



AGENDA FOR THE EXECUTIVE

Members of the Executive are summoned to attend a meeting to be held in Committee Room 4, Town Hall, Upper Street, N1 2UD on **16 July 2015 at 7.30 pm.**

John Lynch
Head of Democratic Services

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Despatched : 8 July 2015

Membership

Councillor Richard Watts
Councillor Janet Burgess MBE
Councillor Joe Caluori
Councillor Paul Convery
Councillor Andy Hull
Councillor James Murray
Councillor Claudia Webbe
Councillor Asima Shaikh

Portfolio

Leader of the Council
Executive Member Health and Wellbeing
Executive Member Children and Families
Executive Member Community Safety
Executive Member Finance and Performance
Executive Member Planning and Development
Executive Member for Environment and Transport
Executive Member for Economic and Community Development

Quorum is 4 Councillors

Please note

It is likely that part of this meeting may need to be held in private as some agenda items may involve the disclosure of exempt or confidential information within the terms of Schedule 12A of the Local Government Act 1972. Members of the press and public may need to be excluded for that part of the meeting if necessary. Those items are at Section H of the agenda - Paragraph 3, Schedule 12A of the Local Government Act 1972 applies.

Details of any representations received about why the meeting should be open to the public - none



Declarations of interest:

If a member of the Executive has a **Disclosable Pecuniary Interest*** in an item of business and it is not yet on the council's register, the Councillor **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent. Councillors may also **choose** to declare a Disclosable Pecuniary Interest that is already in the register in the interests of openness and transparency. In both the above cases, the Councillor **must** leave the room without participating in discussion of the item.

If a member of the Executive has a **personal** interest in an item of business they **must** declare both the existence and details of it at the start of the meeting or when it becomes apparent but may remain in the room, participate in the discussion and/or vote on the item if they have a dispensation from the Chief Executive.

- ***(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.
- (b) Sponsorship** - Any payment or other financial benefit in respect expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) Land** - Any beneficial interest in land which is within the council's area.
- (e) Licences-** Any licence to occupy land in the council's area for a month or longer.
- (f) Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

NOTE: Public questions may be asked on condition that the Chair agrees and that the questions relate to items on the agenda. No prior notice is required. Questions will be taken with the relevant item.

Requests for deputations must be made in writing at least two clear days before the meeting and are subject to the Leader's agreement. The matter on which the deputation wants to address the Executive must be on the agenda for that meeting.

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F. Urgent non-exempt matters

Any non-exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

G. Exclusion of press and public

To consider whether to exclude the press and public during discussion of the remaining items on the agenda, in view of their confidential nature, in accordance with Schedule 12A of the Local Government Act 1972.

H. Confidential / exempt items for information

23.	Contract Award - Construction of 70 new homes and associated improvements for the Dover Court Estate N1 3HN - exempt appendix	561
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I. Urgent Exempt Matters

Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

The next meeting of the Executive will be on 24 September 2015

London Borough of Islington

Executive - 18 June 2015

Minutes of the meeting of the Executive held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 18 June 2015 at 7.30 pm.

Present: **Councillors:** Watts, Caluori, Convery, Hull, Murray and Webbe

Councillor Richard Watts in the Chair

146 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Burgess and Shaikh.

147 DECLARATIONS OF INTEREST

None.

148 MINUTES OF PREVIOUS MEETING

RESOLVED:

That the minutes of the meeting on 21 May 2015 be confirmed as a correct record and the Chair be authorised to sign them.

149 GP APPOINTMENT SYSTEMS - EXECUTIVE MEMBERS RESPONSE TO THE HEALTH & CARE SCRUTINY COMMITTEE'S RECOMMENDATIONS

Councillor Watts thanked the committee for an excellent piece of work and noted the Executive's dismay at the number of GP practices closing. The majority of recommendations are for action by health service partners, however the Council is responding to Recommendation 6 and Additional Recommendation 1, as detailed in the report.

RESOLVED:

That the actions being taken forward to address the recommendations of the Health Scrutiny Committee's review of GP appointment systems be noted.

Reason for decision – to work with partners to improve the accessibility of GP appointment systems.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

150 **CORPORATE PROCUREMENT STRATEGY 2015-2020**

RESOLVED:

1. That the new Procurement Strategy 2015/20 be approved.
2. That the Head of Strategic Procurement will oversee the implementation of any appropriate updates to procurement documentation and/or procedures be noted.

Reason for decision – to provide a clear framework for commissioning that will support the Council's priorities.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

151 **PARKING E-STRATEGY DEVELOPMENT**

RESOLVED:

1. That the contents of the report be noted.
2. That the intended future initiatives for progress, as set out in paragraph 3.8, be noted.

Reason for decision – to further assist with the Council's E-Strategy and deliver a more convenient and efficient parking service.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

152 **PROCUREMENT STRATEGY - REFURBISHING 69-85 OLD STREET**

RESOLVED:

1. That the procurement strategy for the refurbishment of commercial premises at 69 – 85 Old Street contract as outlined in this report be approved.
2. That authority to award the contract to the Corporate Director of Housing and Adult Social Services in consultation with the Executive Member for Housing and Development be agreed.

Reason for decision – to facilitate the relocation of the Spectrum Youth Project and the dentist surgery from the Redbrick estate to enable their existing premises to be replaced with new homes, including 39 for social rent.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

153 **PROCUREMENT STRATEGY - ENERGY PURCHASE 2016/17 TO 2020/21**

RESOLVED:

1. That the procurement strategy for the Supply of Natural Gas and Electricity as outlined in paragraph 3.7 of the report be approved.
2. That authority to award the contracts be delegated to the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Finance and Performance.

Reason for decision – to deliver savings and provide continuity of service and security of future supply without incurring additional cost.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

154 **PROCUREMENT STRATEGY - VAULTS AND MAUSOLEA**

RESOLVED:

1. That the procurement strategy for Vaults and Mausolea as outlined at paragraph 3.9 of the report be approved.
2. That the award of the contract be delegated to the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Environment and Transport.

Reason for decision – to ensure future service provision and choice for residents.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

155 **PROCUREMENT STRATEGY - APPROVAL OF THE ISLINGTON NEW BUILD CONSULTANTS FRAMEWORK AGREEMENT**

RESOLVED:

1. That the procurement strategy for Islington Construction Consultants Framework Agreement be approved.
2. That authority to award the contract be delegated to the Corporate Director of Housing and Adult Social Services, in consultation with the Executive Member for Housing and Development

Reason for decision – To ensure service continuity when the current framework expires on 6 December 2015.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

156 **PROCUREMENT STRATEGY - WIRELESS NETWORK CONCESSION**

RESOLVED:

- 1.1 That the procurement strategy for a Wireless Concession be approved.
- 1.2 That the award of the contract be delegated to the Corporate Director of Finance and Resources, in consultation with the Executive Member for Finance and Performance.

Reason for decision – to generate revenue savings and income and provide free wireless internet access to some residents.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

157 **PROCUREMENT STRATEGY - GENERIC HOUSING RELATED FLOATING SUPPORT SERVICES**

RESOLVED:

1. That the procurement strategy for Floating Support services for Islington residents as outlined within this report be agreed.
2. That the Executive will be asked to approve the award of the contract at the conclusion of the procurement process be noted.

Reason for decision – to provide support to single adults and young people at risk of becoming homeless.

Other options considered – none, other than as detailed in the report and related papers.

Conflicts of interest / dispensations granted – none.

CHAIR

MEETING CLOSED AT 7.43 pm



Report of: **Executive Member for Community Safety and Executive Member for Children's Services**

Meeting of:	Date	Ward(s)
Executive	16 July 2015	

Delete as appropriate	Exempt	Non-exempt
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SUBJECT: Safe Futures – Strategy for tackling Youth Crime

1. Synopsis

- 1.1 Youth crime has become a cause of major concern for Islington residents. The Borough has experienced a disturbing rise in youth crime, especially violence, which has caused widespread anxiety especially amongst families with children. This problem is not unique to Islington. All across London, violent crime committed against teenagers by teenagers has risen alarmingly in the past year. Decisive and urgent partnership action therefore required.
- 1.2 This report seeks approval for a strategy to tackle Youth Crime Strategy by first dealing with the current minority of young people committing these crimes and then ensuring that we intervene early to prevent another cohort of young people being lured into criminal activity and that we work with the whole community to help solve the problem.

2. Recommendations

- 2.1 To agree the attached Youth Crime Strategy (attached) to deal with the minority of young people that are currently offending or at risk of offending in the future.
- 2.2 To note that there are already significant activities (set out in Appendix A to the strategy) that result in positive outcomes for young people.
- 2.3 To agree to take immediate steps to progress the actions within the strategy and to establish an implementation progress group to be chaired by the Leader of the Council.

3. Implications

3.1 Financial implications:

The actions within the youth crime strategy will have financial implications for the council and partners. Some of this is absorbed within existing budgets and have had resource allocated in line with individual service plans.

However, some of the actions will require extra resources and these will be allocated through a process of prioritisation by the council and partners through the Safer Islington Partnership (SIP) structures.

3.2 **Legal Implications:**

3.3 Islington Council and other partners have a duty under Section 11 of the Children Act 2004 to safeguard and promote the welfare of children.

3.4 The ASB, Crime and Policing Act 2014 provided a revision of the raft of powers available to tackle anti-social behaviour (ASB), with the main changes operational from 20th October 2014. A detailed work plan to prepare for the changes was overseen by the Safer Islington Partnership. The strategy complies with the provisions of the Act.

3.5 **Environmental Implications:** None

4.4 **Resident Impact Assessment:**

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010).

The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

A resident impact assessment has been completed, which suggests that the youth crime strategy should have positive impacts on all relevant protected characteristics by ensuring that the issues below are taken into account.

Age

The strategy relates specifically to young people, this is pertinent because of the specific issues relating to the prevalence of young people in the criminal justice system. For instance under 25 year olds currently make up the most arrested group on the borough and are also the majority of victims of youth crime. This means that the strategy will have a positive impact on young people.

Disability

We know that young people who are victims or perpetrators of crime are disproportionately affected by mental health and that people with learning disabilities are over represented nationally within the criminal justice system nationally. The strategy includes provision for psychiatric and psychological support as part of the proposed interventions, which should lead to more positive outcomes than at present.

Sexuality and Gender Reassignment

There are no known differences or effects on trans-gender or gender reassigned people as a result of this strategy although it is to be noted that issues relating to hate crimes are picked up with the council equality objectives and should issues become pertinent to youth crime they will be picked up at the next review of this strategy. This also holds true for the lesbian, gay and bisexual community.

Race

Black young people are overrepresented in the criminal justice system in Islington. They are also over-represented in the figures for 'No Further Action' meaning that they are more likely to be identified as suspects in crimes but less likely to have any follow up following an arrest. The council has worked in partnership with the police to reduce the over representation of black young men in stop and search. If the overall disproportionality within the criminal justice system is to be reduced then the council and

partners will need to take specific steps to address this when implementing the strategy. If the strategy is successful then it should increase the chances that young people of all racial backgrounds will have a better chance of leading rich and fulfilling lives not marred by the revolving door of the criminal justice system.

Gender

Males are over-represented in the criminal justice system. Historically, females offend less than males and those that do offend start later, stop sooner, and commit less serious offences than their male counterparts (Home Office, 2014). In recent years however, that trend seems to be changing as female roles in youth crime have become more understood. The 2011 report of the Children's Commissioner highlights the role of girls and young women in gangs - hiding and transporting drugs and weapons and as victims of sexual exploitation by gang members including their "boyfriends". The strategy proposes an integrated gangs team to deliver a more effective and targeted working with both boys and girls, which should address the specific issues faced by females.

Socio-Economic Status

Socio-economic status (SES) is not a protected characteristic under the Equality Act but the Council takes the view that it is important that we try to minimise the disadvantage faced by poor and working class people as exemplified by the Fairness Commission. It is the case that low SES persons are more likely to be negatively affected by crime, both as victims and perpetrators. This is due to a number of factors: the type and geographical location of their housing; the capacity of their parent/s to provide material support; the nature of their education – state school or private school; the age at which their formal education terminates; the nature of qualifications (if any) they receive on completion of education; their age at entry into the labour market and the nature of their employment (if any); and the type of leisure activities that they pursue. The strategy is likely to have a positive impact on people with low SES.

Safeguarding

Our safeguarding responsibilities take into account young people as victims and the council works collaboratively with partners to identify and respond to the many risks faced by young people. We are concerned about the impact of domestic and other forms of violence and of young people falling vulnerable to cybercrime, internet or other forms of radicalisation or sexual exploitation. The council and partners already have robust processes in place for safeguarding vulnerable children. The youth crime strategy should strengthen safeguarding arrangements for older young people.

Human Rights

In implementing the enhanced enforcement proposed in the strategy the council will need to have due regard to human rights and seek legal advice as appropriate.

4. Conclusion and reasons for recommendations

- 4.1 In light of the very serious nature of youth crime in the borough and its impact on young people and the wider community, the council and partners must make a concerted effort to turn the tide on youth crime. The youth crime strategy seeks to do this by taking decisive action in key areas so that we see immediate improvements in the short and medium term and, in the long term, make Islington one of the safest boroughs in London.

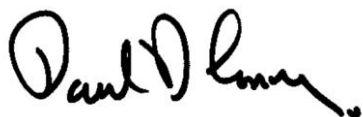
Attachments:

- 1. Youth Crime Strategy**
- 2. Appendix A (Work already happening in the borough)**

Final report clearance:

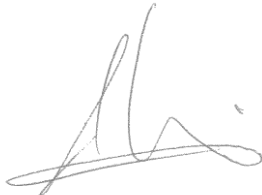
Signed by:

8 July 2015



Executive Member for Community Safety

Date:



8 July 2015

Executive Member for Children and Families

Date:

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ISLINGTON

Youth Crime Strategy 2015

We are committed to making Islington one of the safest boroughs in London. We want Islington to be a fairer place where every child has the best start in life and does not become either a victim or perpetrator of crime.

However, Islington has experienced a disturbing rise in youth crime, especially violence, which has caused widespread anxiety to residents, particularly families with children. We have all become very concerned about the safety of young people on our streets, in our parks and schools and on our estates.

This problem is not unique to Islington. All across London, violent crime committed against teenagers by teenagers has risen alarmingly in the past year. In Islington, our local community has been deeply shocked and saddened by the murder of two teenagers in the first half of 2015, incidents which have both horrified and angered our residents.

A minority of Islington's young people have been drawn into gangs that make money from burglary, robbery, theft of cycles, mopeds and smartphones. These crimes are all connected. Young people use cycles and mopeds to commit snatches or to transport stolen goods, weapons or drugs. They then use the money from these crimes to buy and sell drugs in a very lucrative market. Increasingly, those young people are using violence – especially knives – to settle their disputes or enforce deals. The impact of this small number of people's behaviour is very widespread.

Many of those resorting to such violence have themselves suffered trauma early in life – domestic violence, parental drug and alcohol dependency. They have grown up without the emotional tools that children should develop – like empathy towards others. They have often dropped-out or been excluded from school and have lost sight of their future lives and the consequences of their actions.

Fifteen years ago we did not understand the severity of what was happening to those children and the implications for their future. But we do now and we need to take action, both to control the current rise in youth crime and to prevent the same thing happening to those young children who are most vulnerable now.

We are certain about three things:

- We now have very good children's services that work effectively with children, young adults and their families; they identify children facing difficulty in their early years and our family interventions spot the problems and try to resolve them
- The number of young people entering the youth justice system is declining but this does not reflect the real picture – the number of youth crimes is increasing but at least half of these crimes do not result in a charge or prosecution
- Although 8 out of 10 who enter the youth justice system do not re-offend, we have London's highest youth re-offending rate. The total number is growing and a small cohort of young people are becoming even more prolific offenders.

We understand the scale and nature of the problem. So, this strategy sets out what the Council, police and others are going to do about it.

Firstly, we must deal with the current group of young people committing these crimes. We will establish a dedicated gangs team drawing together the police, youth offending, probation services and children's social work teams to:

- disrupt gang organisation and stop them recruiting young teenagers
- acquire intelligence about gang membership and activity and to share that information about at-risk teenagers more widely
- persuade gang members to change their behaviour by using new legal powers, family and children's services and to enforce against those who refuse to engage
- track-down and remove from our community the adults who are recruiting kids into gangs and who form a link with organised crime – the people who provide money for stolen goods and who supply the drugs.

Secondly, we must “turn off the tap” and prevent another cohort of young teenagers from being lured into criminal gangs by:

- shifting some of our youth service resource into detached youth work with individual young people who may be at risk
- strengthening our partnership with schools to make sure they refer children they are concerned about
- launching a new service for all children who are on “alternative provision” and not attending mainstream schools.

Thirdly, the Council and police cannot solve this problem alone. We have to work with the whole community to help cut crime. Parents, families, neighbours and young people themselves can discourage the low level anti-social behaviour and crime which later leads to more serious criminality.

Finally, we need some extra help from outside the borough. Central Government and the Mayor of London must understand that although Islington had been pretty low down the ranking of London boroughs experiencing violent crime, this has changed. The widening social divide in our borough is a contributing factor to the disaffection and alienation felt by some young people and the financial pressure on public services in Islington will only make it harder for us to respond effectively to rising youth crime.

Together with our partners and the community we will take a firm, united stand against the current rise in youth crime that has had such devastating consequences. And we will not rest until we have done everything we can to prevent those young children growing up today from entering a life of crime – spotting the early signs, intervening, supporting and always looking at the bigger picture so that those most vulnerable children can always choose a more positive path and reach their potential.

We are determined to drive real changes in youth offending including:

- less children becoming victims of violent crime, whether committed by other young people or by adults
- a reduced number of crimes and low-level disorder involving children
- a reduction in the number of children entering the criminal justice system for the first time
- fewer children already in the criminal justice system continuing to offend.

There is a strong community spirit in Islington and we have seen that demonstrated in the aftermath of violent crimes in previous years. Whether as residents, community groups, faith organisations, businesses, the police or the Council, we must all work together to prevent further harm to Islington’s children and young people.

Cllr Joe Caluori
Executive Member for Children and Families

Cllr Paul Convery
Executive Member for Community Safety

July 2015

Interventions, enforcement and reintegration

We need to stop this rise in crime as a matter of urgency – by bringing the perpetrators to justice and changing their behaviours.

Dedicated gangs team

We can only do this in partnership with the police and are setting up an integrated gangs team to deliver a more effective and targeted working with both boys and girls.

We need to become better at identifying the persistent perpetrators of crime and their families, with everyone intervening to stop them.

Everyone with a role will be asked to play their part in a joined up way. This means looking back at an offender's history and taking everything in the past into account, not just the current presenting issue¹. Where this is linked to our Stronger Families Programme we are already seeing that 97% have made significant improvements in their issues². This gives some grounds for optimism, but the challenge is significant and very tight control and oversight will be needed for some considerable time if we are to make clear inroads.

Over time the Youth Offending Team³ has not done this well enough and a refreshed multi-agency team is now in place that includes CAMHS, other health professionals and closer links with the Targeted Youth Support (TYS) staff who work more on the streets.

Tough action

We are adopting an enhanced set of powers, using Integrated Offender Management (IOM) to make sure all services are using a 'think family' approach to enforcing better behaviour, as every child is part of a wider network and family. IOM triages offenders into strands based on current offending and risk of reoffending. The most risky offenders are then subject to enhanced enforcement and supervision which can lead to:

- confiscation of belongings, such as cycles and mopeds, TVs and cars, where there is associated offending
- withdrawal of the residents support scheme for families that collude with offending behaviour
- issuing criminal behaviour orders and injunctions and obtaining parenting orders
- making full use of landlord powers, including serving eviction notices, within the law
- making full use of the new powers in ASB Crime and Policing Act 2014 to prevent or disrupt children and young people from engaging in crime and anti-social behaviour.

Managing the most entrenched young people

The police frequently arrest children and young people but take no further action (NFA)⁴. We recognise that multiple NFAs are a warning light and these need very close action and monitoring.

By the time many of these children have got to the age of 18 they have decided not to continue with criminal activity. But those that do continue are often hardened and actively grooming children into a life of crime. This helps them to avoid being caught themselves. The 18-24 team, as part of the integrated gangs team, will work on disruption and actively manage the most entrenched young people.

¹ <http://www.justiceinspectorates.gov.uk/hmiprobation/wp-content/uploads/sites/5/2015/06/YJB-CSPPI-report.pdf>

² 715 families

³ The YOS works with about 120 at any one time.

⁴ 43% of young people arrested (2014/15) have No Further Action taken

Key Actions

Tackling gangs

- Establish a dedicated gangs team drawing together the police, youth offending, probation services and children's social work teams to:
 - Disrupt gang organisation and stop them recruiting young teenagers.
 - Acquire information and intelligence about gang membership and activity and to share that information about at-risk teenagers more widely.
- Track-down and remove from our community the adults who are recruiting kids into gangs and who form a link with organised crime – the people who provide money for stolen goods and who supply the drugs.
- Work in partnership with the police to disrupt organised crime.
- Fund a specific intelligence resource to gather and share information about local activity among young people.
- Build close working with the Redthread youth workers in the hospital major trauma centres⁵.

Action and sanctions

- Persuade gang members to change their behaviour by using new legal powers, family and children's services and to enforce against those who refuse to engage.
- Make sure that all young people that come to the attention of the police are visited at their homes.
- Use the full range of court orders, e.g. parenting orders to support parents in bringing about changes in their children's behaviour.
- Use intelligence led lawful means of searching people and places for weapons.

18-24s

- The 18-24 team, as part of the integrated gangs team, will work on disruption and actively manage the most entrenched young people.
- Use our employment support to get more 18-25 year olds into work.

⁵ Youth workers who deal specifically with young victims of gang crime on admittance to hospital

Prevention and Diversion

We know that the earlier families receive support with problems, the more likely they are to overcome or avoid further difficulties.

Early intervention

Islington continues to have very challenging demographic factors and a high proportion of children and families living in poverty. Early help means (a) taking action at an early stage in a child's life or (b) taking action at an early stage in the development of a problem. It is about stepping in as early as possible either before a problem arises or at the first signs of a problem to prevent it from getting worse.

For many families facing problems with their child money is the overriding problem, followed by behaviour and setting boundaries. Much of our support is focused on family stability and we also help with tackling the impact of domestic abuse. Eight out of 10 of the families using our Families First service, report that they have made improvements in their areas of concern.

Our children's centres provide support for all new parents, helping to establish good routines and expectations and our health visitors are well placed to spot when parenting is not going well at an early stage and to find the right support. At the moment our children's centre family support workers tend to work with families with very young babies, but we need to refocus some of this work on targeting families with more complex needs, including identifying parents with mental health problems so that they can get the support they need.

Working with schools

It is often when children become teenagers that being a good parent can become a real challenge. Our schools have a strong focus on responsible and thoughtful behaviour and solid anti-bullying policies in place, giving most children a firm foundation from which to become confident, solve problems and behave well.

Early help referrals from schools about a wide range of family problems have increased, which is a positive step towards enabling us to work with more vulnerable families at an earlier stage. Mentoring for children who are siblings of offenders, and who live in offending families can be very successful in stopping a child from continuing a family pattern of criminal behaviour, but we have some work to do in making sure the right families are targeted in primary schools.

Schools are very actively monitoring children who are persistently absent from school, and are referring persistent absentees to Families First. Our 'think family' approach has been helpful in the majority of cases and persistent absentees have fallen from 3.9% to 2.5% in primary and 5.6% to 3.7% in secondary school (13/14 academic year).

Supporting children and families in Alternative Provision

Children who are not in mainstream school, in particular the 200 children on Alternative Provision, are a worry as they have too much unsupervised time, leaving them vulnerable to being drawn into crime. We are currently setting up a new way of working with schools and families for these children, which will mean they each have a family assessment and a plan that goes well beyond the minimum number of hours of education. We want to halve the number of children on this type of provision in the next 18 months, because all too often these children end up in very serious trouble over time.

Detached youth workers

We have a broad spectrum of out of school activities for children and young people, both in centres around the borough and organised by schools. These all reinforce and build good social skills. However, we know that most of the children who are vulnerable to crime do not participate. We intend to increase the number of detached youth workers who can do direct work with children, adopting a pop-up rather than building based service that could include street based health workers.

Key Actions

Early intervention	<ul style="list-style-type: none">■ Make the Islington Family Intervention Team available to more families, especially those with teenagers with less serious problems.■ Focus the Family Support Workers in children's centres on families with more serious problems.■ Implement the new CCG funded parental mental health programme Growing Together.■ Intervene effectively to improve the mental health of the most vulnerable children.
Working with schools	<ul style="list-style-type: none">■ Strengthen the safer schools teams.
Alternative provision	<ul style="list-style-type: none">■ Establish a new team to support children on Alternative Provision by September 2015.■ Halve the number of children in Alternative Provision in the next 18 months.
Youth workers	<ul style="list-style-type: none">■ Ensure we have sufficient high quality detached youth work to respond more in areas where children are being drawn into crime.

Community Engagement

We need the wider community to be part of the solution, share responsibility, lead by example and actively make our streets and outside spaces places where people can confidently go about their daily life.

Spotting the early signs

Neighbourhood based policing, assertive parenting, and communities that confidently challenge dangerous practices can make a difference to how many children and young people are violent and participating in criminal gangs. This happens best when any early signs are spotted and spoken about. For example, if a child comes home with unexplained gifts, or a new bike that has been “swapped” for something unexplained, being challenged by their parents can often nip things in the bud. As a community we need to actively discourage the ‘naughtiness’ and ‘mischief’ that can gradually escalate to serious behavioural issues and criminal activity. And we need the community to lead by example; if a child is able to sell stolen goods and drugs to an adult, this sends a message that this is acceptable. We know that smoking cannabis is inextricably linked to organised crime. We need to send a clear message that class B drugs are not a normal part of everyday life.

Setting boundaries

Parents sometimes tell us they are worried about the early signs of antisocial behaviour, for example young teenagers drinking spirits at parties and becoming ill. We can work closely with schools and parents to give them more confidence about setting boundaries, and communities themselves can help by being open about what is safe and acceptable.

Working together

Knowing the local area well is very important and we will work with the police to make sure the different teams all talk regularly and often to take action on crime. The Safer Neighbourhood Board, ward panels, MAGPIs and voluntary groups are a real strength that we can build on to make sure we respond well to our community and also use the significant resource it can bring to the issue.

We have prosecuted shops that sell weapons to children and will continue to be vigilant and active about this. Shopkeepers could do more that would help them as well as children and young people, by asking children why they are not in school during the school day, not allowing groups of children to congregate in and around their shops, and telling the neighbourhood police about their concerns. We also prosecute for selling alcohol to children and use the police cadets to do mystery shopping to find out where this is happening.

Our local voluntary sector is a strong support for making a change, as are the faith groups who could help with messages that do not tolerate crime. We support the Ben Kinsella Trust with premises and making sure schools visit the exhibition. We encourage and back groups of concerned residents like Islington Unites who want to make a difference.

Key Actions

Responding to early signs

- Make sure children and young people have the space and time to talk about things that are worrying them.

Working with the community

- Improve the neighbourhood structures so that residents can help to make communities safe by being vigilant, reporting crime and taking part in the safer neighbourhood panels.
- Make sure good avenues for communication are open to the wider community.
- Invite more local people to take part in Restorative Justice Interventions and become community volunteers.
- Campaign with the community against knife crime.
- Help the youth Council to exercise its leadership and representation role.

Working with partners and local businesses

- Engage local businesses to be part of the fight against crime, signing up to City safe havens, not selling knives, or alcohol to children.
- Work with Arsenal Football Club – a huge presence in our community – to attract vulnerable children and young people into positive activities.



Youth Crime Strategy

Appendix A

Youth Crime Reduction Plan – What is already being done?

It is important to know what is already being done to prevent and tackle youth crime so that as well as thinking about what we might need to build on, scale up or target differently we can think about what we should stop doing or do instead.

Early Help & Family Support

Early help can mean (a) taking action at an early stage in a child's life or it can mean (b) taking action at an early stage in the development of a problem. It is about stepping in as early as possible either at the first signs of a problem or before a problem becomes apparent to prevent that problem from getting worse.

Islington is an Early Help place, and as such our main aim is to ensure appropriate provision in universal settings. The Early Help and Family Support Strategy expects all individuals and organisations working with families to sign up to a pledge that will ensure that families receive the support they need.

Throughout Islington Children's Services, only evidence based programmes are commissioned, many in partnership with Public Health. The journey to good outcomes starts in early years and we have a strong focus on the first 21 months from conception and effective parenting skills at the earliest stage

From the age of five, a child in a family who needs support, will be allocated a service from Families First, and where the family profile fits may also be allocated support from the Troubled Families Programme known as Stronger Families in Islington. 12% of Islington's population benefitted from Early help last year. Every referral, from any agency or partner (including all the police referrals) comes through our Single Point of Contact (SPOC) so that a careful assessment can be made of the family's needs. Both Families First, which is a self referral service, and the Stronger Families programme, aim to break the cycle of offending and anti-social behaviour and to embed resilient parenting skills including by making referrals to other appropriate support mechanisms available.

Activities for Young People

No young person in Islington lives more than a mile away from facilities that can keep them off their computers and off the streets.

Platform and Lift are state of the art youth hubs with cafés and free space in the north and south of the borough, designed by young people for young people. They offer facilities for things like homework, careers advice, exercise and socialising; and they also offer drop in sessions and programmes of activity ranging from dance and drama to counselling support.

In addition young people have access to 12 adventure playgrounds in the borough offering a range of fun and creative indoor and outdoor activities during term-time and in holidays. Young people are also able to access 11 leisure facilities in Islington and can receive discounted rates for a number of activities with an Islington Swim Card or Junior Izz Card. Swim Cards are free.

Islington has 10 libraries offering books, music, games and toys, under-fives and baby bounce sessions, homework clubs and reading support. They also offer study spaces which can be used by students.

Schools

Islington's primary schools are among the best in the country and all of our secondary schools are rated 'good' or 'outstanding' by Ofsted and pupils are achieving better exam results than ever before, setting them on the path towards further and higher education and job opportunities.

Overall schools provide a high level of support during the school day, and monitor absence carefully, and we are avoiding exclusions wherever possible in most of our schools. Schools have recently had their attention drawn to the report on Child Sexual Exploitation where absences after registration are a high risk factor, and are discussing how to tackle these and other issues relation to children missing education alongside other services. Chelsea's Choice a drama raising awareness about child sexual exploitation has been delivered in all secondary schools All Islington schools have behaviour policies and DfE guidance (Feb 2014) recognises that good schools encourage good behaviour through a mixture of high expectations, clear policy and an ethos which fosters discipline and mutual respect between pupils and between staff and pupils. Islington schools also use external support such as referring pupils to Chance UK's mentoring programme for 5 – 11 year olds where there are early signs of behavioural difficulties and the CAMHS service in schools funded through the Dedicated Schools Grant (DSG).

All secondary schools now have a Safer Schools Plan developed in partnership with the police and children's services.

After school clubs are also available in most schools and children are able to access music, drama, art and sport. They can also receive help with their homework or other academic and vocational extra curricular activities.

Employment Support

The Islington Employment Commission report published in November 2014 included a call to action that "all young people must get the support they need to get into a good career". In addition to the work that has begun to increase the employment options for young people there are specific recommendations to

- (a) Work with housing providers, youth organisations and voluntary groups to engage young people who are excluded from the system entirely (and therefore more likely to rely on crime for income);
- (b) Provide a tailored offer to students in Pupil Referral Units and Alternative Provision to ensure they get the opportunities that will give them the same chance as everyone else and that our best offers of support and opportunities are targeted to those who struggle to get into employment.

We also embed self-motivation and employability support in the targeted offer that already exists, for example careers guidance for children looked after and gang exit work.

In recent years the council has strategically led a number of employment programmes offering paid creative apprenticeships and internships to Islington's young people and worked in partnership with locally and nationally recognised arts organisations to deliver a wealth of services which support improved outcomes for young people.

Children's Services

Children's Social Care in Islington was rated as "good" with "outstanding features" by Ofsted in 2012 and educational attainment is higher than it has ever been. Children's services either deliver or take a strategic role in co-ordinating almost all provision for children and young people in the borough including working with schools, managing youth provision and delivering interventions with vulnerable young people including with children looked after, children in need, children in need of protection and young people involved in the criminal justice system.

Targeted Youth Service

Targeted Youth Support (TYS) works with young people aged 10 to 21 years old (12 – 21 for Youth Counselling), who require additional support to enable them to make informed choices and maintain positive pathways. The team includes specialist Substance Misuse Workers, a Youth Counselling Service and Targeted Youth Support Workers who can provide assessment, 1:1 and group work support, education, Return Home Interviews and care planning.

TYS undertake all out of court disposals in Islington and are piloting work with young people aged under 18 where they receive notifications of "No Further Action" (NFA) following involvement with the police. Visits to family homes are now carried out jointly with the police where there are 3 or more NFA's and increasing the success rate of these visits is a priority. This may mean referring the family for a service, or simply being clear about the consequences of further antisocial behaviour.

TYS teams also deliver work in local secondary schools covering issues such as substance misuse, positive and healthy relationships, keeping safe, gangs, weapons awareness and joint enterprise. Teams also work with partners such as Children's Social Care, IFIT and Families First to support the young person within the Children and Families Plan.

TYS retain a strong emphasis on community-based delivery providing support within local community settings and working with local neighbourhood services to enhance community cohesion and prevent escalation of anti-social behaviour (ASB). We deploy our youth trucks and detached teams across the borough based on intelligence and ASB reports, working with young people where they meet and congregate, encouraging them to participate in group work and connecting them into their local areas.

Youth Offending Service

The YOS inspections in 2011 and in 2014 judged the service to be “poor”. An improvement plan is in place which sets out actions to reduce re-offending; reduce first time entrants (FTE); reduce the use of custody; improve education, training and employment; improve health outcomes; strengthen safeguarding; strengthen the workforce; and strengthen leadership, management and governance. We aim to raise standards from poor to satisfactory by the next inspection in 2015, and eventually to good or better. The Youth Justice Management Board (YJMB) has been refreshed to oversee these improvements.

The Health sub-group of the YJMB has started to make improvements to address the findings of the inspection, including a revised health pathway to improve the timeliness of and access to assessment and intervention.

The number of first time entrants to the youth justice system shows good improvement and is on target to reach the lowest number recorded over the last decade. Equally, the process of triaging young people away from the youth justice system is also positive in regards to the number who do not return once the triage process had finished.

The issue for Islington is that we need to improve even faster than we have so far in order to keep up with other similar boroughs. What we know about the young people who do reoffend post triage is that a small minority of them (15%) went on to more serious crimes, while the majority did not reoffend at all. We are also building upon the restorative justice work already taking place to ensure that victims of crime, especially young victims, are given a voice.

Child Sexual Exploitation

Islington Safeguarding Children Board established a Child Sexual Exploitation (CSE) Sub group in April 2012 which produced a comprehensive strategy and action plan based on the Promotion, Prevention and Protection of children being abused through sexual exploitation. This includes targeted prevention programmes with young people at risk of involvement in peer on peer abuse and/or using violence and abuse in their relationships. We have improved our response to children who run away from home or care or are missing from education, and are alert to signs of gang involvement. As a result we have seen a significant year on year rise in the number of CSE referrals which demonstrates the progress made across the partnership in identification and response to CSE. Safer London Foundation continue to provide a CSE Advocate post to work with young people at risk of CSE, and is based within Children’s Social Care and Youth Offending Service.

18 to 24 Gangs Transition Service

The 18-24 Gangs Transitions service proactively targets and engages young adults age 18-24, who are of high risk (either to themselves or others) of perpetrating gang related violence. The service aims to reduce reoffending and gang violence by supporting young adults to exit gangs and offending lifestyles. We work with partners to offer specialist services such as Safe and Secure to enable gang members to move out of Islington if they are serious about changing their behaviour and need a fresh start to make the transition to a non-criminal lifestyle.

The service has been highlighted as good practice by the Home Office, and the Centre for Mental Health and it has particularly attracted interest for its innovative approach to mental health when working with young adults involved in gangs and serious youth violence.

Considerable improvement has been seen in the levels of offending of those managed by the 18 – 24 team. Proxy re-offending data has indicated that only 36% (14 individuals) of the tracked cohort were arrested in Islington during 2014/15 compared to 64% (25 individuals) in 2013/15. Additionally, there was a decrease in the number of offences that the cohort was arrested for with a 23% reduction in arrests in 2014/15 compared to the previous year.

The 18-24 Team also work with a number of partners to deliver specialist work e.g. the STAR project for young women who get one-to-one support in a safe space to talk about violence, abuse and relationships in the context of gangs with a view to supporting young women to develop the practical skills they need to better negotiate the risks they face on a day to day basis.

Integrated Offender Management (IOM)

Integrated offender management (IOM) is a multi-agency approach, applied to prolific and priority offenders that seeks to turn round offending behaviour and protect the public from harm. Young people aged between 10 and 17 with an ASSET score of 33+ and those aged over 18 with an Offender Group Reconviction Scale (OGRS) score of 75 or more are in scope for IOM. At present 43 of the YOS cohort and 35 of the 18 to 14 team cohort are in IOM.

Offenders are risk rated using a Red, Amber and Green system according to whether they are continuing to offend or illegally at large (red), engaging to some extent with rehabilitation (amber), or fully engaged with rehabilitation (green). The aim is to move all offenders to Green through a mixture of enforcement, sanctions and support. At present the RAG spread for young people is 36%, 42% and 21%.

In Islington we are building on the principle of gripping the whole family among all relevant partners for both early help and tackling criminal behaviour. The Stronger Families programme has been highly successful, with 97% of families turned around. Many of these families had anti-social behaviour or offending as one of their issues. The Youth Offending team were found to be good at ensuring the sentence is served when the service was inspected and now need to employ more sanctions to add to their powers.

Health

Islington residents have access to a variety of health services mainly through Whittington Health but also the council and other public sector partners. A number of the health initiatives are targeted at young people and parents.

The 'Growing Together' programme aims to provide therapeutic support to mothers and fathers and their children aged one – five years. The team is a multidisciplinary in nature, providing a range of interventions to address both parents' mental health difficulty and the way they understand and relate to their child. The service provides therapy for parents as well as parent-child interaction work. The team also provides services for professionals including consultation regarding family mental health and training.

Additionally Islington has a significant Child and Adolescent Mental Health Service (CAHMS) which is available in all secondary and primary schools in the borough. The core offer to schools has continued to be delivered in the form of CAMHS clinics located in each school: one half day clinic a fortnight in primary schools and one day a week in secondary schools. Many schools also commission additional CAHMS resources. The CAHM Service maintains close relationships with councils' services also working with young people and children such as Families First where there have been exciting joint enterprises in preventative work for mental health difficulties in schools. Overall no Islington family lacks the ability to access mental health services whether it is in schools through CAHMS or in the community through Growing Together.

Islington alongside its partners also operates the C-Card Scheme which allows young people to have free access to contraceptives reducing the prevalence of unwanted teenage pregnancies and STI/D's. Young people can also get advice and guidance about relationships from the youth hubs mentioned previously.

With regards to overall physical health there are 37 GP practices in Islington. The care and treatment that children and young people receive takes account of their special physical, psychological and social needs, and is provided in partnership with parents or guardians in a safe and child-friendly environment. All disabilities are provided for by general practice. All practitioners looking after children and young people in the service are regularly involved and are appropriately skilled and qualified in the care and treatment they are providing to them.

Voluntary and Community Sector

In addition to arts, for which Islington is famous, the borough has an abundance of voluntary organisations working with a diverse range of people from many different backgrounds offering advice, guidance, sport and other activities which young people can get involved in. For instance the Islington Boxing Club provides recreational and competitive boxing training to young people. There are also organisations working with specific ethnic groups such as African-Caribbean, Cypriot and Somali people, as well as specific lesbian, gay, bisexual and trans (LGBT) and Disabled communities. All in all the community based opportunities are many and varied and includes a number of community centres which the council funds

Intelligence Gathering and Sharing

The council and its partners have robust information sharing processes in place. We will continue the focus on high quality assessments informed by all the available intelligence where young people are managed by the YOS or 18 to 24 gangs transition team, and continually review and respond to changes in the young person's circumstances be they positive or negative, in order to inform the support we offer. We will also further align our gang risk stratification process with the Met Police Gang Matrix in order to better understand where our young people and groups are ranked compared to the rest of London.

Report of: The Leader of the Council

Meeting of	Date	Ward(s)
Executive	16 July 2015	All

Delete as appropriate	Exempt	Non-exempt
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SUBJECT: EQUALITY OBJECTIVES REVIEW

1 Synopsis

- 1.1 Local authorities, and other public sector bodies, have a statutory duty to set one or more equality objective(s) to comply with the Public Sector Equality Duty. Two years ago the Council agreed five equality objectives – tackling inequalities around stop and search, educational attainment, fuel poverty, smoking, and employment – and have made significant progress in tackling these and reducing inequalities.
- 1.2 Although we are only required to review our equalities objectives every four years, we feel that sufficient progress has been made against the objectives that we are confident they can be delivered as part of our mainstream service activity. So it is now time for the Council to champion and tackle a new set of equalities challenges.
- 1.3 This report sets out progress against the previous equality objectives, and proposes four new objectives to take forward from 2015 onwards. It explains the rationale for why these have been chosen, which groups are most affected, and how we will measure success.

2 Recommendations

- 2.1 To note the progress against previous equality objectives (Appendix A), and agree that while work will still continue in these areas, they will cease as equality objectives.
- 2.2 To agree the focus of the proposed new equality objectives for the council and the associated targets, as set out in section 4 and Appendix B.

3 Background

- 3.1 The Equality Act 2010 imposes a general Public Sector Equality Duty upon public sector bodies which requires that the Council, in the exercise of its functions, has due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it.
- 3.2 Further, specific equality duties, established by regulation, amongst them require public sector bodies to set one or more equality objectives, which that organisation should achieve in order to carry out the aims of the Public Sector Equality Duty and in so doing focus attention on the priority equality issues, for which an organisation is responsible, in order to deliver improvements in policy making, service delivery and employment.
- 3.3 Islington last set equality objectives in March 2013, and renewed targets March 2014. Equalities targets were included in the corporate performance management suite to ensure ongoing monitoring and regular reporting. Progress against these objectives is outlined in Appendix A. These objectives have been achieved in the majority of cases, are well embedded in the work of the relevant service, and we can now move on to new challenges for 2015 onwards.
- 3.4 While developing new objectives we considered all of the protected characteristics covered by the Public Sector Equality Duty. The protected characteristics are; age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation.
- 3.5 In order to help us identify new objectives we not only looked at evidence around inequality for each protected characteristic, but also at those areas where the council has responsibility and the ability to work with partners to drive change and make a difference.
- 3.6 The starting point was to get feedback from voluntary sector organisations and Council departments on what they felt were the key inequalities faced by their service users. A number of workshops were held with Voluntary and Community Sector (VCS) organisations to explore various themes. These were well received, with representatives from around 50 organisations attending. They welcomed the Council's commitment to tackling inequality and the opportunity to be involved in identifying and tackling challenges. Suggestions from the workshops were shared with relevant Council services and departments to compare with their own data and insight on key issues for service users and to agree mechanisms for achieving the objectives that were specific, measureable, achievable, realistic and timely.
- 3.7 It is important to note that in many areas around the council, work is happening to advance equality for people sharing protected characteristics without the specific focus of an equality objective being required to drive this work. Examples include work to tackle domestic violence against women, and projects to reduce fuel poverty for older and disabled people.

4 Proposed new equality objectives

4.1 Based on discussions with the VCS and departments, we propose that the Council's equality objectives for 2015-19 should be to:

- **Tackle hate crime**

There is strong anecdotal evidence from voluntary sector organisations of increased incidents of racial and religious hate crime and hate crime against disabled and LGBT people. However, the Police statistics do not reflect these reports. The number of reported offences is lower than the anecdotal evidence would suggest, particularly for disabled people. This indicates under-reporting of hate crime. Additionally, when incidents are reported, the numbers which are resolved (sanction detections) are reducing. If victims think nothing will happen, this will deter them from reporting.

We will reduce hate crime and ensure that victims of hate crime feel able to report it and receive justice when they do.

- **Increase employment for disabled people**

The Islington Employment Commission found that many disabled people, and those who have a long-term health condition, or mental health problems, want to work but the evidence tells us that Islington has a lower rate of employment for disabled people and those with long term health conditions than most other London boroughs.

We will work with health, employment and voluntary sector partners to provide targeted employment support to disabled people, and with employers to encourage and support them to offer employment to disabled people

- **Reduce social isolation for older and/or disabled people**

National research tells us that older people are particularly vulnerable to social isolation, owing to loss of friends and family, mobility or income, and that mental health problems are both a cause and an effect of social isolation.

Local data shows us that among our service users of Adult Social Care, disabled people with physical impairments may be more likely to be socially isolated.

We will reduce social isolation for disabled people and / or older people.

- **Work towards having a level of senior management which is generally representative of our workforce as a whole**

If we are to deliver services that meet the needs of Islington's diverse population, and inspire a range of staff, including our BME and disabled staff, to progress to senior positions, we need to ensure that those managing our services and making decisions are more representative of our workforce as a whole and the communities we serve. Although BME staff make up 36% of the Council's workforce, they account for only 20% of the top 5% earners. Some BME groups

also show lower rates of progression than other non-BME groups. Disabled staff make up 6.9% of our workforce, but account for only 4.2% of the top 5% earners. We also believe there is significant under-reporting of disability among our staff.

We will work towards a senior level workforce that is generally representative of the council workforce as a whole, through fair recruitment and development opportunities. Initially we will focus on improving staff development throughout the organisation to ensure equality of progression prospects towards senior levels.

We will review the focus on particular protected characteristics on an annual basis to ensure it is still appropriate.

5 Next steps

- 5.1 Once agreed, more detailed plans setting out key actions and lead services will be developed for each objective and progress monitored on a regular basis.
- 5.2 Equalities objectives will be incorporated within the Council's Corporate Performance Indicator Suite and reported on a quarterly basis to the Policy and Performance Scrutiny Committee. The Chairs of the relevant theme based scrutiny committees will be encouraged to ensure relevant equalities objectives are covered in reports to their committees. Latest progress and performance information will be published on the Council's website.
- 5.3 Objectives will be reviewed in April 2016. The Hate Crime objective, which has been set for one year only and is due to end in March 2016, will be reviewed to see whether it is appropriate to continue it for another year. If so, refreshed targets will be set for the period April 2016 to March 2017.
- 5.4 The longer term objectives (employment, social isolation and staff progression), will also be reviewed on an annual basis, until 2019, to ensure that their focus remains relevant and that we are meeting our targets.
- 5.5 As part of the annual review process, in May 2016 we will report to VCS organisations on progress made and work done on the equality objectives. Organisations will be given the opportunity to comment, and this will inform our approach to reviewing the objectives in 2016.
- 5.6 With each annual review we will consider whether there are any new objectives we should introduce. Potential areas will be identified by using data and research relating to inequality in the borough and feedback from relevant council services, the VCS and other partners. We will continue to ensure that the objectives cover a range of protected characteristics and that we focus on areas where we can make a difference through concerted work.

6 Implications

Financial

- 6.1 None

Environmental

6.2 None

Legal

- 6.3 Section 149 of the Equality Act 2010 requires that the Council, in the exercise of its functions, has due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it. The Council must also have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.
- 6.4 The Equality Act 2010 (Specific Duties) Regulations 2011, (SI 2011/2260) require the Council to prepare and publish one or more objectives that it considers it should achieve in order to carry out the aims of the Public Sector Equality Duty.
- 6.5 The objectives, initially, had to be published not later than 6 April 2012 and thereafter at intervals of not greater than four years beginning with the date of last publication. Objectives must be specific and measurable (regulation 3). Information about objectives must be published in a way that is accessible to the public (regulation 4).
- 6.6 The Equality and Human Rights Commission has power to enforce performance of the specific duties by court action.
- 6.7 When considering any measure by way of positive action to implement the Equality Objective concerning staff progression rates and the composition of senior management, the Council will need to have regard to the provisions (amongst others) of sections 158 and 159 of the Equality Act 2010 and implement their requirements as appropriate

Resident Impact Assessment (Equality Implications)

- 6.8 A Resident Impact Assessment has not been completed because the process of reviewing the equality objectives demonstrates 'due regard' for the three aims of the Public Sector Equality Duty. Not only are there no predicted negative impacts for protected characteristics as a result of the review of equality objectives, but the whole focus of the review is on the measures that can be adopted to actively promote equality of opportunity for groups with protected characteristics.

Appendices

A: Previous Equality Objectives and Progress Report

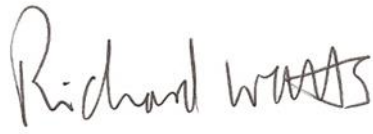
B: Proposed New Objectives

Background papers:

None

Final report clearance:

Signed by:

A handwritten signature in black ink that reads "Richard Woots". The signature is written in a cursive style with a large initial 'R'.

8 July 2015

Leader of the Council

Date

Report Author:

Clare Lindop

Senior Strategy, Communications and Engagement Officer

Ext. 2460

Appendix A – Previous Equality Objectives and Progress Report

Health and wellbeing

What did we want to achieve?

Increase the number of BME residents who quit smoking

Protected characteristics

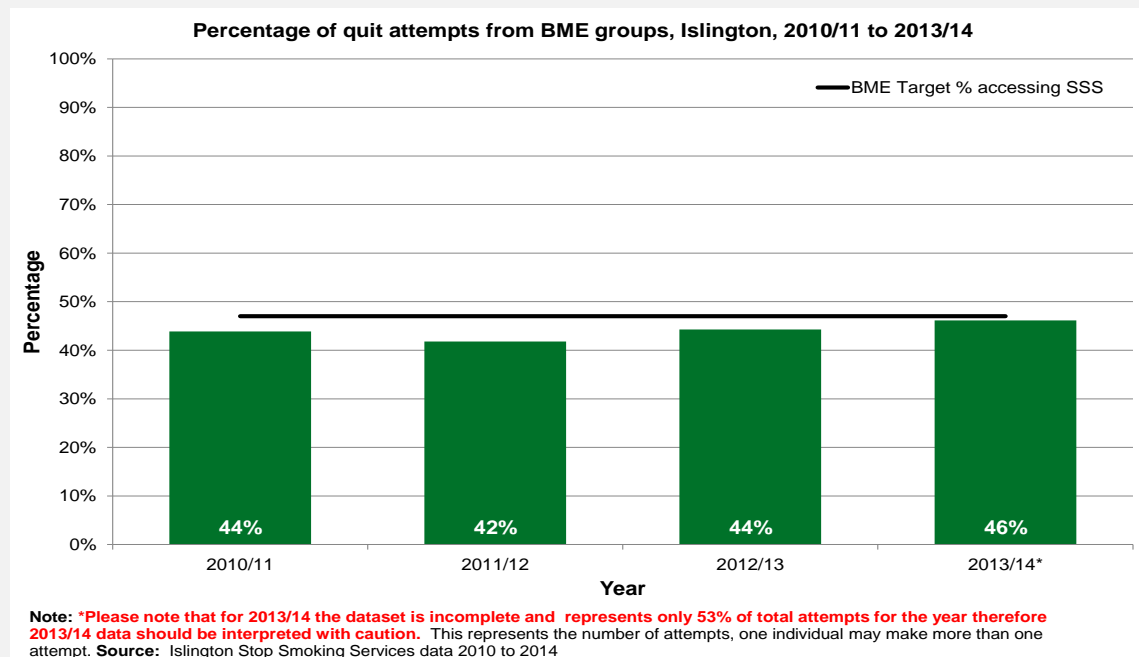
- Race

2013 - 2014 Targets

- We will ensure that 47% of smokers accessing stop smoking services are from BME communities.
- We will increase the quit rate amongst smokers from BME communities accessing stop smoking services to 45%

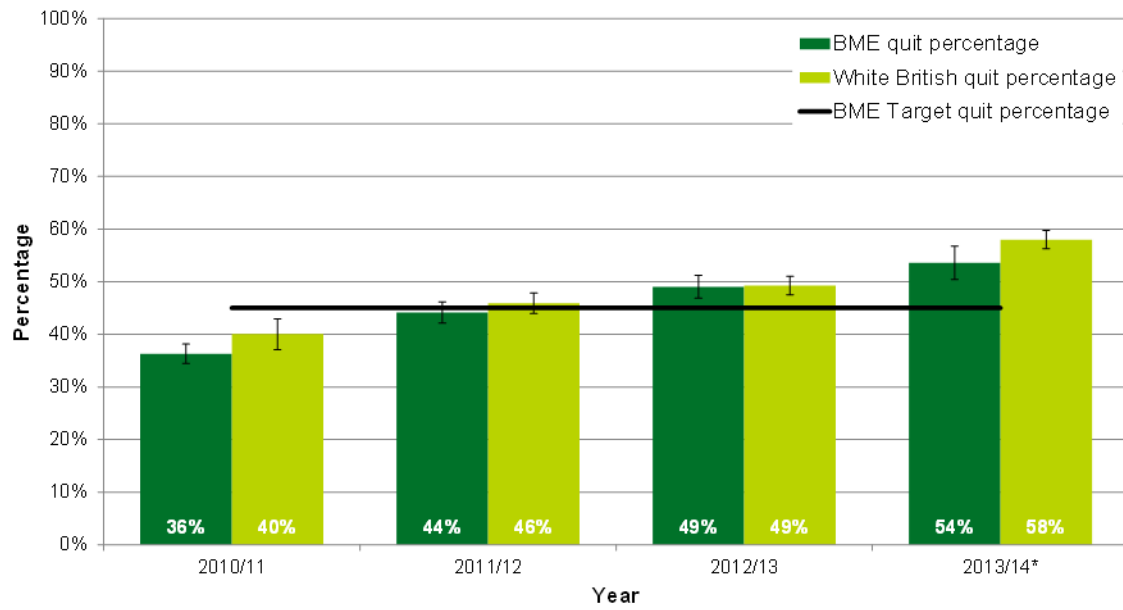
2013 - 2014 Progress

46% of smokers accessing stop smoking services were from a BME background which means that the council is 1% below its target objective. The table below shows the progress that has been made since 2010 against this key target for Public Health.



The quit rate amongst smokers from a BME background in 2013/14 was 54%, 9% higher than the target, as shown in the table below.

Percentage of quit attempts which ended in success by ethnicity, Islington, 2010/11 to 2013/14



Note: *Please note that for 2013/14 the dataset is incomplete and represents only 53% of total attempts for the year therefore 2013/14 data should be interpreted with caution. This represents the number of attempts, one individual may make more than one attempt. **Source:** Islington Stop Smoking Services data 2010 to 2014

Overall numbers of people accessing services in Islington have fallen over the last few years in line with trends seen in London and England. However, the proportion of BME people both accessing services and quitting smoking has increased.

The Future

We did not set a target around smoking for 2014 - 2015, and do not intend to do so for 2015 - 2016, since work to address inequality in smoking rates is well embedded in Public Health and making strong progress

Employment

What did we want to achieve?

Increase the number of young people, disabled people and female lone parents in employment

Protected characteristics

- Age
- Disability
- Gender

2013 - 2014 Targets

- We will reduce the number of unemployed (claiming JSA or in the ESA Work-related Activity Group) 18-24 year-olds by at least 300
- We will increase the proportion of people with learning disabilities in paid employment by at least 40% (from the current base of 49 people) by getting 20 more people with learning disabilities into employment
- We will increase the number of female lone parents in employment by at least 150.

2013 - 2014 Progress

The number of unemployed 18-24 year-olds claiming JSA or in the ESA Work-related Activity Group was reduced by 290, narrowly missing the target. We got 16 people with learning disabilities into employment, missing the target by 20%. We supported 211 female lone parents into employment, exceeding the target.

2014 - 2015 Targets

- We will support 40 disabled people into paid employment
- We will support 250 18-25 year olds into paid employment

2014 – 2015 Progress

Between April 2014 and March 2015, council services had supported 237 18-24 year olds into work, just short of the target of 250. In the same period we supported 43 disabled people into work, ahead of the target of 40.

The Future

We propose to now narrow the focus of our employment related equality objective to ensure that we make a significant difference for one group, rather than spreading efforts across several groups.

Educational Attainment

What did we want to achieve?

Narrow the gap at GCSE between disadvantaged children and the overall population

Protected characteristics

- Race
- Disability

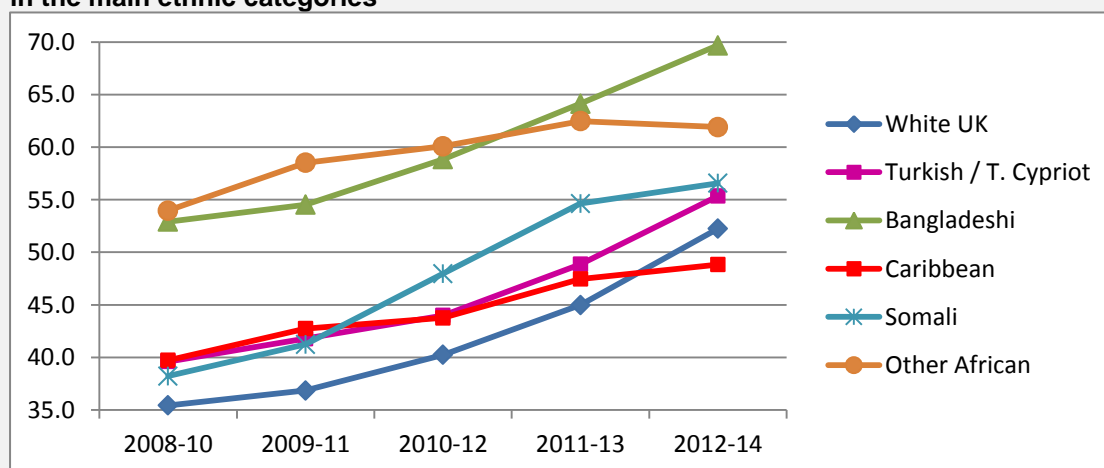
Target to be achieved by 2015

We will reduce the attainment gap at GCSE (5+ A*-C grades including English and maths) for disadvantaged pupils to 10 percentage points or less.

Progress to date

The gap between disadvantaged students and others achieving 5 or more GCSE A* - C grades, including English and maths, has been reduced from 13% in 2012, to 12% in both 2013 and 2014. The graph below shows the performance of the main ethnic groups at GCSE between 2008 and 2014.

Three-year rolling averages for percentage of pupils attaining 5+ A* - C (Inc. English & Maths) in the main ethnic categories



The Future

This objective remains in place until the end of the current academic year, and comprehensive improvement plans are in place to achieve the target of 10% in 2015.

Criminal Justice

What did we want to achieve?

Reduce the over-representation of young black people involved in stop and search

Protected characteristics

- Age
- Race

2013 - 2014 Target

We will reduce the number of young black people involved in stop and search by 815 (20%) and of those stopped, increase the proportion where there are grounds for an arrest to at least 20% (i.e. increase justifiable stops through better intelligence-led targeting)

2013 - 2014 Progress

Stop and search numbers fell from 2748 in the period April 2012 – March 2013, to 1368 in the period April 2013 – March 2014. This is a reduction of almost half, and considerably higher than the 20% target. Arrest rates increased, showing that stop and search of young black people that did take place were more justifiable, although the target of 20% was narrowly missed.

More recently, during the period April – September 2014, 667 young black people were involved in stop and search. The corresponding arrest rate was 24.4%, exceeding the target that had been set for the previous period.

2014 - 2015 Target

We will reduce to zero the percentage gap between arrest rates for young black and young white people following stop and search.

2014 – 2015 Progress

For the period April – September 2014, the percentage gap between arrest rates for young black and young white people following stop and search was -4.1% (ie each stop and search of a young black person is 4.1% more likely than for a young white person to result in an arrest).

The Islington police now have the highest overall 'Arrest following Stop & Search' rate in London, showing that our local police are working hard to ensure that stop and search powers are used when they are justified and intelligence-led.

The Future

New procedures are now embedded within the police force, and the figures show that they appear to be working. We proposed that this is no longer an area that needs the specific focus of an equality objective.

Housing

What did we want to achieve?

Reduce the over-representation of young black people involved in stop and search

Protected characteristics

- Age
- Race

2013 - 2014 Target

We will reduce the proportion of vulnerable people living in fuel poverty by insulating and replacing boilers in the homes of at least 200 pensioners or disabled residents.

2013 - 2014 Progress

We insulated and replaced boilers in the homes of 882 pensioners and disabled residents, which was considerably higher than the target.

2014 - 2015 Target

We will reduce the proportion of vulnerable people living in fuel poverty by insulating and replacing boilers in the homes of at least 550 pensioners or disabled residents.

2014 – 2015 Progress

For the period April 2014 – March 2015, we either insulated or replaced the boilers in 331 homes occupied by pensioners or disabled residents. We did not achieve the target this year because procurement and funding problems delayed progress with the solid wall insulation project . Also older and disabled residents tend to be relocated away from top floor flats which are the types of properties most often receiving loft insulation.

The Future

For 2015-2016, it is not realistic to set further targets to reduce fuel poverty by insulating homes and replacing boilers, because the funding streams for this work are no longer there. Efforts to reduce fuel poverty will continue but are now focussed on local heat network schemes like 'Bunhill Heat and Power' which benefit all residents in a particular geographical area that cannot be targeted at specific equality groups.

Appendix B – Proposed New Objectives

Tackle hate crime

What do we want to achieve?

Reduce hate crime and ensure that victims of hate crime feel able to report it and receive justice when they do

Protected characteristics

- Religion and belief
- Race
- Disability
- Sexual orientation

What is the rationale?

There is strong anecdotal evidence from voluntary sector organisations of increased incidents of racial and religious hate crime and hate crime against disabled and LGBT people. However, the Police statistics do not reflect these reports. The number of reported offences is lower than the anecdotal evidence would suggest, particularly for disabled people. This indicates under-reporting of hate crime. Additionally, when incidents are reported, the numbers which are resolved (sanction detections) are reducing. If victims think nothing will happen, this will deter them from reporting.

	Homophobic		Racist / religious		Disability		Faith	
	Offences	SDs	Offences	SDs	Offences	SDs	Offences	SDs
2012/13	82	45	475	236	6	0	39	12
2013/14	80	41	462	246	6	0	32	17
2014/15	86	14	518	179	10	0	53	9
3 year total	248	100	1455	661	22	0	124	38
3 year average	83	33	485	220	7	0	41	13

How will we achieve this?

Communications campaign to:

- Send a strong message that hate crime in Islington will not be tolerated
- Increase reporting of hate crimes – clear messages on how to report and why

Effective response by partners and the Council when crimes or harassment are reported including: (i) targeted work by the police and housing to identify more perpetrators, (ii) multi-agency work to tackle complex cases

Services involved – Community Safety and Housing

What will success look like?

1. An increase in 2015/16 in the number of Hate Crimes reported to the police, and the number of Sanction Detections, for each of the four categories of Hate Crime recorded, as follows:

	Reported Crimes		Sanction Detections	
	3 year average 2012-15	2015/16 Target	3 year average 2012-15	2015/16 Target
Racist & Religious	485	534	220	242
Faith	41	65	13	20
Sexual orientation	83	91	33	37
Disability	7	15	0	5

2. Increasing the proportion of hate harassment cases handled by our housing service where the perpetrator is identified and the victim consents to action against them to 37% for April 2015 – March 2016 (it was 33% in 2013/14).

Improve employment levels

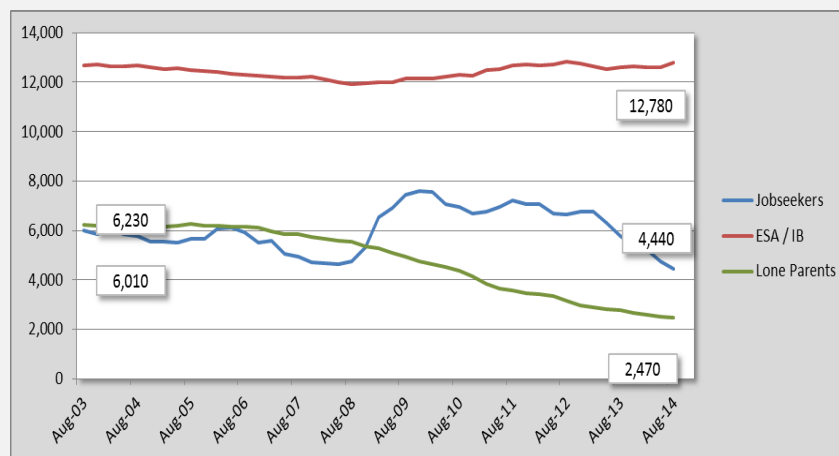
What do we want to achieve?

Increase the proportion of disabled people in employment, by supporting people with long term health conditions, mental health problems, and other disabled people into work

Protected characteristics

- Disability

What is the rationale? The Islington Employment Commission found that many disabled people, and those who have a long-term health condition, or mental health issues, want to work but the evidence tells us that Islington has a lower rate of employment for disabled people and long term health conditions than most other London boroughs.



- In 2013-14 there was a 15.7% gap in Islington between the employment rate of those with a long-term health condition and the overall Islington employment rate – compared to 10.7% gap for London and 8.7% gap for England
- Whilst the overall number of Islington residents claiming out of work benefits is going down, the numbers of people who are claiming sickness benefits has remained persistently high over the past 10 years and, at 7.9% of the working age population is significantly above the London rate (5.5%) and national rate (6.3%)

How will we achieve this?

Partnership work with the Clinical Commissioning Group, JobCentre Plus, Work Programme providers, the VCS and Employers. Council services have set themselves stretch targets and will achieve these through a mentoring approach to get disabled residents into employment.

Services involved – Employment

What will success look like?

- A reduction in the percentage gap between the rate of employment for people with a long term health condition in employment and the rate of employment for the overall population from 15.7% in 2013/14 to 13.2% in 2018/19¹
- An increase in the number of people claiming Employment and Support Allowance and Incapacity Benefit that are supported into work, so that the claimant level for those benefits falls by 2,700 to 10,130 by March 2019²
- As part of the borough-wide effort, Islington Council services will support 600 disabled people into work by 2019.

¹ The reduction currently required to bring Islington in line with the average gap for Inner London

² The reduction currently needed to bring Islington in line with the average ESA/IB claimant rate for Inner London

Reduce social isolation

What do we want to achieve?

We will reduce social isolation for disabled people and / or older people

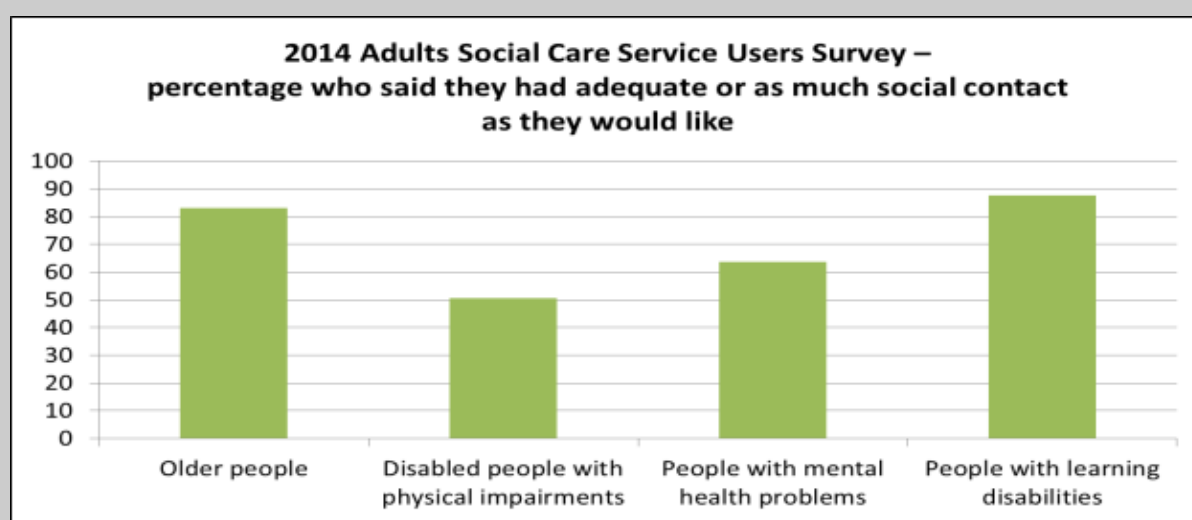
Protected characteristics

- Disability
- Age

What is the rationale?

National research tells us that older people are particularly vulnerable to social isolation, owing to loss of friends and family, mobility or income, and that mental health problems are both a cause and an effect of social isolation³.

Local data shows us that among our service users of Adult Social Care, disabled people with physical impairments may be more likely to be socially isolated; as shown in the graph below.



How will we achieve this?

Reducing social isolation for older and/or disabled people will be built in to outcome measures for the services we commission, and tackled through our work on prevention.

Services involved – Adults Social Care and Public Health

What will success look like?

- Targets will be agreed in July 2015 following the results of our annual survey of Adult Social Care service users for the Department of Health.
- Targets will be set for a period of four years ending June 2019

³ The King's Fund 'Improving the public's health' 2013

Work towards having a level of senior management which is generally representative of our workforce as a whole

What do we want to achieve?

Work towards a senior level workforce that is generally representative of the council workforce as a whole, through fair recruitment and development opportunities. Initially we will focus on improving staff development throughout the organisation to ensure equality of progression prospects towards senior levels.

Protected characteristics

- Race
- Disability

We will review the focus on particular protected characteristics on an annual basis to ensure it is still appropriate.

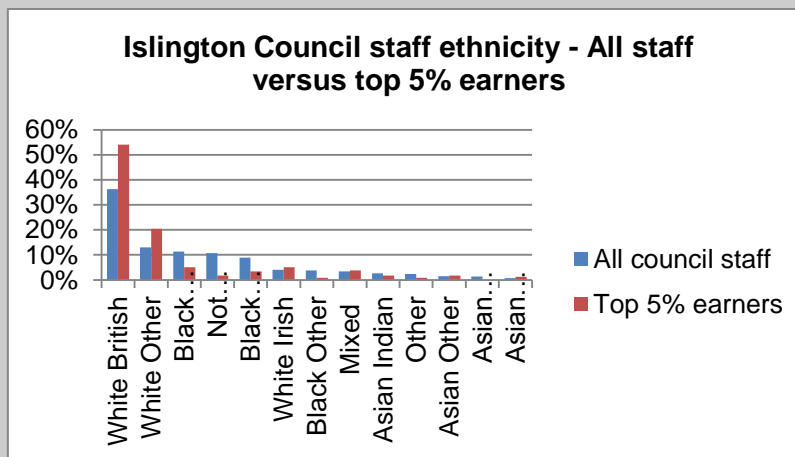
What is the rationale?

If we are to deliver services that meet the needs of Islington's diverse population, and inspire a range of staff, including our BME and disabled staff, to progress to senior positions, we need to ensure that those managing services and making decisions are more representative of our workforce as a whole and the communities we serve.

BME Staff

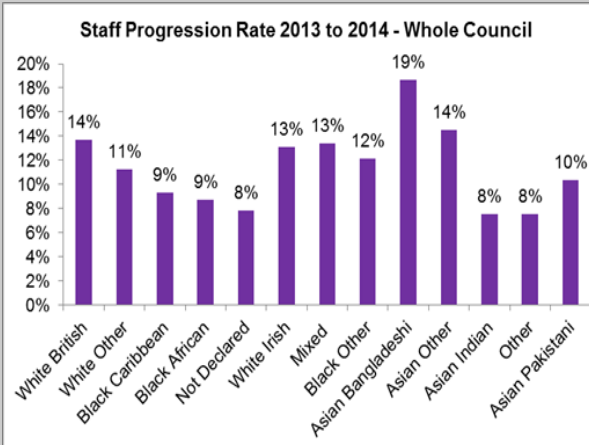
Lack of career progression for BME staff was identified as a key issue in the last staff survey (2012) and the BME and staff forum has identified representation at senior level as a key issue.

BME staff are under-represented in the top 5% of earners in the council. 20.1% of the council's top 5% of earners are from a BME background, compared with 36.4% of the total workforce.

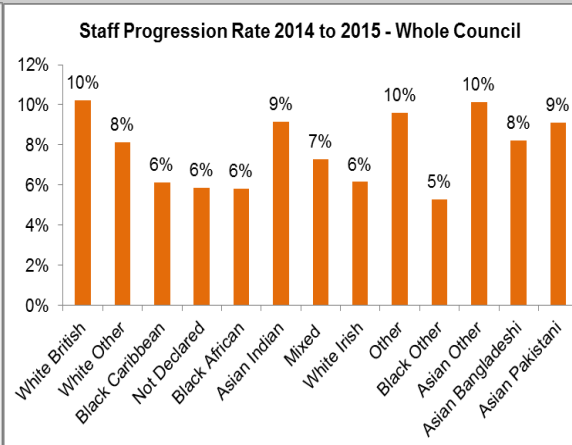


There is also an over-representation of BME staff in the lowest paid jobs in the council and under-representation at middle and senior management level.

Some BME groups also show lower rates of progression than other non-BME groups. The two graphs below show progression rates for all ethnic categories for the period April 2013 – April 2014, and for the period April 2014 – April 2015. The ethnic groups that show consistently low progression across the two years are Black Caribbean, Black African and Not Declared.



Average progression rate 11%



Average progression rate 8%

Disabled staff

Disabled staff make up 6.9% of our workforce, but account for only 4.2% of the top 5% earners. We also believe there is significant under-reporting of disability among our staff. For example, 13% of respondents to the 2012 staff survey reported that they had a disability.

The Staff Disability Forum are concerned about the poor intelligence about the numbers of staff with disabilities in the workforce, and how this impacts on work to enable staff with a disability to develop professionally and to be supported to seek positions of leadership in the council.

In order to establish a clearer impression of how disabled staff are progressing through the council, we need to first allow disabled staff to feel confident in declaring their disability.

How will we achieve this?

- Consult through the disabled staff forum on increasing declaration rates, and implement
- Consult through BME and disabled forums on training and support for development, and implement
- Use my-mentor scheme, and/or career-focused coaching, to support staff in relevant groups
- Review recruitment processes

Services involved – Human Resources

What will success look like?

1. Declaration rates for disabled staff will increase and this information will be used to inform where work needs to be done to improve representation.
2. Progression rates across all ethnic groups, will be even by 2019, with the rates for any groups currently below the average brought up to at least average by 2017.
3. Composition and representation amongst the top 5% of earners will be generally more reflective of the total workforce as a whole by 2019.

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Report of: **Chair of Housing Scrutiny Committee**

Meeting of	Date	Ward(s)
Executive	16 July 2015	All

Non-exempt

Subject: Estate Services Management Scrutiny Review

1. Synopsis

- 1.1 This report requests that the Executive receive the recommendations in relation to the Estate Services Management scrutiny review, following completion of the scrutiny. An update on the recommendations set out in the report will be provided to a future meeting of the Executive.

2. Recommendation

- 2.1 To receive the report of the Housing Scrutiny Committee.

3. Background

- 3.1 In September 2014 the Housing Scrutiny Committee commenced a review of the effectiveness and value for money provided by Estate Services Management.

4. Implications

4.1 Financial Implications

The proposals in the review would need to be costed by the Executive.

4.2 Legal Implications

There are no legal implications at this stage.

4.3 Environmental implications

There are no environmental implications as the decision being sought is only for the Executive to consider the recommendations.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment has not been completed because the decision being sought is only for the Executive to consider the recommendations.

5. Conclusion and reasons for recommendations

- 5.1 The Committee made a number of recommendations that it is hoped will increase the effectiveness of the service and ensure better value for money for tenants. The Committee heard evidence in relation to the caretaking service in particular, where it was considered that there are, whilst customer satisfaction is high, opportunities to develop the service and improve income generation opportunities whilst at the same time rationalising costs and avoiding duplication of responsibilities. In addition, there are a number of areas within Estate Services where it is felt that there are opportunities to maximise income and provide additional services for other organisations and residents. The Executive is asked to endorse the Committee's recommendations.

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ISLINGTON

Estate Services Management Scrutiny Review

REPORT OF THE HOUSING SCRUTINY COMMITTEE

**London Borough of Islington
June 2015**

EXECUTIVE SUMMARY

Estate Services Management Scrutiny Review

Aim

To review the effectiveness and value for money provided by the service.

Evidence

The review ran from September 2014 until May 2015 and evidence was received from a variety of sources:

1. Presentations from witnesses
Garry Harris, GMB Union
2. Presentations from Council Officers
David Salenius, Principal Housing Manager, Estate Services
David Hutchison, Estate Parking Manager
Abena Asante, Housing Environmental Co-ordinator
Barry Emmerson, Grounds Maintenance Manager
John Mootealoo, Cleaner Streets Programme Manager
3. Documentary evidence
Written submission on Estate Maintenance and Special Projects

Main Findings

The teams that comprise Estate Services Management operate from three Area Housing Offices. The services provided by the section include caretaking, communal repairs, grounds maintenance, special projects, estate parking, and mechanised services.

A significant part of the review focused on the management of caretaking services. The GMB highlighted that in their view there were many difficulties in the current system, particularly management duplication and inefficiencies in the management structure, which were clearly not cost effective to the Council or residents.

In addition, the GMB felt that there should be an investigation into the reintroduction of charge hands in order to deal with day to day issues of caretaking and also to reintroduce repairs officers who solely report and chase repairs, giving residents one single person who will have responsibility for repairs. The GMB suggested that such posts could assist in selling services to the private sector and leaseholders, as part of the Council's income generation proposals. However, management did not agree with these proposals.

The Committee agrees that there does appear to be a level of duplication in the management of caretaking services and would support officers in conducting a review of this, in consultation with unions as required. The Committee indicated that a simpler, more direct management structure would be preferred. A proposal for generating income through the selling of caretaking services would also be supported by the Committee.

The Committee were also of the view that caretakers could carry out small handy person duties in liaison with responsive repairs to increase efficiency. The Committee noted that discussions were taking place with caretakers in relation to additional tasks, however in order for these tasks to be undertaken some of the current tasks may have to be deleted or additional resources provided. It is recommended that the Executive agrees with the objective of enhancing the caretaking service through the introduction of new tasks, subject to staff and union consultation.

The GMB noted that tenants often complained about tasks that caretakers had not carried out and that in their view a schedule of duties could be provided to tenants. The Committee agreed with this proposal. The Committee was of the view that if a caretaker was absent due to sickness or holiday this should be detailed on the website and at the estate, together with details of any alternative arrangements that are in place. The Committee also noted the limited holiday cover available for caretakers and recommended that proposals for increased holiday cover be investigated.

The GMB also raised that the facilities and cleaning stores for caretakers are insufficient and further investment is required. The Committee sympathised with caretakers and indicated that the Council should agree a minimum standard for facilities and stores with caretakers and then review provision to ensure that all estates meet this standard.

The Committee noted that although caretakers were responsible for the cleaning of estates, it was the Public Realm section that was responsible for the cleaning of areas surrounding estates. Each section works up to agreed boundaries, however the Committee was concerned that this may not achieve the best outcome for residents. For this reason, it is recommended that consideration be given to how estates staff can work with other services to ensure that the areas surrounding estates are thoroughly cleaned.

The Committee considered how other estate services could generate income. It was suggested that the Estate Parking service could help to generate income through the private rent of garages on estates where there is surplus provision and demand for parking and storage space from private individuals, commercial organisations and social enterprises. The Committee also suggested that the service should prioritise the refurbishment of vacant garages to enable these to be let as quickly as possible. The Committee considered that Greenspace could assist in maximising income by bidding for work from RSL's, TMO's and private residents. It was noted that the Greenspace team already had the requisite knowledge and skills to undertake this work and already provided a similar service to other local authorities.

The Committee noted that, due to seasonal demand, Greenspace is required to employ 25% more staff in the summer months. Greenspace sought to retain staff wherever possible and attempts were made to find staff other roles during the winter months, but this was not always possible. The Committee were of the view that Greenspace should investigate the possibility of annualised hours, where staff are not permitted to take leave in the summer months, but are retained throughout the winter. This should lead to efficiency savings in recruiting new staff annually and offer additional security for workers. It was also suggested that synergies with other sections could be explored to offer full annual employment and increase the resources available to other sections.

The Committee noted that Greenspace were looking to develop schemes such as the 'Incredibly Edible' scheme, whereby residents plant herbs and edible plants in local greenspaces. Resident Associations were encouraged to form gardening clubs and those residents living in areas without residents' associations were able to contact their local Area Housing Office to discuss establishing such schemes. The Committee recommended that information in regards to these schemes should be further publicised, both through the website and print media.

The Committee raised concern with the cleanliness and maintenance of garages and suggested that some garages may be used for unintended purposes. It was also suggested that the income received from garage rent may not cover the full cost of providing the service. To ensure that garages are only used for their permitted purposes, it was suggested that the estates section could help to monitor the use of garages. It was therefore recommended that the Executive ensure that the cost, condition and usage of garages be reviewed, and consideration be given to how estate services can contribute to preventing garages being used for unintended purposes.

The Committee interviewed a number of witnesses during the scrutiny process and have formulated a number of recommendations for consideration by the Executive.

Conclusions

The Committee has made a number of recommendations that it is hoped will increase the effectiveness of the service and ensure better value for money for tenants.

The Committee has focused on areas where they feel that Estate Services can not only improve services for residents but can also generate additional income for the Council, given the financial constraints imposed by the Government.

The Committee would like to thank witnesses that gave evidence in relation to the scrutiny. The Executive is asked to endorse the Committee's recommendations.

Recommendations

1. That the Executive agrees with the objective of enhancing the caretaking service through the introduction of new tasks, subject to staff and union consultation and resources being available;
2. That the Executive seek to maximise income generation opportunities through the Estate Services section, including:
 - The private rent of garages on estates where there is surplus provision and demand for parking and storage space from private individuals, commercial organisations and social enterprises;
 - Prioritising the refurbishment of garages to enable these to be rented as soon as possible;
 - Offering caretaking, voids clearance and minor repair and decoration services to external organisations, subject to appropriate consultation with caretaking staff and unions being undertaken;
 - Making mechanised services available to external organisations.
3. That the Executive review the management arrangements of the estates caretaking service, with a view to moving to a simpler, more direct management structure;
4. That the Executive agree minimum standards for caretaking facilities and stores with staff and ensure that all estates meet these standards;
5. That the Executive consider how estates staff can work with other services to ensure that that the areas surrounding estates are thoroughly cleaned;
6. That the Executive further investigate the retention of grounds maintenance staff by offering annualised hours and exploring possible synergies with other sections;
7. That the Executive increase the publicity of communal gardening and edible plant growing schemes, with a focus on how tenants living on estates without a residents' association can participate in such schemes;
8. That the Executive provide a schedule of duties to tenants to clarify the duties of caretakers;
9. That the Executive advise tenants when their caretaker is unavailable due to holidays or sickness both through the website and by displaying a notice on the estate;
10. That the Executive investigate proposals for increased holiday cover for caretakers;
11. That the Executive ensure that the cost, condition and usage of garages be reviewed, and consideration be given to how estate services can contribute to preventing garages being used for unintended purposes.

MEMBERSHIP OF THE HOUSING SCRUTINY COMMITTEE – 2014/15

Councillors:

Councillor Michael O'Sullivan (Chair)
Councillor Jenny Kay (Vice-Chair)
Councillor Raphael Andrews
Councillor Kat Fletcher
Councillor Aysegul Erdogan
Councillor Flora Williamson
Councillor Alex Diner
Councillor Una O'Halloran

Co-opted members:

Rose Marie MacDonald – PFI Managed Tenants
Jim Rooke – Directly Managed Tenants

Substitutes:

Councillor Mouna Hamitouche MBE
Councillor Jilani Chowdhury
Councillor Alice Perry
Councillor Gary Heather
Councillor Michelline Safi Ngongo
Councillor Olly Parker

Acknowledgements:

The Committee would like to thank all the witnesses who gave evidence to the review.

Officer Support:

*David Salenius – Principal Housing Manager, Estate Services
Peter Moore and Jonathan Moore – Democratic Services*

1. Introduction

- 1.1 The Committee commenced the review in September 2014 with the aim to review the effectiveness and value for money provided by the service.
- 1.2 The Estate Services section comprises of the following areas –

Estate Services Management/Caretaking

- 1.3 The Estate Services Management team consists of three Area Housing Offices, each with an Estate Services team, responsible for the management of all 301 Council Estates, including caretaking. Each team is comprised of an Estate Services Manager, Area Housing Manager, Quality Assurance Officer, Support Manager and Estate Service co-ordinators.
- 1.4 Communal repairs are completed by the Estate Maintenance Team at Downham Road and involve repairs to shared areas (apart from lighting, roofing, drainage and door entry systems, which are referred to the Islington Repairs Team). The Estate Maintenance team comprises 4 office staff and 22 operatives who receive repairs from staff in the Area Housing Offices. In 2013/14 the team completed 6,000 jobs.
- 1.5 The current establishment consists of 3 Estate Services Managers, 23 Quality Assurance Officers and 189 Caretakers. The Estate Services Co-ordinators manage on average 17 caretakers each.
- 1.6 The Estate Services team manage caretaking to approximately 26,000 estate based properties and each caretaker is responsible for communal cleaning to an average of 150 properties.
- 1.7 The issue of caretaking and management of caretakers is dealt with in more detail later in the report.

Grounds Maintenance

- 1.8 The Grounds Maintenance service is provided by the Environmental and Regeneration division and involves grass cutting, shrub and flower bed maintenance. The team is responsible for maintaining the Council's parks and open spaces and completing this work on estates to contractual specifications. Grounds maintenance work is monitored by the estate services staff based at the local Area Housing Offices. Formal monitoring of completed works and communal green areas is carried out by a separate team within grounds maintenance to ensure impartiality.

Special Projects

- 1.9 Special Projects involve improvement to Islington's estates funded by the Environmental Improvement Programme, Estate Security Programme, Section 106 funding, and an assortment of other funding streams. The team is comprised of a team manager, two project managers and one administrative assistant. The majority of the work is consulting on improvements with local residents to ensure the correct works are carried out within the available funds.

Mechanised Services

- 1.10 The Mechanised Services team is responsible for the collection of bulk refuse, mechanical sweeping of estate roads and pressure washing. This team of operatives consists of a manager, supervisor and an administrative assistant based at the Delhi/Outram estate. There are also 18 operatives who are responsible for the regular collection of bulk refuse from estates as required,

sweeping of the estate roads on a rota basis and carrying out pressure washing to remove graffiti and deep cleaning.

Estate Maintenance

- 1.11 The estate maintenance team was established in 2010 and carries out estate repairs and some decoration work. The team was expanded in 2012 to cover metal work and additional ground works. The team is comprised of 20 operatives, two administrators, a senior analyst and a manager.

2. Findings

Estate Parking

- 2.1 The Estate Parking Team comprises two staff and involves the management of parking enforcement by a separate team to the allocation of empty spaces across Council estates, which is carried out by the Area Housing Office customer service teams.
- 2.2 Over 5,000 Parking Charge Notices are issued by the Council's patrol contractors each year. The service covers over 200 estates throughout the borough. The team manage enforcement appeals, complaints, investigations and responses. Over 350 appeals against Parking Charge Notices are investigated by the team each year.
- 2.3 The team also administers the Estate Parking Maintenance Database, which the Customer Services team uses to issue over 4,000 estate permits each year for residents, visitors and contractors. The team also manages a public enquiry line and mailbox, advising on costs and availability of parking facilities and resolving reported parking problems. In addition, the team develops initiatives to maximise income from underused estate car parks.
- 2.4 The Estate Parking team also co-ordinates cyclical maintenance of car parks, including parking bay lining and numbering. They also ensure that signs warning of parking restrictions and giving public information are legally compliant and effectively maintained. The Council has a statutory responsibility to remove abandoned vehicles and on average 45 abandoned vehicles are removed from estates each year.
- 2.5 The section maintains maps of patrol boundaries and layouts, and the numbering of estate car parks and garage areas. They also identify repair priorities for estate garages and cages to meet demand and help to develop initiatives, such as garage storage, new builds, and commercial and social enterprise use. Garages that are let are periodically checked to ensure that there is nothing kept there illegally and where there is demand and the budget is available garages are refurbished for letting.
- 2.6 The Committee was informed that it is now illegal to tow cars away. The majority of the abandoned vehicles removed were old and often the owners could not be traced because the DVLA did not have information on the last registered owner. Therefore it is not possible in many instances to chase owners for fines or removal costs of the vehicles.
- 2.7 The Committee suggested that the service could help to generate income through the private rent of garages on estates where there is surplus provision and demand for parking and storage space from private individuals, commercial organisations and social enterprises. However, it was noted that the redevelopment of vacant garage units into housing should be prioritised ahead of commercial opportunities.

