

Cabinet AGENDA

DATE: Thursday 10 April 2014

TIME: 6.30 pm

VENUE: Committee Rooms 1 & 2,
Harrow Civic Centre

MEMBERSHIP

Chairman: Councillor Susan Hall (Leader of the Council and Portfolio Holder for Community Safety and Environment)

Portfolio Holders:

Councillor Kamaljit Chana	Business and Enterprise
Councillor Tony Ferrari	Finance
Councillor Stephen Greek	Planning, Development and Regeneration
Councillor Manji Kara	Community and Culture
Councillor Barry Macleod-Cullinane	Deputy Leader, Adults and Housing
Councillor Janet Mote	Children and Schools
Councillor Paul Osborn	Communications, Performance and Resources
Councillor Simon Williams	Health and Wellbeing
Councillor Stephen Wright	Property and Major Contracts

Non Executive Cabinet Members (non voting):

Councillor Thaya Idaikkadar	Leader of the Independent Labour Group
Councillor David Perry	Leader of the Labour Group
Councillor Graham Henson	Labour Group

(Quorum 3, including the Leader and/or Deputy Leader)

Contact: Daksha Ghelani, Senior Democratic Services Officer
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AGENDA - PART I

1. APOLOGIES FOR ABSENCE

To receive apologies for absence (if any).

2. DECLARATIONS OF INTEREST

To receive declarations of disclosable pecuniary or non pecuniary interests arising from business to be transacted at this meeting from:

- (a) all Members of the Cabinet; and
- (b) all other Members present.

3. MINUTES (Pages 1 - 14)

That the minutes of the Cabinet meeting held on 13 March 2014 be taken as read and signed as a correct record.

4. PETITIONS

To receive any petitions submitted by members of the public or Councillors.

5. PUBLIC QUESTIONS *

To receive any public questions received in accordance with paragraph 16 of the Executive Procedure Rules.

Questions will be asked in the order notice of them was received and there be a time limit of 15 minutes.

[The deadline for receipt of public questions is 3.00 pm, Monday 7 April 2014. Questions should be sent to publicquestions@harrow.gov.uk

No person may submit more than one question].

6. COUNCILLOR QUESTIONS *

To receive any Councillor questions received in accordance with paragraph 17 of the Executive Procedure Rules.

Questions will be asked in the order agreed with the relevant Group Leader by the deadline for submission and there be a time limit of 15 minutes.

[The deadline for receipt of Councillor questions is 3.00 pm, Monday 7 April 2014].

7. KEY DECISION SCHEDULE - APRIL TO JUNE 2014 (Pages 15 - 22)

8. REPORTS FROM THE OVERVIEW AND SCRUTINY COMMITTEE OR SUB-COMMITTEES

(a) Progress on Scrutiny Projects: (Pages 23 - 24)

For consideration.

(b) Review of Climate Change and Delivering Warmer Homes Strategies: (Pages 25 - 56)

Reference from Overview and Scrutiny Committee.

CHILDREN AND FAMILIES

KEY 9. ELMGROVE PRIMARY SCHOOL AND NURSERY (Pages 57 - 78)

Report of the Interim Director of Children's Services.

CHILDREN AND FAMILIES/ENVIRONMENT AND ENTERPRISE

10. SCHOOL EXPANSION PROGRAMME (Pages 79 - 96)

Joint Report of the Report of the Interim Director of Children's Services and Corporate Director of Environment and Enterprise.

KEY 11. WHITCHURCH PLAYING FIELDS - FREE SCHOOL (Pages 97 - 120)

Joint Report of the Report of the Corporate Director of Environment and Enterprise and Interim Director of Children's Services.

COMMUNITY, HEALTH AND WELL-BEING

KEY 12. APPOINTMENT OF CONTRACTORS TO THE FRAMEWORK TO DELIVER ADAPTATIONS TO ALL TENURES (Pages 121 - 128)

Report of the Corporate Director of Community, Health and Wellbeing.

13. RESPONSE TO NHS HEALTH CHECKS SCRUTINY REVIEW (Pages 129 - 138)

Report of the Director of Public Health.

14. AFFORDABLE HOUSING PROGRAMME UPDATE (Pages 139 - 156)

Report of the Divisional Director of Housing Services.

RESOURCES

KEY 15. BUSINESS RATES - RETAIL RELIEF (Pages 157 - 198)

Report of the Corporate Director of Resources.

KEY 16. ELECTION PRINT PROCUREMENT (Pages 199 - 208)

Report of the Director of Legal and Governance Services.

17. ANY OTHER URGENT BUSINESS

Which cannot otherwise be dealt with.

18. EXCLUSION OF THE PRESS AND PUBLIC

To resolve that the press and public be excluded from the meeting for the following items of business, on the grounds that they involve the likely disclosure of confidential information in breach of an obligation of confidence, or of exempt information as defined in Part I of Schedule 12A to the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Title</u>	<u>Description of Exempt Information</u>
19	Appointment of Contractors to the framework to deliver adaptations to all tenures	Information under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972, relating to the financial or business affairs of any particular person (including the authority holding that information).

AGENDA - PART II

KEY 19. APPOINTMENT OF CONTRACTORS TO THE FRAMEWORK TO DELIVER ADAPTATIONS TO ALL TENURES (Pages 209 - 214)

Appendix to the report of the Corporate Director of Community, Health and Wellbeing at item 12 above.

*** DATA PROTECTION ACT NOTICE**

The Council will audio record items 5 and 6 (Public and Councillor Questions) and will place the audio recording on the Council's website, which will be accessible to all.

[**Note:** The questions and answers will not be reproduced in the minutes.]

Deadline for questions	3.00 pm on Monday 7 April 2014
Publication of decisions	Friday 11 April 2014
Deadline for Call in	5.00 pm on Tuesday 22 April 2014
Decisions implemented if not Called in	Wednesday 23 April 2014

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CABINET MINUTES

13 MARCH 2014

Chairman: * Councillor Susan Hall

Councillors:

* Kam Chana	* Janet Mote
* Tony Ferrari	* Paul Osborn
* Stephen Greek	* Simon Williams
* Manji Kara	* Stephen Wright
* Barry Macleod-Cullinane	

Non Executive Non Voting Councillors:

* Graham Henson	* David Perry
* Thaya Idaikkadar	

In attendance: (Councillors) Bill Phillips Minute 799

* Denotes Member present

Catherine Doran, Corporate Director of Children and Families

On behalf of Cabinet, the Leader of the Council paid tribute to Catherine Doran for her work in the Children and Families Directorate and wished her well in her retirement. The Leader applauded the extent of the work carried out by Catherine which had led to positive changes in the way Children's Services in Harrow were delivered.

The Leader of the Labour Group wished Catherine well in her retirement and thanked her for the transformation made to her Directorate during challenging times.

The Leader of the Independent Labour Group thanked Catherine for her open and honest approach, a quality that he admired, and wished her well for the future.

Members showed their appreciation in the usual manner and wished Catherine a happy retirement.

794. Apologies for Absence

None received.

795. Declarations of Interest

RESOLVED: To note that the following interests were declared:

Agenda Item 10 – School Expansion Programme

Councillor Janet Mote declared a non-pecuniary interest in that she was a governor of St John Fisher Catholic Primary School. She would remain in the room whilst the matter was considered and voted upon.

Councillor Camilla Bath declared a non-pecuniary interest in that she was a governor of Whitchurch First School and Nursery. She would remain in the room to listen to the debate on this item.

Councillor Paul Osborn declared a non-pecuniary interest in that he was a governor of Norbury School and Roxbourne Primary School. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 12 – Small Grant and Outcome Based Grant Recommendations 2014-15

Councillor David Perry declared a non-pecuniary interest in that, as a former Portfolio Holder, he had been involved in determining the policy. He would remain in the room to participate in the discussion relating to this item.

Councillor Chris Mote declared a non-pecuniary interest in that he was a Member of the Grants Advisory Panel which had considered this matter and that he had been involved in various discussions relating to the matter. Additionally, changes to grant matters could be made by the Portfolio Holder. He would remain in the room to listen to the debate on this item.

Councillor John Nickolay declared a non-pecuniary interest in that he had Reserved at the Grant Advisory Panel which had considered this matter. He would remain in the room to listen to the debate on this item.

Councillor Bill Phillips declared a non-pecuniary interest in that he was a Member of the Grants Advisory Panel which had considered this matter. He would remain in the room to listen to the debate on this item.

Agenda Item 15 – Further Alterations to the London Plan

Councillor Stephen Greek declared a non-pecuniary interest in that he was an employee for the London Assembly. He would remain in the room whilst the matter was considered and voted upon.

Agenda Item 16 – Proposed Consultation for a New Pinner Conservation Area

Councillor Janet Mote declared a non-pecuniary interest in that aspects of the places referred to in the report were situated in Headstone North Ward, which

she was a representative of. She would remain in the room whilst the matter was considered and voted upon.

796. Minutes

RESOLVED: That the minutes of the meeting held on 13 February 2014 be taken as read and signed as a correct record.

797. Petitions

RESOLVED: To note that no petitions had been received.

798. Public Questions

To note that 2 public questions had been received and, in the absence of the questioners, written responses were sent to them. The written responses sent had been placed on the Council's website.

799. Councillor Questions

To note that 2 Councillor questions had been received and responded to. The recording of the questions and the answers given had been placed on the Council's website.

800. Key Decision Schedule - March to May 2014

RESOLVED: To note the contents of the Key Decision Schedule for the period March to May 2014.

801. Progress on Scrutiny Projects

RESOLVED: To receive and note the current progress of the scrutiny reports.

RESOLVED ITEMS

802. NHS Health Checks Scrutiny Review

Cabinet received a reference from the Health and Social Care Scrutiny Sub-Committee meeting held on 18 February 2014, together with a report setting out the key findings and recommendations of the Joint NHS Health Checks Scrutiny Review which had been considered by the Sub-Committee. The referral to Cabinet asked for its consideration and response.

RESOLVED: That the report of the Joint NHS Health Checks and Scrutiny Review be welcomed, and the Director of Public Health, Community, Health and Wellbeing Directorate, be requested to submit a report responding to the recommendations therein to the next meeting of Cabinet.

Reason for Decision: To respond appropriately to the recommendations and to meet with the requirements set out in the Council's Constitution.

Alternative Options Considered and Rejected: None.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

[Call-in does not apply]

803. Motion referred to Executive - Yes to Homes

Cabinet received a reference titled 'Yes to Homes' from 27 February 2014 Council meeting which, in accordance with the provisions set out in the Constitution, had been referred to the Executive for consideration.

With the agreement of the Leader of the Council, a Non-Executive Non-Voting Cabinet Member spoke on the Motion. He stated that the Motion had captured what was an 'issue of the day' and the challenges faced by residents in relation to housing. He referred to the excellent work undertaken by Members in conjunction with the charity, Shelter, which had involved the setting up of a stall in Harrow Town Centre to talk to people about housing issues and the challenges they faced. It was therefore important that the Motion was taken seriously rather than merely being noted.

The Portfolio Holder for Adults and Housing stated that it was important to understand the context in which this Motion ought to be considered. The administration was addressing Harrow's housing issues and he thanked his predecessor for the work he had carried out in removing the log jam for three years during 2010/13. He asserted that the Council had started to address housing issues and that this had only happened once there had been a change in the administration. The Council was looking at new areas that could be developed for housing, particularly in the 'Opportunity Areas' where 2,800 homes were expected to be built, and had commenced the regeneration of its estates, such as Grange Farm estate. The Garage Strategy had also been revitalised. In addition to the 2,800 new homes in the Opportunity Area, around 700 new homes would be built on housing land and the administration was taking steps to move this agenda forward by looking to build Council houses, a policy that had remained stagnant for some time. Moreover, it was noticeable that the Mover of the Motion was not present at the meeting to explain the Motion.

Another Non-Voting Non-Executive Cabinet Member was of the view that the housing issue ought to be acknowledged and that it was due to the state of the Housing Revenue Account (HRA) in previous years and the funding arrangements that had not made it possible to build houses. The previous government had made finances available to build affordable homes. He added that, in relation to the Garage Strategy, this had first commenced in 2010, and suggested that the Motion was merely supporting a form of housing in the borough which the Portfolio Holder appeared to be supporting. In response, the Portfolio Holder for Communications, Performance and Resources stated that his colleague, Portfolio Holder for Adults and Housing, had laid down the foundations for the Garage Strategy/Housing Improvement Programme which had also helped to transform the Department and was being modest in taking credit for an innovative approach to housing provision.

RESOLVED: That the Motion be noted.

Reason for Decision: To meet with the requirements set out in the Constitution (Council Procedure Rules).

Alternative Options Considered and Rejected: None.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

[Call-in does not apply].

804. School Expansion Programme

The Portfolio Holder for Children and Schools introduced the report, which set out the statutory proposals to expand permanently 13 schools on eleven sites published on 9 January 2014 for a four week representation period. The report provided information, including recommendations, to enable Cabinet to determine the statutory proposals.

A Non-Voting Non-Executive Cabinet Member welcomed the report and praised the work carried out by officers and Members which was being conducted on a cross-party basis. He noted and welcomed the transfer of TBNP (Targeted Basic Need Programme) funding from the proposed expansion of St Anselm's Catholic Primary School to Elmgrove Primary School and Nursery and enquired about the effect of such a move on Elmgrove Primary School. He was also concerned about the resultant follow of traffic in the vicinity of Elmgrove Primary School.

In response, the Portfolio Holders for Children and Schools and Planning, Development and Regeneration, together with the Corporate Director of Children and Families, stated that the money would enable Elmgrove Primary School to provide much needed additional school places. It should be noted that Elmgrove Primary School had been receptive towards the decision to re-allocate the funding to the school. The issue of traffic would continue to be a major challenge and the cross-departmental working was aiming to address all issues in relation to the expansion programme, such as planning, traffic and travel planning, simultaneously across all proposed school expansions. Members were also informed that regular stakeholder meetings were held to ensure that all parties were kept abreast of developments on the expansion programme. Additionally, Members of the Planning Committee had also been briefed on the various aspects of school expansion and the level of engagement with residents was good. Local resident engagement started at pre-planning stage, where the issue of traffic generation was also being captured at an early stage.

The Leader of the Council was pleased that money was being provided by the government to meet the demand in school places.

RESOLVED: That the statutory proposals to expand permanently the following schools by one form of entry (30 pupils), to fill incrementally from the point of admission into the school, be approved:

Aylward Primary School from 1 September 2014
Belmont School from 1 September 2014
Grange Primary School from 1 September 2014
Norbury School from 1 September 2014
Pinner Wood School from 1 September 2014
Cannon Lane Primary School from 1 September 2015
Kenmore Park Infant and Nursery School from 1 September 2015
Newton Farm Nursery, Infant and Junior School from 1 September 2015
Priestmead Primary School and Nursery from 1 September 2015
St John Fisher Catholic Primary School from 1 September 2015
Whitchurch First School and Nursery from 1 September 2015
Kenmore Park Junior School from 1 September 2017
Whitchurch Junior School from 1 September 2017.

Reason for Decision: To enable the Local Authority to fulfil its statutory duties to provide sufficient school places in its area.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

805. Whitefriars Community School

The Portfolio Holder for Children and Schools introduced the report, which set out proposals to establish Whitefriars Community School as an all-through school on the Whitefriars School site and Harrow Teachers' Centre site. The report provided information and recommendations to enable Cabinet to determine the statutory proposals that were published on 9 January 2014 and to approve the approach to the disposal of the Whitefriars Community School and Harrow Teachers' Centre sites. It also updated Cabinet on the procurement of the contractor to develop the site.

A Non-Voting Non-Executive Cabinet Member welcomed the report and spoke in support of the proposed expansion which would help address the crises in school places. The Member asked if a School Travel Plan had been drawn up as there was concern about traffic generation in the area. He enquired about any discussions held with the Transport for London (TfL) with a view to addressing traffic issues as part of the School Expansion Programme. He also sought clarification on a leaflet issued by the administration which referred to £70m funding that had been secured as he understood the funding to have been considerably lower and secured by various administrations. In response to the latter, the Corporate Director of Children and Families stated that this was reference to Priority Schools Building Programme which was awarded a number of years ago where the government re-built schools and she cited the examples of Marlborough and Vaughan Schools which had benefited from this fund. The other fund was the Targeted Basic Needs Programme which required additional places to be built by Councils by September 2015. Both the funds related to investments in schools.

The Portfolio Holder for Children and Schools, referred to the work being undertaken with officers in the Traffic Section with a view to addressing the

problem of traffic management in the vicinity of the school and the wider surrounding areas where other schools were situated, such as in the Wealdstone area. Traffic officers also attended stakeholder meetings where issues relating to traffic flows and the mode of transport used for the school run, including where parents parked their cars, were discussed. Discussions with the TfL were also underway.

Another Non-Voting Non-Executive Cabinet Member was of the view that this was a key site and he enquired if the School Expansion Programme included the re-building of schools in an environmentally efficient way which would benefit the borough in the longer term. A discussion ensued in which the following matters were highlighted: the budget was limited and needed to be used within the confines set by the government, environmental checks would be made on the buildings built, low emission lighting and environmentally friendly heating measures had been installed in other building(s) and could be used in school building. In addition, not all school buildings would be demolished and re-built; complete re-build of schools, which would involve borrowing, would be expensive. Eco-friendly measures would be considered, building standards, which involved no heating installation, had changed and previously accepted environmentally- friendly measures had altered, and that provision of green roofs on buildings would require insurance considerations.

RESOLVED: That

- (1) statutory proposals to expand permanently and extend the age range of Whitefriars Community School to include provision for secondary aged pupils be approved, subject to the condition that planning consent was granted for the development of the all through school;
- (2) the approach to the disposal of the Whitefriars Community School and Harrow Teachers' Centre sites to the academy trust be agreed;
- (3) authority be delegated to the Corporate Director, Environment and Enterprise, following consultation with the relevant Portfolio Holders, to finalise the disposal details for the academy transfer;
- (4) it be noted the contractor for the development of the site would be procured via the Education Funding Agency's (EFA) Contractors Framework.

Reason for Decision: To enable the Local Authority to fulfil its statutory duties to provide sufficient school places in its area and the land transfer for the academy conversion.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

806. Small Grant and Outcome Based Grant Recommendations 2014-15

The Portfolio Holder for Community and Culture introduced the report which set out information on the renewal of Service Level Agreements (SLAs) for

Outcomes Based Grants (OBG) awarded in 2013-14 and applications that had been made for Council funding under the Small Grants Programme for 2014-15. The report sought various approvals to allow awards to be made. He added that extensive consultation had been undertaken with the Voluntary Sector.

The Portfolio Holder responded to questions from the Non-Voting Non-Executive Cabinet Members in relation to the ring-fencing of £75,000 to support the development of a new infrastructure support service for local voluntary organisations. He explained that Harrow Community Action (HCA), a consortium of local organisations, would develop policies to support the development of local organisations. The needs of the Voluntary Sector, such as governance arrangements, fund raising, would be supplied by the HCA. He agreed to share the Service Level Agreement (SLA) between the Council and the HCA with the Member and explained that the HCA would also work to support those applicants who had been unsuccessful in the grant process by providing assistance in accessing funds and developing the organisations.

RESOLVED: That

- (1) subject to the satisfactory delivery of agreed outcomes and annual confirmation of the budget according to the Council's budget setting process, authority be delegated to the Corporate Director of Community, Health and Wellbeing, following consultation with the Portfolio Holder for Community and Culture, to:
 - (a) renew the Service Level Agreement (SLA) to the newly commissioned infrastructure support service to the level of £75,000 for 2014-15 and in principle for 2015-16;
 - (b) confirm the renewal of Service Level Agreements (SLAs) for Outcome Based Grant awards for 2014/15 at the same level of funding awarded in 2013-14;
 - (c) terminate or amend any Service Level Agreements (SLAs) if concerns were identified at any stage as a result of monitoring or breaches of the SLA;
- (2) authority be delegated to the Corporate Director of Community, Health and Wellbeing, following consultation with the Portfolio Holder for Community and Culture, to award Small Grant funding to voluntary organisations at the levels recommended by the Grants Advisory Panel at their meeting on the 20 February 2014, as outlined in paragraph 2.2.7 (b) of the Cabinet report, subject to:
 - (a) receipt of satisfactory references and supporting documents by 11 April 2014;
 - (b) confirmation from applicants that the proposed project or activity can be delivered at the same or at a different level with the amount of grant awarded by 11 April 2014;

- (c) satisfactory resolution of any queries raised by the grant assessment panels by 11 April 2014;
 - (d) completion of the appeals procedure and any changes to the amounts awarded necessitated by decisions on appeals;
- (3) authority be delegated to the Corporate Director of Community, Health and Wellbeing, following consultation with the Portfolio Holder for Community and Culture, to withdraw funding offers where organisations did not comply with the conditions as detailed in Resolution (2) above;
- (4) authority be delegated to the Divisional Director of Community and Culture, following consultation with the Portfolio Holder for Community and Culture, with the support of an Independent Voluntary Sector Adviser, to consider and determine Small Grants appeals and vary both the percentage grant awarded and the threshold above which grant awards were made in light of decisions taken on appeals.

Reason for Decision: To award Council discretionary grant funding to Third Sector organisations to support them in delivering their services to Harrow residents.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

807. Community Learning Strategy

The Portfolio Holder for Community and Culture introduced the report, which set out a draft Community Learning Strategy and Delivery Plan outlining the strategic aims and objectives for the delivery of adult, family and community learning in the borough and to achieve the vision for Community Learning contained in the Department for Business, Innovation and Skills (BIS) document, *New Challenges, New Chances*. He commended the Strategy to Cabinet.

A Non-Voting Non-Executive Cabinet Member welcomed the Strategy, including the funding, which would support the borough's needs by providing skills to residents and give them the best opportunity. It was important that the Strategy was publicised widely and captured by the Council's various Departments who worked directly with residents on a daily basis. The same Member asked how the work would be prioritised if the funding was lost or taken away.

In response, the Portfolio Holder for Community and Culture and the Divisional Director of Community and Culture stated that cross-departmental working was underway, particularly with the Economic Development team which worked with the unemployed. Work was also underway with colleagues in Children and Families Directorate to capture those aged between 18-24 years who were at most risk of being unemployed. In addition, officers were working towards providing access to education and employability skills for the

long term unemployed and young people within the 18-24 year age bracket. All Directorates had been fully consulted on the Strategy. The Portfolio Holder was of the view that the Strategy was important and would provide skills to residents to help acquire jobs. It was therefore important that the same level of service was maintained should funding be discontinued in the future.

The Leader of the Council congratulated the Divisional Director of Community and Culture for her work on the Strategy and the benefits it would provide to the community.

RESOLVED: That

- (1) the Community Learning Strategy 2013-15 and the Delivery Plan, as outlined in Appendix A and in paragraphs 2.2 and 2.4 of the report, be adopted;
- (2) subject to confirmation of Skills Funding Agency funding allocations, the Corporate Director of Community, Health and Wellbeing, following consultation with the Portfolio Holder for Community and Culture, be authorised to proceed with the Community Learning Strategy Delivery Plan (Appendix A, Annex 1, to the report) and take any action necessary.

Reason for Decision: As part of the national changes in the funding and delivery of Community Learning, the Adult Community and Family Learning Service was required to have in place a Strategy, to be monitored by the Skills Funding Agency, that set out how they would deliver a relevant balance of the objectives outlined in *New Challenges, New Chances* (Department of Business, Innovations & Skills, 2011).

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

808. Harrow Mutual Support Network (HMSN)

The Portfolio Holder for Adults and Housing introduced the report, which set out the procurement process undertaken for the provision of the Harrow Mutual Support Network and sought agreement on the outcome.

The Portfolio Holder stated that this exciting proposal, which had been developed over several years and would bring voluntary organisations together by creating a network in which people accessed, shared or purchased support and services with others who were paid or volunteered to give support. It would help people to stay independent, share skills and knowledge and reduce isolation thereby creating healthier communities which in turn would reduce the dependency on the Council for provision of services. The funding was fixed at £450,000 over a period of three years from various funding streams. Payment would depend on performance and that, subject to Cabinet approval, Age UK Harrow would be the lead provider. The Portfolio

Holder thanked the Head of Transformation, Community, Health and Wellbeing for bringing this scheme to fruition.

A Non-Voting Non-Executive Cabinet Member welcomed the scheme as a preventative measure. He too congratulated the Head of Transformation, Community, Health and Wellbeing and the former Portfolio Holder for their work in this area. He asked a number of questions relating to its proper implementation, if additional investment would be made in the scheme and the expected outcomes. In response, the Portfolio Holder reiterated that the intention of the scheme was to bring isolated people together and to enable them to share skills and that the money would be paid in tranches, subject to performance which would be measured by a Board that had been set up. Additionally, potential savings were huge. The outcomes that the scheme was seeking were described below with the Corporate Priority of ensuring a Fair access to opportunity:

- looking after those who were more vulnerable;
- helping people to live independently;
- improving the health and wellbeing, particularly those with mental health;
- helping those who wanted to work to find work by extending skills and training opportunities.

The Leader of the Council welcomed the scheme which, as well as saving money, would provide better lives for residents.

Having considered a confidential appendix prior to reaching a decision, Cabinet:

RESOLVED: That, having taken into account Appendix 1 to the report in making a decision in respect of the delivery of a Harrow Mutual Support Network for the term of three years beginning on 1 April 2014 and ending on 31 March 2017, Age UK Harrow be awarded the contract for delivery of the project as the lead provider and that it would enter into sub-contracts with other local voluntary sector organisations,

Reason for Decision: The Council made available the funding for the project in its Medium Term Financial Strategy (MTFS). In compliance with the Council's Procedure Rules an open tendering procedure was followed and, based on the results, a recommendation was made to award the contract to the most economically advantageous tender.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

809. Further Alterations to the London Plan

The Portfolio Holder for Planning, Development and Regeneration introduced the report, which summarised the proposed changes to the London Plan, which were out for public consultation, and set out the Council's response to these which formed the basis of the Council's formal response to the Mayor of London.

The Portfolio Holder cited changes which would impact on the management of growth in the borough, such as the re-designation of the Harrow and Wealdstone Intensification Area to an Opportunity Area which increased the levels of developments to be accommodated. The resultant funding and improvements were key ingredients in delivering much needed improvements to Harrow-on-the-Hill Station. The proposals would help showcase Harrow and help bring in much need internal investment.

Following question from a Non-Voting Non-Executive Cabinet Member about the changes in housing target, conversion of office space into flats and whether these were seen as a hindrance, the Portfolio Holder stated that it was important to have a coherent strategy in place and that a comprehensive development of site was preferred to a piecemeal approach. The provision of new homes and creation of new jobs was a stated aim in any forward planning.

The Deputy Leader took this opportunity to thank the Leader of the Council for her lobbying the Mayor of London in the development of step-free-access for Harrow-on-the-Hill Station.

RESOLVED: That

- (1) the key changes proposed to the London Plan and the potential implications for Harrow's own adopted Spatial Strategy be noted;
- (2) the Council's formal representations to the Further Alterations to the London Plan, attached at Appendix A to the recommendation from the Local Development Framework Panel, as set out on the supplemental agenda, be approved.

Reason for Decision: To ensure Harrow's best interests were reflected in the alterations to the regional spatial plan for London.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

810. Proposed Consultation for a New Pinner Conservation Area

The Portfolio Holder for Planning, Development and Regeneration introduced the report, which set out proposals to designate a new Conservation Area in Pinner, the Pinner Road Conservation Area, to include those areas shown in Appendix 1 to the report and to put it to public consultation. The Portfolio

Holder commended the report to Cabinet as it would help protect Harrow's heritage.

RESOLVED: That officers be authorised to undertake public consultation on the proposed Pinner Road Conservation Area.

Reason for Decision: As part of the ongoing programme to review the borough's heritage, Pinner Road, Pinner, had been identified as an area of high quality architecture and layout, with mostly locally listed and listed buildings, and had been assessed as worthy of Conservation Area status. The incorporation of this area as one of Pinner's Conservation Areas would ensure the area was covered by the Council's adopted Pinner Conservation Areas Supplementary Planning Document (SPD), adopted in December 2009.

Alternative Options Considered and Rejected: As set out in the report.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

811. Strategic Performance Report - Quarter 3

The Portfolio Holder for Communications, Performance and Resources introduced the report, which summarised Council and service performance for quarter 3 against key measures and drew attention to areas requiring further action. The Portfolio Holder outlined the key achievements and challenges facing the Directorates, such as:

- Community, Health and Wellbeing – Harrow's work on personalisation and how this translated to real improvements in outcomes had been commended by the government following a Ministerial visit. There had been an increase in the use of computers in libraries which had also benefited from Wi-Fi. However, the issues following the implementation of the library management system were being investigated further.
- Children and Families – recruitment and retention of staff remained a major issue, timely assessments had produced positive results and early and timely interventions in child protection had helped to lower rates of children subject to child protection plans.
- Environment and Enterprise – a substantive re-investment in street cleaning in the main shopping centres had paid early dividends and a dedicated blitz team for the remainder of the borough had helped to reduce complaints drastically. Residents were also benefitting from the maintenance of parks, including tree maintenance. The Neighbourhood Champion Scheme had been re-invigorated and the enforcement of 'beds in sheds' had been productive.
- Resources - there continued to be an increase in the number of MyHarrow accounts and customer satisfaction with Access Harrow remained high.

The Portfolio Holder said that the journey towards a cleaner, safer and fairer Harrow had commenced.

A Non-Voting Non-Executive Cabinet Member was of the view that more services would be risk if the administration continued to use money from the contingency budget. He asked about the projected overspend of £25m and the how this would be mitigated. The Portfolio Holder for Finance responded by saying that the £4m of underachieved savings by the administration which set the last 2013/14 budget was underpinning the financial problems facing the Council. Contingency was used in budgets as a control account. It was important for the Member to have an understanding of the purpose of contingency allowance and how it was used. A question on autism levels against the figure it was being compared with was also answered.

Another Non-Voting Non-Executive Cabinet Member stated that a number of achievements were familiar to him as the foundations had been placed under his party's administration. He thanked the Divisional Director of Community and Culture for the achievements made. He enquired how the increase in repeat incidents of domestic violence was being tackled in meeting the Safer Harrow Corporate priority. In response, the Leader of the Council stated that the funding was limited but different measures were being examined, such as the provision of body cameras for use by the police, to tackle this type of crime. They both agreed that it was important that the incoming administration championed and provided challenge to this issue, supported the victims of domestic violence and identified additional funding. The Portfolio Holder for Children and Schools stated that the feedback received from a recent Ofsted Inspection had been good and that it had recognised that the work done in this area helped to improve outcomes for families.

RESOLVED: That the report be noted and Portfolio Holders continue working with officers to achieve improvement against identified key challenges.

Reason for Decision: To be informed of performance against key measures and to identify and assign corrective action where necessary.

Alternative Options Considered and Rejected: None.

Conflict of Interest relating to the matter declared by Cabinet Member / Dispensation Granted: None.

(Note: The meeting, having commenced at 6.30 pm, closed at 7.46 pm).

(Signed) COUNCILLOR SUSAN HALL
Chairman

London Borough of Harrow

KEY DECISION SCHEDULE (APRIL 2014 - JUNE 2014)

MONTH: April

The following is a list of Key Decisions which the Authority proposes to take at the above Cabinet meeting. The list may change over the next few weeks. A further notice, by way of the Cabinet agenda, will be published no less than 5 clear days before the date of the Cabinet meeting, showing the final list of Key Decisions to be considered at that meeting.

A Key Decision is a decision by the Executive which is likely to:

- (i) result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates; or
- (ii) be significant in terms of its effects on communities living or working in an area of two or more wards or electoral divisions of the Borough.

A decision is significant for the purposes of (i) above if it involves expenditure or the making of savings of an amount in excess of £1m capital expenditure or £500,000 for revenue expenditure or, where expenditure or savings are less than the amounts specified above, it constitute more than 50% of the budget attributable to the service in question.

Decisions which the Cabinet intends to make in private

The Cabinet hereby gives notice that it may meet in private after its public meeting to consider reports which contain confidential information. The private meeting of the Cabinet is open only to Members of the Cabinet, other Councillors and Council officers.

Reports relating to decisions which the Cabinet will take at its private meeting are indicated in the list of Key Decisions below with the reasons for the decision being made in private where appropriate. The Schedule also contains non-Key Decisions which involve Cabinet having to meet in private. Any person is able to make representations to the Cabinet if he/she believes the decision should instead be made in the public Cabinet meeting. If you want to make such representations please contact Democratic & Electoral Services. You will then be sent a response in reply to your representations. Both your representations and the Cabinet's/Leader's response will be published on the Council's website <http://www.harrow.gov.uk/www2/mgListPlans.aspx> at least 5 clear days before the Cabinet meeting.

The Cabinet/Leader will be considering a report prepared by the relevant Directorate. The report together with any other documents (unless they contain exempt information) will be available for inspection 5 clear days before the decision is taken by Cabinet/Leader from Daksha Ghelani, Senior Democratic Services Officer, on 020 8424 1881 or by contacting daksha.ghelani@harrow.gov.uk or by writing to Democratic & Electoral Services, Harrow Council, Civic Centre PO Box 2, Station Road, Harrow, HA1 2UH or on the Council's website. Copies may be requested but a fee will be payable. Reports to be considered at the Cabinet's public meeting will be available on the Council's website 5 clear days before the meeting.

The KDS looks 3 meetings ahead and will be published 28 clear days before the Decision Date / Period of Decision.

Subject	Nature of decision	Decision Maker	Decision date / Period of Decision	Cabinet Member / Lead officer	Open or Private Meeting	Additional Documents to be submitted
APRIL 2014						
Election Print Procurement	To agree a framework agreement for a 4 year period for the provision of Electoral Services printing and postage requirements, in conjunction with the London Boroughs of Barnet and Hounslow	Cabinet	10 April 2014	Councillor Paul Osborn Hugh Peart, Director of Legal and Governance Services elaine.mceachron@harrow.gov.uk Tel: 020 8424 1097	Part exempt Information relating to the financial or business affairs of any particular person (including the authority holding that information)	Agenda report and any related appendices
Elmgrove Primary and Nursery School	Determination of statutory proposals to expand the school	Cabinet	10 April 2014	Councillor Janet Mote Catherine Doran, Corporate Director, Children and Families johanna.morgan@harrow.gov.uk Tel: 020 8736 6841	Open	Agenda Report and any related appendices

Subject	Nature of decision	Decision Maker	Decision date / Period of Decision	Cabinet Member / Lead officer	Open or Private Meeting	Additional Documents to be submitted
Appointment of Contractors to the framework to deliver adaptations to all tenures	Approval of the appointment of contractors to the framework	Cabinet	10 April 2014	Councillor Barry Macleod-Cullinane Lynne Pennington, Divisional Director of Housing michael.sheehy@harrow.gov.uk Tel: 020 8736 6011	Part exempt	Agenda Report and any related appendices
Rate Relief Policy	Introduction of Discretionary Retail Relief Policy to award £1000 relief to all shops in 2014/15 & 2015/16, with a rateable value of less than £50,000 and where the premises are used wholly or mainly as shops, restaurants & cafes/drinking establishments	Cabinet	10 April 2014	Councillor Tony Ferrari Tom Whiting, Corporate Director of Resources fern.silverio@harrow.gov.uk Tel: 020 8736 6818	Open	Agenda Report and any related appendices
MAY 2014 - currently no items						

Subject	Nature of decision	Decision Maker	Decision date / Period of Decision	Cabinet Member / Lead officer	Open or Private Meeting	Additional Documents to be submitted
JUNE 2014						
Revenue and Capital Outturn 2013-14	To note the position reported To approve the recommended revenue and capital carry forwards To approve any recommended contributions to reserves or provisions	Cabinet	19 June 2014	Simon George, Director of Finance and Assurance steve.tingle@harrow.gov.uk Tel: 020 8420 9384	Open	Agenda Report and any related appendices
Council Tax Support (CTS) Consultation	To note the review and agree to consultation on the proposed options for revised schemes to start 1/4/2015	Cabinet	19 June 2014	Tom Whiting, Corporate Director of Resources fern.silverio@harrow.gov.uk Tel: 020 8736 6818	Open	Agenda Report and any related appendices

HARROW COUNCIL CABINET 2013/14
CONTACT DETAILS OF PORTFOLIO HOLDERS

Portfolio	Councillor	Address	Telephone no.	Email
Leader, Community Safety & Environment	Susan Hall	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07860 742093 Group Office: (020) 8424 1852	Email: susan.hall@harrow.gov.uk
Deputy Leader, Adults & Housing	Barry Macleod- Cullinane	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07976 712611 Group Office: (020) 8424 1852	Email: barry.macleod-cullinane@harrow.gov.uk
Business & Enterprise	Kam Chana	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07779 133457 Group Office: (020) 8424 1852	Email: kamajit.chana@harrow.gov.uk
Children & Schools	Janet Mote	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07970 672958 Group Office: (020) 8424 1852	Email: janet.mote@harrow.gov.uk

Portfolio	Councillor	Address	Telephone no.	Email
Communications, Performance and Resources	Paul Osborn	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Home: (020) 7692 7188 Group Office: (020) 8424 1852	Email: paul.osborn@harrow.gov.uk
Community & Culture	Manji Kara	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07919 016535 Group Office: (020) 8424 1852	Email: manji.kara@harrow.gov.uk
Finance	Tony Ferrari	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07914 961035 Group Office: (020) 8424 1852	Email: tony.ferrari@harrow.gov.uk
Health & Wellbeing	Simon Williams	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07796 580010 Group Office: (020) 8424 1852	Email: simon.williams@harrow.gov.uk
Planning, Development & Regeneration	Stephen Greek	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07779 639408 Group Office: (020) 8424 1852	Email: stephen.greek@harrow.gov.uk

Portfolio	Councillor	Address	Telephone no.	Email
Property & Major Contracts	Stephen Wright	Conservative Group Office, Room 102 PO Box 2, Civic Centre Station Road HARROW HA1 2UH	Mobile: 07899 920133 Group Office: (020) 8424 1852	Email: stephen.wright@harrow.gov.uk

Non Executive Members				
Leader of the Independent Labour Group	Thaya Idaikkadar	Independent Labour Group Office Middlesex Suite North PO Box, 2, Civic Centre Station Road HARROW HA1 2UH	Home: (020) 8863 2372 Mobile: 07812 028741 Group Office: (020) 8424 1154	Email: thaya.idaikkadar@harrow.gov.uk
Leader of the Labour Group	David Perry	Labour Group Office Room 109, PO Box 2 Civic Centre Station Road HARROW HA1 2UH	Mobile: 07505 430133 Group Office: (020) 8424 1897	Email: david.perry@harrow.gov.uk
Labour Group Representative	Graham Henson	Labour Group Office Room 109, PO Box 2 Civic Centre Station Road HARROW HA1 2UH	Mobile: 07721 509915 Group Office: (020) 8424 1897	Email: graham.henson@harrow.gov.uk

PROGRESS ON SCRUTINY PROJECTS

Review	Methodology	Type of report	Expected date for report to Cabinet	Comments
Standing Review of the Budget	No further work will be undertaken before the election.			
Customer Care	This project is complete			
Accessible Transport	This project is complete			
NHS Health Checks	Joint light touch review with Barnet	Final Report to O&S/Health and Social Care sub committee and Cabinet	April 2014	A response is included on the agenda for Cabinet 10 th April
Joint Overview and Scrutiny Committee 'Shaping a Healthier Future'	Joint Committee	Update reports will be provided for O&S/Health and Social Care sub committee and Cabinet (for information)	As required	The Joint Committee will continue to meet to monitor the implementation of the proposals from 'Shaping a Healthier Future'1. Amended terms of reference will be presented to Council in the next administration.
Deletion of Chief Executive post	This project is complete			

All scrutiny projects will be completed and reported through to cabinet as early as possible in 2014.

