photocopying</u></b>			
A3	£2.70	<b>£2.85</b>	5.56
A4	£1.34	<b>£1.40</b>	4.48
<b><u>Postage</u></b>			
A4 package	£5.00	<b>£5.50</b>	10.00
A4	£3.00	<b>£3.50</b>	16.67
A5	£1.00	<b>£1.25</b>	25.00
Faxed Information - per A4 page in addition to relevant charge	£3.00	<b>£4.00</b>	33.33
<b><u>Building Notice Applications</u></b>			
Completion Certificates for Building Notice Application	£30.00	<b>£30.00</b>	0.00

<b>Appendix G</b>						
<b>Housing Services</b>						
<b>Service</b>	<b>2010 Charge</b>		<b>2011 Charge</b>		<b>% increase</b>	
<b><u>Leasehold management charges</u></b>						
Pre-assignment enquiries from leaseholders	£226.00		£235.00		3.98	
Pre-assignment express enquiries (within 5 days)	£280.00		£290.00		3.57	
Admin charge for Deeds of Variation	£100.00		£105.00		5.00	
Admin charge for enfranchisement/lease extensions	£225.00		£235.00		4.44	
Licences for alteration approvals (where allowed by lease)	£120.00		£125.00		4.17	
Investigation into leasehold accounts and production of statements going back more than one financial year (outside statutory period), per hour.	£30.00		£35.00		16.67	
Legal Costs for Debt Recovery - Costs on Service of S146	£150.00		£155.00		3.33	
<b><u>Rechargeable works</u></b>						
Reglazing, carpentry and plumbing, etc, due to tenant damage or neglect, etc. Unblocking wastes, resetting electrical trips/mending main fuses where due to faulty tenant appliance	Actual cost plus £25 Admin fee for repeat calls only		Actual cost plus £26 Admin fee for repeat calls only		4.00	
Removal of furniture, rubbish, etc, from void properties	Actual costs plus £21 admin fee		Actual costs plus £22 admin fee		4.76	
<b><u>Community Centres</u></b>						
<b>£ per hour</b>	<b>Current Charges</b>			<b>Proposed from 1 Feb 2011</b>		
Rooms Accommodating	Weekdays	Weekends	Weekdays	% increase	Weekends	% increase
Up to 25 people	18.00	£27.00	19.00	5.56	£28.00	3.70
26-50 people	28.00	£34.00	29.00	3.57	£35.00	2.94
51-100 people	29.00	£38.00	30.00	3.45	£40.00	5.26
101-150 people	30.00	£39.00	31.00	3.33	£41.00	5.13
151 –200 people	33.00	£47.00	34.00	3.03	£49.00	4.26
All hirers of letting rooms must maintain adequate public liability insurance. Proof of such insurance cover must be provided to the						
<b>The following discounts apply:</b>						
Scale 1	No Discount					
Scale 2	25% Discount for Recreational users including religious meetings, art, drama,					
Scale 3	50% Discount for Education and Health users and councillors surgeries					
Scale 4	70% Discount for Tenant & Leaseholder meetings and youth organisations					

**Appendix H  
Regeneration**

<b>Service</b>	<b>2010 Charge</b>	<b>2011 Charge</b>	<b>% Increase</b>
<b>Hourly Rates For Officers</b>			
Head of Service	-	<b>£80.00</b>	New Charge
Principal Project Manager	£60.25	<b>£63.00</b>	4.56
Senior Project Manager	£54.45	<b>£56.90</b>	4.50
Assistant Project Manager	£39.80	<b>£41.60</b>	4.52
Programme & Skills Manager	£47.50	<b>£49.65</b>	4.53
Skills Development Coordinator	£38.85	<b>£40.60</b>	4.50
Project Support Officer	£24.05	<b>£25.15</b>	4.57

APPENDIX I			
Land Charges			
Service	2010 Charge	2011 Charge	% Increase
Full Search	£170.00	£200.00	17.65
Expedited 24 hr Full Search	£200.00	£235.00	17.50
Certificate of Search (LLC1)	£51.50	£67.50	31.07
Additional Enquiries (each)	£41.00	£45.00	9.76
Extra Parcels of Land (each)	£41.00	£45.00	9.76
CON29 ONLY	£117.50	£132.50	12.77
Search refresh - within 93 days of original search	£77.00	£85.00	10.39
<b>Online Search - via NLIS</b>			
NLIS full search	£160.00	£195.00	21.88
NLIS LLC1	£46.50	£65.00	39.78
NLIS CON 29	£102.50	£130.00	26.83
Any one requesting 9 Searches or more at the same time will be entitled to a 10% discount.			
<b>Personal Searches</b>			
One Parcel of Land (view only)		Free	
One Parcel of Land (copy of documentation provided)	£22.00	£25.00	13.64
Extra Parcels of Land (each)	£1.00	£1.50	50.00
<b>Common Land Searches</b>			
One Parcel	£14.50	£25.50	75.86
Extra Parcels (each)	£1.25	£1.50	20.00
<b>Copy of Official Documentation</b>			
Planning Decisions	£17.50	£25.00	42.86
Tree Preservation Orders	£35.00	£45.00	28.57
Listed Buildings	£37.50	£40.00	6.67
Light Obstruction Notices	£35.00	£37.00	5.71
Enforcement Notices	£20.00	£25.00	25.00
Repair Notices	£33.00	£35.00	6.06
Improvement Grants	£33.00	£35.00	6.06
Covenants	£33.00	£35.00	6.06
Agreements	£45.00	£47.50	5.56
Article 4 Directions	£27.00	£30.00	11.11
Duplicate Searches	£40.00	£45.00	12.50
<b>CON29R Enquires of local authority (2007)</b>			
<b>Planning and Building Regulations</b>			
<b>1.1. Planning and building decisions and pending applications</b>			
Which of the following relating to the property have been granted, issued or refused or (were applicable) are the subject of pending applications?			
(a) a planning permission *	£10.25	£11.00	7.32
(b) a listed building consent *			
(c) a conservation area consent *			
(d) a certificate of lawfulness of existing use or development *			
(e) a certificate of lawfulness of proposed use or development *			
(f) building regulations approval	£10.25	£11.00	7.32
(g) a building regulation completion certification			
(h) any building regulations certificate or notice issued in respect of work carried out under a competent person self-certification scheme			
<b>1.2. Planning designations and proposals</b>			
What designations of land use for the property or the area, and what specific proposals of the property, are contained in any existing or proposed development plan?	£10.25	£11.00	7.32
<b>Roads</b>			
<b>2. Roadways, footways and footpaths</b>			
Which of the roads, footways and footpaths named in the application for this search (via boxes B and C) are	£10.25	£11.00	7.32
(a) highways maintainable at public expense *			
(b) subject to adoption and, supported by a bond and bond waver			
(c) to be made up by a local authority who will reclaim the cost from the frontagers			
(d) to be adopted by a local authority without reclaiming the cost from the frontagers			
<b>Other Matters</b>			
<b>3.1 Land required for public purposes</b>			
Is the property included in the land required for public purposes?	£10.25	£11.00	7.32
<b>3.2 Land to be acquired for road works</b>			
Is the property included in land to be acquired for road works?	£10.25	£11.00	7.32
<b>3.3 Drainage agreements and consents</b>			
Do either of the following exist in relation to the property?			
(a) an agreement to drain buildings in combination into an existing sewer by means of a private sewer **			
(b) an agreement or consent for (i) a building, or (ii) extension to a building on the property, to be built over, or in the vicinity of a drain, sewer or disposal main? **			
<b>3.4 Nearby road schemes</b>			
Is the property (or will it be) within 200 metres of any of the following?	£15.50	£17.00	9.68
(a) the centre line of a new trunk road or special road specified in any order, draft order or scheme			
(b) the centre line of a proposed alteration or improvement to an existing road involving construction of a subway, underpass flyover, footbridge, elevated road or dual carriageway			
(c) the outer limits of construction works for a proposed alteration or improvement to an existing road involving (i) construction of a roundabout (other than a mini roundabout) or (ii) widening by construction of one additional traffic lanes			
(d) the outer limits of (i) construction of a new road to be built by a local authority (ii) an approved alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (iii) construction of a roundabout (other than a mini roundabout) or widening by construction of one or more additional traffic lanes.			
(e) the centre line of the line proposed route of the new road under proposals published for public consultation			
(f) the outer limits of (i) construction of a proposed alteration or improvement to an existing road involving construction of a subway, underpass, flyover, footbridge, elevated road or dual carriageway (ii) construction of a roundabout (other than a mini roundabout) (iii) widening by construction of one or more additional traffic lanes, under proposals published for public consultation			

<b>3.5. Nearby railway schemes</b>			
Is the property (or will it be) within 200 metres of the centre line of a proposed railway, tram, light railway or monorail?	£10.25	<b>£11.00</b>	7.32
<b>3.6. Traffic schemes</b>			
Has a local authority approved but not yet implemented any of the following for the roads, footways and footpaths (named in box B) which abut the boundaries of the property?			
(a) permanent stopping up or diversion			
(b) waiting or loading restrictions			
(c) one way driving			
(d) prohibition of driving			
(e) pedestrianisation			
(f) vehicle width or weight restriction			
(g) traffic calming works including road humps	£10.25	<b>£11.00</b>	7.32
(h) residents parking controls			
(i) minor road widening of improvement			
(j) pedestrian crossings			
(k) cycle tracks			
(l) bridge building			
<b>3.7. Outstanding notices</b>			
Do any statutory notices which relate to the following matters subsist in relation to the property other than those revealed in a response to any other enquiry in this form?			
(a) building works			
(b) environment			
(c) health and safety			
(d) housing	£10.25	<b>£11.00</b>	7.32
(e) highways			
(f) public health			
<b>3.8. Contravention of building regulations</b>			
Has a local authority authorised in relation to the property any proceedings for the contravention of any provision contained in Building Regulations?	£10.25	<b>£11.00</b>	7.32
<b>3.9 Notices, orders, directions and proceedings under Planning Acts</b>			
Do any of the following subsist in relation to the property, or has a local authority decided to issue, serve, make or commence any of the following?			
(a) an enforcement notice			
(b) a stop notice			
(c) a listed building enforcement notice			
(d) a breach of condition notice			
(e) a planning contravention notice			
(f) another notice relation to a breach of planning control			
(g) a listed building repairs notice			
(h) in the case of a listed building deliberately allowed to fall into disrepair, a compulsory purchase order with a direction for minimum compensation	£10.00	<b>£11.00</b>	10.00
(i) a building preservation notice			
(j) a direction restricting permitted development			
(k) an order revoking or modifying planning permission			
(l) an order requiring discontinuance of use or alteration or removal of building works			
(m) a tree preservation order			
(n) proceedings to enforce a planning agreement or planning contribution			
<b>3.10 Conservation area</b>			
Do the following apply in relation to the property?			
(a) the making of the area a conservation area before 31 August 1974	£10.25	<b>£11.00</b>	7.32
(b) an unimplemented resolution to designate the area a conservation area			
<b>3.11 Compulsory purchase</b>			
Has any enforceable order or decision been made to compulsorily purchase or acquire the property?	£10.25	<b>£11.00</b>	7.32
<b>3.12 Contaminated land</b>			
Do any of the following apply (including any relating land adjacent to or adjoining the property which has been identified as contaminated land because it is in such a condition that harm or pollution of controlled waters might be caused on the property)?			
(a) a contaminated land notice			
(b) in relation to a register maintained under section 78R of the Environmental Protection Act 1990			
(i) a decision to make an entry	£10.25	<b>£11.00</b>	7.32
(ii) an entry			
(c) consultation with the owner or occupier of the property conducted under section 78G(3) of the Environmental Protection Act 1990 before the service of a remediation notice			
<b>3.13 Radon gas</b>			
Do records indicate that the property is in a 'Radon Affected Area' as identified by the Health Protection Agency?		<a href="http://www.ukradon.org">www.ukradon.org</a>	
* Information available free of charge online			
** Contact the local water company; Thames Water: 0118 925 1504; Veolia Water: 0845 782 3333			
<b>CON 290 Optional enquiries of the Local Authority (2007)</b>			
4. Road proposals by private bodies	£22.00	<b>£23.00</b>	4.55
5. Public paths or byways	£22.00	<b>£23.00</b>	4.55
6. Advertisements	£22.00	<b>£23.00</b>	4.55
7. Completion notices	£22.00	<b>£23.00</b>	4.55
8. Parks and Countryside	£22.00	<b>£23.00</b>	4.55
9. Pipelines	£22.00	<b>£23.00</b>	4.55
10. Houses in multiple occupation	£22.00	<b>£23.00</b>	4.55
11. Noise abatement	£22.00	<b>£23.00</b>	4.55
12. Urban development areas	£22.00	<b>£23.00</b>	4.55
13. Enterprise zones	£22.00	<b>£23.00</b>	4.55
14. Inner urban improvement areas	£22.00	<b>£23.00</b>	4.55
15. Implied planning zones	£22.00	<b>£23.00</b>	4.55
16. Land maintenance notices	£22.00	<b>£23.00</b>	4.55
17. Mineral consultation areas	£22.00	<b>£23.00</b>	4.55
18. Hazardous substance consents	£22.00	<b>£23.00</b>	4.55
19. Environmental and pollution notices	£22.00	<b>£23.00</b>	4.55
20. Food safety notices	£22.00	<b>£23.00</b>	4.55
21. Hedgerow notices	£22.00	<b>£23.00</b>	4.55
22. Common land, town and village greens	£22.00	<b>£23.00</b>	4.55

## Appendix J

### Changes to Environmental Health Charges

An in depth assessment of Environmental Health licence fees has recently been completed. The aim was to ensure that all fees are in line with cost recovery for the licensing process and do not generate income beyond this cost. This is a requirement of the EC Services Directive 123/2006. In reviewing the current costs and setting fees for 2011/12 we have followed compliance guidance issued by the Regulation arm of the Local Government Group (LGG) in consultation with the Department for Business, Innovation and Skills (BIS)

In determining the licence fees we have included the cost of office administration, inspection of each business and verification of application material, inspection follow up, the provision of advice to prospective new applicants, in year checks on a sample of premises, and the management of this process. Animal welfare licence fees also include veterinary inspection costs. As a result of the analysis some of our fees will be raised and others lowered. Where recalculated licence renewal fees for 2011/12 will exceed inflation we have not added an inflation increase in order to reduce the impact on local businesses in 2011.

One particular fee, the additional fee for laser removal of hair and intense pulsed light treatments, will reduce from £574 to £62. This item was introduced with a fee derived simply from benchmarking other authority fees but now does not pass the test set by the Services Directive. When the fee was introduced it was intended to cover premises such as clinics which only offered this licensable treatment. More recently many high street beauty therapy establishments are offering this service and it is not equitable to charge such a large fee on top of the regular £430 licence fee for such premises. We expect there to be growing demand for this particular licence type in future which will go some way to offsetting the reduction in fee income.

The net financial impact of the animal welfare and special treatment licence fee changes is estimated to be a renewal fee income reduction of £7700 in 2011 compared to 2010, assuming all current licensees renew next year. This deficiency is expected to be substantially reduced as we are seeing greater numbers of new entrants recently and the reduction in certain fees should encourage smaller businesses. The final 2009/10 licence fee budget was in surplus due to the unpredicted number of new entrants, and we expect the calculated reduction in renewal fee income next year will not impact on the service and will be absorbed within the current budget.



**AGENDA ITEM: 7**      Pages 30 – 33

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Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Voluntary Mortgage Scheme</b>
Report of	Cabinet Member for Housing, Planning and Regeneration
Summary	This report seeks to cease the policy of the Council acting as a “lender of last resort” to Right to Buy applicants when they want to purchase their existing home but have been refused mortgage finance by high-street lenders.

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Officer Contributors	Stewart Murray, Director of Housing Planning and Regeneration Andrew Milne, Assistant Director Housing Paul Shipway, Strategy and Performance Manager Chloe Horner, Housing Strategy and Business Improvement Manager
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Status (public or exempt)	Public
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Wards affected	All
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Enclosures	None
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For decision by	Cabinet Resources Committee
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Function of	Executive
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Reason for urgency / exemption from call-in (if appropriate)	Not applicable
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Contact for further information: Chloe Horner, Housing Strategy and Business Improvement Manager, 020 8359 4775.

## **1. RECOMMENDATIONS**

- 1.1 That the Voluntary Council Mortgage Scheme be terminated with immediate effect.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Housing and Environmental Services Committee, 17 January 1994 (Decision item 6) – approved Voluntary Council Mortgage scheme.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Council's Housing Strategy 2010-2010 includes an objective of "Maximising the options available for those wishing to own their home". Although we want to assist more people to access home ownership, we do not want to help people purchase properties which are not a viable asset.
- 3.2 The Council has a corporate objective of "Better Services, Less Money", and this proposal reduces the financial risks that the Council would be exposed to by providing mortgages for properties that could not be sold on the open market. In addition, many of the properties that are affected are on the Regeneration Estates<sup>1</sup> and it does not make economic sense to finance the purchase of properties at a discount that the Council would then have to buy back at full market value when they became due for demolition.
- 3.3 Under the Corporate Plan objective, "Sharing Opportunities, Sharing Responsibilities", it does not make sense to provide a service that is already provided by the private sector, and for which there is virtually no demand, with only 3 applications received in the last three years, of which only one has gone on to accept the Council's offer of assistance.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 Assisting tenants to purchase properties that private institutions are not prepared to finance because of their construction type exposes the Council to financial risks associated with investing the purchase of a poor asset.
- 4.2 There is a risk that the council would have to take repossession action against mortgage holders who fall into difficulty in paying their mortgage, which would incur legal and staff costs.
- 4.3 Most of the properties that might not secure a mortgage privately are on the Council's Regeneration Estates. By supporting the purchase of properties on these estates at a discounted price, the Council is exposing itself to the risk of having to buy them back at a higher full market price under compulsory purchase arrangements, which could affect the financial viability of the regeneration schemes.
- 4.4 There is the risk that not granting council mortgages some tenants in the future may be unable to exercise the Right to Buy their home. However, demand for the scheme has been very low, with only three applications during the last three years, of which only one offer of a mortgage has been accepted. Further mitigation is provided in the form of other routes to homeownership that can be made available, such as shared ownership.

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<sup>1</sup> Grahame Park. West Hendon, Stonegrove Spur/Road, Dollis Valley

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 Council tenants are more diverse and more likely to be vulnerable than the wider community. Analysis also shows that there are higher levels of deprivation and housing needs amongst some BME communities in the Borough, including those living in social housing. Social tenants are also more likely to be suffering from a long-term disability.
- 5.2 The demand for Council mortgages is very low and therefore the impact of ceasing the policy is likely to be minimal. However, Barnet Homes will continue to offer advice and assistance to tenants should they wish to access other forms of homeownership such as Shared Ownership and Cash Incentive Scheme.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 If the provision of Council mortgages is continued it the Council might have to take repossession proceedings because a leaseholder has been unable to keep up repayments on their mortgage as defined in the mortgage agreement. If this was to occur, there are resources implications such as staff time and legal costs in terms of claiming through the court system.
- 6.2 There are no resource implications surrounding the ceasing of the Voluntary Council Mortgage Scheme. Ceasing this policy would allow the Council to be more sustainable as it would no longer be mortgaging properties that the private sector is unwilling to mortgage.