- 2.8 The Committee also suggested that the service should prioritise the refurbishment of vacant garages to enable these to be let as quickly as possible, as this will generate income for the service.
- 2.9 The Committee raised concern with the cleanliness and maintenance of garages and suggested that some garages may be used for unintended purposes. It was also suggested that the income received from garage rent may not cover the full cost of providing the service. To ensure that garages are only used for their permitted purposes, it was suggested that the estates section could help to monitor the use of garages. It was therefore recommended that the Executive ensure that the cost, condition and usage of garages is reviewed, and consideration be given to how estate services can contribute to preventing garages being used for unintended purposes.

Estate Services/Caretaking

- 2.10 The current establishment spread across the three local Area Housing Offices consists of 3 Estate Services Managers, 23 Quality Assurance Officers and 189 caretakers. The Estate Services Co-ordinators manage an average of 17 caretakers each.
- 2.11 The Estate Services team also manage caretaking to approximately 26,000 estate based properties and each caretaker is responsible for communal cleaning to an average of 150 properties. There are currently three types of caretaker, 122 non-resident caretakers, 54 Resident Caretakers and 13 mobile relief caretakers.
- 2.12 The main focus of caretakers' duties is the cleaning of communal areas, completion of management information and reports of complaints, visiting new residents, maintenance of estate communal lighting, reporting abandoned vehicles, unauthorised parking and making safe/taking appropriate action regarding emergencies.
- 2.13 The cleaning tasks completed by the caretakers have been time measured to ensure adequate staffing levels across the Borough. The tasks are performed either on a daily/weekly/monthly or longer term basis and these include sweeping and mopping of the communal entrance area and lifts, sweeping of all paths, roadways and courtyards, removal of litter from grass areas and shrub beds, and collection of lumber and inspection of play areas and seating areas.
- 2.14 Although caretakers spend most of their day out on estates working by themselves, there are regular meetings to help them develop and improve the service. There are senior management and GMB shop stewards meetings every 4 weeks, a caretaker development group with shop stewards meets quarterly, an estates services health and safety meeting with shop stewards is held every 6 weeks, and a Corporate Health and Safety meeting with shop stewards is held quarterly. There are also caretaker group meetings with local 'patch' caretakers.
- 2.15 There is an Environmental Co-ordinator, whose role is to review the procedures for the service and to conduct, score and report on monthly independent caretaking inspections, audit parts of the estate and caretaker service, and assess tree maintenance, waste management and grounds maintenance. The co-ordinator also organises the cleaning of the communal windows below 36 feet, organises autumn leaf clearance and Christmas tree collection, and the cleaning of estate paladin bins.
- 2.16 The Estate Services Co-ordinators manage the caretaking service and co-ordinate delivery of other services with residents, including grounds maintenance, communal repairs, refuse collection, lumber clearance, estate road sweeping and estate improvements.

- 2.17 Quality Assurance Officers complete inspections of estates to ensure communal repairs are raised and caretaking cleaning standards are maintained. The team works closely with residents completing regular estate inspections with TRA representatives. At the caretaking conference held in November 2014, 94% of caretakers said that they had a good working relationship with their line manager and Quality Assurance Officer.
- 2.18 The Committee noted that the Tenant Satisfaction survey, completed in 2013, found that 81% were satisfied with the caretaking service, 80.5% were satisfied with the estate or area as a place to live, 76% were satisfied with street cleaning and 71% were satisfied with the cleanliness of the communal areas. The next satisfaction survey is due later in 2015.
- 2.19 The Committee received evidence from Gary Harris, GMB Trade Union in relation to caretakers taking on additional duties and the duplication of management functions.
- 2.20 The GMB highlighted that in their view there were many difficulties with the current system, particularly management duplication and inefficiencies in the management structure, which were clearly not cost effective to the Council or residents. Although this type of management structure may have worked well in the Homes for Islington (HFI) era, it fails to fit in well with the structure of Islington Council, now that the service is back 'in house'.
- 2.21 The GMB indicated that the current service has several layers of management and in each Area Housing Office there is a serious issue about the duplication of caretaking management and tasks. This was compared to the caretaking service, which the GMB consider to have been reduced significantly. The Committee noted that management of the caretaking service is not attached to resident's service charges and layers of management could be 'hidden' across various budgets, whereas the manual side of the service is transparent and related to service charges.
- 2.22 In light of the above, the Committee recommended that the management structure should be reviewed, and suggested that a simpler, more direct management structure would be preferred.
- 2.23 The GMB were of the view that there is a need to split the management of caretaking in two areas, one part of management dealing with caretaking and the other into dealing with estate repairs and selling the new 'in house' repairs service to the private sector. This would allow both areas to concentrate on their own service area, rather than the present arrangement. In addition the GMB felt that there should be an investigation into the reintroduction of charge hands in order to deal with day to day issues of caretaking and also to reintroduce repairs officers who solely report and chase repairs, giving residents one single person who will have responsibility for repairs. Such posts could assist in selling services to the private sector and leaseholders, as part of the Council's income generation proposals.
- 2.24 GMB also informed the Committee that whilst the Estate Services support team has expanded considerably over the years, it appeared to play no part in dealing with repairs. It was stated that such problems stemmed from HFI's historic membership of One Housing Group, which was an organisation that had a 'one size fits all' policy designed to drive down costs. However the GMB felt that this was at the risk of service provision, as it operated on behalf of housing associations and not always in the best interests of boroughs such as Islington. Whilst it was accepted that caretaking standards were high in Islington there was room for improvement in service delivery and cost.
- 2.25 The GMB informed the Committee that the caretaking service is the only Council service that openly determines the cost payable to the residents of the borough. Currently the residents pay a percentage of a global service charge of an accumulation of the overall budget costs.

- 2.26 The GMB made reference to the fact that the caretaking measurement scheme determines how many caretakers are needed to provide the service. However the scheme fails to take into account issues such as travelling time, health and safety inspections, leaf clearance, lumber collections, report writing, and attending the increasing number of meetings requested by management. Furthermore, there is no measurement built in for covering a caretaker's annual leave or sickness, and this is achieved by requiring other caretakers to cover outside of his or her own estate measurement scheme.
- 2.27 The GMB felt that resident charges should relate to cleaning frequencies, instead of the current arrangement where all estate residents are charged the same amount. For example, estates with fewer than 20 dwellings are only cleaned once a week, whereas larger estates such as the Andover Estate have a seven day cleaning frequency, yet the charge to residents is exactly the same for all estates. The Committee considered this, however did not agree that an alternative charging schedule should be implemented. It was noted that all estates are different, and some may need a more regular cleaning schedule to ensure they are cleaned to the same standard.
- 2.28 The GMB also raised concern at the lack of basic facilities on estates for caretakers. Many are working out of converted sheds and have pooled toilet facilities, if any. There are increasing numbers of female caretakers, however there are no separate facilities for female caretakers which was not considered acceptable. This is in comparison to officers, where the GMB contended that there had been extensive funding of workplace facilities.
- 2.29 In addition, the GMB advised that there had been a noticeable reduction in the supply and allocation of cleaning stores to caretakers, both non-resident and resident. Stores allocation is fundamental to enable caretakers to provide an acceptable level of service. The GMB stated that there was a need to review the stores allocation to each estate, in line with the estate service level agreements, and for this to be based on the needs of the estate, which identifies the actual costs per resident.
- 2.30 The Committee sympathised with caretakers and indicated that the Council should agree a minimum standard for facilities and stores with caretakers and then review provision to ensure that all estates meet this standard.
- 2.31 In terms of caretaking recruitment, the GMB was in favour of increasing the number of female caretakers and to identify opportunities for them to work flexible hours, especially those who have children at school, which would assist in many women being able to come off out of work benefits and into the workplace. It was also suggested that many caretakers are overlooked for promotion into office based posts.
- 2.32 The Committee also considered evidence from Housing management. The current management structure was developed following a Best Value review in 2006 and had led to improvements in tenant satisfaction. Caretakers are currently line managed by Estate Services Co-ordinators and are assisted by Quality Assurance Officers. There are also Estate Services Support Managers, whose primary function is to assist the Estate Services Co-ordinators by ensuring stores, equipment and training is provided for caretakers and leave is managed and covered.
- 2.33 The responsibility for repairs ordering varies across the offices; however each office is responsible for investigating reported communal repairs and ordering repairs mainly through the Estate Maintenance Team. However, this only amounts to ordering approximately one order per officer per day, although they may chase orders reported to them by residents or ones found on estate inspections.

- 2.34 The Committee were informed that a number of resident inspectors had been recruited to check a variety of services in housing, including customer services and estate services. These provide management with residents' views and ensure that services are maintained and improved.
- 2.35 The Committee also received evidence from management which indicated that the caretaking service had not been reduced and in fact since 2002 the establishment actually increased by two posts. These staff were introduced following the introduction of the measurement scheme and had been agreed with the GMB.
- 2.36 During the same period the housing management structure had been reduced by 33%, saving approximately £500,000. In addition, services to support the caretaking service had been increased, such as by the introduction of mechanised estate road sweeping and bulk refuse disposal provided by the Environment and Regeneration Department. It was stated that the GMB proposal to separate caretaking management and estate repairs would divide responsibility and would not provide a clear service structure for residents.
- 2.37 Housing management accepted that the current service was expensive however advised that savings had already been made. Following these savings the caretaking service now costs approximately £7.7 million, as compared to the estate services management function which costs approximately £1.2 million.
- 2.38 Housing management agreed that changes did need to be made to the service and advised that discussions were taking place with the GMB. These discussions included changes to improve cover for caretaker absence, weekend cover and the introduction of new tasks and developing additional income. The Committee was advised of proposed changes to job descriptions and management functions and that discussions were continuing on these.
- 2.39 In relation to improving cover for caretaker absence, management informed the Committee that the Council did not have funding to pay for full cover when a caretaker is on leave and proposals recently put to the GMB included paired working and the use of mobile relief cover. The current arrangements for weekend cover are expensive and not seen as an effective use of resources. Management is to consider full week day cover and an alternative weekend cover to improve the service and customer satisfaction.
- 2.40 Consideration is also being given to the introduction of new tasks; however this will require discussion with GMB. Introducing new tasks will be extremely important going forward if the Council is to offer services to other organisations in order to raise income. Increasing income is a priority for the Council and services such as voids clearance or minor decorations could be offered to other social landlords, for example.
- 2.41 The GMB noted that tenants often complained about tasks that caretakers had not carried out and that in their view a schedule of duties could be provided to tenants. The Committee agreed with this proposal. In addition, Digital Services had been requested to ensure information about progress of repairs was available for tenants. The Committee were of the view that if a caretaker was absent due to sickness or holiday this should be detailed on the website and at the estate, together with details of any alternative arrangements that are in place. The Committee also noted the limited holiday cover available for caretakers and recommended that proposals for increased holiday cover be investigated.

- 2.42 The Committee were also of the view that caretakers could carry out small handy person duties in liaison with the responsive repairs team to increase efficiency. The Committee noted that discussions were taking place with caretakers in relation to additional tasks, however in order for these tasks to be undertaken some of the current tasks may have to be deleted or additional resources provided. It is therefore recommended that the Executive agrees with the objective of enhancing the caretaking service through the introduction of new tasks, subject to staff and union consultation.
- 2.43 The Committee noted that although caretakers were responsible for the cleaning of estates, it was the Public Realm section that was responsible for the cleaning of areas surrounding estates. Each section works up to agreed boundaries, however the Committee was concerned that this may not achieve the best outcome for residents. For this reason, it is recommended that the Executive consider how estates staff can work with other services to ensure that the areas surrounding estates are thoroughly cleaned.

Grounds Maintenance (Greenspace)

- 2.44 The Committee also considered evidence in relation to the Grounds Maintenance service function on housing estates. Greenspace manage and deliver all the grounds maintenance on behalf of the Council and this includes all parks and the majority of housing estates.
- 2.45 The Grounds Maintenance service was brought back 'in house' in January 2013 and all staff are now on Council terms and conditions and paid the London Living Wage.
- 2.46 Retaining the same staff had avoided performance problems, which sometimes arise at the end of such contracts. Staff had attended training courses on customer service and equalities and it was emphasised to staff that they were now representatives of the Council.
- 2.47 Due to the seasonal nature of grounds maintenance work and the fact that due to climate change the seasons were not as well defined as in the past, there was a requirement to employ 25% more staff in the summer months. Greenspace sought to retain staff wherever possible and attempts were made to find staff other roles during the winter, but this was not always possible. The Committee were of the view that Greenspace should investigate the possibility of annualised hours, where staff were not permitted to take leave in the summer months, but are retained throughout the winter. This would lead to efficiency savings in recruiting new staff annually and offer additional security for workers. It was also suggested that synergies with other sections could be explored to offer full annual employment and increase the resources available to other sections.
- 2.48 The Committee were of the view that Greenspace should also consider maximising income by bidding for work from RSL's, TMO's and private residents. It was noted that the Greenspace team already had the requisite knowledge and skills to undertake this work and already provided a similar service to other local authorities. Income maximisation was an area that should be further investigated given the financial constraints imposed on the Council by the Government.
- 2.49 Greenspace monitor performance and ensure quality and value for money service is delivered. This is in addition to advice on re-instatement works and new planting to housing officers and residents and the mapping out all horticultural elements and supporting the improvement of biodiversity on estates. Greenspace worked closely with Housing officers and residents to make improvements to green spaces on estates including new bulb planting, renovation of grassed areas and the removal of large shrub areas and improved sight lines.

- 2.50 The service is split into three geographic areas and the teams function as stand-alone areas servicing parks and housing. This enables staff to become very familiar with their sites and develop relationships with key stakeholders and residents.
- 2.51 The Committee were concerned that local housing offices did not appear able to provide residents with details of dates on which the grass would be cut on estates. Greenspace indicated that grass cutting was not a frequency based service and a time period of two to three weeks was set for a date for grass to be cut and for this reason it was not possible to give an exact date for each estate. The service was also about to introduce a new ICT system, which would allow the monitoring of grounds maintenance work in real time. With regard to weeding of pathways the grounds maintenance service applies weed killer approximately three times a year and it is the responsibility of caretakers to pull out the weeds.
- 2.52 All staff have access to the IT performance monitoring system and formal monitoring is undertaken by a separate team within the Grounds Maintenance Service and in addition Grounds Maintenance carry out their own monitoring, which is then passed to housing officers to check. Monthly and quarterly meetings are held between officers to review performance and discuss upcoming work and in 2014 90.18% of all tasks checked met required standards and of tasks checked by housing officers 94.5% met required standards.
- 2.53 In relation to resident engagement in garden schemes, it was stated that such schemes are usually driven by a small number of dedicated individuals and not all estates had expressed an interest in such schemes. Although some schemes were very successful, and in some instances the Council had handed over gardening responsibilities to residents, in other areas there was a mixed reception to gardening schemes from residents and for this reason this transfer of responsibility was not appropriate on all estates.
- 2.54 Greenspace were also looking to develop schemes such as the 'Incredibly Edible' scheme, whereby residents plant herbs and edible plants in local greenspaces. Residents Associations were encouraged to form gardening clubs and those residents living in areas without residents' associations were able to contact their local Area Housing Office to discuss establishing such schemes. The Committee recommended that information in regards to these schemes should be further publicised, both through the website and print media.
- 2.55 Greenspace has a horticultural apprenticeship scheme and employed three local residents and work toward a Diploma in Horticulture. The apprentices gain experience working with experienced gardeners and one apprentice had already been successful in securing a full time post.

Mechanised Services

- 2.56 The Committee also considered evidence in relation to mechanised services. The Mechanised Services team, based in the Environment and Regeneration Department, are responsible for the collection of bulk refuse, mechanical sweeping of estate roads, fly tip removal, graffiti removal and pressure washing. This team of operatives consists of a manager, supervisor and an administrative assistant, based at Delhi/Outram estate. There are 18 mechanised services operatives.
- 2.57 The Mechanised Services team was transferred from Housing to Environment and Regeneration in April 2013. At the time of transfer there was a reduction of 4 full time and 4 agency posts with the same service specification transferred.

- 2.58 The 165 Islington estates are mechanically swept each week, and some are swept twice. On average 150 tonnes of lumber is collected every month and on average 1,452 lumber collections are completed every month. There are also approximately 110 pressure washing requests completed every month.
- 2.59 In terms of service delivery the Committee noted that the performance in relation to lumber removal there had been an improvement of 14% since 2013, in relation to mechanical estate road sweeping a 5.5% improvement since 2013 and in relation to pressure washing a 2.9% improvement since 2013.
- 2.60 The Committee recommended that mechanised services should also seek to generate income by selling their services to third parties.

Estate Maintenance

- 2.61 The Estate Maintenance team carries out repairs to estates. The service was launched in 2010 and expanded in 2012 to include metal work and additional ground works. Over 90% of reported works are carried out by the team and around 90% of repairs are completed on time. There are 20 estate maintenance operatives, two administrators, a senior analyst and a manager. The team has employed apprentices which have later become permanent employees.
- 2.62 The administration team raise repair orders, respond to enquiries, manage the workload, manage inspections and order stock.
- 2.63 Each operative has a smartphone through which work is managed and identified. An app allows operatives to log the progress of repairs as they are carried out. Progress is monitored on a monthly basis, which includes measures such as the percentage of repairs completed on time, individual operative productivity and the quality of repairs. Residents also evaluate the repairs carried out through the service.
- 2.64 Health and safety is a priority of the team. Health and safety meetings are held monthly, equipment is regularly checked and new fleet vehicles had recently been introduced to improve safety.

3. Conclusions

- 3.1 The Committee has made a number of recommendations that it is hoped will increase the effectiveness of the service provided and to ensure better value for money for tenants.
- 3.2 The Committee has focused on areas where they feel that Estate Services can not only improve services for residents but can also generate additional income for the Council, given the financial constraints imposed by the Government.
- 3.3 The Committee heard evidence in relation to the caretaking service in particular, where we consider that there are, whilst customer satisfaction is high, opportunities to develop the service and improve income generation opportunities whilst at the same time rationalising costs and avoiding duplication of responsibilities. In addition, there are a number of areas within Estate Services where it is felt that there are opportunities to maximise income and provide additional services for other organisations and residents.
- 3.4 The Committee would like to thank witnesses that gave evidence in relation to the scrutiny. The Executive is asked to endorse the Committee's recommendations.

APPENDIX – SCRUTINY INITIATION DOCUMENT

SCRUTINY REVIEW INITIATION DOCUMENT (SID)
Review: Estates Services Management
Scrutiny Review Committee: Housing Scrutiny Committee
Director leading the Review: Sean McLaughlin
Lead Officer: David Salenius
Overall aim: To review the effectiveness and value for money provided by the service
Objectives of the review: <ul style="list-style-type: none">• Define the scope of estates services management• Identify the performance of each part of the service• Identify the costs of each part of the service• Identify resident satisfaction with the service• Compare the service provided with other London Boroughs and Estates Services Benchmarking Club• Identify areas for improvement
How is the review to be carried out: <p>It is proposed that the review be undertaken through a review of existing procedures and policies, performance data and obtaining witness evidence from officers, residents, other London Boroughs and from visits to provide a picture of the service and identify any areas for improvement.</p> <p>Scope of the Review</p> <p>Types of evidence will be assessed by the review: (add additional categories as needed)</p> <ol style="list-style-type: none">1. Documentary submissions: Procedures and policies, budget reports, performance data2. It is proposed that witness evidence be taken from:<ol style="list-style-type: none">i) David Saleniusii) Estates Services Co-ordinators, Quality Assurance officers, other managers as requirediii) TRAs, TMOs3. Visits<ul style="list-style-type: none">• Estate(s)• Caretakers meeting• EMT Downham Road• Completed Estates Improvement Schemes• Other London Borough(s)
Additional Information: <p>Estates services management covers caretaking, communal repairs, grounds maintenance, special projects and estate parking.</p>

Report of: Chair of Housing Scrutiny Committee

Meeting of	Date	Ward(s)
Executive	16 July 2015	All

Non-exempt

Subject: Scaffolding and Work Platforms Scrutiny Review

1. Synopsis

- 1.1 This report requests that the Executive receive the recommendations in relation to the Scaffolding and Work Platforms scrutiny review, following completion of the scrutiny. An update on the recommendations set out in the report will be provided to a future meeting of the Executive.

2. Recommendation

- 2.1 To receive the report of the Housing Scrutiny Committee.

3. Background

- 3.1 In December 2014 the Housing Scrutiny Committee commenced a review of the use of scaffolding and other work platforms by Housing Property Services, considering the costs, issues and pros and cons of different forms of provision.

4. Implications

4.1 Financial Implications

The proposals in the review would need to be costed by the Executive.

4.2 Legal Implications

There are no legal implications at this stage.

4.3 Environmental implications

There are no environmental implications as the decision being sought is only for the Executive to consider the recommendations.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment has not been completed because the decision being sought is only for the Executive to consider the recommendations.

5. Conclusion and reasons for recommendations

- 5.1 The Committee recognise that the use of scaffolding can represent a significant cost to the Council and inconvenience to local people. For this reason, recommendations have been made which seek to minimise the use of scaffolding and secure best value. In formulating its recommendations, the Committee has also considered to the Council's need to maximise income and the importance of increasing local employment opportunities. The Executive is asked to endorse the Committee's recommendations.

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ISLINGTON

Scaffolding and Work Platforms Scrutiny Review

REPORT OF THE HOUSING SCRUTINY COMMITTEE

London Borough of Islington
June 2015

EXECUTIVE SUMMARY

Scaffolding and Work Platforms Scrutiny Review

Aim

To review the current use of scaffolding and other work platforms by Housing Property Services, considering the costs, issues and pros and cons of different forms of provision.

Evidence

The review ran from December 2014 until May 2015 and evidence was received from a variety of sources:

1. Presentations from Council Officers
Damian Dempsey, Group Leader – Quantity Surveyors;
Ryan Collymore, Group Leader – Contract Monitoring;
2. Site visits
Visits to several “live” scaffolding sites and discussions with the Council’s capital works contractors, Breyers Group and Mears Projects;
3. Documentary evidence
Information relating to the in-house scaffolding service previously provided by the London Borough of Camden; indicative costs of establishing the Council’s own scaffolding service;
4. Information from witnesses
Dr Brian Potter, Chairman of Islington Leaseholders Association.

Main Findings

The Housing Property Services section makes use of scaffolding for both responsive repairs and capital works. Responsive repairs are carried out directly by the Council, with scaffolding erected by a contractor on behalf of the authority. Capital works are carried out by contractors on a seven year rolling programme and include the general improvement and maintenance of council properties.

The Committee considered problems with scaffolding reported by local residents, including the comments on the Islington Leaseholders’ Association, and investigated these issues further with officers and contractors.

Local people can have a perception that scaffolding is erected for long periods of time, with seemingly little work taking place. The Committee heard from officers and contractors that, although there can be delays to works, unoccupied scaffolding is often due to inspections and preparatory work taking place.

Although the importance of inspections and preparatory work is appreciated, the Committee is concerned by the length of time scaffolding can be erected for and consider that better scheduling of works could lead to better outcomes for residents. It was also suggested that working in partnership with housing associations undertaking repair works to nearby properties could help to minimise disruption.

Local people can also have a perception that scaffolding is expensive and that works could be carried out with less expense and inconvenience by using alternatives, such as cherry pickers. Leaseholders were particularly concerned about the cost of scaffolding as they are partially responsible for the cost of repairs to their properties.

The Committee noted that scaffolding is a fixed cost, regardless of the length of time it is erected for, and as a result scaffolding can represent a significant expense within the overall cost of an otherwise low value scheme. Although alternatives to scaffolding may be appropriate in some instances, the use of scaffolding is determined by several factors, including access arrangements, the extent of the work that needs to be carried out, and resource requirements.

However, the Committee noted that the cost of scaffolding for responsive repairs had recently decreased, from around £1,200 to £400 per project. As a result, the Committee was concerned that the Council may not be achieving best value on scaffolding for capital works. Although capital contractors are paid on an agreed schedule of rates, it was suggested that further work is needed to ensure best value and minimise disruption to residents. In particular, the Council could specify target prices in schedules of rates for scaffolding when procuring future capital contracts, and could contractually specify that the use of scaffolding is minimised where possible.

To help clarify which alternatives to scaffolding, if any, are suitable for use on each property, the Committee suggested that the Council should formulate an estate-based asset management plan which would assess the access needs of each property. This would help to guide future capital and repairs work and clarify residents' expectations around the use of scaffolding. This could be created over time by simply maintaining a database of the inspections carried out by surveyors prior to repair work commencing on each property.

It was confirmed that the Council did not yet have access to technology such as drones and specialist cameras. The Committee supported the use of such technologies as a way of minimising the use of scaffolding.

The Council is seeking to design out the need for scaffolding in future by using maintenance free materials and fixings and designing with access in mind. For example, new Council housing is making use of materials which reduce the need for painting and are designed to facilitate access without scaffolding as far as possible. The Committee supports this approach.

The Committee noted the negative perception that some members of the public have of scaffolding. The Committee strongly believes that the Council and contractors should work to ensure that scaffolding has as little impact on residents as possible. Regular communication with residents is considered essential and the use of resident liaison officers for major works is particularly supported.

The Committee considered the pros and cons of insourcing scaffolding for responsive repair works. It is estimated that a full service would cost £1.6 million to set up and run in the first year and £1.1 million thereafter. The current cost to the Council of providing the same number of scaffolds would be £414,000. An in-house scaffolding service was previously provided by the London Borough of Camden; however this has since been outsourced.

The Committee wish for the Executive to give further consideration to piloting an in-house work platform service, capable of erecting scaffolding and a range of other work platforms. Initially this could be as small as one gang working on four scaffolds a day. Although the Committee recognise the initial outlay required to develop such a service, it is thought that such a team would enable the Council to have better control over its use of scaffolding, would provide jobs for local people, and could be used as an income generation opportunity by carrying out external contract work. The Committee is keen for this team to offer part-time and flexible working to encourage applicants from a diverse range of backgrounds. Using this team to develop the skills of local people through apprenticeships would also be encouraged.

Conclusions

The Committee recognise that the use of scaffolding can represent a significant cost to the Council and inconvenience to local people. For this reason, recommendations have been made which seek to minimise the use of scaffolding and secure best value. In formulating its recommendations, the Committee has also considered to the Council's need to maximise income and the importance of increasing local employment opportunities.

In carrying out the review, the Committee has met with officers, contractors and members of the public to gain a balanced view. The Committee would like to thank the witnesses that gave evidence to the Committee. The Executive is asked to endorse the Committee's recommendations.

Recommendations

- 1. That the Executive seeks to minimise the use of scaffolding by Housing Property Services and encourage the use of alternative work platforms;**
- 2. That the Executive encourage capital works contractors to use alternative work platforms by specifying in contracts that scaffolding should be minimised and used in a way which will cause the least disruption for residents;**
- 3. That the Executive continue work to design out the need for scaffolding in Council housing;**
- 4. That the Executive work to improve the scheduling of all works to minimise the time length of time scaffolding is erected for;**
- 5. That the Executive consider working in partnership with housing associations which are undertaking repair works to nearby properties to minimise disruption;**
- 6. That the Executive investigate formulating an estate-based asset management plan which assesses the access requirements of each property to guide future capital and repairs work and clarify the suitability of erecting scaffolding on each property;**
- 7. That the Executive explore the reduction of the cost of scaffolding for capital works by specifying target prices in schedules of rates in future contracts;**
- 8. That the Executive note the negative perception that residents have of scaffolding and encourage regular communication with residents whose homes are undergoing repair and improvement works;**
- 9. That the Executive consider procuring a range of work platforms and technologies to facilitate responsive repair works without the use of scaffolding;**
- 10. That the Executive give further consideration to piloting a multi-skilled work platform team, capable of erecting scaffolding and other work platforms.**

MEMBERSHIP OF THE HOUSING SCRUTINY COMMITTEE – 2014/15

Councillors:

Councillor Michael O'Sullivan (Chair)
Councillor Jenny Kay (Vice-Chair)
Councillor Raphael Andrews
Councillor Kat Fletcher
Councillor Aysegul Erdogan
Councillor Flora Williamson
Councillor Alex Diner
Councillor Una O'Halloran

Co-opted members:

Rose Marie MacDonald – PFI Managed Tenants
Jim Rooke – Directly Managed Tenants

Substitutes:

Councillor Mouna Hamitouche MBE
Councillor Jilani Chowdhury
Councillor Alice Perry
Councillor Gary Heather
Councillor Michelline Safi Ngongo
Councillor Olly Parker

Acknowledgements:

The Committee would like to thank all the witnesses who gave evidence to the review.

Officer Support:

*Damian Dempsey and Ryan Collymore – Lead Officers
Peter Moore and Jonathan Moore – Democratic Services*

1. Introduction

- 1.1 The Committee commenced the review in December 2014 with the aim of reviewing the current use of scaffolding and other work platforms by Housing Property Services, considering the costs, issues and pros and cons of different forms of provision.
- 1.2 In carrying out the review the Committee met with officers, a representative of the Islington Leaseholders' Association, representatives of the Council's capital works contractors, the Breyers Group and Mears Projects, and visited several "live" scaffolding sites: the Mayville Estate (N16), Riversdene (N5), Stavely/Keighley Close (N7) and Ewe Close, off Shearling Way (N7).
- 1.3 The Council has responsibility for around 23,000 secure tenancies and 7,000 leaseholders.
- 1.4 There are two types of property repairs which require the use of working platforms. Responsive repairs restore properties to their original condition and are often needed to make urgent repairs to a property. Capital works are improvement works that enhance the existing housing stock and are carried out on a seven year rolling programme.
- 1.5 In 2013/14 the Council had to erect approximately 2,000 scaffolds for responsive repairs. The Council had recently procured a cherry picker which was available for property works, as well as repairs to street lighting.
- 1.6 Scaffolding is the most frequently used type of working platform, however there are alternative methods of access, including mast climbers, cradles, cherry pickers, abseilers and mobile towers. However, not all alternatives to scaffolding are suitable for all types of work. Each property is assessed on its own merits before the most suitable method of carrying out the work is agreed.

2. Findings

The importance of health and safety

- 2.1 The Committee noted that health and safety is the most important consideration when carrying out improvement works. The Council has a duty to ensure that all of its staff and contractors work safely, and must take reasonable steps to reduce health and safety risks to its workers. The use of scaffolds is highly regulated through health and safety legislation.
- 2.2 Falls from height are the largest cause of fatality and serious injury in the construction industry, accounting for 50% of all construction fatalities. The safety of residents is equally important, as improvement works must not impede emergency access or present a risk to occupiers of properties.
- 2.3 When repair or improvement works are to be carried out, an assessment is made in regards to what is the safest way to carry out the works. Often this will result in scaffolding being erected.

Resident concerns

- 2.4 The Committee considered problems with scaffolding reported by local residents, including the comments of the Islington Leaseholders' Association. There can be a perception that scaffolding is erected for long periods of time with seemingly little work taking place.

- 2.5 The Committee heard from officers and contractors that, although there can be delays to works, unoccupied scaffolding is often due to inspections and preparatory work taking place. A series of inspections are carried out before, during, and after the works take place, the results of which are discussed between the contractor and the Council.
- 2.6 However, on inspecting the Mayville Estate, members inspected several housing blocks encased in scaffolding and expressed concern at the apparently low number of operatives working on the site. This was particularly disappointing given the length of the contract and the inconvenience to residents. Given the disruption that can be caused by scaffolding, the Committee queried if more could be done to ensure that works are carried out and scaffolding disassembled as quickly as possible.
- 2.7 Scaffolding is a fixed cost, regardless of the length of time it is erected for. As a result, scaffolding can represent a significant expense within the overall cost of an otherwise low-value scheme. The Committee noted that the cost of scaffolding through the Council's responsive repairs contract had recently decreased, from around £1,200 to £400 per project. The cost of scaffolding on capital projects varied from project to project, and was paid against an agreed schedule of rates.
- 2.8 The ILA considered that scaffolding was too expensive, and although scaffolding was a fixed cost, prices were unnecessarily "front loaded" and represented poor value for money for both the Council, tenants and leaseholders. Given the decrease in the cost of scaffolding for responsive repairs, the Committee queried if the Council is achieving best value on the procurement of scaffolding for capital works. As scaffolding for capital works is paid for against a contractual schedule of rates the Council is unable to decrease this cost through the duration of the current contract, however the Committee suggested that the Executive could explore the reduction of the cost of scaffolding for capital works by specifying target prices in schedules of rates in future contracts.

Communication with residents

- 2.9 The Committee noted the negative perception that some members of the public have of scaffolding. Local people are worried about the safety of their homes while scaffolding is erected, the damage that erecting scaffolding can cause to their homes, and are frustrated with the nuisance of having scaffolding on their homes for long periods of time.
- 2.10 The Committee strongly believes that the Council and contractors should work to ensure that scaffolding has as little impact on residents as possible. Regular communication with residents is considered essential and the use of resident liaison officers for major works is particularly supported. It is considered that engagement with residents can add value to repair works, as discussions with residents can help to identify problems with properties and assess which resources are required.

Minimising the use of scaffolding

- 2.11 The use of scaffolding is determined by several factors, including access arrangements, the extent of the work that needs to be carried out, and resource requirements. Works which require a significant amount of manpower, or working at height for a prolonged period of time, will often require scaffolding. Certain works, for example roof works requiring hot bitumen, are only permitted to be carried out from a scaffold.
- 2.12 The Committee visited estates where several housing blocks had scaffolding erected at the start of a major project which then remained assembled for several months. Sometimes, this would lead to scaffolding remaining on a property for long periods of time before works started, or after

works finished. Although it was recognised that this may be the most cost effective method of providing scaffolding, the Committee sympathised with residents' concerns.

- 2.13 The Committee inspected alternatives to fixed scaffolding, including mobile scaffold towers, cherry pickers and mast climbers. Whilst it was recognised that each of these are limited by the local environment, it was considered that alternatives to scaffolding should be used where possible to reduce the disruption to residents.
- 2.14 Although there can be access difficulties for cherry pickers, it was noted that some cherry pickers have a very small footprint and the Council may wish to consider making use of these, and other work platforms, for otherwise inaccessible properties.
- 2.15 The Committee consider that the Council's use of scaffolding should be minimised as far as possible and support the use of alternative work platforms. It was suggested that the Council should formulate an estate-based asset management plan which would assess the access needs for each property. This could clarify which alternatives to scaffolding, if any, are suitable for use on each property and would help to guide future capital and repairs work and residents' expectations. This could be created over time by simply maintaining a database of the inspections carried out by surveyors prior to repair work commencing on each property.
- 2.16 It was suggested that future capital works contracts could specify that the use of scaffolding should be minimised or scheduled in a way which causes the least disruption to residents.
- 2.17 The Council is seeking to design out the need for scaffolding in future by using maintenance free materials and fixings and designing with access in mind. For example, new Council housing is making use of materials which reduce the need for painting and are designed to facilitate access without scaffolding as far as possible. The Committee supports this approach, and would encourage a similar approach to be taken in the refurbishment of existing housing stock, where possible.

Amending Council procedures

- 2.18 The Committee heard examples of scaffolding that had been erected and disassembled, only to be erected again a few weeks later. The Committee considered that better scheduling of such works would both reduce inconvenience for residents and minimise costs.
- 2.19 Capital works are currently carried out on a seven year rolling programme. It was queried if non-urgent works could be moved to a fourteen year cycle, or if an alternative cycle could be adopted, such as ten years. The Committee did not wish to make a specific recommendation on this point.
- 2.20 Working in partnership with housing associations undertaking repair works to nearby properties could also help to minimise disruption.
- 2.21 Due to the urgent nature of responsive repairs, scaffold licences were occasionally sought retrospectively to ensure repairs were carried out as soon as possible.
- 2.22 It was confirmed that the Council did not yet have access to technology such as drones and specialist cameras. The Committee supported the use of such technology as a means of minimising scaffolding.

Feasibility of an in-house service

- 2.23 The Committee considered the pros and cons of insourcing scaffolding for responsive repair works. It is estimated that a full service would cost £1.6 million to set up and run in the first year £1.1 million thereafter. This cost is based on four gangs working on approximately four scaffolds a day each. The current cost to the Council of providing the same number of scaffolds would be £414,000.
- 2.24 If the Council was to establish its own in-house service, the Council would require a large storage site with an estimated annual rent of approximately £100k per annum, four large flat-bed lorries at an estimated cost of £62k per annum, a great deal of scaffolding equipment and appropriately trained and qualified staff.
- 2.25 An in-house scaffolding service was previously provided by the London Borough of Camden. However, the Committee learned that this was outsourced due to difficulties in recruiting, the amount of space needed to store equipment, the level of investment needed to renew equipment, and the sizeable health and safety assurances associated with delivering an in-house service. Officers were not aware of any other local authorities that had an in-house scaffolding service.
- 2.26 However, the Committee wish for the Executive to give further consideration to piloting a small in-house work platform service, which initially could be as small as one gang. This team would be able to erect scaffolding and other work platforms such as cherry pickers and towers, as well as use technology to assist responsive repairs, such as drones and specialist cameras.
- 2.27 Although the initial outlay to develop such a service is recognised, it is thought that such a team would enable greater control of scaffolding works and could be used as an income generation opportunity, with any initial cost recouped over time through a combination of savings on responsive repairs and income from external contract work.
- 2.28 An in-house service could also help local people by providing employment and developing their skills. If the Council is to provide an in-house service, it is recommended that this provides apprenticeships to local people and offers part-time and flexible working to encourage applicants from a diverse range of backgrounds. One of the Council's capital works contractors, Mears Projects, had recently employed four apprentices, three of which were female.
- 2.29 Any in-house service would also have to consider seasonal demand. Responsive repairs are often required most during the winter months, as damage to properties is often caused during periods of inclement weather. It is suggested that an in-house service provides multi-skilled staff which can work on other services during periods of low demand during the summer.
- 2.30 The Committee noted that, even with an in-house service, contractors may still be required during peak periods.
- 2.31 The Committee wishes for further thought to be given to the type of scaffolding provided by an in-house service. It is understood that cuplock scaffolding may be cheaper and easier to assemble, if the Executive is minded to pursue an in-house service.

3. Conclusions

- 3.1 The Committee recognise that the use of scaffolding can represent a significant cost to the Council and inconvenience to local people. For this reason, recommendations have been made which seek to minimise the use of scaffolding and secure best value. In formulating its

recommendations, the Committee has also had regard to the Council's need to maximise income and the importance of increasing local employment opportunities.

- 3.2 In carrying out the review, the Committee has met with officers, contractors and members of the public to gain a balanced view. The Committee would like to thank witnesses that gave evidence in relation to the scrutiny. The Executive is asked to endorse the Committee's recommendations.

SCRUTINY REVIEW INITIATION DOCUMENT (SID)
Review: Scaffolding and Work Platforms
Scrutiny Review Committee: Housing
Director leading the review: Simon Kwong
Lead Officers: Ryan Collymore and Damian Dempsey
<p>Overall aim:</p> <p>To review the current use of scaffolding and other work platforms by Housing Property Services, considering the costs, issues and pros and cons of different forms of provision.</p>
<p>Objectives of the review:</p> <p>Report the current scaffolding arrangements for capital and responsive repairs. Discuss health and safety requirements. Consider the pros and cons of insourcing scaffolding for responsive repairs.</p>
<p>How is the review to be carried out:</p> <p>The review will take place in three stages, first a presentation to ensure all parties have an understanding of the current arrangements and possible options to be considered and provision of all documentation supporting the presentation. In a second stage the committee will be invited to attend a tour of a number of sites looking at a range of scaffolding arrangements and other forms of access. Thirdly the Committee will have the chance to interview a series of staff working on scaffolding from different perspectives and two comparable landlords to consider how they manage scaffolding.</p> <p>Scope of the review:</p> <p>The review will consider the application, methodology, cost and practice of using scaffolding for repairs and capital investment works on Islington's housing stock. The presentation will not cover scaffolding for other non-housing services provided by the council.</p> <p>Types of evidence that will be assessed by the review:</p> <p>1. Documentary submissions:</p> <ul style="list-style-type: none"> Copy of Presentation; HSE Guidance; Schedule of Rates Preambles and prices for Roofing and Scaffolding; Contract Documents with Breyer Group and Mears Ltd; Procedure Documents; Example of the roofing register and relevant related paperwork; Copy of H&S audits for roofing.

2. It is proposed that witness evidence be taken from:

- i) Health and Safety Team - to provide further info on the safety of scaffolding
- ii) Direct Works Group Leader – to provide information regarding repairs process
- iii) Capital Works Contractors – to discuss their delivery and issues
- iv) Repairs Contractor – to discuss their delivery and issues
- v) Camden Repairs Manager (TBC) – for comparison with another LA
- vi) Circle Anglia Repairs Manager (TBC) – for comparison with an RSL
- vii) Capital Quantity Surveying Group Leader – to discuss cost control, provision of access equipment and terms of contract.
- viii) Customer Services Group Leader – to discuss complaints regarding scaffold.

3. Visits

- Visit to a live capital site with scaffold (location to be agreed)
- Visit to a live repairs site with scaffold (location to be agreed)
- Visit to a range of properties to explain the different issues and methods of access

Additional Information:

None.

Programme

Key output:	To be submitted to Committee on:
1. Scrutiny Initiation Document	2 December 2014
2. Timetable	
3. Interim Report	16 April 2015
4. Final Report	8 June 2015

Report of: Chair of Environment and Regeneration Scrutiny Committee

Meeting of	Date	Ward(s)
Executive	16 July 2015	All

Non-exempt

Subject: Fuel Poverty Scrutiny Review

1. Synopsis

- 1.1 This report requests that the Executive receive the recommendations in relation to the Fuel Poverty scrutiny review, following completion of the scrutiny. An update on the recommendations set out in the report will be provided to a future meeting of the Executive.

2. Recommendation

- 2.1 To receive the report of the Environment and Regeneration Scrutiny Committee.

3. Background

- 3.1 In October 2014 the Environment and Regeneration Scrutiny Committee commenced a scrutiny to explore and understand the impact of fuel poverty on households, existing policies and strategies to alleviate fuel poverty in both the short and long term and the opportunities for Islington to provide assistance and support to residents.

4. Implications

4.1 Financial Implications

The proposals in the review would need to be costed by the Executive.

4.2 Legal Implications

There are no legal implications at this stage.

4.3 Environmental implications

There are no environmental implications as the decision being sought is only for the Executive to consider the recommendations.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment has not been completed because the decision being sought is only for the Executive to consider the recommendations.

5. Conclusion and reasons for recommendations

- 5.1 The Fuel Poverty Scrutiny Review concluded that although much work was already being done to address fuel poverty in the borough, further work should be done to co-ordinate work by various groups and offer a more holistic approach to solving the problem of fuel poverty.

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ISLINGTON

Fuel Poverty Scrutiny Review

REPORT OF THE ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

London Borough of Islington
May 2015

EXECUTIVE SUMMARY

Fuel Poverty Scrutiny Review

Aim

To explore and understand the impact of fuel poverty on households, existing policies and strategies to alleviate fuel poverty in both the short and long term and the opportunities for Islington to provide assistance and support to the residents.

Evidence

The review ran from October 2014 until May 2015 and evidence was received from a variety of sources:

1. Presentations from Witnesses
William Baker, Head of Fuel Poverty Policy, Citizens Advice
Peter Smith, National Energy Action (NEA)
Matilda Allen, Research Fellow, UCL Institute of Health Equity
Fiona Daly, Head of Sustainability, Barts Health NHS
Gareth Baynham-Hughes – Deputy Director, Fuel Poverty, Department of Energy and Climate Change
Steve Crabb – Head of Vulnerable Customers, British Gas
Councillor Murray – Executive Member for Housing
2. Presentations from Council Officers
John Kolm-Murray, Seasonal Health and Affordable Warmth Co-ordinator
3. Written Evidence
Daniel Alchin, Policy and External Relations Manager, Energy UK

Main Findings

Between 2010 and the first quarter of 2014/15, energy efficiency improvements were made in over 19,600 Islington homes. There was the potential for energy efficiency measures to reduce bills by up to £400 per year. As energy inefficiency contributed to fuel poverty, energy bills fell in line with improvements.

The Seasonal Health Intervention Network (SHINE) had assisted around 8,600 vulnerable residents since December 2010. It targeted those most at risk of cold homes and their associated health problems and worked with professionals across the housing, health, social care and voluntary sector to identify and assist. In addition to addressing high energy bills it also addressed other factors such as the risk of people falling, social isolation and fire risks. SHINE worked with Islington's Citizens Advice Bureau Fit Money project to refer indebted residents for financial capability training.

The health impacts of fuel poverty had been well established. Older people, those suffering from long-term health conditions and low income families with young children were at greatest risk. Cold housing was believed to be the greatest single contributing factor to excess winter deaths and hospital admissions.

Between 2007 and 2012, there were on average 50 excess winter deaths in Islington, with little statistical difference from the England average. Analysis of data from emergency winter hospital admissions from 2008/09 to the Whittington Hospital suggested that there were around 6.6 admissions for each death.

The latest available data showed that electricity debt rose by 66% in real terms between 2003 and 2011 and gas debt rose by 83%. Rising fuel bills meant the proportion of the population in fuel debt increased. People's incomes had grown little in the last 4-5 years and the poor had become poorer. Whilst disconnections for debt were now rare, particularly during the winter, this appeared to be largely due to a growing number of fuel poor households being on prepayment rather than standard meters. These people were at greater risk of self-disconnection and fuel poverty linked health problems.

The 2015 Fuel Poverty Strategy was the first fuel poverty strategy in England since the original in 2001. It removed the target set in 2001 to eradicate fuel poverty by 2016 following a two year evidence based review by Professor John Hills. The current strategy recognised that this target was not going to be met and it was decided that the target and timeframe should be changed. Minimum energy efficiency standards were set which required that no fuel poor households be living in a home below an energy efficiency SAP Band C by 2030, 'where reasonably practicable'. It also proposed a system of mandated referrals from health professionals which permitted them to prescribe energy efficiency improvements in the same way that other health interventions such as medication or operations were prescribed and that this should be consistent across the country.

The Fuel Poverty Strategy put in place the following set of principles: 1) To support the fuel poor with cost effective policies; 2) To prioritise the most severely fuel poor; 3) To reflect vulnerability in policy decisions. It set out a number of challenges, broad policies to reduce fuel poverty and a series of commitments and outcomes. There would be regular reviews on the fuel poverty strategy and the Fuel Poverty Advisory Group would scrutinise progress. Annual statistics would be published.

Citizens Advice supported the principle of setting a target for minimum energy efficiency and a date for this to be achieved as well as the interim targets which had been set. However, Citizens Advice was concerned that as the target was just for fuel poor households, this would help those in fuel poverty but not prevent people from getting into fuel poverty.

In 2016, tenants would have a right to ask their landlord for energy efficiency measures to be installed in their home. By 2018, landlords would not be able to rent out properties with F and G energy efficiency ratings unless they met the exception criteria. Although this would remove the worst homes from the market, most poor households were in SAP Bands C to E.

Britain's nine largest energy suppliers delivered energy efficiency measures to householders via the Energy Company Obligation and the Warm Home Discount (WHD). ECO created a legal obligation on large energy suppliers to improve the energy efficiency of households by the end of 2017. At the end of December 2014, provisional figures showed that obligated suppliers had installed 1,296,441 measures under ECO since the scheme began in January 2013, at a cost of over £1.4bn per annum (as of September 2014). Energy companies had discretion over how to dispense funds. Obligations placed on suppliers resulted in costs which had an impact on consumer bills, including the bills of fuel poor and vulnerable customers. DECC had estimated that suppliers, and, therefore, energy bill payers, were spending over £1.7bn per annum on the ECO and WHD.

Energy UK ran the Home Heat Helpline (HHH) which was a free, not for profit phone line set up to help energy customers who were struggling to pay their fuel bills and keep warm. In the year 2013/14 the helpline offered support and advice to over 70,000 callers. Advisors were trained to give quick, clear information on the grants, benefits and payment schemes that customers might be entitled to as well as basic steps that could be taken to save money on heating bills by making their home more energy efficient.

Britain's six largest energy suppliers had also signed up to Energy UK's Safety Net for Vulnerable Customers. Under the Safety Net, the energy companies pledged to never knowingly disconnect a

vulnerable customer at any time of year, where for reasons of age, health, disability or severe financial insecurity, that customer was unable to safeguard their personal welfare or the personal welfare of other members of the household.

There was no one single resolution to energy debt. Like any debt, it arose circumstantially and was the result of a combination of factors. Where a customer was in debt to their energy supplier, it was also likely that this would not be the only debt they were dealing with. To tackle the impacts of debt and assist individuals a holistic approach to personal finance was essential. Increasingly suppliers worked with third parties including the Money Advice Trust and Step Change to provide customers with appropriate support and train their own staff.

Conclusions

The Fuel Poverty Scrutiny Review concluded that although much work was already being done to address fuel poverty in the borough, further work should be done to co-ordinate work by various groups and offer a more holistic approach to solving the problem of fuel poverty.

Recommendations

- 1. That the council considers setting energy efficiency standards for its housing and those it pays housing benefit to, plus encourages housing associations to work towards the same target.**
- 2. That the council undertakes work to encourage landlords to install energy efficiency measures in their properties. This could involve using environmental health powers to address problems of private landlords not meeting standards, particularly those coming into force in 2018.**
- 3. That the Health and Wellbeing Board be requested to adopt relevant recommendations from the NICE guideline on excess winter deaths, in particular: a) support and maintain the provision of the Seasonal Health Interventions Network (SHINE) and b) ensure greater participation from the health and social care sectors in identifying and addressing cold homes.**
- 4. That the council undertakes steps to ensure that vulnerable people claim their full entitlement of benefits, including the Warm Home Discount.**
- 5. That the council lobbies the government and the Mayor for London for more investment for fuel poverty reduction schemes, particularly in harder to treat housing**
- 6. That the council continues to proactively engage with partners and shares best practice with other authorities.**
- 7. That the council and partners provide and promote services to alleviate energy debt.**
- 8. That officers ascertain whether council void contracts included a requirement to undertake draught insulation in void properties and if they did not, that this be added into future contracts.**

MEMBERSHIP OF THE ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

COUNCILLORS - 2014/15

Councillors:

Councillor Court (Chair)
Councillor Diarmaid Ward (Vice-Chair)
Councillor Doolan
Councillor Gantly (until February 2015)
Councillor Heather
Councillor Jeapes
Councillor Russell
Councillor Turan
Councillor Nick Ward

Substitutes:

Councillor Kay
Councillor Michael O'Sullivan
Councillor Alice Perry
Councillor Rupert Perry
Councillor Shaikh
Councillor Smith
Councillor Wayne

Acknowledgements: The Committee would like to thank all the witnesses who gave evidence to the review.

Officer Support:

Zoe Crane – Democratic Services

John Kolm-Murray, Seasonal Health and Affordable Warmth Co-ordinator

1. Introduction

- 1.1 There were several definitions of fuel poverty. In the past, fuel poverty was defined as the situation whereby a household was required to spend 10% or more of their total household income to maintain an adequate level of warmth. This was known as the 10% definition. In 2004, the Mayor of London defined fuel poverty as the need to spend more than 10% of total household income after housing costs (rent or mortgage and council tax) and this was the definition used by the council. The government had redefined fuel poverty as the situation whereby a household had below 60% of the median income, after housing costs, combined with a fuel bill higher than the median. This was the definition used in the 2015 Fuel Poverty Strategy and was the Low Income High Costs definition.
- 1.2 Approximately 2.28m households in England were in fuel poverty. 255,000 households in London were fuel poor, with approximately 6,600 of these being in Islington. The fuel poverty gap calculated the depth of fuel poverty for each household and in 2012 this figure was £443. More investment was required to address fuel poverty and the Mayor for London recognised this.
- 1.3 According to the 10% definition, fuel poverty in Islington stood at 8.9% in 2012 and according to the Low Income High Costs definition, it stood at 7.4%. This definition did not include people who could not afford to heat their homes and the figures were modelled i.e. reflected the amount they should spend rather than the actual amount they did spend. Without extensive data on incomes it was difficult to estimate levels of fuel poverty according to the 10% After Housing Costs definition. An analysis by the GLA completed in 2012, which took housing costs into account, suggested that six Islington wards were in the worst quintile for fuel poverty in London.
- 1.4 Fuel poverty caused reduced quality of life, poor physical and mental health, debts and/or the forgoing of other essential needs such as food and increased costs to the NHS and social services. Fuel poverty arose as a result of the relationship between energy cost, household income, energy efficiency, heating and power requirements, and household occupancy levels. Less fuel poverty resulted in benefits such as better mental health, attainment and improved air quality as less energy had to be generated. There were now fewer pensioners in fuel poverty and more working age people in fuel poverty than previously.
- 1.5 Islington suffered from a high degree of general deprivation and significant health inequalities. It also had a large and growing private rented sector, the tenure in which fuel poverty was most prevalent. Private rented homes typically were energy inefficient. The council had environmental health powers to address problems of private landlords not meeting standards. Newham Council had done this with problematic Houses in Multiple Occupation (HMOs).
- 1.6 Most Islington homes were defined as hard to treat, meaning that insulation measures were expensive to deliver in homes that were expensive to heat.
- 1.7 Making homes more energy efficient reduced energy costs for residents and this in turn reduced fuel poverty.

2. Findings

Work in Islington

- 2.1 Between 2010 and the first quarter of 2014/15, energy efficiency improvements were made in over 19,600 Islington homes. There was the potential for energy efficiency measures to reduce bills by up to £400 per year. As energy inefficiency contributed to fuel poverty, energy bills fell in line with improvements.
- 2.2 The measures included 3,380 boiler replacements or installations and around 10,500 loft, cavity wall and solid wall insulations. The main barrier to installing solid wall insulations was cost with the average cost per property being £8,000. Also, if there were damp issues in a property, solid wall insulation could make them worse, internal insulations reduced the size of a property and installing them caused disruption to the residents. Solid wall insulation had been undertaken on the Holly Park Estate last year and was funded by Energy Company Obligation (ECO) funding and it had also been undertaken in Neptune House. The insulation could save up to £200 on fuel bills for each household. Section 106 agreements had provided funding in the past and would be used in the future. Where there was a mixture of tenures on estates, this could make upgrade work more difficult.
- 2.3 In 2012, the Bunhill Energy Centre started to provide cheaper, greener heat to over 700 homes in the south of the borough. In 2013/14, the council secured over 1,000 payments of £135 to vulnerable residents through the country's first Warm Home Discount referral programme. In 2014/15, the council expected to make energy efficiency improvements to over 2,200 homes. These would include free boiler replacements for low income and vulnerable private tenants and owner-occupiers; external solid wall insulation for more than 300 high rise flats; over 560 boiler upgrades, 800 Energy Doctor in the Home visits to provide in-home advice and install smaller energy efficiency measures; at least 500 more Warm Home Discounts of £140 would be secured and at least 200 Crisis Fuel Payments would be made through the Resident Support Scheme. Environmental Health Officers had taken action on a significant number of excess cold hazards.
- 2.4 The Seasonal Health Intervention Network (SHINE) had assisted almost 8,600 vulnerable residents since December 2010. It targeted those most at risk of cold homes and their associated health problems and worked with professionals across the housing, health, social care and voluntary sector to identify and assist. In addition to addressing high energy bills it also addressed other factors such as the risk of people falling, social isolation and fire risks. SHINE worked with Islington's Citizens Advice Bureau Fit Money project to refer indebted residents for financial capability training.
- 2.5 Islington established an emergency reconnection fund in 2013 through SHINE and had asked the regulator, Ofgem, on a number of occasions to investigate the incidence of self-disconnection and address the problem.
- 2.6 The councils' affordable warmth advisors and members of the Islington Advice Alliance all assisted customers to access debt relief and repayment plans. In 2013/14, advisors secured over £18,000 of debt relief from suppliers' trust funds and it was anticipated that this amount would be exceeded in 2014/15. There were strict criteria for debt relief from supplier's funds and poor budgeting by householders was unlikely to result in debt relief. The council had in place a crisis payment scheme.
- 2.7 Islington was proactive in dealing with fuel poverty. Sharing best practice would help other local authorities reduce fuel poverty.

Health Impacts

- 2.8 The health impacts of fuel poverty had been well established. Older people, those suffering from long-term health conditions and low income families with young children were at greatest risk. Cold housing was believed to be the greatest single contributing factor to excess winter deaths and hospital admissions.
- 2.9 Between 2007 and 2012, there were on average 50 excess winter deaths in Islington, with little statistical difference from the England average. Analysis of data from emergency winter hospital admissions from 2008/09 to the Whittington Hospital suggested that there were around 6.6 admissions for each death.
- 2.10 Fuel poverty could exacerbate dampness in homes and this could have health impacts such as respiratory illness. This was increasingly being recognised by health professionals who had started to refer patients for help where appropriate. The Department of Energy and Climate Change had stated that there were health benefits associated to improving homes.
- 2.11 The National Institute for Health and Care Excellence (NICE) recently published guidance on the health risks associated with cold homes. NICE's guidance recommended that local authorities' health and wellbeing boards should ensure that there was a single point of contact at the health and housing referrals service that provided tailored solutions for people living in cold homes. Health and Wellbeing Boards could also identify fuel poverty as a priority and set up a referral system. This holistic approach, could in the future, utilise existing health care budgets to fund preventative work (including the installation of energy efficiency measures).
- 2.12 Reducing health inequalities was a matter of fairness and social justice. Action on health inequalities required action across all of the social determinants of health and was required to promote sustainability and the fair distribution of health. Reducing health inequalities was vital for the economy and there was a cost associated with inaction.
- 2.13 The Marmot Review, which was undertaken by Professor Sir Michael Marmot, had the following objectives: 1) To give every child the best start in life; 2) To enable all children, young people and adults to maximise their capabilities and have control over their lives; 3) To create fair employment and good work for all; 4) To ensure a healthy standard of living for all; 5) To create and develop healthy and sustainable places and communities; 6) To strengthen the role and impact of ill-health provision.
- 2.14 The physical impacts of cold, damp and fuel poverty included respiratory problems, circulatory problems and mortality. Visits to GPs for respiratory tract infections increased by up to 19% for every 1 degree drop in temperatures below 5°C. Children living in cold homes were more than twice as likely to suffer respiratory problems than those in warm homes. Children under five years old were at particular risk of developing respiratory conditions from living in cold and damp conditions. One in nine children in Islington suffered from asthma. Deaths from cardiovascular disease in England were 22.9% higher in winter months. Social isolation increased seasonal mortality. Excess winter deaths were almost three times higher in the coldest quarter than in the warmest. The mental health impacts of cold, damp and fuel poverty included anxiety, depression and other mental ill-health. Energy efficiency improvements had been shown to decrease stress, mental illness and improve happiness. Those with bedroom temperatures of 21°C were less likely to experience depression and anxiety than those whose bedrooms were 15°C.
- 2.15 28% of young people who lacked affordable warmth had four or more negative mental health symptoms, compared to 4% of young people who had always lived in warm homes. Young

people were at a vulnerable age and hormones and studying created stress which could be exacerbated by a lack of affordable warmth.

- 2.16 Cold, damp and fuel poverty affected babies' weight gain and development, absence from work, children's educational attainment, emotional wellbeing and resilience and family dietary opportunities and choices which all had health impacts. 4% of households were damp. This varied from 10% in the private rented sector to 2% in owner occupied households. 8% of those in relative poverty had damp homes and 15% of those who lived in private rented homes were also in poverty. 40% of private renters reported experiencing poor insulation or excess cold in the last 12 months. There was increased risk amongst the elderly, children, unemployed and those with long term illnesses or disabilities.
- 2.17 Cold, damp homes contributed to health inequalities. Improving the condition of homes or using other strategies e.g. installing energy efficiency measures to reduce the prevalence of cold and damp homes could improve health and reduce inequalities, as well as having other positive impacts. Homes within the private rented sector could be hard to improve. National regulation of private landlords could help.
- 2.18 Cold homes caused 27,000 excess winter deaths in the UK each year. The usual metric for measuring excess winter deaths, taken as the number or rate of additional deaths in the winter months (December to March) compared to the rest of the year. Comparative figures for the two boroughs were: 2011/12: Tower Hamlets – 20 excess winter deaths, or 5.0%; Islington – 50 excess winter deaths or 14.3% and in 2012/13: Tower Hamlets – 70 excess winter deaths, or 20.9%; Islington – 70 excess winter deaths, or 20.9%.
- 2.19 The cost to the NHS of excess winter deaths was £850m per annum. This figure did not include secondary illnesses such as pneumonia, mental health problems and respiratory disease. For every £1 spent heating homes saved the NHS 42p. The cost to the NHS of a fall and hip replacement was approximately £20,000.
- 2.20 Live Warm, Live Well was a partnership project set up by Barts Health NHS Trust, British Gas and delivery partner Global Action Plan. Its aim was to reduce fuel poverty and health and social inequalities in 250 homes in Tower Hamlets. As part of the project health professionals within the six hospitals in Tower Hamlets were engaged as were GPs within the health community and national support groups within the wider community. In the trial, information was provided to 15,000 patients. 14,000 leaflets had been distributed, 200 posters had been displayed, visual display screens had been used and 10,200 appointment letters had been sent. 43 health professionals and 2 local GPs had been trained. There had been 90 referrals directly through the scheme. There had been a 43% increase in referrals following training. The trial had cost £20,000 and there was currently no funding to expand the scheme.
- 2.21 Cleaner Air for East London was an air quality programme which aimed to reduce community based emissions. 577 packs had been sent to 44 clinicians, patients had been given postcards containing tips, 1,200 patients had been engaged and an engagement video had been created. The project enhanced the value of contracts with £1.32m going back into community projects and fuel poverty was a key project.
- 2.22 There were examples of good work around the UK and a coordinated approach worked best. There was a district heating project in Camden and the local authority and NHS worked together on this. Blackburn and Darwin Council's public health team had undertaken work to address fuel poverty. Councils could encourage public health teams to take steps to address fuel poverty.
- 2.23 In Islington, there were 50 excess winter deaths each year on average between 2007 and 2012. There were approximately seven excess winter emergency hospital admissions per

death. There were high rates of respiratory illness, over 20% fuel poverty (GLA definition). Islington was the 14th most deprived local authority area in England and had mostly older housing stock which was hard to insulate.

- 2.24 In Islington, seasonal health and affordable warmth work was undertaken locally. There was a strong emphasis on year-round work and prevention as well as reaction. The council worked with local teams and organisations to raise cold weather issues and winter outreach work was undertaken with third sector partners. Fuel poverty rarely occurred as an isolated problem. Excess seasonal mortality and morbidity had a number of causes and therefore required a multi-disciplinary approach. Cold weather alerts were disseminated through existing channels and partners.
- 2.25 The Seasonal Health Interventions Network (SHINE) was launched in 2010. It brought together a wide range of interventions and was set up following the harsh winter of 2008/09. The Health Inequalities National Support Team visited in 2009 and produced guidance on reducing seasonal excess deaths and a new Seasonal Health and Affordable Warmth Strategy was published in December 2010.
- 2.26 To date, there had been 8,370 referrals to SHINE. In 2014/15 there had been 2,220 so far. Referrals were received from acute and community teams at the Whittington and UCL hospitals. Public health and NHS Reablement funds supported development. There were escalated referrals for respiratory illness sufferers. The health service was involved in the Prevention and Early Intervention Programme. GP mailing pilots were undertaken in 2014.
- 2.27 The Evidence Hub was a partnership between the local NHS and Islington Council that brought together information held across different organisations into one accessible place. It provided access to evidence, intelligence and data on the current and anticipated needs of the Islington population. Health and social care professionals were often receptive to discussing the wider determinants of health, not just fuel poverty.
- 2.28 There had been almost 38,000 seasonal health interventions to date and there were 132 partner teams across 86 organisations. Approximately £1.3million was being saved on energy bills annually. SHINE had been successful in targeting the right groups. Almost all the clients referred were older, disabled, long-term ill or were low income families with children. The model had been adopted by Hackney, Lewisham, Wandsworth and Norwich. The Locality Multi-Disciplinary Team assessed those in the borough with the most complex needs.
- 2.29 A SHINE-type model could be rolled out across London but would face cross-boundary challenges. SHINE had won awards from National Energy Action, the European Commission, iESE and the Energy Institute. It had also received recognition by the OECD, Energy Action Scotland, HNS/PHE Sustainable Development Unit and the Cabinet Office.
- 2.30 2,400 households had signed up to the Warm Home Discount Campaign since November 2013. This was a government scheme which offered those who met certain criteria and applied for the scheme, £140 off their electricity bill.
- 2.31 Emergency prepayment meter top ups were introduced in 2013. These were a low cost, effective intervention. Those requiring them could be assessed to see how they could be helped in other ways when they were provided with the top ups. Signposting people to services was not effective when dealing with vulnerable people as they were unlikely to contact the service. Therefore this was avoided and people were instead walked through the process.
- 2.32 Forthcoming National Institute for Health and Care Excellence (NICE) guidelines would strengthen the case of fuel poverty interventions and Islington was influential in the development of these. Including Fuel Poverty in the Joint Health and Wellbeing Strategy

would aid with Fuel Poverty work as would greater integration into care pathways and integrated responses with housing.

National Programmes

- 2.33 Since the demise of the taxpayer-funded Warm Front programme in 2013 all national affordable warmth interventions had been funded through supplier obligations. There was no longer Treasury funding for fuel poverty programmes. The Secretary of State had provided £3m for the Boilers on Prescription pilot scheme which aimed to reduce the health impacts of fuel poverty.
- 2.34 A 2012 analysis by Islington and Westminster councils showed that London only received around a third of the supplier obligation funding that its population warranted.
- 2.35 The Energy Bill Revolution campaign, supported by Islington Council, called for carbon tax revenue to be used to fund energy efficiency improvements for fuel poor homes.
- 2.36 Winter Fuel Payment was a universal benefit to all households with members over the age of 62, which equated to £200 per annum for those aged 62-79 and £300 for those aged 80 or over. Cold Weather Payments were £25 payments to all those on certain means-tested benefits for each seven-day period where the temperature dropped below 0°C. The Warm Home Discount was currently a £140 yearly payment. Pensioners on Pension Credit received the payment automatically (core group) whilst certain others (broader group) had to apply. Suppliers could define eligibility for their broader group and some medium-sized suppliers did not have a broader group. Payment was made directly to suppliers but the number of broader group recipients were limited.
- 2.37 The National Institute for Health and Care Excellence (NICE) was currently drafting guidance on reducing excess winter deaths and illness through addressing cold homes. The draft guidance suggested that NICE would recommend that Health and Wellbeing Boards commission services similar to Islington SHINE and that a number of stakeholders took action to link affordable warmth and health.
- 2.38 The latest available data showed that electricity debt rose by 66% in real terms between 2003 and 2011 and gas debt rose by 83%. Rising fuel bills meant the proportion of the population in fuel debt increased. People's incomes had grown little in the last 4-5 years and the poor had become poorer. Whilst disconnections for debt were now rare, particularly during the winter, this appeared to be largely due to a growing number of fuel poor households being on prepayment rather than standard meters. These people were at greater risk of self-disconnection and fuel poverty linked health problems.
- 2.39 Existing government policies and funding would end in 2016/17 and future policy and funding decisions would be made by the next government.

The Fuel Poverty Strategy

- 2.40 The 2015 Fuel Poverty Strategy was the first fuel poverty strategy in England since the original in 2001. It removed the target set in 2001 to eradicate fuel poverty by 2016 following a two year evidence based review by Professor John Hills. The current strategy recognised that this target was not going to be met and it was decided that the target and timeframe should be changed. Minimum energy efficiency standards were set which required that no fuel poor households be living in a home below an energy efficiency SAP Band C by 2030, 'where reasonably practicable'. It also proposed a system of mandated referrals from health professionals which permitted them to prescribe energy efficiency improvements in the same

way that other health interventions such as medication or operations were prescribed and that this should be consistent across the country.

- 2.41 The Fuel Poverty Strategy put in place the following set of principles: 1) To support the fuel poor with cost effective policies; 2) To prioritise the most severely fuel poor; 3) To reflect vulnerability in policy decisions. It set out a number of challenges, broad policies to reduce fuel poverty and a series of commitments and outcomes. There would be regular reviews on the fuel poverty strategy and the Fuel Poverty Advisory Group would scrutinise progress. Annual statistics would be published.
- 2.42 Citizens Advice supported the principle of setting a target for minimum energy efficiency and a date for this to be achieved as well as the interim targets which had been set. However, Citizens Advice was concerned that as the target was just for fuel poor households, this would help those in fuel poverty but not prevent people from getting into fuel poverty.
- 2.43 In 2016, tenants would have a right to ask their landlord for energy efficiency measures to be installed in their home. By 2018, landlords would not be able to rent out properties with F and G energy efficiency ratings unless they met the exception criteria. Although this would remove the worst homes from the market, most poor households were in SAP Bands C to E.
- 2.44 Landlords were expected to provide their tenants with an energy efficiency rating for the property. This would advise them what could be done to improve the energy efficiency of the property. The landlord, and not the tenant, was responsible for any work. The average cost of improvements was £1,500. Some landlords did not realise that there was a tax allowance for energy efficiency work. National Energy Action produced guidance for landlords and was doing outreach work.
- 2.45 William Baker, Head of Fuel Poverty Policy, Citizens Advice raised concern that current programmes were not capable of meeting the targets. Suppliers were currently responsible for the delivery and the system was not set up to meet the multiple needs of those in fuel poverty. There were national programmes in Scotland and Wales but there was no longer one in England. Decentralising power to local authorities and registered social landlords could start addressing how the target could be met.

Fuel Supply to Residents

- 2.46 Pre-payment meters were more expensive than direct debit payments but many people were satisfied with them and used them to help them budget. In addition, those in fuel poverty did not always have a bank account or trust banks or energy suppliers. Smart metering could be useful and would collect levels of usage; however, it could also remotely switch people to prepayments.
- 2.47 Energy UK was the trade association for the energy industry. It represented over 80 members made up of generators and gas and electricity suppliers as well as other businesses operating in the energy industry. Together its members generated more than 90 per cent of the UK's total electricity output, supplying more than 26 million homes and investing in 2012 more than £11 billion in the British economy. Energy UK worked with the Council's Seasonal Health & Affordable Warmth (SHAW) team in 2013 to establish a referral mechanism between the Council's SHINE referral scheme and five of GB's largest energy suppliers (British Gas, EON, NPower, Scottish Power and SSE). Via the referral mechanism, the SHINE referral scheme could refer clients to their energy supplier if they believed they might be eligible for the WHD or the PSR. The referral resulted in a call back from the supplier to directly discuss with the customer the support which might be available.

- 2.48 Britain's nine largest energy suppliers delivered energy efficiency measures to householders via the Energy Company Obligation and the Warm Home Discount (WHD). ECO created a legal obligation on large energy suppliers to improve the energy efficiency of households by the end of 2017. At the end of December 2014, provisional figures showed that obligated suppliers had installed 1,296,441 measures under ECO since the scheme began in January 2013, at a cost of over £1.4bn per annum (as of September 2014). Energy companies had discretion over how to dispense funds. Obligations placed on suppliers resulted in costs which had an impact on consumer bills, including the bills of fuel poor and vulnerable customers. DECC had estimated that suppliers, and, therefore, energy bill payers, were spending over £1.7bn per annum on the ECO and WHD.
- 2.49 Between 2011 and 2015, under the WHD, Britain's nine largest energy suppliers would be spending over £1.1 billion on direct and indirect support for fuel poor customers, primarily through energy bill rebates. During the winter 2013/14 suppliers provided over 1.8 million customers with a rebate of £135 to help with energy costs, this was over 250,000 rebates beyond their minimum requirement. The rebate was worth £140 for winter 2014/15.
- 2.50 Suppliers provided non-financial support to vulnerable customers under the Industry Initiatives component of the WHD. This included the provision of energy efficiency advice, support for customers in debt (via trust funds) and referrals of eligible customers for other information and help. The latest Ofgem figures showed that another half a million customers received other types of support under the scheme in 2013/14. In total, customers received support worth £291m through WHD in 2013/14, £24m more than the minimum obligation. DECC had announced that WHD would be extended for a further scheme year (April 2015 – March 2016). The additional scheme year would mean suppliers spending £320million over winter 2015/16 to support around 2 million households in or at risk of fuel poverty.
- 2.51 Ofgem's 2013 Retail Market Review (RMR) reforms were introduced to make it simpler and clearer for customers to find the cheapest deal available and save money by switching supplier, by for example introducing:
- A cap on the number of tariffs a supplier could offer (four for each customer).
 - A Tariff Comparison Rate
 - A Tariff Information Label
 - A requirement for suppliers to tell customers about their cheapest tariff on each bill (if they were not already on it) and how much they could save.
- 2.52 In response to some people's reluctance to switch energy providers, industry has responded by completing the switching process in 17 days and making the process easier. It also worked with the regulator, Ofgem, to improve the Debt Assignment Protocol to make it simpler and less time-consuming for prepayment meter customers with a debt to switch supplier.
- 2.53 Domestic electricity and gas suppliers also had licence obligations to maintain a Priority Service Register (PSR) of customers who were of pensionable age, disabled or had a long-term medical condition. The following services were available to customers on their supplier's PSR:
- Supply Interruption Advance Warning. A customer's supply address details were passed on to the appropriate gas transporter and network operator. In the event of a power outage or supply interruption, they would provide advance warnings and offer alternatives, where necessary, to reduce or avoid disruption.
 - Representatives of energy companies visiting a customer's home would be able to identify themselves with a pre-arranged password.
 - Pre-payment meters would be repositioned if the customer found it difficult to use.

- Bills could be redirected to third parties.
 - Quarterly meter readings would be taken where technology allowed.
- 2.54 All gas suppliers offered free annual gas safety checks to customers who owned their own homes, were in receipt of means tested benefits, had asked for and not had a free gas safety check carried out at the premises in the last 12 months and were of pensionable age, disabled or chronically sick, or lived with others, at least one of whom was under five years old. Suppliers actively encouraged eligible customers to take up their PSR options.
- 2.55 Industry continued to work towards improving awareness of the PSR by working with advisers, health workers and social service providers, to encourage eligible customers to register themselves on the PSR.
- 2.56 The Debt Assignment Protocol (DAP) was an industry process through which a prepayment meter customer could switch supplier even if they had a debt, by transferring the debt to their new supplier. The maximum level of debt a consumer was allowed to carry over to the new supplier under the DAP was £500.
- 2.57 Energy suppliers valued trusted referrals as they were keen to help those most in need. Energy efficiency measures and other forms of support could help lower energy bills for customers and keep them warm in winter. However, energy suppliers operated under quite stringent legislative and administrative rules when it came to obligations, how these were delivered and to whom. Therefore the design of any referral service should take into account the limitations of the supplier obligations and other support schemes available.
- 2.58 Energy UK ran the Home Heat Helpline (HHH) which was a free, not for profit phone line set up to help energy customers who were struggling to pay their fuel bills and keep warm. In the year 2013-14 the helpline offered support and advice to over 70,000 callers. Advisors were trained to give quick, clear information on the grants, benefits and payment schemes that customers might be entitled to as well as basic steps that could be taken to save money on heating bills by making their home more energy efficient.
- 2.59 Britain's six largest energy suppliers had also signed up to Energy UK's Safety Net for Vulnerable Customers. Under the Safety Net, the energy companies pledged to never knowingly disconnect a vulnerable customer at any time of year, where for reasons of age, health, disability or severe financial insecurity, that customer was unable to safeguard their personal welfare or the personal welfare of other members of the household.
- 2.60 There was no one single resolution to energy debt. Like any debt, it arose circumstantially and was the result of a combination of factors. Where a customer was in debt to their energy supplier, it was also likely that this would not be the only debt they were dealing with. To tackle the impacts of debt and assist individuals a holistic approach to personal finance was essential. Increasingly suppliers worked with third parties including the Money Advice Trust and Step Change to provide customers with appropriate support and train their own staff.
- 2.61 British Gas had a Vulnerable Customers team which worked to identify and help vulnerable customers. The company undertook energy efficiency measures such as insulating cavity walls and loft space and applicants did not have to be British Gas customers. It also had a specialist debt team which referred people to Step Change Debt Charity, this year British Gas gave £75m to the British Gas Energy Trust and it conducted benefit health checks – on average those helped were entitled to £500 in unclaimed benefits. It worked with partners including GPs and councils which would engage e.g. Islington Council. Approximately 50% of councils did not engage and share data.

2.62 British Gas conducted free gas safety checks, offered a text phone service, large print bills and flagged customers with disabilities and long term conditions. Customer services agents had significant training and this included a four hour training programme on vulnerability which encouraged them to do active listening, to ask follow up questions and refer customers in vulnerable situations to a specialist team.

3. Conclusion

3.1 The Fuel Poverty Scrutiny Review concluded that although much work was already being done to address fuel poverty in the borough, further work should be done to co-ordinate work by various groups and offer a more holistic approach to solving the problem of fuel poverty.

APPENDIX – SCRUTINY INITIATION DOCUMENT

SCRUTINY REVIEW INITIATION DOCUMENT (SID)
Review: Fuel Poverty
Scrutiny Review Committee: Environment and Regeneration
Director leading the Review: Kevin O’Leary
Lead Officer: John Kolm-Murray
Overall aim: To explore and understand the impact of fuel poverty on households, existing policies and strategies to alleviate this in both the short and long term and the opportunities for Islington to provide assistance and support to our residents.
Objectives of the review: To understand the extent of fuel poverty in Islington and the impact of cold, damp homes on health and wellbeing. To understand the benefits available to Islington residents when addressing fuel poverty and how we deliver them. Exploring how support can be provided to residents by: <ul style="list-style-type: none">• The council• Central government• Energy suppliers To understand the extent and impact of fuel debt.
Scope of the Review Types of evidence will be assessed by the review: 1. Documentary submissions: <ul style="list-style-type: none">• Overview and cost benefit summary of current initiatives• Draft NICE guidance on reducing excess winter deaths through addressing cold homes• DECC Fuel Poverty Strategy 2014 2. It is proposed that witness evidence be taken from: <ul style="list-style-type: none">i. November/December - Local projects and strategy, health impacts LBI Seasonal Health & Affordable Warmth Team (John Kolm-Murray), UCL Institute of Health Equity (Dr Jessica Allen)/London School of Hygiene and Tropical Medicine (Prof Paul Wilkinson) and Islington CCGii. December/February - National programmes and strategy, fuel debt National Energy Action (Maria Wardrobe/Peter Smith), Citizens Advice Service

(William Baker) and DECC Fuel Poverty Team (Gareth Baynham-Hughes)

iii. February/March – Suppliers, other landlords

Energy UK (Lawrence Slade/Sofia Gkiousou), EDF/British Gas

**Peabody (Tessa Barraclough), Southern Housing (William Routh), Generation Rent
(Alex Hilton)**

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Report of: Chair of Children’s Services Scrutiny Committee

Meeting of	Date	Ward(s)
Executive	16 July 2015	All

Non-exempt

Subject: Impact of Early Help on Preventing Escalation to Statutory Services Review

1. Synopsis

- 1.1 This report requests that the Executive receive the recommendations in relation to the ‘Impact of Early Help on Preventing Escalation to Statutory Services’ scrutiny review, following completion of the scrutiny. An update on the recommendations set out in the report will be provided to a future meeting of the Executive.

2. Recommendation

- 2.1 To receive the report of the Children’s Services Scrutiny Committee.

3. Background

- 3.1 In September 2014 the Children’s Services Scrutiny Committee commenced a scrutiny review to analyse the extent to which services provided by Islington Council and its partners are preventing needs escalating to the point children, young people and families need statutory intervention; to highlight areas of good practice; and to make recommendations to further improve outcomes for families with multiple problems.

4. Implications

4.1 Financial Implications

The proposals in the review would need to be costed by the Executive.

4.2 Legal Implications

There are no legal implications at this stage.

4.3 Environmental implications

There are no environmental implications as the decision being sought is only for the Executive to consider the recommendations.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment has not been completed because the decision being sought is only for the Executive to consider the recommendations.

5. Conclusion and reasons for recommendations

- 5.1 The scrutiny review concluded that Islington's early help services are of a high quality and are well received by service users. There was evidence that the Council's early help services and associated wrap-around support services were leading to better outcomes for families, and there were positive indications that early help services were reducing the demand for statutory services. However, it was recognised that there is scope for further innovation. The Executive is asked to endorse the Committee's recommendations.

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ISLINGTON

Impact of Early Help on Preventing Escalation to Statutory Services Review

REPORT OF THE CHILDREN'S SERVICES SCRUTINY COMMITTEE

London Borough of Islington
June 2015

EXECUTIVE SUMMARY

Impact of Early Help on Preventing Escalation to Statutory Services Review

Aim

- To analyse the extent to which services provided by Islington Council and its partners are preventing needs escalating to the point children, young people and families need statutory intervention (statutory social work services and youth offending service).
- To highlight areas of good practice.
- To make recommendations to further improve outcomes for families with multiple problems.

Evidence

The review ran from September 2014 until April 2015 and evidence was received from a variety of sources:

1. Presentations from Council Officers

Ruth Beecher, Service Manager for Early Help for Families
Lucinda Hibberd-French, Deputy Service Manager with responsibility for the Families First service
Ellen Ryan, Islington Learning and Working (ILW) Manager

2. Site visits

Families First (Highbury and Hornsey Team), Holland Walk Area Housing Office, N19
Families First (Holloway and Canonbury Team), The Exchange, N7
Islington Families Intensive Team (IFIT), New River Green Children's Centre, N1

3. Documentary evidence

Impact of Early Help on preventing escalation to statutory services, background report – October 2014

Families First Early Impact Report, Executive Summary

Family Intervention Employment Advisor Evaluation – July 2014

Families First mystery shopping feedback – November 2014

Data from exit interviews with former Families First service users – March 2015

Evaluation of Islington's Early Help Family Support Services, Executive Summary – April 2015

Families First service specification – April 2014

4. Information from witnesses

Elaine Sheppard, Operational Manager of Family Action

Mairead McDonnell, Deputy Head of Newington Green School,

Win Bolton, Camden and Islington Mental Health Foundation Trust

Michelle Tolfrey, Camden and Islington Mental Health Foundation Trust

Hazel Jordan, CASA Islington Community Alcohol Service

Families using the Families First and IFIT services

Families First and IFIT staff

5. Information about a comparable service of another local authority

Stella Clarke, Programme Director for Preventative Services, London Borough of Lambeth

Marcella McHugh, Delivery Lead Multi-Agency Team 1, London Borough of Lambeth

Geraldine Abrahams, Delivery Lead Multi-Agency Team 2, London Borough of Lambeth

Main Findings

Overall the Committee was impressed with how Islington's early help services operated. Families First and IFIT provided comprehensive support to families with complex and multiple issues. The support offered was wide-ranging and practical; focusing on issues such as housing, benefits, social problems and relationships with schools, as well as parenting, mental health, employability and substance abuse. Each family was assigned a support worker who was the primary contact throughout their intervention.

The Committee was pleased with the level of integration between early help services, statutory services, and partner organisations such as schools. A range of supplementary wrap-around services were available which focused on issues such as mental health, employment and substance abuse.

The Council offered a single point of contact for families requiring support via the Islington Children's Services Contact Team. Families could self-refer to the team, or could be referred by professionals with parental consent. This method was considered to be efficient and less complex for service users; the single point of contact enabled families to be placed with the right support service first time, which meant that families did not need to repeat information multiple times to different agencies.

The evidence received from service users was overwhelmingly positive, with all of the families interviewed praising the early help services. The families indicated that, as well as providing practical support, early help services had helped to increase their confidence and raise their aspirations. Support workers received particular praise from service users, and were described as professional, friendly, approachable, dedicated, knowledgeable, non-judgemental and good with children.

Islington's early help services used a mentoring and supportive approach which was intended to empower service users and build resilience. The services also took a holistic "whole family" approach where support was offered to parents, children and siblings. These approaches were well received by families. Parents felt engaged in their own support, and that early help services were being delivered in cooperation with them.

Many of the families interviewed compared the welcoming approach and positive experiences they had with early help services to the negative experiences they had with other services. In particular, families had little trust in social services, housing providers and schools and found these services difficult to work with. Although early help services worked to build the resilience and increase the confidence and independence of service users, the Committee speculated if more could be done to make other council services more approachable to the borough's most vulnerable residents. For this reason the Committee recommend that the Council's early help services' successes in creating safe and trusting relationships with families be noted, and consideration be given to how similar approaches to positive relationship building can be adopted by other services, including but not exclusive of schools and housing.

Many of the families interviewed had not heard of either Families First or IFIT before their intervention began. It was thought that this unfamiliarity led to anxiety about engaging with the services. Some service users had assumed the early help services would be similar to the statutory services they either had negative experiences with or negative perceptions of, and were then surprised when this was not the case. The Committee also noted the stigma attached to accessing help and thought that targeted promotion could help to normalise access to help. Following the work carried out by the London Borough of Lambeth to address these issues, the Committee recommend that the early help services appoint former service users as ambassadors to work in the community, both publicising the service and removing the stigma of accessing early help services.

Another improvement which could be made is better publicising that families may change support worker in exceptional circumstances. It was reported that some families had changed support worker, and others were unaware of this possibility.

Users of both services interviewed by the Committee expressed their anxiety at their case being closed and some worried they would not be able to cope after their intervention ended. Some service users explained that early help services carry out a great deal of advocacy work, liaising with schools, housing providers and others on their behalf, and worried that they would not be able to engage positively without the help of their support worker. Some families suggested that a longer time period for interventions was needed; however officers suggested that a fixed and relatively short timescale was most effective in focusing service users on achieving their goals and leaning to live independently. Many of the families interviewed expressed that they were socially isolated and it was considered that their anxieties about their intervention ending were partially connected to their lack of a social support network. This presented problems as it was suggested that those without a support network were more likely to require follow up support from early help services. The Committee heard some evidence to suggest that support workers helped to reduce social isolation by recommending social groups to service users; however the Committee considered that further work was needed in this particular area. It was recommended that early help services better prepare service users for their intervention ending by working further to build resilience, which will reduce social isolation and empower families to live independent and fulfilled lives;

The Committee gave a great deal of thought to how the success of early help services could be measured. It was agreed that any measure of success must be focused on outcomes for families, however as the purpose of early intervention programmes is to turn around families before significant problems arise, it can be difficult to evaluate the outcomes and impact of the service quantitatively.

Internal assessment carried out by the services included measuring how families had progressed on the 'family star' assessment tool, mystery shopping exercises, exit interviews with service users and cross-auditing the work of other teams. The Council had commissioned an external evaluation of the service, which concluded that Islington's early help services had been '*successful in directing their services at families who face the 'priority issues' outlined in their service specifications*'; however noted that that no local authority had yet demonstrated a reduction in need for statutory services since the introduction of early help strategies and the Troubled Families agenda. The evaluation also highlighted that early help services appeared to support a disproportionately high number of younger children and recommended that the service should carry out more targeted work to engage families with adolescents. The Committee recommended that the service adopt this recommendation.

The available evidence suggested that Islington's early help services had a positive impact on families and led to improved outcomes for children. There were positive indications that early help services were reducing demand on statutory services, however not enough evidence was available to make a firm conclusion on this point. To ensure that the services continue to perform favourably, the Committee recommend that the internal monitoring and evaluation of early help services continue to be prioritised through further exit interviews and mystery shopping exercises. The service may wish to consider the methodology of this type of internal evaluation to ensure that the widest possible range of views on the service is sought.

The Committee noted how early help services worked with other support services and emphasised the importance of joined up working to achieve the best outcomes for families. For example, early help services could be supplemented by wrap-around employment support services which thought to be crucial in improving outcomes for workless families. Service users were often most successful in finding employment when they considered employment to be a priority and understood how this would initiate change in other areas of their life. Employment could help to improve a family's financial position, increase aspirations, and broaden social networks. The Committee noted that the

annual cost of the wrap-around iWork service was £269,000 and considered this good value given the number of people helped into employment.