Contact: Lynne Margetts, Service Manager Scrutiny, 020 8420 9387

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LONDON BOROUGH OF HARROW

CABINET – 10 APRIL 2014

REFERENCE FROM OVERVIEW AND SCRUTINY COMMITTEE – 18 MARCH 2014

CLIMATE CHANGE STRATEGY AND DELIVERING WARMER HOMES STRATEGIES

Members received a report of the Corporate Director of Environment and Enterprise which reviewed the progress of the existing climate change strategy and set out proposals to improve delivery. The officer outlined the content of the report and then responded to a series of questions and comments as follows:-

- It appeared that there had been a reduction in the Affordable Homes Programme. The officer confirmed that whilst the programme had overrun he expected it to be completed by the end of April.
- A Member questioned how many properties would be affected by the changes in the ECO (Energy Company Obligation) scheme. The officer advised that under the previous ECO arrangements, the support of the energy companies was £120 per tonne and this had now reduced to £40 per tonne which meant that support to residents would be substantially less. In addition, the officer advised that the Council had submitted a bid to Department for Energy and Climate Change (DECC) under Green Deal Communities Fund which (if granted) would mean that the subsidy previously supplied by the energy companies would be provided directly by the government. The Council was awaiting a decision.
- Clarification was sought on the number of houses in Harrow that had solid walls, when the last survey had been done and how the Council could tackle this issue. The officer advised that a survey had not been carried out recently and the data had been taken from the Energy Saving Trust. They estimated that 58% of homes in the borough (approximately 49,000 properties) had solid walls. The vast majority of these had not been insulated. If the bid for funding to the Department for Energy and Climate Change (DECC) was successful he estimated that approximately 300 homes would be completed by April 2015 on a street by street basis
- In response to a question about the amount of energy used by academies, the officer advised that the figure was distorted because of the ongoing transfer of schools to academy status. However, it was clear that the combined increase of emissions from schools and academies was significant. One of the reasons for this may be due to the increase in the number of pupils.
- The officer confirmed that the use of LEDs for street- lighting would reduce the carbon footprint as well as energy bills, as long as the unit price of energy did not increase.

- A Member questioned whether residents were required to ensure that any replacement driveway that was installed was third water porous in order to aid the prevention of flooding. The officer undertook to look into this.
- In terms of the capital programme, a Member questioned the extent to which the effects of carbon emissions had been embedded and was advised that there was still work to be done. The officer cited the example of the school expansion and carbon reduction programmes working together. A suggestion was that Cabinet/ Committee reports should state what the carbon impact of proposals were.
- The officer confirmed that the individual projects that were funded under the carbon reduction programme were determined on the basis of a business case with a maximum pay-back period of eight to ten years.
- In terms of communication, a Member asked how residents would know that they may be entitled to support from the carbon reduction budget. The officer advised that if the Council received DECC funding, a number of areas would be targeted and, in particular, those areas with levels of fuel poverty.
- A Member commented that from the report it appeared that the number of schools with travel plans had halved and he questioned whether schools had provided reasons for this. The officer stated that he understood that the criteria for accreditation were now more strict so this reduction might be due to a technical change. He would seek clarification
- In response to a Member's question as to the purpose of the essential car users' allowance and the number of officers in receipt, the officer advised that those officers that were required to use their personal vehicle in order to perform their duties received an allowance. In terms of the current position in relation to the green travel plan, he would seek clarification.
- A Member raised the issue of flooding and noted that there had been some good work in the past which had alleviated some of the boroughs worst flooding areas. The officer agreed and pointed out that this work continued with more schemes coming forward in the capital programme.
- A Member suggested that it may be possible, as a Council, to reduce fuel costs by using wood waste from the tree maintenance service as a biomass fuel. The officer advised that he had spoken to the Leisure Centre contractor about the installation of biomass boilers and there were also opportunities at Harrow Museum. He thought it more likely that wood pellets would be used as these had a lower moisture content than wood chip from the Council's tree maintenance service.
- The officer's view was sought on the use of more gas efficient boilers by the Council. The officer advised that there had been discussions with Harrow Museum on the use of biomass waste and he suggested that, going forward, the carbon reduction programme would wish to consider the installation of biomass boilers wherever possible to ensure that the large reductions in carbon emissions were achieved.

- A Member suggested that the water usage at the depot could be reduced through the use of water meters. The officer confirmed that the water was metered. The high demand may be due to the vehicle washing facility and dust suppression at the civic amenity site. All the water currently used at the depot was drinking water quality and therefore had a high carbon footprint. It may be possible to use rainwater for washing vehicles – thereby reducing use of high quality water.
- A Member expressed concern that the 2 electric charging points outside the Civic Centre were no longer publicly accessible due to the change in car park layout. The officer undertook to seek clarification.
- A Member expressed concern in relation to the implementation of a Local Freight Operational Strategy and was advised that a response would be circulated to Members of the Committee.
- The lack of an Affordable Warmth Budget needed to be addressed as approximately 100 residents were affected by this annually.
- A Member suggested that an annual walk to school and work day would be an effective way of publicising the issues of climate change and travel impacts.

Members thanked the officer for his work, noting that he was due to retire shortly. The general view was that there should be a corporate ownership of the carbon reduction scheme and a concern about the number of school travel plans. It was felt that there should be further education in terms of saving energy, for example, switching off lights when a room was vacated. Members expressed support for an annual walk to school and work day, a green travel plan and Cabinet/ Committee reports including the carbon impact of proposals. It was also suggested that the Council actively participate in the European Mobility week in September.

In response to a Member's suggestion that there be a scrutiny review of school travel plans, the officer suggested that this be referenced in the work programme report due for submission to the April meeting.

Having reviewed the proposals for the Delivering Warmer Homes strategy, future consideration of an Affordable Warmth budget, and proposals to reduce carbon emissions it was

RESOLVED: That

- (1) the current performance on delivering the current Climate Change Action Plan be noted;
- (2) the potential projects to reduce emissions set out in Paragraph 2.3.4. of the Corporate Director's report be noted.
- (3) the change to reporting arrangements set out in Paragraph 2.3.5. of the Corporate Director's report be noted;

- (4) **the Committee's comments and suggestions be forwarded to Cabinet for consideration.**

FOR CONSIDERATION

Background Documents:

Draft minutes of the Overview and Scrutiny Committee – 18 March 2014

Contact Officer:

Alison Atherton, Senior Professional Democratic Services

Tel: 020 8424 1266

Email: alison.atherton@harrow.gov.uk

REPORT FOR: **OVERVIEW AND SCRUTINY COMMITTEE**

Date of Meeting:	18 March 2014
Subject:	Review of Climate Change and Delivering Warmer Homes strategies
Responsible Officer:	Caroline Bruce – Corporate Director, Environment and Enterprise
Scrutiny Lead Member area:	Cllr Yogesh Teli, Policy Lead Member Environment and Enterprise Cllr Philip O'Dell, Performance Lead Member Environment and Enterprise
Exempt:	No
Enclosures:	Appendix A – KPIs

Section 1 – Summary and Recommendations

This report reviews the progress of the existing climate change strategy and sets out proposals to improve delivery.

Recommendations:

1. Note the current performance on delivering the current Climate Change Action Plan;
2. Review the proposals for the Delivering Warmer Homes strategy set out in Option c) in Para 2.3.1
3. Review the proposal for future consideration of an Affordable Warmth budget set out in option b) in Para 2.3.2
4. Review the proposals to reduce carbon emissions set out in Option c in Para 2.3.3.
5. Note the potential projects to reduce emissions set out in Para 2.3.4.
6. Consider the above recommendations and comments for submission to Cabinet.
7. Note the change to reporting arrangements set out in Para 2.3.5.

Reason: (For recommendation)

To ensure continued progress in delivery of the council's climate change strategy and the target to reduce carbon emissions.

Section 2 – Report

2.1 Introductory paragraph

The revised climate change strategy Action Plan was adopted in March 2013. This report looks at the progress that has been made in the seven key policy areas and identifies the issues that still remain.

Addressing Climate Change issues is a long term policy issue. To a large extent economic issues and the austerity agenda have dominated national and local politics during this period but the underlying issues have not gone away. The recent report by the IPCC to the UN is clear that this issue remains and, if not addressed, represents a major threat to humankind.

2.2 Review of the existing Strategy and Action Plan

The climate change strategy addresses seven policy areas. In each area the headline position is set out below.

Appendix A sets out progress made on the Action Plan since April 2013 in greater detail.

2.2.1 Delivering Warmer Homes

The council submitted its Delivering Warmer Homes (HECA) report to the Secretary of State for Energy and Climate Change in March 2013. A progress report will be submitted in March 2015.

The HECA report sets out the council's ambitions and targets for reducing energy consumption in homes across all tenures. The following schemes are being/have been installed during 2013/14

Name	Description	Tenure	No of homes
Stiven Crescent	External wall insulation Loft insulation	3 council 2 RSL 1 private	6
Francis Road	External wall insulation Loft insulation	64 council 14 leaseholder	78

The Affordable Warmth programme, which will provide insulation and replacement boilers etc to vulnerable households in the borough, has moved a step nearer. Willmott Dixon Energy Services estimate that they will bring £130k of ECO funding to the scheme which will bolster the original £90k budget. Work has now started and should be completed by the end of March 2014.. Approx. 100 homes will benefit

We have also reached agreement with Warm Zones CIC to provide approx. 80 homes with boilers and insulation. This work is being fully funded by HHCRO (Household Heating Cost Reduction Obligation – part of ECO) and Warm Zones. Total investment will be in the region of £240k. Residents also receive a benefits check as part of this process

We are also working with Public Health on the delivering of this year's Harrow Housewarmers project. Total funding is £80k. In 2013/14 we will be able to use some of the

affordable warmth capital programme (from 2012/13) to support energy efficiency schemes. For 2014/15 there is currently no council budget to provide targeted help to people who live in cold homes who will be identified by this project.

2.2.2 The Council's Footprint

a) Carbon Reduction Commitment – Energy Efficiency Scheme (CRC) and Greenhouse Gas (GHG)

The CRC scheme is a statutory carbon trading scheme designed to reduce carbon emissions from organisations that emit significant amounts of carbon as part of their operations. The council's energy use means that the scheme has applied to the council since April 2011. Participating organisations have to purchase allowances for the amount of carbon they emit.

In 2012/13 our carbon footprint increased by 13% compared to 2011/12. This compares to a reduction of 12.5% in 2011/12 compared to 2010/11. The winter of 2012/13 was particularly cold which probably accounts for much of the increase. Performance varied across the estate as shown in Table 1 below:

Table 1 – CRC carbon footprint by estate 2012/13 compared to 2011/12

	2011/12 Tonnes of carbon	2012/13 Tonnes of carbon	% Change
Corporate buildings	5956	5981	+0.4%
Schools	7289	8465	+16.1%
Academies	4267	5338	+25.1%
Total	17512	19784	+13%

The above figures have not been corrected to take into account increases/decreases in gas consumption which are very sensitive to variations in the weather. The cold winter in 2012/13 effectively cancelled out the reduced emissions reported in 2011/12 (a relatively mild winter). The important trend to note is that schools' and academies' emissions have grown significantly compared to the corporate estate.

The council also has to report its GHG emissions to DEFRA. This is a wider measure of carbon emissions than CRC and includes emissions from transport operation and other third party emissions such as those from council leisure centres, which do not count towards CRC (as they are operated by contractors who report the emissions directly).

Table 2 : GHG changes per the different sources measured.

Type of emission	Base year			Percent change over 3 years	Percent change over the last year
	2009/10	2011/12	2012/13	2012/13 cf 2009/10	2012/13 Cf 2011/12
GAS	10717	10066	12930	20.6	28.5
GAS weather corrected	9724	9134	9597	-1.3	5.1
TRANSPORT	2065	1899	1860	-9.9	-2.1
ELECTRICITY	14108	15032	15297	8.4	1.8
ALL EMISSIONS Weather corrected	25897	26065	26754	3.3	2.6

Correcting for weather variation and looking over a three year period we see a small reduction in gas emissions, a large reduction in transport emissions. However, of particular concern is the upward trend in electricity consumption which has increased by 8.4% since 2009/10 (the base year).

Over the three year period the target reduction should have been 12% - so a 3.3% increase (after correcting for weather) is very disappointing.

Further details of our performance for CRC and GHG are shown in **Appendix A**

b) RE:FIT

The council has a contract with MITIE plc under the RE:FIT programme to retrofit energy efficiency measures in the council's corporate and school building stock. The programme is partially financed by the Carbon Reduction budget, the Capital Maintenance budget and additional borrowing from schools.

The programme to refurbish the Civic Centre has provided the opportunity to install improved lighting and better lighting controls. Where possible this work has been coordinated with the RE:FIT programme.

c) Street lighting

A review of the council's street lighting policy was carried out during 2011/12 and a revised policy adopted in April 2012. All new street lighting schemes use LED technology and lighting is dimmed during the early hours of the morning to reduce energy use. In addition, illuminated street furniture is being replaced with non-illuminated furniture where permissible.

2.2.3 Waste

a) The percentage of waste recycled and/or composted in has been reducing over the last two years. i.e: -

2010/11	50.0%
2011/12	48.2%
2012/13	44.7%
2013/14	47% (estimated)

- b) However the trend in the total amount of household waste has shown a clear downward trend over the last five years (apart from 2011/12) when the current waste management strategy was adopted.

2008/9	95,610 tonnes
2009/10	91,710
2010/11	88,326
2011/12	90,461
2012/13	87,404
2013/14	84,730 (estimated)

- c) Taken together these figures reflect the following circumstances: -
- (i) The weak state of the general economy
 - (ii) Light-weighting of packaging waste
 - (iii) Technological change. i.e. the growth of eReaders which have replaced papers and magazines

Of these two statistics, the reduction in the amount of waste is the most significant as this has been achieved during a period when the population and number of households have both increased significantly.

Early figures for 2013/14 indicate that the recycling rate is recovering and the downward trend for total household waste is continuing.

2.2.4 Transport

- a) Number of schools with an accredited travel plan 12/13 was 46 and in 13/14 is 26.

The number of schools with travel plans actively encouraging sustainable transport and working towards reducing car journeys (which has a positive impact on local air quality).

- b) We have engaged with higher education sites in 13/14 and had events promoting sustainable transport including cycling, which has been well received and started regular events at the colleges. This helps increase awareness of sustainable transport, air quality and climate change issues as well as encouraging greener modes of travel to college.
- c) We have promoted electric vehicles and charging points via social media and at events. We have also seen our own Source London charging point have increased usage. The number of charging points in the borough has also increased from 3 in 2012/13 to 38 in 13/14. Harrow's promotional effort towards charging points which educates on how to use a point rather than put them in ourselves has attracted the installation of points by outside parties and TfL.
- d) Freight – A Local Freight Movement Operational Strategy has been developed and agreed. The aim of this strategy is to successfully balance the ease and efficiency with which goods vehicles can access their destinations with the environmental and social impacts imposed on the local area. It identifies key HGV destinations and routes within the borough that are appropriate and also sets out ways of restricting the inappropriate use of local roads by freight traffic. The main objectives are to:
- 1) Minimise the environmental impact of freight movement in the borough;
 - 2) Identify an appropriate route network for freight traffic across the borough; and
 - 3) Enable regulations controlling the movement of lorries in the borough to be appropriately enforced

- e) Harrow has put in a major bid for cycling which includes cycle training and infrastructure improvements, committing to enhance the attractiveness of cycling in Harrow as well as encourage cycle commuting.
- f) We have undertaken active work with faith sites in conjunction with WestTrans to encourage the uptake and implementation of travel plans. These have helped extend our sustainable transport promotional activities as well as secure commitment from faith sites towards reducing the impact of their visitors on the environment.

2.2.5 Planning and Development

Harrow's new Development Management Policies Local Plan document was adopted in July 2013. It contains a number of policies aimed at helping improve Harrow's open spaces and reduce the impact of new buildings on the environment. Notably these include policies to:

- Require sustainable design and layout for all new buildings including measures to incorporate passive solar design, high performance energy retention materials, natural ventilation and other sustainable design solutions such as green roofs.
- Protect all open spaces and garden land, to ensure Harrow does not lose open space to development. This is important not only for recreation and enjoyment purposes, but because Harrow's open spaces also help mitigate against flooding through natural water storage, and help improve the Borough's air quality.
- The policies in the plan also support and promote developments that would include renewable energy provision as part of their design and support for decentralised energy networks. They also support the aims of Waste Management objectives by requiring space for recycling bins to be incorporated into new developments.

The London Plan (2011), which forms part of Harrow's Development Plan requires developments to meet certain sustainable design standards, known as the Code for Sustainable Homes, with the ultimate aim of all new buildings being Carbon neutral. In October 2013 this Code requirement was ramped up and is now at level 5, which is a 56% increase on level 4's energy efficiency requirements, and one step below carbon neutral.

2.2.6 Water and Flooding

Harrow's Drainage Department continue to work with Harrow Planning Services to help reduce the risk of flooding in the Borough. Much of the Borough's urban areas are now covered by Critical Drainage areas which enable conditions to be put on new development to secure design measures such as sustainable urban drainage schemes to ensure there is no additional risk of surface water flooding as a result of new development.

New adopted Planning policies further strengthen Harrow's position with regards to managing flood risk, by directing new development to areas of lower flood risk, and requiring any development in areas of flood risk to provide appropriate mitigation and protection measures. The new policies include detailed criteria for on site water management and surface water attenuation to help reduce households' and businesses' use of water, and to improve drainage.

2.2.7 Biodiversity and the Natural Environment

Harrow's planning policies support the protection and enhancement of biodiversity and the natural environment through newly adopted Local Plan documents in July 2013. These include policies which:

- Seek to prevent any net loss of open space across the Borough through robust planning policies including policies to protect and secure beneficial uses in the Green belt and Metropolitan Open Land, and qualitative improvements to other open space.
- Require new developments to have regard to biodiversity and resist the loss of any important nature sites, whilst encouraging the provision of biodiversity habitats in new developments such as providing bat boxes or other measures in line with Harrow's Biodiversity Action Plan
- Require the provision of new open spaces to support new development and the planting of new trees alongside the protection of existing trees of value.

In addition Harrow's Green Grid projects aim to link up existing open spaces and improve biodiversity and the value of Harrow's Open Spaces Borough wide.

A large extension to Stanmore Country Park has just opened at Wood Farm, enabling through walks across much of the north western Green Belt in Harrow, as a result of planning obligations relating to a new development site on the existing Wood Farm site.

2.2.8 Reorganisation

The Climate Change functions are now managed within the Commissioning Services Division in Environment and Enterprise . Delivering Warmer Homes (HECA) programme has been transferred to Aids and Adaptations section which has now been transferred to CH&W. The responsibility for the Delivering Warmer Homes programme was previously split between CH&W and E&E. As the major benefits of the programme are social (i.e. improved warmth, reduced negative health impacts, local employment and training opportunities) with carbon reduction being a welcome environmental benefit, it therefore seems sensible to establish the workload within CH&W which would be responsible for the DWH programme and for submission of HECA reports to DECC.

These changes will be closely managed and monitored to prevent any adverse impact on the delivery of the strategy.

2.3 Options for the Future

Note: This section deals mainly with the reduction of emissions from homes and the council's own buildings as these are the two major strands of the climate change strategy in terms of reducing carbon emissions.

2.3.1 Delivering Warmer Homes strategy

Until April 2013, energy efficiency in housing has been largely delivered by schemes which provided free or subsidised loft and cavity wall insulation. These schemes have now been replaced by the Green Deal, which involves the repayment of up-front costs via energy bills, and the Energy Company Obligation (ECO), which provides subsidies to the fuel poor and for high cost measures. We are at an early stage in the development/implementation of these programmes. The market in solid wall insulation is relatively immature in London.

Local authorities and industry are urgently trying to develop energy saving programmes based on ECO and the Green Deal.

In December the government changed the rules for ECO scheme – increasing the target by one third but extending the completion deadline to March 2017. Other changes have also meant that cavity wall insulation and loft insulation are also eligible for the scheme. This change has introduced a major uncertainty into the scheme- with energy companies being reluctant to commit to new schemes until they fully understand the new scheme. The government consultation will be published early in the new year - with the changes confirmed in October but backdated to April 2013.

DECC have also recently published new data on fuel poverty in England, using a new Low Income, High Cost metric (LIHC). In London, Harrow has the highest percentage of homes which suffer from fuel poverty (12.7%) - closely followed by Barnet and Brent.

Rising fuel prices will mean that more families fall into fuel poverty and the health impacts of living in cold homes will also increase

Options: -

- a) Do nothing. This is not recommended as it does not address the problem.
- b) React to/support individual offers from energy saving companies. This is the minimum option but is likely to be insufficient to prevent the current position from becoming worse. Programmes are likely to be limited to replacement boilers and loft and cavity wall insulation only.
- c) Partner with a major company to deliver a targeted programme. This would bring in major investment that will deal with the measures identified in b), but will also install solid wall insulation. 58% of homes in Harrow are of solid wall construction and need insulation if their thermal efficiency is to be improved.

Over the summer/autumn of 2013 we negotiated with British Gas to deliver an ECO-funded project for council homes in the borough. It did not prove possible to reach a satisfactory conclusion. Following the changes to ECO, it is proposed to procure a partner for the period June 2014 to March 2017. Final details on the number of homes to be helped and the amount of funding required will be reported to Cabinet once this process has been completed. The proposed project is expected to deliver energy efficiency improvements to council and non-council homes on a block by block, street by street basis. Where available ECO funding, for the private sector, is less than the cost of the works, residents will be encouraged to fund the improvements through savings, borrowing or the Green Deal.

- d) In November 2013 we submitted a bid to DECC for funding under the Green Deal Communities fund scheme, which would complement the above, proposed, project. Following the revisions to ECO we have submitted a revised bid in December 2013. Feedback is awaited from DECC. The revised bid to DECC is for £1,025k. It is anticipated that the scheme would attract ECO funding of £1,207k, Green Deal cash-back payments of £416k, and resident contributions of £683k (which could also be funded by the Green Deal). The total investment would be £3,331k. If successful the bid aims to help approx. 800 homes. A final decision, by DECC, is expected in late February/early March.

The Green Deal Communities project would be delivered during 2014/15.

Options c) and d) are recommended as they would deliver significant progress in delivering/exceeding the targets set out in our HECA report to DECC, and enable the report of progress (due in March 2015) to be positive.

2.3.2 Affordable Warmth budget.

For many years the council has provided a £150k capital budget to support vulnerable people who have no heating, are not eligible for government schemes and who cannot pay for repairs or replacements. It was recognised that a capital programme was not appropriate as it does not meet government rules for capital and the programme was discontinued from April 2013. A growth bid for a revenue based programme was unsuccessful. There is therefore a gap in council provision. We are contacted by an average of 2 households per week who have no heating and/or hot water and who cannot afford to repair/replace their boilers / heating system. Some of the people are highly vulnerable but not eligible for government funded or ECO funded help as they are not on income related benefits. Options: -

a) Do nothing. Not recommended as this would not address the problem. Vulnerable people would be exposed to the health impacts of living in cold homes. This would generate additional costs for the NHS and CH&W

b) Provide an affordable warmth budget. It is recommended that a minimum growth bid of £75k is supported. (With match funding from ECO this would be equivalent to £150k). Note: this funding could be sourced from the Public Health budget and the decision sits within the remit of CH&W

Option b) is recommended for future consideration as it will enable the council to provide assistance to vulnerable people who live in cold homes.

2.3.3 Carbon Reduction programme

With the demise of the CRC scheme the council's performance will continue to be measured by the GHG scheme. This is a wider measure of the council's footprint, which includes emissions from outsourced services.

To date, the investment in carbon reduction has had a minimal impact on our carbon footprint because it has not been of sufficient scale to affect the overall picture. The options going forward are:

a) Do nothing. Not recommended as we would not deliver our targets. This would leave the council exposed to energy price rises and risk damaging the council's reputation (because of non-delivery of the climate change strategy)

b) Continue the current programme. Not recommended as the scale of investment is not sufficient to enable us to meet our targets

c) Increase the level of investment and visibility of carbon in decision making.

Bids have been submitted and approved for the Capital programme 2014/15 to 2017/18 to continue the Carbon Reduction programme which provides opportunities for spend-to-save works to reduce energy consumption: -

c1 Corporate buildings - £300k per annum (£1.2m over the 4 years capital programme)

The carbon reduction budget provides opportunities for spend to save works to reduce energy consumption in corporate buildings. Most of this money will be invested via the GLA's RE:FIT programme. From April 2014, we will be part of the WLA joint RE:FIT procurement which will appoint a single provider across six WLA authorities. It is anticipated that this will bring reduced costs by increasing the value of the joint contract.

With the outsourcing of the leisure services contract and the library service, we will seek to provide capital support to reduce energy use and carbon footprints, using the carbon reduction budget. This will be dependent on arrangements within the contracts to reduce the contract costs in line with the reduced energy costs.

Similarly, the development of Headstone Manor offers opportunities to contribute to the carbon reduction target and where possible this will be supported by the carbon reduction budget.

c2 Schools - £1m per annum (£4m over the 4 years capital programme)

In schools, the carbon reduction programme will be delivered by the RE:FIT programme. This will either be via RE:FIT Schools (which has been procured by the GLA and is available for any school in London) or via the RE:FIT WLA programme. In schools the scheme is financed by interest free loans from SALIX (an arms-length government company) with loans being paid over an (up to) eight year period from the resultant savings by the schools. The programme is available to any school which is signed up to the energy SLA. This includes local authority schools and academies.

c3 Street-lighting programme - £1.5m per annum (£6m over the 4 years capital programme)

In street-lighting we will continue to replace the concrete columns and the older steel columns with the new 6m columns and LED lanterns (as part of the street-lighting policy). Over the past few years Capital funding has increased in this area and the new Capital programme will enable the council to continue to make progress in this area. De-illuminated road traffic signs will be installed wherever possible as part of the energy saving programme.

c4 The overall capital programme is significantly larger than the carbon reduction programme. The E&E Contracts Board will be leading discussions going forward to ensure that the carbon impact of a project is given adequate consideration so that there is a clear understanding of whether a decision has a negative/positive impact. . The E& E Contracts Board includes representatives from procurement who will assist in ensuring that Carbon Reduction is embedded in not just capital but also transformation programmes including procurement . Ideally, where the impact is negative the council should identify mitigation to reduce the impact

c5. Simply installing more efficient gas-boilers and controls and new, more efficient, lighting will not be sufficient to deliver our long term carbon emission reduction targets.

Wherever possible we need to investigate low-carbon alternatives such as bio-mass boilers, ground/air source heat-pumps and solar PV. Biomass boilers are a particularly interesting technology which attracts significant financial support. Where there is sufficient space for fuel storage we need to ensure that we explore these options fully before a decision is made to retain gas boilers.

c6 Technical fixes offer a proven way forward in reducing our carbon footprint/energy use. However we need to make sure that simple housekeeping and behavioural changes are not overlooked. Under RE:FIT we are commissioning a survey of all boiler rooms to identify the types of controls and boilers that exist, the operation settings and the efficiency. From this we will draw up a programme of simple works that should have a relatively quick pay-back period.

Similarly, we need to draw up a specification for the design temperatures that should be applied to different areas (offices, classrooms, etc). There are many examples of buildings being heated to excess with consequent excessive energy consumption. Where thermostats are provided, controlling and reducing room temperatures would result in significant savings. In some cases, these reductions would require investment, in control systems, to achieve and this would be funded by the carbon reduction budget.

Option c) is recommended as the sum of the different actions will enable the council to deliver our reduction targets and help to reduce exposure to future cost increases.

2.3.4 Other potential projects

Leisure Centre. The Leisure Centre contract is outsourced to SLM and runs for 10 years. The contract includes the Leisure Centre, Hatch End pool and Bannister playing fields. Emissions from these facilities count towards the council's GHG report. The Leisure Centre is one of the council's largest energy users. It therefore is important to reduce emissions from this contract. SLM have indicated that they want to reduce emissions and where the capital investment is made by the council they are happy to agree a reduction in the contract payment that is equivalent to the reduction in energy costs. This arrangement would allow the council to invest, using the carbon reduction budget.

The existing boilers/CHP units at the Leisure Centre need to be replaced. We have asked SLM to investigate the installation of biomass CHP units at the Leisure Centre, which would have significant potential to reduce carbon emissions. Biomass boilers attract government support via the Renewable Heat Incentive (RHI) for a period of twenty years. As part of the investigation into the replacement of the boilers/CHP, SLM will investigate entering an agreement with an ESCO (Energy Service company) to install and operate the boilers in return for an annual fee. This avoids a significant upfront capital investment. If this approach is followed it would be necessary to agree to transfer any agreement at the end of the current contract.

Libraries. The new contract with Laing O'Rourke (now Carillion) includes a requirement to reduce energy consumption. As above these emissions will be reported under GHG. The carbon reduction budget can be used to invest in carbon reduction projects provided there is a contractual mechanism to reduce the contractual payment in line with the saving in energy costs.

Harrow Museum. Work has continued on the redevelopment of Harrow Museum with the view of improving the heating of the building and increasing its use. As part of this work, consultants have looked at the energy efficiency of the building and the replacement of the current expensive and inefficient, electric heating system. An under-floor heating system is proposed with options for a new gas-fired boiler or biomass boiler being considered. A biomass boiler would have the advantages outlined above. Importantly it would reduce the current carbon footprint. The proposed increase in the use of the current building means that there is a significant risk that the use of a fossil fuel based heating system would lead to an overall increase in the building's current footprint. Some additional work needs to be done, but it may be sensible to fund some of the additional costs of installing a biomass heating system in return for a lower carbon footprint. As with the Leisure Centre, there is an option to use an ESCO to avoid the upfront capital costs of installing the new heating system.

2.3.5 Reporting progress

A) With the transfer of responsibility for the Delivering Warmer Homes (HECA) to CH&W the responsibility for reporting progress in this area and all future reports will therefore be made by CH&W.

Responsibility for the Climate Change strategy remains within E&E who will continue to report progress on the six remaining topic areas: -

- The Council's Footprint
- Waste
- Transport
- Planning and Development
- Water and Flooding
- Biodiversity and the Natural Environment

B) Transport Indicators

It is proposed to change the indicators to ensure that they are clearer and more relevant:

- The CO₂ emissions from ground based transport (published by DECC) will continue to be monitored
- The remaining indicators will be discontinued as they are not clearly linked to climate change.
- **New Indicator.** The number of active school travel plans.
- **New Indicator.** The number of electric vehicle charging points.

C) Planning and Development Indicators

It is proposed to delete all the existing indicators because of the difficulty of measuring them.

- **New Indicator.** The number of homes/businesses which are (or have the potential to be) supplied by a decentralised district heating scheme. By its nature this indicator will increase, initially at a relatively slow rate. It is probable that this type of scheme

will be located in the Heart of Harrow with possible links to the Northwick Park Hospital and Westminster University campuses.

D) Water and Flooding Indicators

It is proposed to delete these indicators because of the difficulty of measuring them. Planners will continue to encourage developers to meet the 105 litre/person/day water use target and the implementation of SUDS but progress will not be reported.

- **New Indicator.** Annual consumption of water at the Civic Centre and Central Depot

3.0 Implications of the Recommendation

3.1 Financial Implications

3.1.1 The delivery of Affordable Warmth programme continues to be funded from external funding where available, whilst internal funding opportunities via Public Health budgets will be explored and any provision will be decided by CH&W directorate.

3.1.2 As set out in paragraph 2.3.3, a range of energy efficiency projects have been included in the capital programme as part of the 2014/15 Budget Report. The approval of these capital budgets will enable the Council to invest in its buildings and infrastructure to reduce future energy consumptions and to mitigate the effect of rising energy prices.

3.1.3 2013/14 is the final year of Phase 1 of the mandatory CRC scheme. The estimated CRC payments for corporate buildings and schools are £72K and £166K respectively. Budgets have been set aside for this purpose and the payments will be made in early 2014/15 once the actual consumptions have been confirmed.

Phase 2 of the CRC scheme starts in April 2014. Following a government review of the scheme, the criteria for Phase 2 have been revised. As a result the council will no longer qualify for the CRC scheme from that date.

3.2 Legal Implications

The Council has a range of legal obligations aimed at mitigating the impacts of climate change, including participation in the Carbon Reduction Commitment, introduced pursuant to the Climate Change Act 2008, and through its role as the lead local flood authority co-ordinating flood risk management for the area, in accordance with the Flood and Water Management Act 2010.

3.3 Performance Issues

The council's target to reduce its carbon footprint by 4% a year is not being delivered even after making allowance for the impact of weather on gas consumption. Delivery of the RE:FIT programme particularly in schools is an essential part in the delivery of the council's target.

The delivery of the council's Delivering Warmer Homes (HECA) strategy has been delayed due to uncertainty over the future of ECO and the procurement of a major ECO partner.

The DECC bid, if successful and the intended procurement of a partner should allow this delay to be recovered in time for the next HECA report to DECC, which is due in March 2015.

3.4 Environmental Impact

The Climate Change strategy addresses the following policy areas

- Planning and Development
- Transport
- Water and Flooding
- Waste
- Biodiversity and the Natural Environment
- The Council's Footprint
and
- Delivering Warmer Homes (HECA)

The strategy aims to protect and enhance the environmental impact of each of these areas.

3.5 Risk Management Implications

There are two corporate risks that have been identified:

Risk 14. Lack of commitment to climate change and reducing carbon emissions (Owner: Caroline Bruce)

Risk 18. Delivering Warmer Homes. (Owners: Caroline Bruce and Paul Nasjarek)

These will be updated following Cabinet to reflect the decisions that are made.

3.6 Equalities implications

The Climate Change strategy and Delivering Warmer Homes strategy include a wide ranging set of activities and specific Equality Impact Assessments will need to be carried out in relation to items identified in the Action Plans prior to implementation.

3.7 Priorities

The report incorporates the administration's priority to deliver a cleaner, safer and fairer Harrow as follows:

- Climate change is the world's number 1 environmental issue. Failure to act and reduce our dependence on fossil fuels will lead to increasingly severe impacts on our lives and those of our children.
- Rising fuel costs mean that our residents face increasingly difficult choices about heating their homes, and more people's lives are affected by fuel poverty. Living in cold homes affects the health and well-being of people and adversely affects educational attainment of children. We aim to help all residents to reduce their energy use and will particularly target help to vulnerable people.

- We aim to lead by example in reducing our carbon emissions – with the main focus of our climate change strategy being to reduce the carbon emissions from our own estate by 4% a year.

Section 4 - Statutory Officer Clearance

Name: Jessie Man	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 24 Feb 2014		
Name: Caroline Eccles	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 21 Feb 2014		

Section 5 - Contact Details and Background Papers

Contact: Andrew Baker, Head of Climate Change
020 8424 1779
andrew.baker@harrow.gov.uk

Background Papers:

Delivering Warmer Homes HECA report

and

Climate Change Strategy Action Plan

http://www.harrow.gov.uk/info/100006/environment/1035/climate_change-policies_strategies_and_commitments

Glossary of Terms

Biomass	Renewable wood-based fuel for boilers	A low carbon technology to replace gas boilers
CIC	Community Interest Company	A not-for-profit company
CHP	Combined Heat and Power	An engine that produces heat and electricity
CH&W	Community Health and Well-being	Directorate
CRC	Carbon Reduction Commitment – Energy Efficiency Scheme	A statutory scheme to measure and buy carbon allowances
DECC	Department for Energy and Climate Change	
DEFRA	Department of the Environment, Farming and Rural Affairs	
DWH	Delivering Warmer Homes strategy	The council's strategy to improve the energy efficiency of homes in the borough. Also see HECA
ECO	Energy Company Obligation	Carbon reduction obligation on major energy suppliers. Supports home insulations installations.
ESCO	Energy Services Company	Company that provides up-front investment in energy efficiency projects. Repaid by savings in energy bills.
E&E	Environment and Enterprise	Directorate
FM	Facilities Management	
GHG	Green-House Gas	Government scheme to report carbon emissions
GLA	Greater London Authority	
HECA	Home Energy Conservation Act	Requires statutory report from council every two years on proposals and progress in improving energy efficiency of homes in the borough.
HGV	Heavy Goods Vehicle	
HHCRO	Household Heating Cost Reduction Obligation	Part of ECO aimed specifically at people on income related benefits.
IPCC	Intergovernmental Panel on Climate Change	United Nations advisory body
LED	Light Emitting Diode	New electronic lighting technology. Very efficient and long-lasting
LIHC	Low Income: High Cost	New government measure of fuel poverty
PV	Photo-Voltaic	Produces electrical energy from light
RE:FIT	GLA retrofit scheme for public buildings	Capital investment repaid from energy savings
SLA	Service Level Agreement (LA schools and Academies)	Contract between the council and schools to procure energy centrally and provide advice on energy efficiency.
SUDS	Sustainable Urban Drainage Systems	Methods for ensuring that water is held on site to prevent downstream flooding
WLA	West London Alliance	

Delivering Warmer Homes

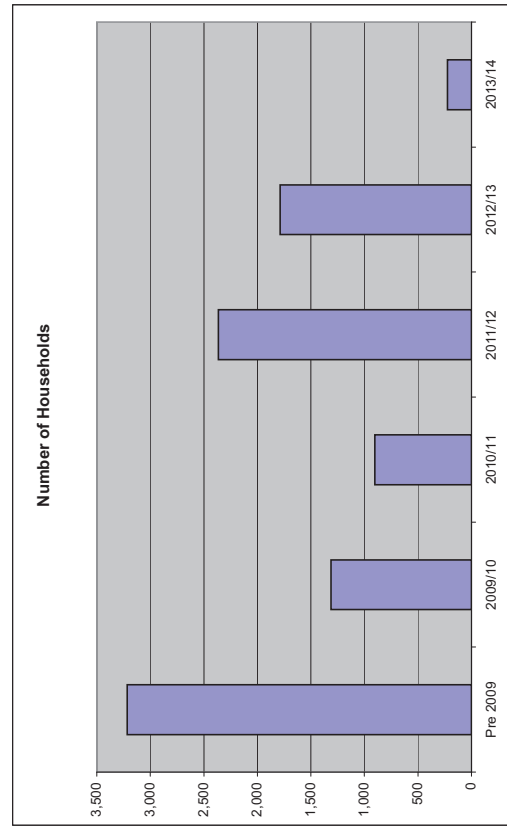
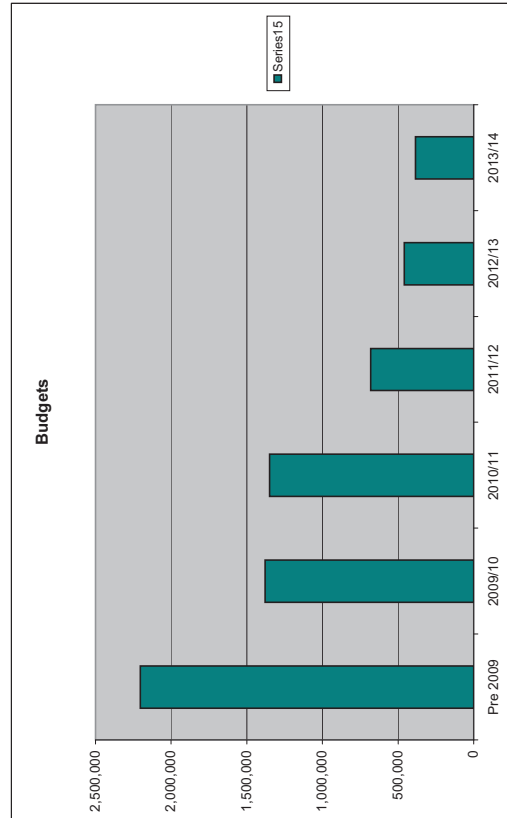
(To be reported separately by CH&W from April 2014.)