## **7. LEGAL ISSUES**

- 7.1 None other than those referred to in the body of the report.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including capital and revenue finance.

## **9 BACKGROUND INFORMATION**

- 9.1 The Leasehold Reform, Housing and Urban Development Act 1993, Section 107, abolished a secure tenant's Right to a Mortgage in respect of their Right to Buy their Council flat or house. All Right to Buy applicants after that date would be expected to obtain a mortgage in the private sector or to buy on rent to mortgage terms.
- 9.2 In January 1994, the Council agreed a new voluntary scheme whereby a Right to Buy applicant can request a mortgage from the Council if they have had two written refusals of a mortgage from recognised lenders because the structure or surroundings of the property is deemed unsuitable.
- 9.3 Many of the properties that are likely to be difficult to secure a mortgage on are based on the council's regeneration estates, including Stonegrove/Spur Road and West Hendon. By granting mortgages to purchase properties at a discounted Right to Buy on these estates, the Council could put itself in a position where it has to repurchase them within a few years at full market price when they are due to be demolished.

- 9.4 The scheme has not proved popular recently with only three applications received during the last three years, of which only one has resulted in the tenant accepting the Council's offer of a mortgage; this was also the first that had been accepted since 2005. This is partly because Right to Buy sales have fallen dramatically since 2004 but also because the Council has to charge an interest rate<sup>2</sup> that is not competitive when compared to rates available elsewhere.
- 9.5 As the policy exposes the Council to unnecessary risk and is in very little demand, it is recommended that the Council cease the policy of acting as a lender of last resort for Right to Buy applicants.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 None.

Legal – TE

CFO – JH/MC

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<sup>2</sup> The higher of our own average borrowing rate plus 0.25% or the rate declared by the Secretary of State which reflects the average high street lender's base mortgage rate.

**AGENDA ITEM: 8**      Pages 34 – 49

Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Section 75 Partnership Agreement – Learning Disabilities Integration Project</b>
Report of	Cabinet Member for Resources and Performance Cabinet Member for Adults
Summary	This report sets out proposals to develop a formal partnership arrangement, under Section 75 of the NHS Act 2006, between the Council and NHS Barnet for an Integrated Health and Social Care Community Learning Disability service and a pooled budget by the end of March 2011.

Officer Contributors	Temmy Fasegha – Joint Commissioner Mental Health and Learning Disabilities Glynnis Joffe – Deputy Director Adult Social Services (Acting) Kate Kennally – Director of Adult Social Services (Acting)
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in	Not applicable

Contact for further information: Temmy Fasegha, Joint Commissioner Mental Health and Learning Disabilities, 020 8359 2841.

## 1. RECOMMENDATION

- 1.1 That a pooled fund for an integrated community learning service in Barnet be established, which will be led by the Council, under Section 75 of the NHS Act 2006.
- 1.2 That the Cabinet Member for Adults be authorised on behalf of the Council to enter into a two-year Section 75 pooled funding agreement between the London Borough of Barnet (LBB) and NHS Barnet (NHSB), subject to the legal and financial terms of the agreement being approved by the Assistant Director – Legal and the Chief Finance Officer, respectively.

## 2. RELEVANT PREVIOUS DECISIONS

- 2.1 None

## 3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS

- 3.1 Government policies and guidance including; Valuing People<sup>1</sup>, 'Our Health, Our Care, Our Say'<sup>2</sup>, Valuing People Now<sup>3</sup>, 'A Vision for Adult Social Care: Capable Communities and Active Citizens'<sup>4</sup> and the recent NHS White Paper<sup>5</sup>, call for greater coordination across health and social care to ensure that the needs of people with learning disabilities (pwld) and their carers are addressed.
- 3.2 Barnet's Joint Strategic Needs Assessment<sup>6</sup> points to an increase in the number of people with learning disabilities over the coming years as they live longer. Many of the young people moving to adult services also have multiple and complex health and care needs.
- 3.3 This project is linked to the delivery of key elements of the Council's medium term financial strategy. In particular, to further develop and better coordinate the community response and intervention for people with learning disabilities in the Borough and their carers. This will help address the legacy of high costs and high volumes of residential placements for this client group. The integrated element will ensure that there is a joined approach to the market and more effective management of provider costs thus achieving '*Better services with less money*', which is important at a time when the Council and Primary Care Trust (PCT) are facing significant budgetary constraints.
- 3.4 The integrated service is also linked to the *One Barnet* ethos bringing together the learning disabilities health and social work teams into a multi-disciplinary service framework and an integrated management structure. It supports the Corporate Plan priorities of '*Sharing Opportunities and Sharing Responsibilities*,' which includes the objective of adults in need of support living more independently and be able to share in the Borough's success by supporting more people to access mainstream opportunities and services.

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<sup>1</sup> Valuing People - DH 2001

<sup>2</sup> Our Health, Our Care, Our Say - DH 2006

<sup>3</sup> Valuing People Now - DH 2009

<sup>4</sup> Vision for Adult Social Care: Capable Communities and Active Citizens - DH 2010

<sup>5</sup> Equity and excellence: Liberating the NHS - DH 2010

<sup>6</sup> Barnet Joint Strategic Needs Assessment - 2009

## **4. RISK MANAGEMENT ISSUES**

- 4.1 The Section 75 agreement will set out a clear governance framework and monitoring arrangement through the establishment of the Learning Disability Partnership & Commissioning Group (LDPCG). The service will on behalf of the partnership be expected to provide monthly, quarterly and annual financial and performance reports to the LDPCG.
- 4.2 The Partnership will take an overview of how new health and social care challenges and changes of policy should be addressed by the service.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 People with learning disabilities are one of the marginalised groups in society. In addition to being socially excluded with limited opportunities in employment, education and in using mainstream services, they also experience significant health inequalities due to limited access to health services and diagnostic overshadowing<sup>7</sup>.
- 5.2 There are no proposals to changing the eligibility criteria for the service. A detailed equality impact assessment (EQIA) has been undertaken to provide assurances that there are no negative consequences resulting from developing the integrated service. A copy of the completed EQIA is attached.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 Considerations in the Section 75 agreement will include:
- Arrangements for the discharge of partners' respective legal and regulatory responsibilities by the Council as host partner;
  - Clarifying operational arrangements in the integrated service;
  - setting up of a joint performance and governance structures to manage the partnership agreement;
  - Arrangements for delegating financial monitoring, reporting and management of the pooled budget;
  - Resolution of disputes;
  - Conditions for the termination of the partnership;
  - Agreed aims and outcomes;
  - Identification of the host partner;
  - The client groups for whom the pool will fund services and descriptions of the activities;
  - Clarity on respective financial contributions and other resources provided in support of the partnership;
  - Agreement about the ownership and disclosure of any capital items purchased by the pool;
  - Duration of the arrangement;
  - Provision and mechanisms for annual review, renewal or termination of the arrangement; and
  - Treatment of VAT, legal issues, complaints, disputes resolution and risk sharing.

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<sup>7</sup> Valuing People- DH 2001; Valuing People Now- DH 2009; Healthcare for people with learning disabilities: recommendations of the Parliamentary and Health Service Ombudsman- DH 2010; Health Inequalities and People with Learning Disabilities in England. Health Checks - DH 2010

- 6.2 The agreement covers the following budgets:
- Staffing budgets for health and adult social care learning disabilities services. The Council's staffing budget for the learning disabilities service is not part of the Council's proposed savings for 2011/12 – 2013/14. Finance officers from the PCT and Council are involved in verifying and updating these budgets.
  - The pooled budget of approximately £3.2 million contained within the agreement relates to staffing budgets of Council, Barnet Community Services and Barnet Enfield & Haringey Mental Health Trust. The Council's contribution is approximately £1.2 million. The Council's fiduciary responsibilities are not affected by these arrangements. The pooled budget will provide the integrated service with the flexibility to develop new roles to support integration and meet the changing needs of those using the service and their carers.
  - Any changes to the staffing profile and balance between health and social care will need to be agreed formally through the Learning Disability Partnership and Commissioning Group.
- 6.3 **Excluded** from the agreement are the social care 'purchasing budgets' which are used to meet people's assessed social care needs.
- 6.4 Schedules in the agreement would provide the financial framework for the agreement detailing the financial reporting responsibilities schemes of financial delegation and arrangements for dealing with under and over spends. It will be the responsibility of the Learning Disability Partnership & Commissioning Group (LDPCG) to ensure that this is adhered to. The Council's Head of Finance- Children and Adult Social Services and the PCT's Director of Finance will be members of the LDPCG to ensure appropriate financial governance to support compliance against the requirements detailed in the schedules.
- 6.5 It is intended to implement a restructure that is more suitable for the integrated service (see paragraph 6.8, below). However, it is envisaged that, as far as possible, staff will continue to be employed by their, respective, organisations; i.e. social care staff will remain employed by the Council; health staff will remain employed by Barnet Community Service (BCS) and Barnet Enfield and Haringey NHS Mental Health Trust (BEHMHT) respectively. Currently, there are plans for a consultation with staff within BCS as part of the end state arrangement with Central London Community Healthcare NHS Foundation Trust (CLCH).
- 6.6 Entering into the S75 pooled funding agreement, between NHSB and LBB, will not invoke the Transfer of Undertakings (Protection of Employment) Regulations 2006, ("TUPE") as there will not be a 'service provision change' within the meaning of the Regulations. Neither is it intended that staff will be seconded by one organisation to another.
- 6.7 So far as the contracts, for the provision of the integrated learning disabilities services, are concerned, on the basis that the organisations which, currently, provide the services continue to do so, TUPE will not apply.
- 6.8 The proposals include an integrated management structure for the new service including a Head of Service and team managers of the adult multi-disciplinary teams.
- 6.9 Managers of integrated teams will be remunerated in line with their, respective, employment terms and conditions, which will continue, including their continuity of service and pension arrangements.



- 6.10 The section 75 agreement will take account of all relevant procurement regulations and EU laws.
- 6.11 A performance and outcome framework has been developed for the integrated service including shared and specific health and social care information requirements. The project board has agreed the use of the Council's SWIFT information systems for collecting and reporting on the framework. The performance and outcome framework would enable the partnership to gain a detailed understanding of the service performance including a deeper knowledge of the customer profile and needs.
- 6.12 The benefit of this partnership is to ensure value for money in the deployment of staff to meet needs in a streamlined way reducing duplication of effort across health and social care.

## **7. LEGAL ISSUES**

- 7.1 Under section 75 of the NHS Act 2006, health and social care organisations can make contributions to a common fund, to be spent on agreed projects or delivery of specific services or delegated functions. These arrangements are often referred to as 'section 75 agreements' or 'health act flexibilities.' The proposed arrangement involves the use of two of these flexibilities; integrated provision and pooled budgets.
- 7.2 Statutory regulations and Government guidance indicates how such arrangements should be set up and emphasis is placed on good governance. The partnership agreement for Barnet will be based on a nationally recognised template which is endorsed by the legal advisers for NHSB and the Council.
- 7.3 The section 75 agreement will set out a mechanism through which the NHSB formally delegates its responsibilities for the commissioning of a community learning disabilities service to the Council.
- 7.4 In addition to the section 75 pooled funding agreement, the Council will, as the host organisation, need to enter into service contract(s) for the provision of the integrated service. This aspect will be brought back before the Committee at a future date.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6- the terms of reference of the Cabinet Resources Committee-capital and revenue finance and externalisation contracts.

## **9. BACKGROUND INFORMATION**

### **The case for change**

- 9.1 People with learning disabilities and their carers have told us they want a 'joined up service', they want better access to support for their health and care and they want to tell their story only once.
- 9.2 Research<sup>8</sup> shows that the prevalence of learning disabilities is increasing within the population, due to a number of factors – the increased survival rates of young people with severe and complex disabilities, and the reduced mortality among older adults with learning disabilities.

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<sup>8</sup> Eric Emerson and Chris Hatton (2004) Estimating Future Need/Demand for Supports for Adults with Learning Disabilities in England (Institute for Health Research, Lancaster University)

This is echoed by Barnet's Joint Strategic Needs Assessment (JSNA) which points to an increase in the number of people with profound and multiple learning disabilities as well as with chronic health problems over the coming years. There is a need for an integrated service, which is able to deliver flexible person-centred support when required while diverting people away from heretofore institutional responses to care.

- 9.3 The national programme to close all NHS residential campuses and the Learning Disabilities Cost Reduction Project will result in the resettlement of more people with complex and challenging needs in the community requiring ongoing health and social care support.
- 9.4 The need for an integrated and joined up approach is being further driven by the significant transfer of investment from NHSB to the Council in April 2010, for the care and support of people with learning disabilities, which was agreed through a Section 256 agreement.
- 9.5 The economic downturn and the significant reductions in public sector budgets call for different and more efficient ways of working in order to meet local commissioning priorities.
- 9.6 The integrated service also has an important role to play in enabling the Council and PCT to achieve priority commissioning initiatives including:
- The **Move On project** to reduce the disproportionate numbers of pwld in residential care and
  - Ensuring that all pwld have access to appropriate and timely health services including **annual health checks** by providing health facilitation and working collaboratively with GP and primary care staff.
- 9.7 The integration project builds on extensive work that has taken place to develop an integrated service specification undertaken over the past 12 months with the key staff and service user and carer representatives.
- 9.8 The current service is made up of six health and social work teams based on professional groups and collocated at Ballards Lane. Staff in the community learning disability health and social work teams have been working together to create a good and responsive service but they use different systems and there are challenges working across organisational boundaries.
- 9.9 The project seeks to develop an integrated health and social care, specialist community learning disabilities service that meets the current and emerging need of the population in the Borough. The proposal is to create three multi-disciplinary adult teams as well as bringing the Transition Team within an integrated service structure.
- 9.10 The project is in two phases:
- Phase one is focused on developing and putting in place a Section 75 pooled budget between LBB and NHS Barnet by the end of March 2011.
  - Phase 2 which commences in April 2011 concerns the actual implementation of the integrated service. It will include development of systems, procedures and protocols to underpin the new ways of working and implementation of the new service model.

#### **The benefits of Service Integration**

- 9.11 The integrated learning disabilities service offers an opportunity to achieve improved user outcomes and value-for-money in the resources invested in services through:
- Targeting of joint resources against agreed joint objectives;

- Improving health and social care outcomes for service users and carers by better understanding and managing the interdependencies of health and social care factors in supporting independence, achieving and maintaining well being, combating social exclusion;
- Achieving joint performance and quality standards;
- Applying resources to achieve community and corporate priorities;
- A single and multi-disciplinary referral and assessment process ensuring that service users and carer only tell their story once;
- Reduced duplication;
- Better access to mainstream opportunities and health services resulting in better health and social inclusion outcomes;
- Improved access to specialist services;
- Better transition planning from children to adult services;
- Increased capacity of the service to support people with complex needs;
- Multi-disciplinary approach to safeguarding;
- People living more independently;
- Better support to carers to enable them to fulfil their caring responsibilities; and
- Greater collaboration between the Learning Disability Services and voluntary organisations so that they better support people with learning disabilities in the community.

### **Development of the Agreement and Project Governance**

- 9.12 The project and partnership agreement is being developed through the 'Learning Disabilities Integration Board' jointly chaired by NHSB's Assistant Director of Commissioning and Partnerships and the Council's Deputy Director of Adult Social Services. Operational, finance, human resources and legal colleagues are also being involved in drafting the agreement and related schedules.
- 9.13 Stakeholder and staff engagement events on the integrated service proposals including an event to the Learning Disabilities Partnership Board are planned for January 2011.
- 9.14 The PCT Financial Recovery Board endorsed the proposals for a section 75 agreement with the Council at a meeting on 15 December 2010. A final draft of the partnership agreement is to be presented to the PCT Board in March 2011 for sign off.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 Equality Impact Assessment
- 10.2 Anyone wishing to inspect this paper should telephone Temmy Fasegha on 020 8359 2841.

Legal – LC/SCS  
CFO – JH

# Adult Social Services Equality Impact Assessment (EIA)

## Questionnaire

Please refer to the guidance before completing this form.

<b>1. Details of function, policy, procedure or service:</b>	
Title of what is being assessed: <b>Integrated Learning Disability Service</b>	
Is it a function, policy, procedure or service? <b>Service</b>	
Department and Section: <b>Adult Social Services</b>	
Date assessment completed: 7 <sup>th</sup> of December 2010	
<b>2. Names and roles of officers completing this assessment:</b>	
Lead officer	<b>John Mason</b>
Stakeholder groups	Staff at CTLD
Representative from internal stakeholders	Andrew Wilkes, Service Manager; Julie Pals
Representative from external stakeholders	
ASSD Equalities Network rep	Andrew Serlin for advice and comment
Performance Management rep	
HR rep (for employment related issues)	
<b>3. Full description of function, policy, procedure or service:</b>	
<p>Please describe the aims and objectives of the function, policy, procedure or service  <i>Please include - why is it needed, what are the outcomes to be achieved, who is it aimed at? Who is likely to benefit? How have needs based on race, gender, disability, age, religion/belief, sexual orientation or carers been taken account of? Identify the ways people can find out about and benefit from the proposals. Consider any processes they need to go through or criteria that we apply to determine eligibility.</i></p> <p>The purpose of the integrated Learning Disability Service is to improve people with learning disabilities access to health and social care and the quality of services to people with learning disabilities. The project has been driven by Valuing People and Valuing People Now – Government papers on improving the quality of lives to people with learning disabilities. Further drivers for the integrated Learning Disabilities Service have been :</p> <ul style="list-style-type: none"> <li>• Services for people with learning disability and challenging behaviour or mental health needs – Mansell Report revised (DH 2007)</li> <li>• Healthcare for all :Report of the independent enquiry into access to healthcare for people with learning disabilities (DOH 2008)</li> <li>• Fulfilling and Rewarding Lives: the strategy for adults with autism in England (DOH 2010)</li> </ul> <p>There has been no change to the eligibility criteria for the service. The service is available to people with learning disabilities who meet the eligibility criteria irrespective of age, gender, religion/belief and sexual orientation.</p>	

The needs of carers of people with learning disabilities have been taken into account in the development of the integrated services, in particular, the requirement of the service to provide information, advice, guidance and support to carers, undertake timely assessments and emergency planning.

Evidence from the Joint Strategic Needs Assessment for London Borough of Barnet and NHS Barnet (March 2009) points to an increase in the number of people with learning disabilities whom have complex and chronic health and social care needs. (There are increased survival rates amongst young people with severe and complex disabilities) People with learning disabilities are also living longer- between 2001 – 2011 increase of 10% in the age group 50 -59 and 34% increase in those aged 70-79.