The Committee also noted the high prevalence of mental health need Islington and that a significant proportion of early help clients needed related support. It was thought that 46% of families engaging with Families First had a mental health need; these were often complex and related to trauma. The Committee was particularly concerned with the mental health of early help service users and suggested that better targeting of mental health services could improve outcomes for these families. For this reason it was recommended that, through the Health and Wellbeing Board, the Council work with its partners, such as clinical commissioning groups, to ensure better access to effective mental health provision;

The Committee was pleased with the integration and wrap-around approach adopted by the service and the number of projects available to assist families with particular needs. It was recommended that the Executive continue to recognise mental health, school attendance, domestic violence and parental employment as key factors in achieving family wellbeing.

In carrying out the review the Committee asked service users and support workers for their suggestions to improve the early help services. Some suggestions were made which the Committee thought warranted further consideration. It was thought that a greater emphasis could be given to helping families to access other services and support available to them. One theme that emerged through the review was that some families needed help in accessing the Council's online services. Demonstrations of how to access these from council facilities or local libraries could be beneficial. Support workers also expressed that some families may benefit from cultural and social trips and outings, and although the service could not fund these directly, it was understood that some local theatres had outreach schemes and the service could help families access these and other similar opportunities. It was noted that such trips can inspire and raise the aspirations of young people, strengthen family relationships and reduce social isolation. The Committee recommended that, to combat social isolation, consideration be given to how information about cultural and social opportunities can be more accessible to families and staff.

Some support workers suggested that increased access to remote working would be useful, as this would give them the ability to take technology on home visits. However officers said that this would require a significant financial outlay and may not achieve value for money given the relatively small amount of written work completed by support workers. It was also noted that staff had laptops to enable home working when appropriate and the Council was in the process of upgrading its case recording system which would lead to efficiencies.

Support workers also suggested that a discretionary 'crisis fund' could be available, offering small amounts of money (£10-20) for families in extreme crisis situations. It was understood that Children's Social Care had a similar budget. The Committee noted that such a fund would add additional costs to the service which would be difficult find, however the Committee recommended that officers investigate if such a fund could be provided within existing budgets.

Conclusions

The Committee found Islington's early help services to be of a high quality. The services worked well with partner agencies, were integrated with other support services, and took a comprehensive 'whole family' approach. The services were very well received by service users, with families praising the accessibility of the service and the work of support workers. There was evidence that the Council's early help services and associated wrap-around support services were leading to better outcomes for families, and there were positive indications that early help services were reducing the demand for statutory services. It was known that school attendances were increasing, parents were being helped into paid employment, and parents had expressed that they feel empowered and more confident as a result of their interaction with the services. Although there was

scope for further innovation, the Committee supported the work of the Council's early help services and recommended that the Executive continues to prioritise the early help approach. It was hoped that continuing the early help approach over a sustained period of time would further decrease demand for statutory services.

In carrying out the review, the Committee has met with officers, support workers and members of the public to gain a balanced view. The Committee would like to thank all witnesses that gave evidence in relation to the scrutiny. The Executive is asked to endorse the Committee's recommendations.

Recommendations

- 1. That the Executive continue to prioritise the Early Help approach to preventing escalation to statutory services;**
- 2. That the Council's early help services' successes in creating safe and trusting relationships with families be noted, and consideration be given to how similar approaches to positive relationship building can be adopted by other services, including but not exclusive of schools and housing;**
- 3. That early help services better prepare service users for their intervention ending by working further to build resilience, which will reduce social isolation and empower families to live independent and fulfilled lives;**
- 4. That the Executive continue to prioritise mental health, school attendance, domestic violence and parental employment as key factors in achieving family wellbeing;**
- 5. That, through the Health and Wellbeing Board, the Council work with its partners, such as clinical commissioning groups, to ensure better access to effective mental health provision;**
- 6. That consideration be given to introducing 'Early Help Ambassadors', resident volunteers that can assist with outreach, promotion, and reducing the stigma of accessing help;**
- 7. That the internal monitoring and evaluation of early help services continue to be prioritised through further exit interviews and mystery shopping exercises;**
- 8. To combat social isolation, consideration be given to how information about cultural and social opportunities can be more accessible to families and staff;**
- 9. That officers investigate if a discretionary fund to support families in extreme crisis situations could be provided within existing budgets;**
- 10. That the service adopts the recommendation of the external evaluation to work further with families with adolescent children, and adolescent children themselves.**

MEMBERSHIP OF THE CHILDREN'S SERVICES SCRUTINY COMMITTEE – 2014/15

Councillors:

Councillor Kaya Comer Schwartz (Chair)
Councillor Nick Ward (Vice-Chair)
Councillor Alice Donovan
Councillor Michelline Safi Ngongo
Councillor Dave Poyser
Councillor Nurullah Turan
Councillor Diarmaid Ward
Councillor Nick Wayne

Co-opted members:

James Stephenson, Secondary Parent Governor
Erol Baduna, Primary Parent Governor
Mary Clement, Roman Catholic Diocese

Substitutes:

Councillor Mouna Hamitouche MBE
Councillor Angela Picknell
Councillor James Court
Councillor Satnam Gill
Councillor Asima Shaikh (to February 2015)

Acknowledgements:

The Committee would like to thank all the witnesses who gave evidence to the review.

Officer Support:

*Nikki Ralph – Children's Partnership Development and Strategy Manager
Cathy Blair – Director, Targeted and Specialist Children's Services
Jonathan Moore and Zoe Crane – Democratic Services*

1. Introduction

- 1.1 The Committee commenced the review in September 2014 with the following aims:
- to analyse the extent to which services provided by Islington Council and its partners are preventing needs escalating to the point children, young people and families need statutory intervention (statutory social work services and youth offending service);
 - to highlight areas of good practice;
 - to make recommendations to further improve outcomes for families with multiple problems.
- 1.2 In carrying out the review the Committee met with Council officers, service users, support workers from both the Families First and IFIT teams, and representatives of partner organisations. Visits were carried out to offices which the Families First and IFIT services operate from, and the Committee also considered a range of written evidence including evaluation documents and service specifications.

National context

- 1.3 Early Help services were provided within the context of the *Working Together to Safeguard Children* statutory guidance. This set out the legislative requirements and expectations on individual services to safeguard and promote the welfare of children. The guidance identified that providing early help is more effective in promoting the welfare of children than reacting later.
- 1.4 The guidance required local agencies to provide early help services and to work together to identify and assess families which may benefit from those services. In particular, early help was expected to be required by a child who: is disabled or has specific additional needs; has special educational needs; is a young carer; is showing signs of engaging in anti-social or criminal behaviour; is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health, domestic violence; and/or is showing early signs of abuse or neglect.
- 1.5 The guidance specified that local areas should have a range of effective, evidence-based services in place to address assessed needs early. The early help offer should relate to each area's local assessment of need and the latest evidence of what works in terms of early help programmes. Local early help services typically include family and parenting programmes, assistance with health issues and help for problems relating to drugs, alcohol and domestic violence. Services may also focus on improving family functioning and building the family's own capability to solve problems; this should be done within a structured, evidence-based framework involving regular review to ensure that real progress is being made. Some of these services may be delivered to parents but should always be evaluated to demonstrate the impact they are having on the outcomes for the child.
- 1.6 Early help services also operated in the context of the Government's Troubled Families programme, which started in 2012. In its first phase, local authorities were required to engage families with multiple problems defined nationally in relation to (1) crime and antisocial behaviour, (2) poor school attendance and (3) adults in the family on out-of-work benefits. Local factors could also be taken into account. The programme was expanded in 2015 to include families with a broader range of problems, including those affected by domestic violence and abuse, and those who need help with a range of physical and mental health problems. The Government estimates that each troubled family costs local services an average of £75,000.

1.7 The Committee noted that early help services cannot be considered in isolation. Early help services operated in the national context of reorganisation and cuts to local government and health services; and increased demand on children's social care due to the wider economic context and changes to welfare systems.

Local context

1.8 In Islington the Troubled Families Programme was 'branded' as the Stronger Families Programme. There was no specific troubled families service, instead the programme was used to change the way that all services support and challenge families to achieve better outcomes. At 30th September 2014, Islington had identified 848 families as eligible for inclusion in the safer families programme.

1.9 Islington's approach to early help was set out in the Early Help Strategy. Islington's definition of Early Help was:

- Understanding Islington's families and pro-actively reaching out to those at risk;
- Preventing problems from arising in the first place;
- Nipping problems in the bud – getting involved to support families and help them build resilience so that emerging problems do not become serious.

1.10 Local partners signed up to an Early Help Pledge to Families which sets out the ways in which local early help services will work with families. This included the following pledges:

- Every communication will count;
- We will not pass the buck;
- There will be one main point of contact;
- Assessments will be uncomplicated and robust;
- Services that are needed will be easy to access;
- Services will be safe, practical and useful and available close to home or in a place where families can get to them;
- Families will be involved in drawing up goals in a plan that everyone can sign up to and that sets out mutual expectations.

1.11 Islington worked closely with the Early Intervention Foundation, an independent charity established in 2013 to support services in moving from late reaction to early intervention. They gathered and analysed evidence about what works and advised local authorities, charities and potential investors on how to implement Early Intervention to best effect in order to make the most impact for children and families. Islington has been selected as one of the charity's twenty 'Early Intervention Pioneering Places'.

Islington's early help services

1.12 Islington's early help services included Children's Centres, Families First, the Islington Families Intensive Team (IFIT) and the Adolescent Multi-Agency Support Service (AMASS). These services were supplemented by a variety of parenting programmes and specialist wrap-around services which focused on issues such as mental health, employment and substance abuse.

1.13 Children's Centres provided universal support to children aged 0-5 years, targeting the most vulnerable to focus on child development, school readiness, parenting skills, child and family health and pathways to employment. Children's Centres were not covered by the scope of this review.

- 1.14 Families First provided outreach and regular home visiting support to families from vulnerable groups with children aged 5-19 years and multiple problems (such as managing difficult behaviour, poor school attendance, low income, single parents, and health problems). Each family's intervention was expected to last six months. The service had 24 support workers operating from three geographic hubs which worked with around 1,150 families in 2013/14. The Highbury and Hornsey Families First service was provided directly by the Council whereas the Holloway and Canonbury and Barnsbury and Finsbury hubs were provided by Family Action, a voluntary sector organisation, on behalf of the Council.
- 1.15 IFIT provided multi-disciplinary support and challenge to families with young people aged 10-18 years. The service worked with families with more complex issues such as high risk of eviction, children not attending school, and children involved in crime and anti-social behaviour. The support provided by IFIT was more intensive, with families meeting their support worker at least twice a week. Each family's intervention was intended to last twelve months. The service had 15 Family Intervention Workers which worked with around 90 families in 2013/14.
- 1.16 The AMASS service was for adolescents on the edge of care. As all service users were already in receipt of statutory social work support this service was not included within the scope of this review.
- 1.17 Families First received funding from Islington's 'community budget'. This included pooled resources from the Council, NHS Islington, Job Centre Plus, the Probation Service, the Police, housing agencies and the voluntary sector. The main benefit of this approach was that it provided a single, borough-wide support service which reflected the priorities of all local agencies. This ensured that the service maintained a high profile with partner agencies, and that more specialist services provided by partner agencies could 'bolt on' to the core Families First service, providing an integrated approach and avoiding duplication. Examples of this included joint working with Child and Adolescent Mental Health and Pentonville Probation.

2. Findings

The operation of early help services

- 2.1 Overall the Committee was impressed with how Islington's early help services operated. Families First and IFIT provided comprehensive support to families with complex and multiple issues. The support offered was wide-ranging and practical; focusing on issues such as housing, benefits, social problems and relationships with schools, as well as parenting, mental health, employability and substance abuse. Each family was assigned a support worker who was the primary contact throughout their intervention.
- 2.2 The Committee was pleased with the level of integration between early help services, statutory services, and partner organisations. Two clinical psychologists from Camden and Islington Foundation Trust were embedded in the Council's early help services. Although the psychologists occasionally carried out home visits with support workers, the primary intention was for them to provide support and training to early help staff. Support workers were able to consult with the psychologists on their client's mental health issues and discuss possible solutions. There was no waiting list for support from the clinical psychologists.
- 2.3 The services were also integrated with the iWork service delivered by Islington Learning and Working, and the CASA Islington Community Alcohol Service. A wrap-around approach enabled early help services to be complemented by specialist support on issues such as employment and substance abuse. It was assumed that service users consented to their data being shared with other support services, with the exception of the police.

- 2.4 Early Help services worked closely with schools. A Families First support worker was linked to every school in the borough and maintained close relationships with pastoral care staff and attendance officers to ensure that families in need of additional support were identified early. It was suggested that this was well received by parents as it provided a 'face' to the service. Newington Green School verified that the service's relationship with schools was positive, noting that the service was well coordinated, tailored to the specific needs of schools, and was easily accessible. Teachers were aware of the service and knew how to make a referral. It was welcomed that Families First had established outreach coffee mornings and parenting groups in local schools, and regularly attended school safeguarding meetings with other agencies.
- 2.5 Families First was also linked with GPs and other health services. The service offered support to families where children were regularly accessing emergency rather than routine health care, as this could be an indicator of wider problems.
- 2.6 Early Help services had a clear and effective partnership with statutory services. There was a clear procedure through which families in need of statutory intervention could be stepped-up to Children's Social Care, and families who had finished working with Children's Social Care could be stepped-down to early help services for ongoing support. Some families were stepped-down from social care on the proviso that the family would be referred back to social services if they did not engage with early help services. In such instances a joint home visits were carried out by social workers and family support workers to ensure continuity in service. It was noted that families were consulted on escalation to statutory services, unless it was considered that this would put children at risk.
- 2.7 The Committee considered the benefits of the Families First service being provided both in-house and by Family Action. This structure provided service users with a comprehensive service which recognised the strengths of both the public and voluntary sectors. There was no evidence of disparity in how the services were implemented or how the different hubs were integrated with other services.
- 2.8 Although the Committee was pleased with the level of integration and partnership approach, it was recognised that further innovations could always be made. The Council had previously considered that there were too few referrals for families in which young people showed signs of engaging in anti-social or criminal behaviour. As a result work had taken place to try and increase such referrals. It was also noted that, with the increasing independence of schools, further work would be required to ensure that schools remained engaged with the service. Although greater linkages could be developed, officers could not identify any partner services that were difficult to engage with.
- 2.9 The Council offered a single point of contact for families requiring support via the Islington Children's Services Contact Team. Families could self-refer to the team, or could be referred by professionals with parental consent. Professionals carried out an early help assessment which helped to identify the particular needs, strengths and support required by the family. Once contact was made with a family, a judgement was made on which support service would be most suitable. This method was considered to be efficient and less complex for service users; the single point of contact enabled families to be placed with the right support service first time, which meant that families did not need to repeat information multiple times to different agencies. It was also commented that the referral form for professionals was particularly detailed and sought to capture a great deal of useful information about the family. Such a form was not required for self-referrals; the Council had worked to remove bureaucracy for service users and as a result self-referrals could be made through email or telephone call. There was no backlog at

the central referral point; initial visits were arranged within three days of a referral, and visits then took place within a week.

- 2.10 Parenting programmes available through early help services included 'Triple P' and 'Strengthening Families Strengthening Communities'. The 'Triple P' Positive Parenting Programme had a focus on research into behaviour management techniques and was particularly suitable for more academically able parents. The 'Strengthening Families, Strengthening Communities' programme was a longer programme with an emphasis on peer support. It was more suitable for parents whose first language is not English.
- 2.11 Support workers had a broad range of skills. Families First includes specialists in disability, fostering, social care, employment support and mental health. Staff were encouraged to share their experiences and learning through fortnightly group reflection sessions. Support workers sometimes carried out joint home visits with other professionals to maximise the support available to the family. Staff turnover was manageable and current vacancies had a high number of good quality applicants. Although management were aware of the risks of staff "burnout" it was advised that the service was very supportive towards staff. In general staff had left the service for career progression.
- 2.12 Early help services could uncover further, more complex issues through their work, such as domestic violence. This was a sensitive issue and family support workers had received relevant training. On uncovering a case of domestic violence, support workers would carry out a risk assessment in order to determine if a MARAC (Multi Agency Risk Assessment Conference) was required. Support workers always sought to minimise the risk to victims.

The experiences of service users

- 2.13 The Committee received evidence from users of both the Families First and IFIT services. The evidence received was overwhelmingly positive, with all of the families interviewed praising the early help services. The families indicated that, as well as providing practical support, early help services had helped to increase their confidence and raise their aspirations.
- 2.14 Support workers received particular praise from service users. Support workers were described as professional, friendly, approachable, dedicated, knowledgeable, non-judgemental and good with children. Families indicated that trust between families and support workers was very important. It was extremely important to service users that they had a single support worker, so that they could develop a working relationship and didn't have to re-tell their story. Some service users commented that support workers were from a similar background to their own and this helped to develop a bond between them. Families were generally clear on what their support workers could and couldn't do and recognised the importance of maintaining professional boundaries. It was reported that some support workers had provided support outside of usual working hours during crisis periods; it was highlighted that this required management approval, but service users valued this flexibility.
- 2.15 Islington's early help services used a mentoring and supportive approach which was intended to empower service users and build resilience. The services also took a holistic "whole family" approach where support was offered to parents, children and siblings. These approaches were well received by families. Parents felt engaged in their own support, and that early help services were being delivered in cooperation with them.
- 2.16 Islington's early help services were consent based; families had to choose to engage with the services. Given this element of choice, the Committee was encouraged that 91% of families referred to IFIT engaged with the service. Some families reported that they were initially anxious

about engaging with the service, however were eventually glad they had engaged. The Committee welcomed the persistence of support workers; it was advised that if a family was not engaging, early help services considered whether other communication methods could be used and how links with other services could encourage engagement. Early help services would make telephone calls, send letters, and even carry out unannounced visits to encourage engagement.

- 2.17 Many of the families interviewed compared the welcoming approach and positive experiences they had with early help services to the negative experiences they had with other services. In particular, families had little trust in social services, housing providers and schools and found these services difficult to work with. IFIT intervention workers agreed that some services were not as sympathetic to service users as early help services. However, it was suggested that service users' negative experiences of other services may be influenced by the purpose of their interaction with them. For example, service users were most likely to engage with schools, housing and social services when there was a particular problem. In such instances, the service often had statutory powers to sanction service users and this was likely to lead to negative experiences. This was very different to early help services, the only purpose of which was to support parents and families. It was also noted that other services, such as housing providers, often did not know the background of service users, and service users did not want to disclose personal information to other agencies.
- 2.18 The Committee was pleased with the extremely positive feedback received on the services, however was cautious not to conflate the services' popularity with its achievement of results. At the very least, the approach of early help services was clearly working to engage families with complex needs, and the Committee suggested that other front line services may be able to learn from this approach. Families reported that they were sometimes anxious about contacting other services, or believed that their interactions with them would not be as positive as those with early help services. Although early help services worked to build the resilience and increase the confidence and independence of service users, the Committee speculated if more could be done to make other council services more approachable to the borough's most vulnerable residents. For this reason the Committee recommend that the Council's early help services' successes in creating safe and trusting relationships with families be noted, and consideration be given to how similar approaches to positive relationship building can be adopted by other services, including but not exclusive of schools and housing.

Promotion and outreach

- 2.19 The promotion and outreach work already undertaken by Families First included advising council tenants of the service at the start of their tenancy, attending community events and working in local schools and doctor's surgeries. Information was also available from the Council's website.
- 2.20 Many of the families interviewed had not heard of either Families First or IFIT before their intervention began. It was thought that this unfamiliarity led to anxiety about engaging with the services. Some service users had assumed the early help services would be similar to the statutory services they either had negative experiences with or negative perceptions of, and were then surprised when this was not the case. It could be thought that simply increasing publicity of the services could counteract this issue; however officers noted that this may have the unintended consequence of attracting families who may not have the greatest needs. The resources of early help services were limited and for this reason promotion should be targeted at those with the most complex needs.
- 2.21 Promotion and outreach work should also help to reduce the stigma associated with accessing help services. Although it was thought that there was less stigma attached to early help services than statutory services, some of the service users interviewed suggested that they previously considered accessing help to be shameful and explained that, for example, their own parents

would not have accessed early help services. Some work was already carried out to remove stigma; the integration with universal services and co-location with area housing offices and other community buildings was intended to normalise access to help, however it was thought that more could be done in this area.

- 2.22 The Committee learned that the London Borough of Lambeth had appointed 'Parent Champions' to raise the profile of early help services in the community and to normalise accessing help. Some early help service users expressed that they would be willing to work as volunteers and it was thought that a similar role could be introduced in Islington for these parents. The Committee recommend that the early help services appoint former service users as ambassadors to work in the community, both publicising the service and removing the stigma of accessing early help services.
- 2.23 The need to increase publicity and outreach to the most vulnerable was also emphasised by the evidence received from Islington Learning and Working. It was suggested that some parents were unaware of the full range of support services available to them and this could result in anxiety about making changes to their home life. For example, it was suggested that many parents were unaware that the Council funded a childcare bursary to help single parents with the cost of childcare.
- 2.24 Another improvement which could be made is better publicising that families may change support worker in exceptional circumstances. It was reported that some families had changed support worker, and others were unaware of this possibility.

Building resilience

- 2.25 Families First had a target of each intervention lasting six months, however this could last longer if service users were not yet ready for their intervention to end. This was often the case if families were particularly slow to engage with the service or had more complex needs. IFIT interventions were intended to last for a twelve month period split into three stages; assessment, intensive intervention, and maintenance. Support reduced during the maintenance stage and families were supported in sustaining the changes made during the intervention stage. Support through IFIT could be extended if a family was not yet ready for their intervention to end.
- 2.26 Users of both services interviewed by the Committee expressed their anxiety at their case being closed and some worried they would not be able to cope after their intervention ended. Some service users explained that early help services carry out a great deal of advocacy work, liaising with schools, housing providers and others on their behalf, and worried that they would not be able to engage positively without the help of their support worker. Support workers agreed to an extent, indicating that some schools seemed more willing to engage with professionals than parents. It was also commented that support workers could identify service failures due to their familiarity with the processes of schools and other agencies, whereas parents would not necessarily be able to do so.
- 2.27 Some families suggested that a longer time period for interventions was needed; however officers suggested that a fixed and relatively short timescale was most effective in focusing service users on achieving their goals and leaning to live independently. It was highlighted that families were always able to re-refer to the Council's early help services, or ask for advice and guidance when required. Members of the Committee commented on the drastic change in service users; from being anxious about engaging with the service to not wanting to end their intervention within a relatively short time period. This was considered to be indicative of the effectiveness of the service.

- 2.28 Some of the families interviewed were unsure of their progress and what would happen when their intervention ended. The Committee understood that this topic had to be handled sensitively with families, however it was suggested that greater communication around timescales and individual progress with their intervention could minimise the anxiety families felt about their support ending.
- 2.29 Many of the families interviewed expressed that they were socially isolated and it was considered that their anxieties about their intervention ending were partially connected to their lack of a social support network. This presented problems as it was suggested that those without a support network were more likely to require follow up support from early help services. The Committee heard some evidence to suggest that support workers helped to reduce social isolation by recommending social groups to service users; however the Committee considered that further work was needed in this particular area. It was recommended that early help services better prepare service users for their intervention ending by working further to build resilience, which will reduce social isolation and empower families to live independent and fulfilled lives;

Outcomes and impact

- 2.30 The Committee gave a great deal of thought to how the success of early help services could be measured. It was agreed that any measure of success must be focused on outcomes for families, however as the purpose of early intervention programmes is to turn around families before significant problems arise, it can be difficult to evaluate the outcomes and impact of the service quantitatively.
- 2.31 It was possible to monitor the outcomes and impact of the service though the service's own assessment tools. Each family was measured on the 'family star' assessment tool at the beginning and end of their intervention. The purpose of this was to identify the areas in which the family needs the most support and to enable the family's progress to be measured over time. Through this tool, Families First was aware that the majority of clients had made good progress, and that it had been most successful in improving the safety of children, however further work was needed to improve the social networks of clients. Although this monitoring was considered useful, it was recognised that this was not an independent measure of the service's outcomes, and although the family star indicated the service's successes with particular families, it would not highlight the performance of the service more generally, or identify any problems with the quality of the service encountered by service users.
- 2.32 Families First had evaluated customer service internally through a mystery shopping exercise in November 2014. Former service users were asked to make a telephone call to Families First, and were given a fictional case study to present to the service. This exercise yielded two inadequate responses and one good response. Although the results of this exercise were not encouraging, the Committee was pleased that the service had made changes and increased staff training as a result of this exercise.
- 2.33 The service had also undertaken exit interviews with former service users in March 2015. 45 former service users were randomly selected and of those 16 agreed to give feedback. All service users had ended their intervention within the previous six months. The results of this exercise were very positive, with over 50% stating that Families First 'definitely' provided the family with the support they wanted, and the same number indicating that they felt involved in planning the work with their family. A significant proportion, 81%, advised that Families First had helped them feel less stressed and anxious, and the same number rated their experience with Families First as 'good' or 'excellent'. No negative feedback was received though the interviews.

- 2.34 Although the Committee considered the results of the exit interviews to be very positive, it was recognised that the survey was of a relatively small sample of service users, and families who felt they had received a good service may be more inclined to provide feedback. Families who experience difficulties with spoken English were also not interviewed as part of the exercise. It was noted that while exit interviews provide the service with valuable information in regards to service quality, the interviews do not objectively assess the impact of the service and are sometimes dependent on service user expectations; for example, one interviewee gave the service a neutral rating as their housing situation had not improved, however such matters are beyond the control of the service. It was noted that other internal evaluation is undertaken, such as the three Families First teams cross-auditing each other's work.
- 2.35 Objective and independent evaluation of the service can be conducted externally. The Council commissioned an external evaluation of the service, the conclusions of which became available towards the end of the scrutiny review. This concluded that Islington's early help services had been *'successful in directing their services at families who face the 'priority issues' outlined in their service specifications.'* The evaluation made a number of recommendations, one of which was to work further with families with adolescent children. The evaluation noted that the Families First service had a disproportionate focus on children of a primary school age, with 67% of the 2013/14 cohort under the age of ten. Although it was noted that Targeted Youth Support service supported a large number of adolescents, this service did not work with parents on wider family issues. The evaluation suggested that further thought is required in regards to how early help services can work more collaboratively with other youth services on this issue, and how adolescents with escalating needs can be identified and engaged before their needs become entrenched. The Committee welcomed this detailed external assessment and recommended the service in adopt its recommendations on working further with families with adolescent children, and adolescent children themselves.
- 2.36 One aim of this scrutiny was to analyse the extent to which early help services prevent needs escalating to the point children, young people and families need statutory intervention. Unfortunately it was not possible for the Committee to make a firm conclusion on this point. Due to the nature of early help services, there were difficulties in assessing how many families would have otherwise gone on to require statutory services. The independent evaluation of the Council's early help services advised that no local authority had yet conclusively demonstrated a reduction in need for statutory services since the introduction of early help strategies and the Troubled Families agenda. However, there were promising indications that the Council's early help approach was working. In 2014/15 the Children's Services Contact Team received an 11% increase in contacts, however experienced a 13% reduction in the number of cases referred to social care, which in turn meant that social care carried out 12% fewer assessments. Of those assessments carried out by Children's Social Care, 70% went on to receive a service as opposed to 50% in the previous year. The implication of this was that more contacts were being made for early help services, and more contacts were being diverted to early help services rather than social care. As a result fewer and more appropriate cases were being dealt with by social care, and a greater proportion of social care assessments resulted in a service.
- 2.37 The Committee was pleased with the indications that the early help approach was working to reduce demand on statutory services, however in the absence of conclusive evidence, the Committee expressed that a vision of success is needed for early help services and the Council may wish to further consider what success will look like and how this can be monitored.
- 2.38 It was also difficult to objectively assess how particular areas of the service were performing. A member queried how the effectiveness of the psychologist support to Families First was measured. It was recognised that this was difficult to evaluate as the psychologists did not frequently work with service users directly, however it was possible to undertake staff surveys, measure family wellbeing, and review how the recommendations of the clinical psychologists

were being implemented. These indirect evaluation measures were welcomed by the Committee, however further illustrated the difficulties faced in quantitatively evaluating the impact of the service.

- 2.39 There were other measured outcomes which indicated that the service was performing well. Early help services (including children's centres) reached 12% of children and young people in Islington. Families found Islington's early help services accessible, flexible, and it was easy to get an appointment. Internal evaluation indicated a very high level of satisfaction with the services, and all of the families interviewed by the Committee as part of the review indicated that early help services had made a positive impact on their lives. 68% of families engaging with Families First and 31% of families engaging with IFIT had experienced a reduction in school absence. 48% of young offenders known to IFIT did not re-offend, and of those that did, 37% reduced the frequency of their offending. Many of the families interviewed by the Committee spoke of their increased confidence, improved family relationships, and expressed gratitude towards the service. In conducting the review the Committee heard positive anecdotal evidence of ways the services had helped families, including how the service had helped a family avoid eviction, and how the service had helped source funding for a family with a child with medical needs.
- 2.40 The available evidence suggested that Islington's early help services had a positive impact on families and led to improved outcomes for children. There were positive indications that early help services were reducing demand on statutory services, however not enough evidence was available to make a firm conclusion on this point. To ensure that the services continue to perform favourably, the Committee recommend that the internal monitoring and evaluation of early help services continue to be prioritised through further exit interviews and mystery shopping exercises. The service may wish to consider the methodology of this type of internal evaluation to ensure that the widest possible range of views on the service is sought.

Comparisons with other local authorities

- 2.41 The Committee received evidence from officers of the London Borough of Lambeth about their early help offering. It was noted that Lambeth's service had a multi-agency approach with similar step-up and step-down procedures to Islington's. Lambeth's service had a similar approach to Islington's and had also provided parenting programmes. Differences between the borough's services included the length of intervention and evaluation measures. Lambeth's early help interventions lasted between three and six months, and the impact of the service was assessed against broader societal measures, such as overall reductions in the number of young people classified as NEET and teenage pregnancies. Although the early help services of Islington and Lambeth were similar in many ways, it was thought that benchmarking services was a useful tool in learning best practice from other local authorities.

Specialist services and projects

- 2.42 The Committee noted how early help services worked with other support services and emphasised the importance of joined up working to achieve the best outcomes for families. For example, early help services could be supplemented by wrap-around employment support services which thought to be crucial in improving outcomes for workless families. Islington Learning and Working delivered the iWork service which provided coaching, mentoring and support to the long term unemployed. The service was co-located with Jobcentre Plus. Early help services could refer parents to the service, and likewise iWork clients could be referred to early help services. The service had adopted an approach to building relationships similar to the Council's early help services and it was thought that this had contributed to the service's success in increasing the number of parents helped into paid work. In 2012/13 the service helped 68 parents into paid employment and following the change of approach this number increased annually, to 380 in 2014/15. Service users were often most successful in finding employment

when they considered employment to be a priority and understood how this would initiate change in other areas of their life. Employment could help to improve a family's financial position, increase aspirations, and broaden social networks. The Committee noted that the annual cost of the service was £269,000 and considered this good value given the number of people helped into employment.

- 2.43 Early help services could also be supplemented by substance abuse support from the CASA Islington Community Alcohol Service, which the council had a partnership agreement with. The organisation was small, with one manager, three support workers and a part-time administrator, and was previously independent but had merged with Blenheim, a larger addiction organisation, to realise efficiencies. The organisation offered direct work with clients and training and support to professionals to increase their capability and confidence in working with those suffering from substance abuse. Similar to the council's early help services, the organisation had a "whole family" approach and welcomed self-referrals. An evaluation of the service was carried out in 2011, the results of which were very positive. Since this date the service has assessed its outcomes and achievements against its own measures. It was noted that there was no nationwide performance framework to benchmark the service against.
- 2.44 The Committee also noted the high prevalence of mental health need Islington and that a significant proportion of early help clients needed related support. Two clinical psychologists had been co-located with Families First since November 2013 and had provided support on 400 cases in their first year. It was thought that 46% of families engaging with Families First had a mental health need; these were often complex and related to trauma. The Committee emphasised the importance of effective, targeted mental health support for these families. Some families had a history of not engaging with mental health services and therefore the psychologists would need to consider how to improve the wellbeing of those in need without necessarily referring to specialist services. Although this work was commended, the Committee was particularly concerned with the mental health of early help service users and suggested that better access to mental health provision could improve outcomes for these families. For this reason it was recommended that, through the Health and Wellbeing Board, the Council work with its partners, such as clinical commissioning groups, to ensure better access to effective mental health provision.
- 2.45 There was a high prevalence of domestic violence in families accessing the Council's early help services and new programmes were being piloted for both victims and perpetrators. The Committee also welcomed the projects undertaken by early help services themselves to address the particular issues faced by service users. Families First was piloting a project for families whose children struggled with school attendance, which would involve working with a small number of families in the early mornings and evenings. A support worker at the Highbury and Hornsey Team had also worked in her own time with teenage service users to produce a short film, the aim of which was to raise aspirations.
- 2.46 The Committee was pleased with the integration and wrap-around approach adopted by the service and the number of projects available to assist families with particular needs. The Committee wished for these to continue, especially those which focus on mental health, school attendance, domestic violence and parental employment which were considered crucial to improve the outcomes for families. It was recommended that the Executive continue to prioritise mental health, school attendance, domestic violence and parental employment as key factors in achieving family wellbeing.

Enhancing the service

- 2.47 In carrying out the review the Committee asked service users and support workers for their suggestions to improve the early help services. Service users had very few suggestions, with many re-stating their satisfaction with the services. Some parents suggested extending the

working hours of support workers. Family support workers were available during usual working hours (9am – 5pm) and it was suggested that extending these could provide a more comprehensive service. However, family support workers were already available for early and late appointments, and weekends, on request. Officers highlighted that support workers were not an emergency service which needed to be able to respond immediately, and as the majority of service users were not in full time employment, there was no reason to amend working hours. The Committee agreed with this view and found the current flexibility of the service to be good.

- 2.48 Parents also suggested that Families First could offer crèche facilities for families who had to attend appointments with other services where it would not be appropriate for their child to attend. Although the Committee understood the need for affordable and good quality childcare, providing such facilities directly was not thought to be a priority for the service. It was also suggested that more joint meetings could be had between early help support workers and social workers, if a family is receiving support from both services.
- 2.49 Some support workers suggested that increased access to remote working would be useful, as this would give them the ability to take technology on home visits. However officers said that this would require a significant financial outlay and may not achieve value for money given the relatively small amount of written work completed by support workers. It was also noted that staff had laptops to enable home working when appropriate and the Council was in the process of upgrading its case recording system which would lead to efficiencies.
- 2.50 Support workers also suggested that a discretionary ‘crisis fund’ could be available, offering small amounts of money (£10-20) for families in extreme crisis situations. It was understood that Children’s Social Care had a similar budget. The Committee noted that such a fund would add additional costs to the service which would be difficult find, however the Committee recommended that officers investigate if such a fund could be provided within existing budgets.
- 2.51 Other suggestions of support workers included a dedicated and well-resourced meeting room, external therapeutic support for support workers, further professional development, and further programmes for perpetrators of domestic abuse.
- 2.52 Some suggestions were made which the Committee thought warranted further consideration. It was thought that a greater emphasis could be given to helping families to access other services and support available to them. One theme that emerged through the review was that some families needed help in accessing the Council’s online services. Demonstrations of how to access these from council facilities or local libraries could be beneficial. Support workers also expressed that some families may benefit from cultural and social trips and outings, and although the service could not fund these directly, it was understood that some local theatres had outreach schemes and the service could help families access these and other similar opportunities. It was noted that such trips can inspire and raise the aspirations of young people, strengthen family relationships and reduce social isolation. The Committee recommended that, to combat social isolation, consideration be given to how information about cultural and social opportunities can be more accessible to families and staff.
- 2.53 The Committee also asked partner agencies for their suggestions to enhance the service. Newington Green School commented that it would be helpful for schools to receive updates on families that had self-referred to the service, however the importance of confidentiality was accepted. The opinion of the school was that the Families First budget should be protected.

3. Conclusions

- 3.1 The Committee found Islington's early help services to be of a high quality. The services worked well with partner agencies, were integrated with other support services, and took a comprehensive 'whole family' approach. The services were very well received by service users, with families praising the accessibility of the service and the work of support workers. There was evidence that the Council's early help services and associated wrap-around support services were leading to better outcomes for families, and there were positive indications that early help services were reducing the demand for statutory services. It was known that school attendances were increasing, parents were being helped into paid employment, and parents had expressed that they feel empowered and more confident as a result of their interaction with the services. Although there was scope for further innovation, the Committee supported the work of the Council's early help services and recommended that the Executive continues to prioritise the early help approach. It was hoped that continuing the early help approach over a sustained period of time would further decrease demand for statutory services.
- 3.2 In carrying out the review, the Committee met with officers, support workers and members of the public to gain a balanced view. The Committee would like to thank witnesses that gave evidence in relation to the scrutiny. The Executive is asked to endorse the Committee's recommendations.

SCRUTINY REVIEW INITIATION DOCUMENT (SID)
Review: Impact of Early Help on preventing escalation to statutory services
Scrutiny Review Committee: Children’s Service Scrutiny
Director leading the Review: Eleanor Schooling
Lead Officer: Ruth Beecher
<p>Overall aim:</p> <ul style="list-style-type: none"> • To analyse the extent to which services provided by Islington council and its partners are preventing needs escalating to the point children, young people and families need statutory intervention (statutory social work services and youth offending service). • To highlight areas of good practice • To make recommendations to further improve outcomes for families with multiple problems
<p>Objectives of the review:</p> <p>To identify how well the early help approach is:</p> <ul style="list-style-type: none"> • identifying issues at the onset to nip problems in the bud • providing a system of support that is easily accessible for families • providing a range of services to meet the differing levels of need of families and how they address issues related to school attendance, offending and employment including parental employment. • providing effective programmes of support • effectively building family functioning and ability to solve/overcome problems • effectively solving problems faced by children, young people and families identified as having multiple needs that can’t be met by universal services, preventing offending and the need for entry into social care services. • making efficient and effective use of all resources available
<p>How is the review to be carried out:</p> <p>Scope of the Review</p> <p>The review will focus on:</p> <ol style="list-style-type: none"> 1. The national and local context <ul style="list-style-type: none"> • The legislative framework • National early intervention and prevention policy context • National policy context including Troubled Families Programme • Local strategies including the Early Help Strategy and Family Support Strategy • Our role as a local authority and that of our partners 2. Local need <ul style="list-style-type: none"> • National and local definition of need • Troubles Families Programme Data on families with multiple problems

3. Community budget approach
 - Pooled resources
 - Financial information
4. The local early help offer
 - Early help services including Troubles (Stronger) Families, Families First, Islington Family Intensive Team (IFIT)
 - Parenting programmes
 - Evidence of 'what works'
5. Partnership working
 - Interagency working (i.e. Family Action; Parent Employment Partnership)
 - Inter-departmental working
 - Work with schools and other partners (i.e. police and health)
6. Systems and processes
 - Referral pathways
 - Common Assessment Framework
 - Lead Professional
7. Current performance
 - Phase 1 Families First evaluation
 - Troubled Families PBR
 - Phase 2 evaluation plans

Types of evidence:

1. Documentary submissions including:
 - Contextual report
 - Early Help Strategy and Family Support Strategy
 - Evidence of Islington's early help programmes and approaches - best practice and what works
 - Evaluation of Families First
 - Evidence of revised systems (referral routes/assessment tools/ outcome recording and measurement tools)
 - Evidence from diversionary work (IFIT)
 - Parent Employment Partnership evaluation
 - Case studies/user survey information
2. Witness evidence including:
 - i) Officer presentations
(eg. Families First, IFIT, Targeted Youth Support, Chair of Community Budgets Steering Group)
 - ii) Partners
(eg. schools, health, police, Family Action (the organisation contracted to deliver Families First))
 - iii) Contractors
(i.e. Family Action – the provider delivering Families First)
 - iv) Parent Employment Partnership

3. Visits

- Families First
- Schools
- Targeted Youth Support (i.e. detached youth work)

Additional Information:

Children's Service Scrutiny – Work Programme: Early Help Scrutiny

Scrutiny topic: Impact of Early Help on preventing escalation to statutory services

Our role as a scrutiny committee:

- To ask questions about decisions that have already been taken
- To ask whether these decisions are good enough
- To make recommendations to further improve what the council (with partners) are doing

Focus: Access and Effectiveness

Section 4 of SID: The local early help offer

- Early help offer: Families First; IFIT (Islington Family Intensive Team)
- Parenting Programmes
- Evidence of what works

Section 5 of SID: Partnership working

- Interagency working (ie. Family Action; Parent Employment Partnership)
- Inter-departmental working
- Work with schools and other partners (ie. Police and health)

Key questions

- Is Families First reaching the right families, those families who, without the additional support, are more likely to require statutory intervention?
- Do parents get the right help when they need it? And do parents feel this help is beneficial?
- How do we know Families First is making a difference?
- Do we know Families First is reducing demands on statutory services?
- Are parenting programmes working?
- Is Families First an effective use of resources? Is it value for money? Are we going to save money/avoid costs in the future?

Work programme for early help scrutiny

Additional documentation

- Families First Service Specification
- Finance report
- Families First evaluation (TBC) – we have previously provided the committee with the early impact evaluation of Families First. We have commissioned a follow up evaluation which is currently in progress and we will share the findings with the scrutiny committee if we receive the final report in time.

9 March 2015: Witnesses

Who	Organisation/remit	Area of focus
<p>Elaine Sheppard</p> <p>Lucinda Hibberd-French</p>	<p>Family Action – VCS organisation contracted to deliver part of the Families First geographical offer</p> <p>Deputy Service Manager, Islington Children’s Services - responsible for the Families First Service</p>	<p>Families First model of delivery – how do they engage with families – proportion that are self-referrals, how closely the profile of families receiving a service match the profile of needs, what sort of families do they engage with, are these the right families?, how does the service work with universal services including schools?, reducing stigma, impact of service</p> <p>Safeguarding – identification of need – importance of and effectiveness of system addressing continuum of need, step up and step down from statutory services. Families First work re: Domestic Violence.</p>
<p>School staff</p>	<p>Newington Green School</p>	<p>Change in way school works in providing early help to children and parents and co-ordination with other services, including Families First and CAMHS; difference it makes for students.</p>
<p>Win Bolton/Michelle Tolfrey</p>	<p>Camden and Islington Mental Health Foundation Trust</p>	<p>Parental mental health service in IFIT, Families First and CIN</p>

28 April 2015: Witnesses

Who	Organisation/remit	Area of focus
<p>Stella Clarke – Programme Director Preventative Services</p> <p>Geraldine Abrahams – Delivery Lead Multi-Agency Team 2</p> <p>Marcella McHugh – Delivery Lead Multi-Agency Team 1</p>	<p>London Borough of Lambeth</p>	<p>To provide a comparison with the way another borough delivers early help, the way they work with partners, tackle the issue of getting the balance between being non-stigmatising and yet reaching those families most in need of support, key challenges they face, impact of services, what works, plans to develop their service</p>

Ellen Ryan	Islington Learning and Working (ILW) Manager, LBI	Employability/poverty - Parental Employment Partnership – partnerships between ILW, Children’s Services and Jobcentre Plus to set parents/adult children on the pathway to employment
Hazel Jordan	CASA Islington Community Alcohol Service	CASA works with families First but also deliver separate pieces of work specifically around substance misuse .
Families (at a special witness evidence session from 7-7.30pm prior to main meeting)		To find out about families’ experiences of support from Families First and IFIT, whether the support was what they needed and at the time they needed it. Whether we are delivering our Early Help Pledge. And what difference the support has made to families. How could the service be more effective?

Visits (to take place between March and May)

Who	Organisation/remit	Area of focus	When
Family Intervention Workers	Islington Families Intensive Team (IFIT), LBI	Family Intervention Workers provide intensive outreach support and challenge to (usually workless) families who with young people aged 10-18 years. The families are at high risk of eviction, children are not attending school, and/or are involved in crime and anti-social behaviour. Find out methods of engaging with families, challenges of working with families with complex needs, the difference their support makes.	Wednesday 22 April 2015 1pm – 4.30pm

Family Support Workers (visit to 2 area teams)	Families First	Find out methods Family Support Workers use to engage with families, challenges of working with families with complex needs, the difference their support makes.	Monday 13 April 2015 10-12noon 1-3pm
Parents/families	At Families First site	To find out about families' experiences of support from Families First and IFIT, whether the support was what they needed and at the time they needed it. Whether we are delivering our Early Help Pledge. And what difference the support has made to families. How could the service be more effective?	Monday 13 April 2015 10-12noon 1-3pm

- 11 June 2015: Draft recommendations and report

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Report of: **Executive Member for Housing and Development**

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All

Delete as appropriate		Non-exempt
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SUBJECT: Local Development Scheme 2015

1. Synopsis

- 1.1 The purpose of this report is to seek Executive approval for the revised Local Development Scheme (LDS). The LDS is the work programme which sets out how the Council will prepare and review its Local Plan and other planning guidance. Islington's adopted Local Plan comprises a number of separate Development Plan Documents including the Core Strategy, Development Management Policies, Site Allocations, Finsbury Local Plan and the North London Waste Plan (currently in preparation). The LDS also sets out which Supplementary Planning Documents (SPDs) will be prepared and/or reviewed over the next three years.
- 1.2 Local authorities are required by statute to prepare and maintain an up-to-date LDS. The Executive approved the last version of the Local Development Scheme in May 2013.
- 1.3 The LDS requires revision in order to set out the timescale for a limited review of the Core Strategy, and any necessary changes to other parts of the Local Plan. Amending the LDS will also allow the document to reflect the revised timetable for the North London Waste Plan. Further, the revised LDS includes up-to-date timescales for the preparation of new Supplementary Planning Documents, such as Guidance on Basements and Viability and for the review of the existing Urban Design Guide. Finally, this Report lists existing out-of-date planning documents which it is proposed to withdraw and which will no longer be used in the planning process.
- 1.4 Following enactment of the Localism Act 2012, the Council is no longer required to submit the LDS to the Mayor of London and Secretary of State prior to its approval. However, the Mayor and Secretary of State retain the ability to direct changes to the LDS for the purposes of ensuring effective coverage of the authority's area by the development plan documents taken as a whole.

- 1.5 The Local Plan describes how the Council will exercise its statutory plan-making powers. Extensive consultation is carried out on component parts of the Local Plan at key stages in their development. Publication of the LDS supports the Council's fairness priority as it gives residents advance notice of publication of planning documents, thus increasing their ability to participate in consultation.

2. Recommendations

- 2.1 To approve and bring into immediate effect the Local Development Scheme 2015 as set out in Appendix 1.
- 2.2 To agree to cancel the out-of-date planning documents listed in Appendix 2 of this report.

3. Background

- 3.1 Local planning authorities are required to prepare an up-to-date work programme called the Local Development Scheme (LDS). Its main purpose is to provide a mechanism for the local community to find out about Local Plan documents and planning guidance that the Council intends to review or produce over the coming three years. The LDS can be reviewed at any time.
- 3.3 Although the Council's Core Strategy was adopted in February 2011, prior to the introduction of the National Planning Policy Framework, it is considered up-to-date and the Council has implemented and defended the policies contained in the Core Strategy reasonably successfully. However, the Core Strategy (and the evidence behind it) need to be kept up-to-date. It is therefore intended that the Council will commence work on a partial review of the Core Strategy during 2015 with a view to have a revised strategy adopted by early 2018. The Council adopted the Finsbury Local Plan, Development Management Policies and Site Allocations in June 2013, which contain further detailed policies on how the Core Strategy will be delivered. These three documents may need to be amended to reflect any changes to the Core Strategy.
- 3.4 The revised LDS also includes up-to-date timescales for the preparation of new Supplementary Planning Documents, such as Guidance on Basements, as well as for the review of the existing SPDs such as Urban Design Guide.
- 3.5 Some existing guidance documents are several years old and as a result, are now out-of-date. The out-of-date Supplementary Planning Documents, Supplementary Planning Guidance, planning briefs and other planning guidance which are proposed to be cancelled and no longer be used in the planning process are listed in Appendix 2 of this report.
- 3.6 Following enactment of the Localism Act 2011, the Council is no longer required to submit the LDS to the Mayor of London and Secretary of State prior to its approval. However, the Mayor of London and the Secretary of State retain the right to direct a change to a council's LDS, for the purposes of ensuring effective coverage of the authority's area by the development plan documents (taken as a whole) for that area.

4. Implications

4.1 Financial implications:

The LDS is a three year work programme, which covers the period 2015 to 2018. The work programme set out in the LDS will be funded through the Planning and Development Division revenue budget. Some aspect of the LDS may need to be reprioritised and reprogrammed if the future budget is unable to support the full programme.

4.2 Legal Implications:

Planning and Compulsory Purchase Act 2004 S15 requires a local planning authority to prepare and maintain a local development scheme. The scheme must specify the local development documents which are to be development plan documents; the subject matter and geographical area to which

each development plan document is to relate, which development plan documents are to be prepared jointly with one or more other local planning authorities and the timetable for the preparation and revision of the development plan documents.

To bring the scheme into effect, the local planning authority must resolve that the scheme is to have effect and in the resolution specify the date from which the scheme is to have effect.

4.3 **Environmental Implications:**

The Local Development Scheme (LDS) itself is simply a work programme for the preparation of future Development Plan Documents and Supplementary Planning Documents, which will be subject to Sustainability Appraisal /Strategic Environmental Assessment (SA/SEA) requirements in due course. As such the LDS itself therefore does not have any environmental implications.

4.4 As regards the cancellation of out-of-date planning documents listed in Appendix 2, there are no significant environmental impacts arising from the decision to formally cancel the documents in question. The planning documents listed in Appendix 2 have been either implemented (ie. the development scheme which the planning guidance related to has been built out), are out-of-date and/or have been superseded by new Local Plan policies or supplementary planning documents, whose environmental implications had been assessed during their preparation in line with relevant SA/SEA requirements.

4.5 **Residents Impact Assessment:**

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

4.6 An RIA has not been completed for the LDS as it is a work programme document (i.e. it is not in itself a policy or programme). Each of the Local Plan and supplementary planning documents within the work programme will be subject to an RIA during their production.

4.7 As regards the cancellation of out-of-date planning documents listed in Appendix 2, a Residents Impact Assessment screening of the decision to cancel the documents in question has been undertaken. The RIA screening has found no negative or positive impacts arising from the decision.

5. **Conclusion and recommendations**

5.1 The revision of the Local Development Scheme is required in order to set out a timescale for a limited review of Islington's Local Plan, and for the preparation and review of Supplementary Planning Documents. In addition, this report sets out details of supplementary planning documents, planning briefs and other guidance which it is proposed be no longer used in the decision making process. It is recommended that the draft Local Development Scheme 2015 be approved and brought into effect immediately. It is also recommended that existing out-of-date planning documents listed in Appendix 2 be cancelled.

Appendices

- Appendix 1 - Local Development Scheme 2015
- Appendix 2 - Schedule of existing Islington planning documents being cancelled in July 2015

Final report clearance:

Signed by:



3 July 2015

Executive Member for Housing and
Development

Date

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Local Development Scheme

July 2015



1 About the Local Development Scheme

- 1.1. Islington Council has a duty to maintain a Local Plan. It also has a duty to maintain an up-to-date **Local Development Scheme (LDS)**¹.
- 1.2. The LDS is a programme management plan which identifies which planning documents the council proposes to produce over the next three years, and when these documents are expected to be consulted upon and adopted.
- 1.3. Islington Council has an up to date Local Plan, and this LDS sets out a timetable for a future limited review/update of parts of the Local Plan. In addition, it identifies when Supplementary Planning Documents/Guidance will be produced and/or reviewed.
- 1.4. Indicative timetables for all document preparation/review are provided in Appendices 1 and 2.

What's in a Local Plan?

A Local Plan contains planning policies which are used to make decisions on planning applications.

A Local Plan is composed of one or more **Development Plan Documents (DPDs)**. These documents are subject to a statutory preparation and adoption procedure, including an Independent Examination.

Supplementary Planning Documents (SPDs) are used to elaborate on policies contained in DPDs. They are not part of the Local Plan. SPDs are prepared using a set procedure for public consultation, but do not undergo Independent Examination.

The **Statement of Community Involvement (SCI)** sets out minimum standards for community involvement in both plan making and in determining planning applications. It is not part of the Local Plan. Islington's current SCI was adopted in July 2006.

2 National and London-wide planning policy

- 2.1. The government published its National Planning Policy Framework (NPPF) in March 2012. This document sets out how councils should produce planning documents to guide the development and use of land within a local authority's boundary.
- 2.2. In 2011 the government introduced changes to the planning system through the Localism Act. This gave new powers to communities to produce Neighbourhood Plans (see Section 5 for details of neighbourhood planning in Islington).
- 2.3. The Mayor of London produces, and regularly reviews, a Spatial Development Strategy for London (known as the London Plan). All London boroughs' Local Plans must be in general

¹ Prior to the Localism Act 2011, the LDS was required to be approved by the Secretary of State. This is no longer the case.

conformity with this document. The current London Plan, consolidated with alterations since 2011, was published in May 2015.

3 Islington's Local Plan

3.1. Islington has an up to date Local Plan, which comprises the following documents:

- Core Strategy (February 2011)
- Development Management Policies (June 2013)
- Site Allocations (June 2013)
- Finsbury Local Plan (previously the Bunhill & Clerkenwell Area Action Plan) (June 2013)

3.2. The Policies Map (formally referred to as a Proposals Map) which forms part of the statutory development plan, and reflects policies, designations and allocations arising from the DPDs was also adopted in June 2013. The Unitary Development Plan (June 2002) was wholly superseded by the above four DPDs.

3.3. The council intends to commence a limited review of the Core Strategy and, where necessary, amend the corresponding policies in other parts of the Local Plan, towards the end of 2015 (see Appendix 1 for more information) with a view to having a revised Core Strategy formally adopted in late 2017/early 2018.

3.4. An additional DPD – the North London Waste Plan – has been in preparation over the past few years in partnership with the London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey and Waltham Forest. The seven boroughs submitted a draft version of the plan for Independent Examination in February 2012. Public hearings commenced on 12 June 2012, but were later suspended to enable the Inspector to consider whether the plan had met the Duty to Co-operate. On 31 August 2012, the Inspector issued his determination that the plan did not meet the Duty to Co-operate. The boroughs are now in the process of preparing a revised version of the plan.

3.5. The Finsbury Local Plan applies only to the part of the borough indicated in Figure 1 below. Other elements of the Local Plan apply to the whole borough.

3.6. An indicative timetable for reviewing elements of the Local Plan is provided in Appendix 1.

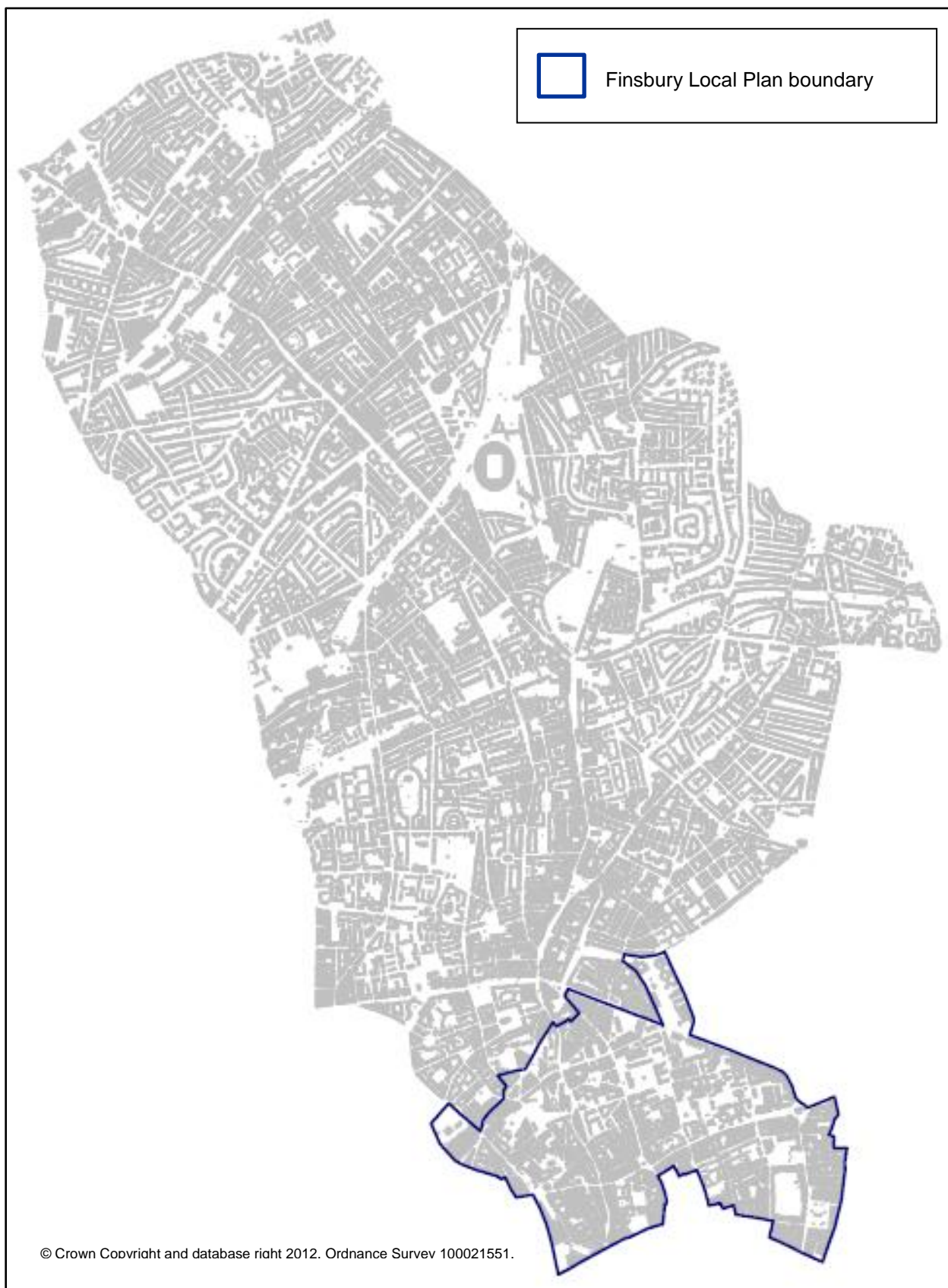


Figure 1: Geographical extent of Finsbury Local Plan DPD

4 Preparation and review of other planning documents

4.1. The following Supplementary Planning Documents and Statement of Community Involvement are extant (listed in order of adoption; most recent first):

- Finsbury Park Development Framework (March 2015)
- Finsbury Park Town Centre – Joint SPD by Islington, Hackney and Haringey (June/July 2014)
- Inclusive Design in Islington (Feb 2014)
- Cally Plan (January 2014)
- Planning Obligations (Section 106) - (Nov 2013)
- Student Accommodation Contributions for Bursaries (June 2013)
- Affordable Housing – Small Sites Contributions SPD (October 2012)
- Streetbook SPD (October 2012)
- Environmental Design SPD (October 2012)
- Mount Pleasant SPD (February 2012)
- Inclusive Landscape Design SPD (January 2010)
- Archway Development Framework SPD (September 2007)
- Nag's Head Town Centre Strategy SPD (May 2007)
- Urban Design Guide SPD (December 2006)
- Statement of Community Involvement (July 2006)
- King's Cross neighbourhood Framework SPD (July 2005)

4.2. The following SPDs will be prepared or revised over the next three years:

- Preventing Wasted Housing Supply (due to be adopted in July 2015)
- Location and Concentration of Uses (hot food takeaways, betting shops , pay day loan shops)
- Basement Development (Guidance on Basements)
- Urban Design Guide (revision to existing SPD)
- Planning Obligations (revision to existing SPD)
- Development Viability
- Angel Town Centre
- Moorfield's Eye Hospital
- Conservation Area Guidelines (to be replaced on an on-going basis)
- Listed Buildings Guidance

4.3. In addition to SPDs, a number of Planning Guidance Notes (PGNs) may be used in the planning decision-making process. In some cases the council has replaced or will be replacing previous PGNs with SPDs. An indicative timetable for preparation of all non-Local Plan documents is provided in Appendix 2 of this LDS.

5 Neighbourhood planning

- 5.1.** As of late June 2015, four community groups have expressed interest in neighbourhood planning (King's Cross, Crouch Hill & Hornsey Rise, Archway and Mount Pleasant). Although the council provides guidance to community groups, Neighbourhood Forums are responsible for advancing neighbourhood planning in their areas and will work to their own timescales. Therefore, it is not possible to include timetables for preparation of any potential Neighbourhood Plan.

Appendix 1: Indicative timetable for Local Plan documents currently being prepared / scheduled for review

Development Plan Document	Evidence gathering / preparation	Consult statutory bodies on scope of SA	Pre-submission (Issues and Options?) consultation ²	Publication of DPD and public consultation ³	Submission to Secretary of State	Hearing sessions	Receipt of Inspector's report	Adoption
Core Strategy (2011) - limited review	Throughout 2014 and 2015	Summer/Autumn 2015	Jan-March 2016	Sept/Oct 2016	Early 2017	Spring/Summer 2017	Autumn 2017	End of 2017/early 2018
DM Policies and Finsbury Local Plan - limited review to reflect changes to Core Strategy	As above	As above	As above	As above	As above	As above	As above	As above
Site Allocations "refresh"	As above	As above	As above	As above	As above	As above	As above	As above
North London Waste Plan	Throughout 2013, 2014 and 2015	2013	Summer/Autumn 2015	Spring/summer 2016	Autumn 2016	Early 2017	Spring 2017	Autumn 2017

² Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012

³ Regulations 19 and 20 of the Town and Country Planning (Local Planning) (England) Regulations 2012

Appendix 2: Indicative timetable for non-Local Plan documents

Document	Current document adopted	Current document status*	Proposed review/production		Updated / new document status*
			Formal Consultation	Adoption	
Statement of Community Involvement	July 2006	SCI	Autumn 2015	Early 2016	SCI
Preventing Wasted Housing Supply	N/A	N/A	Dec 2014/Jan 2015 and May/June 2015	Summer 2015	SPD
Islington Urban Design Guide	Dec 2006	SPD	Late 2015/Early 2016	Summer 2016	SPD
Basement Development (Guidance on Basements)	N/A	N/A	Summer 2015	Late 2015	SPD
Location and Concentration of Uses (Hot food takeaways, betting shops, payday loan shops)	N/A	N/A	Summer 2015	Late 2015	SPD
Planning Obligations (S106)	Nov 2013	SPD	Autumn 2015	Late 2015/ early 2016	SPD
Development Viability	N/A ⁴	N/A	Summer 2015	Late 2015	SPD
Angel Town Centre	N/A	N/A	Early 2016	Summer 2016	SPD
Moorfield's Eye Hospital	N/A	N/A	Early 2016	Summer 2016	SPD
Listed Buildings	N/A	N/A	Summer/Autumn 2017	Late 2017	SPD
Conservation Area Design Guidelines	Various	Design Guidelines	Replace on ongoing basis.	SPD	SPD

⁴ Viability addressed in the Planning Obligations SPD

Document	Current document adopted	Current document status*	Proposed review/production		Updated / new document status*
			Formal Consultation	Adoption	
Finsbury Park Development Framework	March 2015	SPD	No review scheduled.		
Finsbury Park Town Centre Strategy	June 2014	SPD	No review scheduled.		
Inclusive Design in Islington	Feb 2014	SPD	No review scheduled.		
Cally Plan	Jan 2014	SPD	No review scheduled.		
Student Accommodation Contributions for Bursaries	June 2013	SPD	No review scheduled.		
Streetbook	Oct 2012	SPD	No review scheduled.		
Affordable Housing – Small Sites Contributions	Oct 2012	SPD	No review scheduled.		
Environmental Design	Oct 2012	SPD	No review scheduled.		
Mount Pleasant	Feb 2012	SPD	No review scheduled.		
Inclusive Landscape Design	Jan 2010	SPD	No review scheduled.		
Artery Development Framework	Sept 2007	SPD	No review scheduled.		
Nag's Head Town Centre Strategy	May 2007	SPD	No review scheduled.		
King's Cross Neighbourhood Framework	July 2005	SPD	No review scheduled.		
Promoting Sustainable Drainage Systems	2008	PGN	No review scheduled.		
Islington Shopfront Design Guide	2003	PGN	To be incorporated into the revised Urban Design Guide		
Refuse and Recycling Storage Requirements	2012	PGN	To be incorporated into the revised Urban Design Guide		
Islington Tree Policy	2009 (draft)	PGN	Review not scheduled.		
Packington Estate Masterplan	2004	PGN	Review not scheduled.		
Highbury & Islington Station and Highbury Corner Framework	July 2004	PGN	Review not scheduled.		

***Document status is as follows:**

SCI: Statement of Community Involvement | SPD: Supplementary Planning Document | PGN: Planning Guidance Note

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Appendix 2 – Schedule of existing Islington planning documents to be cancelled in July 2015.

Document Title	Document type	Year	Reason for cancelling document
Allied Brewery: 148-180 St John Street and adjacent sites	Planning Brief	1989	Development completed.
Almeida Street Sorting Office	Planning Brief	2002	Site under construction and the brief superseded by Site Allocations (June 2013).
Archway Mall and adjoining properties	Planning Brief	1998	Brief superseded by Archway Framework SPD (2007) and Site Allocations (2013).
Chiswell Road Bunhill Row and Lambs Passage	Planning Brief	1992	Development completed.
City Road Basin	Planning Brief	1992	Superseded by Finsbury Local Plan (2013).
City Road (City Forum)	Planning Brief	2006	Superseded by Finsbury Local Plan (2013).
City North Finsbury Park	Planning Brief	2007	Brief superseded by Core Strategy (2011), and Site Allocations (2013). (The brief was largely based on the then emerging draft Finsbury Park Area Action Plan, which was subsequently aborted.)
Clare Lane and Halliford Street (62-67)	Supplementary Planning Guidance	2001	Out of date.
224-230 Copenhagen Street (York Way Primary School) and playground area at Outram Place	Planning Brief	1997	Development completed.
Dame Alice Owen Foundation Estate	Planning Brief	1990	Development completed.
2-7 Empire Yard & 19 Manor Gardens	Planning Brief	1998	Development completed.
Farringdon Station Area	Planning Brief	1992	Crossrail now under construction.
Hat and Feathers and adjacent site: 2-10 Clerkenwell Rd, 29-39 Goswell Rd and 1-4 Great Sutton St EC1	Planning brief	1996	Out of date. Superseded by Finsbury Local Plan (2013).
Hemingford Road	Design Brief	2001	Development completed.

Document Title (Street name)	Document type	Date	Notes/reason for cancelling document
Highbury Corner Former Citizens Advice Bureau and Marie Curie Site	Planning Brief	1997	Out of date. Superseded by Highbury and Islington Station and Highbury Corner Framework (2004) and Site Allocations (2013).
Highbury and Islington Station	Planning Brief	1998	Out of date. Superseded by Highbury and Islington Station and Highbury Corner Framework (2004) and Site Allocations (2013).
Highbury Park	Planning Brief	2008	Development completed.
Highbury Quadrant, Twelve Acres Reception Centre	Planning Brief	2008	Development completed.
Highbury Stadium	Planning Brief	1998	Out of date. Site subsequently redeveloped for housing.
Holloway Road and Pollard Close	Planning Brief	2007	Development completed on part of the site, remaining part of the site under construction.
King's Cross: Bravington's, Albion Yard and Railway Blocks	Planning Brief	1998	Development completed.
Kingsway College	Planning Brief	1997	Out of date.
Lough Rd, Eden Grove and Holloway Road	Planning Brief	1997	Development completed on part of the site, remaining part of the site under construction.
Macclesfield Road Site	Planning Brief	1990	Development completed.
Marquess and Channel Island Estates	Planning Brief	1998	Development completed.
5-18 Moreland Street and 183-189 Central Street	Planning Brief	1990	Development completed.
42-65 Moreland Street and 260-270 Goswell Road	Planning Brief	1990	Out of date. Superseded by Finsbury Local Plan (2013).
New River Head	Planning Brief	1991	Superseded by New River Head Planning Brief (2013).
New River Head	Planning Brief	1999	Superseded by New River Head Planning Brief (2013).
Noel Road - Hanover Primary School	Planning Brief	2008	Development completed.

Document Title (Street name)	Document type	Date	Notes/reason for cancelling document
St William of York (former school site)	Planning Brief	1992	Development completed.
Torrens Street	Planning Brief	1998	Out of date. Superseded by Site Allocations (June 2013)
159 - 167 Upper Street	Planning Brief	2007	Development completed.
Wedmore Street Planning Brief	Planning Brief	1998	Development completed.
Wynford House Planning Brief	Planning Brief	1996	Development completed.
82-96 York Way (former Westinghouse site)	Planning Brief	1989	Development completed.
62-80 York Way and 1-3 Crinan Street	Planning Brief	(approx.) 1990	Out of date.
Planning Guidance Note on Sustainable Transport	Supplementary Planning Document	2009	Superseded by Core Strategy (2011) and Development Management Policies (June 2013).
Advice note on Hostels and HMOs	Supplementary Planning Guidance	2003	Superseded by Development Management Policies (June 2013).
Green Construction	Supplementary Planning Guidance	2003	Superseded by Core Strategy (2011), Development Management Policies (June 2013) and Environmental Design SPD (2012).
City Road Basin Masterplan	Planning Guidance Note	2004	Superseded by Finsbury Local Plan (June 2013).
Planning Standards Guidelines	Supplementary Planning Guidance	2002	Superseded by Core Strategy (2011) and Development Management Policies (June 2013).
Angel Town Centre Strategy	Supplementary Planning Document	2004	Superseded by Core Strategy (2011), and Development Management Policies and Site Allocations (June 2013).
Business Use to Residential	Supplementary Planning Guidance	2002	Superseded by Core Strategy (2011), and Development Management Policies and Finsbury Local Plan (June 2013).
Sustainable Design and Construction Statements Guidance	Planning Guidance Note	2008	Superseded by Core Strategy (2011), Environmental Design SPD (2012) and Development Management Policies (June 2013).

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Report of: **Executive Member for Children and Families**

Meeting of:	Date	Wards
Executive	16 July 2015	Bunhill

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SUBJECT: Moreland Primary School Expansion – Public Consultation

1. Synopsis

- 1.1 Moreland Primary School (Moreland Street, EC1V 8BB) is designated as a one form entry school.
- 1.2 The school was temporarily reduced to a one form entry school in 2009 and then permanently reduced to a one form entry school in 2011.
- 1.3 Demand for school places in the planning area where Moreland School is situated is steadily rising and by 2017/18 there will not be sufficient places for primary aged children if Moreland School is not expanded.
- 1.4 In October 2011 consultation began to consider a new school building for Moreland as part of a redevelopment programme in the EC1 area. In January 2014, the Executive approved a report noting a shortfall of school places in the south of the borough over the medium to long term and recommending that the redevelopment of Moreland Primary School should be adapted to provide capacity for two forms of entry in the longer term.
- 1.5 In order for the council to fulfil its statutory obligation to provide enough school places in the borough, this report recommends that Moreland School is expanded to a two form entry school from 2016. A statutory consultation has taken place and the responses are included in Appendix A.

2. Recommendations

- 2.1 To approve the permanent expansion of Moreland Primary School to a two form entry school from September 2016.
- 2.2 To note the responses to the public consultation in Appendix A.
- 2.3 To note that the construction of a new two form entry capacity school building is underway at Moreland Primary School. It is scheduled for completion in September 2016.

3. Background

- 3.1 For at least the 7 years leading up to 2011 Moreland Primary School only filled to a maximum of 30 pupils and in 2009 (and for subsequent years) was temporarily reduced to a one form entry school. In September 2011 the Executive agreed to permanently reduce Moreland School to a one form entry school under guidance from the Department for Education which expects a Local Authority to act where excess capacity for a school exceeds 25%.
- 3.2 In May 2011, the Executive received a report regarding the improvement of educational opportunities for children in EC1. The report recommended a federation between St Luke's and Moreland schools to address concerns over the quality of education provision at Moreland School. The report also recommended rebuilding Moreland School as a one form entry school with surplus land released for affordable housing to fund the rebuild. The new building and redevelopment was intended to address the poor state of accommodation at Moreland School as well as increase social housing for local people.
- 3.3 In January 2014, the Executive noted a shortfall in primary school places in the south of the borough. According to the School Place Planning Report 2013 it was predicted that in Planning Area 4 there would be a shortfall of 12 primary school places in 2013/14 and 29 in 2014/15 without any measures to mitigate additional demand. Under Section 14 (1) of the Education Act 1996, Local Authorities have a statutory duty to provide sufficient school places. Therefore officers recommended that the new building for Moreland Primary School should have capacity for two forms of entry in the long term, to meet the additional demand. The new building secured a planning application in March 2015, early enabling works commenced later that month with the main works due to commence in June 2015. Completion of the new school facilities is scheduled for September 2016 and final works and landscaping are scheduled to be completed in December 2016. Funding for the redevelopment has been secured through Islington Council capital funding, Basic Need Grant funding received from the Department for Education (DfE) and Section 106 developer contributions. This report does not ask for any decisions to be made about the redevelopment work; however it does ask the Executive to note that the construction of the new school building is underway, has been funded and is scheduled for completion by September 2016 when it will have the capacity to take two forms of entry.
- 3.4 Updated school roll projections data suggests that there will be a shortfall in primary school places in planning area 4 from September 2017/18 with a need for additional places. If the expansion of Moreland Primary School is approved and becomes a two form entry school from September 2016 it will meet this initial demand and diminish the impact of further demand in the future.
- 3.5 The school has received positive outcomes from HMI monitoring visits and it is expected that this will be reflected in the forthcoming OfSTED inspection. The school achieved 12.3 percentage points higher in combined reading writing and maths than the national floor target in 2014. The school outperformed Islington and national results in 2013 for combined scores.
- 3.6 The expansion will result in the school's published admissions number increasing from 30 to 45 initially and over the course of the expansion the school's permanent capacity would increase from 210 to 420. The proposed expansion would result in 45 pupils (aged four on 31 August 2016) entering the reception year in September 2016, which they would exceed if the demand were required with 60 pupils entering the school at the beginning of each subsequent academic year, until it reaches its new capacity of 420 pupils in September 2023.
- 3.7 In order to expand the school, a public consultation must be carried out in line with Section 19 (1) of the Education and Inspections Act 2006 and the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013/3110. A public consultation was carried out between Monday 11th May 2015 and Friday 12th June 2015 and the responses are included in Appendix A. Fig.1 sets out the stages of the statutory process for expanding a maintained school

Fig. 1 – The statutory process for making significant changes to schools.¹

Stage 1	Publication	Statutory proposal published – 1 day.
Stage 2	Representation (formal consultation)	Must be 4 weeks, as prescribed in regulations.
Stage 3	Decision	The decision-maker (usually the LA) must decide proposals within 2 months of the end of the representation period or decision defaults to Schools Adjudicator (OSA). Any appeal to the adjudicator must be made within 4 weeks of the decision.
Stage 4	Implementation	No prescribed timescale, but must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker.

Where a local authority carries out a consultation of this nature, it has a statutory duty to consult any body or person which the local authority thinks is appropriate, as well as the local Church of England diocese; or the local Roman Catholic diocese; or the relevant faith group in relation to the school where the proposal involves or is likely to affect a school which has a religious character. As a result we have consulted a wide range of stakeholders, including all other schools in the borough, the local Church of England and Roman Catholic dioceses, other local authorities, parents of children at the school and local residents. A full list of stakeholders and the methodology of the consultation is included in Appendix A.

The consultation was publicised on the council’s website, in the local press, at all entrances to Moreland school and in conspicuous places inside the school. Direct contact was also made with numerous stakeholders (including all those listed in 3.8). Stakeholders and the public were invited to provide supporting comments, objections or any other comments to the council and an online questionnaire was created using survey monkey which allowed residents to submit their feedback online.

The consultation received 7 responses supporting the expansion, 6 of these responses are detailed in Appendix A. A supporting statement from the Chair of the Governing body was received in a separate communication asking for further information on the timing of the expansion which was duly given. As a result of this communication, it was agreed with the Governing body that in 2016/17 the first new form of entry would be half capacity (15 instead of 30 pupils) to help the school adjust gradually to the expanded intake. This will be exceeded if demand requires and a full additional form of 30 pupils will be taken in following years, bringing the published admissions number to 60 pupils. The London Boroughs of Haringey and Camden acknowledged the proposal and had no objections.

4 Implications

4.1 Financial Implications

The funding envelope for running a two form entry school is contained within the Dedicated Schools Grant (DSG). DSG funding is received from the Education Funding Agency on a per pupil basis which will then be passported to the school via the Islington Schools Funding Formula. Schools with two forms of entry are generally more financially viable than one form entry schools due to economies of scale.

4.2 Legal Implications

The council has a duty to provide and maintain sufficient schools for the provision of primary

¹ Statutory Guidance: School Organisation (Maintained Schools), Guidance for proposers and decision makers (January 2014), 9.

education in its area (Education Act 1996, section 14). In the fulfilment of this duty, the council is able to propose changes to maintained schools.

In order to expand the school, as outlined above, the council must carry out a public consultation in line with the Education and Inspections Act 2006 (section 19(1)), the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2013 and the statutory guidance: School Organisation (Maintained Schools), which was issued in January 2014.

There is a right of appeal to the Schools Adjudicator against a decision to make alterations, for the following bodies:

- The local Church of England diocese; and
- The local Roman Catholic diocese.

Any appeal must be made within 4 weeks of the decision being made.

4.3 **Environmental Implications**

There are no additional environmental implications in increasing the roll to two form entry, as the school is being built as a two form entry school.

4.4 **Resident Impact Assessment**

4.4.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

4.4.2 A Resident Impact Assessment was completed on 1st June and the summary is included below.

4.4.3 There are few equality impacts arising from the expansion of the school. It is unlikely to be relevant to advancing equality of opportunity or eliminating discrimination, harassment and victimisation. However, there is the potential for the fostering of good relations between different ethnicities. There is the possibility that increasing the school from one form to two form entry will increase the diversity of the school with more ethnicities being represented and with a more even spread between ethnicities. At present there is a disproportionately high number of Black Somali pupils (18% of the school, in comparison to 7% of the primary school pupil population). It is possible that this proportion will decrease as more pupils are taken by the school; however, it is also possible that this proportion could increase with Black Somali families sending their children to a school where there will be other pupils from the same ethnic background. The RIA has an action for Children's services to monitor the ethnicities of pupils at the school after the school has increased to its new full two-form capacity in 2022, to consider whether any ethnic group is disproportionately represented and if so whether there are any consequences arising from this and whether any action should be taken.

4.4.4 No safeguarding risks or human rights breaches have been identified by the RIA.

4.4.5 Through the extensive consultation on the building development local residents have been very involved in the design of the building to ensure that the additional pupils are accommodated in a suitable environment conducive to an exceptional educational experience. The area around the school is experiencing a high level of housing developments than in other areas of the borough and it is important that local residents will be able to secure a school place near to their homes.

5 Conclusion and reasons for recommendations

- 5.1 The numbers of pupils in the planning area have risen steadily over time and the projections continue this trend. The school has been built as a two form entry school and the management of the school is secure and able to take on the expansion. Without the Moreland Primary School expansion, there will not be enough places for primary school pupils in 2017/18.
- 5.2 The public consultation received support for the proposed expansion.

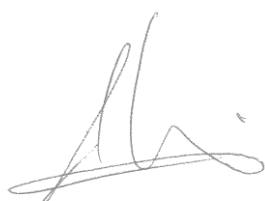
Appendices

Appendix A – Methodology and Responses: Statutory Consultation for the expansion of Moreland Primary School.

Background papers: None.

Final report clearance:

Signed by:



25 June 2015

Executive Member for Children and Families

Date

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Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All

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SUBJECT: Adoption of the Preventing Wasted Housing Supply Supplementary Planning Document

1. Synopsis

- 1.1 The purpose of this report is to inform members of the results of the consultation on the draft Preventing Wasted Housing Supply Supplementary Planning Document (SPD), and to ask the Executive to adopt the final SPD.
- 1.2 The Council issued a discussion paper and questionnaire entitled 'Preventing Wasted Housing Supply', in March 2014. The purpose of this paper was to set out potential measures that the Council could take through the planning system to ensure that new homes built in Islington are available for people to occupy, either through ownership or rent, rather than be bought by investors and left empty, a practice commonly referred to as 'buy-to-leave'.
- 1.3 The discussion paper was prompted by the growing concern that buy-to-leave is occurring in Islington, particularly with apartments in high-density apartment blocks. This means that a proportion of new housing is not contributing to meeting housing need.
- 1.4 The Council produced a draft SPD with firm proposals to ensure that the supply of new housing in Islington is not wasted by buy-to-leave purchasers. The approach in the first draft SPD was informed by the consultation responses to the discussion paper and evidence on viability / financial considerations. Public consultation on the first draft SPD took place from 8 December 2014 to 30 January 2015.
- 1.5 A revised draft SPD was then produced, informed by the responses to the previous consultation, and consultation on this was undertaken from 15 May to 15 June 2015. Both of these consultations were conducted in accordance with the approach indicated in the Statement of Community Involvement. The response to the latest consultation has informed the final version of the SPD to be taken forward for

adoption by the Executive (attached at Appendix 1). Minor revisions have been made to the consultation draft. A full analysis of the responses to all three rounds of public consultation is provided in the Consultation Statement (attached at Appendix 2).

- 1.6 Once adopted, the SPD will be a material consideration in determining any future planning applications to which it applies.

2. Recommendations

- 2.1 To note the results of the public consultations that took place on the draft Preventing Wasted Housing Supply SPD from 8 December 2014 to 30 January 2015 and from 15 May to 15 June 2015 (both of which are summarised in the Consultation Statement attached at Appendix 2).
- 2.2 To adopt the final Preventing Wasted Housing Supply Supplementary Planning Document, attached at Appendix 1.

3. Background

- 3.1 Local Plans must be consistent with the National Planning Policy Framework (NPPF). Specifically, paragraph 47 states that to *“boost significantly the supply of housing, local planning authorities should [...] ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area....”*
- 3.2 The Development Plan in Islington is comprised of the Core Strategy (2011), Development Management Policies (2013), Site Allocations (2013), Finsbury Local Plan (2013) and the London Plan (latest alterations adopted March 2015). Supplementary Planning Documents provide further detail on the implementation of policies in the Development Plan documents and are a material consideration in determining relevant planning applications.
- 3.3 In London, the Mayor’s London Plan sets out the overall housing target for London and how much housing individual boroughs are required to deliver (further details in paras 3.12 and 3.13 below). The Council has and will continue to have challenging targets. This places significant pressure on the Council to accept and deliver a high volume of housing. Although the housing developments to which the SPD will be applied will count towards the borough’s targets for housing delivery, if they are left empty they will not help to fulfil the need behind the targets. Despite being the most densely populated local authority area in the country, Islington has an exceptional housing delivery record, with total completions at 158% of the housing target over the period 2008/09 to 2013/14. Islington continues to be an area with exceptionally high housing demand. The borough also has a robust five-year supply which projects further strong, above-target delivery that demonstrates Islington will continue to make a disproportionately high contribution towards meeting housing need in London in the future. This means that it is vital that none of this new supply is wasted.
- 3.4 In recent years across London, residents and policymakers have been concerned that a significant proportion of new residential development is purchased off-plan by speculative investors. Some of these dwellings are then neither occupied by their owners, nor are they made available in the private rented sector. The motivation of some of these owners could be to take advantage of rising capital values in order to sell on the property after a period of time. Therefore the dwellings do not, in practice, help Islington to meet its objectively assessed need for housing as required by the NPPF.

The SPD sets out evidence that the Council has gathered to estimate rates of vacancy in some recent developments across the borough. The SPD also draws upon independent research which examines patterns of investment in housing across London and provides wider context.

- 3.5 A discussion paper and questionnaire on this topic was released for public consultation between 24 March and 14 April 2014.

- 3.6 The discussion paper attracted a significant response from members of the public, and gained attention from the national media and trade press. In total there were 74 responses, of which 78% were in favour of the principle of the proposals. A full analysis of the consultation responses is provided in the Consultation Statement (attached at Appendix 2).
- 3.7 The discussion paper presented the option that the Council could seek a financial contribution from buy-to-leave purchasers, to be used towards providing replacement housing off-site. This option received strong support from residents who responded to the consultation. However, following exploration of all the issues raised during the initial consultation, it is considered that it would not be the most effective mechanism to ensure that new housing is not wasted, and this option has not been taken forward in the draft SPD.

Purpose of the SPD

- 3.8 The purpose of the SPD is to prevent wasted housing supply. The mechanism for achieving this is to impose a planning obligation on developers and purchasers through a section 106 planning agreement binding on the owner(s) of the dwellings which requires new dwellings to be occupied. This will be applied to all developments that result in 20 or more new dwellings.
- 3.9 The section 106 agreement will oblige the dwelling owner to ensure that the dwelling is used and occupied as a dwelling house and this obligation will include ensuring that it is not left vacant for longer than three consecutive months. The occupancy criteria have been carefully formulated in order not to prevent occupation of a property as a second home.

The section 106 will also impose a requirement on developers to inform purchasers of this obligation. The Council will have the right to investigate suspected breaches of this requirement and to require that owners provide evidence of compliance. The Council will seek to establish whether the dwelling is occupied in line with the criteria set out in the SPD. Where a breach is established, the Council may take enforcement action, including where appropriate applying to the courts for an injunction and/or an order requiring specific action.

Local Plan objectives

- 3.10 Islington's Core Strategy sets out the Council's strategic vision for the borough up to 2025. This includes the approach to important issues such as delivering housing and affordable housing. The 19 objectives include:
- Tackling inequality and exclusion in the borough, and seeking to ensure that local residents share in the prosperity of London.
 - Securing a supply of housing which encourages mixed communities, where the main priority will be maximising provision of social rented housing. Mixed communities include (but are not limited to) different tenures, household sizes and ages (including families, older people and disabled people).
 - Meeting and seeking to exceed the minimum regional targets for housing supply, with new housing contributing to the increased quality of life for residents.

- 3.11 Core Strategy policy CS12, part B includes the provision that "proposed developments which result in the reduction of land supply for conventional housing will be refused." It is considered that the SPD will assist the delivery of this policy objective by ensuring that new housing, once delivered, is not removed from supply.

Housing Need and Delivery

- 3.12 Islington is a very small borough, with no vacant sites to speak of, and a borough which continues to face intense development pressures from different competing land uses. This emphasises the need to protect scarce land for key priority uses such as housing, and also the need to ensure that supply that does come forward is not wasted.
- 3.13 It is worth noting that through the adopted Further Alterations to the London Plan (FALP, March 2015)

the Mayor of London has revised the overall London housing targets upwards, based on up-to-date evidence. The Mayor undertook a Strategic Housing Market Assessment (SHMA, Oct 2013), which found that London will require at least 49,000 and possibly as many as 62,000 more homes per year. The previous target figure for London as a whole (as per the 2011 London Plan) was only 32,000 per year; very significantly below what the up-to-date evidence suggests is needed. In collaboration with the London boroughs, the Mayor has also assessed housing land capacity across London through a Strategic Housing Land Availability Assessment (SHLAA, 2013). The housing capacity identified in the SHLAA came to a total of 42,000 units across London as a whole, leaving a significant gap between the capacity figure and the need figure of 49,000. The Mayor's SHLAA identified the capacity in Islington to deliver 1,264 units per year. This is slightly higher than the previous target of 1,170 from the 2011 London Plan.