Budgets

	LB Harrow		LDA HEEP	RE:NEW	Warm Zones	Resident contribution	TSB Retrofit for the future	Main Scheme		Warm Front WLHP top-up scheme		DoH / Harrow Housewarmer s	DECC		TOTALS	
	ECO	n/a						Fuel poverty	Green Deal pioneer places	60 plus scheme	Fuel poverty		Green Deal pioneer places	ECO		
Pre 2009	83,827	n/a	0	0	467,309	97,522	0	832,392	63,084	0	0	0	0	0	n/a	2,203,234
2009/10	68,662	n/a	124,500	0	290,269	7,035	0	873,793	14,471	0	0	0	0	0	n/a	1,378,730
2010/11	46,215	n/a	0	0	338,340	13,966	170,000	774,998	6,381	0	0	0	0	0	n/a	1,349,900
2011/12	7,147	n/a	0	262,504	187,136	14,422	0	138,299	4,021	0	0	66,789	0	0	n/a	680,318
2012/13	0	n/a	0	80,000	50,000	2,000	0	20,000	10,000	0	0	82,065	146,896	68,628	14,600	459,589
2013/14	90,000	130,000	0	0	85,000	0	0	0	0	0	0	80,000	0	0	0	385,000

Number of households assisted

	LB Harrow		LDA HEEP	RE:NEW	Warm Zones	Resident contribution	TSB Retrofit for the future	Main Scheme		Warm Front WLHP top-up scheme		DoH Harrow Housewarmer s	DECC		TOTALS	
	ECO	n/a						Fuel poverty	Green Deal pioneer places	60 plus scheme	Fuel poverty		Green Deal pioneer places	ECO		
Pre 2009	n/a	n/a	0	0	418	n/a	0	481	120	2,197	0	0	0	0	n/a	3,216
2009/10	n/a	n/a	674	0	159	n/a	0	445	33	0	0	0	0	0	n/a	1,311
2010/11	n/a	n/a	0	0	373	n/a	1	517	12	0	0	0	0	0	n/a	903
11/12	n/a	n/a	0	1,702	263	n/a	0	88	7	0	0	303	0	0	n/a	2,363
12/13	n/a	n/a	0	1,200	100	n/a	0	22	0	0	0	342	38	85	n/a	1,787
13/14	100	n/a	0	0	24	n/a	0	0	0	0	0	100	0	0	n/a	224



CRC Performance

Tonnes of Carbon

	CORE		RESIDUAL		TOTAL 2011/12 method (Core)	TOTAL 2012/13 method (Core+Residual)
	Gas	Electricity	Gas	Electricity		
2011/12						
Corporate	1504	3643	115	694	5147	5956
Schools	3719	3263	0	307	6982	7289
Academies	1773	2494	0	0	4267	4267
Total	6996	9400	115	1001	16396	17512
2012/13						
Corporate	1917	3276	0	788	5193	5981
Schools	4829	2901	0	735	7730	8465
Academies	2509	2829	0	0	5338	5338
Total	9255	9006	0	1523	18261	19784

% increase

Corporate	27.5%	-10.1%	-	-	0.9%	0.4%
Schools	29.8%	-11.1%	-	-	10.7%	16.1%
Academies*	41.5%	13.4%	-	-	25.1%	25.1%
Total	32.3%	-4.2%	-	-	11.4%	13.0%

Notes

- Overall gas emission increase is probably due to the prolonged cold winter in 2012/13
- Apparent significant increase in Academy emissions is due to additional transfers into the Academy sector from the LA school sector.
- Emissions from the corporate estate are rising at a lower rate than emissions from schools and academies
- The method of calculation of CRC emissions has changed significantly. In 2011/12 only core emissions were reported. In 2012/13 core + residual emissions were reported. The yellow highlighted cells show the emissions reported in 2011/12. The green highlighted cells show emissions reported in 2012/13

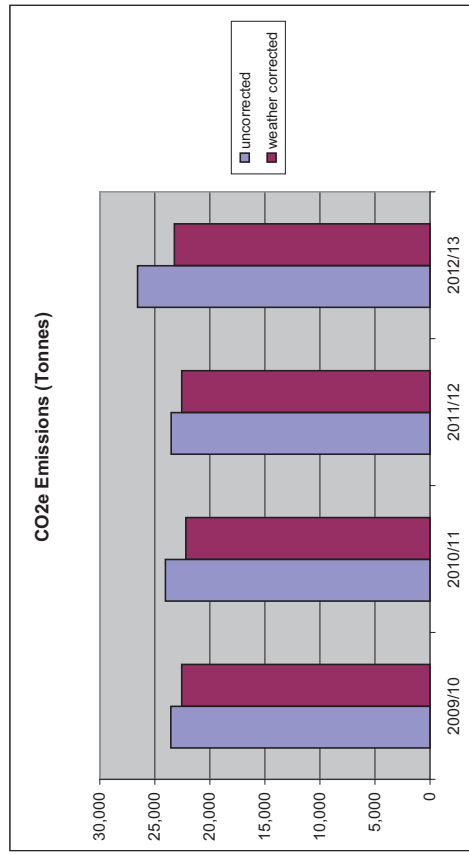
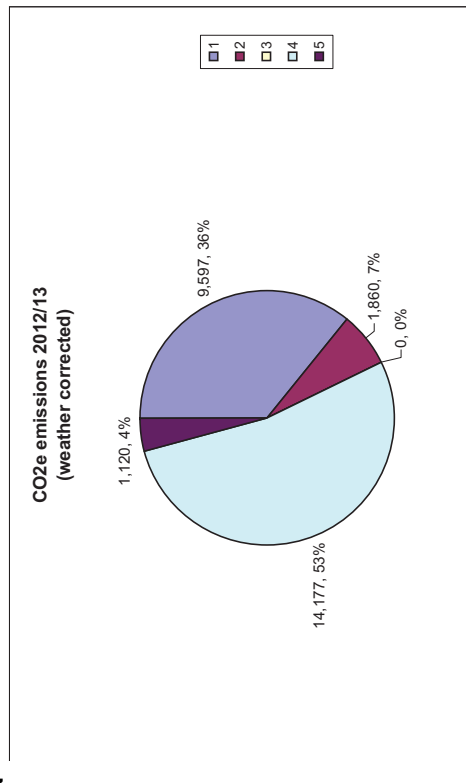
Carbon intensity

	Carbon Emissions Tonnes	Turnover £	Carbon Intensity Kg of Carbon/£ turnover
2011/12	17512	435,023,000	0.040
2012/13	19784	457,652,000	0.043
Percentage increase			7.4

Greenhouse Gas emissions (GHG)

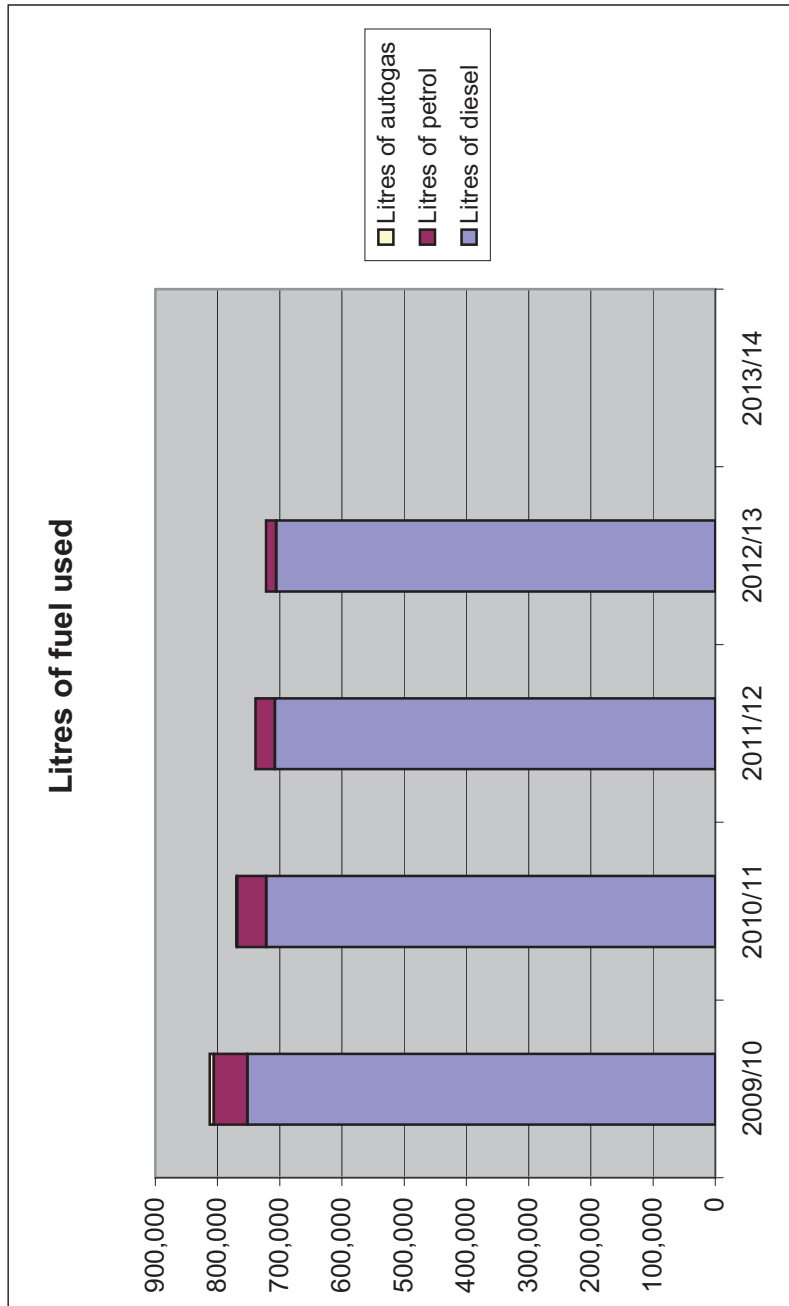
Type of emission	YEAR	Scope 1		Scope 2		Scope 2 Transport*	Scope 2 Oil	Scope 2 Electricity	Scope 3 Electricity T&D	Scope 2 LESS Green Electricity	TOTAL	weather corrected		% Increase (Target 4% decrease)	% Increase weather corrected (Target 4% decrease)
		Gas	Gas	Gas	TOTAL										
CO2	2009/10	10,695	9,704	2,049	116	12,991	1,026	3,446	23,431	22,440	n/a	n/a			
	2010/11	11,006	9,156	1,955	75	13,292	1,050	3,446	23,931	22,081	2.13	-1.60			
	2011/12	10,045	9,115	1,885	0	13,842	1,094	3,470	23,396	22,465	-2.24	1.74			
	2012/13	12,904	9,577	1,845	0	14,086	1,113	3,501	26,446	23,120	13.04	2.91			
	2013/14								0			-100.00	-100.00		
CH4	2009/10	15.6	14.2	0.9	0.1	8.0	0.6	2.1	23	22	n/a	n/a			
	2010/11	16.1	13.4	0.8	0.1	8.1	0.6	2.1	24	21	2.42	-3.24			
	2011/12	14.7	13.3	0.7	0	8.5	0.6	2.1	22	21	-5.10	0.67			
	2012/13	18.9	14.0	0.7	0	8.6	0.6	2.1	27	22	19.06	3.63			
	2013/14		#DIV/0!		0				0	#DIV/0!	-100.00	#DIV/0!			
N2O	2009/10	6.4	5.8	14.6	10.9	75.9	6.0	20.1	94	93	n/a	n/a			
	2010/11	6.6	5.4	14.0	7.0	77.6	6.1	20.1	91	90	-2.59	-3.15			
	2011/12	6.0	5.4	13.6	0	80.9	6.4	20.3	87	86	-5.03	-4.48			
	2012/13	7.7	5.7	13.5	0	82.3	6.5	20.5	89	88	3.38	1.75			
	2013/14		#DIV/0!		0				0	#DIV/0!	-100.00	#DIV/0!			

Type of emission	YEAR	Scope 1		Scope 2		Scope 2 Transport*	Scope 2 Oil	Scope 2 Electricity	Scope 3 Electricity T&D	Scope 2 LESS Green Electricity	TOTAL	weather corrected		% Increase (Target 4% decrease)	% Increase weather corrected (Target 4% decrease)
		Gas	Gas	Gas	TOTAL										
CO2e	2009/10	10,717	9,724	2,065	127	13,075	1,033	3,468	23,548	22,555	n/a	n/a			
	2010/11	11,028	9,175	1,969	82	13,378	1,057	3,468	24,046	22,192	2.11	-1.61			
	2011/12	10,066	9,134	1,899	0	13,931	1,101	3,493	23,504	22,572	-2.25	1.71			
	2012/13	12,930	9,597	1,860	0	14,177	1,120	3,524	26,563	23,230	13.01	2.91			
	2013/14		#DIV/0!		0				0	#DIV/0!	-100.00	#DIV/0!			



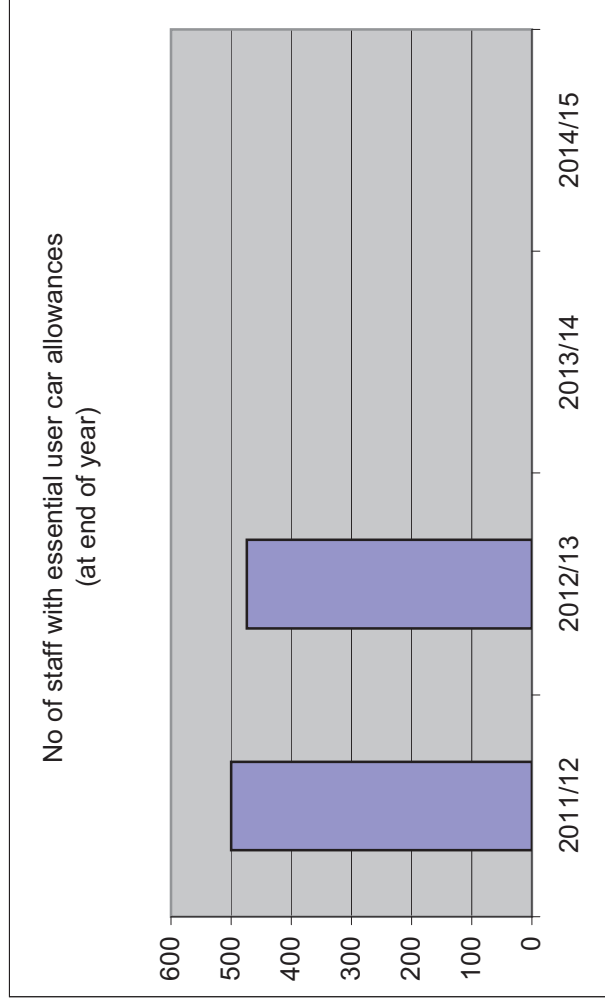
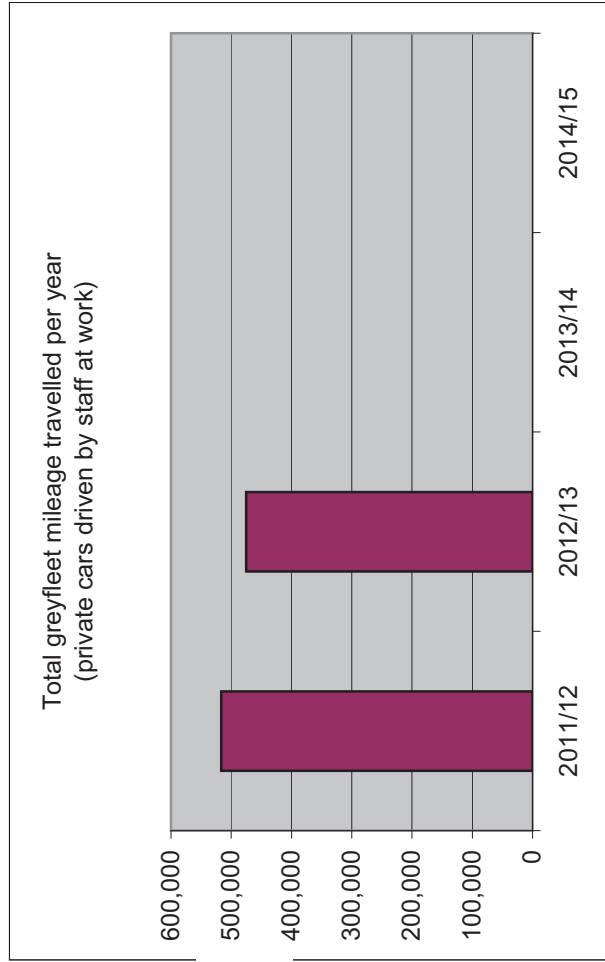
Litres of fuel consumed (from which the Transport emissions are calculated).

	2009/10	2010/11	2011/12	2012/13	2013/14
Litres of diesel	752,009	721,408	707,668	705,566	
Litres of petrol	53,750	47,102	31,591	16,401	
Litres of autogas	6,895	647	0	0	



Staff Travel

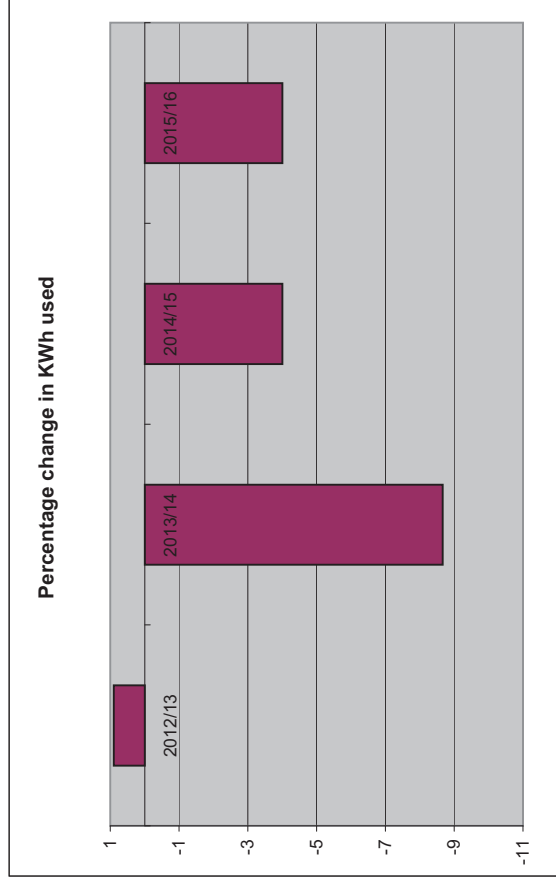
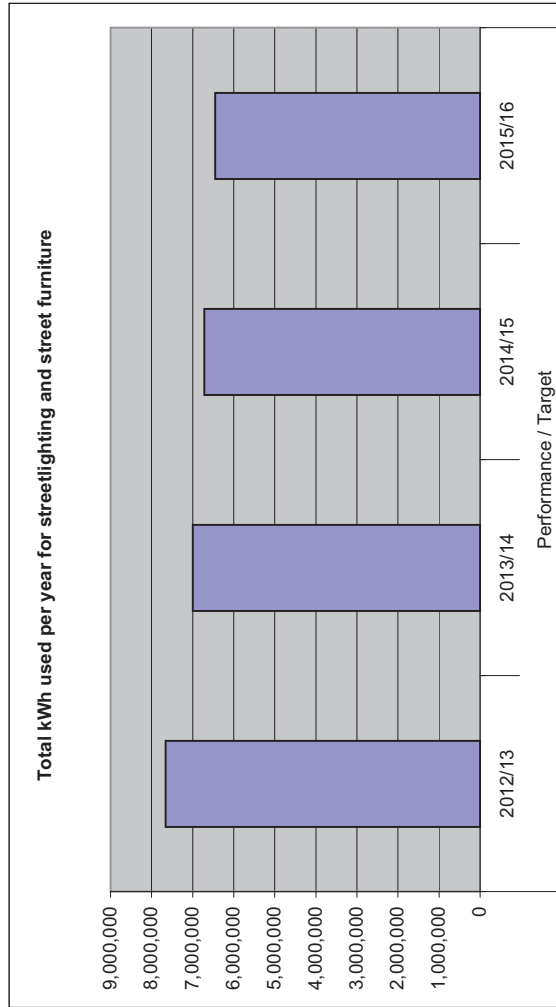
Description	Unit	2011/12	2012/13	2013/14	2014/15
No of staff with essential user car allowances (at end of year)	Number	500	474		
Total greyfleet mileage travelled per year (private cars driven by staff at work)	Miles	516,572	475,043		



Street Lighting

Description	Target	Performance / Target			
		2012/13	2013/14	2014/15	2015/16
Total kWh used per year for streetlighting and street furniture	No target	7,660,346	6,996,877	6,717,000	6,448,300
Percentage change	-4%	0.9	-8.7	-4.0	-4.0

Italic = predictions



Waste Trends

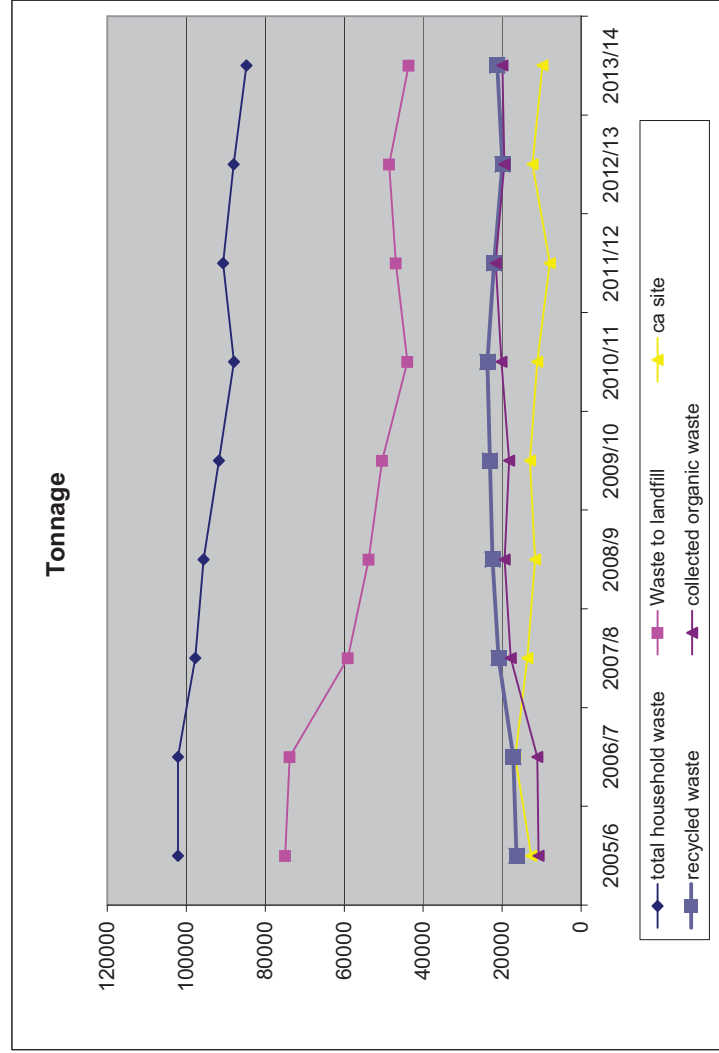
Year	total household waste	recycled waste	collected organic waste	Waste to landfill	ca site
2005/6	102082	16380	10780	74922	12623
2006/7	102078	17146	11124	73808	16712
2007/8	97747	20868	17791	59088	13576
2008/9	95610	22476	19333	53801	11650
2009/10	91710	23116	18209	50385	12978
2010/11	87939	23767	20160	44012	11085
2011/12	90646	22041	21653	46952	7904
2012/13	87976	19957	19411	48608	12343
2013/14	84750	21200	19900	43650	9821

Predicted

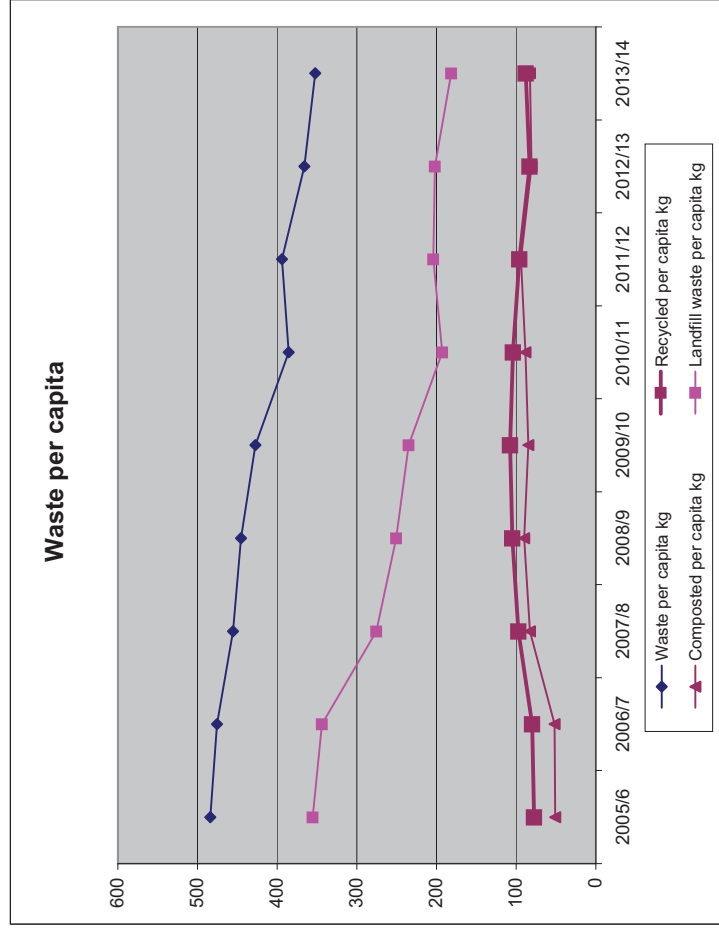
All data taken from wastedataflow annual return (Environment Agency)

Population	Year	Waste per capita kg	Recycled per capita kg	Composted per capita kg	Landfill waste per capita kg
210900	2005/6	484	78	51	355
214600	2006/7	476	80	52	344
214600	2007/8	455	97	83	275
214600	2008/9	446	105	90	251
214600	2009/10	427	108	85	235
228100	2010/11	386	104	88	193
230100	2011/12	394	96	94	204
240500	2012/13	366	83	81	202
240500	2013/14	352	88	83	181

Predicted



Carbon footprint: Data not available



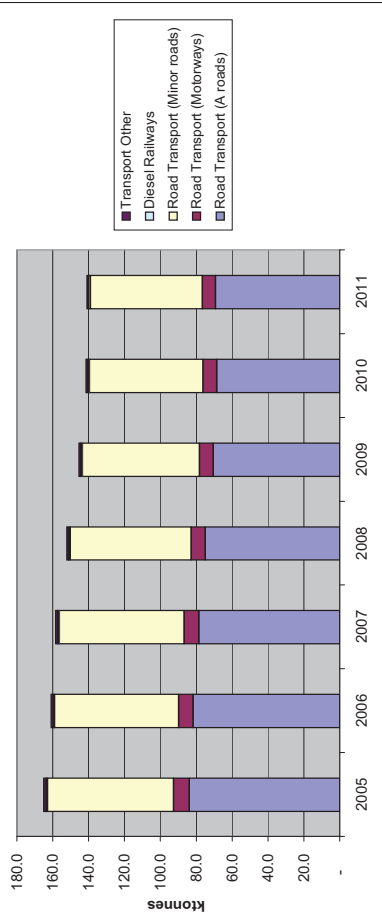
Transport

CO2 Emissions from ground based transport

	Road Transport (A roads)	Road Transport (Motorways)	Road Transport (Minor roads)	Road Transport (A roads)	Diesel Railways	Transport Other	Transport Total
2005	83.9	8.6	70.3	0.8	1.4	165.0	
2006	81.8	8.0	69.1	0.8	1.4	161.0	
2007	78.6	8.2	69.5	0.9	1.3	158.4	
2008	74.9	7.8	67.5	0.9	1.2	152.2	
2009	70.5	7.6	65.4	0.9	1.1	145.4	
2010	68.6	7.5	63.4	0.9	1.1	141.5	
2011	69.3	7.4	62.4	0.9	1.0	141.0	

Source: DECC Local Authority CO2 emissions data

Transport Emissions (Harrow)



Target
137.82 ktonnes by 2013
86.97 ktonnes by 2025

Other Indicators

Description	Target	Performance				Source
		2012/13	2013/14	2014/15	2015/16	
Discontinued Mode share of resident walking trips	30.5% by 2013/14 31.5% by 2026/27	29%				London Travel Demand Survey
Discontinued Mode share of resident cycling trips	1.5% by 2013/14 5% by 2026/27	3%				London Travel Demand Survey
Discontinued Schools within 20 mph zone	29 by 2013/14 43 by 2019/20	25				Harrow Council
Discontinued Number of free resident parking permits issued	No target	2				Harrow Council
Discontinued Percentage of borough roads included in controlled Parking Zones	No target	21.9%				Harrow Council
New Indicator The number of Active School Travel Plans	No target	26				Harrow Council
New Indicator The number of electric vehicle charging points	No target	3	38			Harrow Council

Planning and Development

Description	Target	Performance		
		2012/13	2013/14	2014/15
<p>Discontinued</p> <p>Percentage of all major development proposals granted within the Heart of Harrow area to prioritise connection to a decentralised energy network</p>	100%	<p>In 2012/13 there was one applications approved incorporating combined heat and power infrastructure, which was the Kodak site. It is anticipated this figure will increase rapidly once a Combined Heat and Power network is established in the Intensification Area.</p>		
<p>Discontinued</p> <p>Percentage of all planning applications approved, including household applications, to include energy efficiency measures and/or renewable energy generation on/within existing buildings</p>	80%	<p>In this monitoring period, as in previous years, data for renewable energy generation was not fully available. This is due to difficulties in identifying sites with small scale energy generation and developing reliable systems for monitoring and collecting data. However, 12 applications have detailed this in the last year. This is an issue for all Local Authorities and it is likely that, for the foreseeable future, this Indicator will continue to be largely unreported.</p>		
<p>Discontinued</p> <p>Percentage of all new residential development proposals achieving Code for Sustainable Homes Level 4 or better</p>	None	<p>100% (London Plan requirement since 2010)</p>		
<p>New Indicator</p> <p>The number of households/businesses which are (or have the potential to be) supplied by a decentralised district heating system</p>	No target			

Water and Flooding

Description	Target	Performance			
		2012/13	2013/14	2014/15	2015/16
<p>Discontinued Percentage of planning applications for new residential development that achieve water use efficiency of 105 litres per person per day or better</p>	95%	This data is currently not recorded for all developments as it is a new indicator, but from the records kept, two developments are indicated to have achieved this target which equates to 8% of major applications. Further work on obtaining this data for all applications will be undertaken in the next monitoring period.			
<p>Discontinued Percentage of homes within Harrow that have water meters</p>	No target	No data for this in Planning			
<p>Discontinued Percentage of qualifying planning applications that achieve green-field run-off rates (using SUDS design)</p>	75%	This is a new indicator and details of this measure are not readily available at present. However the data held shows that four proposals achieved greenfield run-off rates. This indicator's data will be obtained for the next monitoring period.			
<p>New Indicator Annual consumption of water at the Civic Centre and the Central Depot</p>	No target	Civic Centre - 15,905 cu.m Central Depot/ CA Site - 105,951 cu.m	Civic Centre - xx,xxx cu.m Central Depot/ CA Site - yy,yyy cu.m	Civic Centre - xx,xxx cu.m Central Depot/ CA Site - yy,yyy cu.m	Civic Centre - xx,xxx cu.m Central Depot/ CA Site - yy,yyy cu.m

Biodiversity and the Natural Environment

Description	Target	Performance		
		2012/13	2013/14	2014/15
Number of trees planted each year within the public realm	500			
New Indicator Number of trees removed each year from the public realm	500			
Discontinued loss in the amount of open space provided within the borough (compared to 2011 base year)	Nil	5.2 ha Two developments resulting in the loss of open space: - West House Museum, Pinner, to enable a new link to be constructed between buildings; and Kenton Lane Farm, Belmont, to enable residential development on part of the open space to fund the restoration of the listed farm buildings, and to provide public access to the remaining open space.		
Discontinued in the amount of surfaced area that is greened in major urban realm improvements	5%	Not quantifiable at the minute, as don't record this for all applications		
Discontinued Percentage of Sites of Importance for Nature conservation (SINC) within the borough that are under active management Note: The number of Local Sites of Importance for Nature Conservation (SINCS) in the borough increased from 30 to 44 in 2013 as a result of the adoption of the Harrow Local Plan Site Allocations document in July 2013. This has resulted in a temporary reduction in the percentage of Local Sites positively managed for conservation when compared with previous years monitoring.	66%	39% - (i.e. 17 of the 44 SINCS)		

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REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	Elmgrove Primary School and Nursery
Key Decision:	Yes
Responsible Officer:	Chris Spencer, Interim Director of Children's Services
Portfolio Holder:	Councillor Janet Mote, Portfolio Holder for Children and Schools
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix 1 – Considerations about the proposal in relation to the Decision-Makers Guidance

Section 1 – Summary and Recommendations

Statutory proposals to expand permanently Elmgrove Primary School and Nursery were published on 13 February 2014 for a four week representation period. This report provides information and recommendations to enable Cabinet to determine the statutory proposals.

Recommendations:

Cabinet is requested to approve the statutory proposals to expand permanently Elmgrove Primary School and Nursery by one form of entry (30 pupils) from 1 September 2015.

Reason: (For recommendation)

To enable the Local Authority to fulfil its statutory duties to provide sufficient school places in its area.

Section 2 – Report

Introduction

1. The Local Authority has a statutory responsibility to provide sufficient school places for its area. Like many boroughs, Harrow is experiencing significant growth in the pupil population and has a school place planning strategy to increase the number of primary school places. Phase 1 of the primary school expansion programme was implemented in September 2013 with 8 schools in the borough permanently increasing their Reception intakes.
2. Statutory consultations about proposals to expand schools in Phase 2 of the primary school expansion programme were held in autumn 2013. In November and December 2013 Cabinet decided the community schools that will have statutory proposals published and these were determined by Cabinet in March 2014. A Phase 3 will be planned to meet additional demand for school places beyond 2016.
3. In January 2014 the Department for Education agreed to the transfer of funds to enable Elmgrove Primary School and Nursery to be expanded. Consultation has been held and statutory proposals published to expand Elmgrove Primary School and Nursery.

Options considered

4. Harrow submitted bids to the Government's Targeted Basic Need Programme (TBNP) for the expansion of a number of primary schools. One of the successful TBNP bids was to expand St Anselm's Catholic Primary School, a voluntary aided school. However, this project proved to be too complex and challenging to deliver because of a number of difficulties, including planning issues and affordability, and it was decided the expansion of St Anselm's Catholic Primary School will not be progressed.
5. Application was made to the Government for the TBNP expansion funding to be transferred from St Anselm's Catholic Primary School to Elmgrove Primary School. In order to be able to meet TBNP conditions if the funds were transferred, consultation about the proposal to expand

Elmgrove Primary School and Nursery was held from 7 January 2014 for three weeks closing on 28 January 2014.

6. On 22 January 2014 the Department for Education informed Harrow that the Minister has agreed to the request to expand Elmgrove Primary School and Nursery rather than St Anselm's Catholic Primary School as it matches the TBNP criteria and would be an appropriate replacement providing exactly the same number of places as the original application.
7. On 4 February 2014 a Portfolio Holder Decision was made by the Portfolio Holder for Children and Schools to publish statutory proposals as early as possible in February for Cabinet to be able to make the key decision to determine them at its meeting in April.
8. Statutory proposals to expand to expand Elmgrove Primary School and Nursery were published on 13 February 2014 for a four week representation period which closed on 13 March 2014.
9. No formal representations in relation to the statutory proposals were received by Harrow Council by the closing date of the representation period on 13 March 2014.
10. The Governing Body of Elmgrove Primary School and Nursery has confirmed the agreement in principle it gave in response to the consultation on the expansion proposal. A number of issues in relation to the proposal were raised by the school in its consultation response. Officers attended a Resources Committee meeting to discuss these fully with governors and relevant matters will continue to be addressed as implementation planning is progressed.
11. Cabinet has the following options:
 - a. Reject the proposals;
 - b. Approve the proposals;
 - c. Approve the proposals with modification;
 - d. Approve the proposals subject to meeting a separate condition.

Recommendation

12. The Corporate Director of Children and Families recommends that Cabinet approves the statutory expansion proposals as published. Elmgrove Primary School and Nursery will expand permanently by one form of entry (30 pupils) from 1 September 2015. The school will fill incrementally from the point of admission into the school.
13. Cabinet must have regard to the statutory decision-makers guidance issued by the Secretary of State. The guidance for decision-makers is provided in Background Papers. Appendix 1 of this report outlines the relevant factors to consider from the decision-makers guidance, and contains officer commentary in relation to them. It is considered that the proposals for permanent expansion of schools meet the factors. If

Cabinet approves the statutory proposals, there is a legal duty to implement the proposals.

14. It is not considered necessary to make the approval subject to meeting any conditions. Separate statutory processes will be followed for the planning application that will deal with issues relevant to planning consents.
15. In order to meet the increasing demand for school places, it is proposed that Elmgrove Primary School and Nursery will open a temporary Reception class in September 2014. This has been the consistent practice with schools that are permanently expanded in Harrow.