The JSNA (March 2009) also highlights that the incidence of chronic illnesses such as epilepsy, diabetes, circulatory disease, heart disease and other age related disabilities are 2.5% more common in people with learning disabilities than the rest of the population and the JSNA highlighted the need for Health and Social Services to work together to develop appropriate joint packages of care.

From data received from Children's services there will be 239 children with learning disabilities aged between 14 and 18 possibly moving into Adults Service's in the next 5 years (information received from Children's Schools and Families)

The data for 2009/10 of people with learning disabilities receiving a social care package

823 users in total (746 aged 18-64 and 79 aged 65+)

533 of which receive a community based package

373 (45%) female versus 450 (55%) male

In regards the general population 49% aged between 15 and 64 and 43 % of those over 65+ are male.

230 (28%) from a BME group versus 585 (72%) white

In regards the general population of Barnet 30% from a BME group –although there are age differences in the data

The integrated learning disability service is being developed to meet the current and future needs of the population of people with learning disabilities in Barnet.

The service specification has been drafted and the proposal is that there will be a three tiered service model responding to people's level of need and the Team Structure reflects the management of this model. See Appendix 1 and Appendix 2. The change in team structure will result in there being one Service Manager and four Team Managers including Transitions instead of two service Managers and six Team Managers as at present. There are to be no other changes to the team structure.

The service model change will result in resources being targeted at those with the greatest need and those people who are more independent accessing mainstream health and other services wherever possible. The service model recognises that this will require support to mainstream providers to enable them to provide services to more people with learning disabilities.

The changes to the service will result in a single point of access and multi-disciplinary duty system, unified assessment, care management and care planning process and integrated clinical governance.

The changes in service delivery will mean that people with learning disabilities with the greatest need will have a named Care Co-ordinator.

There will be engagement with service users, family/carers of people with learning disabilities and other stakeholders including the staff team that will be affected by the change to the service. For people with learning disabilities this will be in Easy Read. The engagement process will need to begin shortly.

The location of the service may also change and this will impact on people receiving the services, their carers and the staff working in the Learning Disabilities Service. This is a critical element of the change and will need to be reviewed as no decisions have been made as yet on the location of the service and in particular the use of satellite locations for work with service users.

In regards to assessing the impact of the changes to the service against the protected characteristics – it has been found that there is not always the data available on the characteristic although work is in progress in the recording of such data. This is highlighted in some of the responses below but does not detract from the fact that due consideration has been given to the impact of the change upon people with the particular protected characteristic.

**4. How are the equality strands affected?** *Please detail the effects on each equality strand, and any mitigating action you have taken so far*

Equality Strand	Affected?	Explain how affected	What action has been taken already to mitigate this?
1. Age	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	<p><b>Service users</b> – The learning disability population is changing - more people are living longer (JSNA-March 2009). There are now a significant proportion of service users aged 65+. The change in service will improve access to health and social care and enable people to use mainstream services wherever possible. There is no upper age limit to the service</p> <p><b>Staff</b> – should not be adversely effected by the change.</p>	<p>The engagement process will ensure we are informing and listening to what people have to say.</p> <p>The service will monitor demographic details of service users including age.</p>
2. Disability	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	Service users – The move towards a fully integrated service will result in better access to health and social care support, in particular for those with complex needs, based on the tiered model of support.	There is a separate work stream focussing on the location of the service. This will include access issues for people with learning disabilities with additional physical impairments and the location of therapeutic activities.

		<p>For other service users – people will be enabled and supported to access mainstream health and social care provision this reflects the social model of disability and a more holistic view of disability and health</p> <p>The change to the location of the service may adversely affect access for people with learning disabilities particularly those who have additional physical impairments. It will not be possible for face to face work to be carried out with people with learning disabilities at NLBP.</p> <p>It is therefore important to identify appropriate locations for therapeutic activities particularly one to one therapy and group work. It is essential that settings for these activities are appropriate to the needs of people with a learning disability and can be used on a regular basis so that service users can familiarize themselves with new and different environments.</p>	<p>Identifying possible other satellite locations for delivery of the service including delivery of therapeutic activities.</p> <p>Ensuring that information about the new service location is widely publicised and available in accessible formats.</p> <p>There is scope for visits to service users homes where required.</p> <p>The service will monitor demographic details of service users including disabilities.</p> <p>Engagement and consultation with service users, family/carers and staff is important.</p>
<p>3. Gender reassignment</p>	<p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/></p>	<p><b>Service users:</b> This data is not recorded. In regards the change to the service the outcomes should result in better outcomes off for accessing health and social care.</p> <p><b>Staff :</b> This data is not recorded.</p>	<p>Monitor and review of the EIA. Engagement and consultation where appropriate with stakeholders will ensure that information is shared and people are listened to.</p> <p>The monitoring of this area is being considered corporately and by departments within LBB.</p>

<p>4. Pregnancy and maternity</p>	<p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/></p>	<p><b>Service users:</b> A key aspect of the new integrated specification is work with mainstream health services, including health visitors, to ensure that mothers who have a learning disability are supported to care for their children. It should result in better access to health and social care.</p> <p><b>Staff:</b> There are no changes to the terms and conditions of staff as service as a result there is no adverse impact on staff who are pregnant or nursing mothers.</p>	<p>Monitor and review of the EIA. Engagement and consultation where appropriate with stakeholders will ensure information is shared and peoples views are heard.</p>
<p>5. Race / Ethnicity</p>	<p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/></p>	<p><b>Service users:</b> There should be no adverse impact because of the changes to the service. The service change should result in better access to health and social care.</p> <p><b>Staff:</b> There are no changes to the terms and conditions of staff. The Council and NHS employing staff in the service have well established equalities policy that govern recruitment and retention of staff.</p>	<p>There will be a need to ensure that ethnic, cultural diversity and needs are respected and addressed and that adequate policies and procedures are in place.</p> <p>The service will monitor demographic details of service users including race/ethnicity.</p>
<p>6. Religion or belief</p>	<p>Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/></p>	<p><b>Service users:</b> will not be excluded from the service as a result of their religion or belief. The service change should result in better access to health and social care.</p>	<p>There will be a need to ensure that religious needs are addressed and adequate policies and procedures are in place.</p> <p>The service will monitor demographic details of service users including religion.</p>



7. Gender / sex	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	Service users: both men and women will be enabled and supported to access mainstream health checks for gender. This will be an improvement.	
8. Sexual orientation	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	<p><b>Service users:</b> This data is not held on service users.</p> <p><b>Staff:</b> There should be no impact from the service changes.</p>	The service will monitor demographic details of service users including sexuality.
9. Marital Status	Yes <input type="checkbox"/> / No <input checked="" type="checkbox"/>	<p><b>Service users :</b> No direct impact from the change in service.</p> <p><b>Staff:</b> No direct impact from the proposed changes to the service.</p>	The service will monitor demographic details of service users including marital status.
10. Carers (discriminated by association)	Yes <input checked="" type="checkbox"/> / No <input type="checkbox"/>	<p>Many people with learning disabilities have significant involvement with family/carers. The changes to the service may affect carers if they themselves have a disability or are old or if they remain very involved in the care for their son/daughter in regards to the change in location of the service.</p> <p>At the present time, carers can call in without appointment to see Social workers or health professional at 313 Ballads Lane. NLBP is a back office and therefore does not have the facility for face to face meetings with carers, so it will be necessary to identify appropriate alternative locations where carers can see. The appropriate professional if they have an urgent need to do so.</p>	<p>The service will monitor and support carers of service users including undertaking assessment and emergency care planning for elderly and frail carers.</p> <p>There is scope for visits to carers homes where required.</p> <p>There are other options available such as the use of the Barnet Carers Centre.</p> <p>Any communication – engagement and consultation should involve carers. Monitor and review the EIA.</p>

**5. What are the number, types and severity of disabilities in play in this case?**

**Service users:** The estimated learning disability population in Barnet is 1302 aged 18 +. Of these 805 are currently supported by the service. The current service does not hold any information about the severity and/or complexity of their needs. But we know there are a range of needs from those people who are very independent but remain vulnerable to abuse and neglect to those people with profound and multiple disabilities who require 24 hour support because of their high level need for assistance in all areas of their lives i.e. eating , drinking , dealing with incontinence. The numbers of people with more complex needs including those people who are autistic or have particular medical needs or behaviour that can challenge services is increasing.

In addition it is envisaged that individuals with complex needs who are currently in out of borough placements or in private hospitals will be supported to move back to Barnet. While this will be a positive development for individuals with learning disabilities, enabling them to resume their regular contact with their families and friends in their community, this will lead to a significant increase in demands on the Health and Social Work professionals in the Learning Disability Service.

It is anticipated by the service model changing to a tiered model that there needs to be a sharper focus of resources to those with higher and more complex needs. Those individuals with mild to moderate learning disabilities who do not have significant health needs and who do not meet FACS criteria will be supported to access mainstream services.

**Staff:** This data is currently unknown.

**6. What are the actions that could reduce the impact on people with disability?**

For the past 18 months Health professionals in the Learning Disabilities Service have been engaged in discussions with staff in Mainstream health services to support the access of people with learning disabilities to their services. These discussions will continue.

The integrated service will collect information about the severity and complexity of the needs of service users including other health conditions they may have in order to meet health reporting requirements.

It is anticipated by the service model changing to a tiered model that there can be better use of resources to those with higher need.

The impact of the change to the service is anticipated to be positive with better access to health and social care. The communication will be accessible for people i.e. use of Easy read where applicable.

**7. What will be the impact of delivery of any proposals on satisfaction ratings amongst different groups of residents**

The change process may result in changes to satisfaction ratings but there is only one population group effected by this change – the population that have a learning disability or those who are family/carer. This will need to be monitored via the Satisfaction survey that is conducted by the Community Team themselves on an annual basis.

**8. How does the proposal enhance Barnet’s reputation as a good place to work and live?**

The service change should enhance the reputation of Barnet as the service to people with learning disabilities improves in regards to access to health and social care. It enables Barnet to demonstrate compliance with vision set out in national policy documents such as ‘Valuing People’ and ‘Valuing People Now’.

The Communications Plan for the change to the service will address the different stakeholders in the project and the messages that need to be conveyed to each group.

There will need to be consultations with staff that are affected by the move to the new location at NLBP, particularly as many of them will have concerns as to how provide services to service users and their carers.

**9. How will members of Barnet’s diverse communities feel more confident about the council and the manner in which it conducts its business?**

In regards the change to the service – there will be a communications plan to inform the different stakeholders of the benefits of the changes.

The service specification needs to be explicit in identifying the outcomes of the changes and these outcomes need to be included in any communication with stakeholders. These need to be measurable as performance targets so that there can be monitoring against different demographic characteristics.

There is a need to maintain the staff who work in the service as they have built up relationships with the service users and are well regarded by both people with learning disabilities and family/carers. The staff need to be fully engaged in consultation with regard the changes to the service model and team structure and with regard to the implications of the proposed move to a different location for the service.

**10. What measures and methods have been designed to monitor the application of the policy or service, the achievement of intended outcomes and the identification of any unintended or adverse impact? *Include information about the groups of people affected by this proposal. Include how frequently will the monitoring be conducted and who will be made aware of the analysis and outcomes? Include these measures in the Equality Improvement Plan (section 14)***

There is a robust performance management framework that underpins the integrated service. A joint monitoring and governance framework will be agreed by NHS Barnet and Council in the Section 75 agreement.

The Communications plan identifies the stakeholders and also the timelines for communication.

It is important that there is engagement with people with learning disabilities, family /carers and consultation with staff and Trade Union regards the changes to the service.

Information on the changes to the service will also need to be made available to other stakeholders – voluntary sector , residential and supported living providers.

**11. How will the new proposals enable the council to promote good relations between different communities?** *Include whether proposals bring different groups of people together, does the proposal have the potential to lead to resentment between different groups of people and how might you be able to compensate for perceptions of differential treatment or whether implications are explained.*

It is anticipated that the proposed changes would not lead to any resentment between different groups of people and does not have the potential to lead to resentment. It is anticipated the proposal will lead to better outcomes in regards accessing health and social care provision for people with learning disabilities and their family /carers.

**12. How have residents with different needs been consulted on the anticipated impact of this proposal? How have any comments influenced the final proposal?** *Please include information about any prior consultation on the proposal been undertaken, and any dissatisfaction with it from a particular section of the community.*

It is planned that there will be documents produced in Easy Read for people with learning disabilities to enable them to fully understand the changes proposed in the service specification. In addition documents identifying the changes and better outcomes will need to be produced for other stakeholders.

Perception data received from carers and service users regards the learning Disabilities service indicates low levels of satisfaction with elements of the service such as the facilities and the difficulty with contacting the service.

There has been involvement of service users and a parent/carer in the initial project group that worked on the service model. There will be engagement with a range of stakeholders including the Learning Disability Parliament, the Parent Action Group, the Learning Disability Partnership Board and the Providers Network. During the development of the project there have been presentations to The Board and the Learning Disability Parliament.

There is to be a group of people with learning disabilities to act as a mirror group to the Project Board and to receive and give feedback. And there will be consultation documents for staff and Trade Unions.

Existing communication channels will be used such as the Council website, newsletters, Barnet First.

This will need to be monitored and feedback from service users will inform the communications methods and feedback into the Project and the review of the EIA.

**13. Decision:**

No Impact <input type="checkbox"/>	Positive Impact <input type="checkbox"/>	Neutral Impact <input type="checkbox"/>	Negative Impact or Impact Not Known <sup>9</sup> <input checked="" type="checkbox"/>
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I have recorded Impact as not known at this stage as this is conjecture based on what is anticipated from the project.

<sup>9</sup> ‘Impact Not Known’ – tick this box if there is no up-to-date data or information to show the effects or outcomes of the function, policy, procedure or service on all of the equality strands.

**AGENDA ITEM: 9**      Pages 50 – 55

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Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Contract Award – Meals at Home</b>
Report of	Cabinet Member for Adults
Summary	This report outlines the tendering process conducted for the award of a new Home Meals Contract. It recommends the award of that contract to Sodexo Ltd.

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Officer Contributors	Tom Pyne, Head of Supply Management (Adult Social Services)
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Matt Phelps, Category Manager (Community Services), 020 8359 4280.

## **1. RECOMMENDATION**

- 1.1 That Sodexo Ltd be awarded the contract for the provision and delivery of meals for period of three years commencing 1 April 2011.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 On 28 November 2006, the Cabinet Member for Community Services authorised by delegated powers (DPR 147) that Sodexo Healthcare Services Limited be awarded a contract for the provision and delivery of meals, and that Enfield Council provide the administration and monitoring for the meals service. The agreed contract was for 3 years from 1 April 2007 but provided for an extension of a further period of up to 2 years at the Council's discretion and with the contractor's consent.
- 2.2 Cabinet Resources Committee, 23 February 2010 (Decision item 6) – approved an increased price per meal from April 2009 and a 1-year extension to the home meals contract due to end March 2010. As a result of the extension, the contract will, now, expire at the end of March 2011.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Council's Corporate Plan 2010-13 corporate priority 'Sharing Opportunities and Sharing Responsibilities' will be promoted through the strategic objective to "support people to be independent and lead active lives" in their community.
- 3.2 The Corporate Plan 2010-13 corporate priority of 'Better Services with Less Money' will be promoted through the strategic objective to "make sure we get best value from resources across the public sector, including our people and assets" as the contract for meals provision is recommended for award to the provider who on evaluation offers the lowest costs in relation to the best quality service. Also, the meals service will promote the strategic objective to "move investment from acute services to prevention" as this service may reduce admissions to residential care and other costly forms of institutional care. Finally, the promotion of the strategic objective of maximising "improvements and savings in back office functions" will be achieved by ending the present arrangements for the administration and monitoring of the service and replacing them with a more efficient form of service delivery.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 There is a transition risk upon migrating the responsibilities for contract management from the London Borough of Enfield to Barnet Council. This risk is being mitigated through detailed planning in relation to the transfer of the duties for contract administration and monitoring. Duties currently carried out by Enfield Council have been allocated to appropriate teams within Adult Social Services enabling a saving of approximately £66,000 savings per year.
- 4.2 There is risk of a fall in volumes should people opt for a Direct Payment to purchase a meals service from other supplier but the impact will be minimal on the contractor and the Council as volume bandings were taken into consideration in the pricing schedule submitted as part of the tender. Officers will mitigate against falling volumes by ensuring that the service is promoted amongst operational teams. Officers will also verify that any drop in volumes is not linked to any issues in relation to the quality of the service. To date, the meals contract has a good track record in relation to quality and customer feedback and this is expected to continue to be the case.

## 5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 The new contract states that the provider of the service must comply with the Council's Equalities Policy and the policy will be included as an Appendix to the Contract.
- 5.2 The Council's Procurement Equalities policy was followed in the management of the tender process with the tenderers' own equalities policies evaluated as part of that procedure. Service users, their carers and older residents including members of minority ethnic groups were involved in the consultation process, including tasting of the short-listed tenderers' meals. The meals sampled included a variety of specialist ethnic meals.
- 5.3 The home meals service will continue to be offered to any adult who on assessment meets the Council's Fair Access to Care Services eligibility criteria. With the contract, a range of hot meals are provided to meet different dietary and religious requirements. The new contract provider would meet regularly with the Council on a formal basis to review the service and ensure that all needs are being met.

## 6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

- 6.1 The contract to be awarded is priced on a cost and volume basis as this gives both the Council and the Contractor stability for the entirety of the contract period and negates the need to re-negotiate contract prices.
- 6.2 During 2010, approximately 1,550 meals were delivered each week to around 360 service users in the borough. Meal volumes vary from week to week depending on individual circumstances such as holidays and hospital admissions. This has formed the basis for assumptions regarding levels of demand over the three year period and evaluation on price. During the course of the contract, officers will closely monitor volume movement to mitigate against any reductions in volumes and any impact this may have.
- 6.3 The standard meal price submitted by Sodexo as part of their tender submission is shown below together with the volume bandings. The meal price will be fixed for the duration of the contract.

Upper Banding	Lower Banding	Standard meal price	Annual cost
<b>7176</b>	<b>6065</b>	<b>£5.53</b>	<b>£625,305.64</b>
6064	4953	£6.26	<b>£585,949.27</b>
4952	3841	£7.35	<b>£548,662.29</b>
3840	2729	£9.20	<b>£517,799.79</b>

Comparison costs based on upper banding pricing standard meals is shown below;

Sodexo	£5.53 (£625,305 annually)
Contractor A	£6.09 (£688,532 annually)
Contractor B	£6.20 (£697,583 annually)

- 6.4 The anticipated cost of the home meals service for 2011/12 is as follows and the new contract can therefore be funded from the available budget for meals at home.