- 3.14 In order to address the gap between the identified capacity and the overall need/requirement in London, the London Plan as revised by the FALP (March 2015) includes the figure of 42,000 for London (and within that an annual figure of 1,264 for Islington) as a benchmark, or effectively a starting point, for developing the borough housing targets. The revised London Plan policy directs the boroughs to "draw on" the housing benchmarks in the FALP, and that these should be "augmented where possible with extra housing capacity to close the gap between identified housing need and supply in line with the requirements of the NPPF". Just meeting the borough "benchmark" figure included in the London Plan will not be enough to comply with the London Plan and the national planning policy. Rather, each borough will need to undertake their own assessment of housing need through their local Strategic Housing Market Assessment (SHMA (Islington is currently in the process of preparing such a study) and seek to identify additional sources of housing capacity in order to make effective contribution towards the overall minimum need figure of 49,000 per annum.
- 3.15 Given all the above, it is clear that the Council will need to maximise its housing delivery and ensure that no future housing supply is lost. In the future each London borough will need to demonstrate that they have maximised their contribution towards meeting London's acute housing need and towards closing the gap between the identified 42,000 capacity figure and the minimum need figure of 49,000 discussed above. It is therefore crucial that no housing supply that could contribute to meeting this need is wasted.
- 3.16 Members should be aware that even without the SPD, the dwellings delivered will technically contribute to the borough meeting its housing targets as set out in the London Plan (2015). However these targets are not a goal of their own, but a means to achieve the objective of meeting housing need, which is acute in Islington and across London. The SPD will help to ensure that no new supply is wasted and that housing delivery serves the purpose of meeting housing need.

SPD adoption

- 3.17 The draft SPD has been revised to take account of relevant planning issues raised during various rounds of public consultation. The Executive is asked to consider the comments received during public consultation and adopt the updated SPD.
- 3.18 The SPD measures will begin to be applied to all development schemes of 20 dwellings or over that are received after the adoption of the SPD on 16 July 2015.

4. Implications

Financial implications

- 4.1 The cost of producing the SPD and consultation costs will be met through existing budgets within the Planning and Development division.

Legal Implications

- 4.2 In preparing the SPD (which is a local development document) the Council are required to take into account the matters set out at section 19(2) of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") and the additional matters set out at regulation 10(1) of the Town and Country Planning (Local Planning) (England) Regulations 2012 ("the 2012 Regulations").

- 4.3 Any policies in a SPD must not conflict with the adopted development plan (regulation 8(3) of the 2012 Regulations). The Preventing Wasted Housing Supply Draft SPD has been prepared in accordance with the requirements of the 2004 Act and the 2012 Regulations. In preparing the SPD account should be taken of the advice given in the NPPF, and in particular that given in paragraph 153, that SPDs should be used where they can help applicants make successful applications or aid infrastructure delivery and should not be used to add unnecessarily to financial burdens on development. Account should also be taken of the advice given in the National Planning Practice Guidance, including the advice that SPDs should build upon and provide more detailed advice or guidance on the policies in the Local Plan.
- 4.4 The SPD builds upon and provides more detailed advice to secure the policy objectives set out at Policy CS12 in the Council's Core Strategy, and at paragraph 47 of the NPPF.
- 4.5 The Preventing Wasted Housing Supply SPD was subject to consultation in accordance with the 2012 Regulations. The results of that consultation and a statement setting out how the issues raised by consultees have been addressed, is set out in Appendix 2 to this report. Following consultation and adoption, the SPD will be a material planning consideration in the determination of future planning applications.
- 4.6 Additional legal implications are included in other parts of this report.

Environmental Implications

- 4.7 New development within the borough already requires detailed planning consent and so will have to comply with all policy requirements on sustainability, including, where appropriate submission of a Sustainable Design and Construction Statement, which will include an Energy Assessment.
- 4.8 A Screening Statement to determine the need for a Strategic Environmental Assessment (SEA) for this SPD has been prepared. The screening has concluded that an SEA does not need to be prepared as the SPD does not introduce new policies, but provides guidance on already adopted Local Plan policies that relate to new housing delivery. These policies have been sufficiently appraised in the Sustainability Appraisals of the Local Plan documents adopted by Islington. It is considered that the Preventing Wasted Housing Supply SPD will not result in any additional significant effects to those already identified through the higher level Sustainability Appraisals. The SPD will provide more detailed guidance to ensure that the potential positive effects identified within the Sustainability Appraisals for Islington's Local Plan documents are realised.

Resident Impact Assessment

- 4.9 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.10 The assessment of impacts on equalities is an iterative process and has been considered throughout the development of the SPD, including relevant contextual data where this has been available, for example Census data. The Resident Impact Assessment (RIA) has been revisited at different stages of production to assess changes to the document. The first draft SPD was fully assessed for equalities impacts in November 2014 via an initial RIA. The second draft SPD was assessed in May 2015 via another draft RIA, which has now been finalised following the closure of consultation.
- 4.11 The RIA process has not identified any negative equality impacts for any protected characteristic or any human rights or safeguarding risks. The SPD is intended to help prevent waste of the supply of housing so that new residential development meets identified housing need. Once implemented, rather than having any negative equality impacts, it is therefore likely to be of benefit to existing residents and persons seeking to live in Islington, although no specific advantages are anticipated for any protected characteristic.

- 4.12 As part of the RIA process, officers have considered potential interference with rights protected by the Human Rights Act 1998, including the right to property (Protocol 1, Article 1 to the European Convention on Human Rights). It was found that there was no unjustified interference with human rights.
- 4.13 The European Convention on Human Rights has been transposed into UK legislation in the Human Rights Act 1998. Article 1 of Protocol 1 to the convention protects the rights of every person to peaceful enjoyment of their possessions. It provides:

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties”

- 4.14 The European Court of Human Rights has recognised in the context of Article 1 of Protocol 1 that regard must be had to the fair balance which has to be struck between the competing interests of the individual and of the community as a whole.
- 4.15 Interference with property rights which would arise as a result of the measures set out in the SPD have been considered, and officers have formed the view that such interference with rights, including the control that would be imposed on the use of property, is in the general interest and that a fair balance has been struck. In particular, it is the view of officers that the control imposed is limited, in that it requires housing to be used for the purpose for which it is built whether through owner occupation or by letting, and that the benefit to the public or general interest is great, in that the policy will ensure that housing is used to meet housing needs. Executive are invited to endorse that view by accepting the recommendations set out in this report. The planning system as a whole interferes with property rights but does not contravene Article 1 of Protocol 1. Officers consider that such control on the use of property as will be imposed by the SPD is consistent with the planning system, is in the general interest, and is fully justified and proportionate in order to secure the legitimate aim of ensuring that full and effective use is made of housing in Islington and that housing that is built serves the purpose of meeting housing need.

5. Conclusion and reasons for recommendations

- 5.1 Once adopted, the SPD will be a material consideration in determining planning applications that would result in 20 or more dwellings, across the borough. The public consultation process has enabled local people and other interested parties to engage with and feedback on the draft SPD from an early stage and throughout its production.
- 5.2 The draft SPD has been reviewed and, where necessary, amendments have been made in the light of relevant planning concerns raised during each stage of public consultation. Adoption of the SPD by the Council will provide greater certainty to both the local community and interested parties about the nature of housing development that is likely to be acceptable to the Council as a local planning authority.

Appendices

Appendix 1 – Preventing Wasted Housing Supply SPD

Appendix 2 – Preventing Wasted Housing Supply SPD Consultation Statement

Final report clearance:

Signed by:



Executive Member for Housing and Development Date

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Preventing Wasted Housing Supply

Draft Supplementary Planning
Document

July 2015

1. Introduction

- 1.1. This Supplementary Planning Document (SPD) will address the issue of so called 'Buy to Leave': when individuals or companies buy new residential dwellings for speculative investment purposes only, leaving the home vacant. This has the effect of removing these new dwellings from Islington's housing supply, as they are not available to be occupied.
- 1.2. It is the council's view that a meaningful number of dwellings in new developments are being bought by investors whose intention appears to be to benefit from capital appreciation only and not to seek rental income. They therefore do not let out their property which therefore does not become part of the available housing stock.
- 1.3. This SPD sets out the indicators that suggest Buy to Leave is a problem, along with evidence gathered from independent reports into the phenomenon. Qualitative information and evidence, along with quantitative proxy indicators suggests that intervention in the form of this SPD is both necessary and justified.
- 1.4. Islington is a very small borough, with no significant vacant sites. It is the most densely populated local authority area in the United Kingdom, according to the 2011 Census. It is a borough which continues to face intense development pressures from different competing land uses. It is therefore necessary to protect scarce land for key priority uses such as housing, and to ensure that supply that does come forward is not wasted.
- 1.5. The SPD does not seek to reduce investor demand for housing in Islington. Rather it seeks to ensure that the housing that comes forward will contribute to meeting housing need within the borough.
- 1.6. In March 2014, the council released a Discussion Paper and Questionnaire on this topic. In December 2014 and January 2015, the council consulted on a draft SPD, informed by the responses to the Discussion Paper. The responses to that consultation have been reviewed and taken into consideration in the minor revisions that have been made to this draft SPD.

2. Islington planning policy

- 2.1. Policy CS12 of the Core Strategy sets out how the council will meet the housing challenge, specifically in parts B and C:

Policy CS 12

Meeting the housing challenge

Islington will meet its housing challenge, to provide more high quality, inclusive and affordable homes by:

[...]

- Ensuring Islington has a continuous supply of land for housing by identifying sites in Islington's five, ten and fifteen year **housing supply**. Proposed developments which result in the reduction of land supply for conventional housing will be refused.
- Seeking to meet and exceed the borough **housing target**, which is set by the Mayor of London. The current annual target, which is in the process of being reviewed, requires Islington to build 992 conventional homes, 133 non-self-contained units and to bring 33 vacant homes back into use during the period 2007/8 to 2016/7.

- 2.2. The annual housing targets in the Core Strategy, based on the 2008 London Plan, were superseded by the targets in the adopted 2011 London Plan. These have subsequently been superseded by the targets in the Further Alterations to the London Plan (March 2015). This requires the borough to deliver a minimum of **12,641 homes between 2015 and 2025**, or 1,264 homes per annum.

National planning policy

The National Planning Policy Framework (NPPF) in paragraph 47, states that

47. To boost significantly the supply of housing, local planning authorities should:

use their evidence base to ensure that their Local Plan meets the **full, objectively assessed needs for market and affordable housing in the housing market area**, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the

delivery of the housing strategy over the plan period;

identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;

for market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and

set out their own approach to housing density to reflect local circumstances.

- 2.3. Islington's Local Plan meets the requirements of NPPF paragraph 47 through Core Strategy policy CS12 (February 2011) and the Development Management Policies, Site Allocations and Finsbury Local Plan documents (all June 2013). These four documents together set out how the borough will meet the full, objectively assessed needs for housing through identifying sites and allocating them for housing, and delivering non-allocated sites through the development management process.

3. London Housing Targets and Need for Delivery

- 3.1. Through the Further Alterations to the London Plan (March 2015) the Mayor of London has revised the overall London housing targets upwards, based on up-to-date evidence. The Mayor undertook a Strategic Housing Market Assessment (SHMA, Oct 2013), which found that London will require at least 49,000 and possibly as many as 62,000 more homes per year.
- 3.2. The target figure for London as a whole (as per 2011 London Plan), on which Islington's Core Strategy was based, was only 32,000; very significantly below

what the up-to-date evidence suggests is needed. In collaboration with the London boroughs, the Mayor has also assessed housing land capacity across London through a Strategic Housing Land Availability Assessment (SHLAA, 2013). The housing capacity identified in the SHLAA came to a total of 42,000 units across London as a whole, leaving a significant gap between the capacity figure and the minimum need figure of 49,000. The Mayor's SHLAA identified the capacity in Islington to deliver 1,264 units per year which is now our current minimum target, and is slightly higher than our Core Strategy target.

- 3.3. In order to address the gap between the identified capacity and the overall need/requirement in London, the Further Alterations to the London Plan include the figure of 42,000 for London (and within that an annual figure of 1,264 for Islington) as a benchmark, or effectively a starting point, for developing the borough housing targets. The revised London Plan policy adopted in March 2015 directs the boroughs to “draw on” the housing benchmarks in the FALP, and that these should be “augmented where possible with extra housing capacity to close the gap between identified housing need and supply in line with the requirements of the NPPF”.
- 3.4. Just meeting the borough “benchmark” figure included in the London Plan will not be enough to comply with the London Plan and the national planning policy. Rather, each borough will need to undertake their own assessment of housing need through their local SHMA (Islington is currently in the process of preparing such a study) and seek to identify additional sources of housing capacity in order to make effective contribution towards the overall minimum need figure of 49,000 per annum.
- 3.5. This SPD should be seen in the context of the urgent need for all housing supply to contribute towards meeting Islington's, and London's overall housing need. It is imperative that there is no ‘wasted supply’ caused by newly delivered dwellings not forming part of the pool of housing supply.
- 3.6. Islington has very little land available for development. It is therefore challenging to meet the requirement for Local Plans to meet the full, objectively assessed needs for market and affordable housing. Given the challenging target, it is imperative that **all** new housing supply in Islington contributes towards meeting the objectively assessed need for housing as required by the NPPF, paragraph 47. The SPD will apply across the whole borough. All new residential development in Islington, including areas in the south of the borough which are considered to be ‘prime London’ will meet an element of Islington's and London's needs, but only if they are occupied.

- 3.7. In this context, the Mayor has commented on several occasions that homes should serve their purpose and that this outweighs any role they might have as an investment asset:

“London homes aren’t some kind of asset class. They aren’t just blocks of bullion in the sky. They should either be lived in by their owners or should be rented out to those who need them.” – Speech at Mansion House, quoted in Financial Times, 17th January 2014¹

“What is certainly not acceptable is people who buy homes as assets and keeping them empty as a sort of bank balance in the sky.” – London Evening Standard, 4th June 2014²

- 3.8. In addition, there has been an increasing level of recognition across London that vacancy in the existing housing stock is a problem that must be addressed. The London Plan (March 2015) emphasises the need to make efficient use of the existing housing stock in light of the acute housing needs of full time London residents³. In addition to resisting the use of the housing stock for non-permanent visitor accommodation, the Mayor is also seeking to reduce the levels of long-term empty (meaning they have been empty for more than six months) homes still further, with the London Housing Strategy 2014 setting out that no more than one per cent of homes should remain empty for more than six months⁴. The London-wide Strategic Housing Land Availability Assessment produced by the GLA in 2014 goes further, reducing the target to 0.75 per cent⁵. In Islington, this translates into an allowance for 22 vacant units returned to use within the annual average housing target of 1,264.
- 3.9. At the London level, Mayoral guidance is therefore clear that empty homes are a wasted housing resource.

4. EVIDENCE

- 4.1. A 2014 report⁶ by Moliar consultancy, for the British Property Federation, presented evidence that in developments of over 20 units in London, over **70% of new-build sales in the £1,000 to £1,500 per square foot range**

¹ <http://www.ft.com/cms/s/0/6eef7008-7f83-11e3-94d2-00144feabdc0.html?siteedition=uk#axzz3GmLLq54A> accessed 28 October 2014

² <http://www.standard.co.uk/news/london/boris-johnson-rich-foreign-investors-should-pay-10-times-the-council-tax-9483332.html> accessed 28 October 2014

³ London Plan (Greater London Authority, 2015) policy 3.14

⁴ London Housing Strategy (Greater London Authority, 2014) section 2.8

⁵ Strategic Housing Land Availability Assessment (Greater London Authority, 2014) paragraphs 2.73 – 2.79, pp39-41

⁶ Who buys new homes in London and why? (British Property Federation, 2014) p20

were to investors, and over 50% in the £700 - £1,000 per square foot range, shown in Figure 1 below. These two market sectors are the most common in Islington. Research for the report included interviews with prominent developers and agents in the London residential market, as well as data from Molior’s own database. The Molior report acknowledges that some overseas buyers use their apartments in London as ‘a permanently available hotel suite’⁷.

Figure 1:



4.2. Data from Savills from 2013 in Figure 2⁸ below shows that the proportion of UK buyers goes down as price goes up, suggesting that it is at this level in the market that overseas buyers predominate. The recent significant increases in new build values in the south of Islington may also indicate that a greater proportion of properties are being sold to international purchasers.

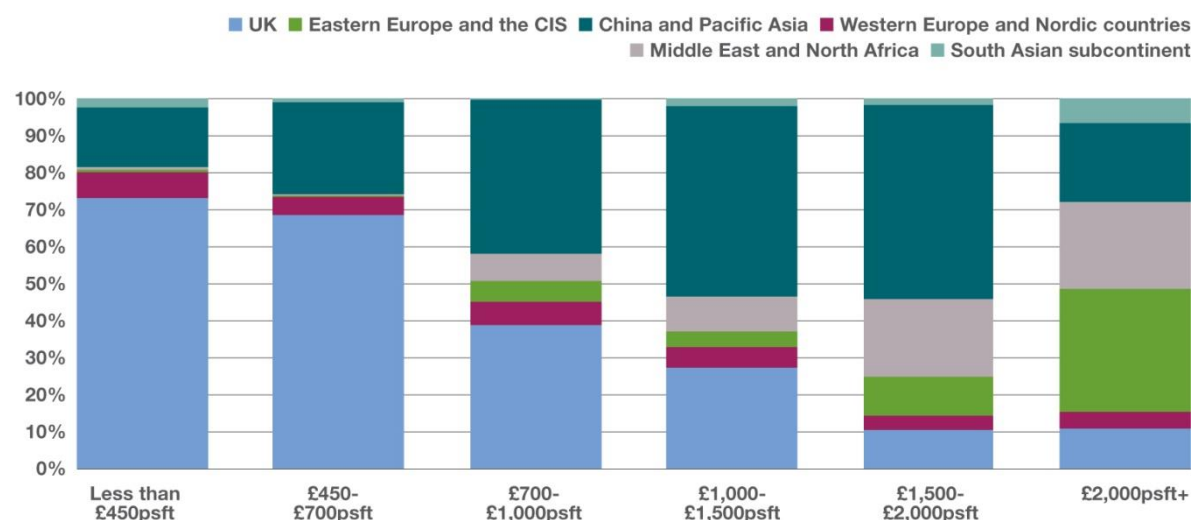
⁷ Ibid, p17

⁸ Spotlight: The World in London (Savills, 2013), p5

Figure 2:

GRAPH 4

New build sales in prime London



Source: Savills Research

4.3. For the avoidance of doubt, the council does not intend to try to limit overseas ownership – this is far beyond the remit of any planning document. Similarly we are not against investor purchasers. Investor purchasers, whether domestic or from overseas, who let out their property on the rental market, are contributing to meeting the need for private rented accommodation – this may have various different consequences for the housing market but this SPD does not intend to deal with them.

4.4. However, where investment purchases pre-dominate, there is a greater chance that an element of this activity will result in ‘wasted supply’ if these investment properties are not occupied by anyone. Where there are overseas purchasers⁹ there is a greater likelihood that properties are being purchased for general ‘investment’ reasons (as by definition they are not being occupied by their owners), further contributing to the potential for ‘Buy to Leave’. The SPD measures are needed to ensure that all new housing meets Islington and London’s needs, and will have no material impact on investment purchasers who intend to participate in the rental sector, regardless of their current country of residence.

4.5. In their July 2012 report *London for Sale?* The Smith Institute found that:

“The implication of investing in overseas property for reasons that may not focus on rental return is that much of this property may be empty for all or

⁹ ‘Overseas purchaser’ is intended to mean anyone who lives permanently outside the United Kingdom.

much of the time. Some will simply be left vacant as investors wait for capital appreciation. Other property will be used as a ‘pied a terre’ empty for much of the year. Anecdotal reports suggest that a high proportion is in fact kept empty. Unfortunately quantitative research remains to be done in this area. It is urgently needed.”

- 4.6. As a report prepared for City of Westminster Council by consultants Ramidus acknowledges, “To fully answer the question of to what extent [residential] units are left vacant would require a large-scale primary data collection exercise and, *even then, it would be difficult to establish the true extent of vacancy without the full cooperation of owners and occupiers*” (emphasis added). Based on viability appraisals submitted during the planning application process and published land registry sales values, the council knows that a high proportion of new build units in Islington are offered for sale or sold at a price between £700 to £1,500 per square foot¹⁰. The Molior data shown in Figure 1 and paragraph 4.1 above indicates that a high proportion of buyers in that price range are investors. Even if a significant proportion will be let to private tenants, if the level of suspected vacancy seen in the developments we have analysed was to be repeated in new developments in the future, there is a risk that a meaningful proportion of Islington’s new housing supply will be left vacant. Savills’ data in Figure 2 shows that at these sales values, overseas buyers are prevalent, further increasing the potential for Buy to Leave activity, subject to the caveats in paragraphs 4.3 and 4.4 above.
- 4.7. There are issues relating to resources and investigative powers for local planning authorities seeking to establish definitively the level of properties being left vacant within the borough. However, there are proxy indicators of vacancy, such as the presence or absence of residents on the electoral roll and census returns.
- 4.8. The electoral roll is not confined to British Citizens as you do not have to be a British citizen to register on the electoral roll. Citizens of the Republic of Ireland, countries in the European Union, Commonwealth and British Overseas Territories living in the UK can register on the electoral roll, as they can vote in some elections. It is considered unlikely that these citizens would opt out of electoral registration, as it is usually a requirement to obtain consumer credit or basic services such as a bank account.

¹⁰ Based on viability evidence submitted to support planning applications and Land Registry data for recorded sales values for flats and maisonettes across the whole borough between September 2012 and September 2014. Values in the south of the borough are significantly higher. Sales values for flats and maisonettes rose by 23.4% year-on-year in September 2014.

4.9. Islington’s Electoral Registration department has provided details of the number of registered electors at a representative sample of developments across the borough completed since 2008, in order to investigate the extent of potential vacancy across these developments via this proxy indicator. The developments that have been examined are located throughout the borough, and have a range of different sizes and proportions of affordable housing. It is clear that some buildings have a low level of non-registration on the electoral roll, reflecting a similarity with the overall stock of housing, old and new, in Islington. Some show a level of non-registration that cannot obviously be explained by factors such as non-eligibility or being registered elsewhere (for example students still registered in their non-term-time location).

4.10. Table 1 shows the overall number of units with nobody on the electoral register, across a range of developments completed since 2008.

Table 1 – Non-registration across whole developments, including market and affordable housing elements

Development	Postcode area	Units	Zero electors	
			Number	Percent
Bezier Apartments, Old Street ¹¹	EC2	188	88	42%
24 Leonard Street	EC2	45	26	58%
1 Lambs Passage	EC1	79	42	53%
12A Islington Green	N1	70	34	49%
Worcester Point	EC1	160	72	43%
1 Gifford Street	N1	154	57	37%
Dance Square	EC1	268	90	33%
Northstand Apartments	N5	213	55	26%
9 Clerkenwell Road/25 Goswell Road	EC1	174	44	25%
Eaststand Apartments	N5	111	23	21%
Weststand Apartments	N5	116	17	15%
Stadium Mews	N5	28	4	14%
Southstand Apartments	N5	254	34	13%

¹¹ Includes affordable housing at postal addresses 7 Leonard Street and 9-15 Leonard Street

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52 Holloway Road	N7	119	9	8%
TOTAL		1,979	595	30%

- 4.11. Table 1 can be compared to the borough as a whole as it includes market and affordable housing. Approximately 40% of Islington’s housing stock as a whole is in the affordable tenure (see more at para 4.12 below).
- 4.12. To get a borough-wide benchmark against which to compare the figures in Table 1, it is possible to use the 2011 Census. The Census investigated the number of dwellings ‘with no usual resident’¹². It showed that across the whole borough, 4.8 per cent of household spaces had no usual resident. This was identical to Inner London as a whole, but lower than Westminster (11 per cent) and City of London (20.7 per cent).
- 4.13. Taking this 4.8% indicator of non-occupation as a benchmark, which would already include dwellings used as second homes or pieds-a-terre, the significant volume of new development in Islington with much higher indication of vacancy, shown in Table 3, again suggests that Buy-to-Leave is a significant issue.
- 4.14. However it is necessary to disaggregate market and affordable housing in order to get a more accurate picture. Affordable housing is occupied by people nominated from the housing list, and therefore void periods are always minimal, and never purposefully extended.
- 4.15. The council has obtained Land Registry title documents for a selection of developments in order to filter out affordable housing dwellings (including shared ownership) and to explore possible reasons why each dwelling could have nobody on the electoral register. The council examined the developments from Table 1 that had the higher levels of non-registration. Table 2 shows the percentage of market units with nobody on the electoral register:

¹² ONS defines this term as: “A household space with no usual residents may still be used by short-term residents, visitors who were present on census night, or a combination of short-term residents and visitors.” Therefore a household space with no usual resident may not have been unoccupied on the day of the 2011 Census, but it is not ‘occupied’ in the sense of having a permanent resident, i.e. occupied in the sense that the SPD is using, that someone’s housing needs may be met by residing at the dwelling.

Table 2: Non-registration in the market sector

Development	Market units	Not registered	Not registered as % of market units
Bezier	127	75	59%
Dance Square	164	76	61%
Worcester Point	106	69	65%
Gifford Street	119	57	48%
1 Lambs Passage	58	41	71%
24 Leonard St	45	26	58%
12A Islington Green	70	34	49%

4.16. The council has sought to explore potential reasons for high level of non-registration on the electoral rolls in the selection of development schemes in question. Table 3 below shows a further filter of the data in Table 2. The ‘unexplained’ category shows the remainder of units with nobody on the electoral register after the following have been removed from the figures, based on data from Council Tax records:

- Students (assessed through council tax exemption, the exemption goes with the individual, not the address, so indicates occupancy).
- Tenant(s) (where the person registered for council tax is a different name to the leaseholder, we have assumed that the individual registered for council tax is a tenant. A possible reason for non-registration could be that the tenant is not eligible on the grounds of nationality to register to vote, although this is not possible to ascertain without primary data direct from the individual).
- Appears to be operated by a serviced apartment company (this may be unlawful use in breach of planning control, which the council will investigate separately).

Table 3: ‘Unexplained’ non-registration in the market sector

Development	Market Units	Unexplained non-Electoral Registration	Unexplained % of market units
Bezier	127	57	45%
Dance Square	164	15	9%
Worcester Point	106	32	33%
Gifford Street	119	10	8.4%
1 Lambs Passage ¹³	58	14	24%
24 Leonard St	45	13	29%
12A Islington Green ¹⁴	70	N/A	N/A

4.17. Table 3 shows that even where the council has made reasonable assumptions about possible explanations for non-registration, some developments have a very high percentage of non-registration, which suggests a meaningful proportion of this element of Islington’s new housing supply is being wasted.

4.18. The council is only concerned with dwellings that may be left unoccupied, regardless of the nationality or residence of the purchaser.

4.19. This SPD does not seek to discourage the supply of new residential development in Islington by dampening investor demand. There is a strong economic argument which indicates that investors are likely to seek to derive an income from property they have acquired and therefore the policy is unlikely to have any material impact on investor demand.

¹³ *Lambs Passage also has 22 units where the council tax registration suggests dwellings are being used as serviced apartments, which could be a breach of planning controls. The council will investigate these separately, but they are also considered to constitute wasted supply, if they are being let on a short-term basis. This means that the true percentage of units at this development that are potentially being wasted is 36, or 62% of the scheme.*

¹⁴ *12A Islington Green appears to be owned on a purely freehold basis, meaning it has not been possible to use leasehold title deeds to filter out possible explanations for non-registration on a consistent basis with the other developments in Table 3.*

5. Viability / Financial Considerations

- 5.1. Islington has the duty as a planning authority to enable sufficient housing delivery in order to meet the objectively assessed need. Paragraph 173 of the NPPF states that plans should be deliverable, and that sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened.
- 5.2. Given that the council is proposing to use non-financial measures to mitigate the impact of buy-to-leave, it is not considered that there will be any viability issues. If the requirements set out in this SPD discourage some “buy to leave purchasers” from buying a new build property in Islington in the future, the impact of such potential reduction on the aggregate demand for new build dwellings is likely to be negligible. The demand for Islington residential development is strong, as evidenced in the significant increase in sales values realised in recent years, with potential purchasers located all over the world. Therefore it is highly unlikely that the SPD would have a downward impact on sales values.
- 5.3. The only theoretical financial disadvantage to purchasers is loss of the small ‘new build premium’ that can come with a new dwelling. The buy-to-leave investment concept, in effect, might artificially preserve this premium for a longer period, by postponing the first occupation of the dwelling. This depreciation after first occupation or use is common across many consumer products, as well as housing. It may be the case that some speculators hoping to take advantage of both the ‘rising tide’ of a significant overall increase in capital value as well as retaining the new build premium are put off by the measures in this SPD. However, all other purchasers who buy new build properties and do occupy or rent them out, accept the loss of new build premium and there is no reason why absent investors should be entitled to retain it. In any case, it is considered that the total negative impact on demand for new dwellings in Islington related to this specific point would be negligible and would not have any downward influence on sales values. It is considered that any potential lost demand will not be material given the significant demand from people who wish to either occupy or rent out dwellings.
- 5.4. In any case, the council has explored the relationship between new-build premium and data on rents achieved in Islington in 2012 and 2013. Research carried out for the council by BPS Surveyors suggests that it is likely that the new-build premium retained by potential buy-to-leave purchasers would be matched by rental income in approximately one year.

6. Implementation

- 6.1. In the informal discussion paper released for consultation in April 2014, the council explored measures to tackle buy-to-leave, including requiring a financial contribution towards providing replacement dwellings, to mitigate the impact of wasted housing supply. The council has chosen not to use this mechanism. The council is concerned that any financial contribution could be factored into the purchase price, and once the contribution was paid, the vacancy would be legitimised, which would not achieve the objective of reducing wasted housing supply. In addition, Islington does not have sufficient land to build ‘replacement’ housing to mitigate against dwellings lost to Buy to Leave vacancy.
- 6.2. The aim of the SPD is to ensure occupancy to avoid wasted housing supply. The council therefore considers that the most effective way to achieve this is by using a section 106 legal agreement, the provisions of which can be enforced through the courts. This is considered to be the most effective mitigation measure against “Buy-to-Leave” that can be achieved through the planning system.
- 6.3. The council is not concerned with the residency, citizenship or primary address of investor purchasers, and the measures in this SPD are not aimed specifically at purchasers from outside the United Kingdom.
- 6.4. The council considers that the optimal approach would be to apply the measures in this SPD to all developments that create one or more new dwellings. However, the council does not consider it practical to implement the provisions of the SPD for all developments that create one or more new dwellings. The practicalities of requiring a section 106 agreement for every application that includes new dwellings would have significant resource implications. It is considered reasonable to apply the SPD to those applications which will cover the majority of the borough’s new housing supply.
- 6.5. Given the above, it is considered necessary to specify a threshold above which the section 106 agreement set out in the SPD will be sought. Sites over 20 units deliver vast majority of housing in the borough. Data included in the 2013 Annual Monitoring Report (published in July 2014) shows that the current housing development pipeline¹⁵ is made up of 375 schemes which

¹⁵ sites with extant planning permission for residential development, some of which are under construction and others have not commenced yet

together will deliver a net total of 4,300 residential units. Only 28 schemes out of 375 are for 20 or more homes, but the total delivery from the 28 schemes is 3,544 units, which is equivalent to 82% of the housing pipeline.

- 6.6. Therefore a 20-unit threshold is considered appropriate as it will be practical to implement, and will cover most of the new residential development envisaged in Islington over the next five years. This 20-unit threshold will be monitored and may be adjusted up or down in subsequent revisions to this SPD or Local Plan revisions.
- 6.7. **The SPD will apply to new residential developments of 20 units and over across the whole borough.**

Implementation through Section 106 agreement

- 6.8. For developments of 20 dwellings or more the council will require a Section 106 agreement to be entered into by the Owner which requires the owners of individual dwellings within the development to use and occupy the individual dwellings as a dwelling house or to ensure such use and occupation. The freehold / head lease owner (as the case may be) of the development will be required to include such an obligation in the lease/sub lease of the individual dwellings and to provide the council with reasonable evidence of compliance with this obligation. The Owner or developer will be required to publicise the details of this obligation in their sales material and ensure that prospective purchasers are aware of the obligation. Unless the context otherwise requires the definition of owner set out in section 336(1) of the Town and Country Planning Act 1990 applies.
- 6.9. Given the acute need for housing delivery in Islington, along with the borough's constrained land capacity, the council considers that the planning obligation contained in this SPD is necessary, reasonable and justified.
- 6.10. The Section 106 agreement will be based around the following indicative heads of terms which may be further adapted in the light of experience in securing the objectives of the SPD:

The obligations set out at paragraphs 6.10.1- 6.10.3 shall apply from the date which is 6 months after the date of first purchase (or practical completion of the dwelling whichever is the later).

- | | |
|---------|--|
| 6.10.1. | <i>Dwellings shall be fully furnished and equipped for use as a home.</i> |
| 6.10.2. | <i>Dwellings shall not be left unoccupied or unused as a dwelling house for any continuous period of 3 consecutive months or more.</i> |

- 6.10.3. *In any period of 3 consecutive months the dwelling shall be occupied for at least 14 days.*
- 6.10.4. *The owner shall provide reasonable evidence of the above on request from the council.*
- 6.10.5. *The freehold owner and/or head leasehold owner shall include the obligations at 6.10.1- 6.10.4 in any lease / sublease of an individual dwelling.*
- 6.10.6. *The freehold owner and/or head leasehold owner shall include details of the obligations in 6.10.1 – 6.10.4 in any sales or marketing material.*
- 6.10.7. *The freehold owner and/ or head leasehold owner shall provide the council on request with such information as it shall reasonably require in respect of the obligations at 6.10.1 – 6.10.6.*

- 6.11. The council proposes to consider the following as evidence of occupation, although each case will be considered on its own merits with the council giving such weight to any evidence submitted as it considers appropriate, and evidence other than that set out below will, so far as relevant, be considered:

- 6.11.1. *Tenancy agreement for more than 3 months together with evidence that the tenants are paying council tax.*
- 6.11.2. *Evidence that persons use the address for registration for health (GP, hospital or similar) education (nursery, primary, secondary or further) social services, church electoral roll or other similar.*
- 6.11.3. *Persons living at the property registered with that address are on the electoral roll.*
- 6.11.4. *Evidence of the consumption of power consistent with the required level of occupation (for example utility bills etc.)*
- 6.11.5. *Records kept by the freehold owner and/or head leasehold owner of the building (for example records kept by the concierge of deliveries to and collections from the dwelling and any other verifiable records.)*
- 6.11.6. *Other verifiable evidence.*

- 6.12. There may be exceptional circumstances where the lack of occupancy in a property for a particular period of time might be acceptable, such as severe damage to a dwelling, and these cases will be assessed on a case by case basis.

Proposed enforcement of the SPD

- 6.13. If the council suspects a breach of the S106 agreement, or if an allegation of a breach is received, it will investigate. The council will seek to establish whether on the balance of probabilities the dwelling is occupied and used as a dwelling house. Evidence that will be considered is outlined above in paragraph 6.11.
- 6.14. If expedient the council will seek to enforce the terms of the S106 including obtaining an injunction to enforce compliance with the terms of the section 106 agreement.

Council's lettings agency

- 6.15. The council has set up a Lettings Agency, which can help with placing tenants in residential accommodation in Islington, should purchasers be unable or unsure how to go about finding a tenant for their property. There will be no requirement to use the council's agency to find tenants, but it will be available if necessary, to ensure that investment purchasers do not experience barriers to ensuring occupation.

7. Consultation and alternative options

- 7.1. As outlined in paragraph 6.1, in the Discussion Paper which was consulted on in Spring 2014, the council considered requiring a financial contribution to offset the impact of wasted housing supply, but this approach has not been taken forward.
- 7.2. Another alternative approach to ensuring housing supply is not wasted through vacancy is to use Empty Dwelling Management Orders (EDMOs). This is a legislative mechanism set out in the Housing Act 2004. The council investigated how it might use the EDMO regime to bring vacant dwellings back to use. It is considered that EDMOs would not be an effective or practicable way to achieve the objective of this SPD.

Consultation Statement

Preventing Wasted Housing Supply Supplementary Planning Document

June 2015



1. Introduction

1.1. This statement sets out details of the consultations that have taken place, and have informed the writing of the Preventing Wasted Housing Supply Supplementary Planning Document (SPD). This consultation statement has been prepared in accordance with Regulation 12(a) of the Town and Country Planning (Local Planning) (England) Regulations 2012.

1.2. This consultation statement sets out:

- The persons the council consulted when preparing the SPD
- Early consultation activity undertaken on developing the SPD through consultation on a Discussion Paper and Questionnaire in March and April 2014
- A summary of the issues raised by the persons consulted during the initial informal consultation stage, and how those issues were addressed in the first draft SPD (pages 41 to 87).
- The formal consultation on the first draft SPD in December 2014 and January 2015, the persons who the council consulted, a summary of the issues raised by those persons, and how those issues were addressed in the second draft SPD (pages 23 to 40);
- The formal consultation on the second draft SPD in May/June 2015, the persons who the council consulted ; and a summary of the issues raised by those persons during the second formal consultation, and how those issues have been addressed in the SPD (pages 3 to 22).

1.3. Where an individual has made a representation in their own name, these responses are recorded anonymously under the label 'resident'. Where a community group, organisation or company has submitted a representation either on their own behalf or through a consultant, the name of the organisation and consultant where applicable has been recorded. Responses have been summarised rather than reproduced verbatim.

1.4. The Preventing Wasted Housing Supply SPD contains statements relating to environmental, social, design and economic objectives which are relevant to the attainment of the development and use of land which the local planning authority wish to encourage during the Core Strategy plan period. The SPD builds upon and provides more detailed advice to secure the policy objectives set out at policy CS12 in the council's Core Strategy (2011), and at paragraph 47 of the NPPF, which requires local planning authorities to ensure that their Local Plans boost significantly the supply of housing and meet the full, objectively assessed needs for market and affordable housing in the housing market area.

1.5. During the preliminary consultation on the Discussion Paper the council consulted around 1,700 individuals and organisations selected from the council's consultation database. During the formal stages of consultation on the two versions of the draft SPD, the council notified every individual and organisation registered on the consultation database, which has a total of over 3,000 entries.(A list of persons and organisations consulted is not attached to this Consultation Statement due to its

volume as well as potential Data Protection restrictions.) During the formal consultation stages public notices were placed in the Islington Gazette and Islington Tribune newspapers and the consultation documents were available on the council's website and paper copies were available in libraries throughout the borough.

- 1.6. The Council is grateful to all individuals and organisations who have taken the time to respond.

2. Summary of consultation on the second draft SPD 15 May to 15 June 2015

- 2.1. This consultation received 21 responses, categorised as follows:

- 11 residents
- 2 developers
- 2 community organisations
- 6 statutory consultees (including the Greater London Authority)

- 2.2. The representations on the second draft SPD and the council's responses are summarised in Table 1 below.

- 2.3. Various residents raised a number of issues which are summarised in the table. The council has fully considered each individual response. However, some of the points raised were very similar, and these have not been repeated, in the interests of producing a concise summary of the consultation. Some points repeated across different responses were not planning matters (i.e. general comments on housing issues in London, use of council tax to discourage vacancy, perceived issues around anti-social behaviour in social housing and other matters unrelated to the content of the SPD) and these have not been directly addressed in the summary.

Table 1 - Summary of consultation responses on second draft SPD 15 May to 15 June 2015

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
Respondent	Summary of representation	Council's Response (how those issues have been addressed in the SPD)
Savills (on behalf of Islington Holdings Ltd)	In accordance with NPPG, SPDs should only be prepared where necessary and as set out in NPPF paragraph 153 should only be used where they can help applicants make successful applications.	The council considers that new housing, if left vacant would not effectively contribute to meeting objectively assessed housing need. To ensure that all housing delivery does contribute to meeting objectively assessed housing, the SPD is considered necessary.
	The proposals are ultra vires as it is not the role of the planning system to seek to control the housing market in this way, particularly as it would be onerous for future investors and freeholder, limiting the pool of future purchasers.	The council would reiterate its response to this from the previous consultation: That the respondent has not provided any evidence or justification for why the SPD would be ultra vires (a legal principle which is something that can only be decided by the courts). It is not considered that the SPD requirements are onerous. It is also not considered that they would have a material impact on the pool of potential purchasers.
	In previous response we raised a number of concerns – the council should seek guidance from mortgage providers on whether the SPD would create onerous lending restrictions.	The council reiterates its response to this from the previous consultation: There is no evidence presented in the response to suggest that mortgage lending would be threatened. It is unlikely that there will be any effect for purchasers who either live in a new dwelling as a primary residence or who rent out the dwelling. Indeed, a Buy to Let mortgage will often require occupation/rental income as

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
		<p>one of the lending conditions. There is also a proportion of purchasers, domestic and overseas, who will not use a mortgage.</p>
	<p>International sales of newly built properties have helped finance 3,000 affordable homes and a further 3,000 market rented homes.</p>	<p>The SPD is not intended to, and is not considered likely to, deter international investment. The council acknowledges that international buyers play a role in the housing market in London. As stated elsewhere, it is not considered that the SPD would result in a fall in demand such that schemes will not come forward, given the relatively small number of schemes that come forward in the borough when measured against the level of demand – arising from within Islington, London, nationally and internationally - for housing in Islington.</p> <p>Given the above, it is considered that overall delivery of housing, including affordable housing, will not be impacted.</p>
	<p>Any measure that could discourage investors could affect the value of the property through reducing demand and the sales rate of disposing of the property. Both of these impacts could have a material impact on scheme viability.</p>	<p>Firstly, the council considers that the SPD will not discourage investment and reduce demand to a degree that would affect sales rates or values. Therefore the council considers that impacts on scheme viability are unlikely.</p> <p>The BPS report focuses on quantifying in monetary terms the pros and cons of keeping a property vacant against renting it out and generating revenue. Within a relatively short space of time it is more financially beneficial to rent</p>

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
		out the property, therefore overall the owner will be better off. Given this, it is unlikely that significant proportion will be dissuaded from buying a property in Islington to the degree that it negatively affects demand.
	SPD measures will cover most of the new residential development envisaged in Islington over the next five years. This may affect the council's ability to boost housing supply in accordance with the NPPF.	The council does not agree that the SPD will affect its ability to boost housing supply in accordance with the NPPF and further the SPD aims to ensure that all of the housing supply which is delivered meets the aims of NPPF paragraph 47. If the SPD is not applied to a significant proportion of new housing, it will have less of a positive effect. If the council does not ensure that homes are used as homes they will not contribute towards meeting housing need. As set out in paragraphs 6.4 to 6.6 of the draft SPD, the council has weighed the desire for the SPD to apply to all new residential development against the practicalities of agreeing a section 106 agreement for every such application and has settled on 20 new units as a sensible threshold.
	Further testing of assumptions on vacancy is needed.	The council considers that the assumptions are sufficient and the sample used is representative and sufficient for this purpose.
	Remain concerned that potential investors, buyers and mortgagees may be encouraged away from the new build market should these obligations be adopted.	The council notes the concern, but does not consider that a significant move away from new-build by investors / buyers / mortgagees is likely. New build developments offer a particular product that is popular with the market

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
		and this is unlikely to change. The only requirements in the SPD are that dwellings are not left unoccupied for more than three months and that they are occupied for 14 days or more during a three month period. This is not onerous for the vast majority of purchasers across the market as a whole.
	SPD does not state how long the proposed obligation is intended to last following completion / occupation.	There is no time limit stated in the SPD on how long the section 106 requirements apply. Provisions exist under the Town and Country Planning Act 1990 to remove or amend planning obligations.
	We do not consider the BPS Report to provide sufficient evidence to demonstrate that the SPD will not have additional and unnecessary financial burden on future purchasers, which is accepted by BPS as the purpose of the report. Further clarification and additional viability testing should be undertaken.	No payment is required by the SPD. Viability on a scheme-by-scheme basis is calculated on a Residual Land Value basis or other similar methodology, and the council considers that it is unlikely that the proposed SPD measures would have a material impact on any of the inputs to this model. The council does not consider that the SPD would lead to reduced development value (one of the key inputs to the viability model) as its requirements as set out in paragraphs 6.8 to 6.14 of the SPD are not onerous. The BPS report seeks to investigate the possible impact on the 'premium' between new build and existing stock and how it might be affected by occupation rather than continued vacancy. The council considers that the evidence in the report is sufficient and robust.

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
	<p>The data used is based on a comparison of overall values only and there is no attempt to consider this data on a bedroom or size the unit basis. We accept this may have been overcome by the exclusive use of postcodes with substantial sample sizes, however we recommend that this exercise should be undertaken to provide a useful sense check.</p>	<p>The council considers that for the purposes that the data used is sufficient for its intended purpose.</p>
	<p>The achieved values of new build sales have been indexed using HPI. The selected rate of increase was chosen as the mid-point between total growth over the period Jan 2012 – Jan 2013 and Jan 2012 – 2014; however HPI does not include only new build developments and a cross check between new build schemes would support the level used.</p>	<p>The council considers that HPI is an adequate measure of general sales values inflation for the purposes of a broad assessment of the relationship between new-build premium and rental income generated.</p>
	<p>In determining the average premium, it would appear that the report compares new build sales (and indexed approximations) to all sales (including new build) achieved in a given postcode in order to arrive at an estimate of the 'new-build premium'. By comparing new build sales to all sales, the premium would be reduced, we consider comparing new build sales to non-new build sales only to be a more accurate measure of a 'new build premium'</p>	<p>The council considers the approach used to be appropriate for this function. It was intended to give an indicative level of potential new build premium to use to compare with potential rental income levels. It is clear that within a relatively short space of time, rental income can compensate for potential loss of new build premium.</p>
	<p>It is unclear whether the new build rental income (from</p>	<p>The data on rents was sourced from Landmark Analytics</p>

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
	2012) is achieved or asking rents.	and is actual achieved rents
	The rental sample includes 18 properties (1x 3 bed; 5 x 2 bed and 12 x 1 bed). There is no indication that this unit mix is indicative of schemes across the borough and therefore may be skewed towards smaller, and therefore cheaper, units.	The sample is representative of the schemes examined for their possible vacancy in the SPD and is intended to reflect this. Recently developed schemes have been skewed towards smaller properties.
	The report then arrives at an average 2012 new build rent of £504 per week based on table 5, and £632 per week for 2013 although no data has been provided for 2013. It is noted that this growth equates to 25.4% which is more than double the rate of increase used for capital values in order to determine the premium.	The rental data is actual achieved rents, therefore any increase, even if it is significant, is a reflection of actual events.
	Based on these figures, the report concludes that the average rental income of £632 per week would offset new build premium in 322 days. However, this is gross income and does not account for void periods, management costs, furniture replacement and administration fees which would be likely to have a considerable impact on the rent achievable and also on an investor's potential to mitigate loss of new build premium.	Significant void periods are unlikely in such a buoyant and competitive rental market. Furniture replacement is also unlikely in the first few years of occupation, and this is also tax-deductible making it even less expensive. Management costs and administration fees are a relatively small expense. In any event, these are accepted costs of letting a property. Whilst it is accepted that the cumulative impact of such costs might extend slightly the period over which the rental income starts to exceed new build premium, it is self-evident that renting out the property would compensate for and exceed any potential loss within a relatively short period.

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
	<p>The calculation of 322 days exclusively relates to ‘the south of the Borough’ where rents are likely to be higher than in some other areas. The report acknowledges that “it will take slightly longer for rental income to exceed the premium” in other parts of the Borough, but no quantitative evidence is given. We consider determining exactly ‘how much longer’ is essential to the aims of the SPD and could have a material impact on the conclusion.</p>	<p>The council disagrees that this is essential to the aims of the SPD, and that it could have a material impact on the conclusion.</p> <p>Further, it is accepted that rents would vary across different development schemes in different locations in the borough, and how quickly rental income would exceed new build premium will be site specific. However, it is clear that it would be financially beneficial to the owner to rent out the property rather than keep it vacant even over the short term across the borough.</p>
	<p>It is therefore our opinion that the potential financial burden on future purchasers has not been fully explored (regardless of whether this is direct or indirect) and further justification for the proposed measures is required in order to comply with the PPG which states that SPD’s “should not add unnecessarily to the financial burdens on development” and we consider the draft SPD to be contrary to this guidance.</p>	<p>The council has responded to the specific points raised above and does not consider the draft SPD to be contrary to the guidance in the PPG.</p>
	<p>This issue is more strategic than the bounds of LBI and should be explored at a London-wide level.</p>	<p>The council reiterates its support for a strategic, London-wide approach to be taken. However, given the borough’s circumstances (housing need, limited amount of land, etc) it is considered necessary to act now in order to ensure that housing granted planning permission now will not be wasted in the future and would be contributing to meeting housing need.</p>

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	<p>Council has not responded to our concerns about the Ramidus report; this report says that forward-selling of schemes particularly (but not exclusively) to overseas buyers has enabled many schemes to begin construction with affordable housing and section 106 obligations.</p>	<p>The council reiterates that it is not seeking to prevent overseas sales at all, or therefore any forward sales to overseas buyers. This has been clarified in the SPD. The council is of the view that the SPD will not prevent overseas buyers from continuing to invest in new development in Islington.</p>
	<p>Ramidus report: The size of Westminster's prime market is such that any measures devised specifically to restrict it could be deemed discriminatory, and not in London's, or the UK's wider interests.</p>	<p>This point relates to Westminster's prime market.</p> <p>In any case, the council disagrees that the SPD is discriminatory. It is clear from the SPD criteria that it will not limit in any way who buys the properties (domestic or foreign purchasers, individuals or companies), for what purpose (occupy or rent) and who eventually occupies them. The only requirement is for the property to be occupied.</p>
	<p>Islington's prime residential market will be similar to Westminster's and given the identified strategic nature of this market the council should address it at a strategic level.</p>	<p>Only part of Islington's housing market is considered to be 'prime'. Our understanding is that the nature of Westminster's "prime market" involves a significant number of properties that are owned by wealthy overseas individuals who use them as second or third homes. Westminster has always had a historic role in serving the 'prime' market due to its place in central London (proximity to the West End, Royal palaces, the Houses of Parliament and other key national and international institutions) and its prestige amongst international and domestic buyers</p>

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
		<p>including some of the world's wealthiest individuals. The Ramidus report outlines the economic benefits to Westminster and London that this can generate.</p> <p>Islington's market is different to Westminster's, since it does not have that same role. Islington currently has and may continue to have properties owned as second homes and the SPD does not seek to prevent this, just to ensure that new homes are occupied.</p> <p>The point about action at a strategic level has been addressed above.</p>
	Negative impact on delivery of affordable housing and market rented housing will far outstrip the number of units that are potentially left vacant.	The council considers that the SPD will not have any significant impact on the delivery of housing, including affordable housing. As the SPD states, in a borough with such acute housing need and limited sites left to develop, it is imperative that all new housing contributes to meeting need and this is what the SPD seeks to ensure.
HTA on behalf of Berkeley Homes	The Draft SPD suggests that the phenomenon of 'Buy to Leave' in recent years has resulted in an increase in empty homes and subsequently wasted stock. Also comments in paragraph 4.14 that 'affordable housing is occupied by people nominated from the housing list, and therefore void periods are always minimal, and never purposefully extended.' Data taken from gov.uk on vacant dwellings contradicts the council's line of	<p>The figures provided on vacant homes in the market and affordable sectors are noted.</p> <p>Given the very large stock of social housing in the borough, it is not surprising at any given point in time some of them will become vacant as part of the churn within the existing social housing stock. However, those vacancies will always be kept to a minimum, given the number of</p>

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	<p>argument – Table 615: “Vacant dwellings by local authority district, from 2004” indicates that the number of empty homes within Islington has fallen as a trend by more than 20%.</p> <p>Islington has around 400 affordable homes vacant, this shows that even with minimal void periods there is still likely to always be a significant number recorded as vacant, be they privately owned, rented or affordable. This realisation demonstrates the difficulties in ensuring 100% occupation at any point in time. 400 vacant homes equal around 1% of affordable stock in Islington.</p> <p>Private sector vacancy rate is 1.6%. The percentage of vacant housing within the overall stock is falling from around 1.8% in 2004 to 1.2% in 2014. Fluctuations occur year on year and must be seen within the broader picture in relation to the growing overall stock</p> <p>The proportion of vacant homes in the borough is declining and represents a less significant figure than the SPD identifies. The measures proposed in the SPD are disproportionate and unnecessary in light of existing trends. ‘Buy to Leave’ appears to have had little effect on the vacant stock within the borough.</p>	<p>people on the housing waiting list competing for tenancies and that social housing providers as landlords have an interest in keeping voids to a minimum.</p> <p>The SPD does not seek to prevent void periods in the new build market housing sector. It aims to deal with dwellings that are deliberately left vacant rather than voids between lettings.</p> <p>The only obligations contained in the SPD are:</p> <ul style="list-style-type: none"> • that a dwelling will be occupied for a minimum of 14 days in a three month period, and • that it will not be vacant for longer than 3 months, unless there are exceptional circumstances, as set out in paragraph 6.12. <p>The council considers that this is proportionate and necessary. The council acknowledges that the new build stock to which the SPD will apply is a small percentage of the overall stock, but this would be true for any new planning measure that could be introduced. It does not remove the necessity of introducing the SPD as outlined above.</p>
	<p>Electoral Commission reported in March 2014 that the</p>	<p>These figures are noted. However the council does not</p>

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	<p>register is '86% accurate.' The report noted:</p> <ul style="list-style-type: none"> • under 35s less likely to be registered • private renters less likely to be registered • voters of white and some Asian ethnicities more likely to be registered than some black, mixed or other ethnicity • citizens of the EU and Commonwealth under-registered • those classified as social group DE less likely to be registered than other groups <p>Islington's population has higher proportion of under-35s than London average (35% against 28%), around a quarter are from BME communities and proportionately high number of private renters. These indicators alone demonstrate the inaccuracy of relying on the electoral register to inform policy guidance.</p>	<p>consider that these observations undermine the evidence that a very high number of new build dwellings in the borough appear to be vacant, even though they have a leaseholder / owner. The council does not consider that the points made in this response explain fully the high levels of vacancy that have been observed.</p> <p>All these demographic characteristics would be represented in the existing stock as well. Given the usually higher rents in new build developments against comparable existing stock, it is unlikely that new build developments would have a disproportionately higher proportion of under-35s as compared with the borough-wide picture.</p>
	<p>The system of individual electoral registration that replaced 'head of household' method means that there are further doubts as to the accuracy of Islington's register. Electoral Commission website records indicate 22.9% of entries could be inaccurate. 20% is the average benchmark across all local authorities.</p>	<p>See above. Any observation about the electoral register would apply to the existing stock as well as new build homes.</p>
	<p>Islington's electorate according to borough publication in June 2015 is 159,277. Using Census data there</p>	<p>See above. In any case the data from the electoral register is not the only basis for the SPD.</p>

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
	<p>should be a 'registerable' population, taking out under-18s, of 174,350. With a discrepancy of 15,000, the Electoral Register does not represent an accurate and up-to-date account of the borough's inhabitants. To rely on such a data set for the basis of emerging policy is again considered unsuitable</p>	
	<p>Paragraph 3.8 of the SPD states that there is "... an increasing level of recognition across London that vacancy in the existing housing stock is a problem that must be addressed." Despite this, the SPD's intervention is aimed at new build properties.</p> <p>Responding to HTA/Berkeley's previous response, the council acknowledged that the borough's demographic profile could influence electoral non-registration but that young people are more likely to live in the older housing stock in shared households. Council argued that if demographic profile was a factor it would be expected to influence non-registration across the whole housing stock including the existing older stock.</p> <p>We disagree with this – it is more likely that older stock would have a legacy of registration of old occupants, even if now inaccurate. New build properties have only had one chance to amass someone on the electoral register and therefore there is a greater chance of non-registration.</p>	<p>The council notes these points, but does not consider that they are material to the overall thrust of the SPD.</p> <p>This point was made to illustrate that vacant homes generally are a problem for London that must be tackled. It is clear that this is an issue from the fact that the Mayor's borough housing targets include a figure for bringing vacant properties back into use. This is aimed at ensuring that all existing housing stock contributes to meeting the need. The SPD seeks to prevent vacancies occurring in new build supply for that same reason – to meet London's acute housing need.</p> <p>The sample of developments schemes which have been assessed has been selected carefully. Very recently completed schemes were excluded in order to avoid skewing the figures if there had not been a sufficient period of time for properties to be occupied and the inhabitants to appear on the electoral register.</p>

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	<p>Occupation restrictions should not be pursued through the planning process. Proposals to not allow properties to fall into vacancy fall under the remit of land law and subsequently are ultra vires in planning terms.</p> <p>Local occupancy conditions in National Parks and other rural areas are an initial condition on who can occupy in a similar way to affordable housing, and there is no further obligation on the occupier until an exchange of ownership or tenancy occurs. They are proportionate, reasonable and necessary as per paragraph 122 of the NPPF in order to make the development acceptable in planning terms.</p>	<p>The council does not agree that the SPD measures fall outside the remit of the planning system. It is considered that the SPD measures comply with the tests for planning obligations.</p>
	<p>NPPG paragraph 1 on Planning Conditions states that conditions should “not be standardised or used to impose broad unnecessary controls.” Further, the Table in paragraph 4 notes that controls should be relevant to planning and “specific controls outside planning legislation may provide an alternative means of managing certain matters” whilst the table later comments that “conditions which place unjustifiable and disproportionate burdens on an applicant will fail the test of reasonableness.” The sixth point in paragraph 5 of the guidance states that “no payment of money or other consideration can be positively required when granting planning permission.” We consider that the</p>	<p>The text from NPPG cited in the response relates to the imposition of planning conditions, not planning obligations. The council is not seeking to implement the SPD proposals through planning conditions.</p>

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	requirement to demonstrate occupancy through the showing of documentation to amount to such a 'positive consideration' and subsequently does not pass the test	
	A further concern arises with the robustness of the policy in that such positive covenants run not 'with the land' (as restrictive covenants do) but between individuals and / or organisations (as decided by the House of Lords in Rhone v Stephens [1994] 2 All ER 65). Subsequently even if such a positive covenant was entered into by agreement with the freeholder, this would cease to exist pursuant to the first sale of the freehold. In other words, if after some months, the land was sold on, the impositions of the SPD (delivered through these mechanisms) would cease to exist.	Section 106(3) of the Town and Country Planning Act 1990 is clear that a planning obligation can run with the land: <i>"Subject to subsection (4) a planning obligation is enforceable by the authority identified in accordance with subsection (9)(d)—</i> <i>(a) against the person entering into the obligation; and</i> <i>(b) against any person deriving title from that person."</i> (Subsection 4, cited above, provides that a planning obligation may cease to apply to a person once he no longer has an interest in the relevant land, which is consistent with the obligation proposed in the SPD.) .
	The provisions set out in paragraphs 6.8 to 6.11 of the SPD are too onerous and would further delay section 106 negotiations. This would ultimately result in a delay to the delivery of new homes.	The Council disagrees that the obligations are onerous. The representation does not say why they are onerous. It is not considered that these provisions will delay section 106 negotiations.
	Developers entering into a section 106 agreement could not control the provisions set out in paragraph 6.10 of the SPD and therefore they should be deleted. This is also the case for the proposed text as set out in paragraph 6.11.	The obligations at 6.10 of the SPD will be required of the different land ownership interests as is appropriate given the nature of their land interest.

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	The proposed text set out in Chapter 6 of the SPD is not and cannot be linked into any Core Strategy or Local Plan policy.	The SPD measures are based on and support the implementation of Core Strategy policy CS12 parts B and C.
Resident	<p>In addition to the Section 106 measures proposed I would like to suggest that both new build and all other properties sold within the borough have a temporary council tax band set at a prohibitive rate that would discourage leaving the dwelling vacant for an unreasonable period. The transitional occupancy rate could increase after a reasonable period has elapsed if evidence of residency is not supplied.</p> <p>Residents are familiar with the need to provide additional proof or evidence for a single occupancy council tax deduction etc. An integrated system might also require all freehold or leasehold owners to supply annual evidence of utility bills as set out in 6.11.4 / 6.11.1. in order to avoid a 'buy to leave - EDMOs' council tax surcharge</p> <p>However the council seeks to act the plans proposed and adopted should ensure that the problem is not simply displaced as investors seek an alternative to newly built homes. If a financial incentive exists as part of the council tax system applicable to all properties it might minimise the financial benefits of vacant use</p>	<p>It is our understanding that currently councils can only charge up to 50% extra council tax for empty properties, and only when they have been empty for two years. This may change in the future but these restrictions are set at the national level. The council cannot charge any higher rate to discourage vacancy.</p> <p>Noted.</p> <p>Noted.</p>

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	prevent other forms of abuse yet be relatively easy to implement.	
Resident	Regret that you have abandoned charging for empty properties. Fingers crossed the alternative works but it looks toothless.	The council considered all relevant planning legislation and national policy, and comments received during initial consultation, and decided that introducing a financial contribution to mitigate the wasted supply from empty homes would not be the most effective way to achieve the aim of the SPD, which is to prevent wasted housing supply. See paragraph 6.1 of the draft SPD.
Harry Weston Co-op	<p>One solution to address the BTL problem would be to make it a condition of planning permission being granted that there must be a statutory time period within which a particular unit must be occupied by a tenant, and for a minimum of 12 months. This should continue for the next 5 years even if the unit is sold on within the 5 yr. period.</p> <p>This however would not solve the problem of there being a paucity of social housing as the rents would be beyond social tenants' means anyway. I am not aware of the conditions of private developers' having to transfer a certain percentage of affordable housing to the council in any one development, but the council could make it a condition that it could purchase them from the developer at cost.</p>	<p>The section 106 planning obligation that the council will seek to agree is similar to this, but on the terms set out in section 6 of the SPD, which the council has carefully considered and formulated.</p> <p>The council acknowledges that the SPD is unlikely to have a significant impact on social rented or affordable housing, but there are other measures to address this outside of this SPD. The council will continue to seek the maximum reasonable amount of social rented housing on-site, as per Core Strategy policy CS12. The council is required to deliver a significant amount of market housing to meet the borough's and London's housing need, and the SPD is aimed at preventing wasted market housing.</p>

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Resident	<p>This is a much needed initiative on many grounds. I very much welcome the Council's move and hope that you will involve other London boroughs to build up support and more practically to reduce costs.</p> <p>Deliberately wasted housing, bought solely to accrue capital, is a social evil and must be fought as such.</p>	Support noted.
Resident	SPD is most justified. Investors in buy to leave should be blocked and a clause of buy to let should be introduced as a matter of form, making it illegal to leave in the by-laws of the area.	Support noted.
Various Residents	General support for the measures proposed	Support noted.
Resident	General opposition to the measures proposed. People have the right to do with their property as they wish. Islington Council and RPs can't manage their own properties themselves.	Comments noted.
Resident	Fully support the SPD, a point might be stressed about the need to maintain a young resident workforce. Monitoring of occupancy may be too lenient in its threshold of allowing 14 days occupation over a 3 month period. This might enable owners to use the property simply as a holiday dwelling rather than a place to occupy. Even second-home owners would use a London base more frequently. I acknowledge however that this might be challenging to monitor.	The council has carefully considered the specific number of days that would count as 'occupancy' and how the SPD measures might be implemented. The SPD is not intended to prevent people from having genuinely regularly used second homes. It is intended to prevent long-term, ongoing vacancy.

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Resident	<p>I am very much against vacant properties whether bought by rich, absent landlords or council property such as in Roman Way near Pentonville prison.</p> <p>I want to register my opposition to both. Affordable housing for ordinary Londoners is so difficult to find and people are having to move away. We need to prioritise housing for our own citizens and selling to rich landlords and leaving properties empty such as the one above is only adding to the problem.</p>	Support and other comments noted.
Highways England, Natural England, Marine Management Organisation, Office of Rail and Road, Health and Safety Executive	No comment.	Noted.
Greater London Authority	No further comments to those provided in December 2014/January 2015 consultation	Noted.

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Upper Street Association	Overall we still believe that London is now and increasingly an international city, with sections of the population globally mobile for a variety of reasons such as jobs, training or family.	Noted.
	Many people in Islington, UK resident or not, have property and connections in other parts of the UK or abroad.	Noted.
	We do not see how the policy in this document benefits anyone. Most of those going away for long periods will want to let their property.	If people who are absent from a dwelling they own long term let the property to tenants, the SPD will not impact them.
	We believe that the policy is not enforceable, even if when only applying to developments of more than 20 units. In our view if enforcement was attempted it could well lead to abnormal behaviour by developers.	The council disagrees that the SPD measures are not enforceable. Paragraphs 6.11 to 6.14 in the SPD set out details of implementation.
	The prescribed period of occupation of a minimum of 14 days in each 3 month period may well be unreasonable in many individual circumstances, and the requirements for evidence of occupation, set out in paras 6.11/6 on page 16, could involve an onerous and questionable invasion of privacy.	The council disagrees that the requirements in the SPD are onerous or an invasion of privacy.
	It is worth saying again that historically, over at least the last ten years, delivery of residential housing in Islington	Noted. The aim of the SPD is to ensure that this excellent delivery of new housing achieves its purpose of meeting

Summary of consultation responses on second draft SPD 15 May to 15 June 2015		
	has exceeded any housing targets set externally	housing need, which is acute in Islington and London. The borough's density and the increased housing targets in the 2015 London Plan mean that it has become increasingly important to prevent wasted supply.
Resident	<p>Various comments about the London property market, the economics of market supply and other economic issues.</p> <p>Regarding section 106 to force owners to have their property occupied rather than just left empty, I suppose the big marketing agents will supply a 'tame tenant' to be the prospective new owner, that person will go onto the electoral roll and be the nominated occupier, or a foreign buyer could send an individual over to the UK to act as a resident caretaker.</p> <p>SPD measures will not affect affordability to buy or rent. SPD measures are a 'nice idea' and very little more.</p>	Comments noted.

3. Summary of consultation on the draft SPD 8 December 2014 to 30 January 2015

- 3.1. This consultation received 29 responses, categorised as follows:
- 15 residents
 - 2 developers
 - 5 community groups
 - 5 statutory consultees (including the Greater London Authority)
 - 1 London borough (Westminster)
 - 1 other (DMA)
- 3.2. The representations on the draft SPD and the council's responses are summarised in Table 2 below.
- 3.3. Note that due to an accidental error, responses from the Islington Society, Amwell Society and City of Westminster were inadvertently omitted from the previous Consultation Statement and the response from English Heritage and Upper Street Association was inadvertently truncated. These errors have been corrected in this Consultation Statement.
- 3.4. Various residents raised a number of issues which are summarised in the table. The council has fully considered each individual response. However, some of the points raised were very similar, and these have not been repeated, in the interests of producing a concise summary of the consultation. Some points repeated across different responses were not planning matters (i.e. general comments on housing issues in London, use of council tax and other issues unrelated to the content of the SPD) and these have not been directly addressed in the summary.

Table 2: Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
Respondent	Summary of representation	Council's Response (how those issues have been addressed in the SPD)
Savills on behalf of Islington Holdings Ltd	Concerned the SPD could undermine housing delivery.	The council rejects this. No reason for developers not to undertake profitable developments, particularly in a borough as dense as Islington which has few sites left to develop.
	NPPG and NPPF paragraph 153: SPDs should only be prepared where necessary and where they can help applicants make successful applications.	The council considers that new housing, if left vacant, is not acceptable in planning terms, and the SPD sets out how applicants can mitigate this in the application process.
	Consider proposals to be ultra vires, not the role of the planning system to control the housing market in this way.	Ultra vires can only be decided on by the courts and the response offers no reasoning for why the SPD could be ultra vires.
	Council hasn't investigated how this could affect mortgage applications, could create onerous lending restrictions.	There is no evidence presented in the response to suggest that mortgage lending would be threatened. The SPD will have no effect for purchasers who either live in a new dwelling as a primary residence or who rent out the dwelling. Indeed, a Buy to Let mortgage will often require occupation/rental income as one of the lending conditions. There is also a proportion of purchasers, domestic and overseas, who will not use a mortgage.

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	International buyers help finance affordable homes.	The council is not against international buyers. The SPD has been revised to further clarify this. The volume of demand necessary to sustain development finance will not be affected by the SPD measures.
	SPD states development pipeline for schemes above 20 units is 3,544 dwellings, 82% of borough's pipeline. Could affect viability of significant proportion of council's pipeline.	The council's pipeline of residential development (schemes already started or consented) was deliberated on in order to assess what percentage of total delivery is derived from schemes over a particular unit threshold. The SPD will not apply to these schemes as they are already consented. The SPD measures will only have a significant positive effect if they are applied to a large proportion of future residential development in the borough.
	Council hasn't demonstrated direct link between overseas investors and buy to leave.	The SPD does not seek to establish a direct link between overseas ownership and buy to leave.
	Further testing of proxy indicators across more developments in the borough necessary to discover true vacancy rate.	The council considers that the sample used is representative and sufficient for this purpose.
	Can't impose the SPD measures retrospectively, only on future consents, so could encourage potential buyers away from new-build market, affecting viability of new developments.	The evidence suggests that buy to leave owners are attracted to off-plan purchases, therefore there is little risk of the problem migrating to the existing stock. The SPD evidence examines a representative sample of developments completed since 2008.
	SPDs should not add unnecessarily to the financial burdens on development.	The SPD does not add to the financial burdens on development. There is no payment required of the

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
		developer. A financial contribution to mitigate the impact of wasted supply was considered during the initial Discussion Paper but this idea was not taken forward in the draft SPD. NPPF paragraph 153 states that SPDs should not be used to add unnecessarily to the financial burdens on development. As stated above, there is no financial burden contained in the SPD. In any case, the measures in the SPD are considered to be necessary to ensure that no housing supply is wasted, given the acute need for all kinds of housing across Islington and London.
	More appropriate to tackle this strategic issue at London-wide level	The council agrees that a London-wide, strategic approach would be desirable, and would be keen to cooperate with any London borough, and/or the Greater London Authority on such an initiative.
	Council should undertake wider research before going through with the SPD, notwithstanding that we consider it to be ultra vires	The council considers that the SPD contains sufficient evidence to justify the measures it proposes.
	Council's evidence base has not been made public during consultation	Noted. Evidence is available on the council's website.
Greater London Authority	Welcome principle of meeting housing need and contributing to meeting London's housing need.	Support noted.
	Council would have to allocate significant resource to enforcement and monitoring, unsure how council	The council considers that sufficient resources are available to effectively implement and enforce the

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
	would practically implement the provisions of the SPD.	measures of the SPD.
	As estimates of vacancy are based on proxy indicators, the actual extent of non-occupation is unknown.	The council acknowledges that proxy indicators have been used to estimate vacancy. It is considered that these indicators are sufficient
	Council should ensure the proposed planning obligations are in accordance with NPPF paragraphs 203-206.	The council considers that the measures do meet the three tests for planning obligations as set out in CIL regulation 122 and NPPF paragraphs 203-206.
HTA Design LLP on behalf of Berkeley Homes North East London	Islington has unique demographic profile making it very difficult to establish true extent of buy to leave. Correlation between age and probability of being registered to vote with younger people less likely to vote. Only 56% of 19-24 year olds on the electoral register compared with 94% of those aged over 65. Young people change address more frequently. Islington has a distinct demographic profile which could contribute to lower incidences of registration due to age, tenure or circumstances.	<p>The demographic profile of Islington could contribute to the lower incidences of electoral registration but it is unlikely to explain the full picture. Islington's demographic profile, if it is a factor, would be expected to influence non-registration across the whole housing stock in Islington , including the existing older housing stock as well as new developments,</p> <p>There is no evidence to suggest that there is a higher concentration of younger people living in the new build, more expensive stock as compared to the overall housing stock. If anything it is likely that there will be a larger concentration of younger people living as shared households in the older, lower quality, cheaper end of the private rented market,</p>

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
		Non-registration is one of the proxies used to estimate vacancy, and a much higher incidence of non-registration in new developments suggests a much higher vacancy than the borough wide vacancy benchmark.
	SPD would unnecessarily impede market activity relating to potentially very minor sector (buy to leave).	The council considers that intervention is appropriate given the acute need for housing in Islington and across London, and the scarcity of land in a borough like Islington. The intervention proposed in the SPD is very limited compared with other planning measures such as occupancy and resale conditions in rural areas and National Parks. The SPD does not intervene with market activity as it does not restrict who can buy or who can occupy new homes, just that the homes which are built are used as homes.
	Unnecessary intervention in economic housing activity, not fully aligned with NPPF, will have little impact on addressing housing supply for those most in need.	The council does not claim that the SPD will help to meet affordable housing need. It will ensure that new delivery does contribute fully to meeting overall need, which will be beneficial. The claim that the SPD is 'not fully aligned' with the NPPF is unsubstantiated. Sustainable development has three dimensions – economic, social and environmental (NPPF paragraph 7). Local Plans and the SPDs that accompany them should be prepared with the objective of contributing to the achievement of sustainable development and should be consistent

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
		with the principles and policies set out in the NPPF (NPPF paragraph 151). The SPD has been prepared in accordance with these requirements. The council is simply seeking to ensure that homes which are built are used as homes.
	Quotes para 4.12 of Islington AMR 2013 on government measures doing nothing to tackle affordability.	The SPD is not an all-or-nothing measure to address housing affordability. It is one of a range of measures and programmes the council is implementing to help tackle the full spectrum of housing needs in Islington and London, which includes market as well as affordable housing, including housing at the top end of the market sector, and the SPD has been revised to make this approach clear.
	Questions use of Molior report, Savills research, is difficult to determine with certainty the true extent of buy to leave (confirmed by Ramidus report for Westminster).	The council does not deny that it is difficult to determine the full extent of Buy to Leave, but the SPD identifies it as a problem, using proxy indicators, and offers a practical measure to help combat it.
	Census measure of no usual resident is low in LBI, lower than Westminster, City, K&C.	This makes the extremely high absence of people on the electoral register in the newer developments examined in the SPD even more unusual.
	Report by 'Homes from Empty Homes' charity, '2012 Empty Homes Statistics' only 1.58% of LBI homes are empty. only 618 are 'long term empty'. LBI is 14 th lowest in England in list from Empty Homes Agency of local authorities with long-term empty homes.	These figures are from 2012 and would not have examined new build schemes in the same way as the SPD evidence. The developments analysed in the SPD would not have previously been considered 'empty' because their vacancy was hidden. The SPD

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
		aims to address this through the s106 obligation.
	<p>Data in the SPD on electoral register is unreliable and does not substantiate contention that buy to leave is widespread. Specifically:</p> <ul style="list-style-type: none"> • Doesn't clarify whether properties are on the market or have not been sold yet. There is a time lag between completion and registration of residents on the electoral roll. • Council hasn't taken account of national statistics on electoral registration in England. Says only 63.3% of people who rent privately are on the electoral register, i.e. 36.4% aren't [sic]. • Only 40.1% of people who have lived up to one year and 76.8% of those over one year but less than two years being on an electoral register. <p>As a result it is consistent with survey evidence from the electoral commission that recently constructed flats in the private rented sector will have a significant percentage not on the electoral register.</p>	<p>The data presented are proxy indicators and the council recognises this. However we consider the data to be sufficient to justify the measures in the SPD.</p> <p>The council does not agree that a time-lag between completion and sales is likely to account for any of the non-occupation of new developments. The developments analysed in the SPD were completed several years ago. Indeed, one recently completed development was excluded from the sample in order to ensure that such a time-lag would not distort the figures.</p> <p>Whilst the council acknowledges that private renters may have a lower electoral registration rate, this would apply equally across the whole of the existing private rented housing stock, not just in new build developments. However the evidence suggests that unusually high rates of non-registration exist in new-build developments.</p> <p>The council disagrees with this conclusion. As above, the figures on low electoral registration rates refer to the private rented sector as whole, not just new build developments.</p>

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	If developer retains freehold is onerous to expect them to monitor occupancy.	The council does not agree that this is an onerous requirement.
	There is a case that SPD measures are unlawful, to use section 106 agreement to control market sale economic activity that has been found to comply with the Local Plan policy to get planning consent.	The council does not agree with the contention that the SPD measures could be unlawful. There are other occasions where the planning system restricts re-sale for example rural occupancy conditions. The SPD does not seek to control market sale, it does not restrict who can buy or who can occupy, as is the case with other planning measures such as occupancy conditions in National Parks, for example, which are considered to be more onerous. The SPD merely seeks to ensure that homes which are built, in a borough with acute need and severe shortage of land, are used as homes. The element of control introduced by the SPD is justified and in the general interest.
	Questionable whether this represents positive planning to support local development.	This is positive planning to support local development in that it will ensure such development contributes to meeting housing need. New housing that does not meet need is not acceptable in planning terms.
	Doesn't meet 'necessary to make development acceptable in planning terms' test for planning obligations.	The council does not agree that the SPD measures would fail any of the CIL Regulation 122 tests.
	Use Class C3 doesn't contain any restriction on occupation.	Use Class C3 can be consented with restrictions, i.e. local occupancy conditions for example in National

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		Parks or other rural areas. The occupancy conditions in the SPD are neither unreasonable nor onerous. They do not restrict who can buy or who can occupy. The criteria have been devised to allow for occupancy as a second home.
	Perceived problem of wasted housing supply affects properties over and above £700psf, ensuring occupation in more of these properties will do nothing to alleviate acute need for affordable housing.	The SPD does not seek to increase the supply of affordable housing; the council aims to do this through other policies. The SPD seeks to ensure that no housing delivery is wasted, and that it meets the full range of market housing need, including need at the top end of the market sector.
Various representations	Support the principle of the SPD.	Support noted.
Various representations	Will be hard to enforce the SPD requirements.	The council considers that sufficient resources are available to effectively implement and enforce the measures of the SPD.
Various representations, DMA	Unfair to penalise people who want to use new homes as a second home, council should encourage foreign investment.	Second homes if occupied to the extent set out in the draft SPD paragraphs 6.10.1 to 6.10.7 will not be affected by the SPD. The tests set out in the SPD were carefully considered and specifically designed so as to not prevent use of property as a second home. The council is not seeking to discourage overseas investment, only to ensure that it does not result in wasted housing supply in an era of acute housing need and affordability pressure.

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		The SPD has been revised to further clarify that the measures are not aimed at preventing overseas ownership nor against investor purchasers, whether they are foreign or domestic buyers.
Various representations, Upper Street Association	2007 DCLG report recommends against Buy to Leave.	The 2007 DCLG report focuses on the apartment market in northern city centres prior to the financial crisis. The circumstances it investigates are entirely different to London over the past several years, in terms of capital values, purchaser motivation and the overall housing market.
Upper Street Association	We understand that such a new policy will only apply to new buildings in a context of development of 20 or more dwellings, and so would apply only as very small proportion of housing in the Borough.	The council has examined the existing pipeline (permitted schemes and developments under construction) to inform the setting of the threshold. This established that over 80% of the pipeline of residential development is made up of sites of 20 dwellings or more. Therefore, the SPD with its 20 unit threshold would apply to a large proportion of new housing in the borough. Planning interventions cannot be applied retrospectively, so the SPD measures could only be applied to new build.
	After some discussion our view is that this is not a particularly useful or enforceable policy. We still believe that the arguments in the DTZ report of 2007 have some relevance, and that this is a problem of varying impact over time and by geography, and we are overall cautious in this area. Islington is one part	See above for responses to 2007 DTZ Report. As regards the nature of the population of the borough, the SPD does not intend to prevent second homes.

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	of a city with an international population, some of whom will own live and work part of the time in other countries.	
	We are also conscious that in the current phase of the property cycle developers may be delaying completing certain building works while expanding the number of sites in hand. In our view it would be useful to have powers to obtain some understanding from developers during the planning process as to date of completion.	<p>This comment appears to be concerned with the issue of “land-banking”, which is a different issue to the one that the SPD is looking to address.</p> <p>The council seeks to establish, as part of its annual development monitoring survey, the likely completion dates of individual sites with planning permission. This is done through contacting developers and agents and can only be an approximation based on the information obtained from developers.</p>
	We are doubtful that this draft SPD would be effective or of use.	Noted. However the council’s view is that the measures in the SPD are necessary and will be effective.
Action with Rural Communities Kent	General support for the SPD principles.	Support noted.
Canonbury Society	Support principle but unsure about enforcement and unintended consequences, overall would suggest revising how the council plans to enforce against breaches of the s106.	The council considers that sufficient resources are available to effectively implement and enforce the measures of the SPD.
English Heritage	English Heritage supports the principle of the Borough’s policy to reduce wasted housing supply	Support noted.

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	with regards to new developments, by ensuring new housing is efficiently used. This is a reasonable area to explore given the intense pressure for housing in London and the difficulty of meeting this need, particularly in historic townscape settings.	
	We also note that under-occupancy of new, and existing, housing can result in a reduction in the vitality of historic areas, and that vibrant neighbourhoods are key to supporting historic community facilities such as public houses, as well as the character of historic town centres.	The SPD can only address new-build housing, but the council agrees with the principle that vacant new and existing housing can detract from the vibrancy of neighbourhoods and town centres.
	The Borough of Islington has an outstanding heritage including numerous Listed Buildings and 40 Conservation Areas, alongside a wealth of un-designated heritage assets. Some of Islington's historic buildings may be candidates for conversion into several residential units or within a site proposed for such redevelopment. We note that this consultation focuses on new development; if sub-division of existing accommodation is considered within this; we would encourage the Borough to consider the impacts of such developments on historic buildings, so that their significance is sustained while continuing to contribute to the Borough's housing supply	<p>The SPD measures would apply to all development of housing that is of 20 units or greater. Therefore in theory if a large historic building was converted into 20 or more dwellings, the measures would apply.</p> <p>Sustaining the significance of historic buildings is a matter that would be addressed as part of the planning process in any case.</p>
Natural England,	Provided a response, with no comment	N/A

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Transport for London, Highways Agency		
Islington Society	The Islington Society supports the Council's initiative to prevent the wastage in housing supply caused by deliberately leaving residences vacant after purchase, colloquially known as " <i>Buy to Leave</i> ". We recognise that there are a number of nebulous financial factors driving this phenomenon and are pleased that the Council is intending to address the problem through the planning system.	Support noted.
	We agree that an alternative proposal to require a financial contribution to help fund replacement dwelling, which would have the undesirable effect of legitimising the vacancy, would not be sufficient to encourage owners to occupy or let the premises. (Sections 6.1 & 7.1).	Support noted.
	It is not clear that the use of obligations agreed under Section 106 of the Town and Country Planning Act 1990 would entirely eliminate the problem, but we agree that it is likely to be the most effective measure for controlling lost residential units in new-build housing developments (Section 6.2).	Support noted.
	We agree that setting the threshold for the application of the SPD at 20 residential units (Section 6.5-6.7) and that setting the start date for the S.106 obligation	Support noted.

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	at 6 months from the relevant date (Section 6.10) is sensible and reasonable.	
	It is not clear from obligation in 6.10.3 (14 days in consecutive 3 months) that this means residency rather than simple short term letting. Unless the Council is satisfied that the tests in Section 6.11 are sufficient to differentiate between short term letting and residency, we believe that obligation 6.10.3 should be strengthened and clarified to identify the 3 consecutive months referred to as part of a longer term lease/let.	<p>The council is concerned about the possibility of a significant proportion of Islington's new and existing housing stock being used as temporary accommodation through websites such as airbnb.com and the impacts on supply of conventional housing, security and amenity that may result. This is particularly the case following 26 May 2015 and the implementation of the provisions of the Deregulation Act that mean this is no longer a material change of use if certain conditions are met, i.e. does not exceed 90 nights in any calendar year. However this is a separate – but linked – issue to Buy to Leave.</p> <p>The council intends to monitor the use of Islington's housing stock as short term lets facilitated through the internet, and will investigate various avenues of intervention where appropriate, within the limits of what is possible under current legislation.</p>
	The Council may wish to consider an obligation under Section 6.10 to use its Lettings Agency (Section 6.15) as the default agency to be used where the owner does not comply with the provisions of the S.106 agreement and enforcement is required (Section 6.14).	This is an interesting point. The council will promote its own letting agency function as a way of assisting owners to find a tenant if this is the tenure chosen by an owner, but cannot require this.

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
	Our fears are: That the SPD applying obligations to new-build projects developers/investors will transfer the problem of 'Buy to Leave' to a portfolio of existing housing stock where, given the wealth accumulating in property values in Islington, there are very many high value premises.	The council considers that it is not likely that the SPD will result in transferring this problem to the existing stock.
	Whether the mechanism envisaged through the planning system will, in fact, work; enforcement requiring an unwilling participant to engage of a third unidentified party (the lessee) seems unlikely to be smooth or straightforward. But we hope that the threat of strong legal sanctions (Section 6.14) will be sufficient to encourage or enforce compliance. Could the Court Action also involve a fine (not a payment in lieu) for non-compliance?	Purchasers will be aware of the obligation from the start, and generally most people do comply with legal obligations in the section 106 agreement that they have taken on. The council will be able to take enforcement action where necessary, which might include applying for an injunction from the court. Non-compliance with an injunction of the court is treated as contempt of court and the court can impose a discretionary penalty – this would be down to the court to impose.
	That the miscreant owners may find imaginative ways around the obligations. We are aware, for instance, from other European and North American experience, of the growing use of 'Air B&B' to transfer seemingly residential flats into the hotel/short term let market.	See comments above regarding short-term letting.
	Finally, we would note, while not detracting from the benefits of preventing wasted housing supply set out	The council recognises that affordability is the most important factor in addressing the problems in

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
	<p>in this SPD, that the essential problem of housing supply is in the affordable housing sector rather than in the high-end residential market, where Buy to Leave is most prevalent.</p>	<p>London's housing market and has other policies which aim to maximise the delivery of affordable housing. Indeed, this is the top priority in the council's Local Plan. However, the council is also required to deliver market housing, to meet the borough's and London-wide housing needs. The SPD is aimed at preventing wasted housing supply in this segment of the market.</p>
Amwell Society	<p>The Society fully supports LBI's ambition to ensure that all property in the borough is occupied. The Mayor's target for new homes is very demanding, and Islington has few sites available for meeting these targets. If a significant number of new homes are deliberately left empty for prolonged periods, then London's housing problems will remain unsolved. The proposal to make regular occupancy the subject of Section 106 agreements for new-build sites of over 20 units seems to be a sensible first step. However, as you are aware:</p>	Support noted.
	<p>It will be many years before a significant proportion of the Borough's homes are subject to the new condition</p> <p>It will do nothing to address the shortage of affordable and social housing in Islington.</p>	<p>The council acknowledges this point but can only apply the SPD measures to future housing delivery.</p> <p>The council recognises that affordability is the most important factor in addressing the problems in London's housing market and has other policies which aim to maximise the delivery of affordable housing. Indeed, this is the top priority in the council's</p>

Summary of responses to consultation on draft SPD 8 December 2014 – 30 January 2015		
		Local Plan. However, the council is also required to deliver market housing, to meet the borough's and London-wide housing needs. The SPD is aimed at preventing wasted housing supply in this segment of the market.
	The upcoming Mount Pleasant development seems to be an ideal candidate for the proposed approach. Is LBI in discussion with the Mayor about including regular occupancy conditions in the Section 106 agreement for this huge development?	The development at Mount Pleasant (Islington planning application reference P2013/1423/FUL) was determined by the Mayor in his capacity to act as planning authority and the decision notice issued in March 2015. As this SPD has not been adopted at this time it could not have been considered in the determination of the Mount Pleasant application.
	Islington Council must keep its own house in order by ensuring that Council-owned properties are not left empty.	Noted. Council owned properties have low vacancy rates, caused only by turnover of residents. Vacancy periods are normally kept to a minimum given the acute housing need and the number of people on the council's waiting list.
City of Westminster	The City Council notes with interest your draft guidance to prevent housing supply being diminished through vacancy.	Noted.

4. Informal consultation on Discussion Paper and Questionnaire 24 March – 14th April 2014

Prior to formal consultation on the draft SPD, the council undertook an informal consultation on a Discussion Paper and Questionnaire, which set out various options for how the council could address its concerns around wasted housing supply, and the evidence it had collected to support the options. The consultation was publicised through the council’s consultation database, on the council’s website and also received substantial attention from the local and national media, including detailed coverage in The Guardian newspaper and BBC Radio 4.

The council invited respondents to provide general comments and/or to answer five questions set at the end of the paper. The council invited responses through email or letter, and also set up an online survey to aid the convenience with which people could respond. The online survey asked exactly the same questions as the Questionnaire at the end of the Discussion Paper.

The Discussion Paper and Questionnaire document, or a web link to it, was sent to over 1,700 individuals and organisations on the council’s consultation database. This includes community groups, development industry representatives and a range of other bodies.

In total, the council received 62 responses to the online survey and 17 other representations via email or letter, including ‘no comment’ responses from some statutory consultees. Some of the respondents who contributed via email or letter also filled in the online survey. The summary of responses below shows the main issues that were raised.

76% of the survey respondents were from local residents. The three responses received via email from development industry interests were more negative. 87% of residents who responded to the online survey supported the general principle of the SPD, and 85% of residents supported using a section 106 agreement to secure occupancy.