Financial implications

Revenue

16. Any school expansion will inevitably have significant financial implications and clarity about funding is essential to maintain commitment to the School Expansion Programme. School revenue budgets are funded from the Dedicated Schools Grant (DSG). As the Department for Education (DfE) allocates DSG based on pupil numbers, any increase in pupil numbers results in additional revenue funding for the expanding school. The revenue funding is allocated to schools based on the Harrow Schools' Funding Formula. School budgets are based on pupil numbers in the October prior to the start of the financial year, so there is always a funding lag when schools increase their pupil numbers. To ensure that schools who agree to an additional class are not financially penalised, the Harrow School Funding Formula provides 'Additional Class Funding' for the period from September to the end of March, following which the mainstream funding formula will take effect. This ensures that schools have adequate funding for at least the average costs of a teacher.

Capital

17. Harrow will receive £2.01m for this project under the Government's Targeted Basic Need Programme (TBNP). In accordance with the grant condition, this funding has to be expended by September 2015.
18. There is considerable range in the cost to achieve permanent expansion which reflects the individual nature of the schools and their sites. Current post-feasibility indicative costing for the expansion of the school indicate the cost of the scheme is likely to be in the region of £3.5m. This current estimate is above the TBNP funding of £2.01m and officers will need to ensure an affordable solution is achieved. If there are major site anomalies or key planning issues then these costs could increase. There will be close monitoring of the affordability of the School Expansion Programme through the School Expansion Programme Board.

19. If the project cannot be reduced to the TBNP level of funding, resources from other school funding streams will need to be identified so that it is affordable within the overall School Expansion Programme.
20. It is currently estimated that the cost of permanently expanding the primary schools in Phase 2 is £26m. This includes Elmgrove Primary School, but does not include costs for two of the schools in the Priority School Building Programme which will be delivered by the Education Funding Agency (EFA). These costs were considered as part of setting the Capital Programme for this financial year (13/14), and in October 2013, Cabinet agreed an increase to the Capital Programme for 13/14 due to additional funds being allocated by the EFA in this financial year. Bids have been submitted via the Capital Strategy capital bid process for the remainder of the programme which will come to Cabinet for approval in due course. Based on current estimates for the cost of the projects and the recent announcements about further yearly allocations from the EFA, it is expected that it is possible to deliver the programme with EFA capital grants, without the need for council capital funding.

Legal implications

21. The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in their area.
22. For maintained schools, there are prescribed requirements in order to make specific alterations. This includes expanding existing schools to add additional form groups. The requirements are set out in the Education and Inspections Act 2006 and associated regulations.
23. There is a statutory process for permanently expanding maintained schools. New school organisation regulations and associated guidance came into force on 28 January 2014 and the process has been amended to streamline the process. The new statutory requirements and national guidance have been followed when publishing the statutory proposals for the expansion of Elmgrove Primary School and Nursery.
24. The statutory guidance on expansion of schools confirms factors which should be taken into account by local authorities when determining proposals. Appendix 1 to this report sets out considerations about the proposal in relation to the Department for Education School Organisation Guidance for proposers and decision-makers.
25. The Council must ensure it meets its public law duties when making decisions, including meeting its public sector equality duty. It must consider all relevant information, disregard irrelevant information, act in accordance with the statutory requirements and make its decision in a fair and transparent manner.

Equalities implications

26. Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
27. Equalities Impact Assessment has been undertaken on the proposal to permanently expand Elmgrove Primary School and Nursery. The conclusion of this assessment is that the implications are either positive or neutral in that the expansion of the school will help to ensure sufficient school places for the increasing numbers of children in Harrow. The assessment has not identified any potential for unlawful conduct or disproportionate impact and concludes that all opportunities to advance equality are being addressed.
28. Harrow's schools are successful, inclusive and provide a diversity of provision. The school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow and will build on the successful provision that already exists in Harrow's schools.

Performance Issues

29. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. 92% of Harrow's primary and secondary schools are judged 'good' or 'outstanding', compared to 85% in London and 78% nationally. Elmgrove Primary School's most recent inspection resulted in a judgement of 'Good'.
30. The table below includes the 2013 Key Stage 2 results of Elmgrove Primary School. The table compares the school's performance in Reading, Writing and Maths at Level 4+, Reading Expected Progress, Writing Expected Progress and Maths Expected Progress results to the Harrow and national averages.

2013 Key Stage 2	Reading, Writing & Maths L4+	KS1-KS2 Expected Progress - Reading	KS1-KS2 Expected Progress - Writing	KS1-KS2 Expected Progress - Maths
Elmgrove	75%	86%	89%	82%
Harrow	79%	90%	92%	92%
National	75%	88%	92%	88%

Source: DfE Performance Tables

31. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local

Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level. However, the Local Authority maintains a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The Local Authority is also statutorily responsible for supporting and improving underperforming schools.

32. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education at both school and local authority level. They are also used within information provided to the Department for Education.
33. The indicators fall within the following areas:
- Attendance and exclusions - remain a statutory duty for the Local Authority to monitor and improve.
 - Underperforming schools – schools are assessed at Key Stage 2 & Key Stage 4 against defined floor standards.
 - Closing the Gap - is a fundamental part of Ofsted’s school inspection process, and accordingly, the Local Authority monitors the attainment of identified groups of pupils in its schools. The table below includes the gap at key stage 2 between pupils eligible for free school meals and their peers and the gap between Harrow’s SEN children and their peers – children with a SEN provision includes School Action, School Action Plus or a Statement.

2013 Key Stage 2 – Closing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	17%	19%
Achievement gap between pupils with special educational needs and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	49%	53%

34. There is a complex interrelationship between a number of other performance issues such as traffic congestion, road safety, traffic and parking enforcement and travel plan performance, as referred to earlier in the report, and all these considerations are taken into account in assessing school expansion proposals.

Environmental Impact

35. The Council’s over-arching climate change strategy sets a target to reduce carbon emissions by 4% a year. Schools account for 50% of the council’s total carbon emissions. Reducing emissions from schools is therefore a vital component in meeting the Council’s target. However there is a significant risk that the expansion programme will increase emissions rather than reduce them. Phase 2 of the School Expansion Programme will have an impact on carbon emissions that will need to be carefully considered in this context.

36. The RE:FIT Schools Programme will be available to retrofit existing school buildings to improve their energy efficiency. For new-build schools, the design standards will need to ensure that they meet high energy use efficiency standards. Of particular importance will be the use of low carbon technologies – particularly for space heating – and these will need to be thoroughly investigated during the design phase.
37. For many of the projects in the school expansion programme, planning applications will be required and part of the application will be a school travel plan. Through this process and the development of the solutions for the schools, the impact of the additional pupils and their travel modes will be addressed.

Risk Management Implications

38. The directorate and corporate risk management implications for the Council arising from school place planning are included on the directorate and corporate risk registers. A Programme Risk Register is also being formulated and this will be reviewed by the School Expansion Programme Board.
39. The key high level risks for this programme are set out below:

High Level Risks	Consequences	Mitigating/Control Actions
Planning	Planning permission not granted creating delays to programme.	<p>Informal discussions with Planners during feasibility regarding planning policies.</p> <p>Planning Performance Agreement has been agreed.</p> <p>Community engagement through the education statutory consultations and the pre-planning engagement activities. School community and local residents invited to meetings and provided with information about local proposals.</p> <p>Transport Assessments being undertaken to inform School Travel Plans and highways mitigation measures.</p> <p>IT improvements are being put in place for the planning applications to be viewed on the Council website.</p> <p>Additional dates have been arranged for Planning Committee to consider the planning applications.</p>
Finance	Unaffordable Programme / individual projects and	Capital Strategy developed to bring together the Government's school funding streams: Basic Need, Capital Maintenance, Targeted Basic Need Programme; and

	<p>additional costs to Council.</p> <p>Risk of loss of TBNP funding if the new places are not provided and the allocations spent by September 2015.</p>	<p>building programmes e.g. Priority School Building Programme.</p> <p>School expansion feasibility designs aligned to the DfE guidance on spaces and areas for schools.</p> <p>Indicative costs calculated from feasibility studies to inform programme budget.</p> <p>Robust financial and programme monitoring through the Programme Board, Capital Forum and Cabinet reports.</p> <p>Exploring how the Government's Free-School Programme for new schools (programme funded directly from government) may be supported in Harrow.</p>
Programme delivery	<p>Delays to programme – school places not available, additional costs.</p>	<p>Capital Team established with appropriate skills, experience and expertise in major construction projects to deliver programme.</p> <p>Programme Board established with Corporate Director and senior officer membership.</p>
Pupil Projections	<p>Over or under estimate of pupil growth leading to a mismatch of provision – shortage of places or over provision of places leading to high levels of vacancies.</p>	<p>GLA commissioned to provide school roll projections. Review of projections against admissions, applications, In-Year movement of pupils. Close working with schools.</p> <p>The permanent expansions are planned to achieve a sustainable level of school places to meet the growth as indicated by the pupil projections. The additional permanent places are created as the demand grows over the years.</p> <p>The peak and variations in demand for school places will be met by continued use of temporary additional places. This approach will minimise the risk of having to remove permanent capacity in the years following the peak in demand.</p>
Communication	<p>Lack of understanding of need and proposals leading to delays and complaints.</p>	<p>Communication strategy being developed for overall programme and individual projects.</p> <p>School Expansion Stakeholder Reference Group established with cross-party and representative membership to provide</p>

		<p>advice and guidance on the implementation of the school expansion programme.</p> <p>Programme communications officer appointed to develop and co-ordinate communications and community engagement.</p>
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Corporate Priorities

40. This report incorporates the corporate priorities to deliver a cleaner, safer and fairer Harrow by:
- Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
 - Providing high quality local educational provision in schools for children close to where they live.

Section 3 - Statutory Officer Clearance

Name: Jo Frost	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 14 March 2014		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 18 March 2014		

Section 4 – Performance Officer Clearance

Name: Kuljit Bisal	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 17 March 2014		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date: 17 March 2014		

Section 6 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Professional Lead, Education Strategy and School Organisation, 020 8736 6841.

Background Papers:

- Department for Education School Organisation statutory guidance for decision-makers <https://www.gov.uk/government/publications/school-organisation-maintained-schools>
- Portfolio Holder Decision 4 February 2014. School Expansion Programme – Publication of statutory proposals to expand Elmgrove Primary School and Nursery <http://moderngov:8080/ieDecisionDetails.aspx?Id=60843>
- Equality Impact Assessment on Elmgrove Primary School and Nursery.
- Governing Body response to the statutory proposals

Call-In Waived by the Chairman of Overview and Scrutiny Committee	NOT APPLICABLE <i>[Call-in applies]</i>
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Considerations about the proposal in relation to the Decision-Makers Guidance

The decision maker for these statutory proposals is the local authority, and this report presents the proposals to Cabinet for determination. If the local authority fails to decide proposals within two months of the end of the representation period the local authority must forward proposals, and any received representations, to the Office of the Schools Adjudicator for decision. This two month period will end on 13 May 2014.

Decision Makers are required to have regard to guidance issued by the Secretary of State when they take a decision on proposals. New school organisation regulations and associated guidance came into force on 28 January 2014. The guidance documents are available at <https://www.gov.uk/government/publications/school-organisation-maintained-schools>.

'Annex B: Guidance for Decision-makers' sets out some the factors that decision-makers should consider when deciding a proposal. These factors are not exhaustive and the importance of each will vary depending on the type and circumstances of the proposal. All proposals must be considered on their individual merits.

The format of this Appendix follows the framework of the Annex B guidance. The text in italics at the start of each section contains extracts from the guidance to assist members to understand the context. The text beneath the extracts in each section contains officer comment in relation to the factors.

Consideration of consultation and representation period

The decision-maker will need to be satisfied that the appropriate consultation and/or representation period has been carried out and that the proposer has had regard to the responses received. If the proposer has failed to meet the statutory requirements, a proposal may be deemed invalid and therefore should be rejected. The decision-maker must consider all the views submitted, including all objections to and comments on the proposal.

Consultation about the proposal to expand Elmgrove Primary School and Nursery was conducted from 7 January to 28 January 2014. The consultation responses and outcomes (see 'Views submitted' section below) were reported to Portfolio Holder for Children and Schools when making the decision to publish statutory proposals.

Statutory proposals to expand to expand Elmgrove Primary School and Nursery were published on 13 February 2014 for a four week representation period which closed on 13 March 2014. In order to make the nature of the proposals explicit and clear for all stakeholders, the brief notice and the full proposal stated as full information as possible. It is considered that all necessary information was provided and made available for stakeholders and interested parties to see.

The brief notice and full proposal were developed with close reference to the Government guidance. It is considered that the published brief notice and full proposal comply with the statutory requirements.

Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the aspirations of parents, raise local standards and narrow attainment gaps.

The decision-maker should also take into account the extent to which the proposal is consistent with the government's policy on academies as set out on the department's website.

Quality of schools

Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. 92% of Harrow's primary and secondary schools are judged 'good' or 'outstanding', compared to 85% in London and 78% nationally.

Diversity of schools

There is a range of schools in Harrow offering diversity to parents both in terms of ethos and size. Harrow has a Church of England primary school, a Hindu primary school, a Jewish primary school, six Roman Catholic primary schools and two Roman Catholic high schools. Primary sector community schools are organised as separate and combined infant and junior schools and have a range of planned admission numbers from one to four forms of entry.

Harrow is committed to securing greater autonomy, flexibility and scope for schools to drive their own agendas within a collaborative whole-borough framework. Harrow's success in this approach is demonstrated through the Harrow School Improvement Partnership and the Harrow Collegiate.

The community of Harrow schools has a tradition of collaboration and cooperation and is confident to develop and embrace innovative solutions. Within this context the local authority, in partnership with schools, will continue to explore routes that provide creative and innovative solutions for challenges faced by individual schools and groups of schools, and provide a means to secure school improvement.

Two schools are currently planning to establish an academy trust to drive improvements in education attainment.

Aspirations of parents

The responses to the consultation undertaken on school expansion proposals in September – October 2013 indicate broad agreement with the Council's approach to creating additional school places in Harrow. Over 60% of respondents agreed with the Council's approach to creating additional school places in Harrow.

The responses to the consultation undertaken in January 2014 on the proposal to expand Elmgrove Primary School and Nursery indicate strong agreement with the Council's approach to creating additional school places in Harrow. 85% of respondents agreed with the Council's approach to creating additional school places in Harrow.

The responses made to the second consultation question about the specific proposal to expand Elmgrove Primary School and Nursery indicate strong overall agreement with the Council's proposal to expand the school, including agreement across all the stakeholder groups. 79% of respondents agreed with the Council's approach to permanently expand Elmgrove Primary School and Nursery.

Raise local standards and narrow attainment gaps

A key principle identified by officers and representative primary headteachers in the work to develop expansion proposals was the maintenance of high quality education standards, and all schools with council support as necessary will work to ensure high education standards are promoted through the expansions. The governing bodies and senior leadership teams of the schools will ensure appropriate structures are in place to manage the increased numbers of pupils and deliver the curriculum.

Suitable accommodation and facilities will be provided to accommodate the increased pupil numbers. Revenue funding is based on pupil numbers and the funding for increased numbers of pupils can enable opportunities for schools to be creative in use of resources to promote pupils' learning.

Narrowing the Gap is a fundamental part of Ofsted's school inspection process, and accordingly, the Local Authority monitors the attainment of identified groups of pupils in its schools.

Government policy on academies

The Government's policy on academies is not directly applicable to this expansion proposal. The proposal does not create a new school which is when the 'academy presumption' applies. The governing body of the school is at liberty to consider conversion to academy school status regardless of whether the school is expanded or not.

Demand

In assessing the demand for new school places the decision-maker should consider the evidence presented for any projected increase in pupil population (such as planned housing developments) and any new provision opening in the area (including free schools).

The decision-maker should take into account the quality and popularity of the schools in which spare capacity exists and evidence of parents' aspirations for a new school or for places in a school proposed for expansion. The existence of surplus capacity in neighbouring less popular schools should not in itself prevent the addition of new places.

Reducing surplus places is not a priority (unless running at very high levels). For parental choice to work effectively there may be some surplus capacity in the system as a whole. Competition from additional schools and places in the system will lead to pressure on existing schools to improve standards.

Harrow Council commissions the Greater London Authority (GLA) to provide pupil projections. The projections are prepared by the GLA School Roll Projection Service and are based on the latest 2012 round of population projections released by the GLA and on school roll data collected in the January 2013 School Census and previous school censuses.

In Harrow's primary sector schools in September 2013 there are a total of 2,790 permanent Reception class places. With the temporary additional places that have been opened (9 additional temporary classes) this is increased to 3,060 Reception places in September 2013. In order to ensure sufficient school places to meet the predicted increased demand by September 2015, the number of permanent Reception places need to be increased by at least 360 places to a total of 3,150 permanent places that would be supplemented by additional temporary classes as needed. The Phase 2 proposals, together with the proposals for Elmgrove Primary School, aim to ensure sufficient school places at the right time and in the right location to meet the increased demand up to 2015/16.

It is currently projected that the peak of the increased demand for Reception places in Harrow will occur in January 2019 at 3,437 Reception aged pupils and will be sustained at that high level with a slight reduction in numbers in subsequent years. It is expected that a third phase of primary school expansions will need to be brought forward in due course. The projections and actual pupil numbers will continue to be monitored carefully, as well as any variations in demand in planning areas within Harrow, and will be considered alongside any school developments in Harrow that may provide additional school places.

The total number of parental preferences in applications for Reception places at Elmgrove Primary School increased this year, and the first and second preference numbers are at the proposed expanded admission number.

School size

Decision-makers should not make blanket assumptions that schools should be of a certain size to be good schools, although the viability and cost-effectiveness of a proposal is an important factor for consideration. The decision-maker should also consider the impact on the LA's budget of the need to provide additional funding to a small school to compensate for its size.

Harrow's school expansion programme is very significant and is expected to involve all schools in opening additional classes on either a permanent or temporary basis. Over half the primary schools in Harrow will be permanently expanded by the end of the school expansion programme.

School revenue budgets are funded from the Dedicated Schools Grant (DSG). As the Department for Education (DfE) allocates DSG based on pupil numbers, any increase in pupil numbers results in additional revenue funding for the expanding school. The revenue funding is allocated to schools based on the Harrow Schools' Funding Formula. School budgets are based on pupil numbers in the October prior to the start of the financial year, so there is always a funding lag when schools increase their pupil numbers. To ensure that schools who agree to an additional class are not financially penalised, the Harrow School Funding Formula provides 'Additional Class Funding' for the period from September to the end of March, following which the mainstream funding formula will take effect. This ensures that schools have adequate funding for at least the average costs of a teacher

Proposed admission arrangements (including post-16 provision)

In assessing demand the decision-maker should consider all expected admission applications, not only those from the area of the LA in which the school is situated.

Before approving a proposal that is likely to affect admissions to the school the decision-maker should confirm that the admission arrangements of the school are compliant with the School Admissions Code. Although the decision-maker cannot modify proposed admission arrangements, the decision-maker should inform the proposer where arrangements seem unsatisfactory and the admissions authority should be given the opportunity to revise them.

No changes to admission arrangements arise from these proposals. Elmgrove Primary School and Nursery is a community school that draws pupils from its local area and the admission arrangements of the school are compliant with the School Admissions Code.

No changes to post-16 provision arise from the proposals.

National Curriculum

All maintained schools must follow the National Curriculum unless they have secured an exemption for groups of pupils or the school community.

Elmgrove Primary School and Nursery follows the National Curriculum and no changes to this arise from these proposals.

Equal opportunity issues

The decision-maker must have regard to the Public Sector Equality Duty (PSED) of LAs/governing bodies, which requires them to have 'due regard' to the need to:

- *eliminate discrimination;*
- *advance equality of opportunity; and*
- *foster good relations.*

The decision-maker should consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there should be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

Equalities Impact Assessment has been undertaken on the proposal to permanently expand Elmgrove Primary School and Nursery. The conclusion of this assessment is that the implications are either positive or neutral in that the expansion of the school will help to ensure sufficient school places for the increasing numbers of children in Harrow. The assessment has not identified any potential for unlawful conduct or disproportionate impact and concludes that all opportunities to advance equality are being addressed.

Harrow's schools are successful, inclusive and provide a diversity of provision. The school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow and will build on the successful provision that already exists in Harrow's schools.

Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from and about each other; by encouraging, through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker must consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different sections within the community.

This is a community school which draws pupils from its local area and the pupil profile reflects the ethnicity of its area. The January 2013 School Census demonstrates that the school has an ethnically diverse pupil population.

Travel and accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.

A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

The schools that are proposed for expansion are located around the borough so that additional school places are available locally to where the children live. . This approach will minimise distances that children and parents have to travel to school and will serve to promote accessibility. This helps to limit the need for car use by parents at the beginning and end of the school day. As far as possible, it is believed the schools chosen for expansion would be a popular choice amongst parents wishing to secure a place at their local schools.

The schools proposed for expansion, as is the case at many schools in Harrow, already have a degree of traffic and congestion issues from the current school intake and the expansions will exacerbate the problems if no mitigating measures are taken. To minimise the impact of the additional pupils a cross-council approach is being adopted to bring officers together from Children's Services, Community and Environment to work with schools and local residents. Transport Assessments at Phase 2 expansion schools and Transport Statements at additional special educational needs place provision have been undertaken and will be submitted as part of the planning application for building work at the schools. Particular emphasis is being given to School Travel Plans as a means of focusing attention of the issues and to seek to bring about change in people's behaviour in delivering and collecting children.

Capital

The decision-maker should be satisfied that any land, premises or capital required to implement the proposal will be available and that all relevant local parties (e.g. trustees or religious authority) have given their agreement. A proposal cannot be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

If these statutory proposals are approved, Elmgrove Primary School would require building work to be undertaken to provide appropriate accommodation for the additional children.

Successful application for funding to expand the school was made by Harrow Council on the school's behalf to the Government's Targeted Basic Need Programme (TBNP). This funding has been transferred from the originally proposed expansion of St Anselm's Catholic Primary School. It was decided not to continue with the expansion of St Anselm's Catholic Primary School because of a number of difficulties, including planning issues and affordability, in delivering the expansion of that school. £2.01million has been allocated by the Education

Funding Agency (EFA) to deliver the new school places at Elmgrove Primary School. Under the conditions of the TBNP, the capital allocation has to be spent by September 2015.

Initial site feasibility work has been undertaken by architects and has indicated how the additional school places could be accommodated through a combination of new build and remodelling of the existing school accommodation. The revised post-feasibility indicative cost of the proposals is £3.5million. If additional funding to the TBNP allocation is required, this will be provided through the basic need allocation to Harrow Council for school places.

There will be close monitoring of the affordability of the School Expansion Programme. It was reported to Cabinet on 21 November 2013 that it is expected to be able to deliver the programme with Education Funding Agency school places basic need capital grants, without the need for Council capital funding.

School premises and playing fields

Under the School Premises Regulations all schools are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Guidelines setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.

Government regulations and guidelines are considered in relation to all the schools proposed for expansion in the school expansion programme when undertaking the design work to accommodate the additional pupils. All schools are considered in the same fair and transparent manner when identifying the design for building works. The current school facilities are considered against Building Bulletin 99 to analyse any current and potential shortfalls. Full consideration is given to suitable outdoor and indoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

Views submitted

Consultation about the proposal to expand Elmgrove Primary School and Nursery was held between Tuesday 7 January and 28 January 2014. All requirements for consultation in relation to the proposals that were applicable at the time were complied with.

Officers and architects attended an open consultation meeting at the school about the expansion proposal to give presentations and answer questions.

Consultation responses

158 responses were received to the consultation. Respondents were primarily parents/carers, staff and residents. A number of comments were included with the responses and are summarised in section (d) below. Officer response to the comments is in section (e).

The responses made to the first consultation question indicate strong agreement with the Council's approach to creating additional school places in Harrow. The Governing Body also agrees with the approach to creating additional school places in Harrow as outlined in the consultation paper.

Question 1: “Do you agree with the approach to creating additional school places in Harrow?”

Response	Number	Percentage
Yes	135	85.44%
No	16	10.13%
Not Sure	7	4.43%
Total	158	100.00%

The responses made to the second consultation question indicate strong overall agreement with the Council’s proposal to expand Elmgrove Primary School and Nursery including agreement across all the stakeholder groups. The Governing Body agrees in principle with the expansion of Elmgrove to four-form entry and will keep its initial position of support under review as further information emerges. The letter sets out five areas of concern for consideration by officers to provide the Governing Body with additional information and assurance: funding; traffic; building work; the adjacent park; and kitchen. Officers will attend the Governing Body Resources Committee on 3 March to discuss these concerns and to update the governors on other matters.

Question 2: “Do you agree with the approach to permanently expand Elmgrove Primary School and Nursery?”

Response	Number	Percentage
Yes	125	79.11%
No	23	14.56%
Not Sure	9	5.70%
No Response	1	0.63%
Total	158	100.00%

The Harrow East MP completed a consultation response form and sent a cover letter with remarks to complement the response. The MP is fully in agreement with the wider strategy being implemented by Harrow Council to meet the demand for more school places for its residents. The MP considers the expansion plans are sound and that the school can competently continue to operate whilst expansion work is carried out.

The Environment and Enterprise Directorate of Harrow Council responded and commented that the Mayor’s London Plan cites the need to improve London’s skills base, improve employment opportunities and remove barriers to employment, and identifies learning and skills as two key priorities. The Elmgrove expansion offers an excellent opportunity to provide employment and training opportunities for young people (and older residents) during the construction phase.

Themed analysis of comments received

The comments made by respondents in response to the first question include the following main themes:

- Shortage of parking and inconsiderate parking behaviour
- Pressure on roads, traffic congestion and dangerous driving behaviour
- A four forms of entry primary school is too big
- Primary education should be small scale
- New schools should be built
- High quality education standards should be maintained
- Good for the community and will give more places in local schools

The comments made by respondents to the second question include the following main themes (additional to those that were the same as made to the first question):

- Access difficulties for residents and to the school because there is only one road in and out
- The school has limited space currently for existing pupil numbers
- Expansion would be detrimental to education and welfare
- More children would benefit from the high standards of teaching, learning and leadership
- Support to all children, including those with special needs, must be maintained

Officer response to the consultation comments

Officer responses to the consultation comments are given below under five main headings that encompass the themes. It should be noted that proportionately more written comments were made by those not agreeing with the proposed expansion than by those that agreed.

Traffic and congestion issues

The concerns expressed about traffic congestion, parking and road safety in the area are fully recognised. Increased traffic and congestion at the start and end of the school day is a characteristic of many schools and has been the major consistent theme of concern in the consultation responses about expansion proposals in the school expansion programme consultations. To minimise the impact of the additional pupils attending the schools proposed for expansion in Phase 2 of the school expansion programme, including this proposal, a cross-council approach is being implemented. This approach brings officers together from Children and Families, Enterprise and Environment and Communications to co-ordinate work.

Additional resource is being committed to ensure an appropriate profile to all the Phase 2 school expansion projects in particular.

- Transport Assessments are being undertaken at each of the schools proposed for expansion. The assessments will provide an independent view of the proposals by reviewing baseline information about current traffic volumes and current issues and make recommendations about any impact as well as setting out any actions required. This assessment will take account of the consultation responses already received.
- Appointment of a Transport and Travel Planner Officer for the expansion projects to develop and implement effective travel strategies in conjunction with the schools. This position also coordinates inputs and actions from other council departments to assist the change process. This is a key role in influencing and engaging with all stakeholders to change attitudes to travel through the review and the development of School Travel Plans in order to minimise the use of private car travel to the school, particularly by parents. This role also liaises with the Highways, Traffic Management and Enforcement teams to ensure that any necessary engineering work and enforcement action, including Safer Neighbourhood Teams, is provided in line with the travel plans developed. This officer is also involved in the pre-planning engagement activities and input into the planning applications.
- There is a communication strategy for the Phase 2 expansion projects which includes raising the profile of school travel planning. An additional Communications Officer has been appointed to give communication and engagement work a high profile

This proposal would require a building programme, for which planning permission would be needed. If an application is submitted, a decision on this would be a matter for the Planning Committee. This committee would consider highways and traffic concerns and the impact of the development on the local area. Residents and parents who believe they would be impacted by the development are entitled to make representations to the planning committee during the statutory planning consent timescales.

Size of school and maintaining high education standards

There is no evidence to suggest that the size of the school affects the ability of the teachers and staff to provide a high quality education to all pupils. A key principle identified by officers and

representative primary headteachers in the work to develop expansion proposals was the maintenance of high quality education standards, and all schools, with council support as necessary, will work to ensure high education standards are promoted through the expansions. The governing body and senior leadership team of the school would ensure appropriate structures are in place to manage the increased numbers of pupils and deliver the curriculum. Suitable accommodation and facilities would be provided to accommodate the increased pupil numbers. Revenue funding is based on pupil numbers and the funding for increased numbers of pupils can enable opportunities for schools to be creative in use of resources to promote pupils' learning.

Space at the school

Architects would work with the school to ensure the space and facilities at the school meet the requirements for the numbers of pupils. Initial site feasibility work has demonstrated potential developments that offer the required additional accommodation and a number of advantages to the school, including: new larger classrooms for the junior phase; improved circulation in the school; removal of temporary units; new kitchen; new two storey teaching block that would be well-placed strategically for long-term development of the school site in the future.

Local school places

Harrow Council is proposing school expansions across the borough to ensure that additional school places are available as close as possible to where the increased demand is. First and second preferences by parents for Reception places at the school are at the proposed increased intake of 120 places.

Support to children with special needs

There are no plans to change existing provision for pupils with special educational needs at Elmgrove Primary School and Nursery. The school is a mainstream school that makes appropriate provision for pupils with SEN who attend mainstream schools. The school has specialist resourced provision for children with physical impairment and would continue to build on existing good practice within the school.

Representations about the statutory proposals

No formal representations in relation to the statutory proposals were received by Harrow Council by the closing date of the representation period on 13 March 2014.

The Governing Body of Elmgrove Primary School and Nursery has confirmed the agreement in principle it gave in response to the consultation on the expansion proposal. A number of issues in relation to the proposal were raised by the school in its consultation response. Officers attended a Resources Committee meeting to discuss these fully with governors and relevant matters will continue to be addressed as implementation planning is progressed.

REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	School Expansion Programme
Key Decision:	No
Responsible Officer:	Chris Spencer, Interim Director of Children's Services Caroline Bruce, Corporate Director of Environment and Enterprise
Portfolio Holder:	Councillor Janet Mote, Portfolio Holder for Children and Schools Councillor Stephen Wright, Portfolio Holder for Property and Major Contracts
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Annexe A – Indicative Capital Costs

Section 1 – Summary and Recommendations

This report provides a quarterly update to Cabinet on the implementation of the school expansion programme and requests authority to determine the terms of any lease back of land required by the Council as part of the academy conversion process.

Recommendations:

Cabinet is requested to:

1. Note this update on the implementation of the school expansion programme.
2. Delegate authority to the Corporate Director of Environment and Enterprise in consultation with the Portfolio Holder for Property and Major Contracts to determine the terms of any lease back of land required by the Council as part of the academy conversion process, to include Children's Centres, on the best possible terms available.

Reason: (For recommendation)

To enable the Local Authority to fulfil its statutory duties to provide sufficient school places in its area and secure lease back of land required by the Council as part of the academy conversion process.

Section 2 – Report

Introduction

1. The Local Authority has a statutory responsibility to provide sufficient school places for its area. Like many boroughs, Harrow is experiencing significant growth in the pupil population. There are several key strands to the delivery of sufficient school places because an increasing pupil population impacts across primary, secondary and special school provision.
2. This is the second quarterly report to Cabinet on the School Expansion Programme covering primary, secondary and special school places. It outlines the progress to date on the planned programme implementation.

Options considered

3. Cabinet agreed its School Place Planning Strategy in February 2010 to meet the increasing demand for school places that is primarily birth rate driven. In July 2011, Cabinet agreed on a Primary School Expansion Programme as part of the School Place Planning Strategy. The strategy aims to secure sufficient primary school places through the creation of additional permanent places, supplemented by planned bulge classes and contingency bulge classes, opened if required.

4. In July 2013 Cabinet approved the Special School SEN Placements Planning Framework for bringing forward proposals over the next 3-5 years to increase provision for children and young people with special educational needs.
5. In November 2013, Cabinet approved the Secondary School Place Planning Strategy which outlines the proposed approach to increase capacity within the secondary sector by September 2015 for the demand expected by September 2018.
6. Statutory proposals for 14 schools on 12 sites in Phase 2 of the Primary School Expansion Programme were agreed by Cabinet at their meeting in March 2014. A further permanent expansion, of Elmgrove Primary School and Nursery is being considered by Cabinet at their meeting in April 2014.

Whitefriars Community School and the Harrow Teachers' Centre

7. Statutory proposals to expand Whitefriars Community School and extend the age range to make provision for secondary aged pupils were agreed by Cabinet in March 2014.
8. Heathland Whitefriars Federation Governing Body has resolved that the two schools will become academy with effect from 1 July 2014. Officers are working with the school on the conversion.
9. The contractor for the development on the Whitefriars/Teachers' Centre site will be appointed through the EFA's Contractors Framework. The indicative timescale is for the contractor to be appointed by June 2014 with a view to planning consent in September 2014 and building programme completion by Spring 2016.
10. An area approach to the traffic issues in the surrounding area of the school is being developed. This approach is being adopted because of the current traffic issues raised during the consultations and the extensive development in the Wealdstone area which includes the development of the ColArt site, proposed Whitefriars Community School expansion and Kodak development. The outcome of the approach will be an implementation plan, including funding strategy, for traffic mitigation over the short, medium and long terms.

Future PRU Locations

11. The development of the Harrow Teachers' Centre site requires the relocation of the Harrow Tuition Service including the Pupil Referral Unit (PRU). Providing an appropriate location is essential for the PRU and a number of locations have been explored, although identifying appropriate sites in Harrow is very challenging. A school site is preferred for the primary PRU. The secondary PRU requires self-contained accommodation, ideally located near other facilities that the students will access. The new locations will need to require minimal capital investment and to be available for the PRU to be operational from September 2014. Capital costs will be assessed for proposed sites. An alternative location for the secondary PRU is under

investigation. The Governing Body of Aylward Primary School has agreed to the location of the primary PRU at the school on a temporary two year basis. A Portfolio Holder Decision was made on 21 March 2014 to authorise the Council to enter into a lease on the best terms available for premises at Aylward Primary School which became an academy school on 1 April 2014.

Academy and Free School Programme

12. The Avanti House primary and secondary phases remain located in Harrow on a temporary basis while the permanent locations are resolved. The EFA is considering Whitchurch playing fields as a permanent location in Harrow. If the school is permanently located in Harrow this would make a significant contribution to meeting increased future demand for primary and secondary school places.
13. On the 1 April Aylward Primary School converted to an academy school and became part of the Bentley Wood Trust. Heathland Whitefriars Federation will convert to academy status on 1 July 2014.
14. In October 2012, Cabinet agreed the Council's position statement on academy schools and delegated authorities to:
 - negotiate and sign Commercial Transfer Agreement with the school/sponsor in relation to assets, third party contracts, staffing and information transfer when schools convert to academy status;
 - determine the terms of the land transfer based on the model 125 year lease issued by the Department for Education (DfE), including the extent of the school premises and licences for land outside of the lease arrangements;
 - negotiate and enter into contract for services with academies and out of Borough schools in accordance with the position statement.
15. In order to permit lease back arrangements in future for schools with Children's Centres converting to academy status this report seeks Members' agreement to delegate authority to the Corporate Director of Environment and Enterprise in consultation with the Portfolio Holder for Property and Major Contracts to determine the terms of any lease back of land required by the Council as part of the academy conversion process, to include Children's Centres, on the best possible terms available.

Special Educational Needs

16. On 28 January 2014, new regulations came into force amending the process for expanding community schools. Statutory proposals are required for making significant changes to special schools and for adding or removing specialist special educational need provision within mainstream schools.
17. Statutory proposals to expand Woodlands School, Kingsley High School and Shaftesbury High School were published on 11 March 2014. In order to ensure timely determination of the statutory

proposals that will enable implementation to the very tight timescale, it is proposed that the statutory proposals will be determined by Portfolio Holder Decision.

18. Statutory proposals will be published after Easter in relation to the proposed additional special educational need provision at Earlsmead Primary School and West Lodge Primary School when the design proposals have been developed and agreed with the schools. It is proposed that these statutory proposals will be determined by June Cabinet.

Universal Infant Free School Meals

19. The Government has announced that, from September 2014, all state funded infant school children (i.e. those in reception, year 1 and year 2) will receive a free school lunch. For Revenue funding, a flat rate of £2.30 per meal taken will be allocated, based on actual take-up by newly eligible infant pupils, which will be measured in the Schools Census from next year. For Capital funding Harrow has been allocated £621,418, of which £116,628 is allocated to VA schools.
20. In order to complete a comprehensive assessment of the best and fairest way to spend the funding, Harrow Council will complete a review of the current practice in each school. Officers will also explore the various options available for potential solutions once the current situation has been assessed.
21. For schools in the school expansion programme, the aim is to address kitchen and dining provision as part of the building works and to make any interim arrangements that may be needed until works are completed by September 2015.

Programme implementation

Procurement

22. Harrow Council's March 2010 framework agreement with Keepmoat (formerly Apollo), includes requirements for the provider to undertake activity that delivers social value, ethical sourcing and improved environmental performance as part of contract delivery. Keepmoat provided commitments such as local supply chain stimulation, job and apprenticeship creation as part of the tender response that resulted in them being awarded their place on the framework.
23. Representatives of the Commercial, Contracts and Procurement (CC&P) and Economic Development (ED) teams have met with Keepmoat on the requirement to deliver social value through the project. Keepmoat have agreed, in principle, to take forward a number of initiatives, but the details have yet to be defined. A further meeting is now being scheduled by CC&P, with Keepmoat, the Schools Capital team and the ED team to progress these issues and officers will report back on the outcome of this.

Phase 1 projects

24. The building projects at Glebe and Stanburn are completed. Three expansions will be delivered through the Government's Priority School Building Programme and Marlborough and Vaughan have been brought forward for earlier completion. Work is about to start at the Pinner Park schools, and Camrose will be progressed jointly with Woodlands for completion by September 2015.

Phase 2 projects

25. Dates have been identified for planning applications to be submitted, and for the separate statutory processes to be followed to enable Planning Committee decisions to be made by July 2014. Successful completion of these processes would enable building works to progress during the summer school holidays.

Priority School Building Programme

26. It is proposed that a 26 full-time equivalent place Nursery is included in the rebuild of Marlborough Primary School that is being undertaken by the Education Funding Agency. This Nursery provision will be funded by the school. In order to achieve the agreement of the Education Funding Agency to include this provision in the rebuild, Harrow Council will underwrite the expenditure.