Number of meals to be provided	6,778 meals per 4-week period
<b>Total cost of meal provision</b>	£654,941
Client contributions at £3.99 per meal	£(351,567)
Net cost of contract	£303,374
<b>Available budgets</b>	£317,797

- 6.5 In order to ensure that volumes do not further decrease and given that the current client charge is one of the highest in London it is not proposed to increase the client contribution above the current level of £3.99 for 2011/12. This will be reviewed on an annual basis as part of the setting of charging and fee levels.
- 6.6 The savings set out in the Council's medium term financial strategy for meals at home contract will be largely generated by eliminating the current Enfield contract management cost. The current cost per year of Enfield Council's management has been £106,000. It is expected that Barnet Council could achieve similar outcomes through expenditure of £40,000, achieving a savings of £66,000. The Council is currently liaising with Enfield Council regarding the TUPE rights of staff who transferred from Barnet to Enfield to manage the contract. This is being investigated following the Council's decision to bring the contract management and administration back to Barnet.

## **7. LEGAL ISSUES**

- 7.1 The Council has a statutory obligation to provide meals to vulnerable adults under the Chronically Sick and Disabled Persons Act 1970.
- 7.2 For the purposes of European procurement rules, the Meals at Home service falls within Category B of Schedule 3 to the Public Contracts Regulations 2006. Procurements of Category B services do not have to follow the full European procurement regime. However, as indicated at paragraph 9.4, below, a competitive process was carried out and this has, also, ensured compliance with the Treaty provisions of non-discrimination, fairness and transparency.
- 7.3 The transfer of the contract management tasks from the London Borough of Enfield to Barnet could result in a transfer of staff pursuant to the Transfer of Undertakings (Protection of Employment) Regulations 2006. Certain information and consultation duties fall upon Enfield as "Transferor" and Barnet as "Transferee". Barnet must ensure compliance with the relevant requirements. Any transferred staff will retain continuity of service and will be entitled to participate in the Local Government Pension Scheme Fund administered by Barnet.
- 7.4 A formal contract must be prepared and executed on behalf of, both, Sodexo and Barnet in compliance with the council's Contract Procedure Rules.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the terms of reference of the Cabinet Resources Committee including authorising post tender negotiations.



## 9. BACKGROUND INFORMATION

- 9.1 On 28 November 2006, the Cabinet Member for Community Services authorised by delegated powers that Sodexo should be awarded a contract for the provision and delivery of meals, and that Enfield Council should provide the administration and monitoring of the meals service. The contract with Sodexo was for 3 years from 1 April 2007 but provided for an extension of a further period of up to 2 years at the Council's discretion and with the contractor's consent.
- 9.2 On 23 February 2010, the Cabinet Resources Committee resolved that the Director of Adult Social Services should be authorised to approve a 1-year extension to the home meals contract due to end March 2010, during which time the Council would review how this service ought to be provided in future.
- 9.3 In accordance with the above resolution, the Adult Social Services Directorate began a strategic commissioning review of the home meals service in March 2010, including research into the possible integration of a meals service into existing home and community support services. The strategic review concluded in October 2010 that a new meals service should seek innovative ways to add value through daily social welfare checks and safeguarding measures, as well as promoting take-up in the face of declining volumes nationally. The Directorate review also recommended savings through the management of the contract by Barnet Council, as opposed to Enfield Council.
- 9.4 In compliance with Council Procedures and European legislation for a meals contract of this size, a call for competition was issued to the Official Journal of the European Union (OJEU) on 15 November 2010 and advertisements were placed in the Council's website procurement portal ('Doing Business in Barnet') and supply2.gov.uk, the official government national lower-value contract opportunity portal, requesting potential providers to submit tenders for the meals contract.
- 9.5 Three tenders were received by the closing date of 3 December 2010.
- 9.6 Tender Evaluation – Tenders were initially checked to ensure compliance with the tender instructions and clarifications were sought in respect of specific financial and legal issues. From 10 December 2010, all tenders were evaluated by the tender panel. The evaluation panel was made up of officers from Supply Management, Commissioning and Care Services Delivery within Adult Social Services.

Tenders were assessed in four areas as follows:

<b>Criteria</b>	<b>Weight</b>	<b>Evaluation Sources</b>
Price	30%	Pricing Schedule
Capacity & Resources	25%	Induction & Training Method Statement Recruitment & Selection Method Statement Presentation Interview Questions.
Technical Ability	20%	Food Hygiene & Preparation Method Statement. Implementation Method Statement Presentation Interview Questions
Experience of providing relevant service	25%	Service Delivery Method Statement Continuity of Service Method Statement Presentation Interview Questions Tasting Event

9.8 In addition, a Business Questionnaire was used to ensure that all tenders met minimal organisational and business requirements.

9.9 The outcome of the tender evaluation is shown in the table below:

<b>Evaluation Criteria</b>	<b>Weighting</b>	<b>Sodexo</b>	<b>Apetito</b>	<b>Agincare</b>
Price	30%	20.00%	25.00%	10.00%
Capacity & Resources	25%	22.51%	16.54%	17.64%
Technical Ability	20%	17.39%	12.92%	14.12%
Experience	25%	20.13%	20.00%	19.38%
<b>Total</b>	<b>100%</b>	<b>80.03%</b>	<b>74.46%</b>	<b>61.14%</b>
<b>Ranking</b>		<b>1<sup>st</sup></b>	<b>2<sup>nd</sup></b>	<b>3<sup>rd</sup></b>

9.10 Contract Award – The contract award recommendation is made on the basis of the evaluation criteria shown above, Sodexo Ltd having scored highest overall.

## **10. LIST OF BACKGROUND PAPERS**

10.1 None.

Legal – SCS  
CFO – MC/JH

**AGENDA ITEM: 10**      Pages 56 – 74

Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Use of capital money for developing Adult IT infrastructure</b>
Report of	Cabinet Member for Adults
Summary	To approve the allocation of £1,150,000 of capital money to the improvement of information systems for adult social care.

Officer Contributors	Ed Gowan – Head of Transformation (Acting) – Adult Social Services David Court – Business Systems Team Manager – Adult Social Services
Status (public or exempt)	Public (with separate exempt report)
Wards affected	All
Enclosures	Appendix – Business case for use of capital money for developing adult IT infrastructure
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not Applicable

Contact for further information: Ed Gowan, Head of Transformation (Acting), 020 8359 4346.

## **1. RECOMMENDATIONS**

- 1.1 That £1,150,000 of capital money be allocated for the improvement of information systems for adult social care in line with the business case shown as in the appendix to this report.**
- 1.2 That £103,000 is vired from Corporate Services Capital Programme – Swift (IT15) to Adults Capital Programme.**
- 1.3 That the Adults Capital Programme is increased by £1,047,000 for Swift upgrade funded from capital grants (see paragraph 6.1.1).**
- 1.4 That the Commercial Director be authorised to commence the procurement process to replace the Adult Social Services information management system SWIFT following completion of the pre-procurement options appraisal.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 None.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 To be able to deliver on local and national drivers, Adult Social Services requires Information Systems that:
  - Give the citizen direct control over information about themselves, their care, and their customer journey. Locally, this aligns with Adult Social Services' personalisation agenda, the One Barnet principle of 'a new relationship with citizens' and the corporate priority of 'sharing opportunities and sharing responsibilities'. Nationally, this aligns with the Government's new vision for social care: 'Capable Communities and Active Citizens'.
  - Maximise interoperability and integration, both with other elements of the Council's own information systems architecture and with other partners, such as health. Locally, this aligns with Adult Social Services' personalisation agenda, the One Barnet principle of 'one public sector' and the corporate priority of 'better services with less money'. Nationally, this also aligns with the Government's new vision for social care.
- 3.2 In addition to the above, investment in the improvement of Adult Social Services' Information Systems will enable us to make a number of savings in the department's Medium Term Financial Strategy.
- 3.3 Finally, Swift is no longer being developed by its supplier, Northgate. It is likely to become unsupported within a few years. This would put at risk our ability to store information about vulnerable clients, compromising our ability to safeguard them.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 The risks of doing nothing are that:
  - ❖ The citizen is not empowered:
    - The Directorate cannot deliver on its personalisation agenda as the current information system does not support self directed support.

- The Directorate has commenced implementing separate solutions that will deliver choice and independence (e.g. Social Care Connect). Any further expenditure on solutions that assist citizen access will carry the risk of not being integrated with the core social care system (because of high costs and complexity of integrating with Swift). This would result in piecemeal development which would not effectively support the citizen.
- ❖ The system has little interoperability and integration.
  - No system would be in place to support work with the NHS Barnet (and its successor bodies) or to integrate with other Council systems from the One Barnet perspective.
- ❖ The system does not support efficient working.
  - Adult Social Services' ability to deliver One Barnet-related budget savings whilst maintaining service levels would be seriously hindered.
  - The current system becomes obsolete over the next couple of years as Northgate develop their successor solution to Swift.
  - The risk of doing nothing is that Adult Social Services rely on a social care system that is no longer fit for purpose. Costs are incurred with developing bespoke "work arounds" to meet changing business requirements. These bespoke solutions are high risk.

4.2 There are operational, financial and procurement risks attached to investing in new systems, where the costs to the Council are likely to be in a range of £800,000 to £1,150,000 covering. These have been identified with managing actions and are set out in paragraph 4.2 in the business case attached in the appendix to this report.

## 5. EQUALITIES AND DIVERSITY ISSUES

- 5.1 A full Equalities Impact Assessment will be conducted prior to the procurement of the new system.
- 5.2 One of the benefits of procuring a new system will be that citizens can directly access and amend information relating to their care and support online. It is vital that this functionality is accessible to all of the people supported by Adult Social Services, including those with learning disabilities and visual and sensory impairments. Through its procurement and implementation of the Social Care Connect website, the Council has a model of good practice for involving citizens with such impairments in every stage of an information system procurement and implementation project. This helps to ensure that the system is fully accessible. This model will be used in this work.

## 6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

### 6.1 Finance Implications:

- 6.1.1 Market sounding indicates that the procurement and implementation of a new system for adult social care will cost in the region of £800,000 to £1,150,000. The table below proposes that sources of existing funding to be allocated to meet these costs.

Source	Amount (£)
Infrastructure Grant <sup>1</sup>	£294,808
Transformation (IT) Grant <sup>2</sup>	£183,815

<sup>1</sup> The Government have provided £294,808 "Adult Social Care IT infrastructure" capital grant in recognition of the significant changes required to prepare Adult Social Services systems and data so that the NHS number becomes the primary identifier and to be able to integrate with the NHS spine.

Capital monies agreed for Adult Social Services Information Systems (Borrowing) <sup>3</sup>	£103,000
Adult Social Care Capital Grant (Single Capital Pot) <sup>4</sup>	£568,377
<b>TOTAL</b>	<b>£1,150,000</b>

6.1.2 Market sounding suggests that the annual revenue cost of running a new system would cost roughly £40,000 more than the £60,000 currently spent to support Swift. It should be noted, however, that additional cost is more than outweighed by the £2,283,000 revenue savings which investing in a new system will make possible (see section 6.3, below).

## 6.2 Procurement Implications:

6.2.1 This is a significant procurement exercise. To ensure that the Council follows an appropriate procurement process, six options have been identified and assessed (as set out in paragraph 2.2). It is proposed that options 3 to 6 will be considered in more detail prior to commencement of the procurement process in order to support alignment of a new adult social services information management system with the One Barnet programme, the Commercial Directorate will be producing a new Information Management policy prior to this project entering its procurement phase. The procurement process will be led by the Commercial Directorate in partnership with Adult Social Services.

6.2.2 Parallel to this, Adult Social Services intends to spend £30,000 of the proposed £1,150m project budget on a 3 to 4 month piece of preparatory work. The products of this will be:

- An analysis of the progress currently being made by the Common Assessment Framework (CAF) Demonstrator site programme and key learning from it to be incorporated into our specification of requirements.
- An analysis of which systems would have utility for the Children's Service.
- An analysis of procurement options with other London Boroughs for adult social care information management system.
- A more detailed business case and investment appraisal including project staffing costs and Council costs associated with procurement.
- Sounding of potential suppliers to scope out their offerings, their ability to meet requirements and the implementation and maintenance costs that will be incurred in order to establish a baseline for funding required.
- Finalisation of business processes to be implemented in the new system.

6.2.3 It is anticipated that the procurement process will commence in quarter one of 2011/12 with the system replacement process estimated to take a minimum of 18 months from the commencement of the procurement.

## 6.3 Performance and Value for Money Implications:

6.3.1 The following performance benefits are expected as a result of this investment in Adult Social Services' information systems (see Section 3 of the appendix to this report, below):

<sup>2</sup> In addition £183,815 capital monies have been allocated to help Barnet adult social care improve IT systems to help in accounting for personal budgets – "Transforming Adult Social Care – The Social Care Reform Grants" [LAC(DH)2010 1].

<sup>3</sup> £103,000 already approved within the current corporate IT capital programme to fund the Adult Social Services Information Systems (the eSAP solution – a previously identified Adult Social Services IT solution that no longer meets the Directorate's requirements). This could be made available to this development.

<sup>4</sup> The Government have paid the Council £400,000 Adult Social Care capital grant in £200,000 instalments over the two years 2008/09 to 2009/10 via the Single Capital Pot. £200,000 is due for 2010/11. Of this £568,377 is the bulk of the resource remaining to be allocated.

- Citizens should become more empowered through the availability of technology that allows them to self-manage their social care and develop their social support networks. This should decrease their dependence on the Council to manage social care activity, freeing up resource to focus on people who most acutely need our support.
- Citizens, the Council and its partners will benefit from the ability to integrate systems more easily and at lower cost. This should decrease the need to manually re-enter information captured elsewhere in the public sector. It should also allow for more intelligent analysis of information, identifying people who need coordinated assistance from multiple services.
- The Council will benefit from a system which enables and promotes efficient working through functions such as workflow, e-forms and mobile access to data.

6.3.2 £2,283,000 reductions from Adult Social Services base budget will be enabled by the procurement and implementation of a new system (see Section 5 of Appendix A, below). These form part of Adult Social Services' Medium Term Financial Strategy. The table below explores key links between the implementation of this technology and Adult Social Services' planned actions to decrease costs.

Service Area	Where investment in new systems will support revenue budget savings
Supply Management & Direct Payments	<ul style="list-style-type: none"> <li>• Investment in a system where providers maintain their own information within their view of the database (provider portal), resulting in a reduction in administrative costs for the Council.</li> <li>• A system that assists electronic authorisation of care plan costs by budget managers reducing the need for dual systems as now and removing the care plan authorisation task from Supply Management.</li> <li>• System that provides workflow so that the management and allocation of work can occur within a single process.</li> <li>• Reduction in requirement for back office staff to correct data.</li> <li>• Integration with other systems reduces the need to collect performance and management data from multiple sources</li> </ul>
Financial Assessments	<ul style="list-style-type: none"> <li>• Use system to do financial assessments of community based care where rules “built in” to make process more efficient.</li> <li>• E-forms provided to enable assessment to take place in clients own home and be uploaded into database maximising the number of visits that can be undertaken.</li> </ul>
Care Services Delivery	<ul style="list-style-type: none"> <li>• Invest in system that provides self service available through a client portal – clients brokering their own support through accessible information on providers, cost and quality. Reduction in avoidable client and carer contact.</li> <li>• Improved system navigation and “look and feel” assists professional staff enter data.</li> <li>• Workflow reducing administrative overheads on managers.</li> <li>• Improved system navigation and data quality tools minimises data checking by managers.</li> <li>• Access to NHS spine provides improved opportunities to integrate support to service users. Professional workers able to SMS text colleagues within a virtual team to respond quicker to need. This is thought to be of particular benefit to professionals working on long-term conditions and (separately) to their colleagues working in hospitals).</li> </ul>

Service Area	Where investment in new systems will support revenue budget savings
	<ul style="list-style-type: none"> <li>• Electronic forms that can be loaded back into the care management database can be used in the client's own home.</li> </ul>
Partnership working with the NHS	<ul style="list-style-type: none"> <li>• Ability to integrate with the NHS spine and to have NHS number as unique identifier will enable improved integration of health and social care commissioning. This will allow us to identify and macro manage shifts in demand and impact of change of policy with partners.</li> <li>• Technical integration will allow us to define client pathways more effectively and identify where processes not working.</li> </ul>
Integration across Council	<ul style="list-style-type: none"> <li>• Investing in system that supports One-Barnet and integrates with CRM for authenticated single person and property description will enable greater economy of transactions.</li> <li>• Investment to ensure potential for cascading information from CRM and other systems to ASSD system and vice versa.</li> </ul>
Integration with partners	<ul style="list-style-type: none"> <li>• New generation of systems have health modules that sit within the social care database and can be used by community based PCT staff.</li> <li>• New system interface to NHS spine allows greater data sharing on a secure basis for professionals.</li> <li>• Duplication of professional effort removed through virtual team working supported by more integrated systems.</li> </ul>
Integration with providers	<ul style="list-style-type: none"> <li>• Enhanced integration with electronic call monitoring systems that provide actual visit data that can be reconciled with planned data both for the reconciliation of invoices and monitoring contracts.</li> <li>• Implement a system where the provider can view both planned and actual data will allow them to see why the Council is querying payment – decreasing administration on our side and decreasing ongoing payment disputes.</li> </ul>

6.3.3 Once these have been realised, the net annual revenue saving made possible by the procurement and implementation of a new system would be £2,245,000.

## 6.4 IT Implications

6.4.1 This project will involve the decommissioning of Adult Social Services' current case management system, Swift, and the procurement and implementation of a new system. This will require new interfaces with existing corporate systems, such as Wisdom and SAP. It is likely that changes and improvements to our server capacity will be required to support this.

6.4.2 All of the above is modelled into the costings given above.

## 7. LEGAL ISSUES

7.1 The value of the, proposed, contract exceeds the, relevant, European threshold and, consequently, the new system will be procured in accordance with European Procurement Rules, as well as domestic rules and the Council's, own, Contract Procedure Rules

## 8. CONSTITUTIONAL POWERS

8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including capital and revenue finance.



## **9. BACKGROUND INFORMATION**

- 9.1 In 2006, the Council procured, from Liquid Logic, via Serco, the Integrated Children's Solution (ICS) and eSAP solution (eSAP being an acronym for electronic Single Assessment Process). In January 2007, Cabinet agreed the Choice and Independence vision for Adult Social Services to change the operating system for adult social care to one of self directed support through personal budgets. As a result it was necessary for the Directorate to review their system requirements and implementation of eSAP was put on hold.
- 9.2 Between August and October 2009 a thorough review of adult social services system requirements was developed and was submitted to Serco. These requirements gave an overview of what the business requirements were, as well as a detailed "product" description down to data level. The solution proposed by Serco, in response, did not meet the requirements and on 15 December 2010, Notice was served upon Serco Limited, terminating, in accordance with the provision of the Contract with Serco, the part of the Contract relating to eSAP
- 9.3 The business case for the improvement of information systems for Adult Social care is provided in the appendix to this report.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 None.