Respondents to the online survey classed themselves as:

	Per cent	Number
Resident	72.6%	45
Community/voluntary group	3.2%	2
Developer / agent	3.2%	2
Other business	3.2%	2
Identity left blank	17.7%	11
Total		62

Including the responses via email and letter, the total consultation response can be grouped as follows:

	Per cent	Number
Resident	67.1%	53
Community/voluntary group	2.5%	2
Developer / agent	6.3%	5
Other business	2.5%	2
Statutory consultee	6.3%	5
Member of Parliament	1.3%	1
Identity left blank	13.9%	11
Total		79

(percentages may not add up to 100 due to rounding)

Summary of responses received to information consultation on Discussion paper and questionnaire

Summary of responses Received: via email and letter

Respondent	Comment	Council response
Resident	<p>I am absolutely 100% behind any initiative to prevent foreign speculators buying properties in Islington (or anywhere else for that matter) and leaving them empty while there are still hundreds of thousands of people unable to afford decent homes in London. They should not even be allowed to buy property and rent it out unless there is agreement that rents are capped to roughly comparable levels of social housing, and those properties offered first to those on the housing waiting list.</p> <p>Enough is enough. The housing market in London has become totally out of control and now the only measures that will rein the madness in need to be drastic and long-lasting.</p>	Support noted. Rent controls in the private sector are not currently within the council's legal powers.
Resident	I fully support the use of any measures (incl. section 106s) to stop any form of property speculation in Islington. I would also support any form of enforcement that makes sure that social housing is always at least a 30% part of any commercial developments around	Support noted. Islington's Core Strategy policy is that the maximum reasonable amount of affordable housing must be provided on-site, with a strategic target of achieving at least 50% provision across all new housing in the borough, and a split of

	housing in the borough.	70% social rented and 30% intermediate within this
Resident	I would suggest that the owners of all unoccupied units are heavily fined and after a period are subject to their housing being confiscated. A tax on unoccupied housing will not affect some of the very wealthy owners.	Support noted.
Resident	Thank you for drawing my attention to this document, which addresses thoughtfully an important issue. I support the policy solutions you propose.	Support noted.
Resident	<p>As an Islington resident for the last five years, with an above average income for London and a Master's degree who is unable to buy even an ex-council studio in my Borough, I back the Prevention of Wasted Housing Supply.</p> <p>I am extremely disappointed that schemes are not being adopted in London (such as those available in the USA and most countries worldwide) where residents are given priority to buy properties they want to live in before</p>	<p>Support noted. Local authorities have no power to intervene in the residential property market to the extent suggested. We consider the proposals in this paper to be necessary, proportionate and reasonable in order to ensure new housing supply is not wasted.</p> <p>The council would support further action by the Greater London Authority to address issues of housing need in London.</p>

	<p>investors, let alone foreign investors who leave the property empty.</p> <p>It is very sad that London's government is not doing anything about the housing crisis it is facing.</p>	
<p>Jon Murch (Savills)</p>	<p>Fully support the Council's commitment to addressing the housing needs of the Borough and the wider London housing crisis. We consider however that there are a number of pressing issues associated with the initiative set out in the discussion paper, which could result in undesirable consequences for the Borough.</p> <p>Could delay and detract investment within the Borough as it may restrict the ability of developers to secure finance and funding for new projects.</p> <p>Could compromise the ability of potential homeowners to secure mortgages, which may discourage housing developers from investing</p>	<p>The council is not proposing a financial contribution in the draft SPD.</p> <p>The council does not consider that there will be an impact on our ability to meet housing targets as required in the NPPF as the SPD is unlikely to have any impact on viability.</p> <p>Mortgage-lending policies are outside the council's control. However, it is considered that the measures in the draft SPD are unlikely to affect mortgage lending.</p> <p>The council considers that the measure proposed in the SPD is necessary, reasonable and proportionate. Islington cannot afford to have any of its supply of new</p>

	<p>in the borough.</p> <p>These two issues could compromise viability of developments.</p> <p>Council should seek guidance from a number of recognised mainstream mortgage providers confirming what their position on this initiative would be and if they would require any onerous lending restrictions.</p> <p>Most significant repercussion resulting from these issues could be potential detrimental impact on ability to meet housing targets under paragraph 47 of the NPPF.</p> <p>Implementation and enforcement concerns: Planning obligations must meet CIL regulation 122 tests: necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and impact.</p> <p>National Planning Practice Guidance states</p>	<p>housing wasted by vacancy.</p> <p>The council does not consider that the proposals would cause any viability issues that could discourage development. The council has obtained viability advice from BPS chartered surveyors which suggested that it is unlikely that there will be a negative impact on demand or supply of new housing in Islington.</p> <p>The draft SPD contains precise definition of how the council will assess occupancy.</p>
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	<p>that SPDs should not be used to add unnecessarily to the financial burdens on development.</p> <p>Evidence would therefore be required to fully justify any financial contribution sought under this initiative to ensure it is reasonable and does not add to the financial burden of development projects.</p> <p>If the council can justify the use of the proposed measures, the point at which a dwelling will be considered to have been left unoccupied must be clear and precise. Must also be clear what the responsibility will be of new home owners.</p> <p>Discussion paper does not clearly set out how the initiative would be implemented and enforced and we are therefore unable to comment on how this could work in practice. Reserve the right to make further representations to any further consultations on the subject.</p>	
<p>Hugh Sowerby (DP9 on behalf of client Royal</p>	<p>We note that the underlying purpose of the</p>	<p>The council acknowledges that levels of</p>

<p>Mail Group)</p>	<p>discussion paper is to ensure that all new housing supply in Islington contributes towards meeting the objectively assessed need for housing, as set out at paragraph 47 of the NPPF. Paragraph 47 goes on to say that this should be consistent with all policies included in the NPPF. We question whether such a vacant dwellings policy would be in conformity with the NPPF and as a result robust to challenge at Examination in Public.</p> <p>The Council seeks to estimate vacancy by looking at the number of properties in new build schemes where nobody is registered for council tax and/or nobody is on the electoral register (paragraph 3.9). Notwithstanding what appears to be a somewhat flawed process for establishing vacancy levels, paragraph 3.10 goes on to say that only 3% of all new homes would fall into this category. The Council should consider whether this supposed level of vacancy is sufficient to justify such a specific policy. To look at retail property as a benchmark, a vacancy rate of under 10% is a sign of a healthy centre whereby upwards of 5% is given over as natural ownership churn and refurbishment rather than true vacancy.</p>	<p>vacancy and under-use in the housing stock across the borough can only be estimated, using proxy indicators. To that end, since the Discussion Paper was consulted on, the council has conducted a detailed analysis of the electoral register as well as title deeds from a sample of recent developments in order to gain a better understanding of whether or not Buy to Leave is an issue in Islington.</p> <p>The draft SPD presents these findings, and suggests that there is a meaningful percentage of dwellings with nobody on the electoral roll that cannot be explained by factors such as non-eligibility. The council's view is that if this is repeated in the future, it is likely that a meaningful percentage of new homes would not contribute to meeting any housing need. The measures proposed in the draft SPD are justified.</p> <p>The Mayor has also expressed concern with the sale of large amounts of new housing in London to investors who may not occupy, as set out in the draft SPD, paragraph 3.7.</p>
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	<p>The Council should also be comfortable that the evidence base included within the discussion paper is robust to scrutiny and relevant to the borough as a whole. The analysis assesses Prime Central London (PCL) properties to inform its conclusions and whilst figures for parts of Islington are included, these are either not relevant or of no statistical merit due to the sample sizes they are drawn from. If the Council considers this to be a London-wide concern then perhaps it is more appropriate for the Mayor of London to examine the issue.</p> <p>Notwithstanding the above, we question whether the planning system is the appropriate vehicle for such a policy. The Council should consider whether such a policy would be enforceable or indeed be ultra vires in its application.</p>	
<p>Gerald Eve on behalf of client Berkeley Homes</p>	<p>The Knight Frank research has been used by LBI to potentially demonstrate that a significant proportion of new build units purchased in Prime Central London are by</p>	<p>Even if LBI only makes up a small proportion of Knight Frank's PCL area, that is significant for Islington.</p>

	<p>overseas buyers.</p> <p>LBI have also referred to Housebuilder FITT research which shows that the proportion of UK buyers goes down as price goes up. LBI has stated that this may indicate that a greater proportion of new build properties in the South of Islington are being sold to international purchasers. We note that the following:</p> <p>We have been unable to obtain or verify the source of this research; and LBI has not provided any evidence to support this view. LBI state that the issue from a planning perspective is not overseas ownership but rather new housing supply being left empty. It states that this seems to be particularly associated with overseas buyers. We note that the following:</p> <p>LBI has not provided any evidence to support its assumption that vacant properties are predominately those purchased by overseas buyers.</p>	<p>Housebuilder FITT data has been replaced by data from Savills which supports the same point, see Figure 2 in draft SPD, above paragraph 4.3.</p> <p>As stated in the draft SPD, the council is not against overseas investment. Our only concern is that new housing is occupied and contributes to meeting housing need.</p> <p>The council has examined leasehold title documents and tried to eliminate obvious reasons for non-registration on the Electoral Register. Even allowing for this, there is a high level of possible vacancy which is a strong proxy indicator of wasted housing supply.</p> <p>The draft SPD analyses various factors that have influenced residential development in London and Islington so a report from 2012 is still material to the situation.</p> <p>The council accepts that definitive proof of vacancy could only come from detailed</p>
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	<p>It does not follow that because a property is registered for council tax but has no registered elector it must be vacant. In order to appear on the electoral roll one must be a British citizen or an Irish, qualifying Commonwealth or European Union citizen who is resident in the UK. Therefore, anyone who does not meet these criteria, such as non-commonwealth / EU residents from the Middle East or Russia, will not appear on the electoral register. It does not signify that the property is empty. Therefore, LBI research is flawed.</p> <p>The Smith Institute & Future of London research titled <i>London for Sale?</i> dated July 2012 out of date.</p> <p>There is also a much wider concern that controlling the occupation of an empty home may not lie within the realms of planning law and therefore not an area for the planning system to control by the means suggested in the discussion document.</p>	<p>cooperation from owners and possible occupiers. It is considered that a combination of qualitative research from sources such as industry and think tank reports, together with proxy indicators as set out in the draft SPD is sufficient to justify the measures proposed.</p> <p>The council considers that the SPD does fall within planning's remit and that it is reasonable, proportionate and necessary to achieve the planning policy goal of securing housing delivery to meet objectively assessed need.</p> <p>It is considered that the measures in the draft SPD (particularly since the SPD does not propose a financial contribution where vacancy is demonstrated) are unlikely to have any impacts on viability and therefore it would not conflict with NPPF paragraph 173.</p>
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	<p>LBI state in paragraph 4.7 that “the council considers that the measures explored in its paper will not have any effect on the viability of new developments, as they are focused on ensuring occupancy and are unlikely to affect sales values”.</p> <p>This is contradictory to the research and LBI’s comments in the rest of the Discussion Paper. If it is true that overseas buyers are driving residential values in new build developments then it is logical to assume that any measure designed to restrict the market to domestic buyers or to reduce the attractiveness to overseas purchasers will have suppressing effect on residential values and therefore development viability.</p> <p>This is especially true when one considers the graph on page 10 which shows that overseas purchasers are responsible for the acquisition of between 60% and 90% of properties over £700 psf.</p> <p>Therefore, LBI’s proposals as set out in its Discussion Paper are contrary to the NPPF</p>	
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	<p>paragraph 173 as well as the London Plan policies 3.11 and 3.12.</p> <p>We consider that the evidence base used by LBI to arrive at its proposals is fundamentally flawed and incomplete. There is a clear need for further specific research into both residential vacancy and overseas sales before these proposals can be properly and reasonably assessed.</p> <p>LBI's assertion that its proposals will not have any effect on the viability of new developments is contradictory to the research and LBI's comments in the rest of the Discussion Paper. If it is true that overseas buyers are driving residential values in new build developments then it is logical to assume that any measure designed to restrict the market to domestic buyers or to reduce the attractiveness to overseas purchasers will have a suppressing effect on residential values and therefore overall development viability.</p> <p>LBI's proposals as set out in its Discussion</p>	
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	<p>Paper are contrary to the NPPF paragraph 173 as well as the London Plan policies 3.11 and 3.12.</p> <p>There is also a much wider concern that controlling the occupation of an empty home may not lie within the realms of planning law and therefore not an area for the planning system to seek control by the means suggested.</p>	
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Responses received to consultation questions via online survey

Question 1: Do you agree with the proposed main objective of the proposed SPD / revision to the Planning Obligations SPD - to require that new residential developments which are major applications, to be subject to a section 106 agreement to ensure individual dwellings are regularly occupied in order to avoid wasted housing supply?

	Per cent	Number
Yes	86.7%	52
No	13.3%	8
Comments		23
Answered question		60
Skipped question		2

Respondent(s)	Yes / No	Comments	Council's response

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	Homes not occupied represent a big waste of resources, also empty homes are detrimental to the overall feel and atmosphere of a neighbourhood and bad for local businesses from the corner shop etc.	Comments noted.
Survey	No	The reason for my "no" this is one of enforceability. Most non occupied flats are owned by non UK residents and therefore any other action would have to be taken against a non-resident in a foreign jurisdiction. Even if a fine were levied judgement for non-payment would need to be obtained and if there were no assets other than the property in the UK a charging order over the property would be necessary and then a sale. This would take up huge resources which could be better spent elsewhere. There is also the issue of proving that the property is not regularly occupied, are the Council going to employ private detectives or have their own surveillance team? This could be expensive and raises privacy questions given that it is not illegal to buy a property and not occupy it.	Comments on enforceability noted. Enforcement will be carried out as set out in the draft SPD. Regarding enforcement, the council intends to use proxy indicators like the electoral roll and council tax registration, as well as notifications by third parties such as local residents, to highlight potential vacancy, after which targeted enforcement action could be taken.
Survey	Yes	It will be very difficult for the developer of a unit to ensure that whoever they sell the unit to will occupy it. Is it possible to enforce a Section 106 obligation	The section 106 agreement would be signed by the developer, but would place the responsibility on the purchaser (and subsequent purchasers) to ensure

Respondent(s)	Yes / No	Comments	Council's response
		<p>against the purchasers of the completed units? If so, I do agree that where the owner of a residential property doesn't occupy it, they should pay for this privilege and that this money should then be ring-fenced for the delivery of new homes. I expect that for many of the world's super-rich, they will either just pay the financial penalty, or send a member of staff full time / intermittently to stay in the property, so the measure may not be that effective. However, I do agree that making the point of principle is important. I think the parameters will also need to be very clear. If a genuine resident needs to travel abroad for a few months and is uncomfortable renting their property out, will they be liable? What if someone who owns an empty home is unable to make the payment?</p>	<p>the dwelling is occupied. The council operates its Car Free policy in the same way, with no complications.</p> <p>Occasional vacancy in exceptional circumstances will be treated on its merits.</p>
Survey	Yes	<p>Investment properties: Now that the Royal Mail site on Rosebery Avenue has been sold, Islington Council should press for 50% of the development to be used for social housing. Sadly I know from experience, trying to distribute electoral leaflets in the local area, how few properties are occupied by people who can engage in the democratic process, or to be told by building concierges that few of the properties have occupants ...</p>	<p>Support for Islington's affordable housing policy noted. Islington has a policy of requiring the maximum reasonable amount of affordable housing to be provided on each site, with a strategic target of 50% across the whole borough.</p>

Respondent(s)	Yes / No	Comments	Council's response
Survey	No	You claim that more affordable housing is needed; these properties are not in that class so will have no effect on the supply of such accommodation. This is nothing more than a revenue gathering exercise as are landlord registration schemes.	The proposal responds to the evidence that a meaningful part of Islington's new housing supply potentially does not contribute to meeting its housing needs.
Survey	Yes	Foreign investors also fly backward and forward, which adds to the air pollution which is suffocating us all	Comments noted.
Survey	Yes	But I would like to know how much this will cost to implement and how many extra occupied homes it will generate. From my reading of the discussion paper, there's an average of just over one home per week in this category, since 1 April 2008.	Islington's housing targets are challenging, and the demand for housing in the borough is significant, therefore the council considers that the measures in the draft SPD to prevent new homes from being wasted are justified.
Survey	No	We completely agree that unoccupied homes are of no benefit in addressing the chronic housing shortage in London but we strongly disagree with LBI's proposal to deal with the issue. Investors leaving new build properties empty are not as common as is made out in the media and is usually	The draft SPD does not contain any financial penalty as considered in the Discussion Paper. The evidence set out in the draft SPD suggests that Buy to Leave is potentially occurring in Islington and the council considers that the measures in the draft SPD are necessary, proportionate and reasonable. There

Respondent(s)	Yes / No	Comments	Council's response
		<p>only relevant in very high value areas that would not otherwise be accessible to the financial ability of most Londoners. Our own record is of near 100% rentals being secured where we have sold to investors across London and this is all at capital values below £1,000 per square foot. Any sort of financial penalty for non-occupation of new build properties is certain to have more far reaching implications than I believe are envisaged by LBI. It will clearly deter any kind of investment in homes whether overseas, UK based or in terms of institutional investment in the private rented sector. This is because it introduces a new and potentially significant financial risk to anyone even if they fully intend to rent out their property. There are always void periods in any rental property and more to the point in any future economic downturn there may be extended periods where properties are not occupied even though having a tenant is the full intention of the owner. The charge would kick in at the worst possible time in an economic cycle. This financial risk will prevent investors buying in Islington and therefore will reduce the availability of new rented accommodation in the borough despite evidence of an increasing need for private rented homes. Shutting out a section of the market will lead to development in Islington becoming less attractive and is therefore likely to reduce the number of</p>	<p>will be no likely negative effect on investment, given the level of demand for new homes in Islington.</p>

Respondent(s)	Yes / No	Comments	Council's response
		homes being built so that, rather than having a small proportion (across the entire borough) of unoccupied homes, a greater number of potential new homes are not built in the first place. The main issue of unoccupied homes comes at very high values in excess of £1,000 per square foot. Please don't shut down a well-functioning private rental market at relatively more affordable levels by imposing financial penalties that will put off investors and as a result possibly reduce the total potential housing stock in the borough.	
Survey	Yes	Purchasers of new-build dwellings who are not British Subjects should be required to provide proof of occupancy for at least nine months of every year.	Comments noted. The council does not seek to control who occupies new dwellings, only that they are occupied and contribute towards meeting any kind of housing need.
Survey	Yes	The housing waiting lists are only getting longer and the housing crisis only getting worse so unoccupied dwellings must be avoided by any means necessary. Private investors using housing as a commodity to make profits. Private rents have become unaffordable to most in Islington. Housing should not be left empty when we have so many people without housing living in bed and breakfast or over crowded	Comments noted.

Respondent(s)	Yes / No	Comments	Council's response
		conditions.	
	Yes	Anything that can be done to stop property speculators getting richer while local people have to remain homeless - due to cost - has to be a good thing.	Comments noted.
Survey	No	My experience of such regulations is that councils over-interfere with the life of residents. This is over-regulation; let the market regulate itself.	Comments noted.
Survey	Yes	However, a key problem seems to be that most of these purchases are made by shell companies in offshore jurisdictions, which means that it will be extremely difficult to enforce any rulings in their regard. A requirement either for a deposit with LBI against future potential payments might be regarded as punitive but would at least ensure that there is no additional administrative burden of enforcement. (It is notable that at 1 Hyde Park there is no council tax paid by any of the flats because the cost of chasing the payment is greater than the sum which would be recovered.)	Comments on enforcement noted. The council will take action as set out in the draft SPD. If necessary, the council will pursue a court injunction to force an individual or company who breaks the terms of the agreement. The council can claim back the costs of pursuing court action as part of those proceedings.

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	I do not have a problem with investors, just with the properties lying empty/ Empty houses and flats are a bad thing.	Comments noted.
Survey	Yes	Yes before LBI starts filling up playgrounds with more new high density housing, they should make sure the housing that it already owns and controls are fully occupied.	The council's own stock is fully occupied and the only voids are temporary and due to natural churn or repairs.
Gerald Eve on behalf of client Berkeley Homes	No	No, for the reasons set out in main response.	Noted, see response above.

Question 2, a: Do you agree with Islington Council's intention to request proof of occupancy from owners of properties that are subject to such a section 106 agreement, where it is suspected that a property is left unoccupied?

	Per cent	Number
Yes	85.2%	52
No	14.8%	9

Comments		17
Answered question		61
Skipped question		1

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	In reality it may be difficult to enforce occupation levels and any reasonable powers are okay providing there are appropriate safeguards over privacy and public disclosure	Comments noted.
Survey	No	No for the same reasons as above and what proof is required and what does occupancy mean in these terms?	This is set out in the draft SPD, section 6.
Survey	Yes	Yes – there would be no other way to enforce the obligation without the power to do this, although it is important the resource implications for the Council are understood. I would also be a little bit worried about any suggestion that this just targets foreigners. It would need to be sensitively done. I definitely agree that if you are using property in London simply as an investment, without renting it out or occupying	The measures are not aimed specifically at overseas purchasers, only at investors who 'Buy to Leave' and waste the borough's supply of new housing.

Respondent(s)	Yes / No	Comments	Council's response
		it yourself, then you should pay for this privilege.	
Survey	Yes	See answer to Q1. Bunhill and Clerkenwell took 80% of new development in the London Plan: in Exmouth Market there is a corner building converted into luxury apartments (the footprint replaced the businesses of the local bakery, the shoe repair shop and a small second-hand jewellery/watch repairer) - the apartments are still empty and for sale.	Comments noted.
Survey	No	You already have powers to charge full council tax on unoccupied property so that is all you need to do.	Comments noted. Council tax is not a sufficient deterrent to discourage Buy to Leave.
Survey	Yes	This is a good idea. But investors are devious, so you must be one step ahead of them.	Comments noted.
Survey	Yes	That must be the only way to implement if you do go ahead.	Comments noted.
Survey	Yes	Although concerned this will lead to wasted utilities by property owners attempting to create an illusion of	The council considers that this is unlikely to happen.

Respondent(s)	Yes / No	Comments	Council's response
		occupation.	
Survey	No	There seems little evidence that this is a major issue in the borough, and as interest rates rise, the incentive to fill unoccupied speculative developments will increase. Using a Section 106 this way is a sledgehammer to crack a nut. Better to work to ensure that the Council and local housing associations are refilling their own properties promptly and with people who genuinely have an entitlement.	Comments noted. The council and Registered Providers can only directly control their own stock. Voids in council and Registered Providers' stock are extremely low and only due to natural turnover in tenancies and for repairs. The draft SPD sets out measures that the council considers to be appropriate to ensure that the majority of the supply of new housing, within the private sector, is not wasted.
Survey	No	Councils should not be landlords, they are incompetent, would rather have an absent owner who rents to a good tenant, keeps the property maintained and raises standards.	Comments noted. If an absent owner rents to a tenant they would not be affected by the draft SPD. Voids in council stock are extremely low and only due to natural turnover in tenancies and for repairs.
Survey	Yes	This is a necessary step to enforce the policy.	Comments noted.
Survey	Yes	Absolutely. This must be rigorously enforced.	

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	Too many properties in the south of the borough are unoccupied.	
Survey	Yes	I think properties should be regularly inspected to see if they are occupied has well has proof of occupancy.	The council does not have the powers to inspect existing homes. The council does not have the resources to carry out regular inspections on new homes when the draft SPD may be implemented. As with any breach of planning control the council will take appropriate action where a breach is reported or noticed.
Survey	No	My experience of such regulations is that councils over-interfere with the life of residents. This is over-regulation; let the market regulate itself.	Comments noted.
Survey	Yes	Unless this forms part of the evidence base it is almost certain that there would be a large number of cases in which the property is left empty. However, rather than simply require utility bills - this type of owner might well organise for the heating and lights to be run on timers - there also be scope to seek access to the premises and ascertain whether it is genuinely being inhabited.	The council will investigate any relevant evidence on a case by case basis, but in general utility bills may be a useful element of evidence demonstrating occupancy. Where justified, the council may carry out visits to properties as with any suspected breach of planning controls.

Respondent(s)	Yes / No	Comments	Council's response
Gerald Eve on behalf of client Berkeley Homes	No	No, for the reasons set out in main response.	Noted, see response above.

Question 2, b: Do you agree with Islington Council's intention to require owners of properties which are kept unoccupied to make a financial contribution to the council, which would be used to deliver affordable housing elsewhere in the borough?

	Per cent	Number
Yes	75.0%	45
No	26.7%	16
Comments		25
Answered question		60
Skipped question		2

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	This is an excellent idea, whilst it would require levies amounting to £10m's to make an impact on	The council has noted these comments. The draft SPD does not propose a financial contribution as part of any

Respondent(s)	Yes / No	Comments	Council's response
		the provision of affordable homes, every £500K would help	measure to prevent wasted housing supply.
Survey	No	This would be unenforceable for foreign residents and unfair for those who for no fault of their own cannot occupy their property-they may have it on the market and be unable to sell it they may be trying to let it and not be able to get a tenant, there may be a structural problem. Is this intended to apply to all Islington's housing or just new developments? The former would be unfair as it would be in effect retrospective legislation.	
Survey	Yes	Yes - if you are using a property simply as an investment then you should pay for this privilege, particularly given the amount of money that many investors will make, simply by doing nothing.	
Survey	Yes	Although this should not be a means of allowing the properties to remain empty. My concern would be around re-occupying the existing and new housing, as well as trying to provide affordable. However, if both are not possible, then a financial contribution might at least result in some other housing becoming	

Respondent(s)	Yes / No	Comments	Council's response
		occupied, and at an affordable level.	
Survey	Yes	This will not put off property investors who will be more than able and willing to pay a financial contribution for their future return on investment. 'Development creep' is not the answer either.	
Survey	No	Why should property owners prop up council finances?	
Survey	No	I agree with this policy, but you don't want too many to pay just a small fine and get away with it.	
	No	1) I don't agree with hypothecation of tax 2) There are good reasons for homes to be empty from time to time.	
Survey	No	See question 1 and in addition please consider that nobody will buy a home in LBI if they believe that the financial charge will actually take effect. Therefore it is very unlikely that there will actually be any new	

Respondent(s)	Yes / No	Comments	Council's response
		money for affordable housing. In fact there will just be fewer investors buying in the borough and as a result I believe this will impact on the total delivery of new homes as outlined previously.	
Survey	No	Such compensation would need to high enough to adequately compensate. Furthermore an empty home has an indirect impact of reducing the vibrancy of Islington, trade to shops etc.	
Survey	No	Absolutely not. [This comment then raised questions about the level of residents' involvement in council spending priorities.]	
Survey	Yes	But I would also think other measures such a requiring owners to let unoccupied would be more effective.	
Survey	Yes	Absolutely. Properties shouldn't be allowed to be left empty for more than a minimum period; say 6 months (am still considering suitable time-scale).	

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	The charges should be high enough to make the practice prohibitive.	
Survey	Yes	Property owners should not be able to keep residential properties empty such as on Baltic Street EC1.	
Survey	Yes	It would be better to stop such people owning property in the first place, but this plan is better than nothing	
Survey	Yes	If owners leave properties unoccupied they should be made to make extra payments considering if they have unoccupied property's they claim against their taxes for a reduction and sometimes this is more preferable than to let the property has the price of property never goes down and if they sit on it for a year then sell it on for a very good profit.	
Survey	No	My experience of such regulations is that councils	

Respondent(s)	Yes / No	Comments	Council's response
		over-interfere with the life of residents. This is over-regulation; let the market regulate itself.	
		Not sure - there may be lots of reasons why a property is unoccupied - so it depends how long I think.	
Survey	Yes	Ideally, properties should not be left unoccupied in the first instance. Making a facial contribution to keep the property empty might bring income to the council but it would still leave the property empty.	
Survey	Yes	Absolutely - though preferable if at all possible would be to organise some system of forgetting the ownership of such properties to the council or other registered social landlord. That might cause them to think carefully about whether this would be a suitable purchase in the first place.	
Survey	No	While this would help Islington to provide additional affordable housing within the borough which is always welcomed, I consider that if this was allowed	

Respondent(s)	Yes / No	Comments	Council's response
		then it would simply become a tax foreign investors would be willing to pay to be allowed to have their property sit unoccupied. This could then become the norm across London instead of addressing the issue of empty new homes. Alternatively if developers know such a tax would be attached to any future foreign investor buying one of their properties then they might attempt to front load that cost into the viability of the development. Reducing the viability could end up resulting in less affordable housing etc. in the long run.	
Survey	No	No. They just shouldn't be allowed to be left unoccupied	
Survey	No	I agree on the contribution to the council but not for affordable housing, the borough needs money spent on infrastructure, cleaner streets and any levy should go towards that	
Survey	No	Only after a certain time has elapsed. There are lots of reasons why private property might be empty. Probate. Awaiting building works, etc. These properties should not be penalised owners because	

Respondent(s)	Yes / No	Comments	Council's response
		they are in the process of taking the property to the next stage.	
Gerald Eve on behalf of client Berkeley Homes	No	No, for the reasons set out in main response.	

Question 3: Do you agree that Islington should explore introducing measures related to overseas marketing of new residential development?

	Per cent	Number
Yes	78.3%	47
No	21.7%	13
Comments		20
Answered question		60
Skipped question		2

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	Islington should actively monitor all new developments within the Borough and gain feedback from ALL developers on how properties are being marketed	The council has noted all of the comments received to this question. The draft SPD does not propose any measures to restrict overseas marketing.
Survey	Yes	This needs to be a voluntary not mandatory scheme of developers will not construct new property and the Council cannot afford to. There has to be a balance so the developer will make sufficient profit so an initial marketing for a fixed period in the UK would be an option but this will not stop by to let from UK residents.	
Survey	Yes	I definitely agree that properties should be properly marketed in the UK first and abroad second, although there is an issue with UK purchasers being able to purchase as far in advance off plan because of limits to mortgage offers. They may also not be as willing to given that they actually intend to live in the property so may want to see a show flat etc first.	
Survey	Yes	For reasons given in Q1 and Q2.	

Respondent(s)	Yes / No	Comments	Council's response
Survey	No	Probably find that this is illegal under EU law.	
Survey	Yes	Perhaps you can stop them.	
Survey	No	Very hard to enforce and costly to try. Also more appropriate to do on a London wide basis (at least)	
Survey	No	We are signed up to the London Mayors requirement to market homes in the UK at the same time or before marketing overseas and have no issue with this being formalised by LBI. However it is impossible to control the market in the way that some commentators intend. Overseas investors can travel to the UK and buy in London and at that point they are not easy to distinguish from foreign nationals already resident in the UK. Markets are very fluid and you cannot easily control who buys an asset and where they buy it. I don't think anyone is suggesting that you need a UK passport to buy a home in London and I am sure that is not what Islington intend.	

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	UK properties should not be marketed overseas.	
Survey	No	It is not the council's business to interfere in.	
Survey	Yes	The main problem however is that housing has become driven by market forces, as everything else, basic human needs included.	
Survey	Yes	New residential development should NOT be marketed overseas.	
Survey	Yes	Housing in Islington should not be treated as a commodity at the mercy of the 'free market' but should be developed in a democratic and fair way.	
Survey	Yes	Evidence shows properties round Old Street roundabout are owned by overseas buyers.	

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	New residential developments should be for local residents - not venues for money laundering	
Survey	No	It depends if the overseas buyer are helping to push through the need to build. Would builders build if they just relied on the UK market or does the overseas market push up the prices of property?	
Survey	No	I don't see how such regulations would be enforceable, and would rather the council concentrate its resources on core services than interfering in the housing market.	
Survey	Yes	ideally the properties would be open to local people first	
Survey	Yes	Yes, this would also mean that the developers would need to be more accurate in their representations. It is clear from material we have seen that they are not entirely honest in what they purport to be selling when seeking overseas investment.	

Respondent(s)	Yes / No	Comments	Council's response
Survey	No	Think this will be hard to police and seems a step too far	
Gerald Eve on behalf of client Berkeley Homes	Yes	Yes, in that Islington should be wholly supportive of all development within the Borough, following the grant of planning permission. It should, however, not interfere with the appropriate marketing of buildings, which should be left to the market in accordance with the NPPF.	

Question 4: Can you make any suggestions as to how Islington could use alternative methods, planning or otherwise, to ensure new housing supply is not wasted by vacancy?

	Per cent	Number
Yes	57.4%	31
No	42.6%	23
Comments		35
Answered question		54
Skipped question		8

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	Requirement for all developers to update council on the manner of how each unit is sold, provide contact details for every buyer so that Islington can contact each buyer to ascertain how the residential unit will be used/ occupied. Publication of how developments are occupied (as a total per development broken down into categories of use/ occupation) on the council website. this could be updated annually if cost effective	Comments noted.
Survey	Yes	Have more new housing only available for occupation at a rental i.e. the long lease would be sold to a housing association or charity who would let the property. This would mean investors, who are only interested in capital growth, would not buy.	Comments noted. It is not within the council's legal remit to regulate private market housing in this way.
Survey	Yes	I also think more can be done early in the planning system to ensure that the units being built aren't specifically targeted at buy to leave investors. My experience of working in residential development in Westminster is that the units proposed for most new schemes (particularly in Mayfair) are designed so as to be specifically targeted at the super-rich. In	Comments noted.

Respondent(s)	Yes / No	Comments	Council's response
		particularly, they are extremely large and with facilities that would price all but the most wealthy out of buying them. It is clear before they even get to the point of being marketed that they are going to do little to meet housing need.	
Survey	Yes	Raise the council tax for unoccupied properties to a level that it would be unsustainable to do so (not just double, for example). There is a housing crisis going on and it's obscene this is happening.	Comments noted.
Survey	Yes	Other European countries have introduced local council legislation (to combat the buying of local property as holiday homes instead of for full-time occupancy). Rather than re-invent the wheel, could the Council research the possibility of using similar legislation. Islington Council needs to press the case for social housing in new developments, and mean it. (Now that the Royal Mail sorting office site has been sold off below market value and at a loss to the taxpayer, how are we still fighting for 50% of any future development to be made available for social housing? (Islington Council seems impotent in the face of big money and the Mayor.)	Comments noted. Local planning authorities do not have the authority to introduce legislation. The council always seeks the maximum reasonable amount of affordable housing according to its development plan and national planning policy.

Respondent(s)	Yes / No	Comments	Council's response
Survey	No	It is of no consequence whether a property is occupied or not. Charge full council tax, council should not have sold off its social housing stock.	Comments noted.
Survey	Yes	Through the electoral register	Comments noted.
Survey	Yes	As I understand it, the proposals affect only new-builds. It would be worth considering how similar measures against existing, empty properties might be imposed.	Measures through the planning system can only address new developments through the planning application process.
	Yes	Build more council houses	Islington has an ambitious new build programme.
Survey	No	I do not believe that you can control the market without unintended consequences. I suggest LBI look at London wide statistics for new build homes being left empty at prices that are affordable to most Londoners and I believe they will see a very different picture to that painted by the few high value developments selected for this discussion paper.	Comments noted.

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	Make sure properties are designed for people to live in, and reduce the planning incentives for developments with heavily commoditised units that Buy to Leave buyers might favour.	Comments noted.
Survey	Yes	Use compulsory purchase powers to take it over: we have a housing emergency!	The council does not have the resources to pursue compulsory purchase on a large scale.
Survey	Yes	It is surely not a good use of Council time to insist that private owners fill their properties speedily - they could perfectly well move in a parent or brother and say the property was full. It is surely more sensible to use scarce Council resources to ensure that its own stock of housing is optimally used. How vigorously are tenants who could afford to purchase encouraged to do so?	Comments noted. As long as new dwellings are being occupied by somebody they are not being wasted.
Survey	No	You need to stay out of it. What you are trying to do is discriminatory and unethical.	Comments noted.

Respondent(s)	Yes / No	Comments	Council's response
Survey	No	Let the market determine the right level for house prices and rents and make use of it, instead of trying to distort it. For the price of housing one family in parts of London you could house 5 to 10 (even more) families in other parts of the country. Do that while getting new developments in London to contribute to new housing in cheaper parts of the country.	The council is required by national planning policy to meet its own objectively assessed need for market and affordable housing within its own boundaries. The draft SPD aims to help meet this objective.
Survey	Yes	Punitively high taxes on unoccupied properties (e.g. massively increased council taxes) Taxes/levies on buyers who are not resident in the EU who wish to buy properties in the borough, or simply blocking applications from non-EU prospective buyers (as people who are resident outside the UK will be far less likely to consistently occupy a property in the UK) Blocking or heavily taxing attempts to purchase houses via companies rather than individuals Making it a condition for development that new houses must first be offered for sale to people who can prove they have been resident in the borough/London for a certain period of time (e.g. 3 years +) prior to offering them for sale to those who have not	Comments noted. The council does not have tax raising powers.

Respondent(s)	Yes / No	Comments	Council's response
Survey	Yes	Developers working closer with Local Planning to ensure social housing on-site or provision of funds for council housing/key worker housing in the borough is provided as part of any new residential development.	Comments noted. The council will continue to work to secure the maximum reasonable amount of affordable housing provided in new developments according to its own development plan and national planning policy.
Survey	Yes	Reduced council tax if empty property is let for social housing.	This is not within the council's remit.
Survey	Yes	You could require leases (via section 106) to oblige owners to not leave properties vacant for longer than a certain period otherwise they face forfeiture of the lease. If the property is purchased as a second home then there could be a requirement to be occupied for a set number of months (say three) each year.	The draft SPD proposes using a section 106 agreement to ensure occupancy. The council does not have the power to compel 'forfeiture' of leases, but will pursue a court injunction to make occupiers comply with the legal agreement.
Survey	Yes	At least 50% new supply should be genuine social housing, i.e. council-owned. Property must not be left vacant for more than 6 months - this should be a contractual condition. Land-value tax should be introduced on all new housing supply. This will take central government legislation, of course, but this is something Labour-controlled Islington should be	Comments noted. The council will continue to seek the maximum reasonable amount of affordable housing on each new site. Issues such as land value tax are outside the council's powers.

Respondent(s)	Yes / No	Comments	Council's response
		pressing national Labour to include in General Election Manifesto. Council tax (CT) on empty homes should be 10x standard rate. CT is obscenely regressive, so 10x is not excessive on Islington's bloated property prices.	
Survey	Yes	Require more affordable housing when planning permission is provided. Build more council houses. Fight every large private development tooth and nail to maximise social housing totals and ensure buildings are not a blight to existing residents. Lobby government to place legal curbs on investors buying property for other purposes than immediately providing homes. Use planning rules to make proposed housing abide by best practice rules in terms of space, noise insulation, and public space, providing local amenities and sustainable environmental building methods in order to attract developers of the best kind.	The council will continue to seek the maximum reasonable amount of affordable housing on each new site. The council already requires space and design standards according to its own development plan.
Survey	Yes	A clause could be introduced to allow unoccupied property to housing associations or other social housing groups.	Comments noted. The council cannot re-possess privately owned dwellings and use them for social housing. However the council will be operating its own Lettings

Respondent(s)	Yes / No	Comments	Council's response
			Agency which can help landlords find tenants for empty properties.
Survey	Yes	It is not clear whether under current legislation it would be feasible but a simple step which would significantly simplify locating the owners of the properties would be to require either that all purchases are made in the name of an individual.	Restricting a non-individual (i.e. a company) from purchasing residential property is not within the council's legal powers.
Survey	Yes	Most of the countries from which the bulk of foreign investment in London originates have their own national policy or laws to deal with the issue. While I agree completely that something should be done and will be watching very closely as this develops, I feel it needs to be at a national or legal level or it would simply be challenged if a developers has their application refused due to not signing up to a s106 with this clause in it.	If a developer refuses to sign the section 106 agreement proposed in the draft SPD the council will have grounds to refuse planning permission. The application would then be determined by an independent Planning Inspector appointed by government.
Gerald Eve on behalf of client Berkeley Homes	No	Any methods, "planning" or otherwise, that Islington may seek to employ would, in our opinion be contrary to current planning legislation and guidance and the efficient working of the market and it would ultimately have a detrimental effect upon the viability	Comments noted.

Respondent(s)	Yes / No	Comments	Council's response
		of schemes and the delivery of housing, both private and affordable.	



Report of: **Executive Member for Housing and Development**

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All

Delete as appropriate		Non-exempt
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SUBJECT: Approval of draft North London Waste Plan for consultation and of revised Memorandum of Understanding

1. Synopsis

- 1.1 Seven North London Boroughs ('the Boroughs') have prepared a draft North London Waste Plan (NLWP) on which they are required to consult. The draft NLWP is attached at Appendix 1.
- 1.2 At the same time the Boroughs have revised the Memorandum of Understanding (MoU) which establishes the governance arrangements for joint working. The revised MoU is attached at Appendix 2.
- 1.3 As part of discharging their duty to cooperate introduced by the Localism Act 2011 the Boroughs are also proposing to enter into an MoU (attached at Appendix 3) with the London Legacy Development Corporation (LLDC).
- 1.4 In addition, the Boroughs are engaging and co-operating with other planning authorities in the country which receive significant quantities of waste from North London, and expect to draw up various MoU's with them under the duty to cooperate as plan preparation progresses.
- 1.5 The NLWP will provide a planning framework for decisions on the management of waste in North London up to 2032. It will form part of the Local Plan and be a Development Plan Document. The draft plan has been prepared under Regulation 18 of the 2012 Town Planning Regulations following a launch consultation carried out in 2013, and after holding a series of focus groups with key stakeholders in 2014.
- 1.6 The draft NLWP is underpinned by a strategy of achieving net self-sufficiency in waste management coupled with maximised recycling to achieve the recycling targets set out in the London Plan 2015.
- 1.7 The draft NLWP considers the amount of waste that will need to be managed in the Boroughs up to 2032. It identifies a capacity gap in waste management facilities of 12 hectares by 2032 and identifies 3 specific 'sites' in Barnet, Enfield and Hackney (See paragraph 3.25), and 28 industrial 'areas' considered to be generally suitable for waste management uses, to meet that capacity gap. These

'areas' are in Barnet, Enfield, Hackney, Haringey and Waltham Forest.

- 1.8 The draft NLWP is programmed to go out to public consultation for a period of approximately nine weeks commencing in late July/early August 2015.

2. Recommendations

- 2.1 To approve the draft NLWP for public consultation, subject to the Corporate Director of Environment and Regeneration making further minor changes in conjunction with the partner boroughs.
- 2.2 To approve, and delegate authority to the Corporate Director of Environment and Regeneration to enter into, the updated MoU with the North London partner boroughs involved in the preparation of the NLWP (Barnet, Camden, Enfield, Hackney, Haringey and Waltham Forest); and to delegate authority to the Corporate Director of Environment and Regeneration to agree to any subsequent changes to the MoU.
- 2.3 To approve, and delegate authority to the Corporate Director of Environment and Regeneration to enter into, the LLDC MoU with the London Legacy Development Corporation; and to delegate authority to the Corporate Director of Environment and Regeneration to agree to any subsequent changes to the MoU.
- 2.4 To delegate authority to the Corporate Director of Environment and Regeneration to approve and enter into MoU's with other planning authorities as they are drawn up as part of discharging the duty to cooperate throughout the remainder of plan preparation.

3. Background

- 3.1 The seven North London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest ('the Boroughs') are working together to produce the North London Waste Plan (NLWP). It is a Development Plan Document that will form part of the suite of documents that make up the Local Plan for each of the North London boroughs.
- 3.2 The NLWP will set out the planning framework for the management of North London's waste up to 2032. The purpose of the plan is to ensure there will be adequate provision of waste management facilities of the right type, in the right place and at the right time up to 2032 to manage this waste. It will set out the waste management needs of North London and demonstrate how these needs will be met during the plan period. It will identify suitable sites and areas for waste management facilities and include development management policies against which planning applications for waste development will be determined.
- 3.3 The Boroughs are required to draw up such a plan by the EU Waste Framework Directive, the National Waste Management Plan, the National Planning Policy for Waste and by the Mayor's London Plan. The London Plan apportions an amount of waste to each borough that must be managed in that area.
- 3.4 The Boroughs agreed in 2006/07 to undertake a joint plan and to meet their combined apportionment. At the same time, the Boroughs agreed a Memorandum of Understanding (MoU) on how they would work together to prepare the joint plan and progress it through to adoption by all seven boroughs. In 2012 a previous version of the NLWP was found by a Planning Inspector not to meet the legal requirements of the duty to cooperate which was introduced late in the plan making process with no transitional arrangements and, as a result, the Boroughs decided to start again on a new NLWP. The Boroughs have revised the MoU and brought it up to date. The MoU is discussed further at paragraphs 3.36 to 3.38.
- 3.5 In Islington, the decision not to adopt the previous version of the NLWP and to commence work on jointly preparing a new version while fulfilling the duty to cooperate was taken under delegated powers by the Corporate Director of Environment and Regeneration on 14 January 2013.

Duty to cooperate

- 3.6 The duty to cooperate introduced by the Localism Act 2011 requires local planning authorities to engage constructively, actively and on an on-going basis with other public bodies in the preparation of

development plan documents on strategic matters. The National Planning Policy Framework (NPPF) identifies the provision of infrastructure for waste management as one of the strategic priorities for consideration in the Local Plan.

- 3.7 The inspector of the previous version of the NLWP concluded that it did not comply with the legal requirements of the duty to cooperate because there had not been constructive, active and ongoing engagement during the NLWP's preparation between the Boroughs and the planning authorities to which significant quantities of waste are exported, mainly for landfill, around the country. The Boroughs will need to demonstrate how they have complied with the duty at the independent examination of the new NLWP.

How the draft NLWP has been prepared

- 3.8 In 2013 a launch consultation for the new NLWP was carried out and 100 representations were received. In 2014 the Boroughs held a series of three focus group meetings involving a cross section of key stakeholders, including representatives of residents' groups, environmental bodies, statutory consultees, the waste industry and the local planning authorities, to discuss emerging issues for the new NLWP. Reports of the launch consultation, the focus group exercise and a Consultation Protocol setting out details of the overall approach to consultation and communication, including activities to be implemented at different stages of plan preparation, have been published on the NLWP website.
- 3.9 The NLWP Data Study (2013) was undertaken to provide a crucial component of the evidence base for the draft plan and also published on the NLWP website. The Data Study (together with a recent update incorporating latest data) considers the amount of waste currently produced in North London and how this is managed, the amount of waste that will be produced over the plan period to 2032, the capacity of existing waste infrastructure and the extent to which this can meet future need.
- 3.10 The Boroughs are required to identify sufficient land to meet the forecast capacity requirements in 2032 and so have been working to identify suitable sites and areas. This has involved contacting existing waste site owners and operators, issuing a call for sites targeting the waste operators, assessment of sites/areas against set of criteria, and site visits.
- 3.11 In addition the Boroughs have been fulfilling their responsibilities under the duty to cooperate. The Boroughs wrote to 121 waste planning authorities who receive waste from North London. Subsequently they have identified 41 waste planning authorities or groups of waste planning authorities who receive significant quantities of waste from North London and are engaging in further discussion with them to identify any constraints on these waste flows.
- 3.12 On the NLWP website, the Boroughs have published a 'Duty to Cooperate Protocol' on how they intend to discharge their responsibilities and a report on the initial round of duty to co-operate engagement. The Boroughs will continue to cooperate with relevant authorities on matters of strategic waste planning throughout the preparation of the NLWP and, where movements of waste cannot continue, the Boroughs will identify an alternative waste management route.
- 3.13 The draft NLWP has been subject to Sustainability Appraisal, Habitats Regulation Assessment and an Equality Impact Assessment.
- 3.14 The Plan has been developed by consultant Urban Vision (appointed in July 2013) with input from the Boroughs via three borough decision-making groups: Planning Officers' Group, Heads of Planning and Planning Members' Group.

Summary of the draft North London Waste Plan

- 3.15 The proposed aim as set out in the draft North London Waste Plan was developed in conjunction with the focus group and is as follows:

To work towards achieving net self-sufficiency in the management of North London's waste and support a greener London by providing a planning framework that contributes to an integrated approach to the movement of materials up the waste hierarchy. The NLWP will provide sufficient sites for development of waste facilities that are of the right type, in the right place and provided at

the right time to help the north London boroughs meet their future waste management needs by 2032.

- 3.16 The draft NLWP responds to the special characteristics of North London and its waste management requirements. The spatial strategy of the draft NLWP emphasises places accessible by different modes of transport, proximity to waste sources, areas that can accommodate the co-location of facilities, opportunities for combined heat and power networks and directing waste management development to the most suitable sites taking into account environmental and physical constraints.
- 3.17 As required by government, the NLWP considers all seven waste streams and the NLWP Data Study assesses these: Local Authority Collected Waste (LACW), Commercial and Industrial (C&I), Construction, Demolition & Excavation (CD&E), Hazardous, Agricultural, Waste Water/Sewage Sludge and Low Level Non-Nuclear Radioactive Waste (LLW).
- 3.18 The draft NLWP concludes that it is not necessary to plan for LLW and waste water/sewage sludge based on the results of the Data Study and engagement with Thames Water about their plans respectively. In addition, the NLWP does not need to allocate sites for Agricultural Waste and will require any proposals for facilities to manage this type of waste to be assessed against a policy on unallocated sites. Hazardous Waste is a sub category of the other waste streams, requiring specialist treatment, economies of scale and a strategic approach. As such, the draft NLWP commits the Boroughs to continue to work with the GLA and surrounding WPA's in the management of Hazardous Waste.
- 3.19 The Boroughs are required under the London Plan to demonstrate that they can manage the amount of Local Authority Collected Waste and Commercial and Industrial waste apportioned to them as a minimum. As a result of the methodology used by the GLA in formulating apportionments, the combined London Plan apportionments for the North London boroughs amount to approximately 85% of the actual waste arisings. The Boroughs also had to consider statutory recycling targets set by Europe and contained in the London Plan, alongside EU and national legislation on managing all main waste streams
- 3.20 Having regard to all requirements, the preferred option in the draft NLWP is a strategy of going beyond meeting the London Plan apportionments by achieving net self-sufficiency (managing the equivalent of 100% of waste arisings) for Local Authority Collected Waste, Commercial and Industrial waste (the two streams covered by the apportionment) and Construction & Demolition waste. This is the only option which is considered to comply with all requirements.
- 3.21 In order to project future capacity gaps and waste management needs, the Boroughs have chosen a (economic and population) 'Growth Scenario' that is closely aligned with the London Plan and a 'Behaviour Scenario' of Maximised Recycling as the most appropriate management strategy for the Draft NLWP. This meets recycling targets and provides the most accurate modelling scenario explored in the NLWP Data Study. This preferred option also means that more waste will be managed further up the waste hierarchy than the other options, meaning that there will be more opportunity to divert waste away from landfill.
- 3.22 Taking these factors into consideration and as set out in Table 1 below, the draft NLWP identifies a capacity gap of 12 hectares in relation to the preferred option of net self sufficiency for LACW, C&I and C&D waste streams.

Table 1 – Capacity gap at five year phases over plan period (hectares)

Facility Type	Hectares				
	2016	2021	2026	2031	Total
Energy from waste (C&I)	4				4
Recycling (LACW and C&I)			2		2
Recycling (C & D)	4	2			6
TOTAL (land required in North London)	8	2	2	0	12

- 3.23 The modelling takes account of existing waste management capacity of around 3.2 million tonnes per annum from existing waste sites in North London consistent with their safeguarded status in the London Plan. This has been carried over to the draft NLWP, meaning that the Hornsey Street waste transfer station and household waste recycling centre in Islington has been safeguarded for waste use. This is also consistent with the Islington Core Strategy (2011).
- 3.24 The North London Waste Authority announced in November 2014 the development of a new Energy Recovery Facility, the North London Heat and Power Project, on their existing site at the Edmonton EcoPark in the London Borough of Enfield. This will replace the existing Energy from Waste plant at the EcoPark that is coming to the end of its operational life. The replacement facility expected to be operational from 2025 is currently anticipated to result in 150,000 tonnes additional waste management capacity per annum and to generate power for around 127,000 homes. It could also provide heat for local homes and businesses to be distributed locally through schemes like Enfield Council's planned Lee Valley Heat Network.
- 3.25 A consultation with owners and operators of the other existing sites in North London regarding plans to reorient or expand facilities returned limited results not sufficient to bridge the capacity gaps which are primarily connected with the management of Commercial and Industrial Waste and Construction and Demolition waste. Consequently, the draft NLWP identifies a number of sites and areas that are potentially suitable for waste use to meet the identified capacity gap. A 'site' is an individual plot of land whereas an 'area' comprises a number of individual plots of land such as an industrial estate or employment area, generally considered suitable for waste use, subject to detailed consideration of the suitability of any specific sites brought forward within the identified area boundary at planning application stage. A review was undertaken to estimate the likely level of sites within areas that could become available for waste use based on vacancy rate. Further analysis to demonstrate the deliverability of the areas will be undertaken to inform the next iteration of the NLWP.
- 3.26 The results of the site/area selection process to inform allocations are set out in in Table 2.

Table 2 – Summary of sites/areas identified to go forward in draft NLWP

Number of identified sites	Total sites (hectares)	Number of identified areas	Total areas (hectares)	Estimated available land in areas (hectares)	Total (hectares)
3	4.2ha	28	346ha	39.12ha	43.3

- 3.27 The three sites allocated and safeguarded for waste use in the draft NLWP are set out Table 3 below.

Table 3 – sites to go forward in draft NLWP

Site	Borough
Geron Way/Edgware Road	Barnet
Bilton Way	Enfield
Eagle Wharf Road	Hackney

- 3.28 The areas identified as suitable for built waste management facilities are in Barnet, Enfield, Hackney and Waltham Forest, with planning control over three of the 28 areas being within the remit of the London Legacy Development Corporation (this is dealt with in paragraphs 3.39-3.43 on the LLDC MoU).
- 3.29 The consultation on the draft NLWP is expected to result in feedback on the deliverability of site and area designations in the plan, which will be used alongside further landowner engagement work by the Boroughs to inform the next iteration of the plan.
- 3.30 There are a number of benefits to allocating both sites and areas to meet the identified capacity gap. Allocating sites that are available and suitable for waste management facilities will contribute towards

meeting the apportionment targets set out in the London Plan. Allocating areas within which waste uses would be broadly acceptable will ensure the waste plan is flexible enough to cope with any future change in circumstances. In addition, developers of waste facilities seek flexibility in terms of land availability and the NLWP can help achieve this flexibility by providing a portfolio of sites and areas suitable for waste. This approach of sites and areas has been adopted by a number of other waste plans and was supported by key stakeholders in the NLWP focus groups held in 2014.

- 3.31 No sites or areas have been identified within the Islington borough boundary. Proposals for waste management could potentially come forward on non-allocated sites, with the suitability of their location to be assessed under Policy 4 in the Draft NLWP (see next paragraph). This will require them to fit within the spatial strategy of the NLWP and meet the same site assessment criteria used for the identification of allocated sites. The site selection process precluded sites allocated for other uses in borough development plans. Proposals for waste facilities on non-allocated sites would also be assessed against the full suite of relevant development plan policies contained in the London Plan and Borough Local Plans as signposted in paragraph 1.7 of the draft NLWP.

Policies and Implementation

- 3.32 The draft NLWP contains seven policies, covering: Safeguarding of existing waste management sites (Policy 1); Site and area allocations (Policies 2 and 3 respectively); Unallocated sites (Policy 4); Re-use & Recycling Centres (Policy 5); Assessment criteria for waste management facilities and related development (Policy 6); Energy recovery and decentralised energy (Policy 7).
- 3.33 The draft NLWP contains proposals for monitoring the plan and identifies a range of organisations that are important for the implementation of the plan.

Consultation the draft NLWP

- 3.34 The consultation on the draft NLWP (scheduled for 30th July to 1st October 2015, subject to minor change), will involve:

- Advertisements in local newspapers;
- Mail outs to the NLWP and Local Plan databases of each of the seven boroughs, including statutory and general consultees (individual residents, community/voluntary/other groups and organisations, agents, businesses);
- Notification to residents within an appropriate distance of allocated sites;
- A newsletter setting out headlines from draft NLWP to be emailed to the NLWP database, posted on the NLWP website and distributed at consultation events;
- A downloadable questionnaire on the NLWP website;
- Six stakeholder consultation events, including a combined Camden/Islington event;
- Follow up meetings near proposed sites including seeking the views of 'seldom-heard' residents
- Copies of the draft NLWP made available in council offices and libraries.

An outcomes report of the consultation on the draft NLWP will be prepared and published on the NLWP website in due course.

Timetable

- 3.35 As shown in Table 4, the Regulation 18 draft NLWP will go out to public consultation in Summer/Autumn 2015 (currently anticipated for 30th July to 1st October but subject to minor change). The NLWP will be revised in light of comments received and the Regulation 19 Proposed Submission version will come before the Boroughs for formal approval before going out to consultation in Summer 2016. The NLWP will be submitted to the Secretary of State in Autumn 2016 to be examined by an independent planning inspector. Adoption of the NLWP is anticipated in Autumn 2017.

Table 4 _Timetable for Adoption

Launch consultation (Regulation 18)	Spring 2013
Consultation on draft plan (Regulation 18)	Summer/Autumn 2015
Consultation on proposed submission plan (Regulation 19)	Summer 2016
Submission (Regulation 22)	Autumn 2016
Public hearings	Winter 2016/17
Inspector's report	Summer 2017
Adoption	Autumn 2017

Governance arrangements: the revised NLWP Memorandum of Understanding

- 3.36 In 2007 the Boroughs signed and sealed a Memorandum of Understanding (MoU) setting out how they will work together on the NLWP. Islington entered into the MoU under authority delegated to the Corporate Director of Environment and Regeneration at the Council meeting of December 2006.
- 3.37 The MoU establishes LB Camden as the lead borough, sets out how contracts will be let and how the lead borough will employ a Programme Manager required for the examination process and other staff as required. The MoU creates terms of reference for the inter-borough groupings of the Planning Officers Group, the Heads of Planning and the Planning Members Group. The MoU describes how disputes will be resolved. It sets out the timetable and budget for the NLWP and how costs will be shared.
- 3.38 When the Boroughs agreed to start on a new NLWP following the non-adoption of the previous NLWP, it was clear that the MoU required revisions to take account of the new circumstances. Accordingly, the content of the document including the timetable and budget for preparation of the NLWP has been updated. The underlying principles of the original MoU have not been modified.

Memorandum of Understanding with the London Legacy Development Corporation (LLDC)

- 3.39 The Boroughs preparing the NLWP are proposing to enter into an MoU with the London Legacy Development Corporation (LLDC), the Mayoral body with responsibility for securing the regeneration of an area of land focussed on the former Olympic Park. Cooperation is necessary because the LLDC is the planning authority for its area which includes parts of Hackney and Waltham Forest, both of which are involved in the NLWP. The MoU is being brought forward in line with good practice in the Government's Planning Practice Guidance on meeting the duty to cooperate:

(A) way to demonstrate effective cooperation, particularly if Local Plans are not being brought forward at the same time, is the use of formal agreements between local planning authorities, signed by elected members, demonstrating their long term commitment to a jointly agreed strategy on cross boundary matters.

- 3.40 The MoU sets out how the Boroughs and the LLDC have and will continue to cooperate and how they will monitor these arrangements.
- 3.41 The LLDC is responsible for planning for waste under the National Planning Policy for Waste (NPPW) and the London Plan. Despite this, it does not receive an apportionment of waste for which it must make planning provision in the London Plan.
- 3.42 The Boroughs in carrying out their responsibility under the NPPW and London Plan are planning for an apportionment of waste covering all of the boroughs including all of Hackney and Waltham Forest. The MoU contains a table entitled 'Areas in Hackney and Waltham Forest portions of the Legacy Corporation area potentially suitable for waste management use'. The agreement on these areas, which form three of the 28 areas referred to in Table 2 and paragraph 3.26 of this report follows an extensive site search for the NLWP. Any waste facilities developed within these three LLDC areas will help to provide capacity for the NLWP meeting and surpassing the apportionment target to achieve net self-sufficiency in the management of waste.

- 3.43 The LLDC proposes to decide planning applications for waste uses in these areas in line with its Local Plan currently under examination including 'Policy IN.2: Planning for waste', having regard to the waste apportionment targets set for each Borough within the London Plan, the adopted local waste plans or waste planning policy for that Borough and the development of new or review of existing adopted waste plans for that Borough.
- 3.44 The MoU will form part of evidence to demonstrate compliance with the duty to cooperate that the Boroughs will present as part of the examination of the plan.

Other Memoranda of Understanding

- 3.45 A key issue for the NLWP is the movement of waste beyond the boundaries of the seven boroughs, both within and outside London. Ensuring sufficient land/waste facilities outside the NLWP area will be dealt with by the duty to cooperate.
- 3.46 Currently there are about 40 individual or groups of waste planning authorities with which the NLWP has been corresponding, meeting or otherwise engaging to exchange information on significant waste movements and plan provision as part of the initial stages of duty to cooperate work.
- 3.47 National Planning Policy Guidance (PPG) recommends that effective cooperation is likely to require sustained joint working with concrete actions and outcomes. It is unlikely to be met by an exchange of correspondence, conversations or consultations between authorities alone.
- 3.48 The NLWP will therefore seek to agree various Memoranda of Understanding with planning authorities where a significant quantity of waste is exported to secure the necessary cooperation on this strategic cross boundary matter before submitting the plan for examination. It will be helpful for the inspector to see the agreements at the examination of the NLWP as part of the evidence to demonstrate compliance with the duty.
- 3.49 The MoU will need to be agreed by each NLWP borough at various stages of waste plan production prior to submission, hence the proposed approach that the Corporate Director of Environment and Regeneration be delegated responsibility for this in Islington.

4. Implications

4.1 Financial implications:

The North London Boroughs MoU sets out the cost of NLWP and how it is shared equally among the seven boroughs who have all been involved in drawing up the budget. The budget takes into account the employment of a full time Programme Manager and Policy Planner, the engagement of consultants to carry out the technical aspects of the plan, obtaining legal advice from a planning barrister, the direct costs of public consultation and the costs of the examination including paying for the Inspector and an examination Programme Officer. The NLWP is anticipated to take approximately four and a quarter years to complete. The cost to each borough over this period is £155,414. This is the equivalent of £36,568 per year.

The costs of the North London Waste Plan have been included in the overall budget for the preparation of the Islington's Local Plan.

4.2 Legal Implications:

The draft NLWP has been prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. The draft NLWP also takes into account the National Planning Policy Framework (NPPF) and Planning Practice Guidance (NPPG) which set guidance on how Local Plans should be prepared and what they contain, and the National Planning Policy for Waste (NPPW) which provides detailed guidance on what a waste plan must cover. The duty to cooperate introduced by the Localism Act 2011 requires local authorities to engage constructively, actively and on an ongoing public bodies prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 on strategic matters. Before the NLWP can be adopted by each of the boroughs it must be examined by an independent planning

inspector who will determine whether the plan has been prepared in accordance with the duty to cooperate, legal and procedural requirements and is 'sound'. The early stages of the preparation of the NLWP form a key part of demonstrating that these requirements have been met.

4.3 **Environmental Implications:**

The NLWP aims to provide the planning framework to achieve net self sufficiency in the management of North London's waste thereby reducing reliance on landfill (except for use for residual waste left over after waste processing) to support a greener London.

The draft NLWP has been subject to statutory sustainability appraisal. This will ensure that social, environmental and economic elements of sustainable development are integrated into the Plan from the outset.

4.4 **Resident Impact Assessment:**

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

A joint Equality Impact Assessment to identify any positive or negative impact on the equality target groups of the allocation of sites for waste management facilities, identification of areas suitable for waste management facilities and waste planning policies on the area covered by the NLWP has been carried out. No differential/negative impacts were identified.

Additionally, a Local Resident Impact Assessment screening of the draft NLWP has identified no further impacts on Islington residents. There are no new provisions of the NLWP in specific regard to Islington as the safeguarding of the existing waste facility has been carried over from both the London Plan and the Islington Core Strategy, while no new sites are allocated, or areas identified, within the borough. Future iterations of the NLWP will be subject to a further assessment.

5. **Conclusion and reasons for recommendations**

- 5.1 There is strong imperative in EU Waste Framework Directive, the National Waste Management Plan, the National Planning Policy for Waste and the London Plan to get waste management plans in place. In addition, the London Plan requires boroughs to demonstrate that they can meet apportionments for Local Authority Collected Waste and Commercial & Industrial waste to contribute to London becoming self sufficient in waste management. The Islington Core Strategy commits the Council to preparation of a joint waste plan with the other North London boroughs served by the North London Waste Authority to meet this requirement.

In line with the National Planning Policy Framework to ensure the NLWP is justified, a separate Options Appraisal report tests a range of options to demonstrate that the North London Boroughs have considered reasonable alternatives and that the draft plan under consideration follows the most appropriate strategy.

It is therefore recommended that the draft NLWP be approved for public consultation for a period of approximately nine weeks in Summer/Autumn 2015, and that Islington formally enters into the updated MoU with the North London partner boroughs, namely Barnet, Camden, Enfield, Hackney, Haringey and Waltham Forest for the purposes of the preparation of the NLWP.

The duty to cooperate introduced by the Localism Act in 2011 places a legal duty on local planning authorities to engage constructively and on an ongoing basis to maximise the effectiveness of plan preparation in the context of strategic cross boundary issues.

It is therefore additionally recommended that Islington as part of the NLWP Boroughs enters into the

proposed MoU with London Legacy Development Corporation, and various other MoU with planning authorities which receive significant quantities of waste from North London, as a means of securing and formalising cooperation, and providing evidence demonstrating compliance with the duty.

Appendices

Appendix 1 - Draft North London Waste Plan

Appendix 2 – North London Boroughs Memorandum of Understanding (MoU)

Appendix 3 – LLDC MoU

Background papers:

North London Waste Plan Sustainability Appraisal report

North London Waste Plan Equality Impact Assessment

Final report clearance:

Signed by:



7 July 2015

Executive Member for Housing and Development

Date

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North London Waste Plan

July 2015

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FOREWORD

As a group of seven North London Boroughs we are collaborating together to find the best possible solutions for the waste and recycling that is generated in our area. Now we want to hear what you think.

It is widely recognised that as a society we need to reduce our reliance on putting waste in landfill sites because that contributes to carbon emissions. Instead, we need to manage more of the waste we produce closer to where it arises and in better ways. In order of preference we should reuse, recycle, compost and, where none of these are possible, recover energy from the waste we produce.

The North London Waste Plan is an important stage in this process for our group of Boroughs. It uses the latest evidence about waste generated in our area to plot out a path to enable higher recycling levels to be achieved and to reduce reliance on other areas to treat our waste. It builds on the ability of existing waste sites to deal with waste and identifies new suitable sites and areas where waste facilities can be located. It sets out a number of planning policies against which applications for new waste facilities will be assessed.

Having the right infrastructure in place for waste and recycling is a vital ingredient for the proper functioning of our city and this is especially the case with the expected increase in housing and employment in North London. So we need to plan for how we deal with our waste in the same way that we plan for the proper provision of housing, open spaces, schools and transport. Waste facilities can also create jobs, produce energy and provide important resources for reuse in other processes. This contributes to a more circular economy in which materials can be reused rather than disposed of.

Now it's your opportunity to let us know what you think of the options facing the Boroughs and how we are proposing to move forward. We welcome your input and will consider all comments made when we draw up the next version of the plan.

Cllr Toby Simon

Chair North London Waste Plan Planning Members Group

1. Introduction and Background

What is the North London Waste Plan?

1.1. The seven North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest are working together to produce the North London Waste Plan (the 'NLWP'). Figure 1 shows the North London Waste Plan area. The NLWP will cover the period 2017 to 2032 and, once adopted, it will form part of the statutory Development Plan for these areas. The NLWP is identified in the Local Development Scheme for each of the Boroughs.

1.2. The NLWP has two main purposes:

- to ensure there will be adequate provision of suitable land to accommodate waste management facilities of the right type, in the right place and at the right time up to 2032 to manage waste generated in North London; and
- to provide policies against which planning applications for waste development will be assessed, alongside other relevant planning policies/guidance.

1.3. The key elements of the NLWP are:

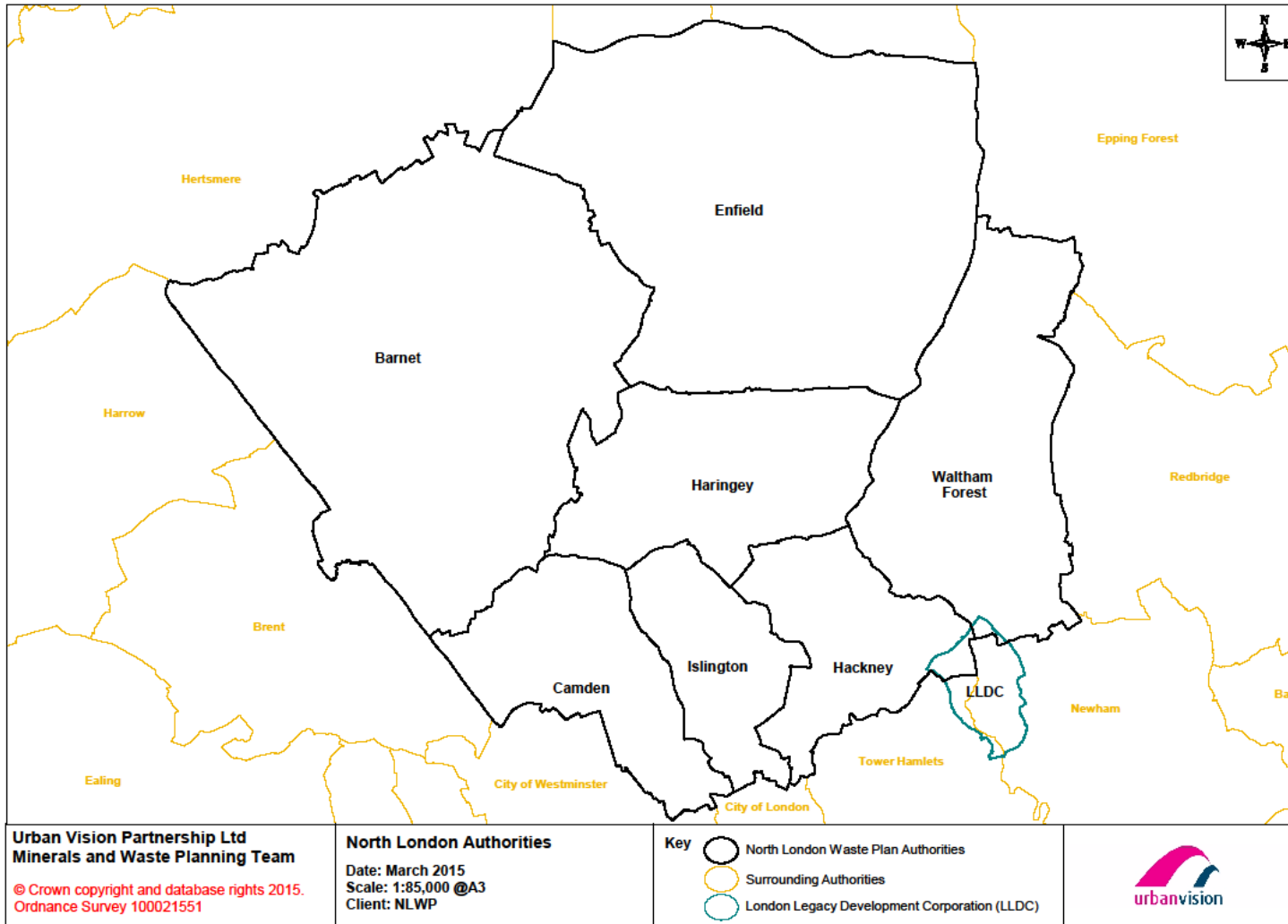
The Aim and Objectives: These are overarching principles which have steered the development of the NLWP.

The Spatial Strategy: This sets out the physical and planning components that influence the Plan and identifies opportunities and constraints for waste planning in North London.

The Provision for North London's Waste to 2032: This sets out the preferred option for how the waste management needs for North London will be met for each waste stream over the plan period.

The Policies: These set out policies through which the aims and objectives, waste management strategy and spatial strategy will be delivered. The policies provide the waste planning framework against which applications for waste development will be assessed across the plan area.

Figure 1: North London Plan Area



1.4. The NLWP plans for all principal waste streams including:

- **Local Authority Collected Waste (LACW):** Waste produced by householders;
- **Commercial and Industrial (C&I):** Wastes produced by businesses and industry;
- **Construction, Demolition & Excavation (CD&E):** Waste generated as a result of delivering infrastructure projects, building, renovation and the maintenance of structures;
- **Hazardous:** A sub category of all waste streams where the material produced is hazardous and requires specialist treatment;
- **Agricultural waste:** Waste produced by farming and forestry activity;
- **Waste Water / Sewage Sludge:** Waste produced from washing, cleaning and hygienic activities to create waste water and sewage effluents; and
- **Low level radioactive waste (LLW):** Waste associated with the undertaking of x-rays and laboratory testing using low level radioactive substances.

How does the North London Waste Plan fit with other plans and strategies?

1.5. The seven North London Boroughs, as Waste Planning Authorities (WPAs) are required to prepare a Waste Local Plan. Article 28 of the European Union (EU) Waste Framework Directive states that all member states must prepare a Waste Management Plan. The National Waste Management Plan for England, supported by the National Planning Policy for Waste (NPPW), identify that the National Waste Management Plan will be supported by each WPA's Waste Local Plan and as such it is a statutory requirement to prepare this document.

1.6. The NLWP must be prepared in line with the requirements of the Planning and Compulsory Purchase Act 2004, the Waste (England and Wales) Regulations 2011 and the Town and Country Planning (Local Planning) (England) Regulations 2012. The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) also set guidance on how Local Plans should be prepared and what they should contain. The National Planning Policy for Waste (NPPW) provides detailed guidance specific to waste plan preparation and content, alongside considerations for the determination of planning applications for waste facilities.

- 1.7. Once adopted, the North London Waste Plan (NLWP) will form part of the 'Development Plan' for the North London Boroughs which comprises the London Plan¹ and borough Local Plans (see Figure 2). The NLWP must be in general conformity with the London Plan and consistent with other documents in borough Local Plans. The NLWP should be read alongside other relevant policies within the wider Development Plan. The Greater London Authority (GLA) intend to carry out a full review of the London Plan which will commence in 2015. The North London Boroughs will monitor progress on this in order to reflect any relevant changes of policy in the NLWP.
- 1.8. The London Plan contains a range of planning policies which the NLWP has to be in general conformity with. Importantly, it also projects how much LACW and C&I waste is likely to be generated in the capital over the next 20 years and apportions an amount of these two waste streams to each borough. Through each borough meeting their apportionment targets, London will dramatically reduce its reliance on landfill and move towards being self-sufficient. The North London Boroughs have pooled their apportionment and will meet it collectively through existing sites and land allocated in the NLWP.
- 1.9. Each of the seven boroughs has an adopted Core Strategy as part of their Local Plan; these contain an overarching policy on sustainable waste management. The Core Strategies provide the borough-wide strategic policy direction for the development of the NLWP and, in conjunction with this, the NLWP will provide a more detailed planning framework for waste development across the seven boroughs. Each borough's Local Plan may also include site allocation documents, development management policies and area action plans, as well as supplementary planning documents.

Figure 2: Documents making up the Development Plan for North London Boroughs

¹ At time of writing this is The Spatial Development Strategy For London Consolidated With Alterations Since 2011 (March 2015) also known as [London Plan March 2015 \(FALP\)](#)



- 1.10. In addition to the national and regional planning policies, there are also three waste strategies which impact on the development on the NLWP. These are the North London Waste Authority’s (NLWA) Joint Municipal Waste Management Strategy (JMWMS); and the London Mayor’s Waste Management Strategies “London’s Wasted Resource” (on the management of municipal waste) and “Making Business Sense of Waste” (a business waste management strategy).
- 1.11. The North London Waste Authority (NLWA), which is the Waste Disposal Authority for the constituent boroughs, is a key stakeholder. The NLWA is responsible for managing the waste collected by the North London boroughs, in particular household waste but also some waste from smaller businesses; collectively this is known as Local Authority Collected Waste (LACW). The NLWP is required to ensure there is adequate provision for the disposal and recovery of this waste stream.
- 1.12. Each of these strategies contains recycling targets for Local Authority Collected Waste (LACW) and Commercial & Industrial (C&I) waste which inform policies within the London Plan. The recycling targets for LACW are linked to those set nationally which in turn reflect the requirements of the EU Waste Framework Directive. These targets have been used to inform the work on the NLWP Waste Data Study, and further information on how the plan will deal with these is set out in Chapter 4.

1.13. Figure 3 below shows the hierarchy of planning guidance, strategies and where the NLWP sits within this.

Figure 3: Hierarchy of Planning Guidance Policies and Strategies



1.14. Once adopted the NLWP will form part of the overarching planning framework used for the determination of planning applications relating to proposed or existing waste facilities in North London. These applications will be submitted to the Boroughs in which the facility is located. Developers will need to consider the following documents in the submission of a planning application related to an existing or proposed waste facility:

- National planning policy and guidance;
- The London Plan and Supplementary Planning Guidance;
- The North London Waste Plan;
- Other relevant Borough Local Plan documents including the Core Strategy, Development Management policies, Site Allocation Documents, Area Action Plans and any associated Supplementary Planning Guidance or Planning Briefs.

What is involved in preparing the North London Waste Plan?

- 1.15. As mentioned above, the NLWP must be prepared in line with European, national, regional and local policies and guidance. Before the NLWP can be adopted by each of the Boroughs it must be examined by an independent inspector. The Inspector will determine whether the plan has been prepared in accordance with the duty to co-operate, legal and procedural requirements and is 'sound'. The early stages of the preparation of the NLWP form a key part of demonstrating that these requirements have been met.
- 1.16. The duty to co-operate was introduced by the Localism Act 2011. Local planning authorities are now required to formally co-operate with other local planning authorities and bodies prescribed in the Town and Country Planning (Local Planning) (England) Regulations 2012 on strategic matters. These are defined as matters relating to the sustainable development or use of land that would have a significant impact on at least two local planning authorities or on a planning matter that falls within the remit of a county council, for example waste and minerals planning. The duty requires local planning authorities and other public bodies to engage constructively, actively and on an ongoing basis to develop strategic policies. Meeting the requirements of the duty to co-operate is a key part of the plan making process for the NLWP and the North London Boroughs are working closely with other waste planning authorities that are critical for the delivery of an effective waste strategy for North London.
- 1.17. In addition, the North London Boroughs will work closely with the London Legacy Development Corporation (LLDC). The LLDC is a Mayoral Development Corporation with responsibility for securing the regeneration of an area of London focused on the former Olympic Park. The LLDC is the local planning authority, which includes waste planning, for small parts of the North London Boroughs of Hackney and Waltham Forest. However, while all the Boroughs have an apportionment of waste from the Mayor under the London Plan for which they must plan and find land, the LLDC is not allocated a share of the borough apportionment. In carrying out their responsibilities under the NPPW, the North London Boroughs are engaging with other planning authorities in the country which import waste from North London including the LLDC area. The NLWP is required therefore to plan for the quantity of waste generated across the seven boroughs including the parts of Hackney and Waltham Forest that lie within the LLDC area. The NLWP cannot directly allocate sites/areas within the LLDC area as this is the responsibility of the LLDC as local planning authority.

- 1.18. An agreement for the working relationship between the North London Boroughs and the LLDC has been drawn up. This agreement, or Memorandum of Understanding, identifies the Sites and Areas suitable for waste within the Hackney and Waltham Forest parts of the LLDC area and their potential in meeting the capacity gap identified in the North London Waste Plan and related London Plan waste apportionment for each Borough. The LLDC's Local Plan also identifies sites and areas that are potentially suitable for waste related uses. For waste development proposals in the parts of Hackney and Waltham Forest which fall within the LLDC area, the LLDC Local Plan policies will apply. Policy IN2 of the LLDC Local Plan requires planning decisions to take full account of the policies within the adopted waste plans of the Boroughs.
- 1.19. The North London Boroughs are also seeking views from other bodies, organisations and residents throughout the plan-making process and the framework for this is set out in the NLWP [Consultation Protocol and the Duty to Co-operate Protocol](#).
- 1.20. The legal and procedural requirements that the NLWP must meet are set out in the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012. The key stages in the 2012 Regulations are:
- Initial consultation on what the Plan should contain and work on evidence gathering leading to production of a set of policies in the draft Plan (Regulation 18);
 - Publication of Proposed Submission Plan (Regulation 19);
 - Submission of Local Plan to Secretary of State for examination by an Independent Inspector (Regulation 22);
 - Examination of Local Plan (Regulation 24); and
 - Adoption (Regulation 26).
- 1.21. At the heart of national policy (the NPPF) is the presumption in favour of sustainable development and policies in the NLWP must reflect this presumption. The NLWP must meet the soundness tests as set out in paragraph 182 of the NPPF. These require the NLWP to be:
- Positively prepared (meet objectively assessed development needs of the area);
 - Justified (set out the most appropriate strategy based upon the evidence);
 - Effective (deliverable and address cross boundary issues);
 - Consistent with national policy.

- 1.22. The NLWP is accompanied by other relevant supporting assessments such as a Sustainability Appraisal (SA) (incorporating the requirements of the SEA Directive), Habitats Regulation Assessment (HRA), and Equalities Impact Assessment (EqIA). These assessments form a key element of the development of the plan and help to ensure that the social, environmental and economic impacts of the policies developed in the plan are assessed and taken into account in the decision making process.
- 1.23. The NLWP must also be accompanied by a Strategic Flood Risk Assessment (SFRA). An SFRA for North London was prepared in 2008 to map flood risk zones and assess existing flood defences. In addition Camden, Enfield, Hackney, Haringey and Waltham Forest have prepared more detailed 'Level 2' SFRAs in support of the development of their Local Plans. All boroughs have prepared Surface Water Management Plans.
- 1.24. Flood risk and protection of groundwater was considered as part of the site/area search exercise using data available from the Environment Agency. The findings of the assessments are recorded in the site pro-formas. Sites and areas being taken forward in the draft NLWP have been subject to sequential testing and the results of this reported in the Sites and Areas Report.

What stage is the NLWP at?

- 1.25. This is the draft NLWP produced as part of the initial stages of NLWP preparation (Regulation 18). It has been prepared following an initial 'launch consultation' on what the Plan ought to contain (consistent with requirements of Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012). This consultation exercise provided an opportunity for stakeholders and communities to comment on the proposed content of the Waste Plan. A report on the 'launch consultation' has been published on the NLWP website (www.nlwp.net).
- 1.26. Subsequently a series of Focus Group workshops were held based around different themes. The Focus Group helped work towards a shared vision for the NLWP including key principles that informed the aim and objectives of the Plan and sites assessment criteria. A report of discussions is also available on the [website](#).
- 1.27. Evidence gathering has been underway since April 2013. It comprises a Data Study and Data Study Update, a Duty to Co-operate Protocol and Report. Further Evidence has been published to support this Draft Plan comprising a Sites and Areas Report, Options Appraisal and Consultation Statement.

- 1.28. The purpose of this consultation is to provide an opportunity for stakeholders and communities to comment on the draft Plan.

What happens next?

- 1.29. Comments made during the consultation on this draft NLWP will be taken into consideration and will help to inform preparation of the Proposed Submission NLWP to be published under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The Proposed Submission Plan will be the version of the NLWP that the Boroughs intend to submit to the Secretary of State for examination. In accordance with statutory requirements, this document will be published before it is submitted to provide an opportunity for stakeholders to submit representations on the soundness of the Plan and legal and procedural compliance.
- 1.30. Once the Plan is submitted, an independent Inspector will be appointed (on behalf of the Secretary of State) to examine whether the NLWP meets the required legal and soundness tests, including duty to co-operate and procedural requirements. The indicative timetable for the Plan is as follows:

Table 1: NLWP Timetable

Launch consultation (Regulation 18)	Spring 2013
Consultation on draft plan (Regulation 18)	Summer/Autumn 2015
Consultation on proposed submission plan (Regulation 19)	Summer 2016
Submission (Regulation 22)	Autumn 2016
Public hearings	Winter 2016/17
Inspector's report	Summer 2017
Adoption	Autumn 2017

2. Setting the Scene

2.1. The way in which we deal with our waste has important environmental, social and economic consequences. Waste management has an important role in achieving sustainable development. There are a number of ways to define 'sustainable development'. The most well-known definition is '*development which meets the needs of the present without compromising the ability of future generations to meet their own needs*'². The UK Sustainable Development Strategy *Securing the Future* set out five 'guiding principles' of sustainable development:

- living within the planet's environmental limits;
- ensuring a strong, healthy and just society;
- achieving a sustainable economy;
- promoting good governance; and
- using sound science responsibly.

2.2. The National Planning Policy Framework (NPPF) references these definitions and goes on to set out three dimensions to sustainable development: economic, social and environmental. The North London Waste Plan (NLWP) will help achieve sustainable waste management by providing a sound basis for the provision of waste management infrastructure, contributing to the conservation of resources by improving the efficiency of processing and making better use of the wastes created within North London. This section looks at the setting of North London and how this context influences the Plan.

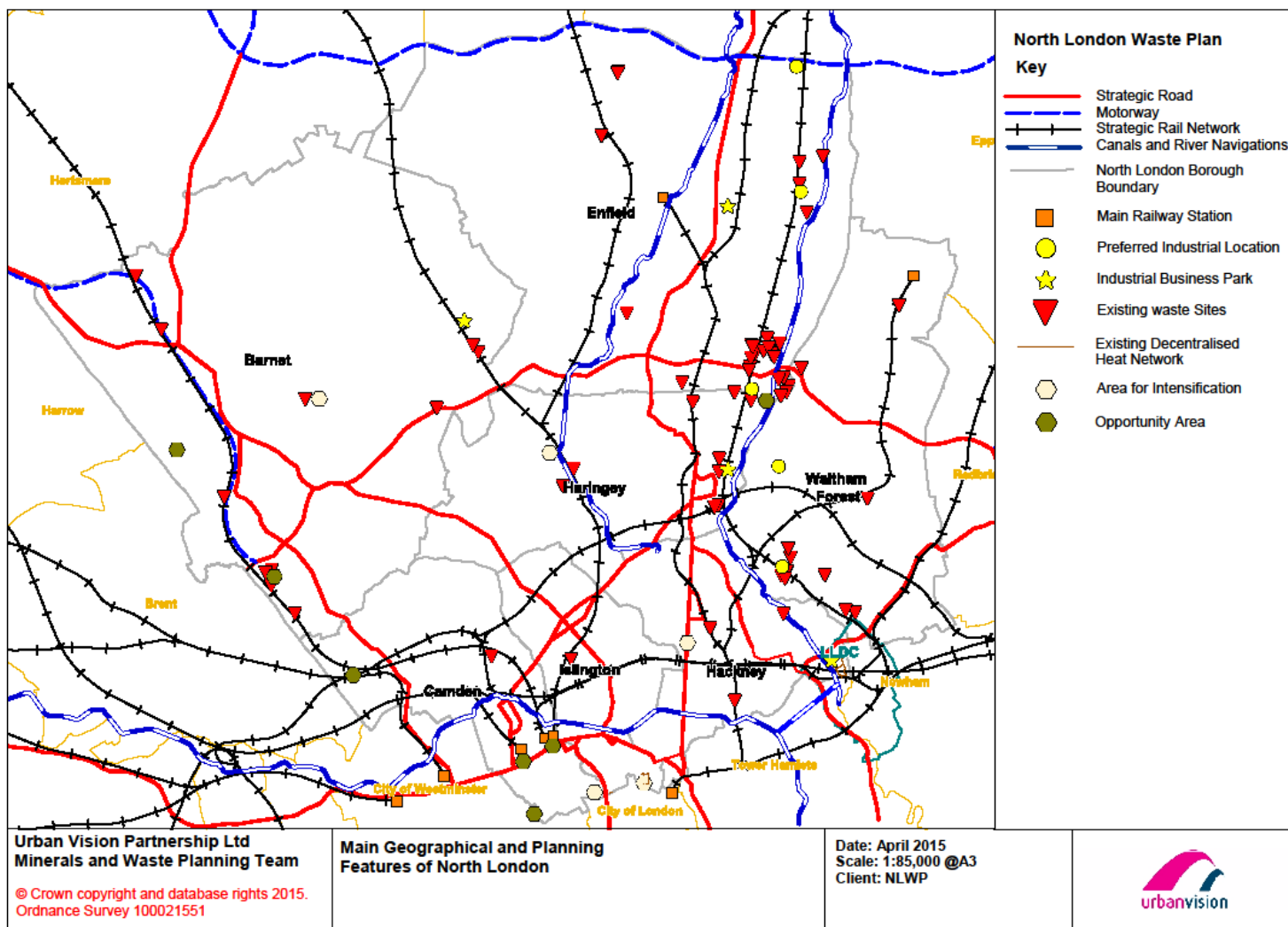
Geographical Extent

2.3. The North London Boroughs cover a large swathe of London from the inner city into the Green Belt of outer London. The geographical extent takes in both the inner London Boroughs of Camden, Hackney and Islington, and the outer London Boroughs of Barnet, Enfield, Haringey and Waltham Forest (see Figure 4). In the south, the Plan area borders on the City of London and the City of Westminster. To the north of the Plan area boundary lies Hertfordshire and Essex. The area is bounded by the London Boroughs of Brent and Harrow to the west and the London Boroughs of Tower Hamlets and Redbridge to the east. The land within the North London Boroughs spans an area of 293 square kilometres. The geographical characteristics of North

² Brundtland Commission, 1987 (Resolution 42/187 of the United Nations General Assembly)

London are a key element in both the Spatial Strategy (see section 4) and the sites/areas assessment criteria (see section 8).