Planning applications and consents

27. Detailed designs are being developed for the planning applications. Planning applications are subject to statutory consultation processes that are conducted separately and independently by the Planning Department. The determination of planning applications is undertaken by the Council acting as local planning authority, which is a separate statutory capacity from its role as local education authority. The members of the planning committee will need to be satisfied as to the merits of the applications in accordance with the statutory planning framework.
28. A number of actions have been taken to facilitate these processes. A Planning Performance Agreement (PPA) has been agreed with the Planning Department. The purpose of the PPA is to ensure that the school expansion planning applications submitted to the local planning authority are discussed, handled and determined efficiently and effectively within an agreed timescale.
29. Additional Planning Committee dates in April and June have been agreed to manage the volume of school expansion related planning applications during April to June. It is intended that planning approval will have been agreed by July to enable works on school sites to commence during the summer holiday period.
30. A microsite will be available during the planning application consultation to enable interested parties to view the plans and participate in the consultation.

Pre-planning engagement events

31. Pre-planning engagement events have been completed for all proposed expansion schools with the exception of Earlsmead and West Lodge schools that will be submitted slightly later to planning. The pre-planning engagement events provided the opportunity for the school and local communities to view the proposals and to ask questions and comment on the proposals. Representatives from the Council and Keepmoat attended the events including the architects, school travel planners and project managers.
32. The suggestions and views collected from the events are being processed and are under consideration by architects, designers, constructors and traffic officers. The responses to the comments will be published from early March via the school and council websites. The comments and how these have been considered as part of the development of the planning application will be included in the planning applications.
33. Where significant changes are being made to designs or highways, second engagement events were held in mid-March.

Traffic and travel

34. Traffic is a key concern to local residents that has been expressed in the consultation responses. Measures are being put in place to help reduce the traffic and congestion issues arising from the creation of additional school places. These measures have been reported to Cabinet in detail in previous reports.

Financial implications

Revenue

35. Any school expansion programme will inevitably have significant financial implications. All schools proposed for expansion have raised concerns about available funding and clarity about funding is essential to maintain their commitment to the School Expansion Programme. School revenue budgets are funded from the Dedicated Schools Grant (DSG). As the Department for Education (DfE) allocates DSG based on pupil numbers, any increase in pupil numbers results in additional revenue funding for the expanding school. The revenue funding is allocated to schools based on the Harrow Schools' Funding Formula. School budgets are based on pupil numbers in the October prior to the start of the financial year, so there is always a funding lag when schools increase their pupil numbers. To ensure that schools who agree to an additional class are not financially penalised, the Harrow School Funding Formula provides 'Additional Class Funding' for the period from September to the end of March, following which the mainstream funding formula will take effect. This ensures that schools have adequate funding for at least the average costs of a teacher.

Capital

36. The school expansion programme indicative cost, including primary school expansions in Phase 1 and Phase 2 and assumptions about Phase 3 and secondary school expansions and provision for pupils with special educational needs is presented at Annexe A. The table illustrates the initial indicative costings and the estimates following the completion of the detailed feasibility studies with the cost consultants. The variance to the original total estimated spend reflects refinement from the detailed design process and addition to contingencies for the programme.
37. Detailed design work is underway and planning applications for four schemes were submitted in March. All schemes will be submitted for planning consent by the end of April 2014. Once submitted for planning a detailed cost estimate will be prepared for each school and the Annexe A indicative capital costs will be updated for the next quarterly report. Current indications are that there will be a small increase to the previously reported cost of £26m to permanently expand the primary schools in Phase 2. This is not expected to exceed the programme contingency provision.
38. This does not include costs for two of the schools (Priestmead and Aylward) which will be delivered by the Education Funding Agency (EFA) as part of the Government's Priority School Building Programme (PSBP) to improve the schools in the worst condition across the country.
39. These costs were considered as part of setting the Capital Programme for this financial year (13/14). In October 2013, Cabinet agreed an increase to the Capital Programme for 13/14 due to additional funds being allocated by the EFA in that financial year. Bids have been submitted via the Capital Strategy capital bid process for the remainder of the programme which will come to Cabinet for approval in due course. Based on current estimates for the cost of the projects and the recent announcements about further yearly allocations from the EFA, it is expected that it is possible to deliver the programme with EFA capital grants, without the need for council capital funding.
40. Under current proposals the relocation of the PRU also will need to include the costs to complete minor works at Aylward Primary School and at a location for the secondary PRU. Capital costs will be assessed for proposed sites and will be charged to the Children's capital programme.

Legal implications

41. The Council's statutory duties to provide primary and secondary education, and the process for expansion of existing schools and the establishment of new schools, are set out in previous reports.

42. The conversion of maintained schools to academies is undertaken in accordance with the Academies Act 2010. Local authorities and school academy trusts are encouraged to reach a negotiated solution in relation to land transfer on conversion and it is envisaged that these may include local arrangements, such as leasebacks of land to the Council, where the sites are not exclusively used by the school.

Equalities implications

43. Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
44. Equalities Impact Assessment has been undertaken on Phase 2 of the Primary School Expansion Programme and on each school proposed for permanent expansion. The overall conclusion of these assessments is that the implications are either positive or neutral in that the expansion of the schools will help to ensure sufficient school places for the increasing numbers of children in Harrow. The assessments have not identified any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed.
45. Harrow's schools are successful, inclusive and provide a diversity of provision. The school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow and will build on the successful provision that already exists in Harrow's schools.
46. Equalities Impact Assessment of the relocation of the Pupil Referral Unit will be undertaken when the detailed proposal is finalised. It is considered likely that the assessment will be neutral or positive because:
- There is no change in the service to be provided to the service users;
 - current management and governance arrangements would continue;
 - the location of the primary school on a school site would be beneficial for young children and assist their reintegration into mainstream schooling wherever possible.

Performance Issues

47. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. 92% of Harrow's primary and secondary schools are judged

‘good’ or ‘outstanding’, compared to 85% in London and 78% nationally.

48. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level. However, the Local Authority maintains a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The Local Authority is also statutorily responsible for supporting and improving underperforming schools.
49. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education at both school and local authority level. They are also used within information provided to the DfE.

Key Stage 2	Year	Reading, Writing & Maths L4+	KS1-KS2 Expected Progress - Reading	KS1-KS2 Expected Progress - Writing	KS1-KS2 Expected Progress - Maths
Harrow	2012	79%	91%	93%	90%
National		74%	90%	90%	87%
Harrow	2013	79%	90%	92%	92%
National		75%	88%	92%	88%

Source: DfE Statistical First Release

Key Stage 4	Year	% 5 A*-C grades inc E&M	KS2-KS4 Expected Progress - English	KS2-KS4 Expected Progress - Maths
Harrow	2011	64.6%	80.9%	80.1%
National		58.4%	73.1%	65.9%
Harrow	2012	63.6%	82.3%	80.4%
National		59.1%	69.3%	69.9%
Harrow	2013	65.4%	79.7%	83.3%
National		60.8%	71.7%	72.0%

Source: DfE Statistical First Release

50. The indicators fall within the following areas:
- Attendance and exclusions - remain a statutory duty for the Local Authority to monitor and improve.
 - Underperforming schools – schools are assessed at Key Stage 2 & Key Stage 4 against defined floor standards.
 - Closing the Gap - is a fundamental part of Ofsted’s school inspection process, and accordingly, the Local Authority monitors the attainment of identified groups of pupils in its schools. The table below includes the gap at key stage 2 between pupils eligible for free school meals and their

peers and the gap between Harrow’s SEN children and their peers – children with a SEN provision includes School Action, School Action Plus or a Statement.

2013 Key Stage 2 – Closing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	17%	19%
Achievement gap between pupils with special educational needs and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	49%	53%

2012 Key Stage 4 - Narrowing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving 5 or more A* to C grade GCSEs including English and mathematics GCSEs.	28.8%	26.4%
The Special Educational Needs (SEN)/non-SEN gap – achieving 5 A*- C GCSE inc. English and Maths GCSEs.	46.3%	47.0%

51. There is a complex interrelationship between a number of other performance issues such as traffic congestion, road safety, traffic and parking enforcement and travel plan performance, as referred to earlier in the report, and all these considerations are taken into account in assessing school expansion proposals.

Environmental Impact

52. The Council’s over-arching climate change strategy sets a target to reduce carbon emissions by 4% a year. Schools account for 50% of the council’s total carbon emissions. Reducing emissions from schools is therefore a vital component in meeting the Council’s target. However there is a significant risk that the expansion programme will increase emissions rather than reduce them. Phase 2 of the School Expansion Programme will have an impact on carbon emissions that will need to be carefully considered in this context.
53. The RE:FIT Schools Programme will be available to retrofit existing school buildings to improve their energy efficiency. For new-build schools, the design standards will need to ensure that they meet high energy use efficiency standards. Of particular importance will be the use of low carbon technologies – particularly for space heating – and these will need to be thoroughly investigated during the design phase.
54. For many of the projects in the school expansion, programme, planning applications will be required and part of the application will be a school travel plan. Through this process and the development of the solutions

for the schools, the impact of the additional pupils and their travel modes will be addressed.

Risk Management Implications

55. The directorate and corporate risk management implications for the Council arising from school place planning are included on the directorate and corporate risk registers. A Programme Risk Register is also being formulated and this will be reviewed by the Programme Board.
56. The highest priority risks for this programme are Planning and Finance. The table below sets out the high level risks together with mitigating / control actions.

High Level Risks	Consequences	Mitigating/Control Actions
<p>Planning</p>	<p>Planning permission not granted creating delays to programme.</p>	<p>Any school expansion that involves building works requiring planning consent is governed by planning law. Planning applications are subject to statutory consultation processes that are conducted separately and independently by the Planning Department. In order to mitigate risks to the programme, the following control actions have been put in place:</p> <p>Informal discussions with Planners during feasibility regarding planning polices.</p> <p>Planning Performance Agreement agreed.</p> <p>Community engagement through the Education Statutory Consultation and the pre-planning engagement activities. School community and local residents invited to meetings and provided with information about local proposals.</p> <p>Traffic Assessments and Traffic Statements undertaken to inform School Travel Plans and highways mitigation measures.</p> <p>IT improvements are being put in place for the planning applications to be viewed on the Council website.</p> <p>Additional dates have been arranged for Planning Committee to consider the planning applications.</p> <p>Planning Committee Member Briefing was held on 6 March 2014.</p>

<p>Finance</p>	<p>Unaffordable Programme / individual projects and additional costs to Council.</p> <p>Risk of loss of TBNP funding if the new places are not provided and the allocations spent by September 2015.</p>	<p>Capital Strategy developed to bring together the Government's school funding streams: Basic Need, Capital Maintenance, Targeted Basic Need Programme; and building programmes e.g. Priority School Building Programme.</p> <p>School expansion feasibility designs aligned to the DfE guidance on spaces and areas for schools.</p> <p>Indicative costs calculated from feasibility studies to inform programme budget.</p> <p>Programme contingency has been included in the programme budget.</p> <p>Robust financial and programme monitoring through the Programme Board, Capital Forum and Cabinet reports.</p> <p>Exploring how the Government's Free-School Programme for new schools (programme funded directly from government) may be supported in Harrow.</p>
<p>Programme delivery</p>	<p>Delays to programme – school places not available, additional costs.</p>	<p>Capital Team established with appropriate skills, experience and expertise in major construction projects to deliver programme.</p> <p>Programme Board established with Corporate Director and senior officer membership.</p>
<p>Pupil Projections</p>	<p>Over or under estimate of pupil growth leading to a mismatch of provision – shortage of places or over provision of places leading to high levels of vacancies.</p>	<p>GLA commissioned to provide school roll projections. Review of projections against admissions, applications, In-Year movement of pupils. Close working with schools.</p> <p>The permanent expansions are planned to achieve a sustainable level of school places to meet the growth as indicated by the pupil projections. The additional permanent places are created as the demand grows over the years.</p> <p>The peak and variations in demand for school places will be met by continued use of temporary additional places. This approach will minimise the risk of having to remove permanent capacity in the years</p>

		following the peak in demand.
Communication	Lack of understanding of need and proposals leading to delays and complaints.	<p>Communication strategy being developed for overall programme and individual projects.</p> <p>School Expansion Stakeholder Reference Group established with cross-party and representative membership to provide advice and guidance on the implementation of the school expansion programme.</p> <p>Programme communications officer appointed to develop and co-ordinate communications and community engagement.</p>

57. If the PRU is not relocated from its current site, this will impact the redevelopment of the Teachers' Centre and Whitefriars Community School. The risk has been mitigated so far as possible by actively pursuing negotiations for alternative sites as described in this report.

Corporate Priorities

58. This report incorporates the corporate priorities to deliver a cleaner, safer and fairer Harrow by:
- Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
 - Providing high quality local educational provision in schools for children close to where they live.

Section 3 - Statutory Officer Clearance

Name: Jo Frost	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 28 March 2014		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 28 March 2014		

Section 4 – Performance Officer Clearance

Name:	Kuljit Bisal	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date:	18 March 2014		

Section 5 – Environmental Impact Officer Clearance

Name:	Hanif Islam	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date:	17 March 2014		

Section 6 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Professional Lead, Education Strategy and School Organisation, 020 8736 6841.

Background Papers:

- Primary School Expansion Programme report to Cabinet 21 November 2013. Item 10 <http://www.harlow.gov.uk/www2/ieListDocuments.aspx?CId=249&MId=61433&Ver=4>
- Primary School Expansion Programme report to Cabinet 12 December 2013. Item 9 <http://www.harlow.gov.uk/www2/ieListDocuments.aspx?CId=249&MId=61434&Ver=4>
- Equality Impact Assessment on Phase 2 of the primary school expansion programme

Call-In Waived by the Chairman of Overview and Scrutiny Committee	NOT APPLICABLE <i>[Call-in applies]</i>
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Annexe A - School Expansion Programme indicative capital costs - Cabinet report 10 April 2014

Project\Financial Year (figures denote £000s)	Original Pre-feasibility Estimated Project Cost	Spend to date	Current Post-feasibility Forecast	Variance to Original Estimated Project Cost	Scheme	Note
LAST UPDATED:	Aug 2013	Dec 2013	Dec 2013			
SEP Phase 1						
Marlborough (£10,500)	4,900	409	2,150	-2,750	PSBP	1
Vaughan (£8,500)	2,900	357	2,900	0	PSBP	1
Pinner Parks	2,850	254	3,100	250		2
Stanburn	2,150	1,039	2,150	0		
Glebe	1,750	1,236	1,750	0		
Camrose	297		297	0		
Cedars Manor	26		26	0	PSBP	
TOTAL SEP Phase 1	14,873	3,294	12,373	-2,500		
SEP Phase 2 Group 1 (Sep 14 Expansions)						
Norbury	2,300		3,000	700	TBNP	
Belmont	2,010	4	2,450	440	TBNP	
Pinner Wood	1,000	13	1,250	250		
Grange	1,250		1,550	300		
Aylward	PSBP	57		0	PSBP	
TOTAL SEP Phase 2 Group 1	6,560	74	8,250	1,690		
SEP2 Phase 2 Group 2 (Sep 14 Expansions)						
Elmgrove	5,100		3,500	-1,600	TBNP	
St John Fisher	2,400		2,850	450	TBNP	
Newton Farm	2,150		2,950	800	TBNP	
Cannon Lane	3,130	82	3,700	570	TBNP	
Priestmead	PSBP			0	PSBP	
Kenmore Parks	3,500	50	3,100	-400		
Whitchurches	2,010		1,800	-210	TBNP	
TOTAL SEP Phase 2 Group 2	18,290	132	17,900	-390		
SEP Phase 3 (assume Sep 17 expansions)						
Expansion 1	2,500		2,500	0		
Expansion 2	2,500		2,500	0		
Expansion 3	2,500		2,500	0		
TOTAL SEP Phase 3	7,500	0	7,500	0		
SEN Expansions						
Woodlands	2,500	18	2,675	175	TBNP	
Kingsley	2,500		1,100	-1,400	TBNP	
Shaftesbury	2,500		2,600	100	TBNP	
West Lodge Mainstream Unit	1,500		950	-550	TBNP	
Earlsmead Mainstream Unit	1,500		950	-550	TBNP	
Bentley Wood Mainstream Unit	1,500	0	1,500	0	TBNP	
TOTAL SEN Expansions	12,000	18	9,775	-2,225		
Secondary Expansions						
Bentley Wood	2,150		2,350	200	TBNP	
Whitefriars Community	12,400		15,950	3,550	TBNP	
Additional New School (assume Sep 19 opening)						
Total Secondary Expansions	14,550	0	18,300	3,750		
School Expansion programme contingency at 5% (excl SEP 1)		0	3,086	3,086		
Other						
Capital Maintenance	8,100	2,017	8,100	0		
IT	950	23	950	0		
2YO grant	438		438	0		
Short Breaks	256	191	256	0		
Bulge classes	525	220	525	0		
Amalgamations	1,900	2,724	1,900	0		
TOTAL Other	12,169	5,175	12,169	0		
TOTAL ESTIMATED SPEND	85,942	8,694	89,353	3,411		

Spreadsheet notes and assumptions

- 1) For Marlborough and Vaughan schemes, PSBP will deliver the schemes up to approximate £6m costs, but the council may be required to contribute to the total cost of the scheme
- 2) £250k funded directly by school

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REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	Whitchurch Playing Fields - Free School
Key Decision:	Yes
Responsible Officer:	Caroline Bruce, Corporate Director of Environment and Enterprise Chris Spencer, Interim Director of Children's Services
Portfolio Holder:	Councillor Stephen Wright, Portfolio Holder for Property and Major Contracts Councillor Janet Mote, Portfolio Holder for Children and Schools
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix 1 - Site plan Appendix 2 Community Use Agreement (to be agreed - draft example)

Section 1 – Summary and Recommendations

This report sets out property proposals for the establishment of a free school at Whitchurch Playing Fields.

Recommendations:

Cabinet is requested to

- 1) Delegate authority to the Corporate Director, Environment & Enterprise in consultation with the relevant portfolio holders to:
 - a) Enter into an agreement for lease with a free school which is most likely to be Avanti Schools Trust subject to grant of planning consent for the creation of a free school;
 - b) Agree the terms of a 125 year lease at a peppercorn rent subject to the construction of the school and ancillary works;
 - c) Negotiate and agree the terms of a community use agreement to form part of the lease

Reason: (For recommendation)

To enable the local authority to fulfil its statutory duties to provide sufficient school places in its area and enter into the necessary lease agreement for the land.

Section 2 – Report

Background

Whitchurch Playing Fields and Pavilion

Whitchurch Pavilion has remained vacant since it was fire damaged some eight years ago. Prior to this it was used as changing facilities in connection with the adjacent 25 acre playing fields. The playing fields are used on a much reduced basis since the closure of the pavilion and more recently temporary portastore changing facilities. The playing fields are in poor condition requiring levelling and drainage improvements.

November 2011 Cabinet authorised the appointment of the Whitchurch Fields Consortium as the Council's preferred bidder for the site and at the Cabinet in June 2012 resolved that the Whitchurch Consortium be commissioned to develop a community sport and leisure facility, subject to agreement of terms.

Cabinet on 22nd November 2012 considered the proposed terms which had been negotiated and authorised the Corporate Director of Place Shaping in consultation with the Portfolio Holder for Property and Major contracts to conclude contractual arrangements.

An application was received by the Council to register the Whitchurch Playing Fields as a Town and Village Green which necessitated the Whitchurch Consortium project being put on hold until the application was determined. The evidence put forward to the Public Inquiry showed that in recent times the sports pitches had been used mainly by the wider community, including a variety of local sports clubs, although it was apparent that there was still an element of regular schools use. Having heard all the evidence, the inspector to the Inquiry recommended that the application was refused, which was subsequently confirmed by a decision of the Council's Licensing Panel towards the end of 2013.

If the council wish to progress the Whitchurch Consortium project, it is considered that an application to the Secretary of State would be required for consent to grant a long lease under s77 of the School Standards and Framework Act 1998 because of the established school use.

Avanti House

The government announced a that a free school, Avanti House, would open in Harrow or Barnet in Autumn 2011. Avanti House is an all through school, with pupils aged from 3-18 in Reception classes to Year 13. The school will have 420 pupils in total in the primary phase (Reception to Year 6 classes) 900 pupils in total in the secondary phase (Year 7 to Year 11) plus sixth form pupils.

The school was opened on a temporary basis on two sites in Harrow in September 2012 while a permanent site was secured by the Education Funding Agency (EFA). The primary phase is located on part of the Krishna Avanti Primary School. The secondary school is located on the former Peterborough and St Margaret's School site. The EFA have been trying to secure a site for the school since the original announcement.

The Council have now been approached by Avanti House/and the EFA with a view to using Whitchurch Playing Fields for the purposes of constructing a new Secondary Academy Free School of 1280 pupils. On 27th March 2014 confirmation was received in writing from the EFA that they wished to proceed with the lease subject to terms.

Introduction

1. The Local Authority has a statutory responsibility to provide sufficient school places for its area. There are several key strands to the delivery of sufficient school places because an increasing pupil population impacts across primary, secondary and special school provision. The Cabinet has agreed and is implementing Phase 2 of its Primary School Expansion Programme proposals, and has agreed a

Special School and SEN Placement Planning Framework and Secondary School Place Planning Strategy.

2. This report sets out proposals that will increase the number of secondary and primary school places in Harrow by enabling the permanent location of Avanti House, or another free school promoted by the EFA, at Whitchurch Playing Fields,

Options considered

Primary School Expansion Programme

3. The Council commissions the Greater London Authority (GLA) to provide projections. Officers review the projections and adjust as necessary to ensure that the projections reflect the experience of schools and the Admissions Service.
4. Officers are developing options for Phase 3 of the Primary Expansion Programme in the context of the agreed school expansions in Phase 2, on-going review of the projections and other free school developments.
5. The updated 2013 primary school projections, reported to Cabinet in November 2013, indicated the same trend in the increased demand for reception places, with demand slightly higher than previously forecast and peaking in 2018/19. The high level of demand is then predicted to continue with a slight and gradual reduction thereafter.
6. The projections indicate that a third phase of primary school expansions will be needed to meet the increased demand from 2016 onwards.
7. The final number of permanent classes will be informed by:
 - The decision making process for the proposed Phase 2.
 - The permanent location of Avanti House.
 - Any free school bids that are successful within Harrow.
8. The Phase 2 proposals agreed by Cabinet in March will provide an additional 12 reception classes across Harrow. A further expansion is being considered by Cabinet at their meeting in April. If this is agreed, then there will be a further 9 forms of entry required to meet the peak in demand in 2018/19. If Avanti House primary school is located in Harrow permanently then the 2 forms of entry (60 reception places) will contribute to the projected shortfall.

Secondary School Expansion Programme

9. The annual Demographic School Roll Projections Report also includes the projections for secondary pupils. The overall number of pupils in secondary schools has been declining since 2005 as has the number of Year 7 pupils. The Year 7 decline in numbers has created a high level of vacancies concentrated in a small number of schools which

has led one school to review and reduce its planned admission number.

10. However, this position will change. Harrow started opening additional reception classes in September 2009 and this increase in primary pupil numbers will impact on the secondary schools from September 2016 when there is an increase of 120 pupils in Year 7 which will exceed the available places. The projections for Year 7 then continue to increase by 640 from 2,301 in September 2016 to 2,828 in September 2021. The projections assume that there will continue to be approximately 85% of in-borough Year 6 students transferring to Year 7 places in Harrow secondary schools.
11. These projections pose a considerable challenge to ensure sufficient future secondary school places in Harrow. Taking September 2014 as a baseline of 2,150 permanent Year 7 places, the shortfall of Year 7 places required to meet projected demand in September 2021 would be 690 places or 23 forms of entry.
12. The Secondary School Place Planning Strategy details the projections and the shortfall of places. It outlines how it is proposed to increase capacity within the secondary sector by September 2015 for the demand expected by September 2018. It was agreed by Cabinet in November 2013.
13. The aim of the Secondary School Place Planning Strategy is to ensure that there are sufficient secondary school places in Harrow. The Strategy brings together the strategic planning of the Local Authority and individual school development planning.
14. There are a number of options to increase secondary school capacity, including:
 - Expand existing high schools.
 - Bring forward proposals for new free schools.
 - Expand and extend the age range of primary schools.

Phase 1 of the Secondary School Place Planning Strategy

15. The Secondary School Place Planning Strategy outlines a Phase 1 that comprises three strands to increase the capacity in the secondary sector required by September 2018. Together these projects would deliver 12 permanent forms of entry by September 2015 in line with the current known funding timescales.

The three Phase 1 strands are summarised as follows:

Strand	School	Year	Additional Year 7 Forms (places)
Strand 1	Expansion of Bentley Wood High School	September 2014 (included in the 2,150 places from Sept 2014)	1 (30)

Strand 2	Harrow Teachers' Centre and Whitefriars Community School secondary provision	September 2015	5 (150) These places will fill over time starting with 60 in 2015
Strand 3	Free School Bid	By Sept 2015 at the earliest (subject to approval by DfE and identification of site)	6 (180) If located at Heathfield School site

16. Strand 1 and 2 are currently being implemented and free school bids are being developed for Strand 3 with two proposers developing bids for a free school on the Heathfield School site. The Secretary of State will decide if these bids are successful and implemented.

Phase 2 of the Secondary School Place Planning Strategy

17. Phase 1 would deliver up to 11 further permanent forms of entry (Bentley Wood is already counted in to the 2014 baseline) towards the 2021/22 shortfall of 23 forms of entry and would meet the demand for places up to 2018/19. The actual number of Year 7 places required for a Phase 2 is partly dependent on the permanent location of Avanti House School and other places available in existing and new schools in the local area.
18. If Avanti House is permanently located in Harrow, the secondary places would contribute to the overall increase and there would be up to an additional 180 places. Together with strands 1-3 of the Strategy in Phase 1 this would provide 17 additional permanent Year 7 classes.
19. Though the contribution of free school places to help meet the projected demand would be significant, it is likely that a proportion of the places would be filled by students resident outside Harrow. The Heathfield School site is on the border with Hillingdon and could be expected to draw students resident in that borough. Avanti House would be likely to attract up to 120 students from its primary phase and from Krishna Avanti Primary School. However, the school draws from a wide area and it is also likely that a proportion of the places would be filled by students resident outside Harrow.
20. If a free school is not built on Whitchurch Playing Fields then the Council would have to provide the required secondary school places in another way which may mean that the Council will have to build an additional secondary school at its own expense since central Government funding could not be guaranteed.

Conclusion and Options

21. Option 1 – The Council does not pursue the free school proposal on Whitchurch Playing Fields and either leaves the playing fields as is or proceeds with the Whitchurch Consortium proposal, (subject to

approval from the Secretary of State). If the Council pursues this option then it will have to explore other proposals to provide the required secondary school places.

22. Option 2 – Try to identify a free school operator that will purchase the site from the Council, i.e not on a peppercorn. If the Council pursues this option then it may not receive the additional benefit of a community use agreement which will provide for additional facilities for use within the borough.
23. Option 3 – Pursue the development of a free school on the site, most likely Avanti Schools Trust, with disposal of the site at a peppercorn consideration. This will allow all monies to be channelled into the building of a school with excellent community facilities available to the borough at a minimum cost and will avoid the possibility of Harrow Council having to fund these required additional school places itself.
24. It is considered to be prudent to secure the additional places provided by Avanti House or another EFA – supported free school as part of the strategy to increase provision in Harrow, for reasons that include:
 - a second phase of additional secondary school forms of entry will be required and all opportunities to secure additional places should be pursued as they arise;
 - the potential to increase secondary school places within existing sites is very challenging;
 - there are no immediately available sites in Council ownership for new secondary schools other than Whitchurch Playing Fields;
 - although there would be a surplus of places from September 2015, by September 2019 the projections will match the number of places more closely.
25. The proposal would be subject to planning consent being granted for the proposed school on the site. The Council would consider any planning application prepared by the Avanti Trust / the EFA in its separate statutory capacity as Local Planning Authority. Local residents affected by the proposed development would be consulted and will have the opportunity to make representations as part of the planning process.
26. These proposals will mean that the Whitchurch Consortium plans cannot proceed as they are currently envisaged.

27. **Recommendation**

It is recommended that the Council enters into an agreement for lease with a free school, likely to be Avanti Schools Trust subject to:

- The Council using its best endeavours to maximise community use by the conclusion of a detailed community use agreement incorporating agreed upgrade works to the playing fields, provision of artificial pitches, access to the sports facilities within the school including any proposed

MUGA and gym facilities. A substantial element of free use to be incorporated within the agreement, the agreed draft to form part of the agreement for lease

- Agreement on the terms of a 125 year lease at a peppercorn rent
- The lease to be granted subject to completion of the construction works so that the Council can protect its position and ensure that the school is delivered.

Legal Implications

28. The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in their area.

Under s.14 of the Education Act 1996, a local authority shall secure that sufficient schools for providing primary and secondary education are available in their area. Sufficient means sufficient in number, character and equipment to provide for all pupils the opportunity of appropriate education.

In meeting this duty, a local authority must do so with a view to securing diversity in the provision of schools and increasing opportunities for parental choice.

Under current Government policy new schools will be established as 'free schools' and will be academy trusts directly funded by Central Government which are not subject to day to day local education authority control. In meeting its overall duty to secure sufficient school places, the Council therefore needs to work with free school providers in relation to the establishment of new schools, and this may include the provision of appropriate local authority sites.

Where there has been an element of regular school playing field use alongside wider community use, a disposal or change of use to a non playing field use will require secretary of state consent under s77 of the School Standards and Framework Act 1998. However, unless a site has been used wholly or mainly during the last 8 years for the purposes of a school, it is not automatically designated academy land for the purposes of Schedule 14 of the Education Act 2011.

The Council has general discretion under s123 of the Local Government Act 1972 to dispose of land assets that it holds. The particular duties in s123 to obtain best consideration and advertise the disposal of open space do not apply in relation to the disposal of land for the purpose of an academy.

The Council must ensure that it meets its public law duties when making decisions, including meeting its public sector equality duty. It must consider all relevant information, disregard irrelevant information, act in accordance with the statutory requirements and make its decision in a fair and transparent manner.

Financial Implications

29. There is minimal financial implication on revenue budgets with the proposed agreement for lease with a free school. A small revenue income is currently generated from the use of the site as sports pitches by schools and local community. However this is fully offset by the maintenance costs. The proposal will remove ongoing liability for running and maintaining Whitchurch Playing Fields from the Council, creating a revenue saving of circa.£5,000 within Parks Services.

The demolition and associated remedial works connected with the derelict pavilion are estimated at £80,000. This cost would be met by EFA/DfE if the proposal was agreed. EFA/DfE would also be responsible for the costs of planning application and construction of the new school on the site.

Financial risks should also be considered as it is possible that the council may face a financial claim from the Whitchurch Consortium in respect of their abortive costs in developing the scheme previously approved by Cabinet. It is not possible to quantify the claim at this stage.

Performance

30. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. 92% of Harrow's primary and secondary schools are judged 'good' or 'outstanding', compared to 85% in London and 78% nationally.
31. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level. However, the Local Authority maintains a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The Local Authority is also statutorily responsible for supporting and improving underperforming schools.
32. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education at both school and local authority level. They are also used within information provided to the DfE.

Key Stage 2	Year	Reading, Writing & Maths L4+	KS1-KS2 Expected Progress - Reading	KS1-KS2 Expected Progress - Writing	KS1-KS2 Expected Progress - Maths
Harrow	2012	79%	91%	93%	90%
National		74%	90%	90%	87%
Harrow	2013	79%	90%	92%	92%
National		75%	88%	92%	88%

Source: DfE Statistical First Release

Key Stage 4	Year	% 5 A*-C grades inc E&M	KS2-KS4 Expected Progress - English	KS2-KS4 Expected Progress - Maths
Harrow	2011	64.6%	80.9%	80.1%
National		58.4%	73.1%	65.9%
Harrow	2012	63.6%	82.3%	80.4%
National		59.1%	69.3%	69.9%
Harrow	2013	65.4%	79.7%	83.3%
National		60.8%	71.7%	72.0%

Source: DfE Statistical First Release

33. The indicators fall within the following areas:

- Attendance and exclusions - remain a statutory duty for the Local Authority to monitor and improve.
- Underperforming schools – schools are assessed at Key Stage 2 & Key Stage 4 against defined floor standards.
- Closing the Gap - is a fundamental part of Ofsted's school inspection process, and accordingly, the Local Authority monitors the attainment of identified groups of pupils in its schools. The table below includes the gap at key stage 2 between pupils eligible for free school meals and their peers and the gap between Harrow's SEN children and their peers – children with a SEN provision includes School Action, School Action Plus or a Statement.

2013 Key Stage 2 – Closing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	17%	19%
Achievement gap between pupils with special educational needs and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	49%	53%

2012 Key Stage 4 - Narrowing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving 5 or more A* to C grade GCSEs including English and mathematics GCSEs.	28.8%	26.4%
The Special Educational Needs (SEN)/non-SEN gap – achieving 5 A* - C GCSE inc. English and Maths GCSEs.	46.3%	47.0%

34. There is a complex interrelationship between a number of other performance issues such as traffic congestion, road safety, traffic and parking enforcement and travel plan performance, as referred to earlier in the report, and all these considerations are taken into account in assessing school expansion proposals.

Environmental Impact

35. The Council's over-arching climate change strategy sets a target to reduce carbon emissions by 4% a year. Schools account for 50% of the council's total carbon emissions. Reducing emissions from schools is therefore a vital component in meeting the Council's target. However there is a significant risk that the expansion programme will increase emissions rather than reduce them. Phase 2 of the School Expansion Programme will have an impact on carbon emissions that will need to be carefully considered in this context.
36. The RE:FIT Schools Programme will be available to retrofit existing school buildings to improve their energy efficiency. For new-build schools, the design standards will need to ensure that they meet high energy use efficiency standards. Of particular importance will be the use of low carbon technologies – particularly for space heating – and these will need to be thoroughly investigated during the design phase.
- 37.. Secondary schools procured through the Building Schools for the Future capital programme are required to achieve a BREEAM (or equivalent) 'Very Good' rating.

Risk Management Implications

38. The risk management implications for the council arising from school place planning are included on the Children and Families directorate and corporate risk registers.

Equalities implications

- 39.. Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
- 40.. An Equalities Impact Assessment has been undertaken on the proposal to accommodate Avanti House Free School within the borough and located on the Whitchurch Playing Fields . The overall conclusion of these assessments is that the implications are mainly positive for age, race and religion/faith as follows:
- The proposed new school could mitigate against the estimated lack of secondary Year 7 places in Harrow from 2016 onwards. Without additional Year 7 places available at that time, Harrow secondary age children and young people may not be able to be placed at Harrow schools, impacting on the family as a whole.
 - There are no Hindu faith based schools in Harrow at the moment although there a number of other faith based schools. Therefore these proposals could impact positively on residents of Indian or Asian backgrounds or practising Hindus who wish to provide their children with education within a Hindu environment.

However there is a potential adverse impact for race and faith as follows:

- These could have a negative effect to other communities if the school does not offer an open application system for all. This is mitigated by the admission policy of the school which asserts that admission will be by pupils of any or no faith.
41. The assessments have not identified any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed. However, a further consultation on the new location proposed should be undertaken.

Corporate Priorities

42. This report incorporates the corporate priorities to deliver a cleaner, safer and fairer Harrow by:
- Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
 - Providing high quality local educational provision in schools for children close to where they live.

Section 3 - Statutory Officer Clearance

Name: Jessie Man

on behalf of the
Chief Financial Officer

Date: 31 March 2014

Name: Matthew Adams

on behalf of the
Monitoring Officer

Date: 27 March 2014

Section 4 – Performance Officer Clearance

Name: David Harrington

on behalf of the
Divisional Director
Strategic
Commissioning

Date: 31 March 2014

Section 5 – Environmental Impact Officer Clearance

Name: Hanif Islam

on behalf of the
Corporate Director
(Environment &
Enterprise)

Date: 31 March 2014

Section 6 - Contact Details and Background Papers

Contact: Philip Loveland Cooper
Head of Service - Corporate Estate
d/I 0208 424 1877 x2877
Philip.loveland-cooper@harrow.gov.uk

Background Papers:

Cabinet Report Nov 2008

<http://moderngov:8080/ieDecisionDetails.aspx?ID=1622>

Cabinet Report Nov 2011

<http://moderngov:8080/ieDecisionDetails.aspx?ID=60484>

Cabinet Report June 2012

<http://moderngov:8080/ieDecisionDetails.aspx?ID=60583>

Cabinet Report Nov 2012

<http://moderngov:8080/ieDecisionDetails.aspx?ID=60659>

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]

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London Borough of Harrow
LA.1000192006. 2010.



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TITLE
**Whitchurch Pavilion
& Playing Fields
Wemborough Road
Stanmore**

Drawn
MV

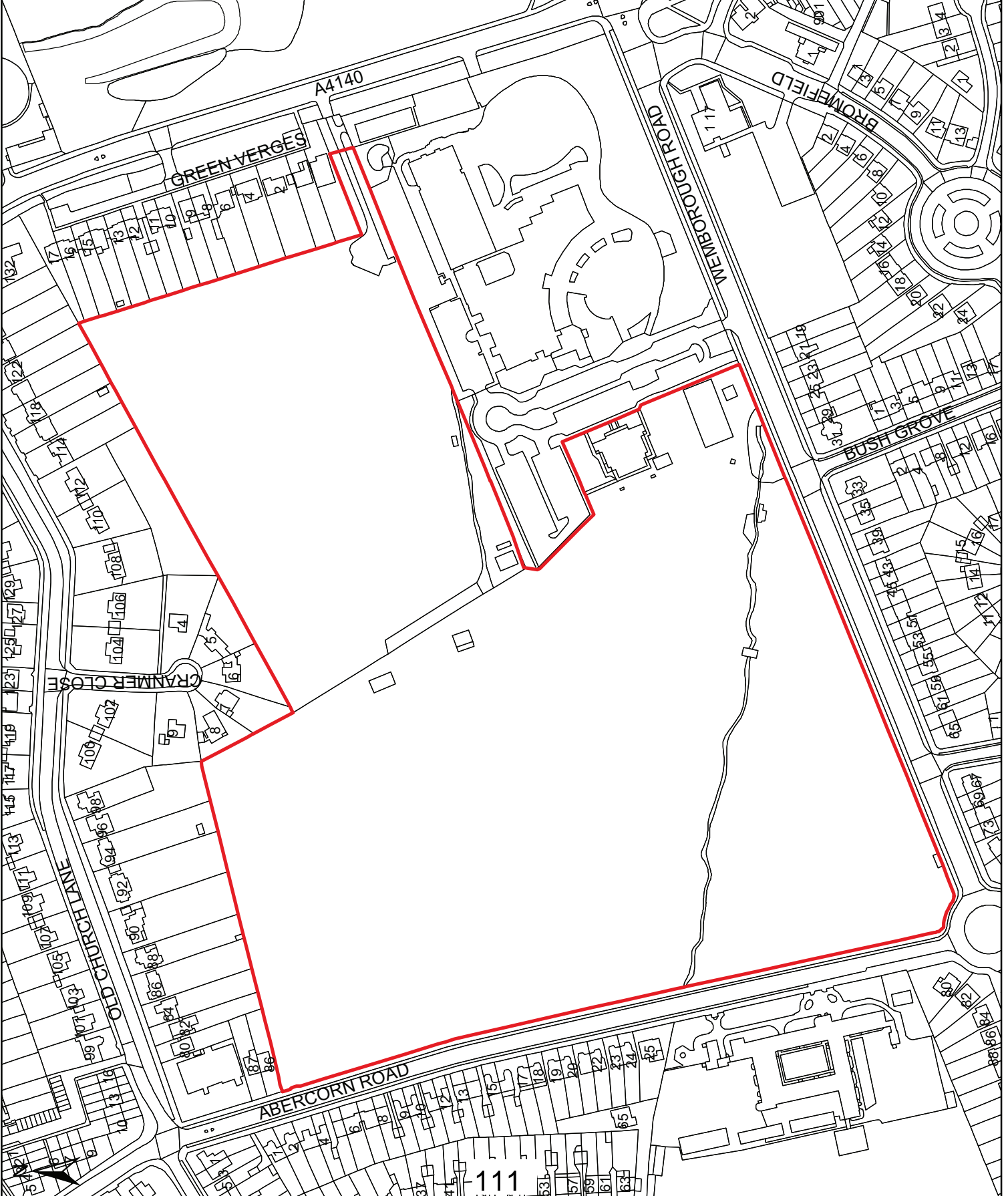
File No.