Legal – SCS  
CFO – MC

# APPENDIX – BUSINESS CASE FOR USE OF CAPITAL MONEY FOR DEVELOPING ADULT IT INFRASTRUCTURE

## 1. Reasons

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### 1.1 Context

To be able to deliver on local and national drivers, Adult Social Services requires information systems that:

- **Give the citizen direct control** over information about themselves, their care, and their customer journey. Locally, this aligns with Adult Social Services' personalisation agenda, the One Barnet principle of 'a new relationship with citizens' and the corporate priority of 'sharing opportunities and sharing responsibilities'. Nationally, this aligns with the Government's new vision for social care: 'Capable Communities and Active Citizens'.
- **Maximise interoperability and integration**, both with other elements of the Council's own information systems architecture and with other partners, such as health. Locally, this aligns with Adult Social Services' personalisation agenda, the One Barnet principle of 'one public sector' and the corporate priority of 'better services with less money'. Nationally, this also aligns with the Government's new vision for social care.

Adult Social Service's primary case management database, Swift, is not able to support these drivers. More generally, **Swift is becoming obsolete**. It is no longer being developed by its supplier, who has developed a successor system which better supports the drivers listed above. Swift is likely to be de-supported in the next couple of years. In March 2009, only 3 of 20 councils polled did not have plans to replace Swift.

In addition to the above, investment in the improvement of Adult Social Services' Information systems will enable **a number of savings to be made as set out in the Medium Term Financial Strategy**.

Sections 1.2 to 1.4, below, discuss these key drivers for change in more detail.

### 1.2 Key Driver: the requirement to empower the citizen

#### *Requirements*

The Council wishes to share with citizens both the responsibility for managing the social care they receive, and also the opportunity of it providing high quality support which meet their desired outcomes. To do this, we must provide citizens with open access to social care information. This should enable them to:

- manage their own support plans;
- identify and purchase services;
- give them control over their own record and who has the right to access it;
- access a communal area where information about services is available and networks can be built with peers;
- be supported to navigate their way through their 'customer journey'.

#### *Gaps and challenges*

- Swift cannot meet the requirements of personalisation and self directed care.
- Swift cannot, in itself, be opened up to provide citizen access.
- It is very unlikely that others will develop integration between citizen portal products and Swift, making integration with such products highly expensive.

### *Potential of new systems*

- New systems provide citizen portals as standard.
- Further developments in this approach are taking place through the Common Assessment Framework Demonstrator Site programme with support from the Department of Health. This is investigating different approaches to the individual taking control and improved information sharing across health, social care and wider community support services.

### **1.3 Key driver: the requirement to maximise interoperability and integration.**

#### *Requirements*

There are a number of parallel drivers for Adult Social Services' systems having maximum interoperability and integration with other systems used within, and outside of, the Council. These include:

- Supporting joint working and possible integration with the NHS as part of, or in line with, the One Barnet programme;
- Enabling secure communication of personal data between the Council and the NHS Barnet<sup>5</sup>;
- Meeting the Information Standards Board for Health and Social Care standard of using the NHS number as the primary identifier in social care systems;
- Integrating the social care system with the NHS Spine Patient Demographic Service via a Council N3 connection;
- Supporting the realignment of front line services through integration with a Customer Relation Management approach and CRM software;
- Ensuring that an operational system can support the information management model currently being developed, within which there would be master data management and an alignment to a "Single Version of The Truth";
- Better integration with the Children's Services system to deal with the financial pressures arising from transition into adult social care.

#### *Gaps and challenges*

- Swift will not support the integration of functions between the Council and Barnet NHS. Reasons for this include:
  - The suppliers of Swift are not going to develop an interface between Swift and the NHS Spine;
  - Our information is not compliant with Information Standards Board for Health and Social Care standard of using the NHS number as the primary identifier;
  - There are no data-matching tools for Swift to enable accurate matching of citizens across Swift and NHS systems.
- More generally, the integration of Swift with other systems is comparatively expensive. This would decrease the feasibility of integrating with both the Council's CRM and Integrated Children's System software.

#### *Potential of new systems*

- The CAF Demonstrator Programme has an aim of improving information sharing across health, social care and wider community support services.
- Solutions on the market offer integration with the NHS spine and matching tools in respect of social care records and demographic data on the spine.
- Providers will offer lower cost integration to other systems, as more modern systems have been developed in an age where the prevalent business model is to integrate with others.
- Links to the NLPG and a corporate master data system from an adult social care system are available in modern software.

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<sup>5</sup> Throughout this document, references to NHS Barnet also refer to its successor organisations.

## 1.4 The requirement to release efficiencies through improved Information systems

### *Requirements*

- To re-model the back office in line with the Council's "One Barnet" programme helping us to provide better services for less money.
- To reduce transaction costs around the management of suppliers.
- A system that is staff and citizen focused, supports business processes, is reliable, easy to use and has tools to drive excellent data quality.
- The input of data once through a single front end.
- Full utilisation of workflow.
- Support for mobile working with electronic forms (e-forms).

### *Gaps and challenges*

- Northgate now only makes limited changes to Swift care management because they have developed a successor system. Swift is therefore increasingly becoming a system where "work arounds" are required to meet the needs of case management and support planning. These "work arounds" are inefficient and do not make effective use of staff resources.
- Swift does not currently support mobile working through the use of e-forms and the remote viewing and updating of Swift data. This impacts on the efficiency of case management staff.
- Corporate plan targets, performance indicators and performance management data have a dependency on Swift which is requiring more and more intervention in order to ensure data validation and data quality. This situation is forecast to get worse as outcome measures become increasingly prevalent, as Swift is not ideally suited to recording outcomes in the way these measures often require.
- Inputting complete data, which is required to ensure high quality case recording and management information is time consuming because Swift does not assist staff in stepping through complex business processes or in navigating round the system.
- The current use of Swift does not include authorisation workflow and the display of commitment data essential for authorising the costs of care and this makes managing our resources more time consuming.
- Aspects of safeguarding are managed outside of the current system because of lack of confidence in its functions and usability.
- Swift does not contain the option of providers of care being able to undertake administration of their own data through a provider portal. We cannot benefit from a positive impact on "whole systems resource management" and supporting providers with their operating costs.

### *Potential of new systems*

- New systems have the potential to address all these gaps, as has been evidenced in other local authorities.
- Provider portals are now available that allow providers to access and update their own information on social care systems reducing the transaction costs to the authority.

## 1.5 Summary

Given the context and drivers discussed above, Adult Social Services' directorate intends to invest in its information systems. As Swift is becoming decreasingly fit for purpose, this work will centre on the replacement of Swift. As should be understood from the description of the potential of the new systems described above, however, this will not be a like-for-like replacement. Barnet will, instead, be replacing a traditional database with a system which would enable an entirely new relationship between the citizen and his / her social services data, and between the Adult Social Services and all its current and potential partners.

It is anticipated that with the releasing of this money the implementation of a new system will take between 18 – 24 months.

## 2. Options

### 2.1 Investment Options

Option	Projected Result
1 – Do nothing.	This would seriously hinder Adult Social Services' ability to deliver One Barnet-related budget savings whilst maintaining service levels. It would also mean that no system would be in place to support work with the NHS Barnet or to integrate with other Council systems. Citizen centric requirements that put the individual in control of their own care records cannot be developed. At some point in the next couple of years the current system is likely to become unsupported as Northgate develop their AIS solution.
2 – Allocate £1,150m of capital money to develop IT systems to promote the challenges of the Corporate Plan and One Barnet and ensure systems are fit for purpose.	This investment would enable Adult Social Services to be in the best possible position to meet its commitment to delivering significant One Barnet related savings whilst promoting independence, personalisation and self-directed care.
3 – Divert other resources to fund the developments.	Adult Social Services is experiencing significant budgetary pressures and are also committed to making large running cost reductions over the next 3 years. Consequently, it would not be possible to resource this from the department's revenue budget.

**Recommendation:** Option 2 is recommended and that £1,150m is allocated for investment in Adult Social Services' information systems.

### 2.2 Options for the procurement of new systems:

Option	Projected Result
1 – Enhance Swift care management	The Swift care management system cannot be enhanced to meet corporate priorities. There will be no integration between Swift and Citizen and Provider Portals and no interface to the NHS Spine. The Swift finance system as a back office function remains a viable part of a future solution only if Northgate's other products were capable of meeting Adult Social Services requirements. If not there would be major technical challenges to make the Swift finance module work with another supplier's care management software
2 – Use another Council's social care database	There is a shared service agreement in South East Wales between 6 councils. Collaboration has extended to aligning requirements and business processes. It has not been viable to have their data on one hosted database.

	It is not feasible at this stage to implement a shared system because local political and management priorities are unique as are business processes, system and finance configuration and the interfacing of data to other Barnet systems.
<b>3</b> – ASSD to go through a single procurement process to purchase a solution that meets its business requirements	Conduct full EU procurement exercise. Solution purchased will be best fit to Barnet's requirements dependent on cost.
<b>4</b> – Enter into an existing framework agreement or a proposed framework agreement with other local authorities	There is a framework agreement that has been in place for about 2 years with 3 London authorities. They have already procured a solution and are going live with it. This option would give Barnet only limited control in whether the solution met its needs. It could, however, save the Council money.
<b>5</b> – Enter into a proposed framework agreement that has recently been proposed by Westminster who want to replace their adult, children's and finance systems	A framework agreement will allow Barnet to call off against this framework rather than conduct full EU procurement exercise. Westminster intends to award contracts in April 2011 and have invited Barnet to be part of this process.
<b>6</b> – Enter into an agreement with Logica for the development of SAP as a care management system	An analysis of the feasibility and cost of this option was undertaken in April 2008. Due to its commercial sensitivity, key findings are included in the separate exempt report. The overall result of this analysis, however, is that officers recommend that it should not be discounted as an option at this stage.

**Recommendation:** That options 3 to 6 are considered in more detail.

### 2.3 Pre-Procurement Options Development

Prior to the development of this business case, Adult Social Services commissioned work to map its current use of information systems and specify its requirements for the next 3 to 5 years. This work was done in conjunction with Corporate IS. As a result of this, a full specification of system requirements exists and would form the initial basis of a procurement specification.

During the development of this business case, a series of conversations have taken place with the Children's Service and the Commercial Directorate. Key conclusions from these are that:

- It is a requirement that there is close integration with the Children's Service information systems for management of transitions, safeguarding and integrated practice. The Children's Service systems over the past five years have developed separately from Adult Social Care with investment in an ICS system. As a result the Children's Services are running a much more modern system, work to significantly different processes and national drivers is very important. Consequently, it has been agreed that:
  - The ability to integrate fully with the Children's Service's ICS system, and any potential successors to it, would be an absolute requirement of any procured Adult Social Service's system;
  - The ability for the supplier of a new Adult Social Service's system to support the work of the Children's Service through the system it was selling, or a 'sibling' using the same underlying technology, would be considered a highly desirable requirement in the procurement process.

- The Council requires a strong Information Management policy, which specifies in detail how systems are expected to interact with one another to support the aims of the One Barnet programme. This does not currently exist. Consequently, it has been agreed that:
  - The Commercial Directorate must produce a policy of this nature **prior** to this project entering its procurement phase;
  - That any procured system must be completely aligned with this policy.

The last point, above, identifies some key work of the Commercial Directorate that needs to take place prior to any procurement of a new system. Parallel to this, Adult Social Services intends to spend £30,000 of the proposed £1,150m project budget on a 3 to 4 month piece of preparatory work. The products of this will be:

- An analysis of the progress currently being made by the Common Assessment Framework (CAF) Demonstrator site programme and key learning from it to be incorporated into our specification of requirements.
- To work with the Commercial Directorate to ensure that our specification aligns with the One Barnet programme and the planned new Information Management policy.
- An analysis of which systems would have utility for the Children's Service.
- An analysis of procurement options including the existing framework agreement developed by Islington, Kingston and Lewisham and the agreement currently being proposed by Westminster City Council.
- A more detailed business case and investment appraisal including project staffing costs and Council costs associated with procurement.
- Sounding of potential suppliers to scope out their offerings, their ability to meet requirements and the implementation and maintenance costs that will be incurred in order to establish a baseline for funding required.
- Finalisation of business processes to be implemented in the new system.

### **3. Expected Benefits**

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#### **3.1 Benefit: a more empowered citizen**

- Providing the benefits of social networking for vulnerable adults and for their carers with Adult Social Services directly being able to promote the growth of social capital. This is aligned with the corporate priority of sharing opportunities and responsibilities.
- Building on co production principles that Adult Social Services are already applying as a Right to Control trailblazer site and through the evidence from the Common Assessment Framework Programme.
- The benefits of the development of citizen portals to:
  - Empower and provide self service. This will enable individuals to plan and action their support needs with assistance where and when they need it, with people that they want to be involved.
  - Enable person-centred planning, not restricted by Local Authority or PCT boundaries or the services they provide.
  - Provide a potential single point to access across health and social care and enable a single pathway or process. This should remove or reduce handoffs between services.
  - Offer choices/options to enable individuals to select the best service/outcome for themselves.
  - Be quick and easy to use by all, including people new to services.
  - Be portable, so that an individual moving between localities can plan their care and support in advance.
  - Link with local and national information sources in a seamless way. Provide good quality and impartial information for the individual.
  - Provide a timely response to an individual, not just at the point of enquiry, but throughout their customer journey (e.g. when there are changes in needs).

### **3.2 Benefit: greater interoperability and integration**

- Potential to integrate our social care system with the NHS Spine which would future proof any different requirement to function as “One Barnet” and to assist in strategic planning in the Barnet community.
- New social care solutions increasingly have health modules as part of their standard offering which means they can be used by health staff.
- Potential to integrate with Council wide CRM system.
- The development of a new operational system will take account of “One Barnet” and requirements of a Single Version of The Truth, the need for authenticated data across systems and savings through maximising the impact of transactions across the Council.
- Platform to work jointly with Health so that client experiences “joined up” working and data can be shared for strategic commissioning.
- Attain the government imperative of storing NHS number in a social care system as a potential mechanism to share information with health.
- Improved integration with other systems.

### **3.3 Benefit: greater efficiency**

- Citizens able to be involved in managing their own support reducing the need for continuous transactions with front line staff and thus resulting in cost savings.
- Effective use of workforce maximising potential of mobile working resulting in professionals being able to work more intensively with clients on reviews and releasing them to be more innovative with support plans and thus achieving cost savings.
- Effective workflow allowing professional staff to work more intensively.
- Adult Social Services will have a multi agency team working with people with learning disabilities and require an integrated system that avoids the dual keying of data.
- Providing a solution that removes the current dual keying undertaken by mental health teams.
- Potential for providers to maintain information subject to security with data entered once only.
- Improved financial management through introducing a business change that enables budget managers to authorise expenditure within the system.
- Improved data quality and consistency. Adult Social Services currently has to mitigate against poor quality data and the impact on performance indicators by the use of “back office” staff to add and correct data.
- Improvement in Corporate Plan targets and Performance Indicators.
- Sustainable improvements in business process and data recording.
- Improvement in workflow and in the relationship with Wisdom.
- Remove the risks of enforced and costly “work arounds” and bespoke solutions that are made to the Swift system.

## **4. Summary of Key Risks**

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### **4.1 The risks of doing nothing are:**

#### **The citizen is not empowered:**

- The Directorate cannot deliver on its personalisation agenda.
- The Directorate has commenced implementing solutions that will deliver Choice and Independence (e.g. Social Care Connect). Any further expenditure on solutions that assist Citizen Access will carry the risk of not being integrated with the core social care system (because of high costs and complexity of integrating with Swift). This would result in piecemeal and uncoordinated development with the potential of inconsistent or partial availability of data to citizens.



**The system has little interoperability and integration.**

- No system would be in place to support work with the NHS Barnet or to integrate with other Council systems.

**The system does not support efficient working.**

- Adult Social Services’ ability to deliver One Barnet-related budget savings whilst maintaining service levels would be seriously hindered.
- The current system becomes obsolete over the next couple of years as Northgate develop their successor solution to Swift.
- The risk of doing nothing is that Adult Social Services will rely on a social care system that is no longer fit for purpose. Costs are incurred with developing bespoke “workarounds” to meet changing business requirements. These bespoke solutions are high risk. Costs are also incurred in the validation and correction of data for performance indicators because Swift process navigation is poor making it difficult for care managers to use.

**4.2 The risks attached to investing in new systems:**

There is significant risk around procuring a new solution where the costs to the Council are likely to be in a range of £800,000 to £1,150,000. These, along with proposed managing action, are listed in the table below.

<b>Risk</b>	<b>Managing Action</b>
That an ‘immature’ system is procured that cannot support all of our requirements or is unstable.	This risk should be <b>tolerated</b> . Many Adult Social Services’ departments have already moved to the newer generation of systems, meaning that issues typically experienced with less mature systems have already been worked through.
Insufficient link between this work and the development of our Information Management policy during changing times.	This risk should be <b>minimised</b> . This will be done by running the project as a joint project with the Commercial Directorate.
The project will not be tightly managed, leading to waste of money or effort.	This risk is to be <b>minimised</b> . This will be done through tight project management using the corporate methodology.
A procurement approach involving a framework agreement could take longer than stand-alone procurement	This risk should be <b>tolerated</b> due to potential concurrent financial benefits.
A lack of in-house knowledge about business processes and requirements.	This risk is to be <b>minimised</b> . This will be done through linking the resourcing of the project to Adult Social Services’ existing Business Systems and Transformation teams, which have developed a depth of knowledge in this area.
A risk of information sharing complexities making it very hard to run a citizen portal.	This risk is to be <b>minimised</b> . This will be done through development of clear protocols for: <ul style="list-style-type: none"> <li>• Authentication;</li> <li>• Third party access;</li> <li>• Mental capacity and safe-guarding;</li> <li>• Managing consent; and</li> <li>• Audit trails.</li> </ul>

## 5. Costs

### 5.1 Capital Costs and Funding

Market sounding indicates that replacing Adult Social Services systems is likely to cost in the region of £800,000- £1,150,000, dependent on the scope agreed. This would include services linked to implementation and ensuring that all current interfaces to other systems are refreshed from the new solution. For instance, the indicative cost provided by one provider<sup>6</sup> for a system broadly comparable with our current requirements is £868,000 (please see table 1).

**Table 2: Example breakdown of system costs**

Component	Cost (£)
Care Management and Finance. Financial Assessments/pay providers/bill clients. Key forms and interface to SAP	344,000
Personalisation gateway (portals for clients, providers and the market)	207,000
Supporting People	69,000
Integration with other systems. (3 integrations to replace "as is" ie CM2000, Finance BO universe and Wisdom & 2 speculative ie CRM & ICES)	107,000
Planning, management and implementation costs	100,000
Contingency (5%)	41,000
<b>Total</b>	<b>868,000</b>

Adult Social Services has identified the unallocated capital resources to fund this development (please see Table 2).