Figure 4: Main geographical and planning features of North London



Population Characteristics

- 2.4. The North London area is one of the most densely populated areas in the UK. Recent statistics show that the population has risen from 1.6 million in 2002 to an estimated 1.89 million in 2012, and that the population continues to grow at a rate above the national average. This population growth will also increase the amount of waste North London will need to manage in the future, even though the amount of waste generated per person may not increase (see section 6 on future waste management requirements).
- 2.5. The highest density is in the inner London boroughs of Islington (the most densely populated local authority in the UK), Hackney and Camden, closely followed by Haringey. Waltham Forest, Barnet and Enfield are the least densely populated of the North London Boroughs, however these Boroughs are substantially more densely populated than the rest of the country. Barnet and Enfield have a population density that is less than the average of London. Density of population and the built environment has an influence on the amount of waste generated but also on competition for land and the availability of sites suitable for new waste facilities (see section 7 on sites and areas).
- 2.6. While the outer Boroughs are characterised by traditional detached, semi-detached and terraced housing, overall across the plan area, there is a higher proportion of flats and similar multi-tenant properties. This is particularly the case in the inner London Boroughs which, consequently, have fewer gardens than the outer Boroughs. The differing ability of types of housing stock to incorporate waste collection infrastructure (for example recycling bins) impacts on recycling rates in North London (see section 6 on future waste management requirements).

Health

- 2.7. There are contrasting levels of life expectancy across North London. The outer London boroughs of Barnet and Enfield report life expectancies that are higher than the national average. In contrast the five other Boroughs report male life expectancy to be lower than the average for England, while the same is true of females in Islington and Waltham Forest. Impact on human health has been a key consideration in the development of the NLWP and is discussed in more detail in the Sustainability Appraisal (SA) which supports the Draft Plan.

Socio-Economic

- 2.8. The average gross weekly earnings within each of the North London Boroughs is higher than the average for England and all of the Boroughs have

a higher proportion of their working population employed than the national average. However the cost of living in all Boroughs is high. Four Boroughs (Hackney, Haringey, Islington and Waltham Forest) contain wards that are amongst the 20 most deprived areas in England. Maximising economic benefits by utilising waste as a resource is one of the objectives of this plan. There are opportunities for job creation through the development of new waste facilities at both the construction and end user stages. New technologies can also help to create 'green collar' jobs in new waste management facilities as well as in sectors that receive recycled or reprocessed material, turning it into new products, thereby creating wealth from waste. Economic growth in North London is predicted to result in greater amounts of waste being generated. This is due to more people in jobs generating waste, although the amount of waste created per person is expected to stay the same.

Environment

- 2.9. The North London Waste Plan area includes important green space with many parks and larger areas such as Hampstead Heath, the Lee Valley Regional Park and part of Epping Forest. There are Green Belt designations in the outer areas together with areas of agricultural land in Barnet and Enfield.
- 2.10. Enfield has identified Areas of Special Character where the Council will seek to preserve and enhance the essential character of the area, including landscape features such as woodlands, streams, designed parklands and enclosed farmland.
- 2.11. The Lee Valley contains an internationally important wetland habitat (Ramsar site) as the reservoirs and old gravel pits support internationally important numbers of wintering birds as well as other nationally important species. In the Lee Valley and in other parts of North London there are six Sites of Special Scientific Interest (SSSI). There are also 21 Local Nature Reserves and 307 Sites of Importance for Nature Conservation of varying grades. Given the concentration of industrial land in the Lee Valley this poses challenges here and elsewhere for development to take into account key biodiversity issues set out in Borough Biodiversity Action Plans.
- 2.12. The heavily developed and built up nature of North London coupled with intense competition for land and protected areas such as Green Belt presents a significant challenge in planning for waste. There are planning constraints near areas protected for their environmental value for some types of development which are perceived to create more environmental risk and harm

the amenity of the local area. Harm to amenity includes such factors as noise, dust and increased traffic.

- 2.13. Protection of groundwater is vital to prevent pollution of supplies of drinking water, while secondary aquifers are important in providing base flows to rivers. The principal groundwater source beneath North London is the chalk aquifer which lies relatively close to the surface. A historically high level of groundwater abstraction means that water levels may be some way below the top of the aquifer; nevertheless the Environment Agency has designated areas of source protection zones in a number of locations, particularly in the Lee Valley as well as implementing groundwater protection measures around boreholes in the area.
- 2.14. Historically much of the employment land in North London has been in industrial use. Inevitably the restructuring from an industrial-based to a service based economy has affected land use priorities, creating a situation where the type of employment land available has changed, particularly in the inner London boroughs where offices predominate. There may also be occurrences of derelict or previously developed land which remains undeveloped today. However the previous use of these areas raises the risk of contamination and the need for remedial measures regardless of how the land will be used in the future.
- 2.15. Air quality within North London is uniformly poor as a result of high levels of nitrogen dioxide and dust (NO₂ and PM₁₀ respectively) that are mainly, but not exclusively, due to road traffic. As a result, all of the councils have declared Air Quality Management Areas (AQMA) covering the entire Borough in each case.
- 2.16. The NLWP includes strategies and policies to protect environmental assets and amenity.

Transport

- 2.17. North London benefits from good access to the strategic road network as the M1 and M11 run through the Plan area and the M25 follows the northern boundary of the Plan area. The local road network is dominated by important radial routes to the centre of London and also includes the key orbital North Circular Road (A406) which bisects the Plan area from east to west. Parts of this network experience high levels of congestions at off-peak as well as peak hours, despite the fact that part of the area lies within the Mayor's congestion charging zone.

- 2.18. Car ownership levels are low compared to the national average in the inner Boroughs but average in the outer Boroughs.
- 2.19. Three main train lines terminate in the plan area at Euston, St Pancras and Kings Cross all in Camden, and Islington's Farringdon Station is set to become a major transport hub following implementation of Crossrail. The North London Line (NLL) is a nationally important freight route providing movement of material across the area. A railhead at Hendon in Barnet transports waste out of London.
- 2.20. In addition the Grand Union Canal and the Lee Navigation run through the area and provide sufficient draught to allow light cargo movements to and from industrial and other facilities close to a number of wharves along each waterway.
- 2.21. A key objective of the Plan is dealing with more of its own waste locally and thus contributing to the target of making London self-sufficient as required by the Mayor's waste apportionment targets. However, it is likely that some waste will continue to cross boundaries for treatment or disposal where commercial contracts are in place or where there is the most appropriate waste facility (see section 4 on cross boundary movements). Opportunities for using sustainable modes of transport is a key element of the Spatial Strategy.

Land Use

- 2.22. Across North London as a whole the predominant land use is housing. There are also concentrated areas of commercial activity and town centres. Parts of Camden, Hackney and Islington fall into the Central Activities Zone which covers London's geographic, cultural, economic and administrative core. The Upper Lee Valley on the east of the area is a concentrated area of industrial activity. Each borough contains areas of industrial land that are designated for this purpose. The London Plan designates Strategic Industrial Locations (SILs) and Local Plans can identify Locally Significant Industrial Sites (LSISs) and other industrial/employment designations.
- 2.23. As mentioned in the environment section above, there are expanses of open space and Green Belt across the area; and agricultural land in the north of the Plan area. There are no plans by any of the boroughs to review their Green Belt boundaries.
- 2.24. There are many zones of historic conservation interest including over 14,000 listed buildings and 172 conservation areas and these are already protected

by Local Plan policies. Historic assets are also considered in the sites/areas assessment criteria (see section 7).

Climate Change

- 2.25. The North London Boroughs are all focused on the challenges posed by climate change. Borough strategies are driven by the requirements to mitigate and adapt to all effects of climate change. The NLWP aims to deliver effective waste and resource management which makes a positive and lasting contribution to the sustainable development of London and to combating climate change.
- 2.26. All Boroughs have lower CO₂ emissions per capita than the national average, with the exception of Camden where levels are elevated by the concentration of commercial and other non-domestic activities. However all Boroughs have significantly lower per capita CO₂ emissions from road transport when compared to the national average. This is particularly apparent in Camden, Hackney, Haringey, Islington and Waltham Forest. Per capita CO₂ emissions from the domestic sector are below the national average.
- 2.27. The NLWP seeks to reduce the reliance on disposal to landfill sites outside London as this contributes to CO₂ emissions from transport as well as the decomposing buried waste. It is recognised that waste management facilities will continue to generate CO₂ emissions but the priority will be to implement policies and direct new development to sites which deliver a better overall environmental outcome and by offsetting greenhouse gas emissions where this is technically and economically feasible, helping to improve identified environmental issues.
- 2.28. Parts of all Boroughs are under threat from surface water (and potentially sewer) flooding because of the extensive urbanised areas and because the surface geology is predominantly impermeable clay.
- 2.29. On the east side of the area a number of tributaries flow into the River Lea while parts of Barnet drain into the River Brent to the west. The greater occurrence of urban flood events over the last sixty years and climate change means that this could become more of a threat in the future.

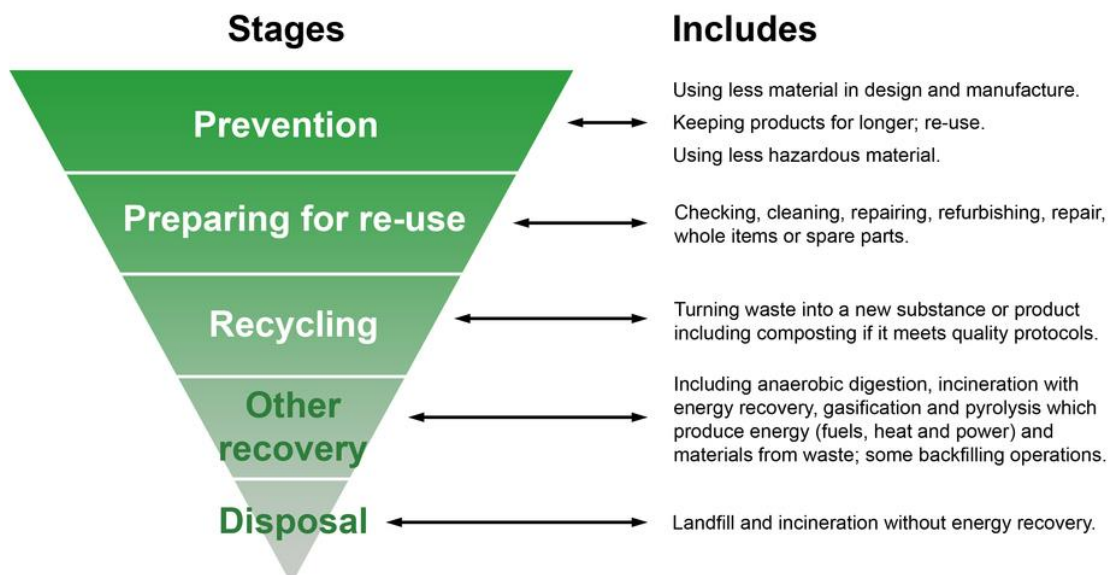
3. Aims and Objectives

Aim of the North London Waste Plan

- 3.1. This section sets out information regarding the aim and supporting objectives for the NLWP. Each of the seven Borough Core Strategies contains a vision for their area, and the aim of the NLWP links to the delivery of that vision. The NLWP therefore does not include a vision, but instead a single overarching aim and a number of objectives to deliver that aim. Comments made at the focus group held in June 2014 and comments made through the initial consultation on the development of the NLWP undertaken between April and June 2013 have been considered. The Aim meets the requirements of National Planning Policy for Waste (NPPW) through providing a set of agreed priorities for delivering sustainable waste management in North London
- 3.2. The NLWP treats waste as a resource rather than as a nuisance, promoting the principles of the waste hierarchy. The Aim acknowledges that the NLWP is part of a wider but integrated approach that will help to deliver sustainable waste management in North London, alongside such measures as improved resource management, and waste prevention and reduction. The NLWP aim and objectives reference and integrate the Waste Hierarchy which is shown in Figure 5.

Figure 5: Waste Hierarchy

The Waste Hierarchy



- 3.3. The aim of the draft NLWP is:

Aim of the NLWP

“To work towards achieving net self-sufficiency in the management of North London’s waste and support a greener London by providing a planning framework that contributes to an integrated approach to management of materials further up the waste hierarchy. The NLWP will provide sufficient land for development of waste facilities that are of the right type, in the right place and provided at the right time to enable the North London Boroughs to meet their future waste management needs by 2032”.

Question 1: Do you agree with the proposed Aim for the draft NLWP? If not, please suggest an alternative.

Strategic Objectives

3.4. The objectives of the draft NLWP are as follows:

SO1. To support the movement of North London’s waste as far up the waste hierarchy as practicable, to ensure environmental and economic benefits are maximised by utilising waste as a resource;
Met through Policies 2, 3, 5 and 7

SO2. To ensure there is sufficient suitable land available to meet North London’s waste management needs through safeguarding and allocation policies;
Met through Policies 1, 2, 3, 4 and 5

SO3. To work towards net self-sufficiency by providing opportunities to manage as much as practicable of North London’s waste within the Plan area taking into account the amounts of waste apportioned to the Boroughs in the London Plan, and the requirements of the North London Waste Authority.
Met through Policies 1, 2, 3, 4 and 5

SO4. To ensure that all waste developments accord to high standards of design and build quality, and that the construction and operation of waste management facilities do not cause unacceptable harm to the amenity of local residents or the environment;
Met through Policy 6

SO5. To ensure the delivery of sustainable waste development within the plan area through the integration of social, environmental and economic considerations;
Met through Policies 2, 3 and 6

SO6. To provide opportunities for North London to contribute to the development of low carbon industries and decentralised energy;
Met through Policy 7

SO7. To support the use of sustainable forms of transport and minimise the impacts of waste movements including on climate change;
Met through Policy 6

SO8. To protect, and where possible enhance, North London's natural environment, biodiversity, cultural and historic environment.
Met through Policy 6

Question 2: Do you agree with the proposed Draft Objectives for the draft NLWP? If not, please suggest an alternative and/or additional objectives.

4. Spatial Strategy

Purpose

- 4.1. A spatial strategy sets out the physical distribution of key characteristics, including infrastructure, geographical features and planning designations, which will influence the Plan and identifies opportunities and constraints within that framework.
- 4.2. This spatial strategy provides the strategic framework for the detailed policies of the NLWP and the allocation of suitable sites. It reflects the complexities and realities of planning for waste in a large urban area where there are a number of competing land uses. It provides the basis for balancing various priorities, opportunities and constraints, in particular the availability of sites/areas to achieve a deliverable distribution of waste management sites, whilst bringing social, economic and environmental benefits of new waste management facilities to North London.
- 4.3. The NLWP spatial strategy was developed and presented to a focus group of key stakeholders in June 2014. Following consideration of the comments received from the focus group, the spatial strategy has been revised and is presented below. Key elements of the spatial strategy are reflected in the sites/areas assessment criteria.
- 4.4. The spatial strategy also takes account of the Plan's evidence base and objectives, regional and national guidance and the views of stakeholders, as well as the requirements set out in National Planning Policy for Waste (NPPW), specifically the section on 'Identifying suitable sites and areas' (NPPW paragraphs 4-6).
- 4.5. The NLWP spatial strategy is to:
 - A. Make use of existing sites and identify most suitable new sites/areas
 - B. Seek a network of waste sites across North London
 - C. Encourage co-location of facilities
 - D. Provide opportunities for decentralised heat and energy networks
 - E. Reduce impact on local amenity
 - F. Support sustainable modes of transport
 - G. Reduce exports of waste
- 4.6. Figure 4 in Section 2 shows the main infrastructural, geographical and planning designations which have an influence on planning for waste in North London. Figure 6 below shows the Spatial Strategy in map form.

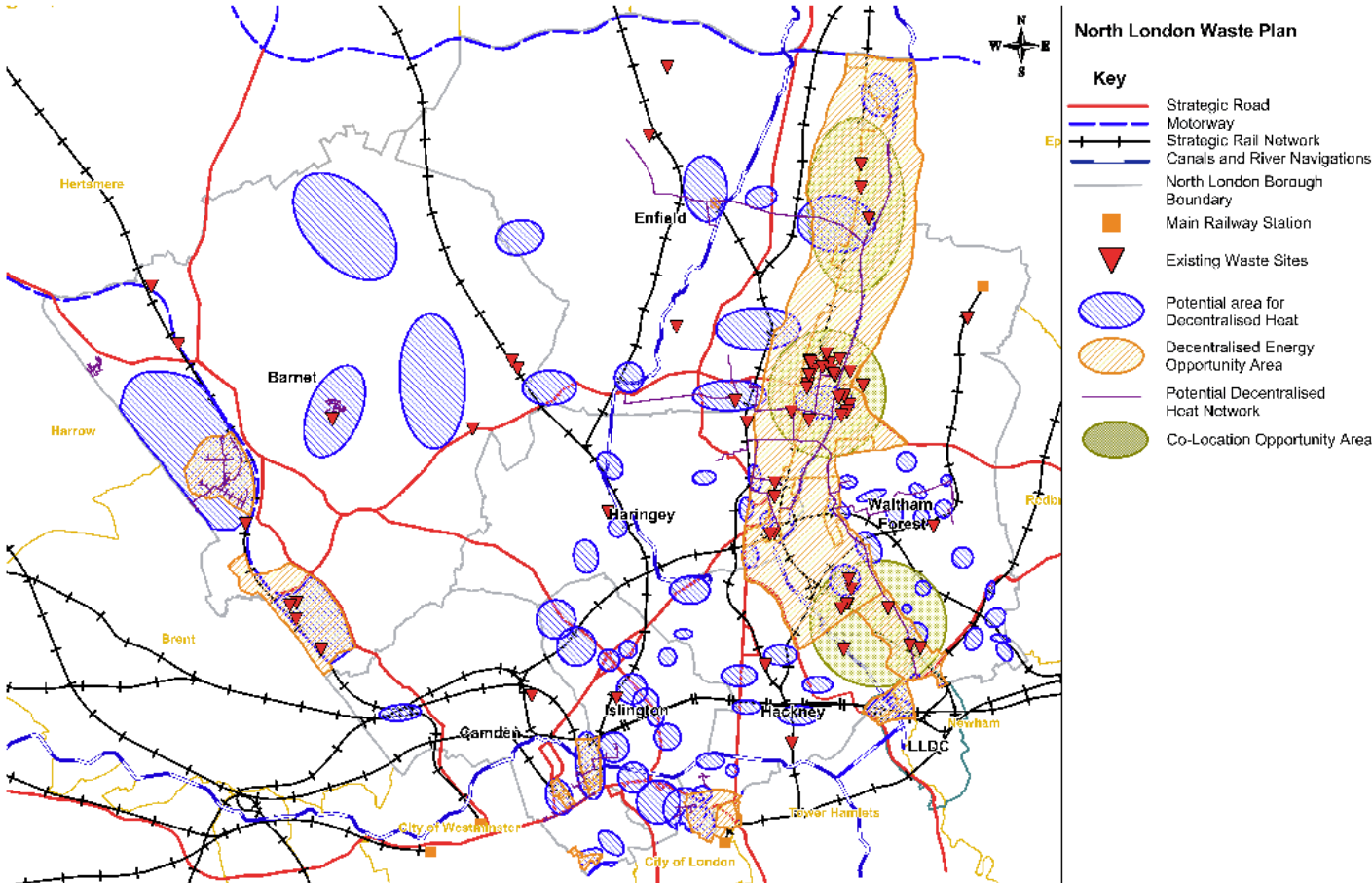
A. Make use of existing sites

- 4.7. Existing waste management sites form an important part of the strategic waste plan for North London and are safeguarded for waste use through NLWP Policy 1 (see Schedule 1 in Appendix 1 for a full list of existing sites). These sites have developed over decades outside of a strategic plan for waste, and in locations which may have been suitable for waste uses but which did not create an even geographical spread across North London. Figure 6 above and Figure 9 (in section 5) shows that most of the existing sites are to the east of the North London area in the Lee Valley corridor.
- 4.8. Three existing sites are known to be planning capacity expansion or upgrades to existing facilities (see Expansion of existing Waste Management Facilities in Section 7). Most existing sites do not have any current plans to expand capacity or change their operations but the North London Boroughs support, in principle, the upgrading of existing facilities.

B. Seek a network of waste sites across North London












- 4.9. Figure 6 shows that the majority of existing waste sites are located to the east of the area in the Lee Valley corridor. This reflects the nature of the area with some boroughs having a larger supply of industrial land, where waste uses are generally more acceptable. The geography of North London has influenced the spread of waste sites. For example, some areas such as the protected Green Belt in the north will restrict built waste facilities, whilst larger and co-located facilities are more likely to in areas with similar existing uses away from urban centres and sensitive receptors. Policies 2 and 3 build on the existing network of waste sites by identifying new sites and areas which are suitable for waste uses.

Figure 6: Spatial Strategy



North London Waste Plan

Key

-  Strategic Road
-  Motorway
-  Strategic Rail Network
-  Canals and River Navigations
-  North London Borough Boundary
-  Main Railway Station
-  Existing Waste Sites
-  Potential area for Decentralised Heat
-  Decentralised Energy Opportunity Area
-  Potential Decentralised Heat Network
-  Co-Location Opportunity Area

Urban Vision Partnership Ltd
Minerals and Waste Planning Team

Spatial Strategy Plan

Date: March 2015
Scale: 1:85,000 @A3
Client: NLWP

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Ordnance Survey 100021551

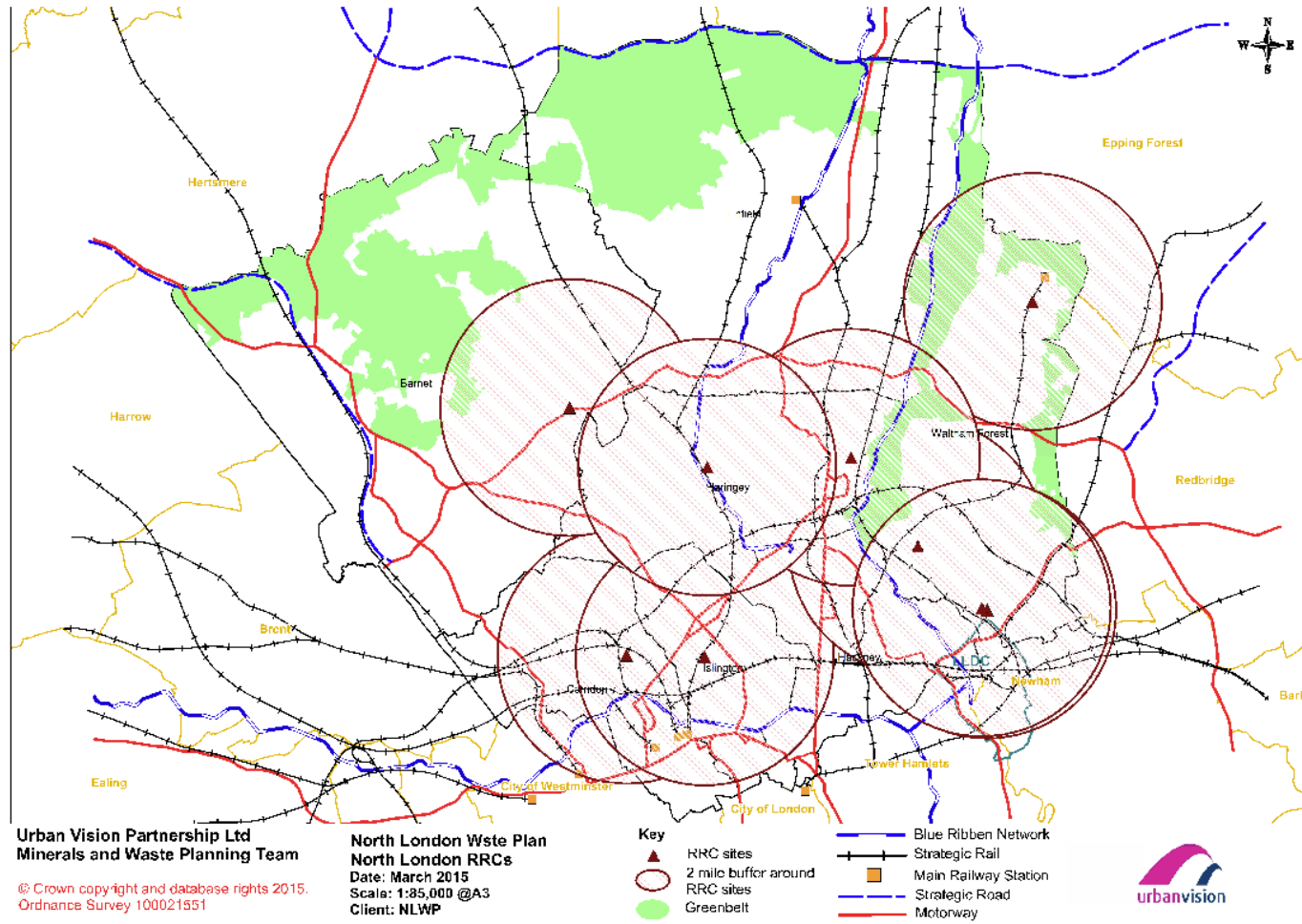


- 4.10. While it is desirable for waste to be treated as close as possible to its source, the complexity of the waste management business poses challenges. Different types of waste require different types of management and the most suitable facility may be not be the nearest and may be outside North London. Waste sites tend to treat particular waste streams such as LACW or C&D and so there are networks of facilities for particular waste streams by treatment method, for example the NLWA has a network of sites across North London to manage LACW, focused on one main facility at Edmonton EcoPark. Contracts for commercial waste and for construction waste will require vehicles to travel to the nearest facility managed by or available to that particular operator.
- 4.11. Given that the predominant transport mode for waste movements is road, it is desirable to reduce the distance travelled. Where demand arises, opportunities to seek a wider network of waste sites for different waste streams across the area are supported through Policy 4: Unallocated Sites.
- 4.12. Figure 7 shows the current network of local re-use and recycling centres (RRCs) and a radius of two miles around them. Opportunities will be taken to ensure residents have good access to RRCs where there is an identified need (policy 5).

C. Encourage co-location of facilities

- 4.13. The conglomeration of waste facilities in the Lee Valley corridor provides opportunities for co-location. The NPPW requires waste plans to identify opportunities to co-locate facilities together and with complementary activities, and this approach was supported by the focus group. There are several benefits of co-location. It has the potential to minimise environmental impacts, take advantage of 'economies of scale', share infrastructure, existing networks (e.g. the rail and highway network) and skilled workforces.
- 4.14. There are also co-location opportunities related to other industrial activities synergistic with waste management, for example the manufacturing of products from recycled materials. Existing waste facilities are already employing this approach as exemplified by the industries developing around the Edmonton EcoPark (Enfield) and the Plan seeks to build on the momentum by supporting this approach as a key element of the spatial strategy.

Figure 7: Current RRCs in North London



D. Provide opportunities for decentralised heat and energy networks

4.15. The concentration of existing and new sites in the Lee Valley corridor also creates good opportunities for developing connections to decentralised heat and energy networks. Co-location of waste facilities alongside potential consumers of the heat and power they produce is beneficial. The London Plan supports the development of combined heat and power systems and provision of heat and power to surrounding consumers. The Spatial Strategy Map above (Figure 6) shows where facilities could connect to a network ('decentralised heat opportunity area' and 'decentralised energy opportunity area'). The NLWP supports opportunities to develop combined heat and power networks on sites and areas within the Lee Valley that not only have the ability to link in to the decentralised energy network but also have the potential for waste development with CHP. All developments in these areas will be expected contribute to this in line with Policy 6.

E. Reduce impact on local amenity

4.16. The site selection criteria set out in Chapter 5 direct waste management development to the most suitable sites/areas taking into account environmental and physical constraints, including locations where any impacts that may occur can be mitigated to an acceptable level.

4.17. Policy 6 sets out assessment criteria for waste management facilities and related development which includes criteria for protecting local amenity. Applicants are required to submit sufficient information to enable the waste planning authority within which the subject site falls to assess the potential impact of the development proposal on all interests of acknowledged importance. Policy 6 also seeks the development of enclosed facilities to mitigate any negative impact associated with open air facilities on the surrounding environment and amenity.

F. Support sustainable modes of transport

4.18. As Figure 6 shows, North London is well served by road, rail and waterway networks and waste is currently transported in, out and around North London by both road and rail. There are potential opportunities for waste sites to better utilise sustainable modes of transport such as rail and waterways; however investment in wharfs and rail sidings may be required before waste can be moved along the canal or rail network. While sustainable transport methods are supported in line with Objective 7, it is recognised that related infrastructure is expensive to install and may not be economically viable for smaller facilities unless this already exists and can be easily used. North London currently has one rail linked waste site (at Hendon) supporting the

requirements of the North London Waste Authority (NLWA). This site is due to be redeveloped as part of the Brent Cross Cricklewood regeneration project. There are also opportunities for transportation by water at Edmonton EcoPark. Road transport will continue to be the principal method of transporting waste in North London. Access to transport networks including sustainable transport modes was considered when assessing the suitability of new sites and areas.

G. Reduce exports of waste

- 4.19. A final element of the spatial strategy relates to the areas outside the borders of North London. Waste is exported to a number of areas outside of North London, mainly in the south east and east of England. The NLWP seeks to reduce waste exports and increase the amount of waste managed in proximity to its source through providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue. This is known as net self-sufficiency and the strategy for achieving this is set out in the Provision for North London's Waste to 2032 in section 7.

Question 3: Do you agree with the draft spatial strategy for the NLWP? If not, please provide further detail and any alternative approaches.

5. Current waste management in North London

- 5.1. This section looks at the current picture of waste management in North London, including the amount of waste generated; the current capacity, types and location of facilities; how each waste stream is managed and cross-boundary movements of waste.

North London Waste Data Study

- 5.2. In order to assess North London's current facilities, capacity and arisings, and future waste management requirements, a Waste Data Study was published in 2014. This is available to view on NLWP website (www.nlwp.net). The Waste Data Study is in three parts with an update to take account of new information and data:

- Part One: North London Waste Arisings
- Part Two: North London Waste Capacity
- Part Three: North London Sites Schedule
- Data Study Update

- 5.3. The Waste Data Study includes the following information:

- The amount of waste currently produced in North London;
- How and where North London's waste is managed;
- The capacity of existing waste infrastructure;
- The waste management targets the NLWP will support (for example recycling targets); and
- The amount of waste projected to be produced over the plan period (up to 2032) and the extent to which existing facilities can meet this future need

- 5.4. The Waste Data Study assessed all the main waste streams (set out in paragraph 1.4) which the NLWP will plan for and the findings are set out below.

- 5.5. The Waste Data Study was prepared using the best available and most recently published information for each waste stream. Other than for Local Authority Collected and Hazardous Waste, which is gathered and published consistently and on an annual basis, data for the other waste streams is widely acknowledged to be imperfect. The challenge of obtaining up to date and reliable waste data is highlighted in the National Planning Practice Guidance on waste. Part One of the Waste Data Study provides more detail on the sources of waste data used, its limitations and consistency.

Waste generated in North London

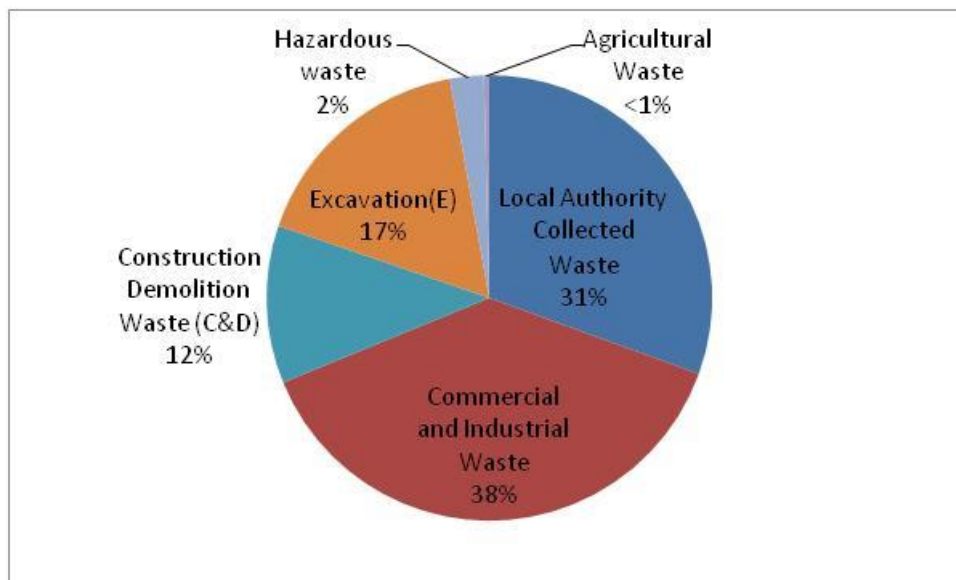
5.6. Table 2 below shows the amount of waste generated in North London for the main waste streams. Figure 8 shows the proportion of each waste stream as a percentage of the total waste in North London³.

Table 2: Amount of Waste Generated in North London 2013

Waste Stream	Tonnes Arising
Local Authority Collected (LACW including trade waste)	838,952
Commercial & Industrial (C&I excluding trade waste)	908,051
Construction and Demolition (C&D)	272,004
Excavation	401,072
Hazardous	58,216
Agricultural	9,223
Total	2,373,330

Source: North London Waste Data Study Update 2015

Figure 8: Proportion of North London Waste in Each Waste Stream 2013



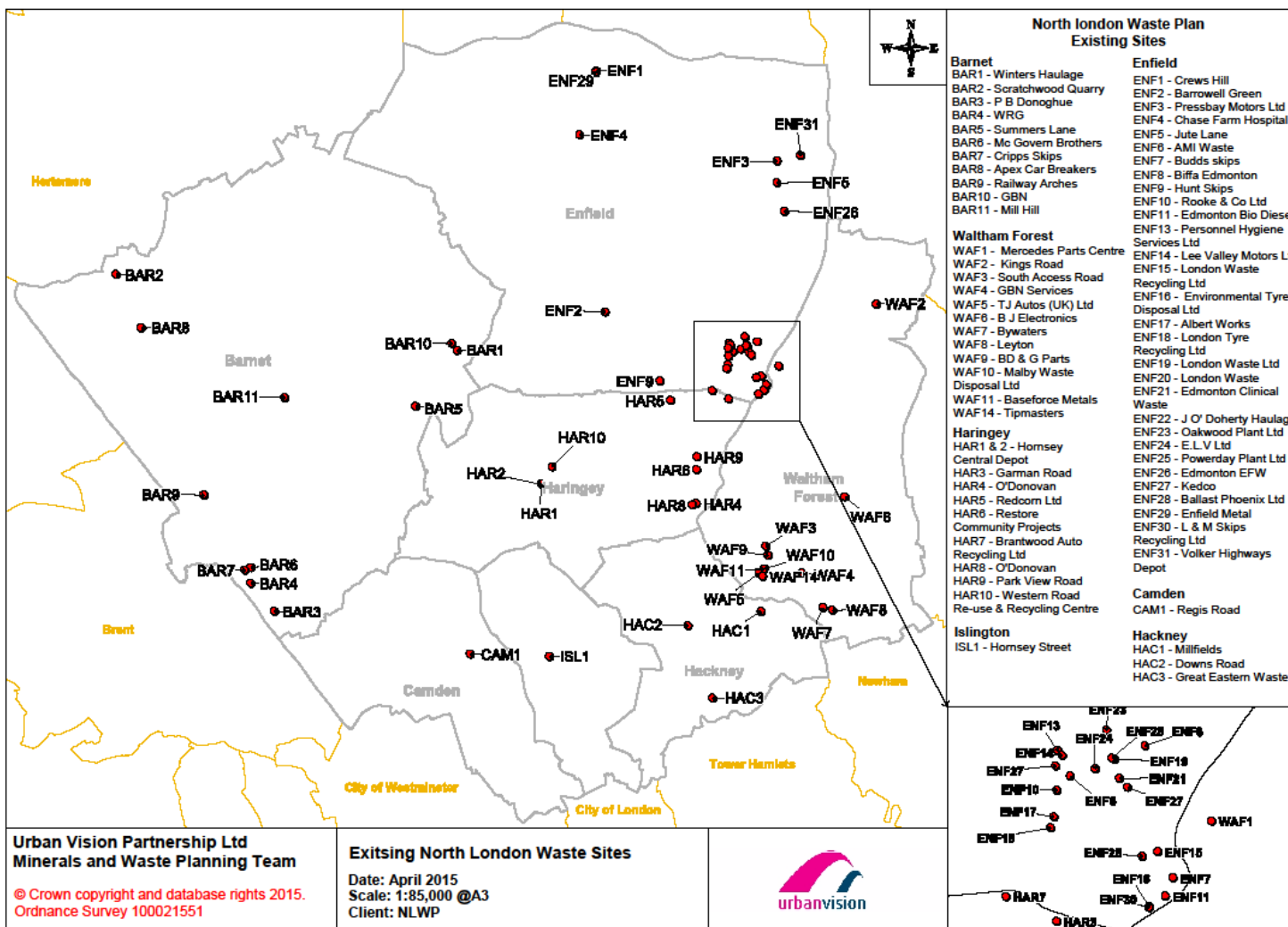
Source: North London Waste Data Study Update 2015

³ The data is taken from the Waste Data Study Part Two, Table 1

Current facilities

- 5.7. Table 3 below shows the existing waste management facilities in North London by type and waste stream managed, and takes account of the findings of the Waste Data Study Update. It identifies an existing waste management capacity of around 3.7 million tonnes per annum. Figure 9 shows the location of the facilities represented in Table 3 and a full list is in Appendix 1. North London has no landfill sites and waste is currently exported out of the plan area for this purpose.
- 5.8. On the face of it, current capacity of waste management facilities in North London appears to be more than enough to deal with the total waste generated in the area. However, this does not take into account the specialism of each type of facility, or imports to the area. This is examined in more detail in section 5.

Figure 9: Existing Waste Sites



5.9. The original Waste Data Study used the common assumption that sites categorised as Waste Transfer Stations did not carry out any recycling, and simply bulked up waste for transport to recycling and treatment facilities outside London. However, on further investigation it was found that a large amount of waste was being recycled at Waste Transfer Stations in North London and this is reflected in Table 3 below. As a result a number of sites, previously regarded solely as Waste Transfer Stations and not counted towards management capacity, have been re-categorised as Materials Recycling Facilities. A fuller explanation is provided in the Waste Data Study Update.

Table 3: Maximum Annual Capacity at Existing North London Waste Management Facilities

Waste Stream	Facility Type	Maximum capacity (tonnes) (Base data 2013)
LACW only	Transfer stations (non-hazardous)	827,971
LACW only	Re-use and Recycling Centres (RRCs)	90,020
LACW only	Material recycling facilities (MRF)	17,000
LACW only	Incineration with energy recovery (Energy from Waste: EfW)	550,000
LACW and C&I	Transfer stations (clinical waste)	203
LACW and C&I	Composting	33,427
C&I only	Material recycling facility (MRF)	357,257
C&I only	Recycling (Metals)	395,890
C&I only	Treatment facility	784
C&I and CDE	Transfer stations (non-hazardous)	124,866
C&I and CDE	Material recycling facilities (MRF)	632,002
C&I and CDE	Recycling (metals)	21,537
CDE only	Recycling (aggregates, other C&D)	216,177
CDE only	Treatment Facility	462,661
Hazardous	Treatment facility (Hazardous)	7,663
TOTAL		3,737,460

Current Waste Management

Local Authority Collected Waste

- 5.10. Preventing waste being generated in the first place is at the top of the waste hierarchy. Waste minimisation seeks to reduce the amount of waste produced by targeting particular behaviours and practices. Much of the regulatory impetus for waste minimisation in the UK comes from European regulations and is targeted towards LACW and C&I waste. There are a number of national schemes which promote waste minimisation. This includes the [‘Love Food Hate Waste’](#)⁴ campaign which seeks to reduce food waste.
- 5.11. The Mayor supports the [London Reuse Network](#) which is made up of charities, social enterprises, and non-profit organisations who work together to promote re-use across London. The Mayor’s municipal waste strategy commits the Mayor to providing funding for waste authorities to carry out local waste minimisation campaigns. The London Infrastructure Plan 2050 embraces and seeks to accelerate a move towards better recycling and collection services.
- 5.12. The North London Boroughs run a number of waste minimisation activities for schools and communities. These are delivered through the North London Waste Authority’s (NLWA) [‘Wise up to Waste’](#) programme which focuses on reducing food waste (part of the ‘Love Food Hate Waste’ campaign) and junk mail, and encouraging home and community composting and use of real nappies. The Wise up to Waste team also facilitate reuse programmes ranging from clothes, shoes and furniture to carrier bags, and ‘Give and Take’ days where people can bring any household items that they no longer want or learn how to repair them.
- 5.13. Like waste minimisation, much of the impetus for recycling in the UK comes from European regulations. The EU Waste Framework Directive sets LACW recycling targets for member states and is enshrined in UK law.
- 5.14. Nearly 839,000 tonnes of LACW was collected in 2013/14⁵. Of this, approximately 32% was sent for recycling, reuse or composting. Of the remaining LACW, 45% was sent to NLWA’s energy-from-waste facility at Edmonton and 23% was sent to landfill outside of North London.

⁴ Managed by [WRAP](#)

⁵ Figures from WasteDataFlow

- 5.15. The North London Waste Authority has reported an increase in recycling performance from 23% in 2006/7 to 32% by 2012/13. This is lower than the national average of 44% but higher than the London average of around 30%.
- 5.16. North London's recycling rate has slowed in recent years. There are a number of factors which contribute towards lower recycling rates in London. These include: rapid population growth; a greater transient population than anywhere else in the UK; the greater proportion of flats compared to houses which present challenges for setting up collection systems for recyclable waste; proportionately fewer gardens generating lower level of green waste for recycling, and; differences between Boroughs in terms of collection systems.
- 5.17. The North London Boroughs and the NLWA are all committed to achieving the 50% recycling target set out in the Joint Municipal Waste Management strategy and the London Plan. The North London Boroughs, together with the NLWA, are beginning a renewed drive to increase recycling including looking at ways to standardise collection regimes. Each of the North London Boroughs has their own recycling strategies in their capacity as waste collection authorities.
- 5.18. In addition the London Waste and Recycling Board (LWARB) works with London Boroughs to increase recycling rates and supports waste authorities in improving waste management services. LWARB also provides investment for new waste infrastructure, for example an anaerobic digestion plant north of Enfield which treats food waste from London, Hertfordshire and Essex to power homes and produce fertiliser for local farmers.
- 5.19. The planning application process also has a role to play in enabling recycling. Each North London Borough has planning policies or guidance to ensure procedures are in place to minimise waste generated during construction and that the building design includes measures to help residents recycle their waste, for example adequate storage for waste and recycling.
- 5.20. The NLWA's long term waste management solution is based upon the continued use of the existing Edmonton facility until 2025 and the development of a new energy recovery facility on the same site to be operational from 2025 onwards. Further information and how it has informed the draft NLWP is set out in section 8 of this Plan.

Commercial and Industrial Waste

- 5.21. The Waste Data Study has used data from the Defra C&I Waste Survey 2009 to assess the management routes of North London's C&I waste. The 2009

survey indicates that 52% of C&I waste is recycled, reused or composted and 18% of this waste sent to landfill and land recovery. A small proportion (6%) of C&I is sent for thermal treatment or other forms of management (7%). However, it is not known how a further 17% of this waste stream is managed and potentially reliance on landfill could be as high as 34%.

- 5.22. The Mayor's Business Waste Strategy, "Making Business Sense of Waste" sets a target to recycle 70% of C&I waste by 2020. Businesses need to be encouraged and supported to recycle more. This includes having in place the waste management infrastructure to allow businesses to recycle and to reduce their reliance on landfilling. The London Waste and Recycling Board (LWARB) as discussed above works with businesses to increase their recycling rates.
- 5.23. There are a number of national schemes which promote waste minimisation. This includes the [Courtauld Commitment](#) which aims to reduce food waste, grocery packaging and product waste, both in the home and the grocery sector. It is a voluntary agreement supported by leading retailers, brand owners, manufacturers and suppliers who sign up to the delivery of waste minimisation targets.
- 5.24. The Mayor's business waste strategy commits the Mayor to providing businesses with the help necessary to overcome barriers to waste minimisation. The North London Boroughs also run waste minimisation activities for businesses. The London Infrastructure Plan 2050 embraces and seeks to accelerate a move towards the circular economy in London.

Construction, Demolition and Excavation Waste

- 5.25. The majority of C&D waste is recycled on site or through transfer facilities (80%) with the remainder sent directly to landfill (16%) or treatment (3%). Recycling rates of C&D waste are high due to the nature and value of the material. Excavation materials are primarily disposed of directly to landfill (92%) with the remainder managed through transfer stations (6%) or sent for treatment (2%). The London Plan includes a target of 95% recycling of CD&E by 2020.

Hazardous Waste

- 5.26. For hazardous waste 53% (30,888 tonnes) was managed at treatment facilities in 2013, of which the majority (29,963 tonnes) was exported for treatment outside of North London. The next most common method of management was recovery (18%), with a further 13% being managed at landfill. The remaining amount was sent to transfer stations for later recovery

or disposal (14%) and to thermal treatment (2%). Of the total hazardous waste arisings, 57,053 tonnes (98%) was exported out of North London for management. It is not unusual for hazardous waste to travel outside the area to specialist facilities which tend to have a wider catchment area.

Agricultural Waste

- 5.27. The majority of agricultural waste arisings are managed within the farm holding, with a very small amount managed outside of farm holdings. As such, the NLWP does not seek to identify sites for additional facilities to manage this waste stream; any facilities which do come forward on farm land would be considered against Policy 4 Unallocated sites.

Low Level Non-Nuclear Radioactive Waste (LLW)

- 5.28. The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London, mainly from hospitals, is currently managed outside the area in specialist facilities. Records of LLW in the sub-region indicate that the amounts generated are below the reporting threshold, which is measured in terms of radioactivity. Volumes of waste are not requested from producers of LLW, however an estimate has been made that the annual arising of LLW in the sub-region is not likely to exceed 100m³.

Waste Water and Sewage Sludge

- 5.29. Waste Water Treatment Works in North London are operated by Thames Water. The main Thames Water Waste Water/sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), which is the ninth largest in England. Deephams STW serves a Population Equivalent (PE) of 891,000 (as at 2011). The site is to be retained for waste water use and Thames Water anticipates that the recently approved upgrade to Deephams STW will provide sufficient effluent treatment capacity to meet their needs during the plan period. Thames Water is also proposing an upgrade to the sewage sludge treatment stream at Deephams STW. Further details can be found in section 8.

Cross Boundary Movements

- 5.30. On average, around 1 million tonnes of waste from all waste streams is exported from North London each year and over 70% of this goes to landfill. Exports in the LACW/C&I category have been steadily declining in recent years. This is in line with the waste strategies of the Mayor and the North London Waste Authority which aim to reduce the amount of waste going to landfill. Exports of CDE waste have been increasing at about the same rate

as LACW and C&I have been declining which results in a fairly consistent rate of export. This pattern is shown in the Figure 10 below.

Figure 10: Waste Generated in North London 2009-2013

Source: WDI 2009-2013

5.31. Waste exports from North London are deposited in more than 100 different waste planning authority areas, but the majority (93%) goes to nine main destinations. These are shown in the Figure 11 below:

Figure 11: Distributions of Waste Exports from North London

Source: WDI 2010-2013

- 5.32. On average 1.2 million tonnes of waste is imported to North London. Most of this comes from our immediate neighbours in Greater London, the South East and East of England and is managed in transfer stations, treatment facilities and metal recycling sites. On the face of it, North London is a net importer of waste; however this does not take account of the unknown quantity of waste which passes through the area to be managed elsewhere.
- 5.33. As part of discharging the 'duty to co-operate', the North London Boroughs have contacted all waste planning authorities (WPA) who receive waste from North London to identify any issues which may prevent waste movements continuing during the plan period. While the main focus has been on the nine WPAs shown above, the North London Boroughs are also continuing a dialogue on waste movements with all WPAs who wish to do so. A Report on the duty to co-operate, issues identified and next stages accompanies this Plan and is summarised here.
- 5.34. Engagement to date has highlighted a number of constraints to the continuation of waste exports to landfill from North London. These include the potential closure of landfill sites during the plan period in Bedfordshire, East London, Essex, Hertfordshire and Thurrock. The operation of some of these sites may be extended beyond their currently permitted end date and the boroughs will continue to monitor this information throughout the preparation of the NLWP. The next iteration of the Plan ("submission version") will need to demonstrate there is sufficient capacity outside North London to accommodate the waste anticipated for export to landfill (set out in Figure 12). Should a site be anticipated to close during the plan period, the NLWP will seek to identify potential alternative destinations and/or management routes for the amount of waste currently being exported to that site. The North London Boroughs will pursue agreement on this matter with recipient waste planning authorities through a memorandum of understanding in line with the Duty to Co-operate Protocol.
- 5.35. A further constraint to the continued movements of waste comes in the form of waste plan policies in those areas receiving London's waste. These policies provide for a declining amount of landfill space for London's LACW and C&I waste down to zero by 2026. The abolition of the RSS means that the apportionments will not be refreshed or updated beyond their current timeframe and the waste planning authorities in question do not expect to receive much LACW and C&I waste after 2026.
- 5.36. The NLWA intends to minimise the amount of LACW sent direct to landfill by 2025 by maximising recycling and maintaining the throughput of the existing Energy from Waste facility at Edmonton EcoPark. The North London Waste Plan will also support this strategy by identifying sufficient land to meet

capacity for the equivalent of all LACW and C&I generated in North London by 2026. Further information on how waste will be diverted from landfill can be found in the Provision for North London's Waste to 2032 in section 7.

- 5.37. A final issue related to the continued export of waste has been identified for hazardous waste. This type of waste is managed in specialist facilities which have wide catchment areas and may not be local to the source of the waste. North London has two hazardous waste facilities which manage a small amount of this waste (around 7,600 tonnes per annum) while the rest (87%) is exported. While the export of most hazardous waste to the most appropriate specialist facilities is likely to continue, current data collection methods do not make it easy to identify which hazardous waste facility is managing waste sent from North London. The boroughs will work with the Environment Agency and waste planning authorities who receive hazardous waste from North London to identify which facility manages North London's waste and any constraints to the continued export of this waste. Additionally, the boroughs will seek to identify potential new destinations for the management of North London's hazardous waste if any constraints to the continued movements of this waste are identified, for example closure of the facility. The North London Boroughs will pursue agreement on this matter with recipient waste planning authorities through a memorandum of understanding in line with the Duty to Co-operate Protocol.
- 5.38. The North London Boroughs will continue to co-operate with relevant authorities on matters of strategic waste planning throughout the preparation of the NLWP. The framework for this is set out in the Duty to Co-operate Protocol which was subject to consultation and is available [online](#). An important part of co-operation with WPAs who receive North London's waste is the consultation on this Draft Plan and in particular the 'Provision for North London's Waste to 2032' (section 7) which sets out in broad terms how the waste management needs in North London over the plan period will be met; and Figure 12 which shows anticipated waste exports to landfill over the plan period. We are inviting comments on this approach from WPAs who receive waste from North London.

6. Future Waste Management Requirements

Context

- 6.1. In line with the requirement of the National Planning Policy for Waste (NPPW) and the London Plan, the NLWP must identify sufficient waste management capacity to meet the identified waste management needs of North London over the plan period.
- 6.2. A key part of the development of the NLWP is to identify how much waste will be produced during the plan period, how this will be managed, what capacity is required and whether there is sufficient capacity already available. The NLWP must also consider how changes in the waste management behaviours, practices and technologies may influence this.
- 6.3. A Waste Data Study and an update to the Waste Data Study have been prepared to accompany this Draft Plan. The Data Study concluded that over the NLWP plan period there are capacity gaps for LACW, C&I and CD&E waste, and that North London will require additional facilities to meet these. There is also a capacity gap for hazardous waste and the North London Boroughs will contribute to the planning for hazardous waste facilities at a regional level. Additional land is not required to accommodate new facilities for Low Level Non-Nuclear Radioactive Waste (LLW), Agricultural Waste or Waste Water/Sewage Sludge during the plan period. More information about how each waste stream will be managed can be found in the Provision for North London's Waste to 2032 (section 7).

Options for managing North London's waste

- 6.4. In line with the National Planning Policy Framework (paragraph 182) to ensure the NLWP is justified, a range of options have been tested to demonstrate that in the selection of the preferred strategy, the North London Boroughs have considered reasonable alternatives. An Options Appraisal Report (December 2014) was prepared which considered how much waste will be generated over the plan period (growth assumptions), how much waste can be managed within North London (capacity strategy), and how this waste should be managed (management strategy). The findings of the Options Appraisal have been taken forward as 'preferred options' in this Draft Plan.
- 6.5. This section summarises these options, sets out the preferred approach, identifies the capacity gaps and shows how much land will be required to meet the gaps. The outcome of this is the 'Provision for North London's Waste to 2032' in Chapter 7 which sets out the strategy for each waste stream over the plan period.

Growth assumptions: How much waste will be generated in North London up to 2032?

- 6.6. The Data Study considered a number of population and economic growth scenarios to identify the likely future waste management requirements over the NLWP plan period to 2032. The modelling exercise looked at a range of different growth rates representing objectives set within Mayoral strategies, including the London Plan (March 2015), as well as those set nationally.
- 6.7. The three growth scenarios represent different population and economic factors that will affect the quantity of waste generated from households, businesses and services. The growth assumption options are:
- Option A: No Growth
 - Option B: Growth
 - Option C: Minimised growth
- 6.8. All the evidence and projections anticipate substantial population and economic growth in London over the next few decades. The Options Appraisal report concludes that Growth Assumption Option B: Growth is the most appropriate strategy for the Draft NLWP as it will provide the most accurate modelling scenario to project future capacity gaps.
- 6.9. Option B: Growth is closely aligned with the Greater London Authority's (GLA) modelling which has been independently tested through the London Plan Examination process. This provides a helpful alignment between the GLA's growth model and the findings of NLWP's waste data study model. In addition, Option B reduces the risk of under-provision of capacity for waste needs in North London over the next fifteen years.
- 6.10. Growth Options A and C are not considered to be appropriate strategies as they do not represent the most credible estimate of growth in North London over the plan period.

Capacity Options: how much of North London's waste can be managed within North London?

- 6.11. The NLWP is required to meet apportionment targets for Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste set out in the London Plan. The NLWP has to go beyond this and plan for all the main waste streams, in accordance with EU and national policy. As mentioned in section 4, Low Level Radioactive Waste and agricultural waste arisings do not need additional facilities during the plan period. Thames

Water anticipates that the upgrade to its existing Deephams facility will be sufficient to manage wastewater effluent during the plan period. It is anticipated that further upgrades to sewage sludge treatment or other treatments can be contained within the Deephams site. This leaves local authority collected waste (LACW), commercial and industrial (C&I) and construction, demolition and excavation (CD&E) waste streams to plan for in the NLWP. Hazardous waste is a sub category of all waste streams, and is also considered in the NLWP.

6.12. The following capacity strategy options were considered:

- Option 1: Meeting the London Plan apportionment (managing approximately 85% of LACW and C&I waste generated in North London)
- Option 2: Net self-sufficiency for LACW and C&I waste streams (managing the equivalent of 100% of LACW and C&I waste generated in North London)
- Option 3: Net self-sufficiency for LACW, C&I and C&D waste streams (managing the equivalent of 100% of LACW, C&I and C&D waste generated in North London)
- Option 4: Complete self-sufficiency (managing every tonne of locally created waste within North London)

6.13. Option 3: Net self-sufficiency for LACW, C&I and C&D waste is considered the most appropriate capacity strategy for the Draft NLWP. Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue. Option 3 is the only potentially deliverable option which is compliant with European Union and national legislation on managing all main waste streams. In addition, it demonstrates to neighbouring authorities outside London that North London intends to manage as much of its own waste as possible and reduce exports.

6.14. There are still risks associated with Option 3. Land requirements to meet net self-sufficiency for LACW, C&I and C&D waste streams is higher than the other options, save Option 4, and the NLWP will need to demonstrate that the sites/areas required can be delivered. In addition, despite reducing the amount of waste which is exported, some waste will still require management outside the area and the Boroughs need to ensure that there are no constraints to this continuing. See Figure 12 for anticipated exports to landfill during the NLWP plan period.

6.15. Options 1 and 2 are not considered appropriate strategies as the NLWP would not be in compliance with European Union and national policy on planning for all main waste streams. In addition, Options 1 and 2 would rely more heavily

on facilities outside the area and neighbouring authorities have highlighted a need for London boroughs to reduce exports and for the NLWP to plan to meet as much of its waste as possible. Option 4 could only be achieved if the North London boroughs can provide capacity to manage every tonne of locally created waste within North London. This option was rejected as it would require more capacity, including landfill and specialist facilities, than could be realistically delivered in North London.

Management Options: how waste will be managed within North London

6.16. The North London Boroughs have statutory duties to meet targets and the NLWP will need to be ambitious in order to achieve European Union, national, regional and local targets. These targets are as follows:

Table 4: Recycling and Recovery Targets with 2014 Baseline

Waste stream	Target	2014 baseline
LACW	50% recycling for LACW by 2020 with 40% energy recovery from 2015	32%
C&I	70% recycling by 2020, 75% recycling by 2031 with 15% energy recovery from 2020	52%
C&D	95% recycling by 2020	80%
Biodegradable or recyclable waste	Zero biodegradable or recyclable waste to landfill by 2026)	Not known

6.17. Three recycling/recovery options were considered which represent different behaviours that will affect the quantity of recycling and recovery possible from the waste arisings. These are:

- Option I: Baseline (current levels of recycling/recovery)
- Option II: Maximised Recycling
- Option III: Maximised Recovery/median recycling

6.18. Option II: Maximised Recycling is the most appropriate choice of behaviour scenario as it aligns with European Union, national, regional and local targets. Option II also means that more waste will be managed further up the waste hierarchy than the other options with more opportunity to divert waste away from landfill.

6.19. There are risks associated with Option II. Land requirement is higher than the other options and the NLWP will need to demonstrate that the sites/areas required can be delivered within North London. In addition, increasing recycling in North London in the timeframes set out will be challenging.

- 6.20. Behaviour Option III could deliver net self-sufficiency through prioritising recovery over recycling, but it was discounted as it would not meet the Mayor's timescales for recycling and, along with Option I, would not be in line with European Union, national, regional and local targets on recycling within the 2020 timeframe. In addition, Options I and III would not help reduce waste going to landfill and manage waste higher up the waste hierarchy to the same extent as Option II.
- 6.21. The most appropriate strategy and therefore the Preferred Option for the Draft NLWP is a combination of Option B: Growth, Option II: Maximised Recycling to meet Option 3: Net self-sufficiency for LACW, C&I and C&D waste streams.

<p>Preferred Options for planning for North London's waste</p> <p>Population/Economic Growth (Option B)</p> <p>+ Max Recycling (Option II)</p> <p>+ Net self-sufficiency (Option 3)</p> <p>=</p> <p>Quantity of waste to be managed</p>
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- 6.22. It is considered that this combination, along with existing capacity, will provide the most robust modelling scenario to project future capacity gaps and waste management needs.

Question 4: Do you agree with the NLWP taking forward the Preferred Options of Option B: Growth, Option II: Maximised Recycling to meet Option 3: Net self-sufficiency for LACW, C&I and C&D waste streams? If not, please state why and suggest an alternative Option.

Meeting the Capacity Gap

- 6.23. Table 5 below sets out the capacity gap using the preferred options of Option B: Growth, Option II: Maximised Recycling to meet Option 3: Net self-sufficiency for LACW, C&I and C&D waste streams. This is broken down in to 5 year periods to show points in time when a capacity gap is identified. Negative figures indicate a capacity gap and therefore the type of management route for which capacity is sought over the plan period.

Table 5: Capacity gaps throughout the Plan period – preferred scenario

Management Route	2016	2021	2026	2031
Landfill (C+I and LACW)	-326	-132	-115	-101
Landfill (Hazardous)	-7	-7	-7	-7
Landfill (C+D)	-44	-14	-15	-15
Landfill (E)	-370	-383	-395	-406
Energy from waste (LACW) ⁶	94	135	279	273
Energy from waste (C&I)	-40	-94	-99	-105
Energy from waste (Hazardous)	-0.3	-0.3	-0.3	-0.3
Thermal Treatment (Hazardous - no energy recovery)	-0.8	-0.8	-0.8	-0.8
Recycling (C+I and LACW)	584	193	26	-14
Recycling (C+D)	-84	-127	-138	-147
Recycling (specialist material)	401	400	400	399
Recycling (Hazardous)	-15	-15	-15	-15
Reuse (E)	-41	-43	-44	-45
Composting	21	21	20	20

⁶ Assumes the redevelopment of Edmonton EcoPark in line with the proposed NLWA Development Consent Order.

Management Route	2016	2021	2026	2031
Treatment plant (non-hazardous)	445	64	64	63
Treatment plant (hazardous)	-27	-27	-27	-27

Source: NLWP data study model (all figures in 000 tonnes rounded)

6.24. In order to meet the preferred option of net self-sufficiency for LACW, C&I and C&D waste streams, sufficient land will be identified through site allocations and identified areas to provide for this need. Table 6 below sets out the amount of land required within North London to meet the capacity gaps identified in Table 5. It does not include capacity such as landfill, re-use of excavation waste and hazardous waste facilities for which there will be continued use of facilities located outside the area. The Data Study Update sets out the methodology used to translate the capacity gap into land required to meet waste management requirements over the plan period. In summary, evidence was gathered and evaluated to identify typical capacity and land take for each type of facility. This data was used to estimate the land take that would be required to meet the capacity gaps in Table 5. The results of this work is shown in Table 6.

Table 6: Land take requirements for meeting net self-sufficiency for LACW, C&I and C&D (requirements for London Plan apportionment in brackets)

Facility Type	Hectares				
	2016	2021	2026	2031	Total
Energy from waste (C&I)	4 ⁷ (4)				4 (4)
Recycling (LACW and C&I)			2 (2)		2 (2)
Recycling (C&D)	4	2			6
TOTAL land required in North London	8 (4)	2 (0)	2 (2)	0 (0)	12 (6)

⁷ The existing Energy from Waste (EfW) facility at Edmonton does not currently accept C&I waste from private operators. Should a change in practice occur, this land may not be required.

7. Provision for North London's Waste to 2032

- 7.1. The information about existing capacity and facilities and the choice of the preferred options outlined in Chapter 5 establishes the capacity gaps for each of the seven waste streams, and how much land will be required to meet these gaps. Using this information, the North London Boroughs propose to adopt the following approach ('Provision for North London's Waste to 2032'); this sets out in broad terms how the waste management needs in North London over the plan period are being planned for. While some waste will continue to be exported to facilities which North London cannot accommodate, there is a surplus of provision for some management routes (shown in Table 5) and therefore an equivalent quantity of waste can be provided within North London.

Provision for North London's Waste to 2032

The preferred approach to future waste management in North London is to manage the equivalent of all Local Authority Collected Waste, Commercial and Industrial and Construction and Demolition waste generated in North London, while recognising that some imports and exports will continue (net self-sufficiency).

The waste management needs in North London to 2032 will be met as follows:

Local Authority Collected Waste (LACW) and Commercial and Industrial Waste (C&I)

Local Authority Collected Waste (LACW) and Commercial and Industrial (C&I) waste streams comprise similar types of waste. The NLWP will identify sufficient sites to manage the equivalent of all LACW and C&I waste arising in North London in order to divert these waste streams away from landfill by 2026.

Recycling

The NLWA are seeking to achieve a household waste recycling target of 50% by 2020 which is in line with the targets included within the North London Joint Waste Strategy. The Authority and partner boroughs will continue to seek to maximise recycling levels for LACW. At present there is substantial spare recycling capacity for handling both these waste streams but this will be increasingly exhausted as recycling rates rise to meet performance levels needed to deliver targets. As a result, a requirement for an additional 14,000 tonnes of capacity, with an anticipated land take of 2ha, will develop late in the Plan period and this requirement is identified in Table 6.

Energy from Waste

Most LACW is managed at the Edmonton EcoPark facility which has a capacity of around 550,000tpa. It is intended that the existing Edmonton facility will be modified to enable connection to a heat network. The facility does not currently accept C&I waste from private operators.

The existing Edmonton facility will be subject to upgrade work to enable connection to a heat network. The North London Waste Authority (NLWA) is pursuing a Development Consent Order (DCO) for a new Energy Recovery Facility (ERF) sized to deal with all the residual waste under the control of the Authority from 2025 until at least 2050. The planning framework for this site includes the Edmonton EcoPark Supplementary Planning Document and emerging Central Leaside Area Action Plan.

There is a capacity gap for Energy from Waste development to manage Commercial and Industrial (C&I) wastes. As the existing EfW facility at Edmonton does not currently co-treat both waste streams in the same facility, 4 ha of land is required to facilitate this provision. This is identified in Table 6.

Transfer

NLWA manage two waste transfer stations in North London namely the Hendon Rail Transfer Station (Barnet) and the Hornsey Street Road Transfer Station (Islington). Any future development associated with these facilities will need to demonstrate and ensure transfer of material to treatment facilities adequately serves the requirements of both the Authority and the boroughs.

Landfill

North London has no landfill sites and currently depends on capacity outside the plan area. The NLWA intend to minimise the amount of LACW sent direct to landfill by maximising recycling and ensuring the existing EfW facility can sufficiently manage the expected tonnage of North London's residual waste up to 2025. Much less waste will be exported to landfill from 2017/18 due to changes in contractual arrangements and virtually no LACW will go to landfill by 2026.

It is anticipated that some C&I waste will continue to be exported to landfill throughout the plan period, although this will be a decreasing quantity as new facilities become operational.

See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.

Construction, demolition and excavation waste (CD&E)

The NLWP will identify sufficient sites to manage the equivalent of all Construction and Demolition (C&D) waste arising in North London in order to divert this waste

away from landfill during the plan period, while acknowledging that some exports will continue, particularly for Excavation waste.

Recycling

The majority of C&D waste is recycled on site or through transfer facilities. North London has a number of transfer facilities which recycle C&D waste but a large quantity is still exported to landfill. Recycling opportunities are likely to be mainly for C&D wastes as excavation waste is typically disposed of directly to landfill. In order to divert C&D waste away from landfill, the Data Study has identified a capacity gap for 84,000 tonnes per annum of C&D waste by 2016, rising to around 147,000 tonnes by 2031. Provision will be needed at the commencement of the Plan and additional capacity is needed by 2021. Six hectares of land will be required to facilitate this provision and this is identified in Table 6. Opportunities to re-use CD&E waste locally will be supported, though this cannot be predicted with any certainty.

Landfill

North London has no landfill sites and currently depends on capacity outside the plan area. It is anticipated that C&D waste exports to landfill will reduce over the plan period.

Some of the CD&E waste stream, particularly excavation waste, will continue to be exported to landfill unless opportunities materialise to re-use it locally. The North London Boroughs will work with waste planning authorities who receive CD&E waste from North London to identify constraints to the continued export of this waste and identify potential new destinations where appropriate.

See Figure 12 for the anticipated decline in landfilling of North London's waste over the plan period.

Hazardous Waste

All the waste streams include some hazardous waste. Hazardous waste is managed in specialist facilities which have wide catchment areas and may not be local to the source of the waste. Planning for hazardous waste facilities is a strategic issue (regionally and arguably nationally rather than sub-regional) and it is not anticipated that facilities would be identified to meet the requirements of North London alone.

North London has two hazardous waste treatment facilities with a small combined capacity of around 7,600 tonnes per annum. There is a capacity gap across all management options for hazardous waste. Hazardous waste is likely to continue to be exported to the most appropriate specialist facilities. The North London Boroughs will work with waste planning authorities who receive hazardous waste from North London to identify constraints to the continued export of this waste and identify

potential new destinations if necessary.

The North London Boroughs will continue to work with the Greater London Authority and surrounding WPAs in the management of hazardous waste. The proformas in Appendix 2 identify which sites and areas are not suitable for hazardous waste facilities. Any application for a hazardous waste facility in North London will be considered on a case by case basis.

Agricultural Waste

The small amount of agricultural waste generated in North London is not expected to increase over the plan period and there is no requirement for plan for additional facilities to manage this waste stream.

Low Level Radioactive Waste (LLW)

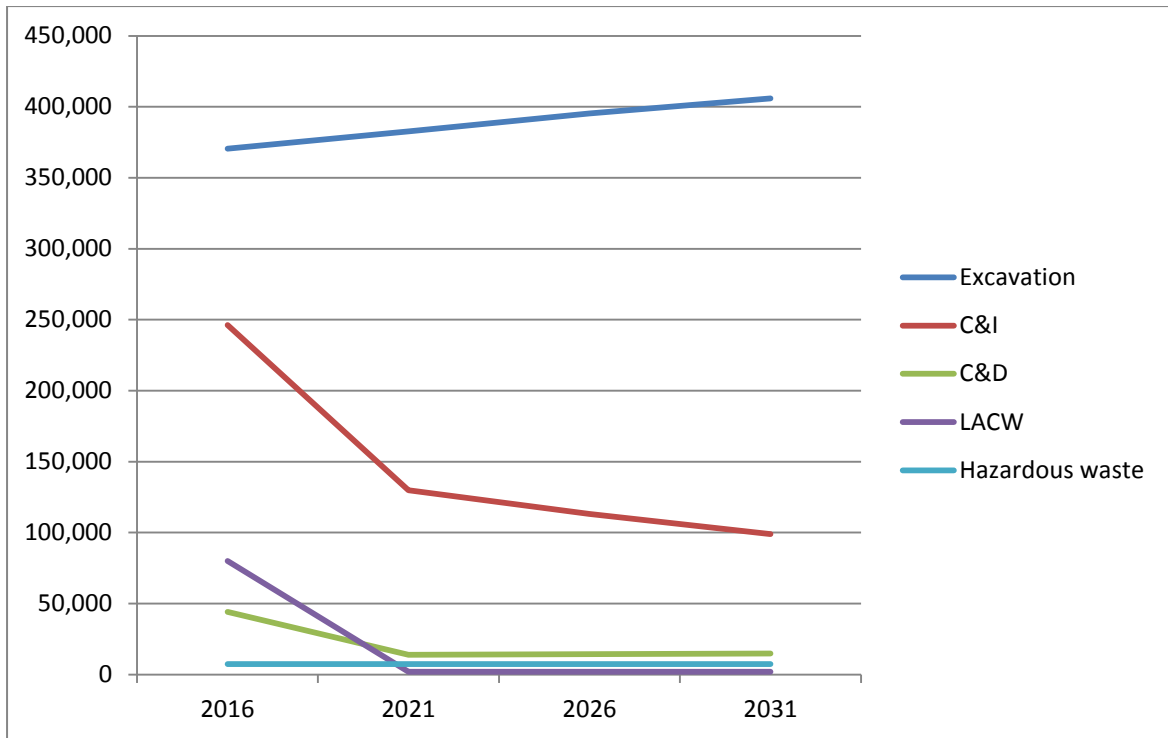
The very small amount of Low Level Non-Nuclear Radioactive Waste (LLW) arising in North London will continue to be managed outside the area in specialist facilities. It is therefore not necessary to plan for additional facilities in North London for this waste stream.

Waste Water

The main Thames Water sewage treatment facility in North London is Deephams Sewage Treatment Works (STW), operated by Thames Water. Planning permission for an upgrade to this site has been secured and Thames Water anticipates this will provide sufficient effluent treatment capacity to meet their needs during the plan period. Thames Water is also proposing an upgrade to the sewage sludge treatment stream at the site which will be sufficient to meet their needs during the plan period. It is therefore not necessary to identify additional land for this waste stream in the NLWP.

7.2. Figure 12 below shows the anticipated decline of waste to landfill over the plan period, as set out in the 'Provision for North London's Waste to 2032'.

Figure 12: Anticipated exports to landfill during the NLWP plan period



Source: NLWP Data Study (2014)

8. Sites and Areas

Context

- 8.1. The Waste Data Study has identified capacity gaps for waste management in North London up to 2032 and calculated the amount of land needed to meet these gaps. The methodology takes into account any known expansion to existing capacity or loss of existing facilities.
- 8.2. This section sets out the approach to identifying sufficient land for future waste management facilities in North London to ensure the delivery of the identified capacity requirements in Chapter 4. Sections 3-6 of the National Planning Policy for Waste (NPPW) sets out the approach Local Plans should take to identify future waste requirements over the plan period and this has been used to help develop the approach to identifying future locations for waste development in North London. Assessment criteria have been developed using waste planning policy and in consultation with key stakeholders.
- 8.3. The NLWP identifies both sites and areas to meet future waste needs and these have equal status in the delivery of the NLWP. A 'site' is an individual plot of land that will be safeguarded for waste use, whereas an 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that are in principle suitable for waste use but where land is not safeguarded for waste. There are a number of reasons for following this approach. The (NPPW) endorses the identification of "sites and/or areas" in Local Plans. The National Planning Practice Guidance (NPPG) adds that waste planning authorities in London will need to "plan for the delivery of sites and areas suitable for waste management"
- 8.4. Allocating both sites and areas to meet the identified capacity gaps offers considerable benefits. Allocating sites will provide certainty to the waste industry that these are suitable locations for future waste development in North London and will help the North London boroughs meet the London Plan apportionments – boroughs are required to meet apportionment targets as a minimum. However, care needs to be taken when allocating sites to ensure there are no immitigable constraints to future development for waste management facilities.
- 8.5. Identifying areas within which waste uses would be broadly acceptable is also required to ensure the NLWP can meet the aim of net self-sufficiency for LACW, C&I and C&D waste, and has sufficient flexibility to cope with any future change in circumstances. In addition, developers seek flexibility in terms of location of waste facilities, particularly where considerable

competition for land is a factor. Identification of a portfolio of sites and areas suitable for waste is considered an appropriate approach to meeting the needs of the industry and was generally supported by key stakeholders in the NLWP focus group sessions held in 2014. A similar approach of identifying both sites and areas has been taken, deemed sound at examination and adopted by a number of other waste plans, including in London.

Expansion of existing Waste Management Facilities

- 8.6. Existing waste management facilities are also a key part of future provision. A 'call for sites' exercise in 2014 targeted existing waste operators in North London seeking information on any planned capacity expansion or upgrades to existing facilities. Three sites were put forward: Edmonton EcoPark, Deephams Sewage Treatment Works and Powerday in Enfield. Any other proposals for upgrades to existing sites which are submitted during the plan preparation period will be included in subsequent iterations of the NLWP. Any applications for expansion or consolidation of existing waste management sites will be considered against NLWP policies and those of the Borough Local Plan in which the proposal is situated.

Edmonton EcoPark

- 8.7. In November 2014 the North London Waste Authority announced plans for the development of a new Energy Recovery Facility (ERF)- the North London Heat and Power Project, on their existing site at the Edmonton EcoPark in Enfield. This will replace the existing Energy from Waste (EfW) plant at the EcoPark that has served North London and beyond for around 45 years but is coming to the end of its operational life. A Development Consent Order (DCO) is currently being sought for the new ERF and it is anticipated that this site will manage the treatment of the residual element of LACW during the NLWP plan period and beyond. The replacement facility, expected to be operational from 2025, could generate power for around 127,000 homes and provide heat for local homes and businesses as part of a decentralised energy network known as the Lee Valley Heat Network. Once the new facility has been developed, the existing EfW facility would be demolished and the associated parcel of land will continue to be safeguarded for future waste use, and would be available towards the end of the plan period. The development of Edmonton EcoPark for the new Energy Recovery Facility will provide a strategic facility for the NLWP and provide a solution for managing the non-recyclable element of LACW. Delivery of this facility would see the NLWA continue to manage LACW from the North London Boroughs and help reduce the reliance on disposal of waste to landfill. Enfield Council have adopted Edmonton EcoPark Supplementary Planning Document and are preparing the Central Leaside

Area Action Plan, both of which provide more detail on the planning framework and objectives for this site.

Deephams Sewage Treatment Works

- 8.8. The Environment Agency has issued a significantly tighter environmental permit that comes into force in March 2017 and requires Thames Water to make improvements to the quality of the discharged effluent. The need for an effluent upgrade to Deephams Sewage Treatment Works (STW) is highlighted in the National Planning Statement on Waste Water, and planning permission for this work was granted by Enfield Council on 20th February 2015. Thames Water is also proposing an upgrade to the sewage sludge treatment stream at Deephams STW during its 2015 to 2020 business plan period by providing enhanced sludge treatment plant within the boundaries of the existing site. Enfield Council will continue work with Thames Water and the Environment Agency to ensure that adequate and appropriate waste water treatment infrastructure is provided.

Powerday

- 8.9. Powerday in Enfield is an existing site currently operating as a Waste Transfer Station. Planning permission has been granted for an upgrade to a Materials Recovery Facility (MRF) capable of handling 300,000 tonnes of waste per annum which is expected to comprise C&I and C&D waste. Completion is due in April 2015.

Loss of existing waste management facilities

- 8.10. The North London Boroughs are aware that the regeneration of Brent Cross Cricklewood redevelopment and the construction of CrossRail 2 are likely to affect some existing waste sites. Should these sites or any others from new developments that may transpire need to be relocated, compensatory capacity within London is required in order to comply with the London Plan. It is known that some capacity will be lost during the plan period and replaced outside North London with a net loss to North London but not to London as a whole. Where such issues are known and new sites have already been sought, this information has been fed in to the Plan process.

Site and Area Search Criteria

- 8.11. The proposed site and area search criteria used in the NLWP site selection process were developed based on the requirements of national waste planning policy (National Planning Policy Statement 10 and its replacement the National Planning Policy for Waste). Both planning and spatial criteria was discussed with key stakeholders through a focus group in spring 2014 and

further refined with consideration to the feedback received. Following the introduction of the National Planning Policy for Waste in October 2014, the site search criteria were reviewed to ensure compliance with this document.

Site and Area Search and Selection Process

- 8.12. An extensive site and area search and selection process has been undertaken. Full details of the site selection exercise are set out in the evidence base document, Sites and Areas Report. In summary it has involved the following key stages:
- i. Survey of existing waste sites – this involved a detailed review of the existing waste sites, including obtaining information from the operators on their future plans and validation of existing information held regarding their sites. This work indicated that there was insufficient capacity within existing sites to meet the expected waste arisings over the plan period.
 - ii. Call for sites - a call for sites exercise was carried out in two stages. This included targeting existing operators, landowners and other interested parties requesting them to put forward for consideration.
 - iii. Land availability search – this was an initial search into the land available in North London that may be suitable for the development of waste management infrastructure. At this stage, all sites and areas were included in the process in order that the site assessment process for the NLWP could then be applied; unsuitable sites and areas were then screened out using desk based assessment described below, before applying the agreed assessment criteria to the remaining sites/areas.
 - iv. Desk based site and area assessment - To help refine the list of sites and areas, the assessment criteria were applied. These relate to factors that may constrain waste use on particular sites/areas, therefore ruling them out from further consideration. The assessment criteria were split into two levels, absolute criteria and screening criteria. Both are shown in Table 7 below. The absolute criteria were applied first where the identified constraint forms part of the proposed site. The screening criteria were then applied to all land left after this process. The aim of using the screening criteria was to apply a level of judgement to ensure that those sites/areas which are wholly unsuitable are excluded from further consideration and to identify those which may be suitable.

- v. Site visits were undertaken in August and October 2014 to check and refine information from the desk based assessment and to assess potential facility types on the sites as well as a more detailed assessment to determine whether the site/area was considered to have potential for future waste development.
- vi. An assessment on the ability of identified areas to accommodate waste facilities was undertaken. Firstly the proportion of North London's industrial land in waste use was established. This showed the ability of waste facilities to compete with other land uses in these areas was good and that waste is a growing sector against declining industries such as manufacturing. Secondly, a review of the vacancy rates for industrial land for each of the Boroughs was used to estimate the proportion of sites within these areas which are likely to become available over the plan period. The vacancy rates were applied to the areas resulting in an estimated 10% of the total becoming available over the plan period. Further information is available in the Sites and Areas Report.
- vii. Sustainability Appraisal⁸ and Habitats Regulation Assessment⁹ of sites/areas – all proposed sites have been subject to these assessments and the findings fed into the policy recommendations.
- viii. Consultation with Landowners – Following completion of the above, land owners for all the sites remaining were contacted to ask for their comments regarding the inclusion of their land as a waste site allocation. The findings of this work have further refined the list of sites and further information can be found in the Sites and Areas Report.
- ix. Sequential test – any sites lying within a level 2 or 3 flood risk zone have been subject to sequential test to assess the potential impact of a waste development in this zone. The results of this work can be found in the Sites and Areas Report.

⁸ Sustainability appraisal is the assessment of the potential impact against an agreed set of social, environmental and economic objectives. It encompasses the requirement of Strategic Environmental Assessment which is a requirement of Europe that all plans undergo.

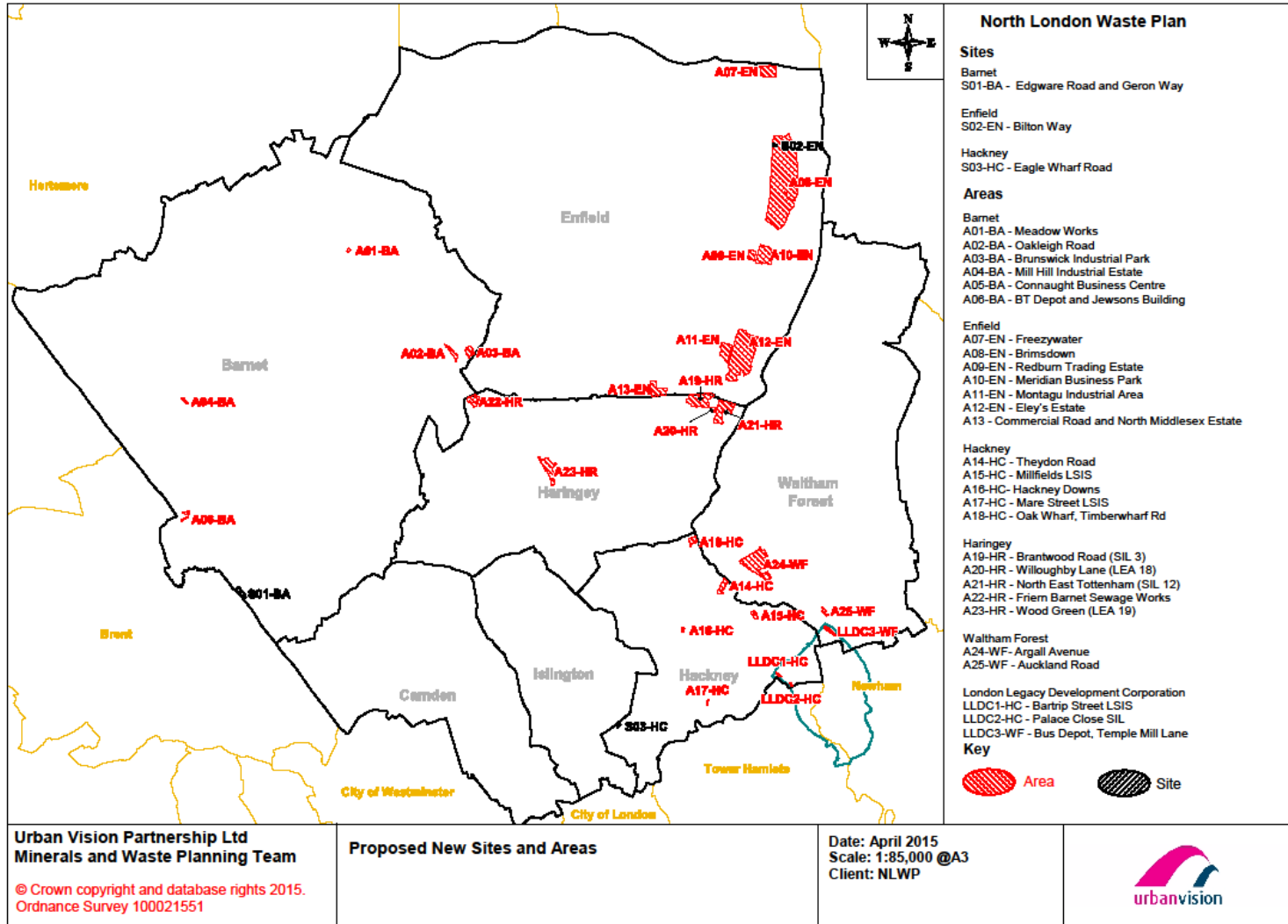
⁹ HRA is a requirement of Europe that all plans are assessed against their potential impact of natura 2000 sites.

8.13. The assessment criteria applied to all sites and areas is listed in Table 7 below. The criteria have been used in assessing sites and areas during both the desk based assessment and site visits.

Table 7: Sites and Areas Assessment Criteria

Absolute Criteria	Screening Criteria
<ul style="list-style-type: none"> • Metropolitan Open Land (MOL) • Green Belt (for built facilities) • Grade 1 & 2 agricultural land (part of the Green belt) • Sites of international importance for conservation e.g. Ramsar sites, Special Areas of Conservation (SACs) and Special Protection Areas (SPAs) • Sites of national importance for conservation e.g. Sites of Special Scientific Interest and National Nature Reserves • Ancient Woodlands • Scheduled Ancient Monuments • Listed Buildings (grade I and II*) • Registered Parks and Gardens (grade I and II*) • Registered battle fields • Areas of Outstanding Natural Beauty (AONB) • Protected open spaces • Landscape designations such as Areas of Special Character (part of the Green Belt) 	<ul style="list-style-type: none"> • Sites of local importance for nature conservation (SINCs) • Flood risk areas/flood plain • Accessibility (proximity to road, rail, canal/river) • Sites greater than 2km from the primary route network • Ground water protection zones • Surface waters • Major aquifers • Airfield safeguarding areas (Birdstrike zones) • Air Quality Management Areas • Unstable land • Green belt (for non-built facilities) • Local Plan designations • Settings of Scheduled Ancient Monuments • Settings of Listed Buildings • Settings of Registered Parks and Gardens (grade I and II*) • Neighbouring land uses • Proximity to sensitive receptors

Figure 13: Location of proposed new sites and areas



8.14. The new sites/areas, shown in Figure 13 (see also Schedules 2 and 3 in section 9), have been identified for built waste management facilities as it is accepted that the seven North London Boroughs are unable to provide for the development of landfill. The sites and areas are being put forward as they perform well against the NLWP Spatial Strategy which is reflected in the site selection criteria, as well as a range of environmental, social and economic criteria set out in the Sustainability Appraisal Scoping Report.

Question 7: Do you agree that the above described methodology used to identify potential sites and areas for future waste development is justified and proportionate? If not why not? Please provide an alternative approach.