Scale
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Date
27/03/2014

ES No.

Issue



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THE MAYOR AND BURGESSES OF THE LONDON BOROUGH OF HARROW

**And
AVANTI HOUSE TRUST**

DRAFT COMMUNITY USE AGREEMENT INDICATIVE ONLY

SERVICE LEVEL AGREEMENT

SUBJECT TO FURTHER DISCUSSION AND AGREEMENT

RECITALS

Avanti House Trust will be providing a secondary school with playing fields and sports facilities on the site of Whitchurch Playing Fields.

Avanti House Trust will develop manage and procure the operation of the facilities at the site

The Authority and Avanti House Trust wish to enter into this Agreement in order to make the sports facilities at the proposed school on the Whitchurch Playing Fields site available for use by the local community in recognition of the granting of a 125 year lease by the London Borough of Harrow at a peppercorn rent

The Authority has primary responsibility for the provision of sports facilities in the Harrow area for use by and for the benefit of the community and is desirous of entering into this Agreement in furtherance of that responsibility

1. DEFINITIONS AND INTERPRETATION

In this Agreement the following words or phrases have the corresponding meanings ascribed to them unless the context otherwise requires:

Facility	The community sports facilities specified in Schedule 1 forming part of the Premises at Whitchurch Playing Fields.
Group	means a group of companies within the meaning of section 42 of the Landlord and Tenant Act
Peak Use Period	5.00pm - 10.00pm weekdays and 12.00pm - 10.00pm weekends and bank holidays
Premises	The Premises as demised by the Lease
The Schools	Stanburn First School Stanburn Junior School Whitchurch First School and Nursery Whitchurch Junior School
Schools Others	Other Community Schools located within the London Borough of Harrow.
School Core Time	9.00am – 5.00pm weekdays during School term time

AIMS

The parties hereto agree to support the development of the Facility in order to pursue the following aims:

To increase and improve the quality of sporting and physical activity opportunities for the people of Harrow;

To raise the profile of sport within the local community.

To create a centre for sports development programmes

To provide a physical location for sports clubs as negotiated in partnership

To provide opportunities for local people and sports organisations to participate in sport and physical activity at the site and to develop their skills particularly among low participant groups

Where appropriate to establish partnerships with other stakeholders in the community to support sports club and voluntary sectors groups to help raise standards of coaching education, training and the identification of talent in Harrow schools.

OBJECTIVES

To maximise use of the Facility during term time and the School holidays between

9.00am and 10.00pm each day;

To give

(i) opportunities for beginners, for people wishing to improve their sporting skills via programmes of coaching and competition and training for players coaches and officials

(ii) specific activities aimed at attracting new participants from the following priority groups:

- a) 16 and under;
- b) 50 and over;
- c) girls and women;
- d) Lower socio economic groups;
- e) Black and Ethnic Minorities;
- f) People with Disabilities;
- g) Other specified target groups agreed between the parties to this Agreement;

subject to discussion with local schools should provides for a wide range of community sports (where feasible) including provision for:

- a) Sports Development Initiatives;
- b) Organised club sessions;
- c) Coaching courses;

MANAGEMENT

The Avanti House Trust agrees and undertakes with the Authority that it shall:-

Be responsible for the Facility and will resource manage and routinely maintain it in a manner that will enable achievement of the agreed targets.

Will provide heat light water and such other amenities as required for the Facility and its intended use

Will account to the appropriate undertaking in respect of the cost of gas fuel oil electricity water rates and taxes which may be attributable to such use of the Facility

Will insure and keep insured the Facility against all usual commercial risks including public liability in its full reinstatement value

Will establish a policy of affordable pricing that would not affect the sustainability of the Site

Will consult with the Authority on the content and evolution of a Sports Development Programme

Will consider any recommendations made by the Authority and amend any Sports Development Programme or any part of it to take into account the Authority's reasonable comments provided that these shall not be regarded as reasonable if they would require such an increase in Avanti House Trust's expenditure as to result in the operation of the Facility running at a loss

FINANCE

The Avanti House Trust shall be free to enter into agreements for making available the Premises and/or the Facility to other persons or bodies on such terms and at such costs as they may in their absolute discretion determine. Such agreements shall not however prejudice the operation of this Agreement

DURATION OF AGREEMENT

This Agreement will remain in force for the term of the Lease.

NO VARIATIONS

This Agreement may only be varied in writing by a document executed by all the parties hereto

NO AGENCY

Nothing in this Agreement shall be construed as creating a partnership, a joint venture, a contract of employment or a relationship of principal and agent between the parties hereto

NON-ASSIGNABILITY

The parties acknowledge that it is intended that this Agreement and the Lease remain vested in the same entity;

TERMINATION

The Authority shall be entitled to terminate the Agreement where 3 or more valid Rectification Notices for the same breach have been properly served by the Authority upon Avanti House Trust within any period of 12 months and Avanti House Trust has not used its reasonable endeavours to remedy the breach and (if applicable) where either party has invoked the provisions of (Dispute Resolution) the dispute has been determined leaving the final Rectification Notice in force;

The Authority may terminate the agreement in circumstances where it is entitled to do so by serving written notice upon Avanti House Trust and thereupon this Agreement shall automatically terminate without prejudice to the rights either party may have against the other in relation to matters arising before the date of termination

DISPUTE RESOLUTION

Avanti House Trust or the Authority may give notice to the other requiring a dispute between them (including any failure by them to agree a matter which they are at first instance required to do) of this Agreement to be referred to an independent person.

SCHEDULE 1

The Facility

1 x Full size Floodlit Artificial Grass Football Pitch

4 x small sided Grass Junior pitches 55m x 37m

4 x full size pitches 100m x 50m

2 cricket tables / pitch

Changing rooms and shower facilities for 12 teams

SCHEDULE 2

The Obligations

Avanti House Trust shall make available the Facility for :

1. *A minimum of 1000 hours per year during School Core Time of the Facility free of charge to The Schools*
2. *A minimum of 200 hours per year during School Core Time of the Facility at 50% of the standard off peak charge to the Other Schools*
3. *Harrow Schools FA up to 10 priority bookings annually of a full size pitch at 50% of the standard charge.*
4. *One annual Community Event for Stanmore Baptist Church(subject to the Authority's consent which can be unreasonably withheld)*
5. *A minimum of 250 hours per year during the Peak Use Period to be made available for Sports Clubs from within the Borough of Harrow*
6. *A minimum 250 hours per year for Instructive Sports Development Initiatives provided to Disability Organisations*
7. *Make available for a minimum of 100 hours per year selected local groups (to be agreed with LBH SDU) the opportunity to have priority booking rights for the Artificial Turf Pitches at agreed off-peak times.*
8. *In July and August each year offer priority booking rights to local schools and clubs who block book the facility for the whole season.*
9. *Enable Schools in the Borough to hire the 3G pitch for up to 10 Cup Finals each year during the peak use period at the standard off peak rate.*
10. *Subject to prior booking make available the facilities at cost for the selection and training of squads to represent Harrow in the London Youth Games.*
11. *Participate in the Harrow Card / Leisure Card scheme and offer discounted rates at the site for borough residents during off peak periods.*

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REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	Appointment of Contractors to the Framework to Deliver Adaptations to all Tenures
Key Decision:	Yes
Responsible Officer:	Paul Najsarek, Corporate Director of Community, Health and Wellbeing
Portfolio Holder:	Councillor Barry Macleod-Cullinane, Deputy Leader and Portfolio Holder for Adults and Housing
Exempt:	No, except for the appendix which is exempt under paragraph 3 of Part I of Schedule 12A to the Local Government Act 1972 (as amended) in that it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).
Decision subject to Call-in:	Yes
Enclosures:	Appendix - Procurement Report for the provision of Disabled Adaptations (Exempt – Part II)

Section 1 – Summary and Recommendations

This report describes the outcome of the tender process to select contractors to the framework for the provision of Disabled Adaptations Services

Recommendations:

Cabinet is requested to:

1) Approve the appointment of the following contractors to the framework agreement :

- a. Amwell Construction Ltd
- b. B & H Builders
- c. C.E.Flynn Builders
- d. Cameron Makenzie
- e. David Martin Carpentry Contractors
- f. Effectable Construction Services Limited
- g. Expert Property Solutions
- h. Euro Contracts (London) Ltd
- i. F G Mileham Building Contractors Ltd
- j. Field Brothers (Luton) Ltd
- k. G & M Builders
- l. H Carolan Construction
- m. H D Property Services Limited
- n. Jeffery & Wilkes Building Contractors Ltd
- o. Mark Brown Builders
- p. Mullin & Sons Ltd
- q. R & R Builders
- r. Terry and Stephens.

2) Agree the commencement of the Framework from 1st May 2014 for a period of four years (3 years with the option to extend for a further 1 year subject to performance review and Council agreement) for the provision of Disabled Adaptations.

REASON:

For several years the council has been using an approved list of mostly small to medium sized local contractors to deliver this service. A formal tendering process was undertaken to formalise arrangements that would facilitate mini-competition amongst contractors who have already been through a competitive process.

In compliance with the Councils Standing Orders an open tendering procedure has been followed and based on the results a recommendation is made to award the contracts to the most economically advantageous tenders.

Section 2 – Report

1. Background

- 1.1 The Council currently undertakes Adaptations via an approved list of contractors, which includes a number of contractors; these contractors are invited to tender for individual projects on a rotation basis; a minimum of 3 contractors are invited with the most financially advantageous contractor selected to carry out the works, it is recognised that this does give value for money however there is currently no compliant framework in place.
- 1.2 The procurement process was undertaken to gain a more efficient arrangement for delivering the Disabled Adaptations service. It provided the opportunity for a detailed specification to be created that clearly outlined the service required and the standard to which those are expected to be delivered. The aim of the exercise was to select 20 contractors with a range of specialisms that would allow for further mini-competitions to gain ongoing efficiency and continuous improvement.
- 1.3 The procurement process targeted a mixture of local as well as incumbent contractors. To ensure that these contractors had total clarity about the Council's requirements an open day was held. This also provided the opportunity for interested contractors to clarify items of concern. A total of 25 contractors were invited to take part in the process. A total of 21 bids were received and subsequently evaluated by a panel consisting of both the Adaptations Team and Procurement representatives.
- 1.4 The evaluation was conducted against an evaluation mechanism that was based on a level 1 criteria of quality and price assessment with quality having a 70% weighting and price 30%. This was further broken down to the key assessment sub-criteria as follows:

Evaluation Criteria	Level 1 (%)
Quality	70
Level Access shower	
External Ramps	
Working with Vulnerable Clients	
Dealing with unforeseen delays	
Dealing with reported theft	
Price	30
Mark-up and goods and materials	
Mark-up on subcontracted services	
Hourly labour rates (including adjustments for overheads and margins)	
Total	100

- 1.5 The procurement project identified a number of opportunities that could flow from the procurement strategy, these included;
- Supporting the local economy
 - Providing competition between suppliers to maintain quality and minimise price
 - Encouraging innovation in service delivery

2. Proposals and reasons

2.1 Following the evaluation process, the following 18 contractors met the threshold score required for entry to the Disabled Adaptations framework.

1. Amwell Construction Ltd
2. B & H Builders
3. C.E.Flynn Builders
4. Cameron Makenzie
5. David Martin Carpentry Contractors
6. Effectable Construction Services Limited
7. Expert Property Solutions
8. Euro Contracts (London) Ltd
9. F G Mileham Building Contractors
10. Field Brothers (Luton) Ltd
11. G & M Builders
12. H Carolan Construction
13. H D Property Services Limited
14. Jeffery & Wilkes Building Contractors Ltd
15. Mark Brown Builders
16. Mullin & Sons Ltd
17. R & R Builders
18. Terry and Stephens

2.2 These contractors offered competitive hourly rates as well as mark-up rates for variations.

2.3 It is to be noted that 70% of the contractors selected are local and all contractors have signed up to employ local labour.

2.4 The suite of legal documents that underpin the framework has a range of key performance indicators built around performing to a specified standard, these are evaluated at the end of each individual contract, these are evaluated on various criteria, a copy of the completion assessment form is included in the appendix.

3. TUPE

3.1 TUPE does not apply to this Framework as no single entity was delivering this service as the majority of its work.

4. Legal Implications

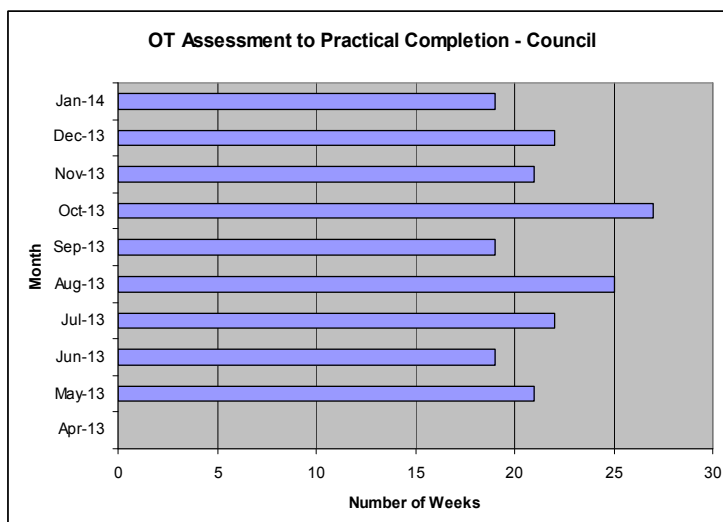
- 4.1 As the works are carried out under individual contracts with a value well below the EU financial threshold for public works contracts above which a fully compliant EU tender process would have to be followed, the council has lawfully procured the framework agreement.
- 4.2 The council will need to put in place the framework agreement and call off contracts to protect the council's legal and commercial interests.

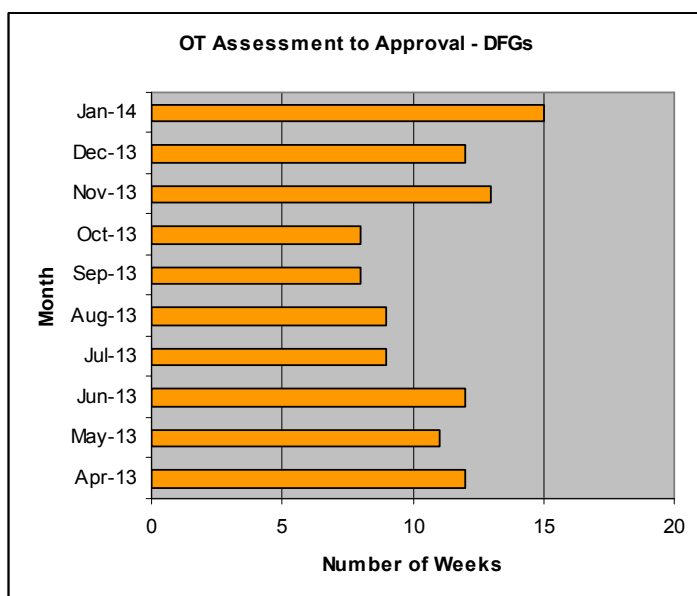
5. Financial Implications

- 5.1 The total value for this framework is estimated to be up to £8,600,000, based on a capital budget for Disabled Facilities Grants of £1.5m per year and Council Adaptations of £615,000 with the framework lasting 3 years with the option to extend for a further year.

6. Performance Issues

- 6.1 This procurement exercise was mainly to formalise processes already in place. The service already exceeds both government recommended targets for delivery and the council's commitment to keep within those timescales (recommendation 35 weeks). The graph below shows current performance. The procurement strategy adopted aimed to produce a result that would maintain this same performance and continue to provide both a cost effective adaptations service and support for the local economy. The procurement fits within the continuing transformation programme.





7. Environmental Impact

7.1 This Contract is essentially for the provision of adaptations to allow people to remain in their own homes. However as part of the procurement exercise environmental factors were taken into account, these included improvements to the use of water and gas and the sourcing of materials from sustainable sources.

8. Risk Management Implications

8.1 Risk included on Directorate risk register? No

8.2 Separate risk register in place? No

8.3 There are no new risks as this procurement exercise is only to formalise a process already in place.

9. Equalities implications

9.1 There is no change to the policy that determines what adaptations should be provided and in what circumstances. That policy was adopted by Cabinet in April 2011 and was supported by an Equalities Impact Assessment.

The proposals in this report refer only to how the Council contracts to achieve the adaptations that the policy requires.

The contractors' equalities policy were submitted and evaluated as part of the procurement process to ensure they met our standards, and equalities information was included in the tender.

10. Corporate Priorities

- 10.1 This report incorporates the administration's priorities to deliver a cleaner, safer and fairer Harrow by ensuring that households with disabilities have access to adaptations services provided by trusted contractors who will install adaptations as specified to meet specific need according to agreed standard and timescales.
- 10.2 As detailed in paragraph 6 the procurement exercise was undertaken fairly and targeted to produce a result that would maintain good performance and continue to provide both a cost effective adaptations service and support for the local economy.

Section 3 - Statutory Officer Clearance

Name: Dave Roberts	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 5 March 2014		
Name: Puja Shah	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 5 March 2014		

Section 4 – Performance Officer Clearance

Name: Jonathan Kilworth	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 5 March 2014		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Divisional Director (Environmental Services)
Date: 5 March 2014		

Section 6 - Contact Details and Background Papers

Contact: Michael Sheehy, Service Manager - Adaptations & Repairs
Tel: 020 8736 6011 (ext 6011)
Email: Michael.Sheehy@harrow.gov.uk

Background Papers: None.

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]

REPORT FOR: **CABINET**

Date of Meeting:	10 April 2014
Subject:	Response to NHS Health Checks Scrutiny Review
Key Decision:	No
Responsible Officer:	Dr Andrew Howe, Director of Public Health
Portfolio Holder:	Councillor Simon Williams, Portfolio Holder for Health and Wellbeing
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	Appendix 1 – Detailed Public Health Response to Scrutiny Review

Section 1 – Summary and Recommendations

This reports sets out the response of Public Health to the winter 2013 Scrutiny review of the NHS Health Checks programme in Harrow and Barnet.

Recommendations:

Cabinet is requested to:

1. Note the Public Health response to the Scrutiny Review recommendations
2. Note progress on recommendations (appendix 1)
3. Support the Scrutiny Review in its recommendations to Public Health England
4. Agree to receive updates from the Centre for Public Scrutiny on progress against the recommendations to Public Health England.

Reason: (For recommendation)

To enable Public Health to progress action against the recommendations arising from the Scrutiny Review as set out in the Director of Public Health's response in appendix 1.

Section 2 – Report

A Scrutiny review of Barnet and Harrow NHS Health Check function took place between September and December 2013. Assisted by the Centre for Public Scrutiny, and using the Return on Investment model, the review took into account the policy context; local context; service performance; stakeholder views and best practice examples.

The review put forward a number of recommendations for the Council. The Director of Public Health has considered these recommendations and his detailed response is set out in the appendix. In carrying forward these recommendations, the 'early identification of cardiovascular disease and diabetes through the health checks programmes' objective within the Health and Wellbeing strategy will be progressed.

Options considered

The NHS Health Check is a health check screening programme, targeted at 40-74 year olds, which aims to help prevent cardiovascular disease. There is a statutory duty for councils to commission the risk assessment element of the NHS Health Checks programme. Monitoring of this will be against the Public Health Outcomes Framework. The Scrutiny Review recommendations have been considered by the Director of Public Health and his response is attached in the appendix.

Scrutiny Review Recommendations

The Scrutiny Review's recommendations were developed through engagement with stakeholders and cover the following themes:

1. Health Checks promotion
2. Provider /Flexible delivery
3. Treatment Package
4. Referral pathways
5. Restructure financial incentives
6. Resources
7. Targeting
8. Screening Programme Anxiety
9. Barriers to Take-up
10. Learning Disability

Implementing the recommendations will enable the Health Check programme in Harrow to work towards meeting the suggested target of offering a Health check to 20% of the eligible population every year, and to 100% of the eligible population over a five year period.

Legal Implications

The Health and Social Care Act 2012, transferred responsibility to Local Authorities for commissioning the NHS Health Check risk assessment from 1st April 2013. Previously commissioned by the PCT, the Health Check programme is a mandatory function for Local authorities.

Financial Implications

Public Health funding is ring-fenced and can only be spent on public health functions, including Health Checks. The budget for 2013/14 was £335K and this will be maintained.

Recommendations in the report are to consider the payment mechanisms. We will be looking at how the payment mechanism can be used to incentivise the improvement in performance. We will be seeking to maintain with the budget allocation.

In the event that the recommendations lead to an increase in activity (and therefore cost) associated with Health Checks i.e. 'whole population approach' and a public information campaign, the impact on the commissioning intentions will be considered as part of the annual budget setting cycle in light of other public health priorities and funding decisions.

There are potential wider savings, although difficult to evidence, to the council's Social Care budgets through early prevention and treatment of cardiovascular disease. No assumptions have been made in the future MTFS about these savings.

Performance Issues

The 2013/14 Public Health scorecard contains the below indicator to monitor the Health Checks programme. A recovery plan is in place, following the transition from the PCT, as performance to date is below the suggested Department of Health Target. The target for Q4 has been revised downwards from 1650 in the previous quarters to 700 health checks.

Indicator Description	Actual Q1 2013/14	Actual Q2 2013/14	Actual Q3 2013/14
Number of eligible people receiving health checks	810	869	Data not available until early May

Implementing the recommendations as set out by the Scrutiny Review will enable improvements to the current performance.

Environmental Impact

There are no significant environmental impacts.

Risk Management Implications

Risk included on Directorate risk register? Yes

Separate risk register in place? Yes

Although there are no national targets attached to the programme, there is an expectation that 20% of the eligible cohort will be offered a health check in each year of the 5-year programme and uptake will be 50%. The risk(s) to not delivering the Health Checks programme are:

- Although some GPs might carry out opportunistic health checks on request from patients, council performance will remain poor on this indicator if there is no organised programme and the 50% uptake will not be achieved in 2014/15
- Damage to Council reputation for failing to provide the level of service expected by residents and referred to on the NHS Health Checks national website (and provided by other boroughs).
- Potential increased admissions into acute hospital care with acute cardiovascular events, such as heart attacks, unstable angina and strokes

Equalities implications

Was an Equality Impact Assessment carried out? **No**

The NHS Health Checks programme is a mandatory function transferred to Local Authorities alongside the transfer of Public Health. Department of Health guidance is prescriptive in how the programme is to be delivered. Take-up of the health checks is via GP practices and the information on those accessing the service is confidential to the NHS. We have a data sharing agreement with the CCG to access information on individuals receiving the health check. From local intelligence, we are aware that certain communities do not access the Health Check offer and work in underway to deliver health checks to those communities.

Corporate Priorities

This report incorporates the following corporate priorities through the Health and Wellbeing strategy objective of "Supporting residents most in need, in particular, by helping them find work and reducing poverty."

This supports the corporate priority of being Fairer by offering equality of access to health checks to qualifying groups.

Section 3 - Statutory Officer Clearance

Name: Donna Edwards	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 18 March 2014		
Name: Linda Cohen	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 17 March 2014		

Section 4 – Performance Officer Clearance

Name: Martin Randall	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 18 March 2014		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date: 17 March 2014		

Section 6 - Contact Details and Background Papers

Contact:

Nadeem Din/Sandra Husbands

Nadeem.din@harrow.gov.uk / Sandra.husbands@harrow.gov.uk

Background Papers:

1. Appendix 1 – Public Health Response to NHS Health Check Scrutiny Review
2. NHS Health Checks Scrutiny Review Final Report (December 2013)

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]



Appendix 1: Public Health Response to NHS Health Checks Scrutiny Review

February 2014

1. Between September and December 2013, the Centre for Public Scrutiny was commissioned by Barnet and Harrow Councils to undertake a review of the NHS Health checks services. The review took into account the policy context; local context; service performance; return on investment; stakeholder views and best practices examples.
2. The review gave rise to a number of recommendations for action – some local, some national or system-wide.
3. The health checks service is commissioned by the Barnet and Harrow Shared Public Health Service (Public Health). Public Health has considered and responded to the recommendations (table 1).

Table 1. Recommendations and Responses

Theme	Recommendation and Rationale	Response from Harrow and Barnet Public Health Department
1 Health Checks Promotion	It is recommended that Public Health England develop a national communications strategy to promote awareness and advantages of Health Checks, supported by local campaigns. The campaign should seek to incentivise people to undertake a Health Check (e.g. by promoting positive stories relating to proactive management of risk factors or early diagnosis as the result of a check).	<p>Whilst we support this recommendation, there is limited influence which the Public Health department can exert on Public Health England through its channels and networks in lobbying for a national campaign. We would welcome Cabinet using its channels to lobby with the appropriate bodies.</p> <p>The Public Health Department will also continue to market the service locally, co-ordinating with national campaigns, if and when they become available.</p>
2 Providers / Flexible Delivery	Health Checks should be commissioned to be delivered through alternative providers (e.g. pharmacies, private healthcare providers etc.) and at alternative times (e.g. evenings / weekends), and in different locations (e.g. mobile unit at football grounds, shopping centres, work places, community events etc. or via outreach (e.g. at home or targeting vulnerable groups)) to make Health Checks more accessible.	The Health Checks contract is a legacy contract i.e. commissioned by the PCT. As such there is limited scope to extend to alternative providers, until the contract is re-commissioned. We are currently undertaking two procurement exercises for additional community based providers.
3 Treatment Package	All elements of the Health Check should be delivered in a single session to streamline the process and make the experience more attractive. Commissioners should investigate feasibility of tailoring treatment options to specific communities.	The need to streamline the process is recognised and point of care testing will be introduced, where possible, depending on resources and users' preference.

4	Referral Pathways	<p>The patient pathway should clearly define the referral mechanisms for those identified as:-</p> <ul style="list-style-type: none"> • Having risk factors; and • Requiring treatment 	<p>Action is underway to ensure that pathways are in place for both boroughs and that these are clearly communicated to current and any new providers. Contracts are to be based on evidence and community preferences.</p>
5	Restructure Financial Incentives	<p>Barnet and Harrow have different payment structures. It is recommended that contracts are aligned (preferably in accordance with a standard contract agreed via the West London Alliance) and that Health Check providers are paid on completion only.</p>	<p>Work is already underway to restructure financial incentives, subject to negotiation with providers, as contracts are up for renewal.</p>
6	Resources	<p>Public Health England and local authorities must consider the cost of the whole patient pathway and not only the risk assessment or lifestyle referral elements of the Health Check. Health Checks are currently not a mandatory requirement for GPs (delivered by Local Enhanced Service contracts) meaning that they may not be incentivised to deliver and nor have the capacity (human resources and physical space) to deliver. Nationally, Public Health England and NHS England should consider the cost of the whole pathway and on that basis a whole system review is recommended.</p>	<p>This recommendation is for Public Health England. We will use our communication channels to influence PHE and NHS England.</p> <p>At a local level there is limited capacity and scope to introduce any changes to national policy or GP contracts.</p>
7	Targeting	<p>It is recommended that the Health Checks commissioning strategy should deliver a 'whole population' approach (offering checks to eligible population cohort), complemented by targeting of specific groups or communities particularly:-</p> <ul style="list-style-type: none"> • men (who statistically have a lower up-take than women); 	<p>A targeted approach is already being adopted, with outreach activities in community settings that serve particular hard-to-reach communities, e.g. places of worship.</p>

		<ul style="list-style-type: none"> • faith communities (who statistically have a high prevalence of certain diseases); and • deprived communities (where there is a statistical correlation between deprivation and a low uptake of Health Checks) 	
8	Screening Programme Anxiety	It is recommended that Public Health England, clinicians and local commissioners give consideration to managing potential public anxiety in participating in a screening programme.	We will consider developing a public information campaign to address public anxiety following best practice and learning from other organisations.
9	Barriers to Take-Up	Commissioners are recommended to research the reasons for the public not to participate in the Health Checks programme to identify what the barriers to take-up are. On the basis of the research findings, targeted engagement with under-represented groups is recommended.	Some work has already been done, as part of the underpinning analysis for the review. It is usual public health practice to carry out equity audits to understand who does and does not access services and why. This will be carried out in the near future (2014/15).
10	Learning Disabilities	It is recommended that Public Health England, clinicians and local commissioners give consideration to incorporating adults with learning difficulties into the Health Checks programme before age 40 due to their overrepresentation in the health system	People with LD are not excluded from NHS health checks, as long as they meet the eligibility criteria, like everyone else. However, they are also invited to an annual LD health check (regardless of age) and there is considerable overlap.

REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	Affordable Housing Programme Update
Key Decision:	No
Responsible Officer:	Lynne Pennington, Divisional Director of Housing Services
Portfolio Holder:	Councillor Barry Macleod-Cullinane, Deputy Leader of the Council and Portfolio Holder for Adults and Housing
Exempt:	No
Decision subject to Call-in:	No
Enclosures:	Appendix 1: Estate Development/Regeneration Consultation Outcomes

Section 1 – Summary and Recommendations

This is an information report providing an update on the Affordable Housing Programme now referred to as “Homes for Harrow”.

Recommendations:

Cabinet is requested to note the report and the ongoing commitment to progress the Affordable Homes programme approved by Cabinet on 20 June 2013 and continue with design feasibility and financial modelling work to take forward the infill and regeneration proposals.

Reason: (For recommendation) To provide a progress update on the delivery of key housing objectives

Section 2 – Report

Introductory paragraph

Increasing the supply of housing, including affordable housing is a key objective of the Council's Housing Strategy. The Housing 30 year business plan sets out how we want to make best use of increased Housing Revenue Account (HRA) financial resources to be ambitious in the way we use our assets to develop our business, maintaining and improving our existing Council housing stock as well as building new affordable homes.

Options considered

Various options were considered for deciding the best use of housing assets and the different ways in which the Council could build new affordable housing. These were considered by Cabinet in June 2013 when approving the Affordable Housing programme to be taken forward. This information report provides details of the programme being developed. Options for delivery of the regeneration aspects of the programme will be the subject of future Cabinet reports.

Background

1. On 20 June 2013, Cabinet approved the first phase of an Affordable Housing Programme involving:
 - the development of new housing for affordable rent and sale being developed on vacant or under-utilised HRA land/assets such as garage sites, funded partly through the additional income being generated in the HRA as a result of self-financing and partly through other resources held by the Council specifically for the purpose of delivering additional affordable housing;
 - Detailed regeneration feasibility studies being taken forward on HRA housing estates where an initial assessment indicates there is viable potential to develop additional new homes.
2. A financial assessment was carried out to see what capacity the HRA has to enable a new build affordable housing programme to be taken

forward. The modelling suggested that the HRA could afford to develop up to 150 properties over the next 5 years by using a combination of S106 receipts, other capital receipts, right to buy receipts and revenue contributions. There is already financial capacity to deliver around 50 new homes over the next two years. Once these new homes are completed immediate positive net cash flows will be generated for the HRA and this will contribute to increased balances over the 30 year period of the Housing Business Plan.

Infill Opportunities

3. An initial 50 unit development programme was identified for detailed site investigations to be taken forward to enable a final programme of “Hidden Homes” to be commissioned. Cabinet agreed that delivery of the first phase programme should be supported by procurement of a development management service. An essential element of the service to be procured was to develop internal capacity through training, coaching and mentoring so that further phases could be managed internally.
4. A competitive tendering process was taken forward to procure the development management service in September 2013. Unfortunately only one tender was received and this was not considered sufficient to enable appointment. Feedback from the firms invited to tender indicated that the volume of development work in London particularly to meet GLA grant funding deadlines, meant they did not have the capacity to bid for the work. In order to progress the programme, PRP architects were appointed to draw up feasibility designs for the identified sites using available legal and service information.
5. The feasibility designs for the sites will be complete by mid-April and this will enable a programme to be finalised. It should be noted that all of the sites identified are complicated and will require detailed site surveys, investigations and financial appraisal to verify the proposals and unit numbers.

Estate Development/Regeneration

6. An initial desktop assessment of the Council’s HRA estate concluded that many of the Council’s estates are not suitable for redevelopment/regeneration because the Council now owns less than 60% of the homes and/or because there is limited potential for redevelopment at a higher density. A provisional shortlist of estates was identified where partial or full redevelopment may be financially achievable and create opportunities to increase the level of housing, including additional affordable housing.
7. On some estates, the majority of new homes developed would need to be for private sale to produce a viable business plan. In some cases additional funding would be needed to allow them to break even as was the case with the Rayners Lane and Mill Farm regeneration

schemes. These will require consideration of different delivery models to ascertain the optimum solution.

8. In June 2013 Cabinet agreed that detailed feasibility studies should be taken forward on 8 estates to establish the potential for a realistic and deliverable regeneration programme. Grange Farm estate was added to the list in late September 2013:

- a. Alexandra Avenue
- b. Amy Johnson Court
- c. Brookside Close
- d. George V Avenue
- e. Grange Farm estate
- f. Hazeldene Drive and Pinner Green flats
- g. Howard's and Deacon's Close
- h. Dickson Fold
- i. 301 Pinner Road

9. PRP architects were appointed in November 2013 to carry out the detailed feasibilities for each estate. These will involve design options being developed for each estate in consultation with residents and then assessing costs and funding options to decide whether they should be taken forward.

10. In January, site visits were made by the officer/consultant team to each of the estates to confirm the opportunities for additional housing. Following that site visit, 301 Pinner Road and George V Avenue were removed from the list on the basis there was no potential for additional development.

11. Design options have been taken forward for the remaining estates. A key part of developing the options has been to involve residents in the process and two consultation events have now been held on each estate. The consultation outcomes are summarised at Appendix 1.

The outcomes from the feasibility options are:

Estate	Type of development (Subject to Planning, detailed legal, service information etc)	Potential additional new homes	Other considerations	Community view
Alexandra Avenue	Infill	11 in infill blocks 14 through loft conversion	New parking layout, landscaping and improved access to open space	Generally positive subject to detailed design

Amy Johnson Court	Infill	3 in one small infill block	Improved landscaping to communal areas and existing flats (through alignment of capital works programme)	Generally positive subject to improvements to existing homes and communal areas
Brookside Close	Infill	11 (4 bungalows and 7 flats)	Improved access to existing bungalows and new parking area (to replace garages)	Mixed response. Any development would need to be coordinated with improvements to security for existing homes to tackle anti social behaviour issues.
Grange Farm estate	Complete regeneration driven by need to replace existing homes in the long term	Replacement of existing 260 homes with c433 new homes and replacement community centre	Complete redevelopment would create new estate layout based on courtyards, private and communal amenity areas, new parking arrangements. The increase in homes is not sufficient to make the scheme financially viable so additional funding sources will be required to take this forward.	Generally positive and want to see the regeneration of the estate
Hazeldene Drive and Pinner Green flats	3 options considered: Complete regeneration, infill and major	Proposals considered replacement of existing 123 homes with c. 177	Further option appraisal with detailed assessment of 30 year investment	Some disappointment that regeneration not viable and support for

	improvement of existing housing.	new homes and infill on garage site only	needs including retrofit requirements needed to determine best way of improving existing housing stock especially energy efficiency and potential for any partial redevelopment option	major improvement approach.
Howard's and Deacon's Close	Complete regeneration or major improvement of existing homes	Proposals considered replacement of existing 84 homes with c147 new homes	Complete redevelopment would create new estate layout based on courtyards, private and communal amenity areas, new parking arrangements. The increase in homes is not sufficient to make the scheme financially viable so additional funding sources will be required to take this forward	Mixed response to redevelopment proposal.
Dickson Fold	On hold for the time being pending investigation of complicated legal issues.	Not applicable at the moment	Not applicable at the moment	Tenants concerned about having to move and concerns shared by wider community.

Next Steps

12. The additional infill opportunities identified above will be considered alongside the infill site programme which will be progressed independently.
13. The potential for full redevelopment of Hazeldene Drive is limited and further detailed options appraisal is required to consider long term investment needs including retrofit requirements.
14. The Grange Farm estate is identified as a priority for complete regeneration primarily because the opportunity to improve and maintain the quality of the existing homes is constrained by the nature of the construction. The regeneration proposal for Howard's and Deacon's Close should also be explored further and compared to a comprehensive improvement programme for the existing homes.
15. These are complex projects which will require a new approach to the way we use our current housing stock. In order to enable the regeneration projects to be taken forward, the Council will need to work with residents to put in place a decant strategy that will require moving some existing residents off site to enable a regeneration programme to start. These residents would need priority for rehousing on the Council's Housing Register which will reduce the amount of lettings available for other priority need households. This has to be considered within the context of increasing demand resulting from welfare reform and the consequent cost pressures on the Council's General Fund.
16. In addition, these projects will require the Council to identify new funding sources and partnership solutions which enable the Council to retain ownership of the new affordable homes and maximises the number and value of homes for sale to cross subsidise the redevelopment. The financial feasibility assessment demonstrates that even with an increase in new homes of which all additional homes are sold, there is still a significant funding gap to be met to enable the regeneration schemes to be taken forward. Next steps will include discussions with partners such as the GLA to identify additional sources of funding to support regeneration schemes.
17. Regeneration projects take time to put in place and then deliver. Completion of the new affordable housing on the Rayners Lane estate took 10 years and the Mill Farm project will have taken 7 years from initial consultation with residents to completion of the new affordable housing. In the meantime, existing homes need to be maintained to provide safe and reasonable quality homes. During the project planning and delivery stage, the Council will need to agree with residents what and how interim works will be delivered assuming it will not be practical to move everyone at the same time.
18. The outcome from the Hazeldene Drive feasibility study demonstrates that further options appraisals will be required which consider the long term investment needs of the estate, including retrofitting works and

other environmental improvements that would tackle issues such as anti-social behaviour. This approach would need to be implemented for all HRA assets and is in the process of being taken forward through consideration of a Better Homes standard to replace the current minimum Decent Homes standard.