**Table 2: Capital resources available to fund project**

Source	Amount (£)
Infrastructure Grant <sup>1</sup>	£294,808
Transformation (IT) Grant <sup>2</sup>	£183,815
Capital monies agreed for Adult Social Services Information Systems (Borrowing) <sup>3</sup>	£103,000
Adult Social Care Capital Grant (Single Capital Pot) <sup>4</sup>	£568,377
<b>TOTAL</b>	<b>£1,150,000</b>

1. The Government have provided £294,808 "Adult Social Care IT infrastructure" capital grant in recognition of the significant changes required to prepare ASSD systems and data so that the NHS number becomes the primary identifier and to be able to integrate with the NHS spine.
2. In addition £183,815 capital monies have been allocated to help Barnet adult social care improve IT systems to help in accounting for personal budgets - "Transforming Adult Social Care – The Social Care Reform Grants" [LAC(DH)2010 1].
3. £103,000 already approved within the current corporate IT capital programme to fund the Adult Social Services Information Systems (the eSAP solution – a previously identified Adult Social Services IT solution that no longer meets the Directorate's requirements). This could be made available to this development.
4. The Government have paid the Council £400,000 Adult Social Care capital grant in £200,000 instalments over the two years 2008/09 to 2009/10 via the Single Capital Pot. £200,000 is due for 2010/11. Of this £568,377 is the bulk of the resource remaining to be allocated.

It is proposed that these capital resources are earmarked for this project to ensure that sufficient funding is available to enable delivery.

<sup>6</sup> For reasons of commercial sensitivity, the name of this provider is given in the related Exempt report.

## 5.2 Revenue Costs / Associated Savings

The implementation of a new social care system is an essential element in being able to generate many of the Directorate’s saving proposals (with the precedent of SAP Optimisation as an IT project that enables savings). By supporting the personalisation agenda, the new system will be aligned to the work practices of practitioners enabling key information to be entered directly with the minimum of administrative support. This enables savings, for example, in the following areas:

- In Supply Management a reduction in posts will be facilitated through a system that allows us to change business process and passes administration of provider information to providers. By enabling citizens to access provider information directly.
- In Care Services Delivery a new system would enable professional staff to work more effectively. Electronic forms that can be loaded back into the care management database can be used in the clients own home. This allows staff to work more intensively on achieving review targets so that support plans meet need but do not increase dependency. This will allow staff time to be more innovative with self directed support.
- In the Assessment & Income team e-forms will be available increasing the ability of staff to work more efficiently and maximising the collection of client contributions.

Table 3, below, provides a more detailed breakdown of how this investment will translate into savings to Adult Social Services’ revenue budget. These savings have been included in the development of Adult Social Services’ medium term financial strategy.

**Table 3: system developments enabling revenue budget savings.**

Service Area	Where investment in new systems will support revenue budget savings
Supply Management & Direct Payments	<ul style="list-style-type: none"> <li>• Investment in a system where providers maintain their own information within their view of the database (provider portal), resulting in a reduction in administrative costs for the Council.</li> <li>• A system that assists electronic authorisation of care plan costs by budget managers reducing the need for dual systems as now and removing the care plan authorisation task from Supply Management.</li> <li>• System that provides workflow so that the management and allocation of work can occur within a single process.</li> <li>• Reduction in requirement for back office staff to correct data.</li> <li>• Integration with other systems reduces the need to collect performance and management data from multiple sources</li> </ul>
Financial Assessments	<ul style="list-style-type: none"> <li>• Use system to do financial assessments of community based care where rules “built in” to make process more efficient.</li> <li>• E-forms provided to enable assessment to take place in clients own home and be uploaded into database maximising the number of visits that can be undertaken.</li> </ul>
Care Services Delivery	<ul style="list-style-type: none"> <li>• Invest in system that provides self service available through a client portal – clients brokering their own support through accessible information on providers, cost and quality. Reduction in avoidable client and carer contact.</li> <li>• Improved system navigation and “look and feel” assists professional staff enter data.</li> <li>• Workflow reducing administrative overheads on managers.</li> <li>• Improved system navigation and data quality tools minimises data checking by managers.</li> </ul>

Service Area	Where investment in new systems will support revenue budget savings
	<ul style="list-style-type: none"> <li>• Access to NHS spine provides improved opportunities to integrate support to service users. Professional workers able to SMS text colleagues within a virtual team to respond quicker to need. This is thought to be of particular benefit to professionals working on long-term conditions and (separately) to their colleagues working in hospitals).</li> <li>• Electronic forms that can be loaded back into the care management database can be used in the client's own home.</li> </ul>
Partnership working with the NHS	<ul style="list-style-type: none"> <li>• Ability to integrate with the NHS spine and to have NHS number as unique identifier will enable improved integration of health and social care commissioning. This will allow us to identify and macro manage shifts in demand and impact of change of policy with partners.</li> <li>• Technical integration will allow us to define client pathways more effectively and identify where processes not working.</li> </ul>
Integration across Council	<ul style="list-style-type: none"> <li>• Investing in system that supports One-Barnet and integrates with CRM for authenticated single person and property description will enable greater economy of transactions.</li> <li>• Investment to ensure potential for cascading information from CRM and other systems to ASSD system and vice versa.</li> </ul>
Integration with partners	<ul style="list-style-type: none"> <li>• New generation of systems have health modules that sit within the social care database and can be used by community based PCT staff.</li> <li>• New system interface to NHS spine allows greater data sharing on a secure basis for professionals.</li> <li>• Duplication of professional effort removed through virtual team working supported by more integrated systems.</li> </ul>
Integration with providers	<ul style="list-style-type: none"> <li>• Enhanced integration with electronic call monitoring systems that provide actual visit data that can be reconciled with planned data both for the reconciliation of invoices and monitoring contracts.</li> <li>• Implement a system where the provider can view both planned and actual data will allow them to see why the Council is querying payment – decreasing administration on our side and decreasing ongoing payment disputes.</li> </ul>

Table 4, below, compares the additional annual running cost of a potential solution provided by one provider to costs that would be saved both in terms of current systems' running costs (i.e. those costs replaced by potential solutions' running costs) and reduced costs achievable as a result of the move to a new system, with the net saving calculated.

**Table 4: Projected net savings**

Costs / Savings	£000
Potential Solution - Estimated Annual Cost	98
Less:	
Annual cost of current system	60 <sup>7</sup>
Planned budget savings aligned to new system development over a three year period (see <b>table 3</b> for detail)	2283
<b>Projected Net Saving</b>	<b>2245</b>

<sup>7</sup> Information provided by Kirit Patel (corporate IS) in March 2010.

## **6. Timescale**

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The preliminary work by the project manager is to commence in January 2011 and to be completed by the end of April 2011.

The system replacement process is estimated to take a minimum of 18 months from April 2011 dependent on the solution procured and capacity within the Commercial Directorate and Adult Social Services.

## **7. Investment Appraisal**

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This is covered in detail in Section 5. It is estimated that this development would conservatively enable the Directorate to make net annual savings of £2.2m whilst also enabling Adult Social Services to operate in a manner more consistent with the Personalisation agenda which is at the heart of the corporate objective “Sharing Responsibilities / Sharing Opportunities.”

**AGENDA ITEM: 11**      Pages 75 – 82

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Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Prevention Services for Vulnerable Adults – Extension of Contracts</b>
Report of	Cabinet Member for Adults
Summary	This report recommends that the Council extends certain existing contracts for housing related support and voluntary sector prevention services.

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Officer Contributors	Kate Kennally, Director of Adult Social Services
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: James Taylor, Deputy Head of Strategic Commissioning (Adult Social Services), 020 8359 4886.

## **1. RECOMMENDATIONS**

- 1.1 That requirements of paragraph 5.6.2 of the Contract Procedure Rules be waived to allow**
- (a) the extension of the contracts for services in receipt of housing related support services funding as listed in the schedule at Appendix 1 of the accompanying exempt report, subject to a maximum duration of one year.**
  - (b) the entry into interim funding agreements for prevention services commissioned by the Council's Adult Social Services as listed in the schedule at Appendix 2 of the accompanying exempt report; subject to a maximum duration of two years.**
- 1.2 That authorisation be given to the following arrangements for further decisions in respect of implementation of the procurement of domestic violence provision and a Framework Agreement for supported housing provision**
- (a) the procurement of domestic violence provision be undertaken following consideration of the recommendations of the Task and Finish Group's work on this topic and subject to approval by the Cabinet Member for Children's Services.**
  - (b) the procurement of a Framework Agreement for supported housing provision for Adult Social Services clients be undertaken subject to endorsement by the Commercial Director and approval by the Cabinet Member for Adults.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1** Cabinet Resources Committee, 30 March 2006 (Decision item 18) – approved the extension of certain contracts for housing related support services for 12 months until 31 March 2007.
- 2.2** The Cabinet Resources Committee, 28 November 2006 (Decision item 21) – approved the extension of contracts for sheltered housing services for older people until 31 March 2009 and the extension of contracts for certain other housing related support services until 31 March 2008.
- 2.3** Cabinet Resources Committee, 25 March 2008 (Decision item 13) – approved the extension of certain contracts for housing related support services due to be tendered during 2009/10 until 31 March 2010 and the extension of contracts for certain other housing related support services until 31 March 2011.
- 2.4** Cabinet Resources Committee, 22 July 2008 (Decision item 11) – approved the establishment of a corporate framework covering commissioning and procurement from the third sector including grant awards.
- 2.5** Cabinet Resources Committee, 8 December 2009 (Decision item 7) – approved the strategy document 'Looking After Yourself – Implementing a Prevention Framework for Adult Social Care in Barnet' and approved the virement of budget provision for certain voluntary organisations from the Community Grants and Charitable Awards Unit to Adult Social Services.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1** The Council's prevention programmes in the Borough provide a wide range of support services in order to help vulnerable people to live independently and safely in the community. The programmes are cross-cutting, supporting all customer groups.

- 3.2 The programmes and the specific commissioning plans summarised in this report are intended to serve the three priorities of the Council's Corporate Plan:
- Better services with less money;
  - Sharing opportunities, sharing responsibilities; and
  - A successful London suburb.
- 3.3 The Council is responsible for ensuring that value for money is obtained from public expenditure and that commissioning activity is managed in ways that provide continuity of support and that minimise disruption for vulnerable service users. The recommendations of this report for extensions to contracts and grant agreements pending further procurement activity are intended as a balanced response to these requirements.

#### **4. RISK MANAGEMENT ISSUES**

- 4.1 The recommended extension of contracts is consistent with the council's Medium Term Financial Strategy and with proposed budget reductions that are subject to current consultation. Contract extensions would be terminable on three-months notice.
- 4.2 The Council has carried out reviews of the services to ensure that they are in compliance with appropriate standards in terms of their strategic relevance, quality and value for money. Services that are unsatisfactory in quality or that have insufficient strategic relevance have been decommissioned or remodelled.
- 4.3 Risks associated with the proposed procurement projects will be mitigated by:
- ensuring that provision to be procured is consistent with budget resources and savings targets;
  - carrying out advance market-testing with potential providers;
  - requiring production of detailed service mobilisation and transition plans; and
  - requiring prospective providers of refuge and supported housing services to have access to suitable premises.
- 4.4 The risk that new contracts tendered out will not achieve VFM will be mitigated by:
- designing service specifications which reflect best practice and experience;
  - ensuring contracts are outcomes focused and related to Barnet's key indicators and objectives; and
  - better use of Council resources as a result of fewer contracts.

#### **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The housing related support services and voluntary sector prevention services are intended to enable vulnerable people to live as safely and independently as possible. They operate inclusively for all vulnerable customer groups, including people with illnesses or disabilities and elderly people as well as other groups such as homeless families, ex-offenders, people the subject of domestic violence, families with children at risk, young care leavers and people with substance misuse problems.
- 5.2 Contracts require providers to comply with quality standards that include best practice concerning equality of service access and delivery. Procurement plans are intended to ensure continuous improvement in standards of compliance and will directly support the Council's public duties to eliminate unlawful discrimination and harassment, promote equality of opportunity, and promote good relations between people.



- 5.3 The Council's Procurement Equalities policy will be followed in the specification of providers' relevant duties and in tender assessment criteria, including evaluation of tenderers' equalities and diversity policies concerning employment and service delivery.

## **6. FINANCIAL, STAFFING, ICT AND PROPERTY IMPLICATIONS**

- 6.1 The housing related support services were funded by the national Supporting People Grant arrangements until 31 March 2010 and are funded currently from Area Based Grant allocated to the Adult Social Services base budget. From 1 April 2011, Area Based Grant will be rolled into the Council's formula grant allocation from the Government but this change is not expected to affect the Adult Social Services base budget.
- 6.2 Voluntary sector prevention services are funded from community care funding and Area Based Grant allocated to the Adult Social Services base budget, and various specific grants allocated by the Government.
- 6.3 Proposals to reduce relevant budget provision in 2011/2 are under consideration, comprising in respect of housing related support services; £492K in both 2011/12 and 2012/3, and £362K in 2013/4; and in respect of voluntary sector prevention services, £350K in 2011/2 and £550K in 2012/3.
- 6.4 The contract extensions and procurement arrangements recommended in this report would not restrict the Council's ability to achieve budget targets.
- 6.5 The recommendations of this report have no specific staffing, ICT, or property implications.

## **7. LEGAL ISSUES**

- 7.1 The contracts for the housing related support services will expire on 31 March 2011. Contracts and grant agreements for voluntary sector prevention services have already expired or will do so on 31 March 2011.
- 7.2 Contract Procedure Rule 5.6.2, which deals with contract extensions, requires specified criteria to be met before a contract can be extended. The criteria are that:
- 5.6.1.1 the initial contract was based on a competitive tender or quotations;
  - 5.6.1.2 the initial contract has not been extended before; and
  - 5.6.1.3 the value of the extension is less than half the cost of the existing contract without the extension.

The criteria are not met and, as such, this report seeks waiver of Contract Procedure Rule 5.6.2.

- 7.3 Due to the nature of the services proposed for procurement it is anticipated that they will fall under Annex B of Article 21 of the Public Procurement Directives 2004/18/EC, which will mean that procurement will not be subject to the full EU tendering process.
- 7.4 With reference to paragraphs 9.30 and 9.31, below, appropriate legal documentation will need to be drawn up and executed to record the agreements reached with property owners and, where relevant, separate organisations.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including agreeing exceptions to standing orders.
- 8.2 The Council's Contract Procedure Rules in Paragraph 5.6.2 states the acceptance parameters for Contract Extensions.
- 8.3 Contract Procedure Rules – Paragraph 5.8 – A waiver of the Contract Procedure Rules may be agreed by the appropriate decision making body if they are satisfied after considering a written report by the appropriate officer that the waiver is justified because:
- (5.8.1) the nature of the market for the works to be carried out or the supplies or services to be provided has been investigated and is demonstrated to be such that a departure from the requirements of Contract Procedure Rules is justifiable; or
  - (5.8.2) the contract is for works, supplies or services that are required in circumstances of extreme urgency that could not reasonably have been foreseen; or
  - (5.8.3) the circumstances of the proposed contract are covered by legislative exemptions (whether under EU or English Law); or
  - (5.8.4) there are other circumstances which are genuinely exceptional.
- 8.4 The Council's Contract Procedure Rules in Paragraph 5.1-5 set out the arrangements for authorisation before quotations or tenders for supplies, services or works may be sought and for the subsequent acceptance of tenders or other purchase arrangements. In the case of the proposed procurements specified at Paragraph 1.2, authorisation and acceptance by the Cabinet Committee is required in view of the expected value of the contracts.
- 8.5 The Council's Contract Procedure Rules in Paragraph 6.9 specify that before promoting the procurement of a new or joining a pre-existing framework agreement, the Commercial Director must be satisfied that such an approach represents the most economically advantageous solution for a service work, supply or utility provision and complies with the Relevant EU Rules on the use of such agreements.

## **9. BACKGROUND INFORMATION**

- 9.1 This report concerns contracts for the programme of housing related support services commissioned by Adult Social Services, Housing and Children's Service; and the voluntary sector prevention programme commissioned exclusively by Adult Social Services. These two programmes are considered individually below.

### **Housing related support services - Contracts and Procurement**

- 9.2 A schedule of current services with contracts due to expire in March 2011 can be found in the accompanying exempt report at Appendix 1. There are 60 in total with a current annual value of £4.3M. They represent around half of the services and value of the original programme. Following reviews, many services have been decommissioned and new services procured in accordance with the Council's contract procedure rules and not therefore included in Appendix 1. Further procurement projects are in train in order to address the remainder of the programme.
- 9.3 Key commissioning principles applied in re-modelling the remaining programme are as follows:
- generic service provision that work across customer groups unless service users' needs lie outside the mainstream;

- services that can deliver support flexibly wherever people are living and that are not tied to particular types of housing;
- emphasis on short-term interventions that will make a measurable difference within a defined period; and
- where supported housing is needed for people with substantial needs, housing and support provision are procured separately.

9.4 Contracts with minor exceptions are exclusively concerned with the purchase of staff to provide support to service users. There are three main sectors:  
Floating Support (£3.6M) – this sector provides visiting support to service users wherever they are living, including owner-occupiers, council and housing association tenants and private tenants.  
Supported Housing (£2.1M) – this sector provides support staff in buildings used exclusively for the accommodation of vulnerable people, for example, women’s refuges, young people’s foyer and shared houses for people with learning disabilities.  
Sheltered Housing (£1.1M) – this sector provides warden and emergency alarm services for older people living in sheltered housing provided by Barnet Homes, housing associations and charities.

**Housing related support services – Budget Management**

9.5 The commissioning lead for the SP programme is shared between Housing Service, Children’s Service and Adult Social Services, with each taking responsibility for groups of services relevant to their particular strategic objectives. However, in accordance with previous national arrangements, the budget and contracts have been administered by Adult Social Services on behalf of corporate partners.

9.6 Removal of the national Supporting People arrangements make it appropriate to clarify budget accountabilities for housing related support services. It is therefore intended to disaggregate budget resources allocated to the programme with effect from 1 April 2011 by transferring relevant base budget provision from Adult Social Services to Housing and Children’s Service, subject to appropriate approval of the necessary virements. The following table shows the current distribution of funding and contracts with summary reference to approved and proposed procurement projects.