9. Policies

- 9.1. The policies set out in this chapter will sit within the planning framework (called the 'development plan') which includes the Mayor's London Plan and individual borough Local Plans and guidance (see Figure 1). All planning applications for waste uses will be assessed against the following NLWP policies and other policies in the development plan. Any proposals for waste development will be expected to take account of the full suite of policies. The policies have been developed with reference to regional and local policies as well as national policy and guidance, in particular the National Planning Policy Framework (NPPF), National Planning Policy for Waste (NPPW) and National Planning Practice Guidance (NPPG).
- 9.2. The NLWP policies will help deliver the NLWP's aim and objectives, spatial strategy and Provision for North London's Waste to 2032. The supporting text sets out why the particular policy approach has been chosen, any alternatives considered and how the policy will be implemented.
- 9.3. The policies are:
- Policy 1: Safeguarding of existing waste management sites
 - Policy 2: Site allocations
 - Policy 3: Area allocations
 - Policy 4: Unallocated sites
 - Policy 5: Re-use & Recycling Centres
 - Policy 6: Assessment criteria for waste management facilities and related development
 - Policy 7: Energy recovery and decentralised energy

Policy 1: Safeguarding of existing waste management sites and protection of allocated sites

Policy 1: Safeguarding of existing waste management Sites and protection of allocated sites

All existing waste management sites identified in *Schedule 1: Existing safeguarded waste sites in North London* are safeguarded for waste use.

Applications for non-waste uses on safeguarded waste management sites will only be permitted where it is clearly demonstrated (by the applicant) to the satisfaction of the relevant borough that compensatory capacity will be

delivered on a suitable replacement site within North London which provides equivalent to, or greater than, the maximum annual throughput that the existing site can achieve.

Development proposals in close proximity to sites allocated for waste use which would prevent or prejudice the use of those sites for waste purposes will be resisted unless suitable compensatory provision has been made.

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards spatial strategy components A and C

- 9.4. The purpose of Policy 1 is to ensure that the existing waste management capacity in North London is protected. *Schedule 1: Existing safeguarded waste sites in North London* is in Appendix 1. The London Plan requires boroughs to protect their existing waste capacity and each North London Borough is safeguarding this land through their Local Plan and Policies Map. If, for any reason, an existing waste management site is lost to non-waste use, compensatory provision will be required. Replacement provision will be calculated using the maximum throughput (tonnes per annum) that the site has achieved over the last five years. Safeguarding existing waste management capacity is important because the predicted need for additional waste management capacity in North London relies on existing capacity continuing throughout the plan period. If existing facilities were lost and the capacity not replaced elsewhere, this would result in additional waste management sites and facilities being required. Existing waste sites serving the North London Boroughs are therefore essential to the delivery of the NLWP. Due to London Plan and borough policy requirements to safeguard waste sites, it is considered that there are no alternatives to this aspect of Policy 1.
- 9.5. Policy 1 also seeks to protect allocated waste sites, which includes those in Schedules 1 and 2 (once adopted), from the influence of an adjacent incompatible use prejudicing the continuation of the waste operations. Waste management facilities have an important role to play in ensuring that our communities are sustainable. Identifying and safeguarding suitable sites for waste management facilities is challenging with issues relating to public amenity, access, hydrology, and geology, amongst others, to consider. In addition, waste management is a relatively 'low value' land use which cannot compete with higher value uses. The introduction of sensitive types of development nearby, such as housing, could have an adverse impact on the continued operation of the existing sites in North London and their ability to provide sufficient waste management capacity as well as helping meet waste

recycling, diversion and recovery targets. This would undermine the continued operation of existing waste facilities across North London and consequently the overall deliverability of the NLWP.

Question 16: Do you know of any existing waste facilities which are not included in Schedule 1 in Appendix 1? If so, please provide details.

Policies 2 and 3: Site and Area allocations

- 9.6. Policies 2 and 3 identify sites and areas and their suitability for a range of built waste management facilities. National and European requirements state that waste plans must identify locations where future waste development may take place. In addition, the London Plan requires boroughs to allocate sufficient land to provide capacity to manage apportioned waste. If the NLWP did not allocate any sites or areas in the plan for future waste development, this would mean the plan would not conform to these requirements and thus render it unsound.
- 9.7. The NLWP data study has identified capacity gaps for waste management during the plan period for the preferred option of net self-sufficiency. The purpose of Policies 2 and 3 is to ensure that sufficient land is allocated to accommodate built waste management facilities to deal with these identified capacity gaps for North London.
- 9.8. To this end, the NLWP identifies both sites and areas to provide land suitable for the development of waste management facilities. A 'site' is an individual plot of land that will be safeguarded for waste use, whereas an 'area' comprises a number of individual plots of land, for example, an industrial estate or employment area that are in principle suitable for waste use but where land is not safeguarded for waste. Allocating sites helps the boroughs to meet their combined apportionment targets in conformity with the London Plan and creates certainty in terms of deliverability. This is complemented by identification of areas suitable for waste uses, subject to detailed site assessment at planning application stage, which will help to achieve net self-sufficiency whilst encouraging co-location of facilities (an objective of the NPPW and spatial strategy). Additionally, some waste operators have indicated a preference for areas insofar as it provides greater flexibility to seek more favourable commercial terms for individual sites within an area. Further detail on the sites and areas approach is set out in the Sites and Areas Report which accompanies the Plan.

- 9.9. The sites and areas are considered to be in the most suitable, sustainable and deliverable locations in North London for new waste management facilities when assessed against a range of environmental, economic and social factors and the spatial strategy. There is no sequential preference or priority of Site allocations in Policy 2 over Area allocations in Policy 3.
- 9.10. The sites and areas have been identified following a search and assessment process, the results of which are summarised in the proformas in Appendix 2. These indicate the size of each site/area, the type of facility likely to be accommodated on the site/area, and any mitigation measures which may be required. Developers should be aware that any use listed as potentially suitable is subject to consideration against the full suite of relevant planning policies/guidance as outlined in section 1 and will be assessed with regards to local circumstances as part of the planning application process.
- 9.11. The ability of sites and areas to accommodate a range of types and sizes of waste management facility is important to the flexibility of the Waste Plan. Table 8: Key to Waste Management Facility Types contains a full list of the types of facilities which were considered when assessing sites and which may be required over the plan period to meet the identified capacity gap. The facility types identified are broad categories which may come forward over the plan period and are indicative at this stage. The order of facility types reflects their place in the waste hierarchy, with categories A and B at the 'recycling' level and C-E at the 'other recovery' level. Applicants should take account of this order when responding to Criteria 2 of Policies 2 and 3 which requires the highest practicable level of recycling and recovery of materials to be achieved in line with the principles of the waste hierarchy.
- 9.12. The NLWP recognises that currently emerging or unknown waste management technologies, not listed in Table 8 'Key to Waste Facility Types', may be proposed on allocated sites during the plan period as new ways of treating waste come to the fore. As with all proposals, those for waste management technologies not listed will be assessed against the relevant NLWP policies, policies in the London Plan, Borough Local Plan policies and related guidance.

Table 8: Key to Waste Management Facility Type

	Facility type
A	Recycling
B	Composting (including indoor / in-vessel composting)
C	Integrated resource recovery facilities / resource parks
D	Waste treatment facility (including thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment)
E	Waste transfer

9.13. The North London Boroughs support a move towards a circular economy. A circular economy is “an alternative to a traditional linear economy (make, use, dispose) in which resources are kept in use for as long as possible to extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life”¹⁰. It is an economic model that moves beyond recycling towards a supply chain that is less dependent on primary energy and materials, resulting in both environmental and economic gains¹¹. The stimulus for a circular economy is likely to come from commercial interests and the manufacturing industry and is now only at the beginning of the journey. However, the NLWP plans for waste over a 15 year period and as the circular economy develops, new opportunities may arise for this type of waste management in North London.

9.14. A full assessment of the suitability of the site/area for a facility type should be prepared by the developer prior to applying for planning permission. This will allow for a more detailed analysis and consideration of potential impacts associated with a specific proposal at the planning application stage.

Policy 2: Site allocations

Sites identified in *Schedule 2: NLWP Site Allocations* will be allocated and

¹⁰ [WRAP definition](#)

¹¹ Further information on the circular economy is available from sources such as the [Ellen MacArthur Foundation](#)

safeguarded for waste use.

Applications for waste management development on sites identified in *Schedule 2: NLWP Site Allocations* will be permitted where the applicant can demonstrate that:

- a) The proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and related guidance and;
- b) The development results in highest practicable level of recycling and recovery of materials in line with the principles of the waste hierarchy

This policy helps meet strategic objectives SO1, SO2, SO3 and SO5

This policy contributes towards spatial strategy components A, B and F

Table 9: Schedule 2 Site Allocations

Site Ref	Site Name	Size (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
S01-BA	Geron Way/Edgware Road	3.28	Barnet	As planning permission				
S02-EN	Bilton Way	0.4	Enfield	X				X
S03-HC	Eagle Wharf Road	0.52	Hackney	X				X

9.15. All sites identified in *Schedule 2: NLWP Site Allocations* will be safeguarded for waste development to provide certainty to the waste industry that these sites are suitable locations for future waste development in North London and to help the North London boroughs meet the London Plan Apportionments as set out in Chapter 4.

Policy 3: Area Allocations

Areas listed in *Schedule 3: NLWP Area Allocations* and *Schedule 4: LLDC Allocations* are identified as suitable for built waste management facilities.

Applications for waste management development within areas identified in Schedule 3 will be permitted where the applicant can demonstrate that:

- a) The proposal is in line with relevant aims and policies in the North London Waste Plan, the London Plan, Local Plans and other related guidance and;
- b) The development results in the highest practicable level of recycling and recovery of materials in line with the principles of the waste hierarchy.

Applications for waste management development within areas identified in Schedule 4 will be assessed by the London Legacy Development Corporation.

This policy helps meet strategic objectives SO1, SO2, SO3 and SO5

This policy contributes towards spatial strategy components H, I and M

Table 10: Schedule 3 Area Allocations

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
A01-BA	Meadow Works	0.5	Barnet	X				
A02-BA	Oakleigh Road	3.1	Barnet	X		X		X
A03-BA	Brunswick Industrial Park	3.9	Barnet	X				X
A04-BA	Mill Hill Industrial Estate	0.9	Barnet	X				X
A05-BA	Connaught Business Centre	0.9	Barnet	X				X
A06-BA	BT Depot and Jewsons	0.7	Barnet	X				X
A07-EN	Freezywater	10.7	Enfield	X	X		X	X
A08-EN	Brimsdown	134.4	Enfield	X	X	X	X	X
A09-EN	Redburn Trading Estate	4.0	Enfield	X				X
A10-EN	Meridian Business Park	14.9	Enfield	X	X	X	X	X
A11-EN	Montagu Industrial Area (North)	9.5	Enfield	X	X	X		X
A12-EN	Eley's Estate	61.6	Enfield	X	X	X	X	X
A13-EN	Commercial Road and North Middlesex Estate	10.0	Enfield	X		X		X
A14-HC	Theydon Road	4.3	Hackney	X				X
A15-HC	Millfields LSIS	2.1	Hackney			X		
A16-HC	Hackney Downs	0.55	Hackney	X				
A17-HC	Mare Street	0.46	Hackney	X				
A18-HC	Oak Wharf	1.5	Hackney			X		X
A19-HR	Brantwood Road	16.9	Haringey	X			X	X
A20-HR	Willoughby Lane	1.1	Haringey	X				X
A21-HR	North East Tottenham	15.4	Haringey	X			X	X
A22-HR	Friern Barnet Sewage Works/ Pinkham Way	5.93	Haringey	X	X			X
A23-HR	Wood Green (LEA 19), Coburg Road	11.5	Haringey		X	X		X
A24-WF	Argall Avenue	27.9	Waltham Forest	X	X			X
A25-EF	Auckland Road	1.26	Waltham Forest	X				X

Table 11: Schedule 4 LLDC Area Allocations

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
LLDC1-HC	Bartrip Street	0.6	Hackney	X				X

Area ref	Area Name	Area (ha)	Borough	Waste Facility Type				
				A	B	C	D	E
LLDC2-HC	Palace Close	0.33	Hackney	X				X
LLDC3-WF	Temple Mill Lane	2.1	Waltham Forest	X	X			X

9.16. As noted in Section 1, it is not within the remit of the NLWP to directly allocate sites/areas within the London Legacy Development Corporation (LLDC) planning authority area; this falls to the LLDC Local Plan. Therefore Schedule 3 sets out separately those areas identified in the LLDC Local Plan that may be appropriate for waste related uses.

9.17. Each Area identified has been considered with regard to the potential uses which may be suitable, with some areas having been split to recognise the specific constraints surrounding sites. For the purpose of estimating waste management capacity associated with allocated areas, assumptions have been made about likely future availability of suitable land within the boundaries based on past turnover and the ability for waste uses to compete against other land uses (see Sites and Areas Report). Unlike Sites, Areas cannot be and are not safeguarded solely for waste use only.

Question 10: Do you agree with the draft policies for development on new sites and areas? If not, please provide reasons why and suggest an alternative

Question 11: Do you have any comments on the accuracy of the details in the sites and areas proformas in Appendix 2? Do you have any additional sites or areas you wish to put forward for consideration?

Policy 4: Unallocated Sites

Policy 4: Unallocated Sites

Applications for waste development on unallocated sites outside of the sites and areas identified in Schedules 1-3 will be permitted provided that the proposal:

- a) fits within the NLWP spatial strategy, and contributes to the delivery of the NLWP aim and objectives;
- b) is in line with relevant aims and policies in the NLWP, London Plan, Local Plans and related guidance; and
- c) demonstrates consistency with the site assessment criteria used for the identification of the sites/areas.
- d) results in highest practicable level of recycling and recovery of materials in line with the principles of the waste hierarchy

This policy helps meet strategic objectives SO2 and SO3

This policy contributes towards spatial strategy components B and G

9.18. The purpose of this policy is to ensure that any development for waste management facilities which does not form part of the planned strategy in the NLWP provides a positive contribution to waste management in North London.

9.19. Policy 4 also provides an opportunity to develop a wider network of sites across the area, in line with the Spatial Strategy. Existing and new waste sites/areas are mostly concentrated in the east and west of North London and this policy also allows new sites to come forward across the area where demand and commercial opportunity arise.

9.20. Notwithstanding the allocation of sites and identification of areas (Policies 2 and 3), there may be instances in the future where advances in waste technologies are such that the allocated sites/areas do not meet the technical requirements of a proposed waste management facility, for example, the identified sites might be too small for the proposed development or the facility may need to be located near a specific waste producer or user of heat.

9.21. An alternative approach to Policy 4 would be to permit waste development only in locations identified in Schedules 1-4. However this would leave boroughs with a policy gap for determining an application should a proposal for a waste management facility come forward on an unallocated site.

9.22. Proposals for waste development on unallocated sites would be expected to be in line with the London Plan, the NLWP, and Local Plans. Proposals for waste management facilities on unallocated sites will be assessed against the

same planning and spatial criteria (Table 7, Chapter 5) used for the identification of sites and areas in the NLWP, and any other relevant material consideration.

Question 14: Do you agree with the inclusion and provision of the policy on unallocated sites? If not, please provide an alternative approach.

Policy 5 – Re-use & Recycling Centres

Policy 5 – Re-use & Recycling Centres

Proposals for Re-use & Recycling Centres will be permitted where:

- a) They are sited in an area of identified need for new facilities in Barnet or Enfield or elsewhere where they improve the coverage of centres across the North London Boroughs; and the proposal:
- b) They are in line with relevant aims and policies in the North London Waste Plan, London Plan, Local Plans and other related guidance.

This policy helps meet strategic objectives SO1, SO2 and SO3

This policy contributes towards spatial strategy components B and G

9.23. Re-use & Recycling Centres (RRCs) provide members of the public with access to a wider range of recycling facilities and they also deal with bulky items. There are currently nine RRCs in North London of which seven are the responsibility of the North London Waste Authority (NLWA). The NLWA has identified areas of deficiency in coverage in parts of Barnet and Enfield and is seeking to address this by providing new or replacement sites¹². The Spatial Strategy seeks a network of waste sites across North London and, as part of this aim, to ensure residents have good access to RRCs where there is an identified need. Policy 5 aims to address this aim.

9.24. Re-use & Recycling Centres should be located where they can provide appropriate access for members of the public and for contractors and their vehicles. They are best sited on former waste sites or in areas of industrial or employment land and need to be of a sufficient size for the range and quantity

¹² Household Waste Recycling Centre Policy, North London Waste Authority (June 2010)
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of materials likely to be received. There may be scope to provide localised recycling centres as part of major new development.

Question 18: Do you agree with the locations identified as being in need for new Re-use & Recycling Centres?

Policy 6: Assessment Criteria for waste management facilities and related development

Policy 6: Assessment Criteria for waste management facilities and related development

Applications for waste management facilities and related development, including those replacing or expanding existing sites, will be required to demonstrate to the satisfaction of the relevant council that:

- a) the facility will be enclosed
- b) the amenity of local residents is protected
- c) adequate means of controlling noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants and other emissions are incorporated into the scheme;
- d) there is no significant adverse effect on the established, permitted or allocated land uses likely to be affected by the development;
- e) the development is of a scale, form and character in keeping with its location and incorporates a high quality of design;
- f) there is no significant adverse impact on the historic environment, open spaces or land in recreational use or landscape character of the area
- g) active consideration has been given to the transportation of waste by modes other than road, principally by water and rail;
- h) There are no significant adverse transport effects outside or inside the site as a result of the development;
- i) the development makes the fullest possible contribution to climate change adaptation and mitigation, including contributions to the development of decentralised energy networks;
- j) the development has no adverse effect on the integrity of an area designated under the Habitats Directive or no significant adverse effect on local biodiversity;
- k) there will be no significant impact on the quality of underlying soils, surface or groundwater;
- l) the development does not increase flood risk, and aims to reduce risk.

This policy helps meet strategic objectives SO4, SO5, SO7 and SO8

This policy contributes towards spatial strategy component E

- 9.25. Policy 6 seeks to ensure that the construction and operation of waste management facilities do not give rise to an unacceptable impact, or harm the amenity of local residents or the environment. Applicants will need to demonstrate that appropriate measures have been taken to minimise any potential impacts from new waste development and to enhance the quality of the surrounding area where possible.
- 9.26. The North London boroughs expect well controlled and well-designed waste facilities capable of fitting in with surrounding land uses and to act as good neighbours. When assessing planning applications for waste uses, in addition to Policy 6, the boroughs will also have regard to the criteria in Appendix B of the National Planning Policy for Waste (NPPW) and relevant London Plan and Local Plan policies. Applicants are required to submit sufficient information to enable the waste planning authority within which the subject site falls to assess the potential impact of the development proposal on all interests of acknowledged importance. Applicants are encouraged to contact the relevant Waste Planning Authority prior to submitting a planning application to discuss relevant matters.
- 9.27. Waste management facilities can be separated into 'enclosed' facilities, where waste is processed inside a building and 'open' facilities, which largely deal with waste in the open air. Waste management facilities are often seen as bad neighbours, due largely to problems associated with open air facilities. Enclosed facilities are similar in appearance to modern industrial shed developments such as factories or logistics facilities and it is this type of facility that is the focus of the NLWP site allocations. 'Open' facilities are unlikely to be suitable for North London as outlined in the Chapter 3 of the Plan.
- 9.28. Noise, vibration, dust, litter, vermin, odours, air and water-borne contaminants, other emissions and their potential health impacts have been a major concern raised through public consultation. However, well sited, and well managed facilities should not cause harm or disturbance. Details of controls for emissions (including bio aerosols) from the site need to be supplied with the application. Planning conditions and section 106 agreements will be used to secure measures to address these issues where necessary and where control is not already exercised through other consent regimes (i.e. the requirement for environmental permits, which is assessed by the Environment Agency). Applicants will be expected to comply with borough policies on contaminated land. The North London boroughs require that any development can safely complement surrounding uses.
- 9.29. Good design is fundamental to the development of high quality waste infrastructure and the North London boroughs seek innovative approaches,

where appropriate, to deliver high quality designs and safe and inclusive environments. The design and access statement should set out how the development takes on board good practice such as the Defra/CABE guidance on designing waste facilities¹³. The Design and Access Statement should set out how the siting and appearance complements the existing topography and vegetation. Materials and colouring need to be appropriate to the location.

- 9.30. The Design and Access Statement should set out how landscape proposals can be incorporated as an integral part of the overall development of the site and how the development contributes to the quality of the wider urban environment. Design and Access Statements will need to demonstrate that there will be no significant adverse effect on areas or features of landscape, historic or nature conservation value. Where relevant, the implementation of waste facilities (through construction to operation) should take account of the need to conserve and enhance the historic environment in line with the NPPF.
- 9.31. Waste and recyclables require transportation at various stages of their collection and management. North London is characterised by heavy traffic on all principal roads. That is why developers need to make every endeavour to use non-road forms of transport if at all possible and to set this out in a Transport Assessment. In North London there exists considerable potential for sustainable transport of waste as part of the waste management process. There are a number of railway lines and navigable waterways in North London including the Regents Canal and the Lee Navigation. It is existing practice to transport waste by train and pilot projects have taken place to transport waste by water. Developers are required to demonstrate that they have considered the potential to use water and rail to transport waste.
- 9.32. Applicants will need to submit a Transport Assessment in line with the relevant borough Local Plan policy. Consideration should be given to access arrangements, safety and health hazards for other road users, the capacity of local and strategic road networks, impacts on existing highway conditions in terms of traffic congestion and parking, on-site vehicle manoeuvring, parking and loading/unloading areas, and queuing of vehicles.
- 9.33. Sustainable design, construction and operation of waste management development will be assessed against relevant borough Local Plan policies. Consideration should be given to how the development contributes to the mitigation of and adaption to climate change, promotes energy and resource

¹³ Designing waste facilities – a guide to modern design in waste, Defra & CABE, 2008

efficiency during construction and operation, the layout and orientation of the site and the energy and materials to be used. Developments should achieve the highest possible standard under an approved sustainability metric such as BREEAM or CEEQUAL in line with the relevant borough's policies. Production of Site Waste Management Plans will also be required prior to the commencement of construction of the development.

9.34. Waste developments should be designed to protect and enhance local biodiversity. No development will be allowed that will have an adverse effect on any area designated under the Habitats Directive. Assessments undertaken for the plan have identified sites of European Community importance within and nearby the plan area. Sites at least partially within the plan boundary are the Lee Valley Special Protection Area (SPA) and RAMSAR site and part of Epping Forest Special Area for Conservation (SAC). Additional sites at least partially within 10 km of the plan area boundary are Wormley-Hoddesdon Park Woods SAC and Wimbledon Common SAC3. Developers need to be able to demonstrate that their proposals will not either alone or in combination, have an adverse effect on the integrity of any European site. In addition there are six Sites of Special Scientific Interest and 20 Local Nature Reserves as well as sites of importance to nature conservation (SINC). Developers should take note of existing Biodiversity Action Plans, protect existing features and promote enhancement for example through the use of green walls where acoustic barriers are required. The Lee Valley is a significant resource for North London and developments should not have an adverse effect on the open space and character of the area and should aim to contribute to its enhancement where appropriate.

9.35. There are a number of groundwater source protection zones in North London to protect drinking water supplies and prevent contamination of aquifers. Source protection zone 1 boundaries are defined in the immediate area of boreholes and other abstraction points. Waste facilities may be permitted in source protection zone 1 provided that any liquid waste they may contain or generate or any pollutants they might leach, especially if hazardous, do not pose an unacceptable risk to groundwater. A groundwater risk assessment will be required. The following waste facilities are considered lower risk and are more likely to be acceptable:

- Waste Incineration,
- In-Vessel Composting activities,
- Mechanical Biological Treatment,
- Materials Recycling Facility (dry wastes only) and
- Waste Electrical and Electronic Equipment (WEEE) sites that exclude potentially polluting wastes.

Higher risk waste uses are less likely to be acceptable in source protection zone 1.

- 9.36. Source protection zone 2 covers a wider area around an abstraction point. Where developments are proposed in source protection zone 2, a risk assessment will be required and any waste operation apart from landfill may be considered. Where sites are in source protection zones, developers are encouraged to engage in early discussions with the Environment Agency.
- 9.37. The North London Strategic Flood Risk Assessment (SFRA) and individual borough 'Level 2' SFRA's have demonstrated the risks from flooding from various sources across North London and site specific flooding assessments have been undertaken on new sites/areas in schedules 2-4. Where a site is near or adjacent to areas of flood risk, the development is expected to contribute through design to a reduction in flood risk in line with the National Planning Practice Guidance (NPPG). Waste facilities are often characterised by large areas of hardstanding for vehicles and large roof areas. Developments will be required to show that flood risk would not be increased as part of the development and, where possible, will be reduced overall through the use of sustainable urban drainage systems and other techniques. Any proposed development should be reviewed by the Environment Agency at an early stage to discuss the reduction of flood risk on the site.
- 9.38. Developers of waste facilities will need to fully identify the health implications of the development and plan the most appropriate scheme to protect the surrounding uses and community. Any proposed waste development which is required to have an Environmental Impact Assessment will also require a Health Impact Assessment.
- 9.39. Applications will be assessed against the full suite of relevant national, London Plan and Local Plan requirements. However, given the status of the NLWP as a multi-Borough Development Plan Document which will form part of the Local Plan of each of the seven Boroughs, Policy 6 is considered a valuable signpost to impacts that will be considered in the determination of applications.

Question 17: Do you agree with assessment criteria for waste management facilities and related development? If not, please suggest alternatives

Policy 7: Energy Recovery and Decentralised Energy

Policy 7: Energy Recovery and Decentralised Energy

All waste management facilities should include measures to minimise carbon emissions and maximise the use of lower-carbon energy sources.

Where waste cannot be managed at a higher level in the waste hierarchy and recovery of energy from waste is feasible, waste developments should generate energy and/or recover excess heat (including the recovery of energy from gas) and provide a supply to networks including decentralised energy networks.

Developers must demonstrate how they meet these requirements, or provide evidence if it is not technically feasible or economically viable to achieve them, as part of a submitted Energy Statement.

Where there is no available decentralised energy network and no network is planned within range of the development, as a minimum requirement the proposal should recover energy through electricity production and be designed to enable it to deliver heat and/or energy and connect to a Decentralised Energy Network in the future.

Land and routes required for proposed future connections and/or supply to existing or proposed decentralised energy networks will be safeguarded both on-site and off-site where necessary.

This policy helps meet strategic objectives SO1 and SO6

This policy contributes towards spatial strategy component D

- 9.40. Tackling climate change is a key Government priority for the planning system and a critical new driver for waste management. The purpose of this policy is to ensure that all facilities minimise their impact on climate change and that applications for waste management facilities incorporate opportunities for sustainable energy recovery and combined heat and power (CHP) where feasible and practicable. The policy complements more detailed policies in borough Local Plans on financial contributions relating to feasibility, sustainable design, CHP and development of heat networks, against which applications will also be considered.
- 9.41. The National Planning Policy for Waste (NPPW) and the London Plan both recognise the benefits to be gained from any energy from waste facility to capture both heat and power, and encourage all developments of this kind to achieve that end. Due to strong national and regional policy requirements on this, it is considered that there are no alternatives to Policy 6.

- 9.42. National policy for renewable energy says that Local Development Documents, such as the NLWP, should contain policies that promote and encourage, rather than restrict, the development of renewable energy resources. The London Plan includes minimum performance for technologies for generating energy from London's waste, known as the carbon intensity floor. This has been set at 400 grams of CO₂ eq generated per kilowatt hour (kwh) of electricity generated.
- 9.43. The Greater London Authority (GLA) has committed to working with London Boroughs and partners in the private sector to develop opportunities by providing assistance for commercialisation of large decentralised energy projects. Opportunities for district heating were identified across London as part of the Decentralised Energy Master Planning programme led by the GLA in 2008-2010¹⁴. The programme initially focused on identifying opportunities for district heating networks through heat mapping and energy masterplanning with the London Boroughs..
- 9.44. Work is already underway to progress the delivery of a decentralised network in the Lee Valley known as the Lee Valley Heat Network (LVHN). The LVHN will capture affordable low carbon heat from waste to energy facilities and combined heat and power plants, supplying it to buildings and industry across the Lee Valley. It is intended that the LVHN will initially use heat and steam from the Energy from Waste (EfW) facility at the Edmonton EcoPark, moving energy in the form of hot water and/ or steam through a system of pipes to where it is needed. However, over time, the network will connect additional heat sources, including other waste developments, elsewhere in the Lee Valley.

Question 13: Do you agree with the proposed approach to Energy Recovery and Decentralised Energy? If not, please suggest an alternative.

¹⁴ London Heat Map – www.londonheatmap.org.uk

10. Monitoring and Implementation

Monitoring the Plan

- 10.1. The Planning and Compulsory Purchase Act (2004) requires planning authorities to monitor and report annually on whether the Aims and Objectives of all local plans (whether prepared individually or in conjunction with other authorities) are being achieved (paragraph 35). The National Planning Policy for Waste identifies the need to monitor and report on the take-up of allocated sites and areas; changes in the available waste management capacity as a result of closures and new permissions; and the quantities of controlled wastes i.e. LACW, C&I, CDEW being created locally and how they are being managed. Monitoring of the plan should also identify the proportions of each of these streams which is being managed at different levels in the Waste Hierarchy i.e. being recycled, recovered, reused, to monitor the extent to which the plan is delivering sustainable waste management, while contributing to resource efficiency improvements and climate change mitigation.
- 10.2. Monitoring is also required to check on whether the intending policy outcomes of the NLWP are being delivered and whether the identified capacity gaps are being met through the allocated sites and areas listed in Policies 1 and 2. The results of monitoring will also play an important role in informing Development Management decisions when authorities determine planning applications for new waste facilities.
- 10.3. Responsibility for monitoring lies with the individual Boroughs; however, as the NLWP has been developed collaboratively it will be necessary to establish an appropriate mechanism to continue to monitor the progress of this joint Plan.
- 10.4. To supplement the Boroughs' annual monitoring, it will be important for the GLA to monitor London Plan Policies 5.16 and 5.17 and gather data in partnership with the boroughs on waste arisings, waste management capacity, both within London and landfill outside of London. .

Proposed monitoring framework

- 10.5. The aim of monitoring is to check whether the policy framework in the NLWP is working as intended. The proposed monitoring indicators reflect a number of National Indicators and also the statutory and non-statutory performance targets including those set by the EU, the Waste Policy for England and the London Plan. The list of indicators is not intended to be exhaustive and is intentionally focused on parameters where it is possible to evaluate the effect of the NLWP in isolation. For example, an indicator reporting on the number of

times air quality thresholds were exceeded is of little use if the contribution of waste management facilities and transport of wastes cannot be differentiated from those of other activities.

- 10.6. Table 9 identifies the monitoring indicators proposed for each policy in the NLWP and identify targets where appropriate. In some cases it will only be necessary to monitor (ie. count the number of instances of) what has happened in the preceding year. If any targets are not being met after five years from adoption, it is proposed to review the NLWP to assess where changes can and should be made.

Table 12: NLWP Monitoring Indicators

Indicator	Target(s)	What it monitors	Outcome(s) sought
1. New waste capacity added by function and type of wastes handled	New waste facilities in line with Table 6: land use requirements	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy) SO1 (resource efficiency) SO3 (net self sufficiency) Meeting Future Requirements as specified in the NLWP Policy 2: Site allocations Policy 3: Area allocations Policy 4: Unallocated sites Policy 5. Reuse and Recycling Centres	Ensure that new waste facilities will close identified capacity gaps Support delivery of the London Plan apportionment and the additional capacity required to achieve a net self-sufficient outcome across the principal controlled waste streams
2. Total quantity of waste arisings by waste stream management route	Year on year improvement over appropriate periods to achieve the following: LACW: 50% recycled / composted by 2020;	Strategic Aim (capacity supply and self-sufficiency) Strategic Aim (move waste up Waste Hierarchy)	Ensure the NLWP meets EU, national Waste Policy and London Plan targets Ensure the NLWP delivers a net self-sufficient waste management outcome for the

Indicator	Target(s)	What it monitors	Outcome(s) sought
	<p>aspire to 60% by 2026. Energy recovered from 40% by 2015.</p> <p>CI waste: 70% recycled / composted by 2020, rising to 75% by 2031. Energy recovered from 15% by 2020</p> <p>CD waste: 95% recycled by 2020.</p>	<p>SO1 (resource efficiency)</p> <p>SO3 (net self sufficiency)</p> <p>Meeting Future Requirements as specified in the NLWP</p> <p>National Indicators NI192 and 193 (% LACW diverted and % landfilled)</p>	<p>principal controlled waste streams</p>
<p>3. Number of new waste permissions granted on unallocated site</p>	<p>Monitor only</p>	<p>SO2 (capacity provision and protection)</p> <p>Policy 4: Unallocated sites</p>	<p>Identify the level of capacity coming forward sites that may be less suitable for waste use than those allocated in the Plan</p>
<p>4. Number of existing waste sites and replacement capacity for which permission has been granted for change to non-waste use</p>	<p>None</p>	<p>Strategic Aim (capacity supply and self-sufficiency)</p> <p>SO2 (capacity provision and protection)</p> <p>Policy 1: Safeguarding existing waste management sites</p>	<p>Ensure sufficient capacity of the right type is available throughout the Plan period</p>

Indicator	Target(s)	What it monitors	Outcome(s) sought
5. Number of new CHP facilities serving district heat networks in which the principal fuel source is residual waste or recovered waste fuel	Monitor only	Strategic Aim (green London) SO6 (decentralised energy) Spatial strategy (Provide opportunities for decentralised heat and energy networks) Policy 7: Energy recovery and decentralised energy	Contribute to delivery of decentralised energy and incremental improvement in environmental performance with respect to climate change
6. Number of applications for new waste facilities where statutory consultees have raised concerns about potential impacts	0%	SO5 (sustainability) SO8 (protect the environment) Spatial strategy (Reduce impact on amenity) Policy 6: Assessment Criteria for waste management facilities and related development	Avoid impact on sensitive receptors or maximise scope for effective mitigation

Implementing the Plan

10.7. Development and adoption of the Plan must be followed by actions by a range of agencies and other organisations to ensure that its Aims and Objectives are met. The section summarises proposals for how these outcomes will be delivered and who will be responsible for them.

10.8. Implementation has four components – infrastructure delivery; application of the policies to planning applications for waste facilities; ongoing regulation and monitoring of the local waste management sector; and achieving performance levels – each of which involves different actors. Table 10 summarises the organisations involved in each component.

Table 13: Roles and responsibilities involved in implementing the Plan

Organisation	Role	Responsibilities
Local planning authorities (including London Legacy Development Corporation)	Apply Plan policies	Assessing suitability of applications against Plan policies and priorities
	Regulate / monitor	Inspect operating waste sites periodically Monitor Plan performance annually
	Performance delivery	Support / promote waste reduction initiatives through the planning system
Borough waste collection authorities	Infrastructure delivery	Bring forward new / replacement waste sites for recycling / composting LACW
	Performance delivery	Implement waste collection activities to deliver desired performance levels as appropriate Support / promote waste reduction initiatives
North London Waste Authority (NLWA)	Infrastructure delivery	Delivery of replacement Edmonton EfW plant Delivery of other facilities enabling achievement of desired performance levels
	Performance delivery	Prioritising infrastructure delivery that moves waste up the Waste Hierarchy
Landowners	Infrastructure	Propose new waste sites in sustainable areas and sites that delivery capacity

Organisation	Role	Responsibilities
	delivery	requirements
The waste industry	Infrastructure delivery	Propose new waste sites in sustainable areas and sites that delivery capacity requirements Prioritise management of locally arising waste in local rather than more distant facilities
The Environment Agency	Regulate / monitor	Advise on planning applications according to the nature of the proposal Assess applications for Environmental Permits Inspect operating waste sites periodically Collect and publish information about waste movements for use in Plan monitoring
	Performance delivery	Promote waste reduction initiatives
The Health & Safety Executive	Regulate / monitor	Advise on planning applications according to the nature of the proposal
Other statutory bodies (eg. Natural England)	Regulate / monitor	Advise on planning applications according to the nature of the proposal
The Greater London Authority	Performance delivery	Promote waste reduction initiatives Promote carbon reduction initiatives
	Apply Plan policies	Assessing suitability of applications against London Plan policies and priorities Regional coordination of waste planning
London Waste and Recycling Board	Infrastructure delivery	Support to new waste infrastructure
	Performance	Support to waste collection authorities

Organisation	Role	Responsibilities
	delivery	to deliver desired performance levels Support / promote waste reduction initiatives

10.9. As the government is no longer awarding Private Finance Initiative credits all new infrastructure required during the Plan period will be funded by private commercial funding through sources that cannot be identified at this time. This will apply to facilities brought forward by private waste contractors and the NLWA. The waste industry has been invited to take part in the development of the Plan through involvement in the various consultation processes and calls for them to propose suitable sites for waste management use. The NLWP identifies infrastructure priorities for the next 15 years and this will help to provide the industry with greater certainty about waste management priorities in the North London Boroughs that can inform future investment decisions.

10.10. Table 11 sets out how policies in the NLWP will be implemented and who will be involved in each action and which of the Strategic Objectives are addressed as a result.

Table 14: How the NLWP policies will be implemented

Mechanism	Stakeholders involved	Objectives implemented
Policy 1: Safeguarding of existing waste management sites		
Refusal of planning permission for non-waste use unless capacity is re-provided	Local planning authorities	SO2, SO3
Policies 2 and 3 Site/Area Allocations		
Planning permission and subsequent development	Landowners and developers / waste management companies / waste disposal authority / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3, SO5
Policy 4: Unallocated sites		

Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / Environment Agency and other statutory bodies	SO2, SO3
Policy 5: Re-use & Recycling Centres		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / Environment Agency and other statutory bodies	SO1, SO2, SO3
Policy 6: Assessment criteria for waste management facilities and related development		
Planning permission and subsequent development	Local planning authorities / Environment Agency and other statutory bodies	SO4, SO5, SO7, SO8
Policy 7: Energy recovery and decentralised energy		
Planning permission and subsequent development	Landowners and developers / waste management companies / local planning authorities / waste disposal authority Environment Agency and other statutory bodies	SO1, SO6

Question 19: Do you agree with the proposals for monitoring the NLWP and the roles and responsibilities of the bodies involved in implementing it? If not, please state why and suggest an alternative.

Appendix 1: Schedule 1: Existing safeguarded waste sites in North London

Table 15: Schedule 1: Existing safeguarded waste sites in North London

Site ID	Site Name	Borough
BAR1	Winters Haulage, Oakleigh Road South	Barnet
BAR2	Scratchwood Quarry	Barnet
BAR3	P B Donoghue, Claremont Rd	Barnet
BAR4	W R G, Hendon Rail Transfer Station	Barnet
BAR5	Summers Lane Reuse and Recycling Centre	Barnet
BAR6	Mc Govern Brothers, Brent Terrace, Hendon	Barnet
BAR7	Cripps Skips Brent Terrace	Barnet
BAR8	Apex Car Breakers, Mill Hill	Barnet
BAR9	Railway Arches, Hendon Savacase Ltd	Barnet
BAR10	G B N Services Ltd, New Southgate	Barnet
BAR11	Mill Hill Depot	Barnet
CAM1	Regis Road Reuse and Recycling Centre	Camden
ENF1	Crews Hill Transfer Station	Enfield
ENF2	Barrowell Green Recycling Centre	Enfield
ENF3	Pressbay Motors Ltd, Motor Salvage Complex	Enfield
ENF4	Chase Farm Hospital, the ridgeway (SITA)	Enfield
ENF5	Jute Lane, Brimsdown	Enfield
ENF6	Tuglord Enterprises (AMI Waste Waste) Stacey Avenue	Enfield
ENF7	Budds skips, The Market Compound, Harbert road	Enfield
ENF8	Biffa Edmonton, Adra road, Edmonton	Enfield
ENF9	Hunt Skips, Commercial Road, Edmonton	Enfield
ENF10	Rooke & Co Ltd, Edmonton	Enfield
ENF11	Edmonton Bio Diesel Plant	Enfield
ENF12	Personnel Hygiene Services Ltd, Princes Road, Upper Edmonton	Enfield
ENF13	Lee Valley motors Ltd, Second Avenue, Edmonton	Enfield
ENF14	London Waste Recycling Ltd,12 Hastingwood Trading Est, upper Edmonton	Enfield
ENF15	Environmental Tyre Disposals Ltd	Enfield

Site ID	Site Name	Borough
ENF16	Albert Works, Kenninghall road, Edmonton	Enfield
ENF17	E L V Limited, Montague road industrial estate (site part of ENF 17 Albert Works)	Enfield
ENF18	London Waste Ltd Composting, Edmonton Eco Park, Advent Way	Enfield
ENF19	London Waste Ltd, Edmonton EcoPark, Advent way	Enfield
ENF21	Edmonton Clinical Waste Treatment Centre	Enfield
ENF22	J O' Doherty Haulage, Nobel Road, Edmonton	Enfield
ENF23	Oakwood Plant Ltd, Edmonton	Enfield
ENF24	Envirocom Ltd, Stonehill Business Park, Edmonton	Enfield
ENF25	Powerday Plant Ltd, Jeffreys Road	Enfield
ENF26	Edmonton EFW	Enfield
ENF27	Kedco	Enfield
ENF28	Ballast Phoenix Ltd	Enfield
ENF29	Enfield Metal Kingswood Nursery, Theobalds Park road	Enfield
ENF30	L & M Skips Recycling Ltd	Enfield
ENF31	Volker Highways Ltd	Enfield
HAC1	Millfields Waste Transfer & Recycling Facility	Hackney
HAC2	Downs Road Service Station (Braydon Motor Company), Clapton	Hackney
HAC3	Recycling facility, Mare Street	Hackney
HAR1/2	Hornsey Central Depot, Haringey LBC	Haringey
HAR 3	Garman Road, Tottenham	Haringey
HAR4	O'Donovan, Markfield Rd, Tottenham	Haringey
HAR5	Redcorn Ltd, White Hart Lane, Tottenham	Haringey
HAR6	Restore Community Projects, Ashley Road, Tottenham	Haringey
HAR7	Brantwood Auto Recycling Ltd, Willoughby Lane	Haringey
HAR8	O'Donovan, Markfield Road, Tottenham	Haringey
HAR9	Park View Road Reuse and Recycling Centre	Haringey
HAR10	Western Road Re-use & Recycling Centre	Haringey
ISL1	Hornsey Street Re-use & Recycling Centre	Islington
WAF1	Mercedes Parts Centre, Chingford Industrial Centre, Hall Lane	Waltham Forest
WAF2	Kings Road Re-use & Recycling Centre	Waltham Forest
WAF3	South Access Road Re-use & Recycling Centre	Waltham

Site ID	Site Name	Borough
		Forest
WAF4	G B N Services, estate Way, Leyton	Waltham Forest
WAF5	T J Autos (U K) Ltd	Waltham Forest
WAF6	B J Electronics, Ravenswood road Industrial Estate, Walthamstow	Waltham Forest
WAF7	Bywaters Recycling & Waste Management Centre	Waltham Forest
WAF8	Leyton Reuse & Recycling Centre	Waltham Forest
WAF9	B D & G Parts For Rover, Roxwell Trading Park, Leyton	Waltham Forest
WAF10	Malby Waste Disposal Ltd, Staffa Road, Leyton	Waltham Forest
WAF11	Baseforce Metals, Unit 1 Staffa Road, Leyton	Waltham Forest
WAF12	Argall Metal Recycling, Staffa Road Walthamstow Salvage, Wellington works, Staffa road, Leyton (no longer operational)	Waltham Forest
WAF13	Gateway Road Re-use & Recycling Centre	Waltham Forest
WAF14	Tipmasters	Waltham Forest

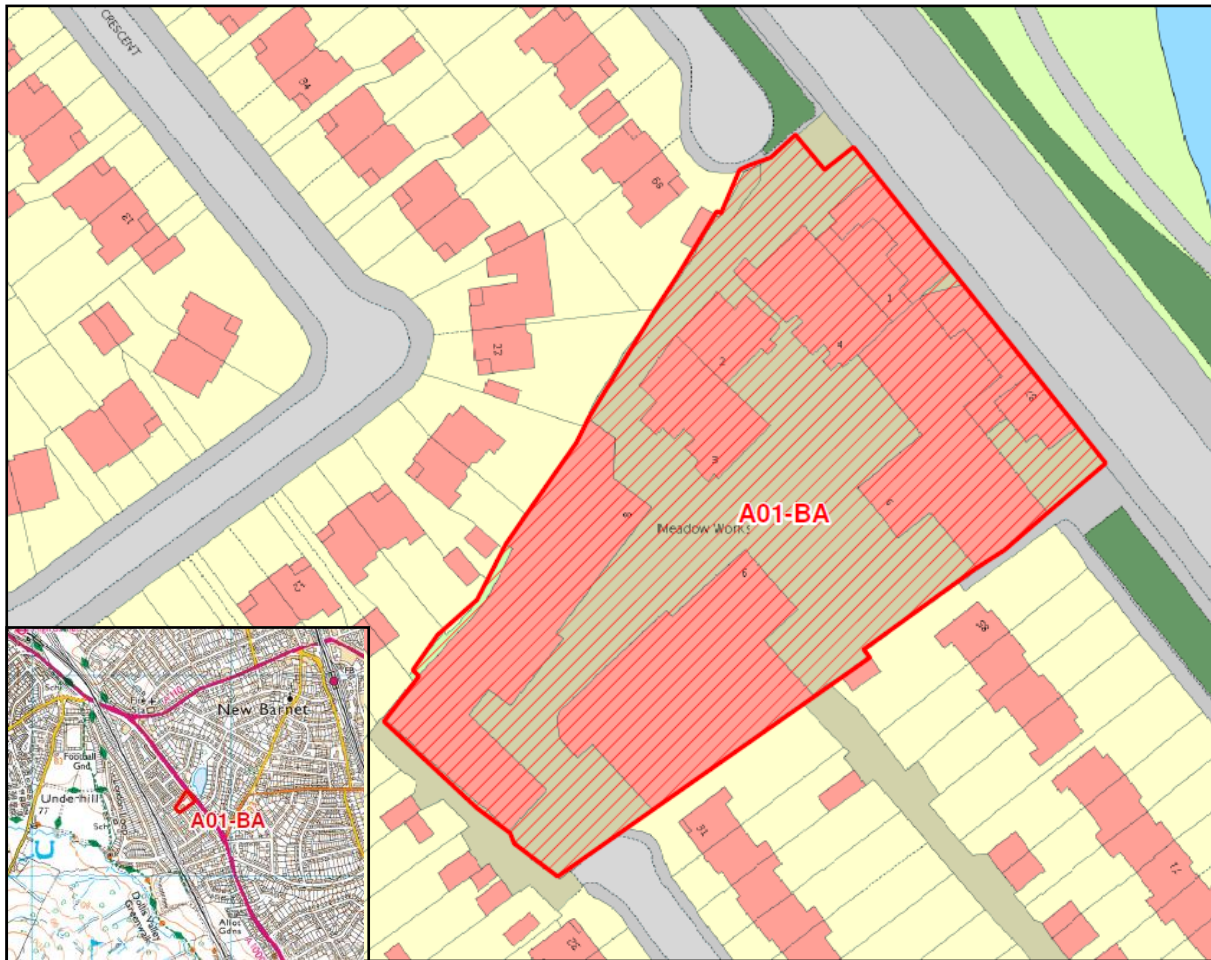
Appendix 2: Individual Site/Area Profiles

Barnet Sites and Areas

A01-BA	Meadow Works (Area)
A02-BA	Oakleigh Road (Area)
A03-BA	Brunswick Industrial Park (Area)
A04-BA	Mill Hill Industrial Estate (Area)
A05-BA	Connaught Business Centre (Area)
A06-BA	BT Depot and Jewsons Building (Area)
S01-BA	Edgware Road and Geron Way

A01-BA - Meadow Works, Barnet

1:850 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



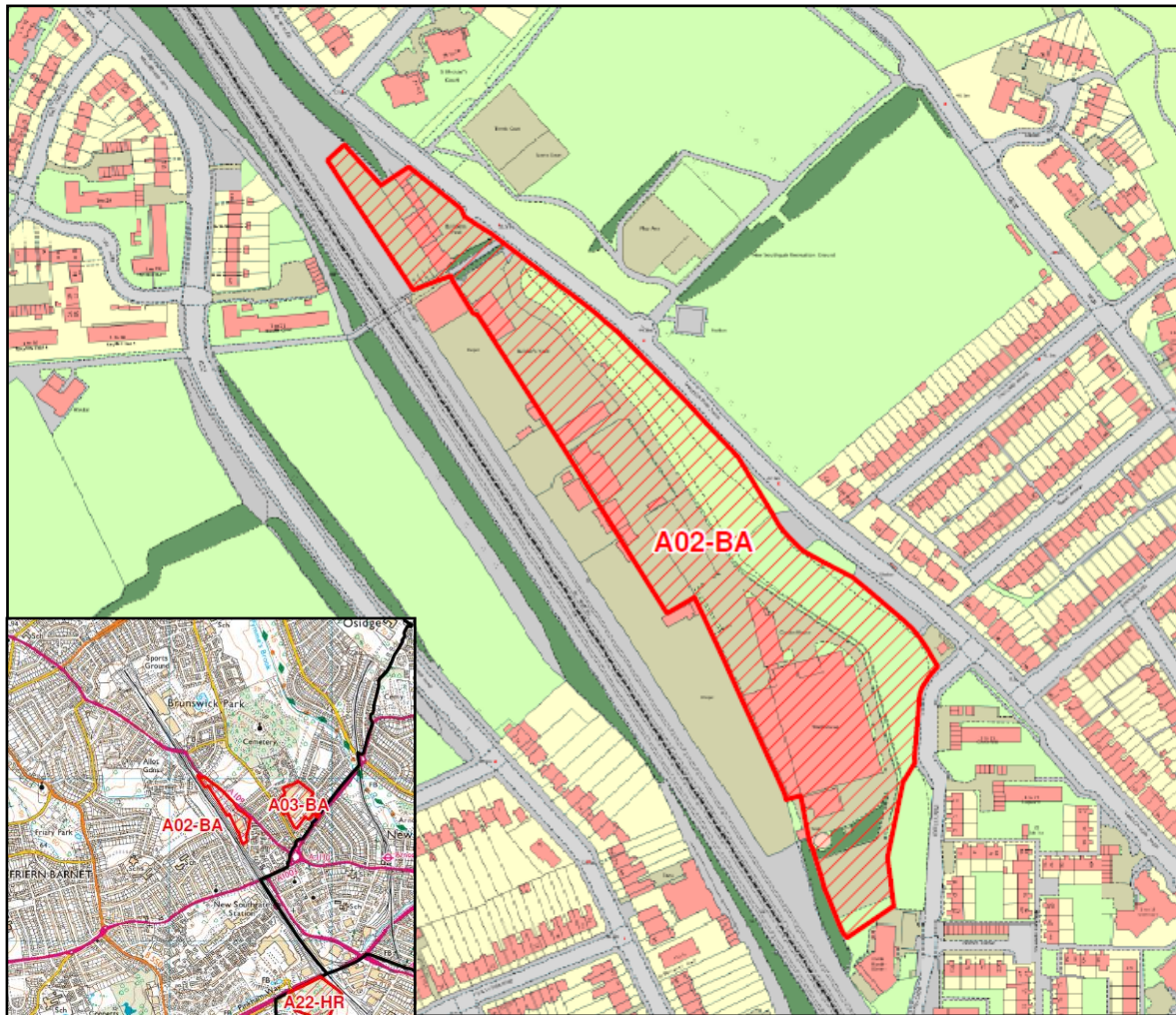
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Borough	Barnet
Type of Location	Area
Location Reference	A01-BA - Meadow Works
Size	0.50 ha
Area Description	The area lies within a residential location. The area is occupied by a number of small industrial buildings including a metal recycler.
Potential Uses as Indicated by the Sustainability Appraisal	Processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, waste transfer outdoor composting, indoor/in-vessel composting.

Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Area within Flood Zone 1 (lowest probability of flooding)
Key Issues	The site is relatively small and has limited potential for development. The surrounding area is residential and development would need to be appropriately designed to ensure there is no significant detrimental impact.
Habitat Regulation Assessment	Site currently being screened

A02-BA - Oakleigh Road, Barnet

1:3,550 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



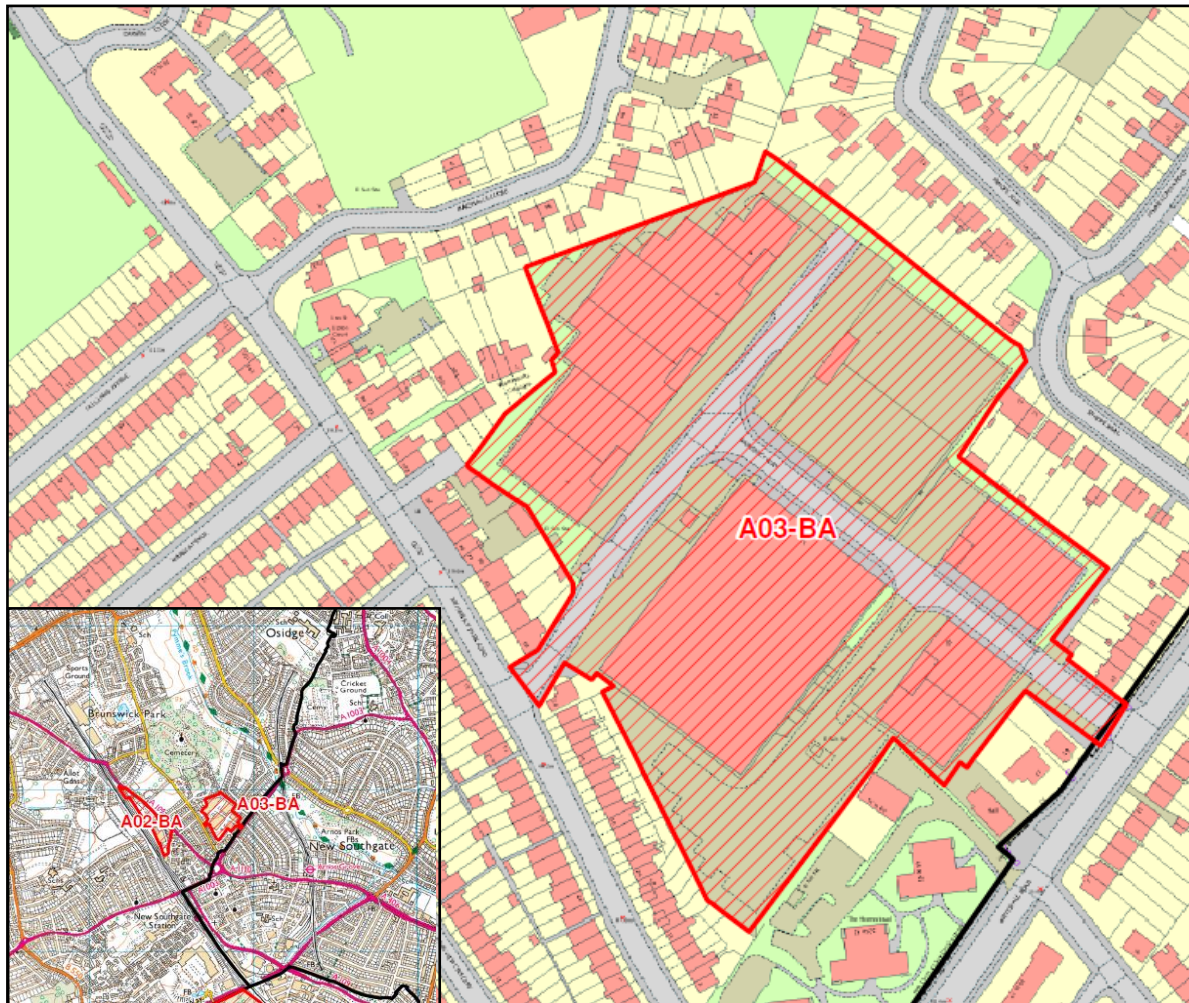
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Borough	Barnet
Type of Location	Area
Location Reference	A02-BA - Oakleigh Road
Size	3.10 ha
Area Description	Industrial area, includes a builder's depot and two existing waste management facilities
Potential Uses as Indicated by the Sustainability Appraisal	Integrated resource recovery facilities/resource parks, Waste transfer, processing and recycling
Uses unlikely to be suitable	Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.

Sustainability Appraisal	Band B – Several issues requiring mitigation however, generally suitable for development.
Flood Risk Zone	Area is within Flood Zone 1 (lowest probability of flooding)
Key Issues	Site already occupied by 2 waste facilities additional facilities unlikely to have significant impact. Residential properties do however lie close to the site so mitigation measure may be required. Vacant plot at site is identified as a potential site for Barents replacement of their Mill Hill Depot.
Habitat Regulation Assessment	Site currently being screened

A03-BA - Brunswick Industrial Park, Barnet

1:2,450 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



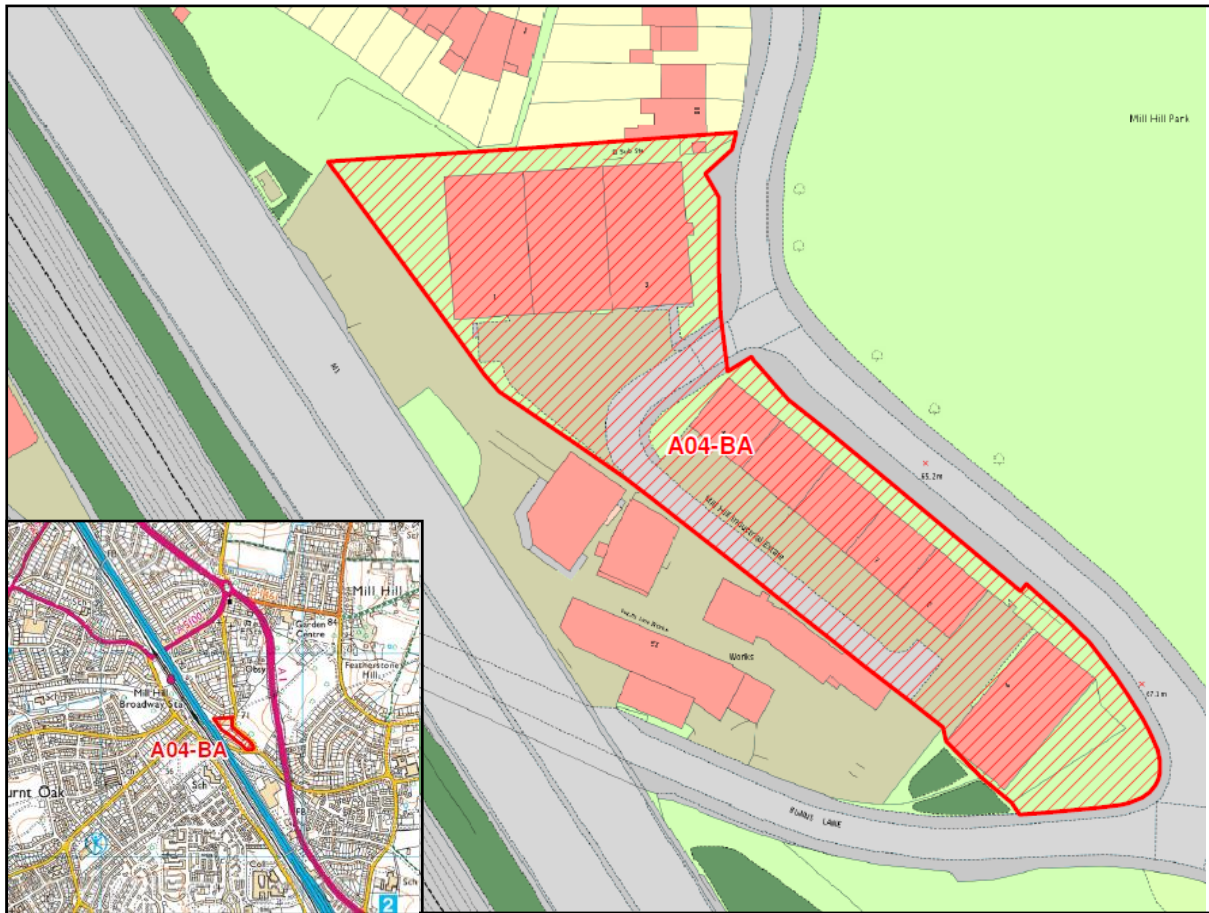
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Borough	Barnet
Type of Location	Area
Location Reference	A03-BA - Brunswick Industrial Park
Size	3.95 ha
Area Description	The area is a Business Park which includes a builder's yard and other trade outlets.
Potential Uses as Indicated by the Sustainability Appraisal	Waste Transfer, Processing and Recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting

Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	<p>The site had no empty units at the time of the site visit. The route from the site to the primary road network passes through significant residential development although the traffic flows are likely to be similar to those of the current operations.</p> <p>The site is surrounded by residential dwellings but it is considered that the site could accommodate waste management facilities that did not incorporate any outside storage of waste.</p>
Habitat Regulation Assessment	Site currently being screened

A04-BA - Mill Hill Industrial Estate, Barnet

1:1,350 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



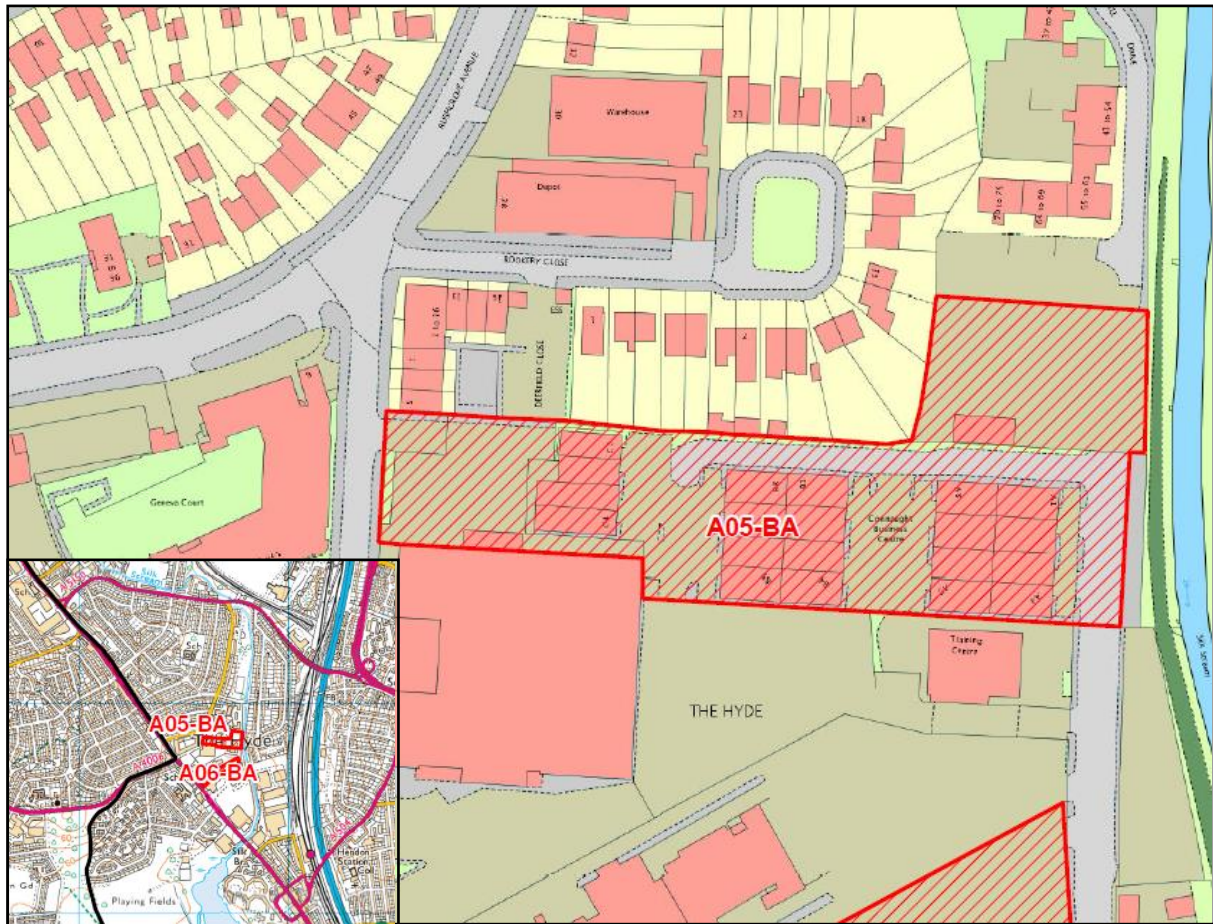
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Borough	Barnet
Type of Location	Area
Location Reference	A04-BA - Mill Hill Industrial Estate
Size	0.90 ha
Area Description	Industrial Estate comprising numerous small warehouses.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Area is within Flood Zone 1 (lowest probability of flooding)
Key Issues	The site is in close proximity to open recreational area of Mill Hill Park to the east. There is also a residential area to the north of the site and any waste management facility would need to take account of these sensitive receptors. The units appeared to be fully occupied and they were generally small single story units.
Habitat Regulation Assessment	Site currently being screened

A05-BA - Connaught Business Centre, Barnet

1:1,500 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



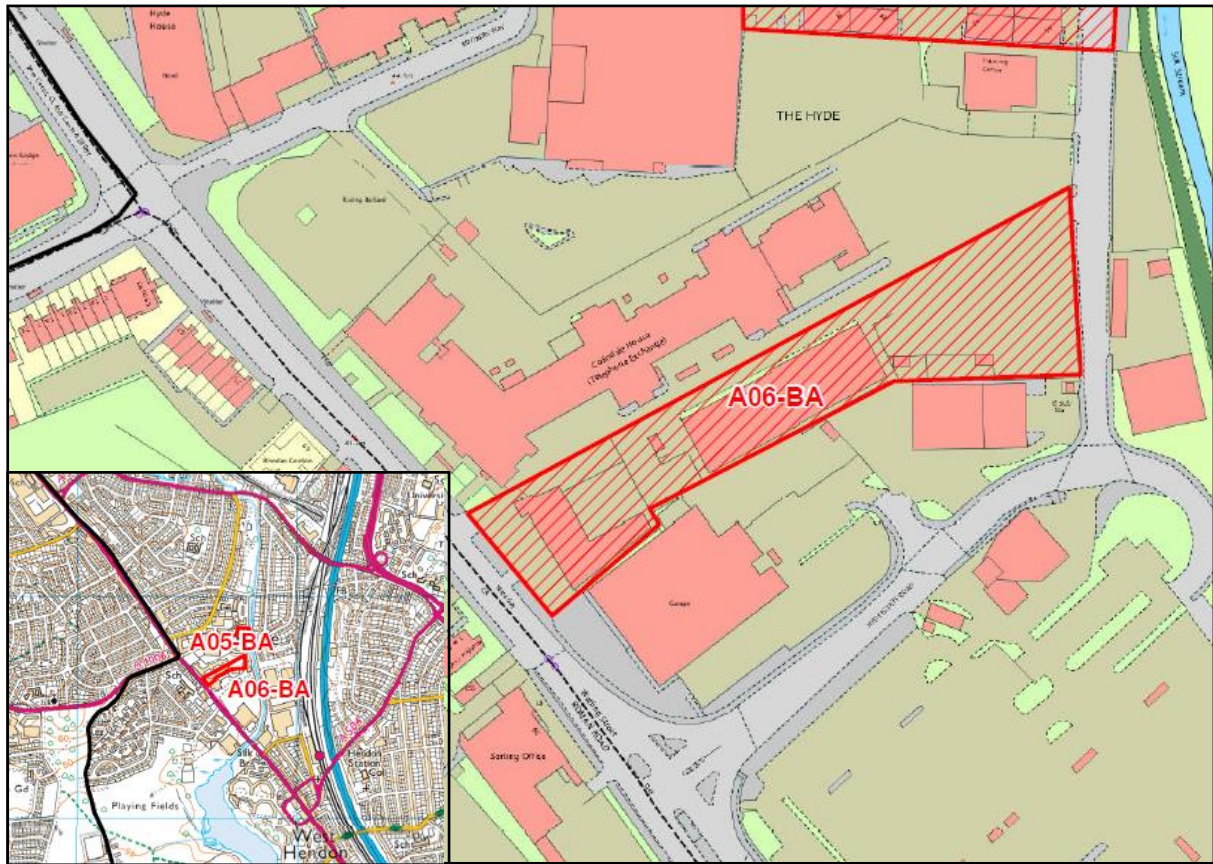
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Borough	Barnet
Type of Location	Area
Location Reference	A05-BA - Connaught Business Centre
Size	0.90 ha
Area Description	The site is a commercial area made up of small units.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.

Flood Risk Zone	Site is within Flood Zone 2 & 3 (medium and high probability of flooding) As part of the area lies within Flood Zone 3 it is not suitable for the handling of Hazardous Waste.
Key Issues	Although the site access is acceptable, all waste vehicles would need to traverse the internal retail/business park roads. Residential development lies on the northern boundary whilst to the east is a small stream beyond which is further residential development. Due to its proximity to residential development, only enclosed waste management facilities would be appropriate.
Habitat Regulation Assessment	Site currently being screened

A06-BA - BT Depot and Jewsons Building, Barnet

1:2,000 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



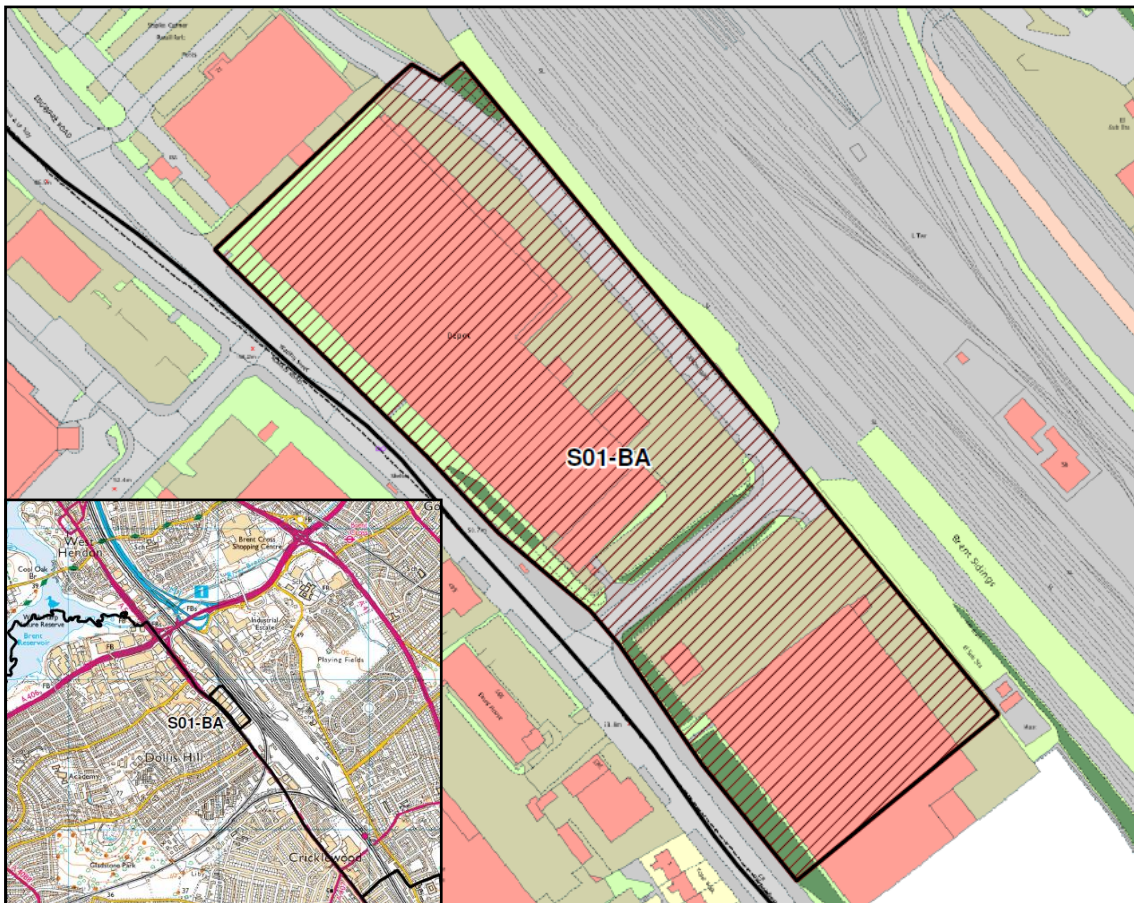
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Borough	Barnet
Type of Location	Area
Location Reference	A06-BA - BT Depot and Jewsons Building
Size	0.70 ha
Area Description	Suzuki dealership and unknown commercial building. Telephone exchange lies to the north and a Honda Garage to south. The site is bordered by the A1 and is 2.8 miles from the M1.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.

Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Site partially covered by Flood Zone 2 (medium probability of flooding).
Key Issues	<p>The site access is acceptable with entry to the site from Edgware Road. The area that includes the Suzuki dealership and associated car park is unlikely to be deliverable for waste management and should be discounted due to its position fronting Edgware Road and similar neighbouring uses. However the old BT Depot and yard would be suitable for a mix of waste management uses.</p> <p>There are a number of environmental and amenity issues facing the site such as the close proximity of the retail park, Sainsbury supermarket, a small stream, and the surrounding residential development.</p>
Habitat Regulation Assessment	Site currently being screened

S01-BA - Edgware Road and Geron Way, Barnet

1: 1,950 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



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Borough	Barnet
Type of Location	Site
Location Reference	S01-BA - Edgware Road and Geron Way
Size	3.28 ha
Site Description	Currently occupied by Bestway Cash and Carry in the north and Selco Builders Warehouse in the south.
Potential Uses as Indicated by the Sustainability Appraisal	The site has outline planning permission for a waste handling facility and treatment technology.

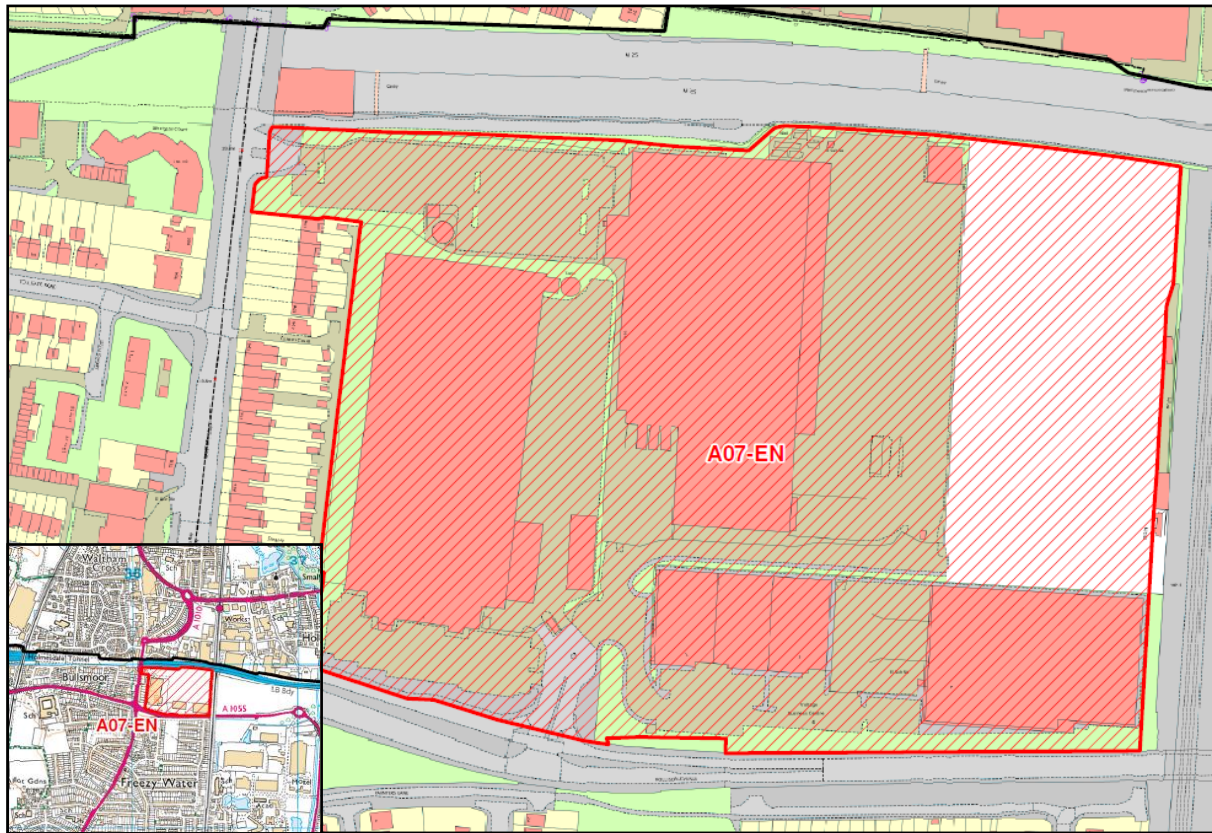
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting and indoor/in-vessel composting.
Details of in-situ infrastructure impacting waste development	None identified
Landowner details	Bestway Wholesale Group
Flood Risk Zone	Area within Flood Zone 1 (lowest probability of flooding)
Key Issues	The site has outline planning permission for waste management and can be taken forward at this stage. However the north of site is currently occupied and operated by Bestway who have responded during the call for sites exercise on the North London Waste Plan specifically requesting that this site be excluded from allocation.'
Habitat Regulation Assessment	Site currently being screened

Enfield sites and Areas

A07-EN	Freezywater (Area)
A08-EN	Brimsgate (Area)
A09-EN	Redburn Trading Estate (Area)
A10-EN	Meridian Business Park (Area)
A11-EN	Montagu Industrial Area (Area)
A12-EN	Eley's Estate (Area)
A13-EN	Commercial Road and North Middlesex Estate (Area)
S02-EN	Bilton Way (Site)

A07-EN - Freezywater, Enfield

1:2,400 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



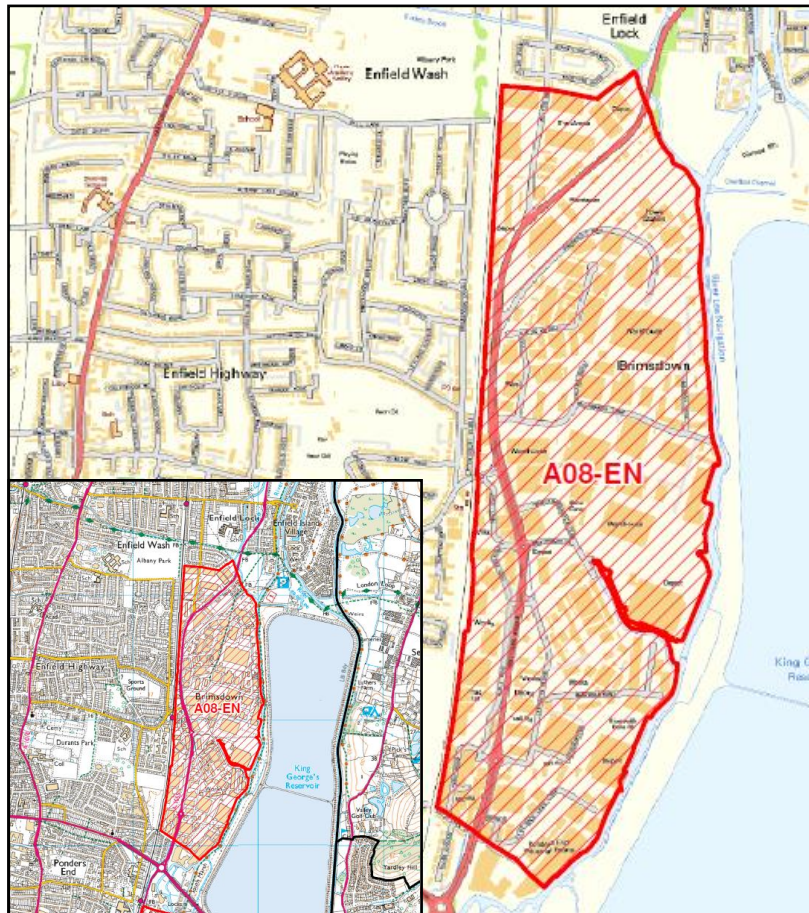
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Borough	Enfield
Type of Location	Area
Location Reference	A07-EN - Freezywater
Size	10.70 ha
Area Description	Large commercial area including a Tesco distribution centre.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, indoor composting and in-vessel composting.
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks and outdoor composting.

Sustainability Appraisal	Band B – Several issues requiring mitigation however, generally suitable for development.
Flood Risk Zone	Area is within Flood Zone 1 (lowest probability of flooding)
Key Issues	The site has good access to the M25 and the strategic road network. Any facility would need to take account of neighbouring uses including green belt and Lee Valley Regional park to the east, at the planning stage.
Habitat Regulation Assessment	Site currently being screened

A08-EN - Brimsdown, Enfield

1:19,700 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



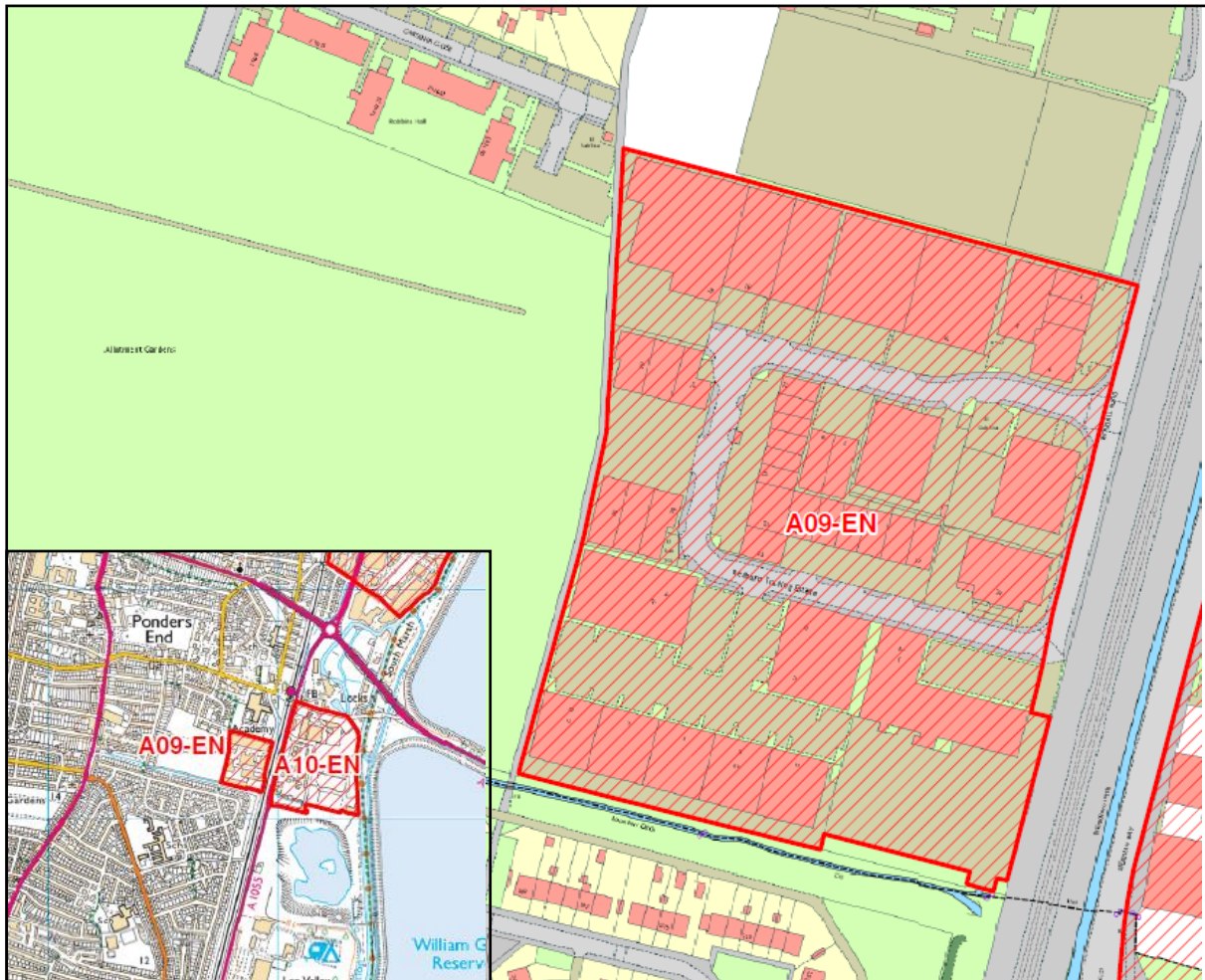
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Borough	Enfield
Type of Location	Area
Location Reference	A08-EN - Brimsdown
Size	134.40 ha
Area Description	Industrial Estate
Potential Uses as Indicated by the Sustainability Appraisal	Integrated resource recovery facilities/resource parks, Waste transfer, processing and recycling, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, indoor composting and in-vessel composting.
Uses unlikely to be suitable	Outdoor composting

Sustainability Appraisal	Band B – Several issues requiring mitigation however, generally suitable for development.
Flood Risk Zone	Large Parts of site Flood Zone 2 (medium potential of flooding) remaining Flood Zone 1 (lowest potential of flooding). Some areas benefit from flood defences
Key Issues	<p>The Brimsdown Industrial Estate has existing waste management facilities and is large enough to accept most waste management uses.</p> <p>There are a number of environmental and amenity issues facing the site such as the close proximity of enclosed industrial uses, housing, Lee Valley Regional Park, the Green Belt, River Lee Navigation, a reservoir also designated an SSSI and Site of Metropolitan Importance for Nature Conservation.</p>
Habitat Regulation Assessment	Site currently being screened

A09-EN - Redburn Trading Estate, Enfield

1:2,200 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



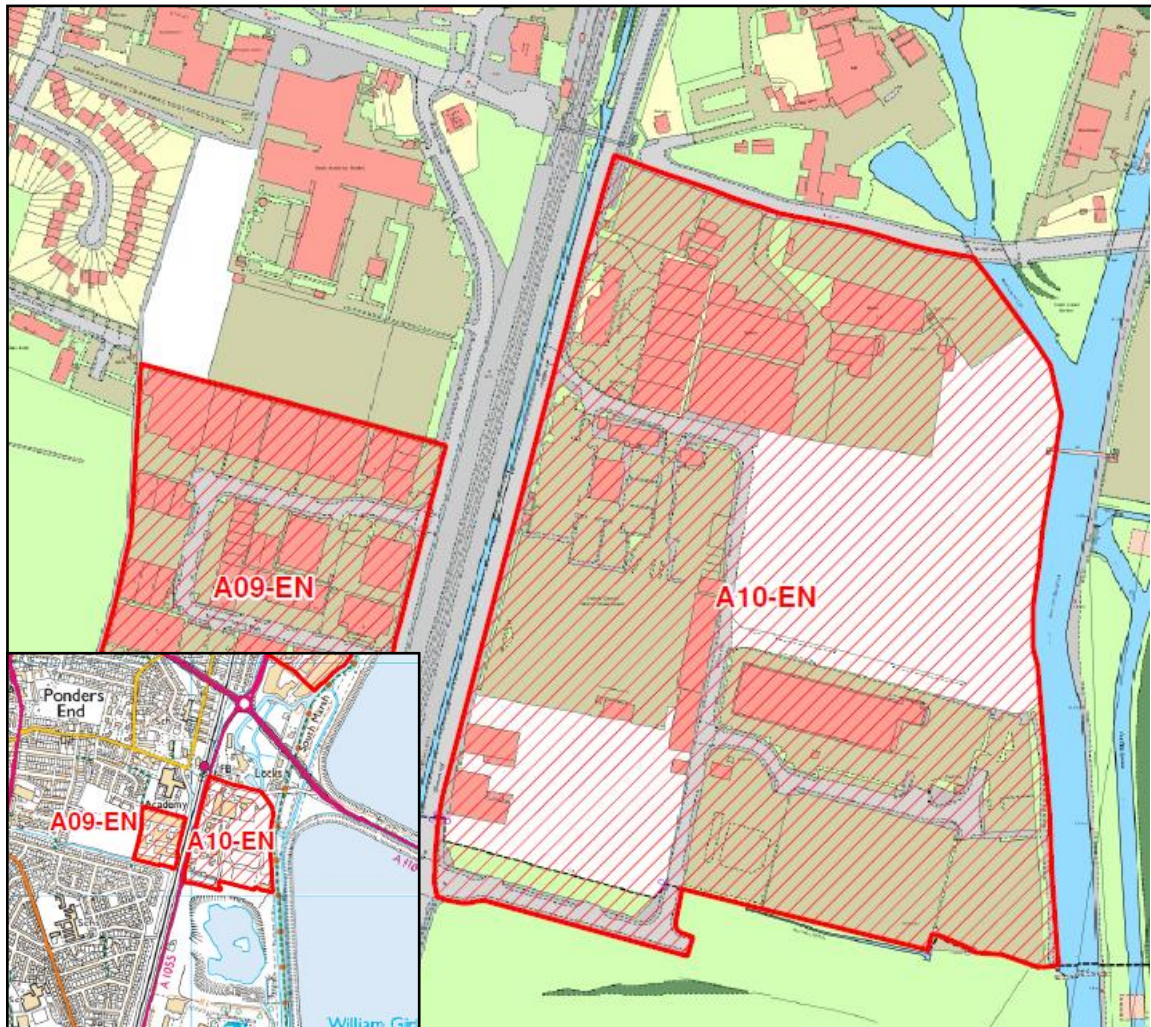
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Borough	Enfield
Type of Location	Area
Location Reference	A09-EN - Redburn Trading Estate
Size	4.00 ha
Area Description	Industrial Estate with moderate size units
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues requiring mitigation.
Flood Risk Zone	<p>The south western corner and southern boundary of site are within Flood Zone 3 (high potential of flooding). The remainder of site is Flood Zone 1 (lowest potential of flooding)</p> <p>As part of the area lies within Flood Zone 3 it is not suitable for the handling of Hazardous Waste.</p>
Key Issues	The site entry and egress is via the same roads and as such may not be an ideal location for large numbers of waste carrying vehicles. However, there are a number of empty units/buildings that would be large enough to house appropriate enclosed waste management facilities. Mitigation would be required to protect the amenity of the adjacent school and open space.
Habitat Regulation Assessment	Site currently being screened

A10-EN - Meridian Business Park, Enfield

1:4,100 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



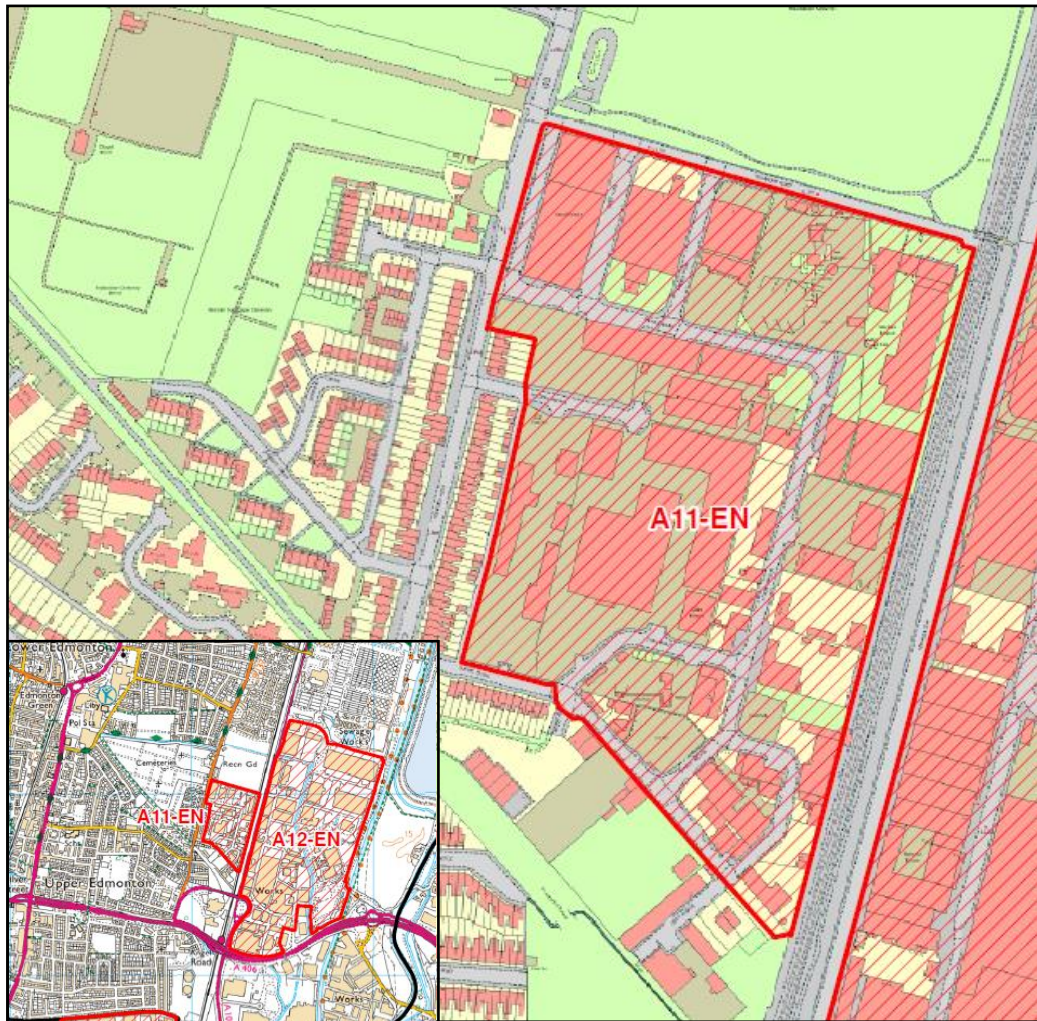
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Borough	Enfield
Type of Location	Area
Location Reference	A10-EN - Meridian Business Park
Size	14.90 ha
Area Description	The Business Park lies in the east of Enfield and contains warehouse and industrial units. River Lee Navigation lies adjacent to the east of site with William Girling Reservoir (a SSSI) beyond. The land to the north east and south of site is designated as green belt.