Legal Implications

19. There are no legal implications to this report as it is an Information report. However, as the Homes for Harrow programme progresses there will be numerous legal issues to consider such as:

- The process for procuring development partners, where appropriate
- Legal arrangements and commercial agreements which underpin the agreed delivery model to take forward, particularly in relation to the estate regeneration proposals. These may vary from estate to estate;
- The process for moving secure tenants to enable regeneration schemes to commence;
- The process for acquiring leasehold interests on the regeneration estates, including Compulsory Purchase Orders.

Financial Implications

20. Funding totalling £6.5M is already approved for the infill programme from RTB receipts/ other receipts and the Affordable Housing Fund, HRA revenue and GLA grant funding.

21. Taking forward the regeneration schemes will require new funding sources and delivery models as set out in paragraph 16. There are no implications for the Medium Term Financial Strategy (MTFS) as the costs of new build housing in the HRA and housing regeneration will not fall to the General Fund.

22. New affordable new homes developed through the HRA contribute to the New Homes Bonus (NHB) but the Council may not directly benefit from this in the future due to recent changes to the way in which NHB is to be distributed. The longer-term future of NHB beyond 2015-16 is currently unknown.

Performance Issues

23. There are a number of Performance Indicators built into the Housing Ambition Plan for 2013/14 for which progress is monitored on a quarterly basis and reported to Improvement Board.

24. The table below shows the relevant key performance indicator for delivery of new affordable homes. The Homes for Harrow project will contribute positively to performance in this area in the future. For example building new affordable homes will provide additional housing options for people in priority housing need and contribute to

homelessness prevention and managing the predicted growth in homelessness costs.

25. The Mayor of London, Boris Johnson, wants all of London's councils to increase delivery of all housing types to meet the increasing demand for housing in the capital. The draft Further Alterations for the London Plan sets out the proposed targets for Harrow. The Homes for Harrow programme will contribute significantly to achievement of these targets.

Performance Indicator	Q3 2013/14 Performance	Q4 Target	Red Amber Green	London Plan target
Number of affordable homes delivered (gross)	74	95	Anticipated Green for year end.	The overall current annual housing supply monitoring target for Harrow is 350, with a policy target that 40% or 140 homes should be provided as affordable subject to financial viability. We knew this target would not be achievable for 2013/14 but an average over a 3 year period is on target. The Further Alterations to the London Plan propose an increased target of 593 for Harrow which would translate to an annual affordable housing target of 237 homes.

Environmental Impact

26. The Homes for Harrow programme will have a positive impact and contribute to the Council's Climate Change Strategy and Delivering Warmer Homes strategy through:

- Improving energy efficiency and reducing CO2 in the Council's housing stock.
- New affordable homes will be required to achieve a minimum of level 4 of the Sustainable Building Code.
- Other environmental improvements often included in new housing developments or retrofitting of existing social housing include: provision of green roofs, solar thermal hot water systems to meet the target for use of renewable resources and resulting reduction in CO2 emissions, improved biodiversity as a result of increased tree planting and landscaped communal open spaces, provision of Sustainable Urban

Drainage Systems, and green travel plans to encourage use of public transport and walking.

Risk Management Implications

See separate guidance notes.

Risk included on Directorate risk register? Yes

Separate risk register in place? No. these will be developed for each specific project as they are developed.

Equalities implications

Was an Equality Impact Assessment carried out? Yes, for the Housing Strategy and related housing strategies.

27. The Housing Strategy EQIA informed the development and adoption of the key objectives which underpin the Housing Business Plan. The provision of additional housing options through the development of additional affordable housing has an overall positive impact on a number of protected characteristics.

Corporate Priorities

The Homes for Harrow programme will contribute positively to the Council's vision for Harrow: a place to live and work and be proud of and the administration's priority to deliver a cleaner, safer and fairer Harrow.

- 1. Cleaner:** Improving areas that are neglected such as unused garages by building new homes will improve the environment. Regeneration of estates will enable the provision of better planned green space which is usable by the whole community.
- 2. Safer:** Unused garage sites and poorly designed housing estates contribute to increased crime and anti-social behaviour and the Homes for Harrow programme will provide a solution to tackling this.
- 3. Fairer:** The Homes for Harrow programme will provide high quality housing for rent, low cost home ownership and private sale to help satisfy demand from a wide range of households.

Section 3 - Statutory Officer Clearance

Name: Dave Roberts	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 18 March 2014		
Name: Matthew Adams	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 31 March 2014		

Section 4 – Performance Officer Clearance

Name: Jonathan Kilworth	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 26 March 2014		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date: 17 March 2014		

Section 6 - Contact Details and Background Papers

Contact: Alison Pegg, Housing Partnerships and Strategy Manager, 020 8424 1933

Background Papers: Cabinet report 20 June 2013, Housing Business Plan 2013, consultation draft Asset Management Strategy, Proposals for a future Affordable Housing Programme, and Proposed Grants to Move scheme

<http://www.harrow.gov.uk/www2/documents/g61429/Public%20reports%20pack%20Thursday%2020-Jun-2013%2018.30%20Cabinet.pdf?T=10>

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

*[Call-in does not apply as the
decision is for noting]*

Appendix 1: Summary of Estate development/Regeneration Consultation Outcomes

On 20 June 2013 Cabinet agreed that detailed feasibility studies should be taken forward on a number of housing estates to establish the potential for additional new housing either through building on vacant land or through comprehensive redevelopment and regeneration; Grange Farm estate was added to the list in late September 2013. Following a site visit in January 2014, the list of estates to be included in the next round of work was confirmed as:

1. Alexandra Avenue
2. Amy Johnson Court
3. Brookside Close
4. Grange Farm estate
5. Hazeldene Drive and Pinner Green flats
6. Howards and Deacons Close
7. Dickson Fold

A key part of developing options for the estates has been to involve residents in the process and two consultation events have been held for each estate. The first event was to understand what residents thought of their estate and the issues they would like addressed in taking forward any development proposals. The second event was to show residents the initial proposals for their estate and get their feedback. The outcomes from these events are summarised for each estate.

Estate Details	Consultation 1 outcomes	Consultation 2 outcomes
<p>Alexandra Avenue</p> <p>Consultation venue: Health & Social Care Centre, 275 Alexandra Avenue, HA2 9DX</p> <p>No. of households invited = 131</p> <p>No. of households who attended event 1 (29/1/14) = 12</p> <p>No of households who attended event 2 (19/3/14) = 11</p>	<p><i>Residents liked:</i> Good size flats, balconies, outlook, dual aspect, open space around buildings, quiet, secure, neighbours know each other, proximity to amenities - station and clinic</p> <p><i>Issues identified:</i> Parking issues - limited capacity, narrow access, internal communal area not well looked after, damp, draught & drainage problems, internal noise, small rooms / kitchen / bathroom, some anti-social behaviour at rear of flats</p> <p><i>Changes residents would like:</i> More / better parking, possibly controlled.</p>	<p><i>Proposal presented:</i> Infill development and potential loft conversion</p> <p>Residents generally happy with proposals for infill on vacant land and/or loft conversions subject to the parking and open space issues being addressed. With regard to the loft conversion proposal, more detail required on how much disruption this would cause and health and safety issues.</p>

	Communal open space to be secure and more usable for families and children	
<p>Amy Johnson Court</p> <p>Consultation venue: Bob Lawrence Memorial Library, 4-8 North Parade, Mollison Way (event 1) and on site for event 2</p> <p>No. of households invited: 20</p> <p>No. of households who attended event 1 (28/1/14): 1</p> <p>No of households who attended event 2 (20/3/14): 7</p>	<p><i>Residents liked:</i> Quiet area</p> <p><i>Issues identified:</i> None</p> <p><i>Changes residents would like:</i> None expressed</p>	<p><i>Issues identified at second event:</i> Anti-social behaviour from non-residents in the communal areas and storage sheds, improvements needed to communal areas and internally to some flats.</p> <p>Generally positive about proposal for small infill development on garage site subject to the above issues being addressed for the existing flats. Some residents use the storage sheds so reprovision needs to be considered (possibly within vacant space in the communal areas).</p>
<p>Brookside Close</p> <p>Consultation venue: Brookside Hall, Brookside Close</p> <p>No of households invited: 78</p> <p>No. of households who attended event 1 (29/1/14): 20</p> <p>No of households who attended event 2 (27/3/14): 12</p>	<p><i>Residents liked:</i> Good area/quiet, good transport links and proximity to shops, good community, bungalows with a garden, good size flats, well looked after</p> <p><i>Issues identified:</i> Not a balanced community (young and elderly people), narrow and dark alleyway - youths gather around the garages, incidents of burglary to bungalows, car parking can be a problem</p> <p><i>Changes residents would like:</i> Improved security, more activities for all in the</p>	<p><i>Proposal presented:</i> Infill development</p> <p>Mixed response. Proposals would need to be coordinated with improvements to security for existing homes.</p>

	community centre.	
<p>Grange Farm estate</p> <p>Consultation venue: Grange Farm Close Community Hall, Osmond Close</p> <p>No of households invited: 254</p> <p>No. of households who attended event 1 (31/1/14): 64</p> <p>No of households who attended event 2 (24/3/14): 46</p>	<p><i>Residents liked:</i> Good community, good size flats, proximity to amenities, storage space, the area.</p> <p><i>Issues identified:</i> Damp, draught & drainage problems, noise, heating, lack of security, parking issues.</p> <p><i>Changes residents would like:</i> Communal open space to be secure and more usable for families and children, more / better parking possibly controlled, size of flats, appearance of the estate, modernisation, soundproofing</p>	<p><i>Proposal presented:</i> Comprehensive regeneration.</p> <p>Most residents supported the proposals presented for a comprehensive regeneration of the estate that would see it rebuilt as has happened for similar construction properties at Rayners Lane. They understand this would mean an increase in the number of homes on the estate and additional sources of funding would need to be identified before it could proceed.</p>
<p>Hazeldene Drive and Pinner Green flats</p> <p>Consultation venue: Pinner Hill community centre, Pinner Hill Road (event1) and Pinner Green Social Club, Rickmansworth Road</p> <p>No of households invited: 123</p> <p>No. of households who attended event 1 (28/1/14): 21</p> <p>No of households who attended event 2 (26/3/14): 15</p>	<p><i>Residents liked:</i> Good location / access to amenities / transport links, the area, good size flats, good community.</p> <p><i>Issues identified:</i> Damp & condensation, heat loss, leaky roofs, no play area for children, unsafe dark alleyways and anti-social behaviour, communal areas untidy and dated and exposed to the elements</p> <p><i>Changes residents would like:</i> Would like to see the estate completely redeveloped (many residents would like to</p>	<p><i>3 proposals explored:</i> regeneration, infill and improvement programme to tackle damp and condensation.</p> <p>The regeneration proposal would not be financially viable at the density allowed and the infill option is limited by overlooking and rights of light issues.</p> <p>Some disappointment that a regeneration proposal would not be financially viable. Support for a comprehensive approach to improving the existing homes including external</p>

	stay), better security and surveillance - lighting / CCTV, better housing standards, safe play area to be provided, renewable energy sources to be used	insulation to improve energy efficiency.
<p>Howard's Close/Deacon's Close</p> <p>Consultation venue: Pinner Hill community centre, Pinner Hill Road (event1) and Pinner Green Social Club, Rickmansworth Road</p> <p>No of households invited: 84</p> <p>No. of households who attended event 1 (28/1/14): 22</p> <p>No of households who attended event 2 (25/3/14): 15</p>	<p><i>Residents liked:</i> Good location / access to amenities / transport links, the area, good size flats, good community, nice schools, quiet</p> <p><i>Issues identified:</i> Damp & condensation, heat loss, flat too small / children having to share, poor state of repair, noise</p> <p><i>Changes residents would like:</i> Facelift / refurbishment of original buildings or replacement, better maintenance of building, more family housing, get rid of garages (underused), better security and surveillance</p>	<p><i>2 proposals explored:</i> comprehensive redevelopment which would not be financially viable without additional funding identified and an improvement programme to tackle damp and condensation.</p> <p>Mixed opinions about the redevelopment proposal as some households are happy with their homes as they are and would not want the upheaval of moving.</p>
<p>Dickson Fold</p> <p>Consultation venue: West House Lodge, West End Lane and door knocking</p> <p>No of households invited: 18</p> <p>No. of households who attended event 1 (27/1/14): 11</p>	<p><i>Residents liked:</i> Good and lovely area, good neighbours, quiet estate, private and not overlooked, proximity to the park / transport / shops, very safe</p> <p><i>Issues identified:</i> Car parking is a problem, overgrown trees, land may not be owned by the</p>	<p>As a result of the land ownership issues identified, this study is on hold and residents have been notified.</p>

	<p>Council</p> <p><i>Changes residents would like:</i> Address the car parking issue, new street lighting, paths to be repaired, new roofs</p> <p>Generally tenants did not want to move.</p>	
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REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	Business Rates – Retail Relief
Key Decision:	Yes
Responsible Officer:	Tom Whiting, Corporate Director of Resources
Portfolio Holder:	Councillor Tony Ferrari, Portfolio Holder for Finance
Exempt:	No
Decision subject to Call-in:	Yes
Appendices:	Appendix A – Business Rates Retail Relief Guidance, Department for Communities and Local Government Appendix B – Business Rates Retail Relief Policy Appendix C – Business Rates Retail Relief EqIA

Section 1 – Summary and Recommendations

This report sets out the new policy for Business Rates Retail Relief following the announcement by the Government, in their Autumn Statement on 5th December 2013, to introduce support for certain categories of retailers.

Recommendations:

That Cabinet considers and agrees that: -

- (i) Harrow determines to award Business Rates Retail Relief for the financial years 2014/15 and 2015/16 only, under the powers of s47 of the Local Government Finance Act 1988, as amended by the Localism Act 2011.
- (ii) Agree and adopt the Business Rates Retail Relief Policy for the financial years 2014-15 and 2015-16 only.

Reason: (For recommendation)

Implementation of Business Rates Retail Relief will allow Harrow Council to support its local retail businesses to adapt to the changing environment through the award of this relief over the years 2014-15 and 2015-16. Actual costs to the Local Authority of any relief that falls within the criteria stated within the Business Rates Retail Relief Guidance (as issued by central government in January 2014) will be reimbursed through the business rates retention scheme.

Section 2 – Report

2. Introduction

- 2.1 Within the Autumn Statement announced in December 2013, the Government stated that it wished to provide support to Town Centres. This support is to be provided specifically to retail businesses for the years 2014-15 and 2015-16, to allow business premises to respond to the changing way that people shop, particularly in relation to the trend to shop online.
- 2.2 The Government will provide Business Rates Retail Relief up to a maximum of £1,000 per annum, for the years 2014-15 and 2015-16, to specific occupied retail properties where their rateable value is £50,000 or less and the premises are used for specific trades as specified by guidance.
- 2.3 The Government has advised that this relief is only to be provided for the two years 2014-15 and 2015-16, to allow retail businesses to adapt to the changing way that people shop. There will not be any changes to legislation. Where Local Authorities use their discretionary rate relief powers, as introduced by the Localism Act 2011 (under section 47 of the Local Government Finance Act 1988, as amended) to grant this Business Rates Retail Relief, central government will reimburse the actual cost of the local share of the discretionary relief that falls within

the criteria as set out in the Business Rates Retail Relief Guidance. (The guidance is attached at Appendix A to this report.)

- 2.4 At February 2013 Cabinet, members agreed not to exercise powers under s47 of the Local Government Act 1988, as amended by s69 of the Localism Act 2011 in relation to awarding discretionary rate relief. To enable Harrow Council to administer Business Rates Retail Relief to applicable businesses in the area, it will be necessary to exercise the powers under s47 of the Local Government Finance Act 1988, as amended. This report therefore requests that members authorise use of the powers in relation to the implementation of this time limited policy.

Business Retail Rates Relief Criteria

- 2.5 This new relief is discretionary and can be awarded to properties that are being wholly or mainly used as shops, restaurants, cafes and drinking establishments with a rateable value of £50,000 or less. Similar to other reliefs a 'test' on use rather than occupation is applied and if it is found a property does not meet the criteria, the relief will not be applied.
- 2.6 The guidance gives further detail on the meaning of these establishments as follows:
- i) **'Hereditaments that are being used for the sale of goods to visiting members of the public:**
 - Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware store, supermarkets etc.)
 - Charity Shops
 - Opticians
 - Post Offices
 - Furnishing shops/display rooms (such as carpet shops, double glazing, garage doors)
 - Car/caravan show rooms
 - Second hand car lots
 - Markets
 - Petrol stations
 - Garden Centres
 - Art galleries (where art is for sale/hire)
 - ii) **Hereditaments that are being used for the provision of the following services to visiting members of the public:**
 - Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
 - Shoe repairs/key cutting
 - Travel agents
 - Ticket offices e.g. for theatre
 - Dry cleaners
 - Launderettes
 - PC/TV/domestic appliance repair

- Funeral directors
- Photo processing
- DVD/video rentals
- Tool Hire
- Car hire

iii) **Hereditaments that are being used for the sale of food and/or drink to visiting members of the public:**

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars'

2.7 The list provided above is meant to be a guide to Local Authorities and therefore is not exhaustive. However properties that have not been mentioned above and are not similar in their use will not be considered for the rate relief.

2.8 If the establishment does not meet with the Local Authority's wider objectives then the rate relief does not have to be applied. Harrow Council's Business Rate Retail Relief local scheme is outlined in the draft policy attached at Appendix B and is inclusive of all property uses as above.

2.9 The guidelines also give an outline of types of uses that the Government does not consider eligible for this rate relief and these are stated below:

i) **Hereditaments that are being used for the provision of the following services to visiting members of the public, eg:**

- Financial services (e.g. banks, building societies, cash points, Bureau De Change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/financial advisers, tutors)
- Post office sorting office or

ii) **Hereditaments that are not reasonably accessible to visiting members of the public**

Financial allocation of the relief

2.10 The Government will fund relief totalling £1,000 for each applicable property for each of the two years of the scheme. There is no taper and the amount does not vary according to the business rateable value.

- 2.11 If a property's rateable value is above £50,000 they cannot receive the relief.
- 2.12 The guidance (Appendix A, page 7 and paragraph nos. 15 - 19) gives Local Authorities clear guidance on how to calculate the relief which will be calculated and assessed on a daily basis and the relief will be applied against the net bill after all other reliefs.

Other Options Considered

Harrow Council wants to support local retail businesses within Harrow to respond to the changing environment. It is also clear within the Government's guidance that there is an expectation that Local Authorities will grant this relief where applicable. Additionally central government is reimbursing the actual costs for the local element of relief where it has been awarded to applicable properties within the guidance. Therefore the alternative option of not applying this relief does not seem attractive especially given that this will help the council to support local retail businesses and will not cost Harrow anything.

Legal Implications

Whilst Government is not changing legislation around the reliefs available to commercial properties, the guidance issued makes it clear that there is an expectation that local authorities will exercise their powers introduced by the Localism Act 2011 (under s47 of the Local Government Finance Act 1988) to enable the award of this new Business Rates Retail Relief. The Government will, in line with the criteria set out in the Guidance (enclosed at Appendix A), reimburse local authorities that use their discretionary relief powers, (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief. It will be for individual local billing authorities to adopt a local scheme and decide in each individual case where to grant relief, although as noted earlier, there is an expectation that authorities will grant relief to qualifying ratepayers.

Financial Implications

This is a report of the Corporate Director of Resources and deals with financial matters throughout. The scheme will be operational for the years 2014-15 and 2015-16 and is fully funded by central government for these two years and therefore has no financial implications for the Council.

Performance Issues

There are no specific performance issues. However any further financial awards of relief to our small and medium sized businesses will have a positive impact on collection rates.

Environmental Impact

None

Risk Management Implications

Risk Included on Directorate risk register? No

Separate Risk Register in Place? No

Equalities implications

An Equality Impact Assessment has been carried out for this new policy and is attached at Appendix C.

When making this decision, Cabinet should have due regard to the Public Sector Equality Duty. The Council completed an equality impact assessment and a summary of results are shown in the appendix and summarised below.

Section 149 of the Equalities Act 2010 created the Public Sector Equality Duty. Section 149 states:-

- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age, race, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation. The duty also covers marriage and civil partnership, but to a limited extent.

The EqIA shows that in excess of 2,000 commercial premises in Harrow could be eligible to this relief. Harrow will need to engage with the business community to ensure awareness of the new scheme and to maximize applications which could deliver sizeable Business Rates Retail Relief to our local traders, supporting them through economic challenging times and to enable them to compete better with on-line traders who generally have lower premises overheads.

There were no adverse impacts found should Harrow implement this policy; rather all impacts are potentially positive and would benefit qualifying traders in the current economic climate due to the potential reduction it would have on the amount of Business Rates qualifying ratepayers would have to pay.

Corporate Priorities

The exercising of Harrows' discretionary powers to award retail business relief will support local retailers and Harrow's commerce generally. This will ensure we promote this administrations priorities to deliver a fairer Harrow.

Section 3 - Statutory Officer Clearance

Name: Dawn Calvert	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 28 February 2013		
Name: Paresh Mehta	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 3 March 2014		

Section 4 – Performance Officer Clearance

Name: Martin Randall	<input checked="" type="checkbox"/>	on behalf of the Divisional Director Strategic Commissioning
Date: 28 February 2014		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date: 18 February 2014		

Section 6 - Contact Details and Background Papers

Contact:

Fern Silverio (Divisional Director – Collections & Housing Benefits),
Tel: 020-8736-6818 / email: fern.silverio@harrow.gov.uk

Background Papers:

As attached to this report

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]



Department for
Communities and
Local Government

Business Rates

Retail Relief – Guidance

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Business Rates Retail Relief – Guidance

About this guidance

1. This guidance is intended to support local authorities in administering the “Retail Relief” announced in the Autumn Statement on 5 December 2013. This Guidance applies to England only.
2. This guidance sets out the detailed criteria which central Government will use to determine funding relief for retail properties. The Guidance does not replace existing legislation on retail properties or any other relief.
3. Enquiries on this measure should be addressed to:
ndr@communities.gsi.gov.uk

Introduction

4. The retail sector is changing, particularly due to internet shopping, and many high streets are experiencing challenges as they look to adapt to changing consumer preferences in how people shop. The Government wishes to support town centres in their response by providing particular support to retailers.
5. The Government announced in the Autumn Statement on 5 December 2013 that it will provide a relief of up to £1,000 to all occupied retail properties with a rateable value of £50,000 or less in each of the years 2014-15 and 2015-16.
6. This document provides guidance to authorities about the operation and delivery of the policy. Government anticipates that local authorities will include details of the relief to be provided to eligible ratepayers for 2014-15 in their bills for the beginning of that year.

Section 1:

Retail Relief

How will the relief be provided?

7. As this is a measure for 2014-15 and 2015-16 only, the Government is not changing the legislation around the reliefs available to properties. Instead the Government will, in line with the eligibility criteria set out in this guidance, reimburse local authorities that use their discretionary relief powers, introduced by the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended) to grant relief. It will be for individual local billing authorities to adopt a local scheme and decide in each individual case when to grant relief under section 47. Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under section 31 of the Local Government Act 2003). The Government expects local government to grant relief to qualifying ratepayers.
8. Central government will reimburse billing authorities and those major precepting authorities within the rates retention system for the actual cost to them under the rates retention scheme of the relief that falls within the definitions in this guidance. Local authorities will be asked to provide an estimate of their likely total cost for providing the relief in their National Non Domestic Rate Return 1 (NNDR1) for 2014-15 and 2015-16. Central government will provide payments of the local authorities' share to authorities over the course of the relevant years.

Which properties will benefit from relief?

9. Properties that will benefit from the relief will be occupied hereditaments with a rateable value of £50,000 or less, that are wholly or mainly being used as shops, restaurants, cafes and drinking establishments.
10. We consider shops, restaurants, cafes and drinking establishments to mean:
 - i. **Hereditaments that are being used for the sale of goods to visiting members of the public:**
 - Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets, etc)
 - Charity shops
 - Opticians
 - Post offices
 - Furnishing shops/ display rooms (such as: carpet shops, double glazing, garage doors)
 - Car/ caravan show rooms
 - Second hand car lots

- Markets
- Petrol stations
- Garden centres
- Art galleries (where art is for sale/hire)

ii. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
- Shoe repairs/ key cutting
- Travel agents
- Ticket offices e.g. for theatre
- Dry cleaners
- Launderettes
- PC/ TV/ domestic appliance repair
- Funeral directors
- Photo processing
- DVD/ video rentals
- Tool hire
- Car hire

iii. Hereditaments that are being used for the sale of food and/ or drink to visiting members of the public:

- Restaurants
- Takeaways
- Sandwich shops
- Coffee shops
- Pubs
- Bars

11. To qualify for the relief the hereditament should be wholly or mainly being used as a shop, restaurant, cafe or drinking establishment. In a similar way to other reliefs (such as charity relief), this is a test on use rather than occupation. Therefore, hereditaments which are occupied but not wholly or mainly used for the qualifying purpose will not qualify for the relief.
12. The list set out above is not intended to be exhaustive as it would be impossible to list the many and varied retail uses that exist. There will also be mixed uses. However, it is intended to be a guide for authorities as to the types of uses that government considers for this purpose to be retail. Authorities should determine for themselves whether particular properties not listed are broadly similar in nature to those above and, if so, to consider them eligible for the relief. Conversely, properties that are not broadly similar in nature to those listed above should not be eligible for the relief.
13. As the grant of the relief is discretionary, authorities may choose not to grant the relief if they consider that appropriate, for example where granting the relief would

go against the authority's wider objectives for the local area. We would encourage councillors to be consulted on the final scheme that the local authority adopts, so there is a clear line of accountability in case of a dispute on the final local scheme that is adopted.

14. The list below sets out the types of uses that government does not consider to be retail use for the purpose of this relief. Again, it is for local authorities to determine for themselves whether particular properties are broadly similar in nature to those below and, if so, to consider them not eligible for the relief under their local scheme.

i. Hereditaments that are being used for the provision of the following services to visiting members of the public:

- Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
- Other services (e.g. estate agents, letting agents, employment agencies)
- Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
- Professional services (e.g. solicitors, accountants, insurance agents/ financial advisers, tutors)
- Post office sorting office

ii. Hereditaments that are not reasonably accessible to visiting members of the public

How much relief will be available?

15. The total amount of government-funded relief available for each property for each of the years under this scheme is £1,000. The amount does not vary with rateable value and there is no taper. There is no relief available under this scheme for properties with a rateable value of more than £50,000. Of course, councils may use their discretionary powers to offer further discounts outside this scheme (and under local rate retention, 50 per cent of the cost would be locally funded and 50 per cent funded by central government).

16. The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula should be used to determine the amount of relief to be granted for a particular hereditament in the financial year:

$$\text{Amount of relief to be granted} = \text{£}1000 \times \frac{A}{B}$$

Where:

A is the number of days in the financial year that the hereditament is eligible for relief; and

B is the number of days in the financial year

17. The relief will be applied against the net bill after all other reliefs.

18. Where the net rate liability for the day after all other reliefs but before retail relief is less than the retail relief, the maximum amount of this relief will be no more than the value of the net rate liability. This should be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
19. Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits.

State Aid

20. State Aid law is the means by which the European Union regulates state funded support to businesses. Providing discretionary relief to ratepayers is likely to amount to State Aid. However Retail Relief will be State Aid compliant where it is provided in accordance with the De Minimis Regulations (1407/2013)¹.
21. The De Minimis Regulations allow an undertaking to receive up to €200,000 of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years). Local authorities should familiarise themselves with the terms of this State Aid exemption, in particular the types of undertaking that are excluded from receiving De Minimis aid (Article 1), the relevant definition of undertaking (Article 2(2)²) and the requirement to convert the aid into Euros³.
22. To administer De Minimis it is necessary for the local authority to establish that the award of aid will not result in the undertaking having received more than €200,000 of De Minimis aid. Note that the threshold only relates to aid provided under the De Minimis Regulations (aid under other exemptions or outside the scope of State Aid is not relevant to the De Minimis calculation). Section 3 of this guidance contains a sample De Minimis declaration which local authorities may wish to use. Where local authorities have further questions about De Minimis or other aspects of State Aid law, they should seek advice from their legal department in the first instance⁴.

Splits, mergers, and changes to existing hereditaments

23. The relief should be applied on a day to day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, should be considered afresh for the relief on that day.

¹ <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>

² The 'New SME Definition user guide and model declaration' provides further guidance:

http://ec.europa.eu/enterprise/policies/sme/files/sme_definition/sme_user_guide_en.pdf

³ http://ec.europa.eu/budget/contracts_grants/info_contracts/infoeuro/infoeuro_en.cfm

⁴ Detailed State Aid guidance can also be found at:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15277/National_State_Aid_Law_Requirements.pdf

How will the relief work in Enterprise Zones?

24. Where a property is eligible for Enterprise Zone relief, that relief should be granted and this will be funded under the rates retention scheme by a deduction from the central share. If a property in an Enterprise Zone is not eligible for Enterprise Zone relief, or that relief has ended, Retail Relief may be granted in the normal way, and this would be reimbursed by grant under section 31 of the Local Government Act 2003. Local authorities should not claim funding for retail relief on properties which would otherwise qualify for Enterprise Zone government funded relief.

Section 2 – Calculation examples for 2014-15

Example 1 – An occupied shoe shop with a rateable value of £40,000

Rateable Value = £40,000

Rates due (excluding any reliefs) = £40,000 x 0.482 = £19,280

Minus 12 months retail relief = £19,280 - £1,000 = £18,280

Rates due (including retail relief) = **£18,280**

Example 2 – A shoe shop with a rateable value of £40,000 that is unoccupied between 1 April 2014 and 30 September 2014 and is then occupied until 31 March 2015.

Rateable Value = £40,000

Rates due (excluding any reliefs) = £40,000 x 0.482 = £19,280

Minus 3 months (no empty rates payable) = £40,000 x 0.482 x $\frac{91}{365}$ = £4,806.79

Minus 6 months retail relief (01/10/14-31/03/15) = £1,000 x $\frac{182}{365}$ = £498.63

Total due for year = **£13,974.58**

Example 3 – An occupied shoe shop with a rateable value of £10,000 that is in receipt of small business rate relief of £1,554 per year.

Rateable Value = £10,000

Rates due (excluding any reliefs) = £10,000 x 0.471 = £4,710

Minus small business rate relief of 33% = £4,710 - £1,554 = £3,156

Minus 12 months retail relief = £3,156 - £1,000 = £2,156

Rates due (including all reliefs) = **£2,156**

Example 4 – An occupied charity shop with a rateable value of £10,000 that is in receipt of mandatory charitable rate relief

Rateable Value = £10,000

Rates due (excluding any reliefs) = £10,000 x 0.471 = £4,710

Minus charitable rate relief of 80% = £4,710 - £3,768 = £942

Minus 12 months retail relief = £942 - £942 (max relief allowable) = £0

Rates due (including all reliefs) = £0

Example 5 – A shoe shop with a rateable value of £30,000 that has occupied premises previously used as a jewellers shop that was empty for more than 12 months immediately prior to occupation.

Rateable Value = £30,000

Rates due (excluding any reliefs) = £30,000 x 0.482 = £14,460

Minus reoccupation relief of 50% = £14,460 - £7,230 = £7,230

Minus 12 months retail relief = £7,230 - £1,000 = £6,230

Rates due (including all reliefs) = **£6,230**

Section 3 – State Aid

Sample paragraphs that could be included in letters to ratepayers for 2014-15 about Retail Relief

The Government announced in the Autumn Statement on 5 December 2013 that it will provide a relief of up to £1000 to all occupied retail properties with a rateable value of £50,000 or less in each of the years 2014-15 and 2015-16. Your current rates bill includes this Retail Relief for 2014-15.

Awards such as Retail Relief are required to comply with the EU law on State Aid⁵. In this case, this involves returning the attached declaration to this authority if you have received any other De Minimis State Aid, including any other Retail Relief you are being granted for premises other than the one to which this bill and letter relates, and confirming that the award of Retail Relief does not exceed the €200,000 an undertaking⁶ can receive under the De Minimis Regulations EC 1407/2013.

Please complete the declaration and return it to the address above. In terms of declaring previous De Minimis aid, we are only interested in public support which is De Minimis aid (State Aid received under other exemptions or public support which is not State Aid does not need to be declared).

If you have not received any other De Minimis State Aid, including any other Retail Relief you are being granted for premises other than the one to which this bill and letter relates, you do not need to complete or return the declaration.

If you wish to refuse to receive the Retail Relief granted in relation to the premises to which this bill and letter relates, please complete the attached form and return it to the address above. You do not need to complete the declaration. This may be particularly relevant to those premises that are part of a large retail chain, where the cumulative total of Retail Relief received could exceed €200,000.

Under the European Commission rules, you must retain this letter for 3 years from the date on this letter and produce it on any request by the UK public authorities or the European Commission. (You may need to keep this letter longer than 3 years for other purposes). Furthermore, information on this aid must be supplied to any other public authority or agency asking for information on 'De Minimis' aid for the next three years.

⁵ Further information on State Aid law can be found at <https://www.gov.uk/state-aid>

⁶ An undertaking is an entity which is engaged in economic activity. This means that it puts goods or services on a given market. The important thing is what the entity does, not its status. Thus a charity or not for profit company can be undertakings if they are involved in economic activities. A single undertaking will normally encompass the business group rather than a single company within a group. Article 2.2 of the de minimis Regulations (Commission Regulation EC/ 1407/2013) defines the meaning of 'single undertaking'.

'DE MINIMIS' DECLARATION

Dear []

BUSINESS RATES ACCOUNT NUMBER: _____

The value of the business rates retail relief to be provided to [name of undertaking] by [name of local authority] is £ [] (Euros []).

This award shall comply with the EU law on State Aid on the basis that, including this award, [name of undertaking] shall not receive more than €200,000 in total of De Minimis aid within the current financial year or the previous two financial years). The De Minimis Regulations 1407/2013(as published in the Official Journal of the European Union L352 24.12.2013) can be downloaded at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:352:0001:0008:EN:PDF>.

Please list all previously received De Minimis aid below, including the total amount of this and any other Retail Relief you are being granted.

Amount of De Minimis aid	Date of aid	Organisation providing aid	Nature of aid
€	1 April 2014 – 31 March 2015	Local authorities (for the Retail Relief total you do not need to specify the names of individual authorities)	Retail Relief

I confirm that:

- 1) I am authorised to sign on behalf of _____ [name of undertaking]; and
- 2) _____ [name of undertaking] shall not exceed its De Minimis threshold by accepting this Retail Relief.

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

REFUSAL OF RETAIL RELIEF FORM

Name and address of premises	Business rates account number	Amount of Retail Relief

I confirm that I wish to refuse Retail Relief in relation to the above premises.

I confirm that I am authorised to sign on behalf of _____ [name of undertaking].

SIGNATURE:

NAME:

POSITION:

BUSINESS:

ADDRESS:

DATE:

Business Rates Retail Relief Policy

1 PURPOSE & CRITERIA OF POLICY

- 1.1 This policy sets out Harrow council's Business Rate Retail Relief scheme for the financial years 2014-15 and 2015-16.
- 1.2 The policy responds to central government guidance on the introduction of Business Rates Retail Relief provided to Local Authorities in January 2014. The policy will ensure all retail businesses applying for Business Rates Retail Relief are treated in a fair, consistent and equal manner.
- 1.3 This policy:
 - A. Sets guidelines for the factors that should be considered when making a decision to award or refuse relief
 - B. Establishes a framework to ensure applications are dealt with in an efficient manner
 - C. Sets out the delegated authority to award relief in appropriate circumstances
 - D. Establishes an appeals procedure for organisations that are dissatisfied with the Council decision.
 - E. Seeks to safeguard the interest of local taxpayers by ensuring that funds allocated for the award of business rates retail relief are used in the most effective and economic way.
- 1.4 The aim of the Business Rates Retail Relief Policy is to support our local shopping centres by providing discretionary retail rate relief to retail businesses within Harrow to adapt to the changing way in which consumers shop and to support this type of retailer in the current economic climate.
- 1.5 This relief will be provided for a two year period, 2014-15 and 2015-16 and will provide relief up to a maximum of £1,000 per hereditament per year regarding qualifying occupied retail properties with a rateable value of £50,000 or less.

2. GUIDELINES FOR ACCESSING RELIEF

- 2.1 The following criteria aligns with central government guidelines and will be used to assess whether an application for business rates retail relief can be awarded to local retail businesses in Harrow:
- 2.2 Properties that will benefit from the relief will be occupied hereditaments with a rateable value of £50,000 or less that are being

used as shops, restaurants, cafes and drinking establishments in Harrow.

Shops, restaurants, cafes and drinking establishments are considered to mean:

- i) Hereditaments that are being used for the sale of goods to visiting members of the public which include:
 - Shops (such as: florist, bakers, butchers, grocers, greengrocers, jewellers, stationers, off licence, chemists, newsagents, hardware stores, supermarkets etc.)
 - Charity shops
 - Opticians
 - Post Offices
 - Furnishing shops/display rooms (such as: carpet shops, double glazing, garage doors)
 - Car/caravan show rooms
 - Second hand car lots
 - Markets
 - Petrol stations
 - Garden centres
 - Art galleries (where art is for sale/hire)

- ii) Hereditaments that are being used for the provision of the following services to visiting members of the public:
 - Hair and beauty services (such as: hair dressers, nail bars, beauty salons, tanning shops, etc)
 - Shoe repairs/key cutting
 - Travel agents
 - Ticket offices e.g. for theatre
 - Dry cleaners
 - Launderettes
 - PC/TB/domestic appliance repair
 - Funeral directors
 - Photo processing
 - DVD/video rentals
 - Tool hire
 - Car hire

- iii) Hereditaments that are being used for the sale of food and/or drink to visiting members of the public
 - Restaurants
 - Takeaways
 - Sandwich shops
 - Coffee shops
 - Pubs
 - Bars

This list is a guide and not exhaustive. However properties that are not similar in use to the properties mentioned above will not be considered for rate relief.

2.3 Furthermore, the following types of uses, (and others that may not be mentioned but that also do not meet the principal objective), will not be considered for business rate retail relief. There are:

- i) Hereditaments that are being used for the provision of the following services to visiting members of the public:
 - Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
 - Other services (e.g. estate agents, letting agents, employment agencies)
 - Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
 - Professional services (e.g. solicitors, accountants, insurance agents/financial advisers, tutors)
 - Post office sorting office, or
- ii) Hereditaments that are not reasonably accessible to visiting members of the public,
- iii) If it is considered that the establishment does not meet with Harrow Councils Administrations objectives of cleaner, safer and fairer Harrow, then the Council has a right to refuse to apply the business rates retail relief.

2.4 The decision determining whether an hereditament is being used as a shop, restaurant, café or drinking establishment, in other words a qualifying hereditament for the purposes of receiving retail relief, is entirely Harrows' decision and this will be final.