Service Area	2009/10 Value	No of Contracts	Service Types	Procurement Projects
Adult Social Services	£4,637,554	53	Extra care services for older people; supported housing for people with mental illness and learning disabilities; generic and specialist floating support	<ul style="list-style-type: none"> <li>• Decommissioning of sheltered housing warden services</li> <li>• Procurement of Sheltered Plus service provision for older people at risk</li> <li>• Framework Agreement for supported housing including</li> </ul>
Housing	£978,853	7	Homelessness prevention services, private sector tenancy access services, community safety excl domestic violence	<ul style="list-style-type: none"> <li>• In-house service provision re-modelled on LEAN principles</li> <li>• Joint procurement of housing advice and tenancy access services</li> </ul>

Service Area	2009/10 Value	No of Contracts	Service Types	Procurement Projects
Children's	£1,408,412	12	Supported housing and Foyer services for young people, womens refuges, domestic violence support services	<ul style="list-style-type: none"> <li>• Procurement of domestic violence provision to replace existing contracts</li> <li>• Framework Agreement for young people's support</li> </ul>

- 9.7 This report seeks authorisation of the following arrangements for further decisions in respect of implementation of the procurement of domestic violence provision and the Framework Agreement for the provision of supported housing:
- 9.7.1 That the procurement of domestic violence provision be undertaken following consideration of the recommendations of the Task and Finish Group's work on this topic and subject to approval by the Cabinet Member for Children's Services.
- 9.7.2 That the procurement of Framework Agreement for the provision of supported housing for Adult Social Services clients be undertaken subject to endorsement by the Commercial Director and approval by the Cabinet Member for Adults.
- 9.8 It is recommended that as an exception to contract rules the housing related support contracts due to expire on 31 March 2011 as specified in Appendix 1 of the accompanying exempt report be renewed for a further 12 months. In order to ensure capability to implement budget savings and manage procurement projects efficiently. Proposed contract extensions will specify a reduced notice period of three months, consistent with national Compact guidance concerning relationships with the voluntary sector.
- Adult Social Services Voluntary Sector Programme**
- 9.9 During the past year, Adult Social Services has analysed its commissioning requirements for preventative services in order to deliver the objectives of *Looking After Yourself – A prevention framework for Barnet*, and has reviewed the services that voluntary sector organisations are providing at present. A procurement plan will be recommended to Cabinet in Q1 2011/2 following decisions on future budget resources to be taken by members shortly and further consultation with relevant organisations.
- 9.10 Key principles that will be applied to re-commissioning prevention services within approved budget resources are as follows:
- efficiency savings that avoid or minimise the impact on service users, for example by reducing back-office expenditure and overhead costs;
  - reduction of the number of separate contracts and overhead costs by combining similar services and forming consortia and partnerships;
  - user-led service management, with strong links to Barnet's Centre for Independent Living;
  - Increased use of volunteers and other social capital, both in supporting service users directly and in service management and administration;
  - innovation in enabling people and communities to define and find solutions to their own support and well being needs; and
  - development of a user-led market that provides affordable services for direct purchase by Individual Budget holders as well as by people who do not qualify under Adult Social Services' eligibility criteria.

**Voluntary Sector Services**

- 9.11 The range of support provided through the programme at present is very wide. The programme includes:

- practical support services (e.g. home from hospital, gardening, shopping) which support independence;
- carer breaks and support services that improve information, contingency and emergency respite responses;
- group support such as exercise classes, lunch clubs and social events for older people; and
- individual support such as bereavement counselling, specialist advocacy, and befriending services.

9.12 The table below shows the distribution of funding across different customer groups.

Customer Group	LBB Funding	% Funding	Organisations	Services
Generic	239,651	9	4	6
Learning disabilities	317,795	12	5	15
Mental ill-health	444,327	17	8	12
Older people	1,006,351	38	17	26
Physical / Sensory Imp't	10,200	<1	1	4
Carers / Respite	645,554	24	5	23

### Contracts and Procurement

- 9.13 The Council's *Third Sector Commissioning Framework* approved in 2008 defined principles and guidelines for the Council's commissioning and financial relationships with the voluntary. In line with the Framework, Adult Social Services agreed formal contracts or service level agreements with most voluntary organisations in receipt of funding while continuing to operate simpler grant arrangements for those receiving low amounts of funding. Almost all these agreements have now expired or will do so on 31 March 2011.
- 9.14 Proposals announced to providers earlier this year identified the following priority areas for procurement:
- carers' support and respite services;
  - Information, advice and advocacy services; and
  - day services for people with mental ill-health.

It is intended that these service areas will be re-commissioned during 2011/2 and that remaining service areas will follow on for completion in 2012/3.

- 9.15 Pending implementation of the programme, it is proposed that interim funding agreements with voluntary sector organisations be extended for a period of up to two years. The interim agreements would then be terminated incrementally in line with completion of staged procurement activity and as necessary to achieve budget savings targets. To ensure capability to implement budget savings as required, agreements with providers would include provision for termination on three months notice.
- 9.16 It is accordingly recommended that as an exception to contract rules the Council enter into interim funding agreements with the voluntary sector organisations as listed in Appendix 2 of the accompanying exempt report, in a form approved by the Council's Legal Service and for a period not exceeding two years.

## 10. LIST OF BACKGROUND PAPERS

10.1 None.

Legal – PD  
CFO – MC/JH

**AGENDA ITEM: 12**      Pages 83 – 85

Meeting	Cabinet Resources Committee
Date	13 January 2011
<b>Subject</b>	<b>Removal of Long Term Empty Property Council Tax Discount</b>
Report of	Cabinet Member for Resources and Performance
Summary	This report proposes the removal of the current 50% discount applied to properties left empty long term. Under the provisions of the Local Government Finance Act 1992, as amended by the Local Government Act 2003, Local Authorities have the power to reduce or remove completely the 50% council tax discount for long term empty properties.

Officer Contributors	Andrew Travers (Deputy Chief Executive and S151 officer) David Sharpe (Head Of Revenues and Benefits)
Status (public or exempt)	Public
Wards affected	All
Enclosures	None
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: David Sharpe, Head Of Revenues and Benefits, 020 8359 2327.

## **1. RECOMMENDATIONS**

- 1.1 That the reduction of the Council Tax discount for long-term empty properties from 50% to nil be approved with effect from 1 April 2011.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 None.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 This proposal aligns with the boroughs Housing Strategy which is broadly in compliance with the Mayor's London Housing Strategy to encourage empty properties to be brought back into use.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 There is a risk public dissatisfaction as a result of increasing council tax levels for this class of property but this risk will be managed within existing resources.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 It is not considered that this matter is likely to raise any concerns under the Council's Equalities Policy or compromise the commitments outlined in the Council's Equality Scheme.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 The proposal to remove the 50% discount for long term empty properties will increase council tax receipts; the Council's share is estimated at £1m. From the next Revenue Support Grant settlement onwards this increase in resources will be offset by an equivalent reduction in Revenue Support Grant. In the current settlement period from 2011/12 to 2012/13, however, there will be no claw back of grant and the Council would therefore, in effect, benefit from an increase in its resources of £1m.

## **7. LEGAL ISSUES**

- 7.1 Under the provisions of the Local Government Finance Act 1992, as amended, section 11A, subsection 4, from 1 April 2004 billing authorities were given the discretion make determinations to reduce or remove specified discounts, including the Long Term Empty property discount.
- 7.2 Subsection 5 confirms that the determination varying or revoking this discount must be made before the beginning of the year to which it relates.
- 7.3 Subsection 6 confirms that a billing authority making such a determination shall publish a notice of it in at least one newspaper circulating in its area and do so before the end of the period of 21 days beginning with the date of the determination.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's Constitution in Part 3, Responsibility for Functions, paragraph 3.6 states the functions of the Cabinet Resources Committee including 'Capital and revenue finance, forecasting, monitoring, borrowing and taxation'.

## **9. BACKGROUND INFORMATION**

- 9.1 The Council Tax system is designed so that the full council tax bill is payable where there are two adult residents in a dwelling. A 25% discount applies where there is one resident and a 50% discount where the dwelling is no-one's sole or main residence. Some people are disregarded for the purpose of counting the number of residents (students, carers, residents of care homes etc).
- 9.2 There are also 23 classes of exempt dwelling covering a range of circumstances such as occupation by students or diplomats; left empty because of a need to move in order to receive or provide care. There is also a general six month exemption for dwellings which become vacant (that is, unoccupied and substantially unfurnished) and up to 12 months if the dwelling also requires major repair works or is undergoing structural alteration.
- 9.3 This proposal is that with effect from 1 April 2011, the Council exercises the discretion available to it and removes completely the nationally set 50% council tax discount for long term empty property.
- 9.4 These changes relate to the tax base for tax setting purposes and ensure that preceptors can take account of any change which the billing authority makes to the tax base by changing long term empty discounts. The calculation of the council tax base for Revenue Support Grant purposes allows local authorities to keep any additional revenue arising from such adjustments until the next settlement. If the discount is removed it is estimated that the one-off revenue gain in 2011/12 would total around £1m. There are 1,537 long-term empty properties as at 30 November 2010 and this figure has remained fairly stable for about 6 months and will not change significantly by 1 April 2011.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 None

Legal – MM  
CFO – JH/AT



**AGENDA ITEM: 13**      Pages 86 – 94

<b>Meeting</b>	Cabinet Resources Committee
<b>Date</b>	13 January 2011
<b>Subject</b>	<b>Frith Manor School, Lullington Garth, Finchley N12</b>
<b>Report of</b>	Cabinet Member for Resources and Performance
<b>Summary</b>	To report the proposed grant to the Oakleigh Park School of Swimming a 50 year lease of an unused plot of land located behind the school playground for the construction of a swimming pool.

Officer Contributors	Richard Malinowski – Principal Valuer (Property Services) Robert McCulloch-Graham – Director of Children’s Services
Status (public or exempt)	Public (with separate exempt report)
Wards affected	Mill Hill
Enclosures	Appendix A – Location and provisional lease plan no. 23964-1 Appendix B – Planning Application Drawing and Site photos Appendix C – Planning Consent Extract
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Richard Malinowski Principal Valuer (Property Services), 020 8359 7359, richard.malinowski@barnet.gov.uk.

## **1. RECOMMENDATIONS**

- 1.1 That, subject to the grant of any necessary consent by the Secretary of State, a lease of the land shown edged red on the attached plan no. 23964-1 be granted to Oakleigh Park School of Swimming on the terms detailed in this report and in the accompanying exempt report.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 The Director of Planning, Housing and Regeneration approved under delegated powers on 7 January 2008 the grant of outline planning consent for the erection of a single storey swimming pool building.

## **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Corporate Plan commits the Council to delivering 'Better services using less money'. A key principle of the medium term financial strategy is to continually review the use of Council assets in order to reduce the cost of accommodation year on year, and to obtain best consideration and use for any surplus assets. This proposal does this by producing an income receipt for the Council and gainfully uses an unused asset.
- 3.2 The Barnet Children and Young People Plan 2010-2013 includes priorities to 'reduce obesity in children and young people' and to 'extend and broaden the role of each school in its community'.
- 3.3 The Regeneration Service has been consulted and confirmed that the proposals in this report do not adversely impact upon any of the Council's regeneration schemes.

## **4. RISK MANAGEMENT ISSUES**

- 4.1 It is possible that there will be disruption to the school during the construction period and therefore there will be a need to closely supervise the works.
- 4.2 Officers identified that there was a risk that the proposed transaction could be caught by EU procurement rules and accordingly sought Counsel's opinion. With the benefit of this opinion Officers are of the view that, on the basis that the proposed transaction is a services concession contract to which the regime of the EU procurement rules does not apply, the risk of challenge is low.
- 4.3 Consent of the Secretary of State for Education may be required.

## **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The proposed swimming pool would be constructed to ensure full access for pupils, staff and members of the public with physical accessibility requirements.

## **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 There are no performance and value for money, staffing, IT or sustainability implications. The financial and property implications are set out in paragraph 6.2 below, and further information on the financial details are set out in the accompanying exempt report.

- 6.2 As mentioned in section 4.2 above this is a services concession contract and it is not, therefore, caught by the regime of the EU procurement rules and, on the basis that this is a land transaction, the Council's own procurement rules are not engaged.
- 6.3 The proposed Lease Terms are set out below with the financial terms contained in the accompanying exempt report.
- 1) A Full Repairing lease for a term of 50 years be granted to Oakleigh Park School of Swimming from the date of completion of the legal documentation.
  - 2) The lease to be outside the provisions of sections 24-28 of the Landlord & Tenant Act 1954.
  - 3) The Council will insure the building and the tenant will reimburse the premium.
  - 4) An initial Rent Free period of 12 months to allow for the construction of a new swimming pool building of around 500m<sup>2</sup> in area, housing a pool 21m x 8m, all in accordance with the outline planning consent granted on 7 January 2008 (Ref W13168F/07).
  - 5) The building costs and related fees will be borne entirely by the tenant.
  - 6) The Frith Manor School (or another local school substituted following a year's prior notification) will be able to use the pool during the 37 week school year for 2½ hours every day, Monday to Friday mornings. Initially this will be made up of two hours water time and half an hour changing time from 9.30 am to 11.45 am, making a total of 462½ hours a year (or 370 hours of water time) of usage.
  - 7) An additional Rent will be payable to the Council by the tenant in the event of the Frith Manor school ceasing to use the pool, and no substitute school being found, in either part or total of the time allocated. The additional rent payable will be based on 50% of the achievable cost for the pool hire per hour.
  - 8) A right of way is to be granted to the tenant over the land coloured brown on the attached drawing. The tenant will contribute a fair and reasonable proportion for repair of the access way. The tenant will also be granted a right to park in spaces to be designated in the school car park outside school hours and if not required by the school.
  - 9) A Mutual Break Option on the expiry of 30 years on two years prior notice. Compensation to be payable to the tenant if the break is exercised by the Council. The compensation sum to be paid will be based on 2 years' loss of profit, to allow time for the tenant to find an alternative site and original build costs subject to indexation but discounted 30 years (that is build costs x 30/50) so some of the build costs can be recouped.
  - 10) The tenant will be permitted to assign or sublet the whole with the Council's prior consent which shall not be unreasonably withheld. Subletting or assigning of part only will not be permitted.
  - 11) The tenant will be responsible for the payment of the Council's legal fees in the preparation of the lease.
  - 12) Such other terms as the Legal Department may consider reasonable.

## **7. LEGAL ISSUES**

- 7.1 Arising from the European Court of Justice decision in the case of *Helmut Muller*, the Advocate General's opinion in the case of *European Commission v Kingdom of Spain*; and guidance from the Office of Government Commerce, there was concern that the proposed transaction could be caught by EU procurement rules. Consideration was given to the matter and Counsel's opinion sought. Counsel advised that as the 'main purpose' of the proposal is the urgent provision of swimming facilities for the pupils of Frith Manor School, and not the provision of the pool itself, the proposal is a services concession contract and not, therefore, caught by the EU procurement rules.

- 7.2 There is a query whether the land on which the site is located can be classified as a playing field or habitat area and so the disposal may require the consent of the Secretary of State under Section 77 (7) of the School Standards and Framework Act 1998. The guidance issued by the (former) Department for Children, Schools and Families entitled "The Protection of School Playing Fields and Land for Academies July 2007" gives the Department's view of what can be considered as school playing fields for the purpose of Section 77 of the 1998 Act.
- 7.3 Section 77(7) of the School Standards and Framework Act 1998 defines playing fields as "land in the open air which is provided for the purposes of physical education or recreation, other than any prescribed description of land".
- 7.4 The Department's view, as stated in the 2007 guidance, is that for the purposes of Section 77 of the 1998 Act, school playing fields includes the following:
- 1) Grass pitches and artificial surface pitches;
  - 2) Hard surface games courts;
  - 3) Informal and social areas;
  - 4) Marginal areas (for example playing field run offs);
  - 5) Habitat area (set aside for the formal teaching of nature or informal curriculum purposes, including meadowland, wildlife habitats, gardens, nature trails and outdoor science areas); and
  - 6) Local authority parkland (used in the last 10 years for the purposes of a maintained school).
- 7.5 The Department also takes the view that land described in paragraph 7.6 below is not considered to be school playing fields under Section 77 of the 1998 Act.
- 7.6 Soft landscaped or grassed areas that are not suitable for use for physical education or recreation purposes, such as marginal waste land outside of a school's physical boundary fencing.
- 7.7 The plot to be leased lies on land which, according to the head teacher has never been used for any purpose and is unsuitable as a marginal or habitat area. Furthermore, the land lies outside the school's physical boundary fencing. The question is whether the site can be described as a "Habitat area" under Section 77 of the 1998 Act and the 2007 guidance. Further investigations are being carried out by officers to establish whether the proposal comes within the terms of the General Consent relating to the disposal or change of use of school playing fields issued by the Secretary of State in 2004. The effect of the General Consent is that where the circumstances described apply, and where any conditions are met, the specific prior consent of the Secretary of State will not be required under Section 77 of the 1998 Act. Where the General Consent does apply, the relevant body is to decide whether the disposal, or change of use, meets the circumstances and criteria set out in the Consent order and provide the Department with details. Where the General Consent does not apply, the relevant body must apply for and be granted Special Consent. Consequently, the Committee's approval is being sought subject to any consent of the Secretary of State being obtained if it is considered that this is required.

## **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's constitution in Part 3, Responsibility for Functions, paragraph 3.6 sets out the functions delegated to the Cabinet Resources Committee including all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

## **9. BACKGROUND INFORMATION**

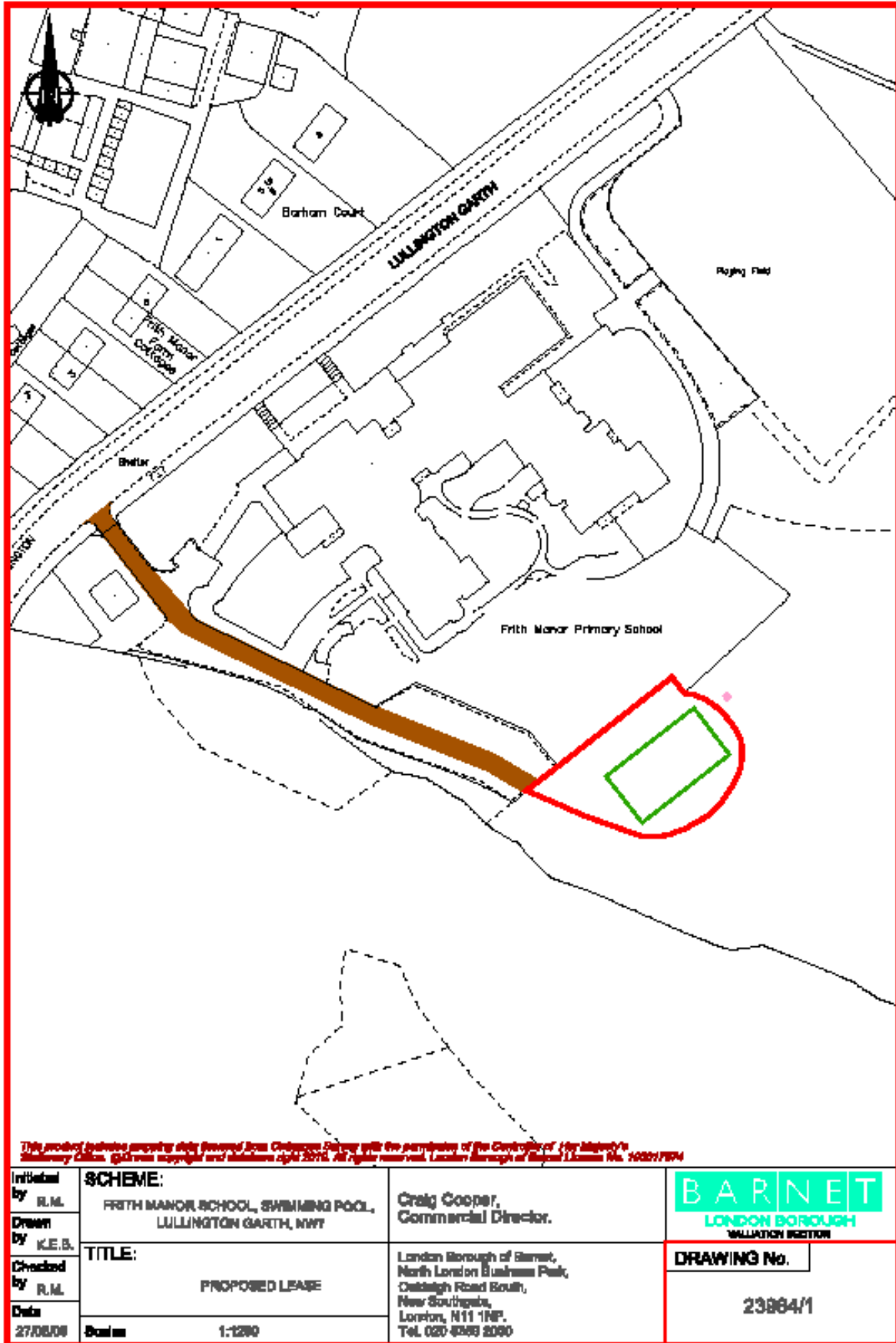
- 9.1 The school currently sends 90 pupils to Copthall Swimming pool each week for 2 terms of the academic year at a considerable cost and time wasted in travelling. Taking into account the hiring charges currently at Copthall the equivalent cost to the school of using the pool for 370 hours over a school year as agreed in the heads of terms would equate to around £26,000 a year. There would be additional savings in travel time to and from the Copthall pool. The head-teacher's estimate, including all costs for the equivalent usage being negotiated, is summarised in the accompanying exempt report.
- 9.2 Around the end of 2004 the school head-teacher received an approach from Mr Jonathan Rolfe the operator of the Oakleigh Park School of Swimming in Whetstone with a proposal to construct a swimming pool on some vacant land at the rear of the school. For a variety of reasons negotiations have taken a considerable time to conclude with Mr Rolfe. One of the reasons for the prolonged negotiation was that before outline terms could be agreed it was essential for Mr Rolfe to submit a planning application because the subject land is located within the Green Belt and it was uncertain that a building housing a pool would be permitted. Mr Rolfe duly submitted an application and outline planning consent was granted in January 2008 (Ref: W/13168/F/07) to construct a 500m<sup>2</sup> building to house a 21m x 8m swimming pool. Another reason was due to concern raised over the proximity of a newly erected wind turbine. The tenant will be financing the construction of the new swimming pool and any associated costs. Further information on the breakdown of the build costs is awaited but a preliminary budget estimate is contained in the accompanying exempt report.
- 9.3 The pool is to be available to the School's pupils for 2½ hours every weekday morning during the school term, 2 hours of pool use and ½ hour changing time. The hours are to be agreed but most likely will be between 9.15 and 11.45 am, making a total of 462½ hours a year. Outside these hours the pool will be open to the general public as permitted by the planning consent. The planning consent allows a number of parking spaces within the site and the pool operator will be permitted, under a separate arrangement with the school, to use some of the school's car park spaces in the evenings, at weekends and during school holidays.
- 9.4 The Valuation Office Agency was asked to carry out an independent rental valuation and this is summarised and commented on in the accompanying exempt report. An alternative operator was shown the site and invited to put forward proposals but no interest was expressed.

## **10. LIST OF BACKGROUND PAPERS**

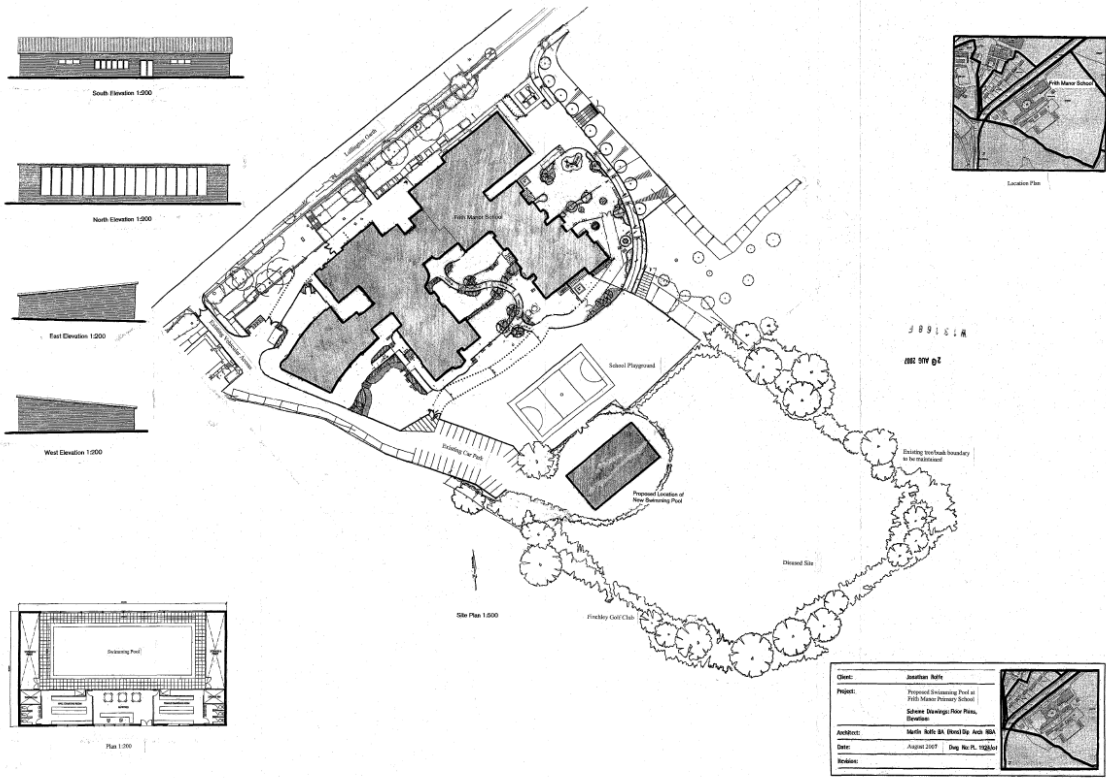
- 10.1 None.

Legal – SWS  
CFO – JH

**Appendix A – Location and provisional lease Plan**



**Appendix B – Planning Application Drawing and Site photos**



Car Park Access



View from site looking back at School







Director of Planning and Environmental Protection,  
Building 4, North London Business Park  
Oakleigh Road South, London N11 1NP  
Contact Number: 020 8359 4825

**PLANNING**

Applicant: Mr Jonathan Rolfe  
Agent: Martin Rolfe  
62 Thorpebank Road  
Shepherds Bush  
London  
W12 0PG

Application No: W13168F/D7  
Registered date: 18 September 2007

**TOWN AND COUNTRY PLANNING ACT 1990**

**GRANT OF PLANNING PERMISSION**

TAKE NOTICE that the Barnet London Borough Council, in exercise of its powers as Local Planning Authority under the above Act, hereby:

**GRANTS PLANNING PERMISSION for:-**

Erection of a single storey swimming pool building.

**At:- Frith Manor Primary School Lullington Garth Woodside Park N12 7BN**

as referred to in your application and shown on the accompanying plan(s):

**Subject to the following CONDITION(S):-**

- 1 Approval of the details of the scale and appearance of the building(s), the means of access thereto and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason:

To ensure a satisfactory appearance to the development.

- 2 Plans and particulars of the reserved matters referred to in Condition (No.) above, relating to the scale and appearance of any buildings to be erected and the landscaping of the site, shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason:

To ensure a satisfactory appearance to the development.

**AGENDA ITEM: 14**      Pages 95 – 99

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<b>Meeting</b>	Cabinet Resources Committee
<b>Date</b>	13 January 2011
<b>Subject</b>	<b>Park House, 16 High Road, Finchley N2 9PJ</b>
<b>Report of</b>	Cabinet Member for Resources and Performance
<b>Summary</b>	To seek approval to the details of the proposed new letting of the above building on a five year lease.

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Officer Contributors	Simon Shaer – Valuer (Property Services) Judith Ellis – Valuation Manager (Property Services)
Status (public or exempt)	Public (with a separate exempt report)
Wards affected	East Finchley
Enclosures	Plan No.23068/10
For decision by	Cabinet Resources Committee
Function of	Executive
Reason for urgency / exemption from call-in (if appropriate)	Not applicable

Contact for further information: Simon Shaer, Valuer (Property Services), 020 8359 7357, [simon.shaer@barnet.gov.uk](mailto:simon.shaer@barnet.gov.uk).

## **1. RECOMMENDATIONS**

- 1.1 That, a lease of the whole of Park House and adjacent car park (shown edged red on the accompanying plan no.23068/10) be granted to Party 1, or failing that granted to either Party 2, Party 3 or Party 4 on the respective principal terms set out in and also as requested in the body of the accompanying exempt report. The identity of all the parties is set out in the accompanying exempt report.**
- 1.2 That, should the findings of the Council's financial due diligence prove unsatisfactory in relation to Party 1, then subject to 1.3 below, it be recommended to grant a lease to either Party 2, Party 3 or Party 4.**
- 1.3 That, any lease granted to either Party 2, Party 3 or Party 4 be subject to the Council's financial due diligence and subject to a separate Delegated Powers Report authorising the grant of the lease.**

## **2. RELEVANT PREVIOUS DECISIONS**

- 2.1 Cabinet, 19 January 2004 (Decision item 7) – approved the offering of the freehold of Park House for sale on the open market and that agents be appointed to act on the Council's behalf.
- 2.2 Delegated Powers Report dated 26 April 2004 in the name of the Director of Economic and Community Development – approved a short term lease of the premises to Hampstead Garden Suburb Institute.
- 2.3 Cabinet Resources Committee, 25 November 2004 (Decision item 5) – approved the unconditional offer of Sherm Properties Limited for the freehold of Park House subject to the temporary letting.
- 2.4 Cabinet Resources Committee, 16 June 2005 (Decision item 10) – resolved that the unsolicited offer from the Hampstead Garden Suburb Institute to purchase the freehold and authorised that contracts for the sale of the property be exchanged with the first party able to exchange.
- 2.5 The Leader of the Council and the Cabinet Member for Resources approved by delegated powers on 14 October 2005 that a short-term lease be granted to the Hampstead Garden Suburb Institute following the withdrawal of the offer from Sherm Properties Limited.
- 2.6 The Director of Resources in consultation with the Leader of the Council and Cabinet Member for Resources approved by delegated powers on 24 July 2006 an extension to the short-term lease to the Hampstead Garden Institute until 31 August 2007.
- 2.7 Cabinet Resource Committee, 27 July 2006 (Decision item 5) – resolved that unless by 31 August 2006, Hampstead Garden Suburb Institute were in a position to proceed with the purchase then the property be remarketed.
- 2.8 Cabinet Resource Committee, 6 December 2007 (Decision Item 4) – resolved to sell the Council's freehold interest in Park House to Cathedral (East Finchley) Limited.

### **3. CORPORATE PRIORITIES AND POLICY CONSIDERATIONS**

- 3.1 The Corporate Plan commits the Council to delivering better services with less money. A key principle of the medium term financial strategy is to continually review the use of council assets so as to reduce the cost of accommodation year on year and to obtain best consideration for any surplus assets to maximise funds for capital investment and/or the repayment of capital debt. This proposal does this by producing an annual income for the Council which can be set against this priority, while not precluding a disposal of the Council's freehold interest.

### **4. RISK MANAGEMENT ISSUES**

- 4.1 There are no policy considerations and officers do not anticipate significant levels of public concern. If the Council does not proceed with this letting, an empty building attracts the obvious detrimental nuisances such as vandalism, rates payable and utility bills. To offset some these risks of squatters and vandalism Property Services have installed a live-in guardian company.
- 4.2 The parties may need to apply to remove the time and use restrictions within the previous current planning permission and as a consequence the letting may be delayed or unable to proceed.

### **5. EQUALITIES AND DIVERSITY ISSUES**

- 5.1 The recommendation has been evaluated against the principles in the Equalities Policy and Equalities scheme and there are no adverse implications for specific groups.

### **6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)**

- 6.1 There are no procurement, performance and value for money, staffing, IT or sustainability implications. The financial and property implications are set out in paragraph 9 below and in the accompanying exempt report.

### **7. LEGAL ISSUES**

- 7.1 None other than as mentioned in the body of this and the exempt report.

### **8. CONSTITUTIONAL POWERS**

- 8.1 The Council's Constitution in Part 3, Responsibility for Functions, states in paragraph 3.6 the functions delegated to the Cabinet Resources Committee including all matters relating to land and buildings owned, rented or proposed to be acquired or disposed of by the Council.

### **9. BACKGROUND INFORMATION**

- 9.1 Park House is a 9,361ft<sup>2</sup> 1950's part single, part two storey building historically used as Council offices in a prominent position opposite East Finchley Underground Station.
- 9.2 The above building has been surplus to the Council's requirements for some time and there have been two attempts at selling the freehold. First to Sherm Properties Limited in 2004 and then to Cathedral (East Finchley) Limited in 2007.

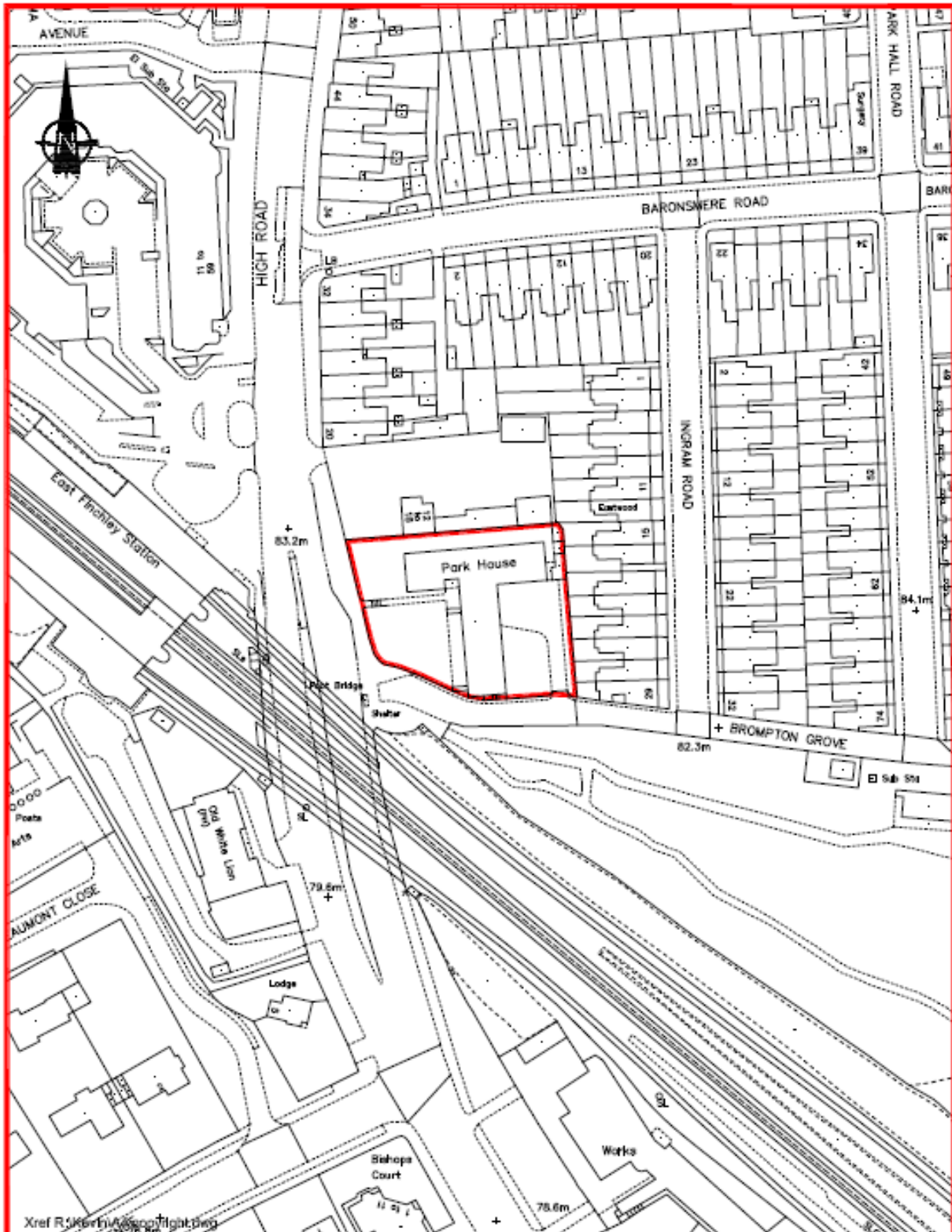
- 9.3 These disposals failed to complete and the subsequent decline in the property market has resulted in a significant reduction in the capital value of the property. The value of Park House lies in the development potential of the site as opposed to the built structure currently in situ. Consequently, due to a dearth of bank financing and the poor current economic climate this site is not attracting the level of interest or bids to recommend for a freehold disposal at the present time.
- 9.4 Recently there have been a number of abortive attempts to negotiate short term lettings on the basis of a two year term, which were originally considered to allow for some recovery in the market. However, the condition of the building and need for some initial investment has resulted in this proving unviable.
- 9.5 We have explored marketing the building on the basis of a 5 year term excluding statutory security of tenure provisions of Sections 24-28 of the Landlord and Tenant 1954 Act. This is for two reasons:
- 1) Owing to the poor condition of the building and our stipulation in past marketing campaigns for a two year term has caused prospective tenants to view occupying this building as unviable because of the capital outlay needed; and
  - 2) This letting will provide a competitive income allowing for the economic and commercial property development climate to improve whilst exploring the best method of freehold disposal as noted in the accompanying exempt report.
- 9.6 A letting will also provide time to explore the best method of disposal as Property Services can then investigate different development options. As any disposal on the basis of development may need a third party to obtain a planning application because of the complications attached to the site. The process may take in excess of 36 months.
- 9.7 The accompanying exempt report details the results of the recent marketing.
- 9.8 Expressions of interest for the Council's freehold interest have been received, but have not been considered to be at a level acceptable to recommend acceptance.

## **10. LIST OF BACKGROUND PAPERS**

- 10.1 None.

Legal – JO'H  
CFO – MC

Plan



Initiated by S.S. Drawn by K.E.B. Checked by Date 06/10/10	<b>SCHEME:</b> <b>PARK HOUSE, HIGH ROAD, EAST FINCHLEY, N2</b>  <b>TITLE:</b> <b>PROPOSED LETTING</b>  Scales 1:1250	Craig Cooper, Commercial Director,  London Borough of Barnet, North London Business Park, Oakleigh Road South, New Southgate, London, N11 1NP. Tel. 020 8359 2000	<div style="border: 1px solid black; padding: 5px; text-align: center;"> <b>BARNET</b>                      LONDON BOROUGH                      VALUATION SECTION                 </div> DRAWING No. <span style="border: 1px solid black; padding: 2px 10px;">23068/10</span>
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