3 CALCULATION OF THE RELIEF

3.1 The maximum amount of relief to be granted to any qualifying hereditament for each of the two years under this scheme is £1,000. The amount does not vary with rateable value and there is no taper. However, if in calculating the actual rates payable, the applicable amount is less than £1000, then the maximum amount of any retail relief to be granted must not exceed the amount of business rates payable. There is no relief available under this scheme for properties with a rateable value of more than £50,000.

3.2 The eligibility for the relief and the relief itself will be assessed and calculated on a daily basis. The following formula will be used to determine the amount of relief to be granted for a particular hereditament in the financial year:

$$\text{Amount of relief to be granted} = £1000 \times \frac{A}{B}$$

Where:

A is the number of days in the financial year that the hereditament is eligible for relief; and

B is the number of days in the financial year.

- 3.3 The relief will be applied against the net bill after all other reliefs.
- 3.4 Where the net rate liability for the day after all other reliefs but before retail relief is less than the retail relief, the maximum amount of this relief will be no more than the value of the net rate liability. This will be calculated ignoring any prior year adjustments in liabilities which fall to be liable on the day.
- 3.5 Ratepayers that occupy more than one property will be entitled to relief for each of their eligible properties, subject to State Aid de minimis limits. The De Minimis Regulations allow an undertaking to receive up to 200,000 Euros of De Minimis aid in a three year period (consisting of the current financial year and the two previous financial years). Harrow Council will establish whether the award of aid will not result in the undertaking having received more than 200,000 Euros of De Minimis aid if the ratepayer declares that they may exceed the State Aid limit within their application.
- 3.6 The relief will be applied on a day to day basis using the formula set out above. A new hereditament created as a result of a split or merger during the financial year, or where there is a change of use, will be considered afresh for the relief on that day.

4. PROCESS

- 4.1 Retail businesses currently paying rates will need to complete an application form and return it with a copy of:
- The details of their business services
 - A support statement setting out how the organisation meets the Business Rates Retail criteria
- 4.2 The application will include a declaration statement to be completed regarding State Aid.
- 4.3 Incomplete applications will not be assessed.

5 AWARD ARRANGEMENTS

- 5.1 An application form is available for all applicants with a covering explanatory leaflet to allow them to indicate their status and their application for the appropriate reliefs.
- 5.2 The Revenues Service Manager and the Revenues Team Leaders review the applications with a recommendation on the appropriate levels of relief to the Head of Service, Collections & Housing Benefits, for his approval. Currently these powers are exercised as part of the delegation to the Head of Service as follows:

“authorised to exercise the powers of the Council in the collection of National Non Domestic Rates and Council Tax as set out in Section D2 and items 13 to 15 of the CEDF’S delegated authorities which includes

the institution of legal proceedings and all steps necessary to prosecute and enforce judgments in relation to the assessment of rateable values and bands, the demand, collection recovery and refund of rates and council tax, determination of relief's, remissions and exemptions, the imposition of penalties and any other action as may be required under the LGFA 1988, 1992 (as amended).

6. RIGHT OF APPEAL

- 6.1 There is no statutory right of appeal against a decision regarding business rates retail relief made by the Council. However, the Council recognises that ratepayers should be entitled to have a decision reviewed objectively if they are dissatisfied with the outcome.
- 6.2 The Council agrees to abide by the following appeals process and aggrieved ratepayers should make an appeal in accordance with the process.
- 6.3 Ratepayers will be notified of the appeals process in writing at the time that they are notified of the outcome of their request for rates relief.
- 6.4 This appeals process does not affect a ratepayer's legal rights.

7. APPEALS PROCESS

- 7.1 Appeals may only be made by the original applicant and within 28 days of receiving notification of eligibility. An appellant may appoint an agent to act on their behalf and in such cases the Council will require written authorisation from the appellant before dealing with their agent.
- 7.2 Appeals against decisions made by the Service Manager, either in respect of an initial application or of an appeal, will be discussed with the relevant Head of Service. A decision made by the Head of Service in consultation with the Portfolio Holder will be final.
- 7.3 Applicants must make an appeal within four weeks of the issue of the letter notifying them of the Council's decision. Appeals must be made in writing and must give the reasons why it is believed the decision should be amended. New or additional information may be included, but only if it is relevant to the decision making process.
- 7.4 Each application will be considered individually on its merit.
- 7.5 Submitting an appeal does not affect the appellant's legal rights to challenge a decision made by the Council through the Judicial Review process.
- 7.6 Payments must continue to be made as demanded whilst any appeal is submitted and considered.

8 PERIOD OF RATE RELIEF

- 8.1 Business rate retail relief awarded under this policy will be awarded only for the financial years 2014-15 and 2015-16.
- 8.2 Ratepayers will be notified that any relief awarded is for a specific period only and as such must apply for the second year of operation of the scheme for further on-going relief.

9 BACKDATING CLAIMS

A claim made any time in the year will be backdated to the beginning of the financial year in which it was made only or the date occupation occurred in the year, if this was after the 1st of April.

Retrospective claims for previous years will not be considered. The Council also reserves the right to reject applications for previous years without explanation or right to the Appeal process.

10. CANCELLATION OF RELIEF

Relief will be cancelled if:

1. The business changes it's purpose and no longer meets the criteria
2. The property becomes empty
3. The use of the property changes
4. The rateable value of the property increases to over £50,000.

Ratepayers have a duty to notify the Council of any changes which may impact on their entitlement to any reductions in the rates payable within 21 days of the change occurring.

11. NOTIFICATION OF AWARDS

The Council will consider applications within four weeks of the application and all supporting information being received, or as soon as practicable thereafter.

Notification of the outcome of the decision will be made in writing within fourteen days of the decision being considered.

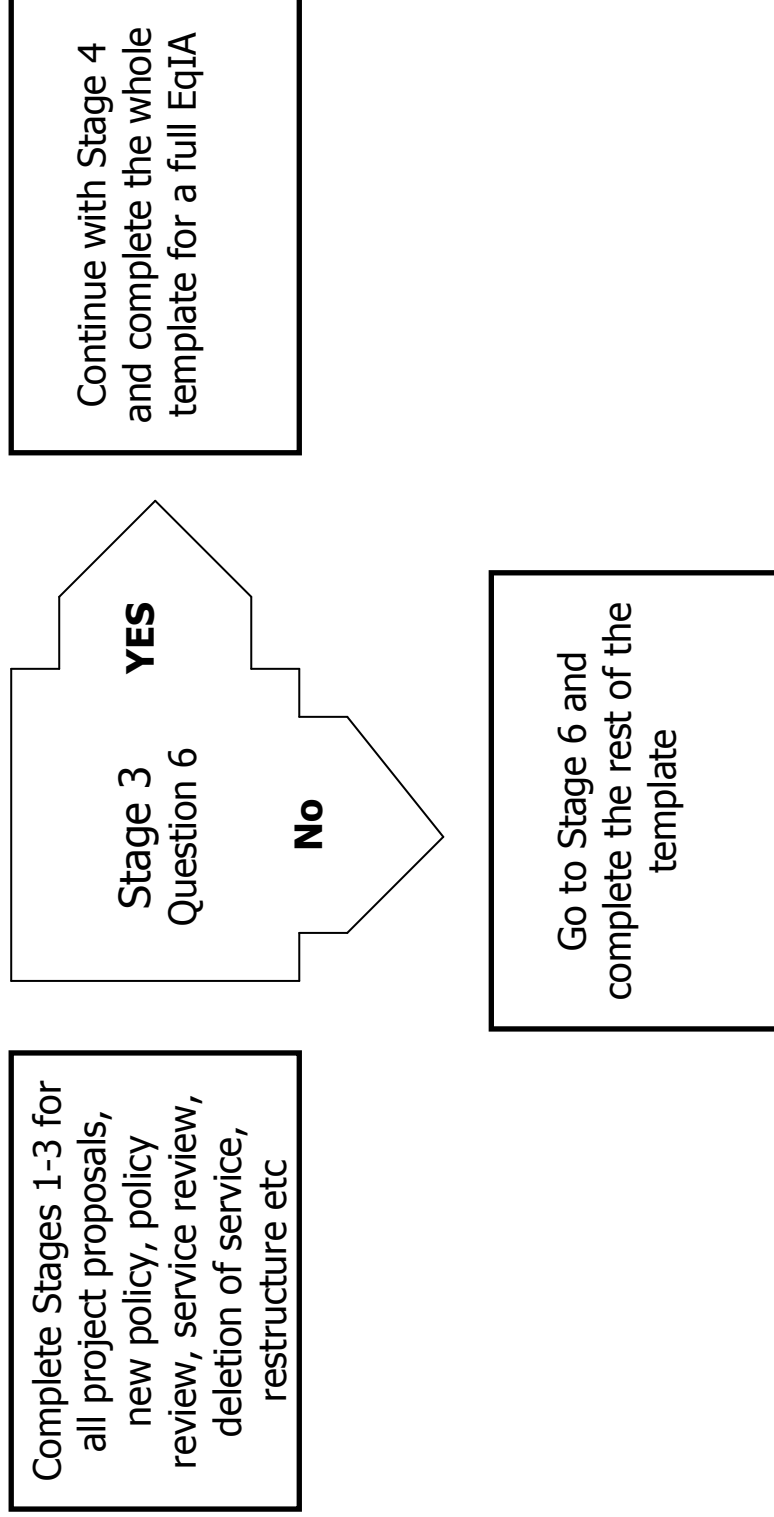
12 ACTION TO RECOVER UNPAID RATES WHILST A DECISION IS PENDING

Receipt of an application for relief or a submission of an appeal against the refusal to grant relief will not negate in any way the ratepayer's right to pay the business rates as demanded.

February 2014

Equality Impact Assessment Template

The Council has revised and simplified its Equality Impact Assessment process. There is now just one Template. Project Managers will need to complete **Stages 1-3** to determine whether a full EqIA is required and the need to complete the whole template.



Equality Impact Assessment (EqIA) Template

In order to carry out this assessment, it is important that you have completed the EqIA E-learning Module and read the Corporate Guidelines on EqIAs. Please refer to these to assist you in completing this assessment.

It will also help you to look at the EqIA Template with Guidance Notes to assist you in completing the EqIA.

Type of Project / Proposal:	Tick	Type of Decision:	Tick
Transformation		Cabinet	
Capital		Portfolio Holder	
Service Plan		Corporate Strategic Board	
Other		Other	
Title of Project:			
Directorate / Service responsible:			
Name and job title of lead officer:			
Name & contact details of the other persons involved in the assessment:			
Date of assessment:			

Stage 1: Overview

<p>1. What are you trying to do? (Explain proposals e.g. introduction of a new service or policy, policy review, changing criteria, reduction / removal of service, restructure, deletion of posts etc)</p>	<p>Implement a new Business Rates Retail Relief Scheme as a result of an announcement from central government that support is being made available for local retail businesses. The support provided is through the provision of discretionary rate relief of up to £1000 per financial year to all occupied retail premises that meet with the governments criteria.</p> <p>This additional support has been made available to help retail businesses to respond to the changing way that people shop and is only made available for years 2014-15 and 2015-16.</p> <p>The government are not changing the legislation however making it possible for Local Authorities to implement a new scheme to deliver this support through the Localism Act (under section 47 of the Local Government Finance Act 1988, as amended). The government will reimburse the actual cost of the local share of the</p>
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discretionary relief that falls within the criteria the government have shared with Local Authorities in the Business Rates Retail Relief Guidance. This relief can be awarded to occupied properties that are mainly or wholly being used as shops, restaurants, cafes and drinking establishments with a rateable value of £50,000 or less. Similar to other reliefs a 'test' on use rather than occupation is applied and if it is found the property does not meet the criteria the rate will not be applied. The guidance, attached at Appendix A to the Cabinet Report (pages 5 & 6) gives details on the types of establishments that fall within the criteria of the following:

- i) 'Hereditaments that are being used for the sale of goods to visiting members of the public:
- ii) Hereditaments that are being used for the provision of services to visiting members of the public
- iii) Hereditaments that are being used for the sale of food and/or drink to visiting members of the public

The lists that can be found on pages 5 & 6 of the guidance are meant to provide guidance to Local Authorities and are not exhaustive. However properties that are not similar in use will not be considered for rate relief. The guidance also states the types of uses of business properties that will not be considered for this rate relief which are as follows:

- i) Hereditaments that are being used for the provision of the following services to visiting members of the public:
 - Financial services (e.g. banks, building societies, cash points, bureau de change, payday lenders, betting shops, pawn brokers)
 - Other services (e.g. estate agents, letting agents, employment agencies)
 - Medical services (e.g. vets, dentists, doctors, osteopaths, chiropractors)
 - Professional services (e.g. solicitors, accountants, insurance agents/financial advisers, tutors)
 - Post office sorting office
- ii) Hereditaments that are not reasonably accessible to visiting members of the public

	Harrow Council's proposed scheme aligns with the Governments guidance and is detailed in the draft Business Rates Retail Relief Policy attached to the Cabinet Report at Appendix B.															
<p>2. Who are the main people / Protected Characteristics that may be affected by your proposals? (all that apply)</p>	<table border="1"> <tr> <td data-bbox="183 952 271 1288">Residents / Service Users</td> <td data-bbox="183 537 271 952">Partners</td> <td data-bbox="183 235 271 537">Stakeholders</td> </tr> <tr> <td data-bbox="271 952 319 1288">Staff</td> <td data-bbox="271 537 319 952">Age</td> <td data-bbox="271 235 319 537">Disability</td> </tr> <tr> <td data-bbox="319 952 438 1288">Gender Reassignment</td> <td data-bbox="319 537 438 952">Marriage and Civil Partnership</td> <td data-bbox="319 235 438 537">Pregnancy and Maternity</td> </tr> <tr> <td data-bbox="438 952 486 1288">Race</td> <td data-bbox="438 537 486 952">Religion or Belief</td> <td data-bbox="438 235 486 537">Sex</td> </tr> <tr> <td data-bbox="486 952 526 1288">Sexual Orientation</td> <td data-bbox="486 537 526 952">Other</td> <td data-bbox="486 235 526 537"></td> </tr> </table>	Residents / Service Users	Partners	Stakeholders	Staff	Age	Disability	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion or Belief	Sex	Sexual Orientation	Other	
Residents / Service Users	Partners	Stakeholders														
Staff	Age	Disability														
Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity														
Race	Religion or Belief	Sex														
Sexual Orientation	Other															
<p>3. Is the responsibility shared with another directorate, authority or organisation? If so:</p> <ul style="list-style-type: none"> • Who are the partners? • Who has the overall responsibility? • How have they been involved in the assessment? 	<p>The overall responsibility for taking forward this assessment lies with the Collections and Benefits Division, Resources Directorate.</p>															

Stage 2: Evidence / Data Collation

What evidence / data have you reviewed to assess the potential impact of your proposals? Include the actual data, statistics reviewed in the section below. This can include census data, borough profile, profile of service users, workforce profiles, results from consultations and the involvement tracker, customer satisfaction surveys, focus groups, research interviews, staff surveys; complaints etc. Where possible include data on the nine Protected Characteristics.

(Where you have gaps (data is not available/being collated), you may need to include this as an action to address in your Improvement Action Plan at Stage 7)

Age (including carers of young/older people)	<p>Harrow profile:</p> <p>Harrow has approximately 5,550 commercial properties of which 5,087 have a rateable value under 50,000 RV, the qualifying threshold for the new retail rate relief.</p> <p>However, not all the 5,087 properties will qualify as the use of the premises must be wholly or mainly for the purposes of a shop, restaurant, café or drinking establishment.</p> <p>It is anticipated a large percentage of the premises in the following categories (under the valuation offices</p>
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	<p>classification) will be eligible for the relief; Restaurants, cafes etc 130 Shops, 2.007</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p> <p>The introduction of the scheme may support the on-going presence of local retailers therefore supporting the retention of local facilities for residents of all ages to enjoy and make use of.</p> <p>Harrow profile: 17.3% of Harrow's working age population (16-64) classified themselves as disabled within the 2011-12 period (July to June), a total of 26,600 individuals. This signifies a decrease of 4.6% for the same period in 2010-11. 13,800 (17.3%) are men and 12,900 (17.7%) are women¹</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p> <p>This may support this particular characteristic by ensuring retailers stay in the area therefore ensuring accessibility to the services by people with disabilities.</p> <p>Harrow profile: This data is currently not available</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p>
<p>Disability (including carers of disabled people)</p>	<p>Harrow Profile: Since their inception there have been a total of 121 civil ceremonies in Harrow. There is no further data available on marriages.</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the</p>
<p>Gender Reassignment</p>	<p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p>
<p>Marriage / Civil Partnership</p>	<p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the</p>

¹ Source: Nomis: Annual Population Survey

	two years of operation of the scheme.
Pregnancy and Maternity	<p>Harrow Profile: This data is currently not available</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p> <p>Harrow profile: Harrow is one of the most diverse places in the country. At the time of 2001 Census 49.9% of Harrow residents were classified as White British. 2011 figures reveal that the White British category now includes only 30.9% of Harrow's population, 69.1% of residents are therefore classified as belonging to a minority ethnic group². The most significant minority ethnic group, at 26.4% is Asian/Asian British: Indian, ranking Harrow as second in England and Wales for its Indian population. Another significant group is classified as Asian/Asian British: Other Asian, making up 11.3% of residents and ranking Harrow 1st within this classification; this group is largely comprised of Sri Lankan community. All Asian/Asian British groups have increased since 2001.</p> <p>White Other is another group which has grown, from 4.49% in 2001 to 8.2% in 2011. Within this group there are 3,868 residents who were born in Poland and 4,784 residents born in Romania, making it the largest Romanian community within England and Wales³. Harrow still has a high Irish born population, ranked 7th in 2011. Whilst Black/African/Caribbean/Black British is not particularly dominant we have the highest number of Kenyan born residents (this can be attributed to a number of migrants from Kenya who are of Asian descent).</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p> <p>Harrow profile: The 2001 Census showed that Harrow had the highest level of religious diversity of any local authority in England and Wales. This means that there is a 63 per cent chance that two people at random would be from different religious groups. We do not yet have comparative data for 2011, but the 2011 Census ranked Harrow 1st for persons of Hindu religion, Jain and Unification Church, 2nd for Zoroastrian and 6th for Jewish. Out of 348 areas in England and Wales Harrow has the 2nd lowest ranking of residents with no religion and 5th lowest for Christians (37.3%). Harrow is ranked 24th for Muslim faith residents, who account for 12.5% of the population⁴</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with</p>
Race	
Religion and Belief	

² 2011 Census: Ethnic Group. KS201EW

³ 2011 Census: Country of Birth (detailed). Table QS203EW

⁴ 2011 Census: KS209EW

	<p>the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p>
Sex / Gender	<p>Of Harrow's total population (240,500), 118,900 (49.4%) are male and 121,600 (50.6%) are female⁵</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p> <p>Harrow profile: The 2011 census did not have a question on sexual orientation; however 306 persons declared living in a same sex couple, an increase of 84 couples. It is estimated that 6% of the UK population are lesbian, gay and bisexual (LGB), which would equate to approximately 14,430 of our residents belonging to the LGB community</p> <p>Since their inception, a total 121 Civil Partnership ceremonies have taken place in Harrow.</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p>
Sexual Orientation	<p>Harrow profile: In comparison to other areas, Harrow was relatively less deprived in 2010 than it was in 2007. It is now ranked 203rd out of 354 boroughs in England (where 1 is the most deprived). In London, Harrow retains its position as 7th least deprived borough (out of 33). The indicator showing the most deprivation in Harrow is Barriers to Housing where it is ranked 54th most deprived nationally.</p> <p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p>
Socio Economic	<p>The implementation of this scheme will give local businesses additional support to be able to meet with the changing ways that the community shop, particularly in relation to the move to online shopping for the two years of operation of the scheme.</p>
<p>5. What other (local, regional, national research, reports, media) data sources that you have used to inform this assessment?</p> <p>List the Title of reports / documents and websites here.</p>	<p>The following information has helped to inform this EqIA:</p> <ul style="list-style-type: none"> - Publishing Equalities Information Meeting the Public Sector Duty January 2013 Harrow Council Our Harrow Our Story – 2013 - http://www.harrow.gov.uk/info/200041/equality_and_diversity/863/public_sec_for_equality_duty

⁵ Source: 2011 Mid Year Estimates

Stage 3: Assessing Potential Disproportionate Impact

6. Based on the evidence you have considered so far, is there a risk that your proposals could potentially have a disproportionate adverse impact on any of the Protected Characteristics?

	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes									
No	X	X	X	X	X	X	X	X	X

YES - If there is a risk of disproportionate adverse Impact on any **ONE** of the Protected Characteristics, continue with the rest of the template.

§ **Best Practice:** You may want to consider setting up a Working Group (including colleagues, partners, stakeholders, voluntary community sector organisations, service users and Unions) to develop the rest of the EqIA

§ It will be useful to also collate further evidence (additional data, consultation with the relevant communities, stakeholder groups and service users directly affected by your proposals) to further assess the potential disproportionate impact identified and how this can be mitigated.

NO - If you have ticked 'No' to all of the above, then go to **Stage 6**

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Although the assessment may not have identified potential disproportionate impact, you may have identified actions which can be taken to advance equality of opportunity to make your proposals more inclusive. These actions should form your Improvement Action Plan at Stage 7

Stage 4: Collating Additional data / Evidence

7. What additional data / evidence have you considered to further assess the potential disproportionate impact of your proposals? (include this evidence, including any data, statistics, titles of documents and website links here)

8. What consultation have you undertaken on your proposals?

Who was consulted?	What consultation methods were used?	What do the results show about the impact on different groups / Protected Characteristics?	What actions have you taken to address the findings of the consultation? (This may include further consultation)

						with the affected groups, revising your proposals).

Stage 5: Assessing Impact and Analysis

9. What does your evidence tell you about the impact on different groups? Consider whether the evidence shows potential for differential impact, if so state whether this is an adverse or positive impact? How likely is this to happen? How you will mitigate/remove any adverse impact?

Protected Characteristic	Adverse	Positive	Explain what this impact is, how likely it is to happen and the extent of impact if it was to occur. Note – Positive impact can also be used to demonstrate how your proposals meet the aims of the PSED Stage 9	What measures can you take to mitigate the impact or advance equality of opportunity? E.g. further consultation, research, implement equality monitoring etc (Also Include these in the Improvement Action Plan at Stage 7)
Age (including carers of young/older people)				
Disability (including carers of disabled people)				

10a. Any Other Impact – Considering what else is happening within the Council and Harrow as a whole (for example national/local policy, austerity, welfare reform, unemployment levels, community tensions, levels of crime) could your proposals have an impact on individuals/service users socio economic, health or an impact on community cohesion?		Yes		No					
If yes, what is the potential impact and how likely is to happen?									
11. Is there any evidence or concern that the potential adverse impact identified may result in a Protected Characteristic being disadvantaged? (Please refer to the Corporate Guidelines for guidance on the definitions of discrimination, harassment and victimisation and other prohibited conduct under the Equality Act) available on Harrow HUB/Equalities and Diversity/Policies and Legislation									
	Age (including carers)	Disability (including carers)	Gender Reassignment	Marriage and Civil Partnership	Pregnancy and Maternity	Race	Religion and Belief	Sex	Sexual Orientation
Yes									
No									
If you have answered "yes" to any of the above, set out what justification there may be for this in Q12a below - link this to the aims of the proposal and whether the disadvantage is proportionate to the need to meet these aims. (You are encouraged to seek legal advice, if you are concerned that the proposal may breach the equality legislation or you are unsure whether there is objective justification for the proposal)									
<p>19</p> <p>51</p> <p>If the analysis shows the potential for serious adverse impact or disadvantage (or potential discrimination) but you have identified a potential justification for this, this information must be presented to the decision maker for a final decision to be made on whether the disadvantage is proportionate to achieve the aims of the proposal.</p> <p>§ If there are adverse effects that are not justified and cannot be mitigated, you should not proceed with the proposal. (select outcome 4)</p> <p>§ If the analysis shows unlawful conduct under the equalities legislation, you should not proceed with the proposal. (select outcome 4)</p>									
Stage 6: Decision									
12. Please indicate which of the following statements best describes the outcome of your EqIA (tick one box only)									
Outcome 1 – No change required: the EqIA has not identified any potential for unlawful conduct or disproportionate impact and all opportunities to advance equality are being addressed.									
Outcome 2 – Minor adjustments to remove / mitigate adverse impact or advance equality have been identified by the EqIA. <i>List the actions you propose to take to address this in the Improvement Action Plan at Stage 7</i>									
Outcome 3 – Continue with proposals despite having identified potential for adverse impact or missed opportunities to advance equality. In this case, the justification needs to be included in the EqIA and should be in line with the PSED to have 'due regard'. In some cases, compelling reasons will be needed. You should also consider whether there are sufficient plans to reduce the adverse									

impact and/or plans to monitor the impact. (Explain this in 12a below)	
Outcome 4 – Stop and rethink: when there is potential for serious adverse impact or disadvantage to one or more protected groups. (You are encouraged to seek Legal Advice about the potential for unlawful conduct under equalities legislation)	
12a. If your EqIA is assessed as outcome 3 or you have ticked 'yes' in Q11 , explain your justification with full reasoning to continue with your proposals.	

Stage 7: Improvement Action Plan

13. List below any actions you plan to take as a result of this Impact Assessment. This should include any actions identified throughout the EqIA.					
Area of potential adverse impact e.g. Race, Disability	Action required to mitigate	How will you know this is achieved? E.g. Performance Measure / Target	Target Date	Lead Officer	Date Action included in Service / Team Plan
There is no adverse impact as a result of the introduction of the policy however there is a need to ensure that all relevant businesses are aware of the discretionary support to be provided.	Ensure that all businesses that sit within the criteria outlined within the policy are made aware of the scheme and given the opportunity to apply for the Business Rates Retail Relief	100% applicable businesses receiving the Business Rates Retail relief		Lynn Allaker	01/04/2014

Stage 8 - Monitoring

The full impact of the proposals may only be known after they have been implemented. It is therefore important to ensure effective monitoring measures are in place to assess the impact.

<p>14. How will you monitor the impact of the proposals once they have been implemented? What monitoring measures need to be introduced to ensure effective monitoring of your proposals? How often will you do this? <i>(Also Include in Improvement Action Plan at Stage 7)</i></p>	<p>The new policy will be monitored by the Collections Team to ensure take-up from all businesses that meet the criteria.</p>
<p>15. How will the results of any monitoring be analysed, reported and publicised? <i>(Also Include in Improvement Action Plan at Stage 7)</i></p>	<p>Monitoring of the scheme will be reported through to the Head of Collections and Benefits.</p>
<p>16. Have you received any complaints or compliments about the proposals being assessed? If so, provide details.</p>	<p>None – it is a new proposed policy</p>

Stage 9: Public Sector Equality Duty

17. How do your proposals contribute towards the Public Sector Equality Duty (PSED) which requires the Council to have due regard to eliminate discrimination, harassment and victimisation, advance equality of opportunity and foster good relations between different groups.

<p>(Include all the positive actions of your proposals, for example literature will be available in large print, Braille and community languages, flexible working hours for parents/carers, IT equipment will be DDA compliant etc)</p> <p>→ eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010</p>	<p>Advance equality of opportunity between people from different groups</p>	<p>Foster good relations between people from different groups</p>
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Access to the relief is open to all business properties that have a rateable value of £50,000 or less and meet the applicable criteria.

Communications will be held with all applicable businesses within Harrow to ensure they are able to apply to receive the Business Rates Retail Relief for the years 2014-15 and 2015-16.

All protected groups could potentially access the services and businesses that are able to access the relief.

Stage 10 - Organisational sign Off (to be completed by Chair of Departmental Equalities Task Group)

The completed EqIA needs to be sent to the chair of your Departmental Equalities Task Group (DETG) to be signed off.

<p>18. Which group or committee considered, reviewed and agreed the EqIA and the Improvement Action Plan?</p>	EqIA Quality Assurance Group		
Signed: (Lead officer completing EqIA)	Fern Silverio	Signed: (Chair of DETG)	Alex Dewsnap
Date:		Date: 01/03/2014	
Date EqIA presented at the EqIA Quality Assurance Group		Signature of ETG Chair	

REPORT FOR: CABINET

Date of Meeting:	10 April 2014
Subject:	Election Print Procurement
Key Decision:	Yes
Responsible Officer:	Hugh Peart, Director of Legal and Governance Services
Portfolio Holder:	Councillor Paul Osborn, Portfolio Holder for Communications, Performance and Resources
Exempt:	No
Decision subject to Call-in:	Yes
Enclosures:	None

Section 1 – Summary and Recommendations

This report requests authority for the council to enter into a framework agreement jointly with the London Boroughs of Barnet and Hounslow for the provision of Electoral Services printing and postage requirements for a period of 5 years.

Recommendations:

Cabinet is requested to delegate authority to the Director of Legal and Governance Services, following consultation with the Portfolio Holder for Communications, Performance and Resources, to enter into a 5 year framework agreement jointly with the London Boroughs of Barnet and

Hounslow for the provision of all Electoral Services printing and posting with the successful bidder following the tender process currently in progress.

Reason: (For recommendation)

Entering into a framework agreement jointly with the London Boroughs of Barnet and Hounslow will have the following benefits:

- It will allow the Council to have a clear and robust arrangement for requesting, obtaining and awarding print and postage contracts for appropriate electoral services activities.
- It will allow the Council to have a solution which efficiently supports and facilitates compliant electoral processes and the management and delivery of future elections and other electoral activities within the borough.
- It will offer the Council the 'best in class' levels of value-for-money, quality assurance, resilience and supplier service for its electoral print and postage requirements.

Section 2 – Report

Introductory paragraph

2.1 The London Borough of Harrow covers an area of 50.47 km² and contains over 88,000 registered properties. Harrow is the twenty first largest London Borough by population with over 239,000 inhabitants. Harrow currently has over 181,000 registered voters and of these, over 30,000 are currently registered to receive a postal vote.

Background

2.2 Following discussions between officers of the relevant authorities, the London Boroughs of Harrow, Barnet and Hounslow are proposing to put in place a framework agreement for a maximum period of 5 years, for the provision of Electoral Services printing and postage requirements which:

- Will give the authorities (and their Electoral Registration Officers [EROs]/ Returning Officers [RO]) a clear and robust arrangement for requesting, obtaining and awarding print and postage contracts for appropriate electoral services activities.

- Will give the authorities (and their EROs/ROs) a solution which efficiently supports and facilitates compliant electoral processes and the management and delivery of future elections and other electoral activities within the boroughs.
 - Will offer the authorities (and their EROs/ROs) 'best in class' levels of value-for-money, quality assurance and supplier service for their electoral print and postage requirements.
- 2.3 The framework agreement will meet the specific print and postage needs of any elections that are held within the contract period and the requirements of the Electoral Registration Service, including Annual Canvass, Absent Vote Identifier Refreshes and the new print and postage requirements brought about by the introduction of Individual Electoral Registration (IER).
- 2.4 Evaluation of tenders will be undertaken by relevant officers from within the Electoral Services and Corporate Procurement Teams of Harrow and Barnet.
- 2.5 It is anticipated that the successful bidders / suppliers will demonstrate that they are able to offer not only market leading value but also a commitment to quality and service that gives assurance to each authority and their EROs/ROs that they are in the best possible position to deliver their statutory electoral obligations.

Current situation

Tender Process

- 2.6 Submissions were invited for bidders / suppliers to be included on a framework contract for the supply of Print and Postage Services for all Electoral Service requirements, including (but not limited to):
- All borough-wide election (including but not limited to: Parliamentary, Local, European, London Mayoral and GLA, Referendums, etc.) print and postage requirements including:
 - Poll Cards.
 - Postal Voter Packs.
 - Ballot Papers.
 - Election Count stationery.
 - Electoral Registration print and postage requirements including:
 - Voter Registration forms.
 - Voter information forms.
 - Postal Vote application forms.

- Annual Canvass print and postage requirements including:
 - Household Canvass forms.
 - Household Reminder forms.
 - Canvasser’s Household forms.
- Absent Voter Identifier Refresher print and postage requirements
- Individual Electoral Registration* (IER) print and postage requirements including:
 - Household Enquiry Forms.
 - Individual ‘Invite to Register’ Forms.
 - Registration Confirmation letters.

2.7 This Pre-Qualification Questionnaire (“PQQ”) was issued by the London Borough of Barnet in connection with a competitive procurement following the Restricted Procedure under the Public Contracts Regulations 2006.

2.8 The PQQ was available for download via the relevant portal administered by Barnet Council. In total, 8 companies expressed an initial interest and completed and returned PQQs within the time limit.

2.9 The returned PQQs were evaluated on the basis of 5 sections relating to:

- Potential Provider Information – Pass / Fail.
- Technical Resources and References – 50%.
- Financial Information – 30%.
- Health and Safety – 10%.
- Environmental Issues – 10%.

2.10 5 companies were shortlisted on 27 February 2014 to receive Invitations to Tender (ITT). The ITTs were sent out on 28 February 2014 and are not due to be returned until 4 April 2014. The evaluation of the tenders is scheduled for 11 April 2014, after the Cabinet meeting, with an implementation date for the contract of 1 May 2014. The scoring mechanism under the ITT will be as follows:

Scoring Mechanism

Criteria	Weighting
Technical/Quality Evaluation	60%
Price Evaluation	40%

- 2.11 As the evaluation of the tenders will not take place until after the Cabinet meeting, Cabinet is requested to delegate authority to the Director of Legal and Governance Services, following consultation with the Portfolio Holder for Communications, Performance and Resources, to enter into a 5 year framework agreement with the successful bidder(s) / supplier(s) jointly with Barnet and Hounslow Councils for the provision of all Electoral Services printing and posting following the conclusion of the tender process.

Options Considered

- 2.12 The first option available to the Council was to remain with the current approach and negotiate contracts for Electoral Services print and postage suppliers on an individual basis.
- 2.13 The second option was to seek an innovative approach to building resilience, confidence and assurance for Electoral Services printing and postage requirements whilst at the same time reducing costs to the Council.
- 2.14 Upon evaluation, it was felt that pursuing the second option was in the best interests of the Council for the reasons set out in paragraph 2.2 of this report.

Legal Implications

- 2.15 The Returning Officer and Electoral Registration Officer has a statutory duty to maintain a register of Parliamentary electors and a register of local government electors.
- 2.16 The Returning Officer is responsible for the running of an election and for ensuring that it is run in accordance with the law.
- 2.17 A fair and transparent procurement procedure in compliance with public procurement rules is being followed to procure suppliers for Electoral Services printing and postage requirements.
- 2.18 HB Public Law has been providing legal advice during the entire procedure from its conception and will continue to provide advice and support up until a contract is agreed and implemented.

Financial Implications

- 2.19 The Council's Contract Procedure Rules state that contracts for supplies and services exceeding £250k shall be referred to Cabinet for approval.
- 2.20 Electoral Services currently spend approximately £60,000 on printing and postage requirements during the year.

- 2.21 Whilst the specific figures are not yet determined because potential bidders / suppliers are still in the process of completing their ITTs, it is envisaged that implementation of the proposed agreement will result in savings.

Performance Issues

- 2.22 As part of the PQQ process, potential suppliers were required to provide information relating to Quality Assurance and whether they had achieved the ISO 9001 accreditation. They were also asked which targets they measured, whether they had a quality procedure manual, whether there was a single individual in the organisation responsible for Quality Assurance and details of the organisation's approach to service and performance management.
- 2.23 As part of the ITT process, potential suppliers have been asked to provide a Service Delivery proposal, information on Management, Supervision and Resources and to provide details of their capability in delivering the agreement.
- 2.24 The assessment of these questions during the PQQ stage has enabled the Council to have confidence in the integrity in the anticipated performance of the organisations which have been selected to take part in the ITT stage and ultimately the selected bidder(s).
- 2.25 The Returning Officer and Electoral Registration Officer is also required to maintain an accurate electoral register and deliver effective, transparent and fair elections.
- 2.26 The proposed agreement will allow the Council to have robust, effective and reliable printing and postage arrangements in place. It will also allow for value for money to be realised by the Council and promote quality assurance.
- 2.27 This will therefore promote integrity, confidence, and transparency in relation to the printing and postage of relevant Electoral Services documents and subsequently also in relation to the entire elections processes.

Environmental Impact

- 2.28 As part of the PQQ process, suppliers were required to provide information relating to the Environmental Management Systems which were assessed under the Environmental Issues heading. They had to provide information relating to the following:
- Whether the organisation has an Environmental Policy and whether the relevant standards in this policy are in accordance with the Eco-

Management & Audit Scheme (EMAS), ISO14001, EN16001 or equivalent.

- Whether the organisation has a carbon, climate change or energy efficiency strategy, policy or action plan.
- Whether the organisation has a sustainable procurement strategy.
- Whether there is an appointed person responsible for environmental issues.
- Whether the organisation disposes of the waste generated during the manufacture or provision of the service and details on how this takes place.
- Whether the organisation uses any recyclable or reusable materials.
- Whether the organisation monitors energy and water usage and carbon emissions.
- Whether the organisation has been prosecuted under environmental legislation.

2.29 The bidders / suppliers who were selected to progress to the ITT stage all had scores which ranged from 3 to 4.5 out of 5.

2.30 The assessment of the ITT returns will also include provision for bidders / suppliers to provide the environmental, equality and diversity approach taken in relation to the delivery of this service. This will form part of the 60% assessed for technical / Quality Evaluation.

2.31 This has therefore promoted confidence in the integrity of the environmental policies of the organisations which have been selected to take part in the ITT stage and ultimately the selected bidder.

Risk Management Implications

Risk included on Directorate risk register? Yes

Separate risk register in place? No

Key risks during the course of the contract are :-

1. Not having a contract in place at the time of the anticipated commencement date.
2. Sudden and unexpected demise of one the successful bidders.
3. Deterioration of contract relationship between the Council and the successful bidders.

These risks are being managed and the framework contract will include robust contract performance management processes to ensure that potential problems are picked up early.

Equalities implications

Was an Equality Impact Assessment carried out? No

There are no equalities implications from the proposal as it relates to the selection of successful bidders for Electoral Services printing and posting requirements.

Corporate Priorities

The proposed agreement if implemented will contribute towards the Corporate Priority of 'Fairer' by reducing the amount of money received by the Council which it spends on Electoral Services printing and postage requirements.

Section 3 - Statutory Officer Clearance

Name: Simon George	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 18 March 2014		
Name: Stephen Dorrian	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 16 March 2014		

Section 4 – Performance Officer Clearance

Name: Alex Dewsnap	<input checked="" type="checkbox"/>	Divisional Director Strategic Commissioning
Date: 17 March 2014		

Section 5 – Environmental Impact Officer Clearance

Name: Andrew Baker	<input checked="" type="checkbox"/>	on behalf of the Corporate Director (Environment & Enterprise)
Date: 17 March 2014		

Section 6 - Contact Details and Background Papers

Contact: Elaine McEachron, Democratic & Electoral Services Manager,
020 8424 1097

Background Papers:

- 1) Pre-Qualification Questionnaire Electoral Print and Postage Services

Call-In Waived by the Chairman of Overview and Scrutiny Committee	NOT APPLICABLE <i>[Call-in applies]</i>
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