Potential Uses as Indicated by the Sustainability Appraisal	Integrated resource recovery facilities/resource parks, Waste transfer, processing and recycling, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, indoor composting and in-vessel composting.
Uses unlikely to be suitable	Outdoor composting
Sustainability Appraisal	Band B – Several issues requiring mitigation however, generally suitable for development.
Flood Risk Zone	The south west and western boundaries are within Flood Zone 2 (medium probability of flooding)
Key Issues	There was approximately 3ha of unused land at the site at the time of the assessment. Access to the strategic highway network is considered acceptable. Any facility on the site would need mitigation measures to protect the River Lee Navigation and surrounding green belt and SSSI.
Habitat Regulation Assessment	Site currently being screened

A11-EN - Montagu Industrial Area, Enfield

1:4,150 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



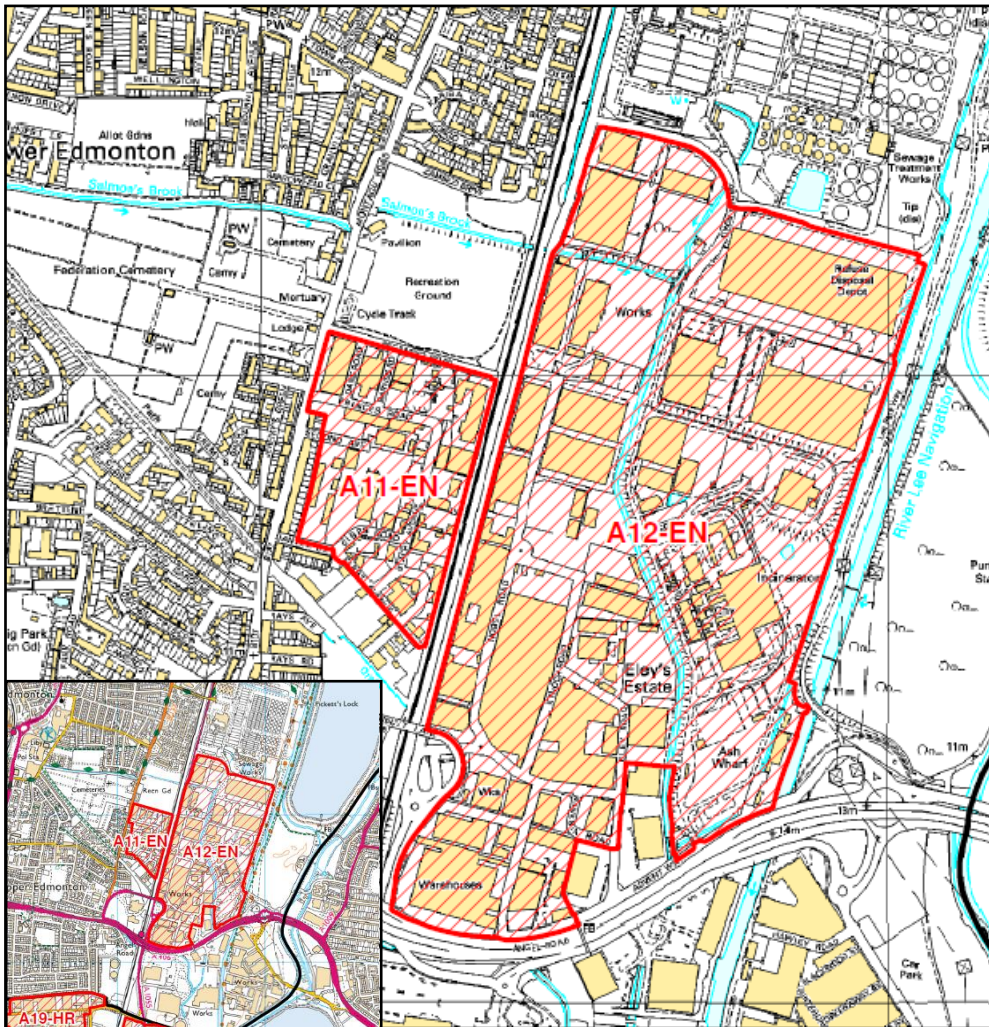
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Borough	Enfield
Types of Location	Area
Location Reference	A11-EN - Montagu Industrial Area
Size	9.50 ha
Area Description	The site is occupied with industrial and commercial units. Green open space lies north, industrial and commercial properties lie to the east and residential properties lie to the south and west.

Potential Uses as Indicated by the Sustainability Appraisal	Integrated resource recovery facilities/resource parks, Waste transfer, indoor composting, in-vessel composting, processing and recycling
Uses unlikely to be suitable	Thermal treatment, anaerobic digestion, outdoor composting, pyrolysis / gasification and mechanical biological treatment.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	The west and north of site are within Flood Zone 2 (medium probability of flooding). The remainder of site is Flood Zone 1 (lowest probability of flooding)
Key Issues	This site is already occupied by a number of waste management facilities and there is potential for a number of waste management options to be taken forward. The north of the site is a recreational ground and waste management facilities should avoid the units fronting Pegamoid Road to avoid any adverse impact on any sensitive receptors. Similarly there is housing development along the eastern boundary.
Habitat Regulation Assessment	Site currently being screened

A12-EN – Ely’s Estate, Enfield

1:10,700 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



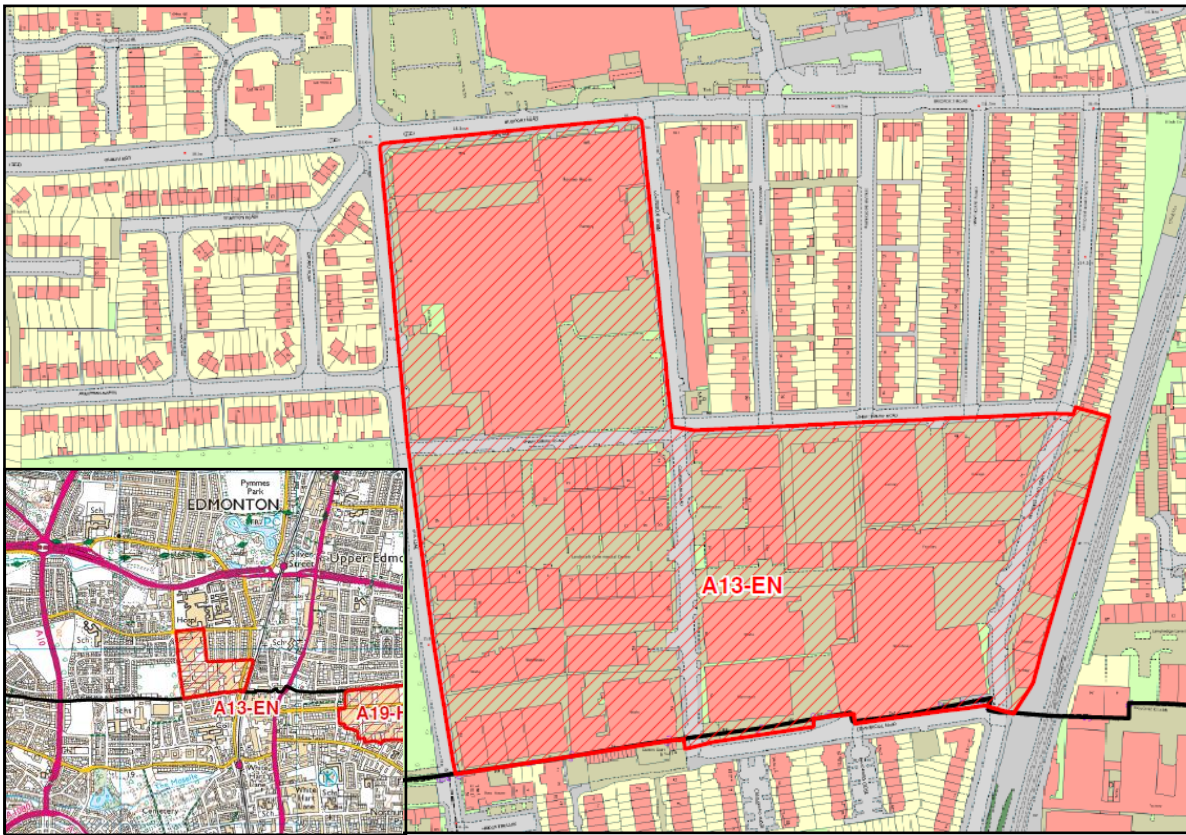
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Borough	Enfield
Type of Location	Area
Location Reference	A12-EN – Eley’s Estate
Size	61.60 ha
Area Description	Industrial areas incorporating Eleys Estate, Edmonton Eco Park and Aztec A406 Industrial Estate. The site is bordered by sewage works in the north, Lee navigation and open ground (green belt and Lee Valley Regional Park) to the east, Meridian Water Development to the south and industrial, commercial, residential and recreational ground to the west.

Potential Uses as Indicated by the Sustainability Appraisal	<p>Within Flood Zone 2 Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, Waste transfer, indoor composting, in-vessel composting, processing and recycling.</p> <p>Within Flood Zone 3 Waste transfer and processing and recycling</p>
Uses unlikely to be suitable	Outdoor composting
Sustainability Appraisal	Band B – Several issues requiring mitigation however, generally suitable for development.
Flood Risk Zone	<p>The majority of site is covered by Flood Zone 2 (medium probability of flooding) parts are also covered by Flood Zone 3 (highest probability of flooding). Northeast area within Flood Zone 1 (lowest probability of flooding)</p> <p>As part of the area lies within Flood Zone 3 it is not suitable for the handling of Hazardous Waste.</p>
Key Issues	There are potential environmental and amenity issues facing the site such as the close proximity of enclosed industrial uses, the River Lee Navigation, the green belt and Lee Valley Regional Park.
Habitat Regulation Assessment	Site currently being screened

A13-EN - Commercial Road and North Middlesex Estate, Enfield

1:3,250 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



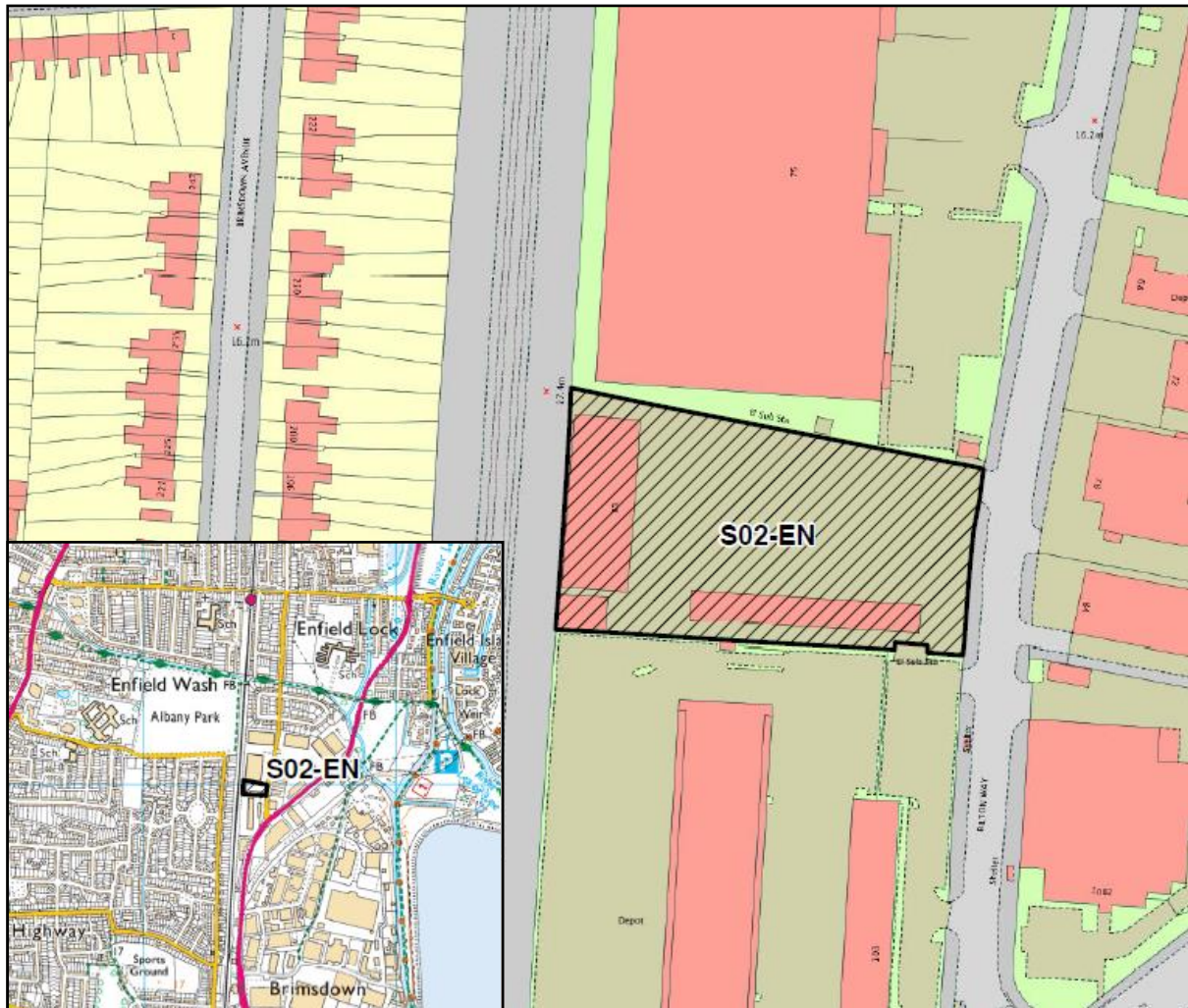
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Borough	Enfield
Type of Location	Area
Location Reference	A13-EN - Commercial Road and North Middlesex Estate
Size	10.00 ha
Area Description	Site comprises industrial and commercial units. Residential areas surround the site with a Railway line bordering the east, green open space to the west and North Middlesex University Hospital to the north of site.
Potential Uses as Indicated by the Sustainability Appraisal	Integrated resource recovery facilities/resource parks, Waste transfer, processing and recycling

Uses unlikely to be suitable	Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	There are a number of environmental and amenity issues facing the site such as the close proximity of enclosed industrial uses, housing, North Middlesex Hospital and open parkland.
Habitat Regulation Assessment	Site currently being screened

S02-EN – Bilton Way, Enfield

1:1,500 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



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Borough	Enfield
Type of Location	Site
Location Reference	S02-EN – Bilton Way
Size	0.40 ha
Site Description	Occupied by Fraikin Commercial Vehicle Rental (GSV)
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

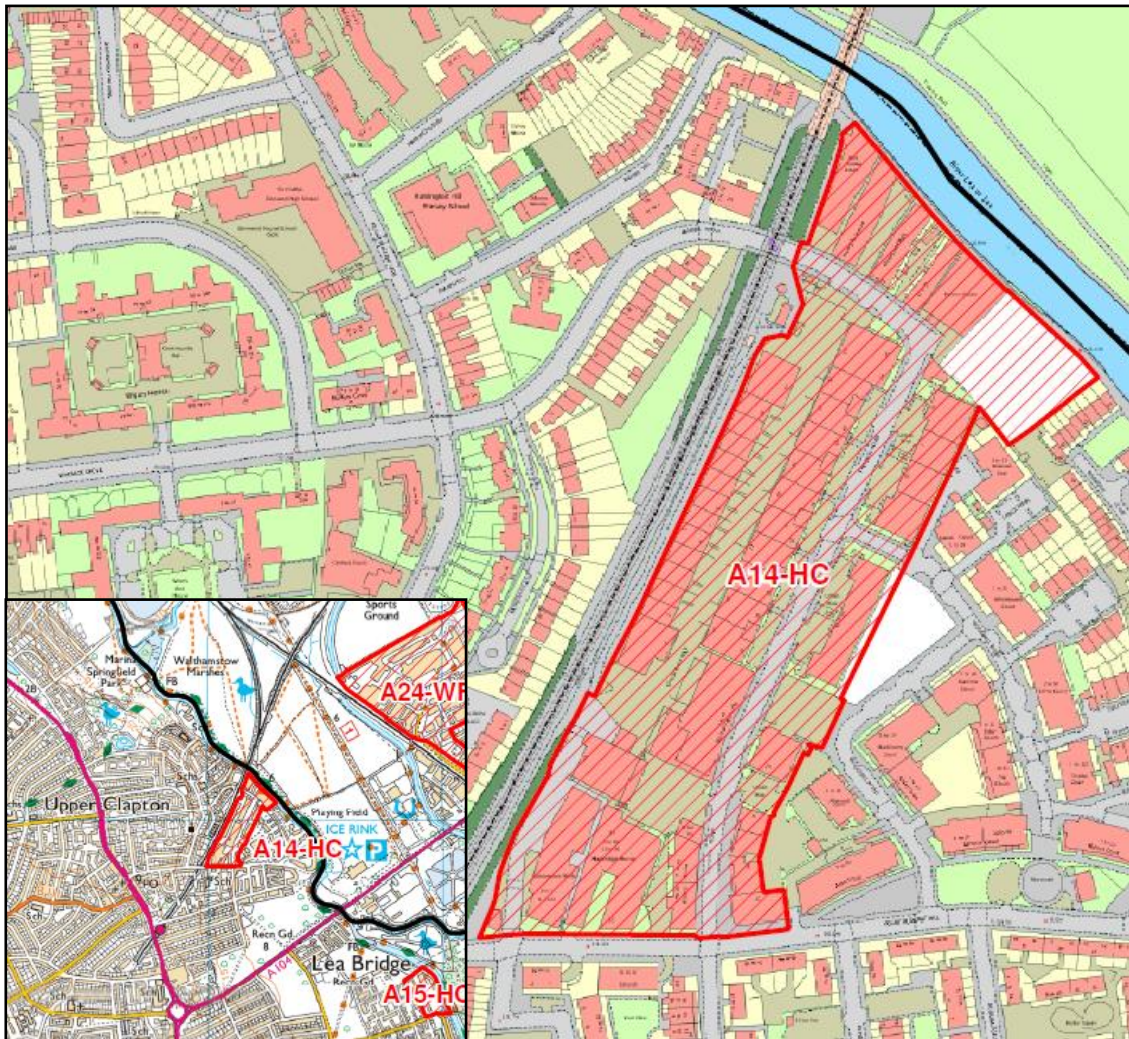
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Details of in-situ infrastructure impacting waste development	None identified
Landowner details	Bilton's Enfield Company Limited
Flood Risk Zone	Flood Zone 2 (medium potential of flooding)
Key Issues	The site is small (<0.5ha) and currently in use by Fraikin, a fleet Management Company. The site does however have good access to the strategic highways. Approximately 30m to the west (behind) the site is housing although a railway line acts as a barrier.
Habitat Regulation Assessment	Site currently being screened

Hackney Sites and Areas

A14-HC	Theydon Road (Area)
A15-HC	Millfields LSIS (Area)
A16-HC	Hackney Downs (Area)
A17-HC	Mare Street LSIS (Area)
A18-HC	Oak Wharf, Timberwharf Rd (Area)
S03-EN	Eagle Wharf (Site)

A14-HC – Theydon Road, Hackney

1:3,250 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



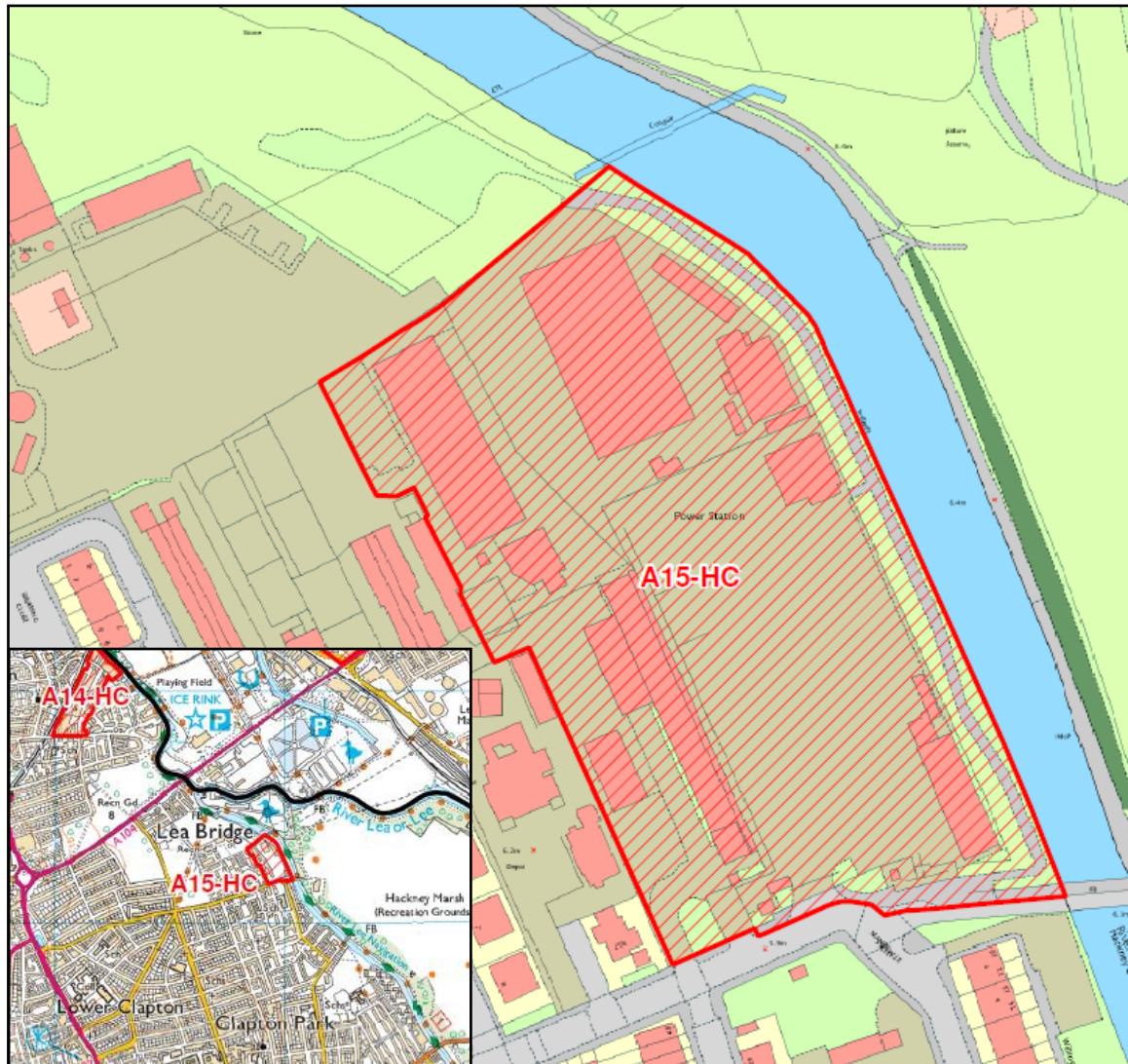
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Borough	Hackney
Type of Reference	Area
Location Reference	A14-HC - Theydon Road
Size	4.30 ha
Area Description	Site comprises industrial units and offices. Walthamstow Marshes lie to the north of site whilst residential properties lie east, south and west of site.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Northern edge of site within Flood Zone 2 (medium potential of flooding) remainder Flood Zone 1 (lowest potential of flooding)
Key Issues	There are a number of environmental and amenity issues facing the site such as the close proximity of enclosed industrial units and offices, housing and the River Lea to the north.
Habitat Regulation Assessment	Site currently being screened

A15-HC – Millfields LSIS, Hackney

1:1,750 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



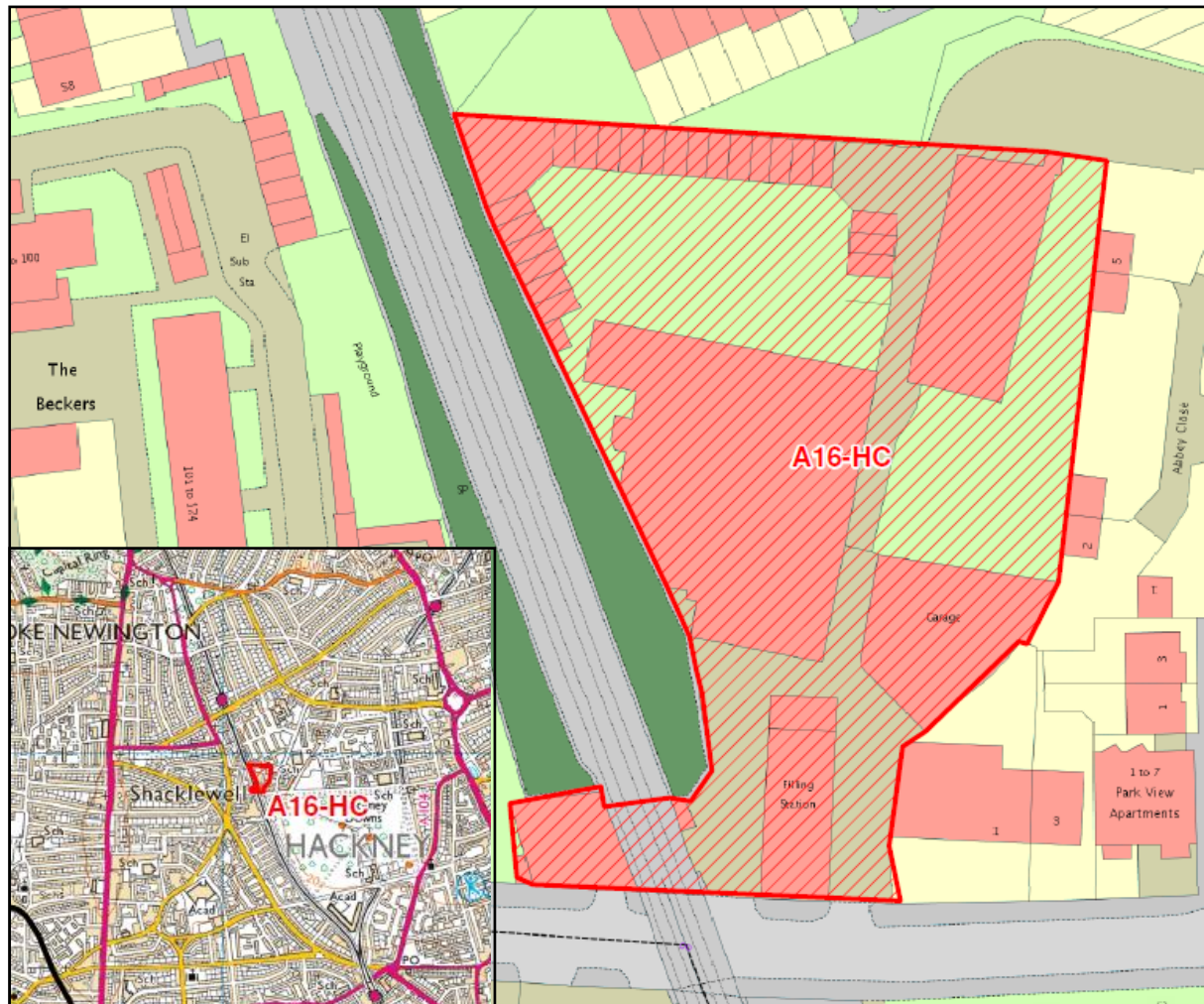
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Borough	Hackney
Type of Location	Area
Location Reference	A15-HC – Millfields LSIS
Size	2.19 ha
Area Description	The area is occupied by a Hackney Council Waste Transfer Station and Fleet Depot and a Power Station. It is bordered by a nature reserve in the north, Hackney Marsh to the east and residential properties south and west.
Potential Uses as Indicated by the Sustainability Appraisal	The waste transfer station is operated by Hackney Council whilst the Power Station is privately owned.

Uses unlikely to be suitable	N/A
Sustainability Appraisal	Existing Facility
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	The majority of the site is an Active Waste Transfer Station operated by Hackney Council
Habitat Regulation Assessment	Site currently being screened

A16-HC – Hackney Downs, Hackney

1:850 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



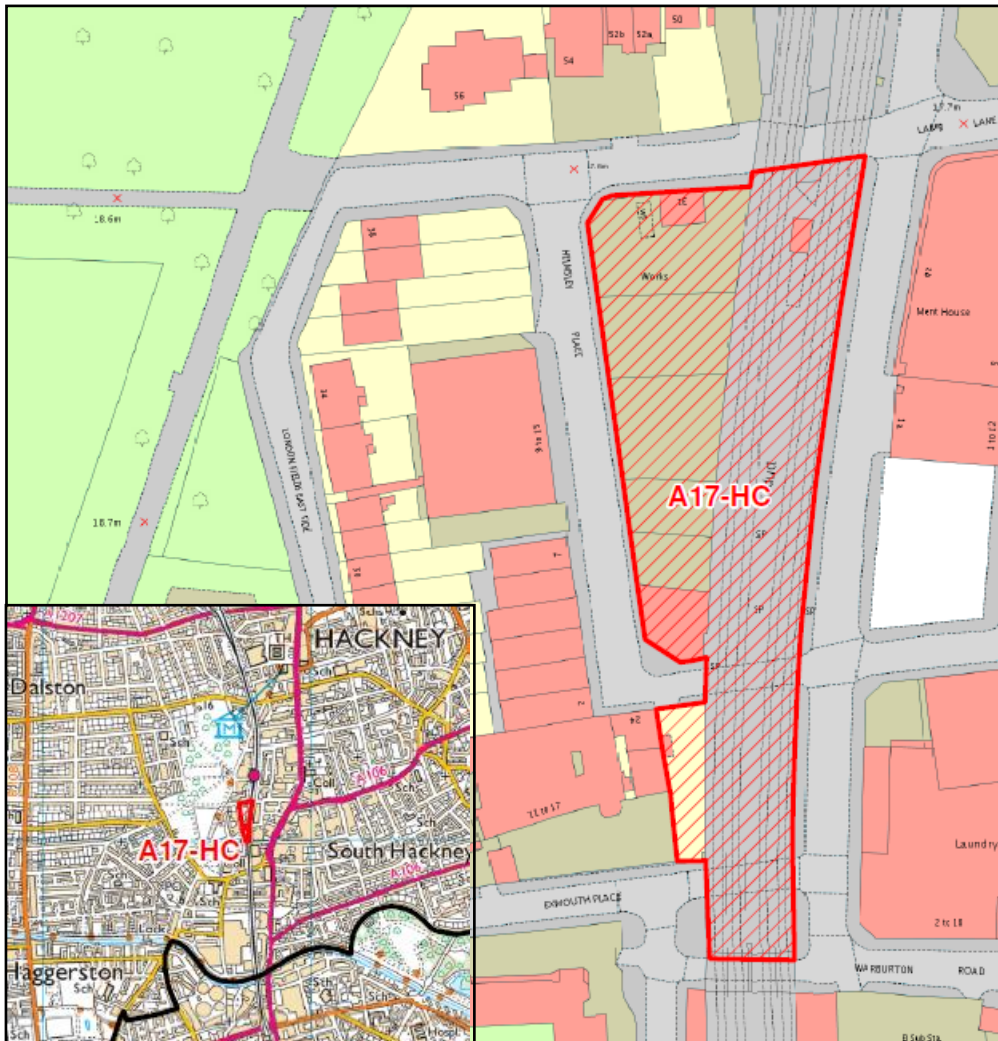
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Borough	Hackney
Type of Location	Area
Location Reference	A16-HC – Hackney Downs (north)
Size	0.55 ha
Area Description	The site is split into two areas (northern area shown in plan) by Downs Road which runs east to west through the centre. Both section of site are occupied by Industrial Properties. Residential properties lie north, east, south and west of site. Hackney Downs Park lies approximately 15m east of site
Potential Uses as Indicated by the Sustainability Appraisal	Processing and recycling

Uses unlikely to be suitable	Waste transfer, integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development in northern area possible as existing facility at site but significant planning issues require mitigation.
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	Only the northern part of the area (shown in plan) should be taken forward as a Band C and this is due to the existing vehicle dismantlers.
Habitat Regulation Assessment	Site currently being screened

A17-HC – Mare Street LSIS, Hackney

1:1,250 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



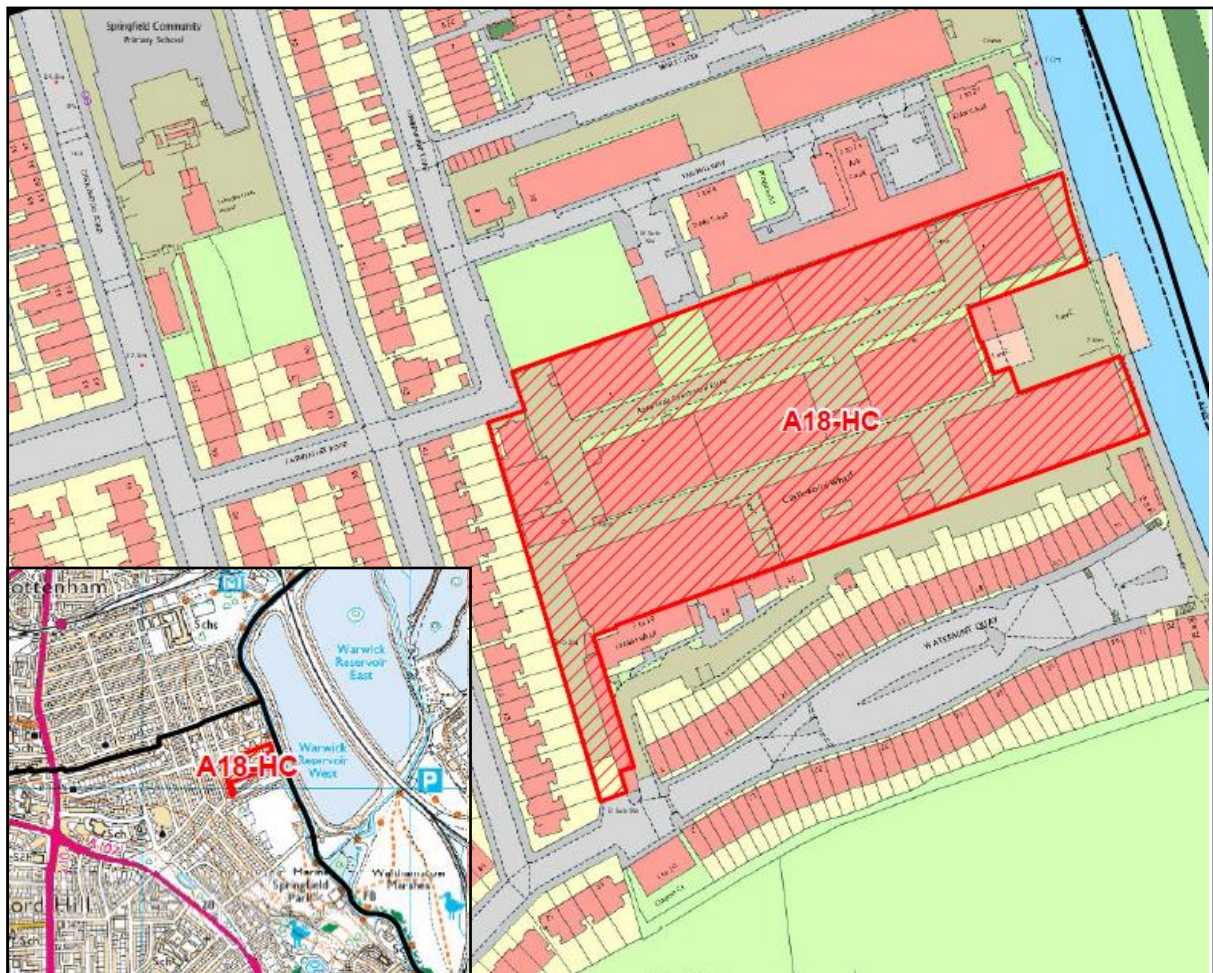
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Borough	Hackney
Type of Location	Area
Location Reference	A17-HC – Mare Street LSIS (north)
Size	0.46 ha
Area Description	The site consists of Industrial units. The site is surrounded by industrial units to the north, east and south and playing fields to the west.
Potential Uses as Indicated by the Sustainability Appraisal	Processing and recycling

Uses unlikely to be suitable	Waste transfer, integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible due to existing facility at site but significant planning issues require mitigation.
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	Only the northern area (shown in plan) should be taken forward because part of the site is an existing scrap metal recycling facility.
Habitat Regulation Assessment	Site currently being screened

A18-HC – Oak Wharf, Timberwharf Rd, Hackney

1:2,000 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



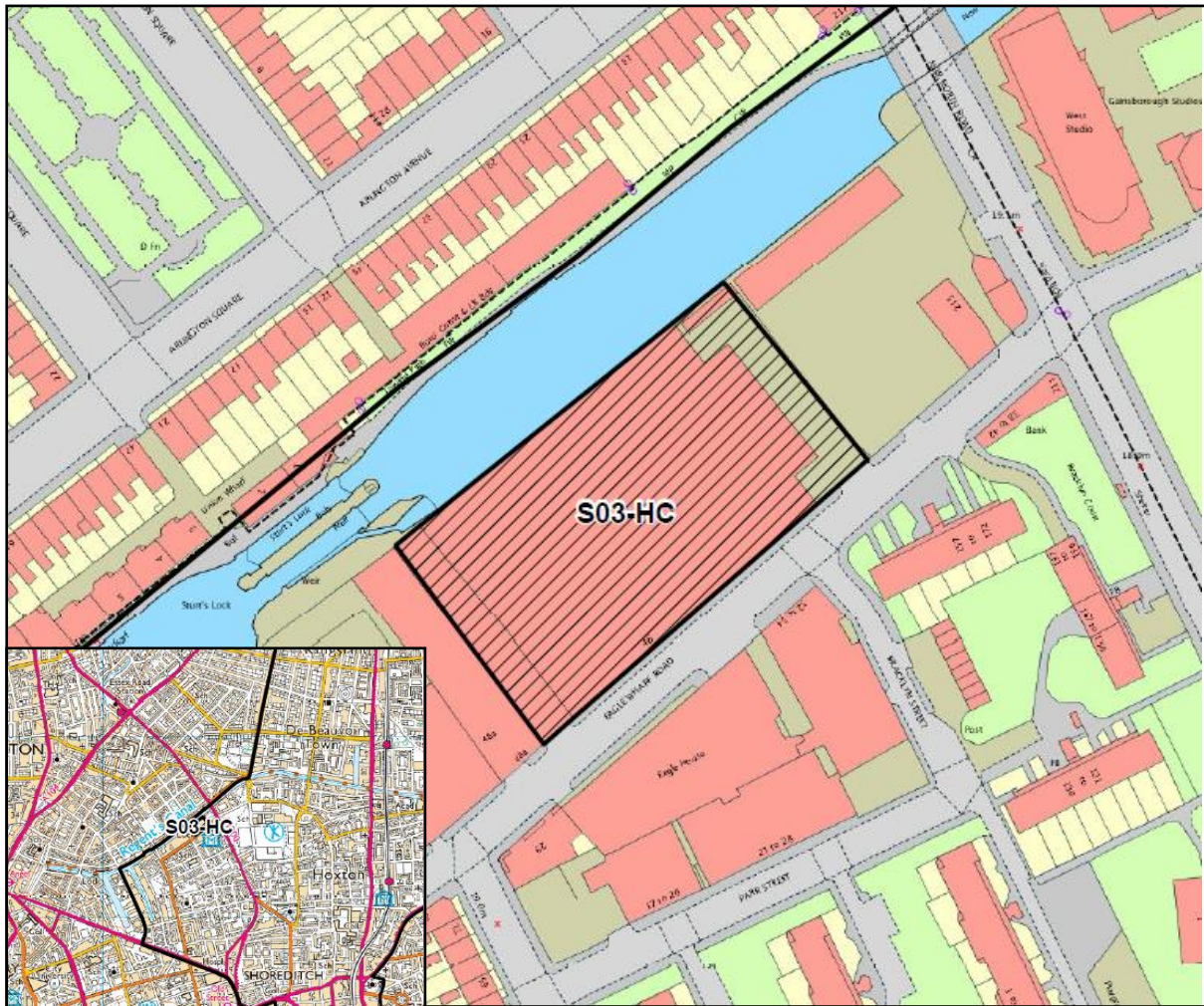
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Borough	Hackney
Type of Location	Area
Location Reference	A18-HC – Oak Wharf, Timberwharf Rd
Size	1.58 ha
Area Description	The site is an Industrial Estate. The River Lea flows adjacent to the east of site whilst residential properties border the rest of site, a school lies approximately 50m to the northwest.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Eastern edge of site is in Flood Zone 2 (medium probability of flooding) remainder of site is Flood Zone 1 (lowest probability of flooding). The site benefits from flood defences.
Key Issues	Considering the adjacent sensitive receptors, a school and dwellings, then small scale waste management facilities would be the most appropriate option on this industrial site. There is a potential to use the River Lea Navigation to transport waste however, the feasibility is unknown at this time but should be explored at the planning stage.
Habitat Regulation Assessment	Site currently being screened

S03-HC – Eagle Wharf, Hackney

1:1,500 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



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Borough	Hackney
Type of Location	Site
Location Reference	S04-HC – Eagle Wharf
Size	0.52 ha
Site Description	The site comprises a warehouse. Site bounded by Regent's Canal to the north, with residential properties beyond. The rest of site is surrounded by industrial and residential properties.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

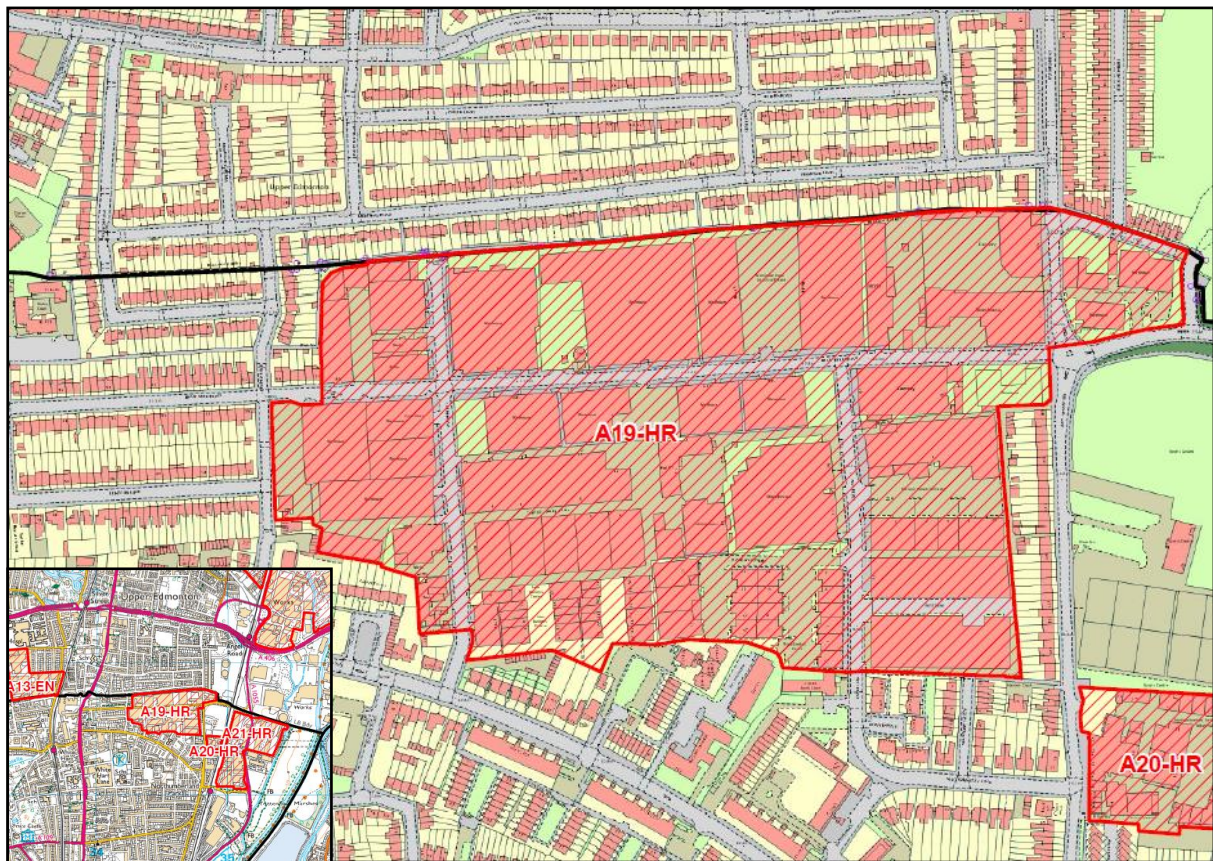
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Details of in-situ infrastructure impacting waste development	Existing building on site will restrict size and layout of any facilities.
Landowner details	The Board of Governors of the Museum of London of PO Box 270, Guildhall, London, EC2P 2EJ
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	Access from the canal for the transportation of waste to this site would be viewed as a sustainable transport option but there is also an existing road access on the eastern edge of the site off Eagle Wharf Road. However, although the access is suitable for large vehicles it is one way at this location and traffic would need to access the site via residences. The old warehouse would not be considered suitable for a large facility but would be appropriate for an enclosed small scale waste management facility. Reusing the warehouse in this way would mitigate any impacts on the neighbouring sensitive uses.
Habitat Regulation Assessment	Site currently being screened

Haringey Sites and Areas

A19-HR	Brantwood Road (Area)
A20-HR	Willoughby Lane (Area)
A21-HR	North East Tottenham, Garmen Rd (Area)
A22-HR	Friern Barnet Sewage Works (Area)
A23-HR	Wood Green (Area)

A19-HR – Brantwood Road, Haringey

1:4,000 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



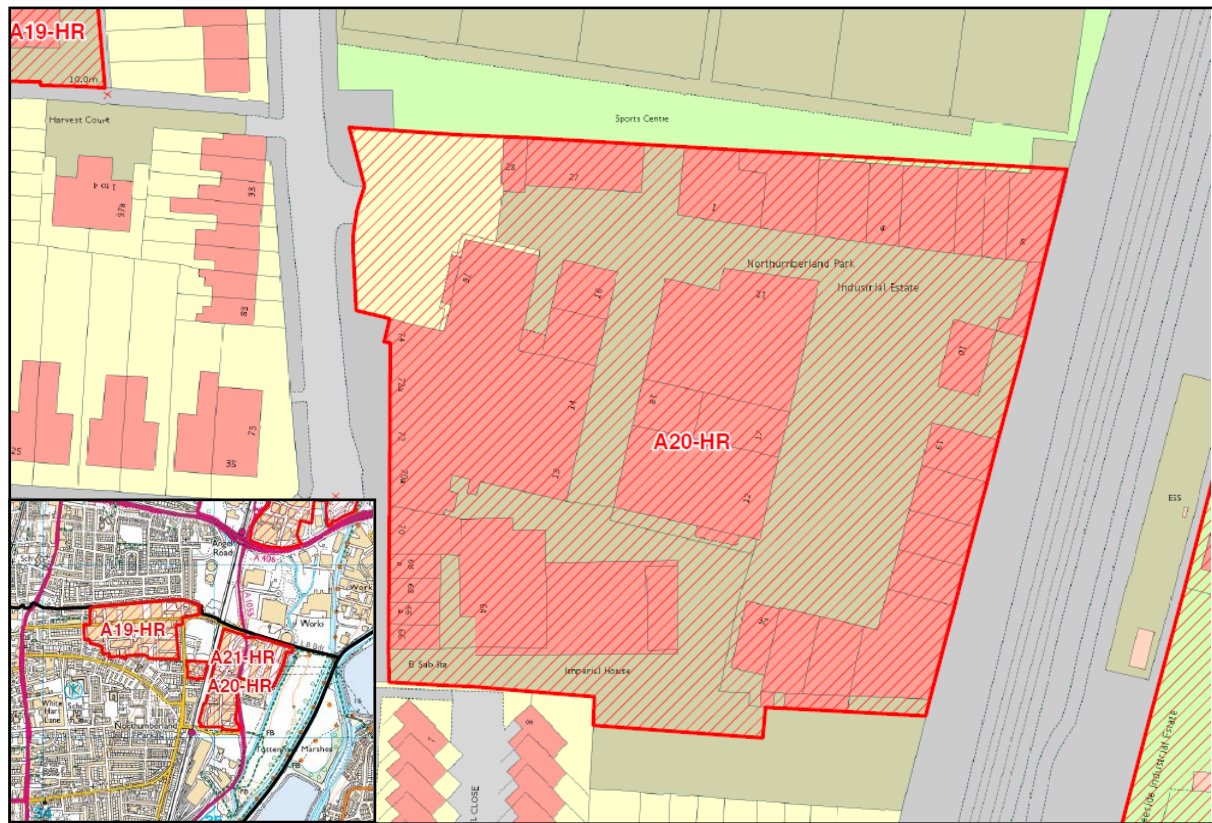
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Borough	Haringey
Type of Location	Area
Location Reference	A19-HR – Brantwood Road
Size	16.90 ha
Area Description	Industrial Estate surrounded by mainly residential properties, a sports field to the east and industrial uses to the north east.
Potential Uses as Indicated by the Sustainability Appraisal	Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, outdoor composting, indoor composting and in-vessel composting.

Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	East of site within Flood Zone 2 (medium probability of flooding)
Key Issues	This is a large site but bounded on all sides by housing and a sports ground on the eastern boundary. Waste management facilities would need to be restricted to the centre of the site away from sensitive receptors.
Habitat Regulation Assessment	Site currently being screened

A20-HR – Willoughby Lane, Haringey

1:900 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



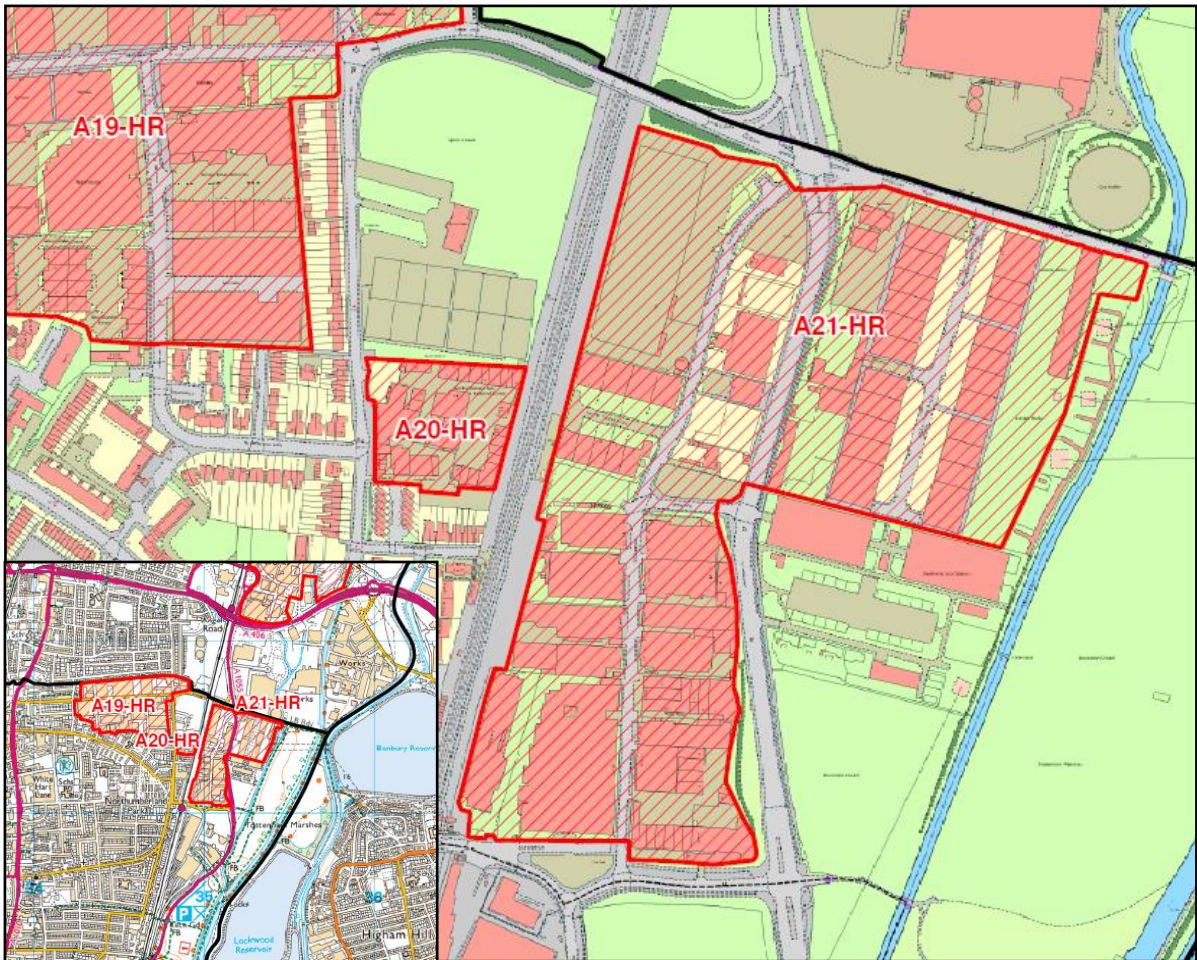
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Borough	Haringey
Type of Location	Area
Location Reference	A20-HR – Willoughby Lane
Size	1.10 ha
Area Description	Site occupied by industrial units and offices. Industrial units lie to the northwest and east, a railway line borders the eastern edge of site, residential properties lie to the south and west and a sports playing field lies to the north of site.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.

Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Western half of site Flood Zone 2 (medium probability of flooding) eastern half is within Flood Zone 1 (lowest probability of flooding)
Key Issues	This existing industrial unit has reasonable access although it is noted that there are a number of sensitive receptors. However, provided facilities are enclosed and of a small scale it is considered that they would be suitable at this location.
Habitat Regulation Assessment	Site currently being screened

A21-HR – North East Tottenham (SIL 12), Haringey

1:4,850 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



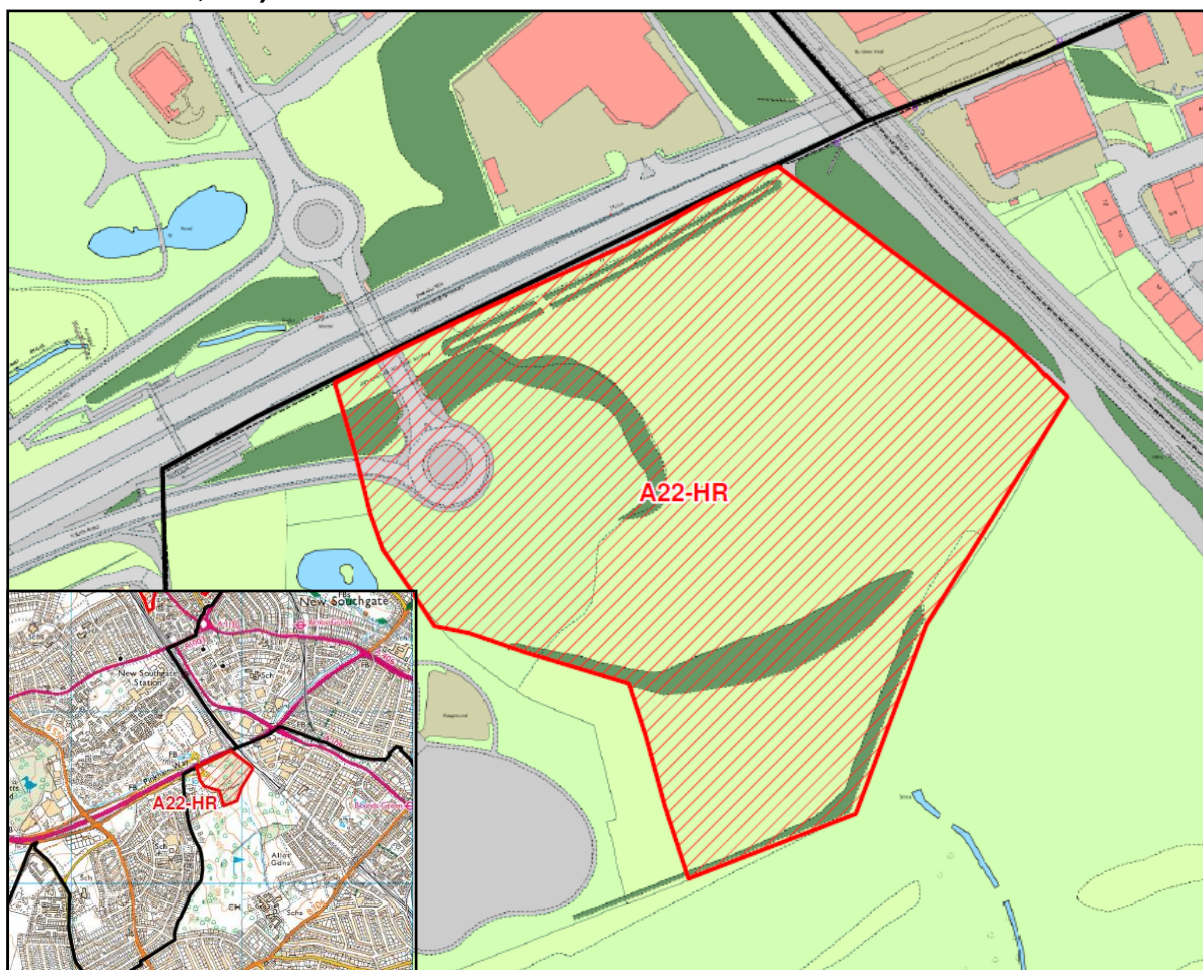
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Borough	Haringey
Type of Location	Area
Location Reference	A21-HR – North East Tottenham (SIL 12)
Size	15.40 ha
Area Description	Warehouses and Industrial units on site. Further industrial use and some residential properties to the west. To the east is an area of green open space and the western part of the site is bounded by a railway line with a train station to the south. There are also allotments to the south and an Ikea to the north.

Potential Uses as Indicated by the Sustainability Appraisal	Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	The majority of site is within Flood Zone 2 (medium probability of flooding)
Key Issues	This is a large (15ha) site and is set within a larger commercial/industrial area. The railway line to the west of the site acts as a buffer to residents further to the west and there is some recreational ground to the east. Running along the western boundary of part of the site is Pymmes Brook another sensitive receptor. However, the site is of sufficient size to accommodate a number of waste management facilities without compromising the amenity of these sensitive receptors.
Habitat Regulation Assessment	Site currently being screened

A22-HR – Friern Barnet Sewage Works (LEA 4), Haringey

1:2,650 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



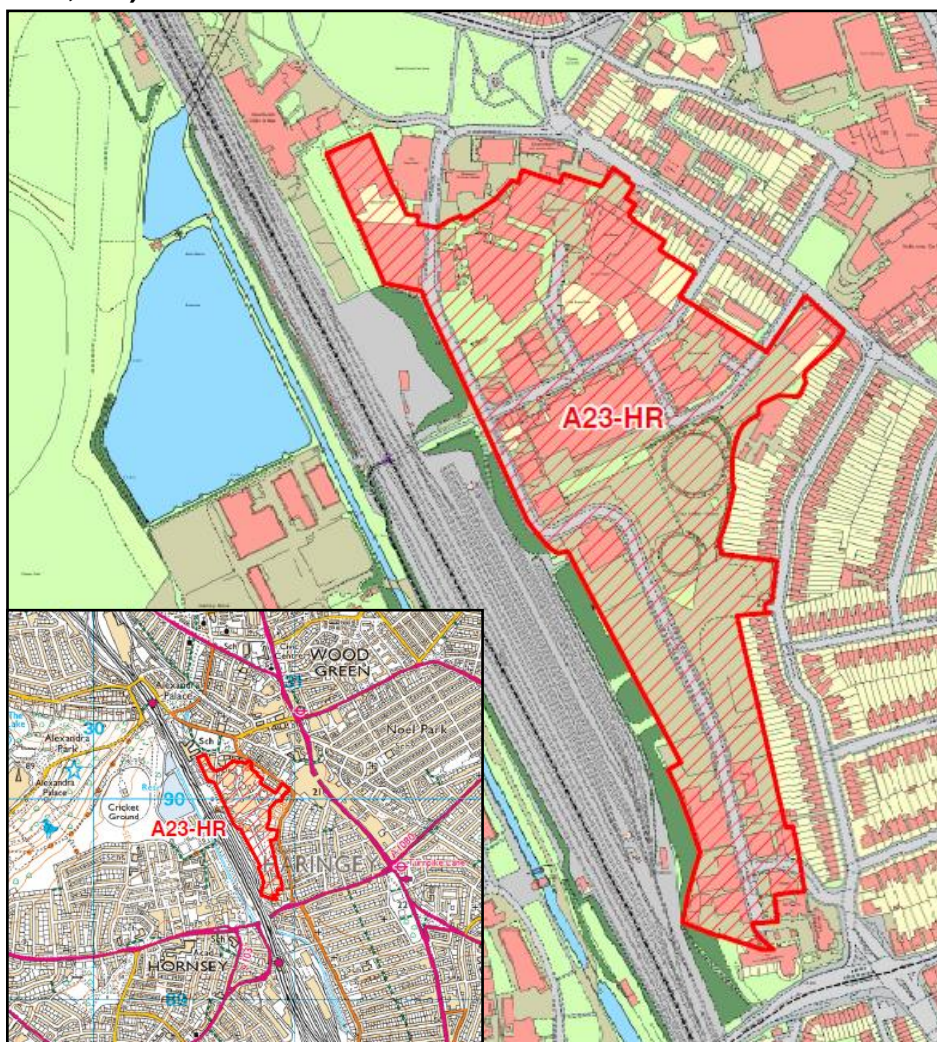
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Borough	Haringey
Type of Location	Area
Location Reference	A22-HR – Friern Barnet Sewage Works (LEA 4)
Size	5.93 ha
Area Description	Land is currently unused and has become overgrown with trees and vegetation. Pinkham Way and retail park to the north, industrial properties east, Golf Course south and a park and residential properties to the west.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling, indoor composting and in-vessel composting.

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment and outdoor composting.
Sustainability Appraisal	Band B – Several issues requiring mitigation however, generally suitable for development.
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	<p>Metropolitan Open Land lies adjacent and a Borough SINC covers the majority of the area. Haringey's Site Specific Proposal 5 requires development to be mitigated by improving the nature conservation value of the area. This will probably restrict the amount of site that can be developed.</p> <p>The site benefits from good access to the primary road network.</p>
Habitat Regulation Assessment	Site currently being screened

A23-HR – Wood Green (LEA 19), Haringey

1:5,950 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



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Borough	Haringey
Type of Location	Area
Location Reference	A23-HR – Wood Green (LEA 19)
Size	11.50 ha
Area Description	Industrial units on site. A railway line lies on the western boundary of site. Mainly residential surrounding the rest of the site. Small area of green open space to the north and a shopping mall to the north east of site.

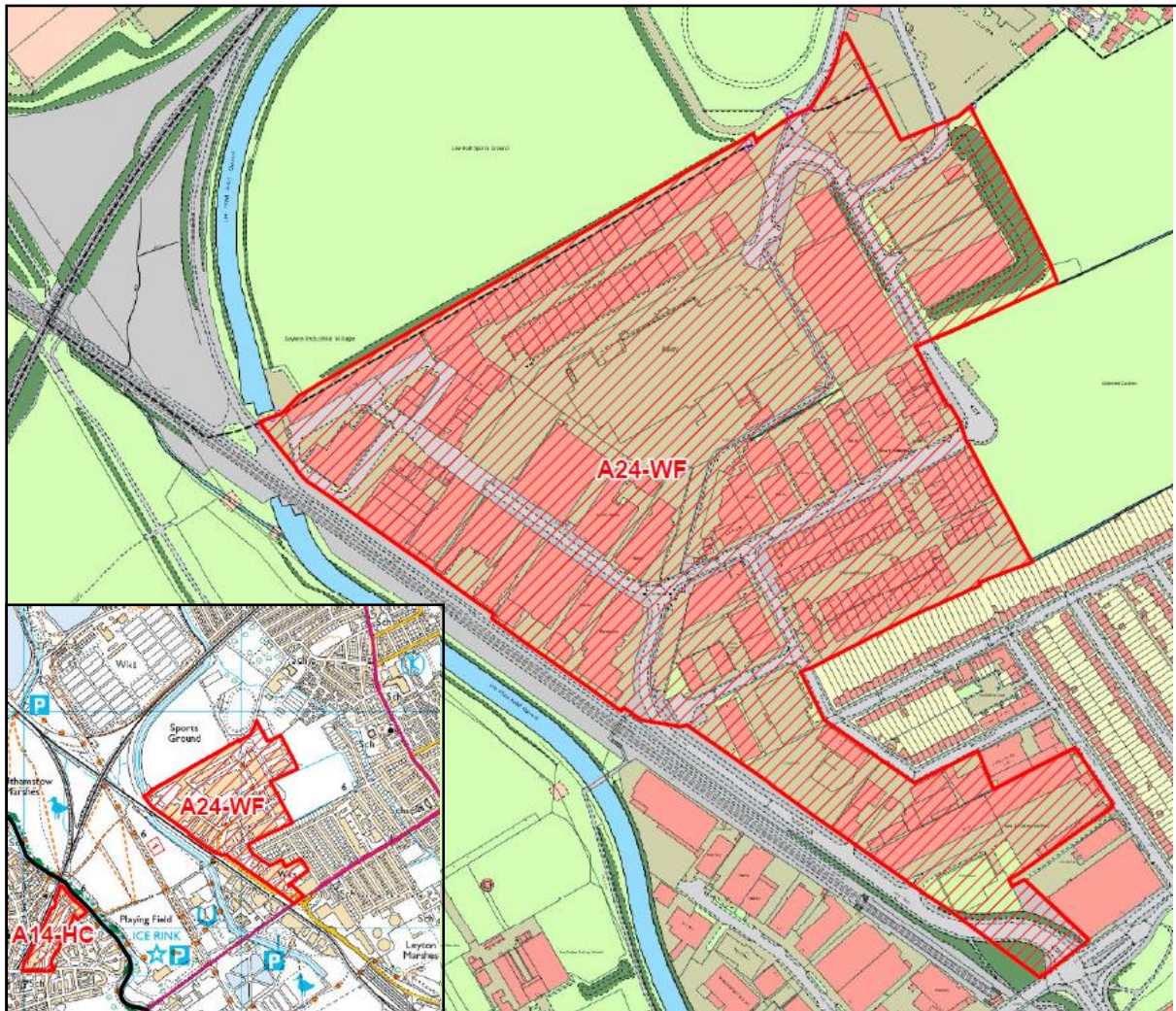
Potential Uses as Indicated by the Sustainability Appraisal	Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Flood Zone 1 (medium probability of flooding)
Key Issues	<p>Mitigation measures are likely to be required to ensure that potential adverse impacts on the amenity of those sensitive receptors are alleviated.</p> <p>We also note that there is an outline planning permission from 2012 for residential uses on site. If this planning permission is implemented, depending on the specific proposals, it is likely to impact upon the deliverability of the site.</p>
Habitat Regulation Assessment	Site currently being screened

Waltham Forest Sites and Areas

A23-WF	Argall Avenue (Area)
A24-WF	Auckland Road (Area)

A24-WF – Argall Avenue, Waltham Forest

1:6,950 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



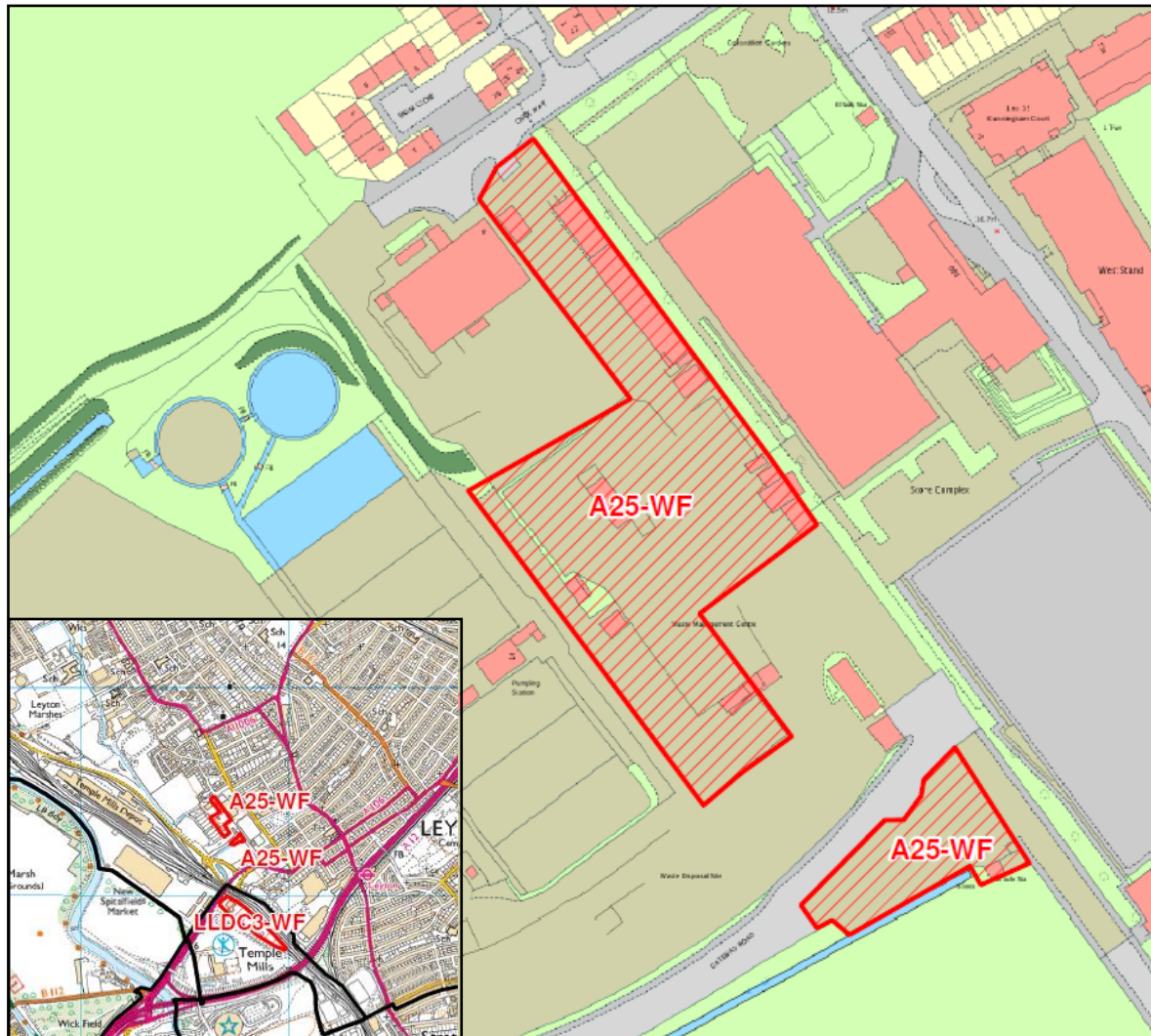
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Borough	Waltham Forest
Types of Location	Area
Location Reference	A24-WF – Argall Avenue
Size	26.80 ha
Area Description	The area is an Industrial Estate. There is a sports ground to the north, Lea Valley Park, allotments and residential properties to the east, industrial properties to the south and a railway line to the west of site with open ground beyond.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment and outdoor composting, indoor composting, in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Majority of site covered by Flood Zone 3 (highest probability of flooding). North of site covered by Flood Zone 2 (medium probability of flooding) As part of the area lies within Flood Zone 3 it is not suitable for the handling of Hazardous Waste.
Key Issues	There are a number of amenity issues with the proximity to housing, allotments and a recreation ground. Due regard will need to be given to nearby sensitive receptors and the high flood risk potential of site.
Habitat Regulation Assessment	Site currently being screened

A25-WF – Auckland Road, Waltham Forest

1:1,950 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



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Borough	Waltham Forest
Type of Location	Area
Location Reference	A25-WF – Auckland Road
Size	1.26 ha
Area Description	Existing Household Waste Recycling Facility and Waste Transfer Station within existing industrial estate. There are allotments to north and south, community centre and sports facilities to the east and railway depot to the west of the Industrial estate.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

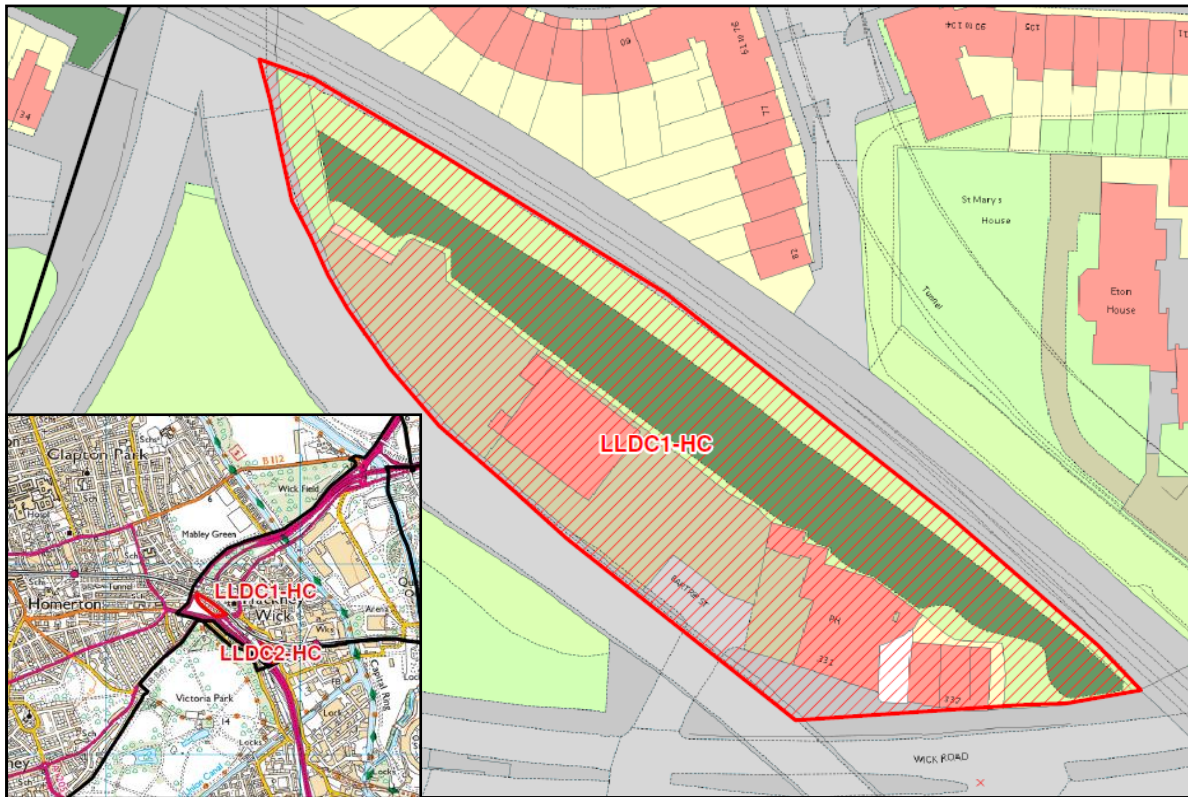
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Existing Facilities
Flood Risk Zone	Flood Zone 1 (lowest probability of flooding)
Key Issues	Existing Facilities. Owners, Bywaters, in pre application consultation with Council to redevelop the site.
Habitat Regulation Assessment	Site currently being screened

London Legacy Development Corporation (LLDC) Sites and Areas

LLDC1-HC	Bartrip Street LSIS (Area)
LLDC2-HC	Palace Close SIL (Area)
LLDC3-WF	Bus Depot, Temple Mill Lane (Area)

LLDC1-HC – Bartip Street LSIS, Hackney

1:950 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



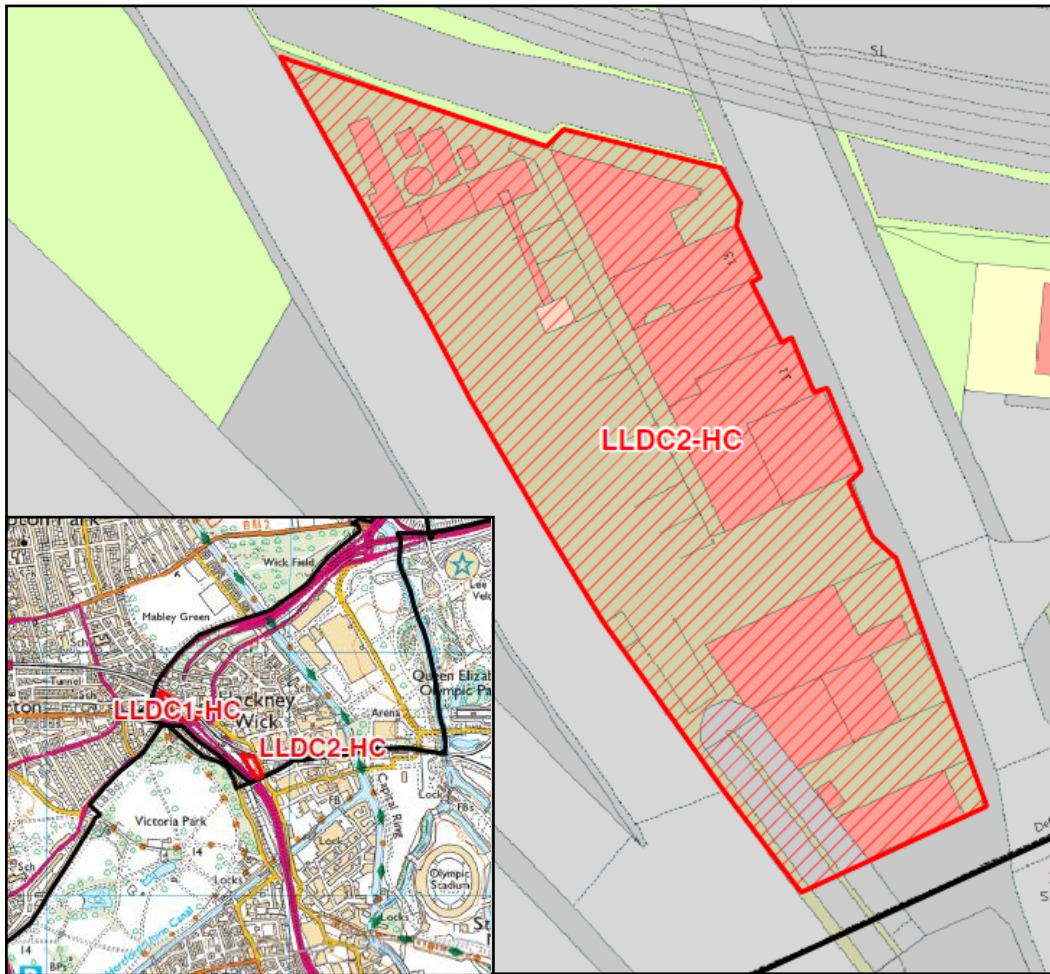
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Borough	Hackney
Type of Facility	Site
Location Reference	LLDC1-HC – Bartip Street LSIS
Size	0.60 ha
Site Description	Site contains small scale industrial, storage and distribution uses as well as an abandoned building and lodge in south of site. The site is bounded by road and railway lines on all sides. There is an area of green space to the south west. Residential properties and a church lie in close proximity to the site.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling
Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.

Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Details of in-situ infrastructure impacting waste development	Access to site restrictive with poor visibility of the highway when existing.
Landowner details	Currently unknown
Flood Risk Zone	Part covered by Flood Zone 2 (medium probability of flooding)
Key Issues	Although the site is quite small (0.6ha) there is the potential to incorporate a small waste management facility on the commercial vehicle repair yard element of the area. The two redundant buildings may not be suitable in their current form due to size and height constraints.
Habitat Regulation Assessment	Site currently being screened

LLDC2-HC– Palace Close SIL, Hackney

1:800 map of area showing outline over MasterMap base layer (inset map is of scale 1:25,000)



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Borough	Hackney
Type of Location	Area
Location Reference	LLDC2-HC – Palace Close SIL
Size	0.33 ha (western area)
Area Description	The site is occupied by industrial properties in the west and a permanent gypsy and traveller site in the east. The site is surrounded by industrial uses and a railway line borders the north of site.
Potential Uses as Indicated by the Sustainability Appraisal	Waste transfer, processing and recycling

Uses unlikely to be suitable	Integrated resource recovery facilities/resource parks, Thermal treatment, anaerobic digestion, pyrolysis / gasification, mechanical biological treatment, outdoor composting, indoor composting and in-vessel composting.
Sustainability Appraisal	Band C – Development possible but significant planning issues require mitigation.
Flood Risk Zone	Flood Zone 2 (medium probability of flooding)
Key Issues	Considering the sensitive receptors of Palace Close it is considered that small scale waste management facilities that could make use of the existing buildings would be the most appropriate option on this part of a larger industrial area.
Habitat Regulation Assessment	Site currently being screened

Appendix 3: Glossary

Term	Acronym	Definition
Air Quality Management Area	AQMA	An area declared by a local authority where it predicts that national air quality objectives will not be met.
Anaerobic Digestion	AD	A process where biodegradable material is encouraged to break down in the absence of oxygen. Material is placed into a closed vessel and in controlled conditions the waste breaks down to produce a mixture of carbon dioxide, methane and solids/liquids known as digestate which can be used for fertiliser, compost or Solid Recovered Fuel (SRF)
Annual Monitoring Report	AMR	A report published by each borough on the effectiveness of policies in the Local Plan to ensure that targets and are being met
Apportionment		Please see 'London Plan Apportionment'.
Area Action Plan	AAP	Type of Development Plan Document focused on a specific location or area which guides development and improvements. It forms one component of the Local Plan.
Biodegradable		Biodegradable materials can be chemically broken down (decomposed) by naturally occurring micro-organisms into simpler compounds.
Brownfield Land		Both land and premises are included in this term, which refers to a site that has previously been used or developed and is not currently fully in use, although it may be partially occupied or utilised. It may also be vacant, derelict or contaminated. This excludes open spaces and land where the remains of previous use have blended into the landscape, or have been overtaken by nature conservation value or amenity use and cannot be regarded as requiring development.
Building Research Establishment Environmental Assessment Method	BREEAM	Standard for assessing the sustainability and environmental performance of buildings.
Civic Amenity Site	CAS	See Recycling and Reuse Centre
Civil Engineering Environmental Quality Assessment and Award Scheme	CEEQUAL	Assessment scheme for improving sustainability in civil engineering and public realm projects.

Climate Change		Regional or global-scale changes in historical climate patterns arising from natural and/or man-made causes that produce an increasing mean global surface temperature.
Clinical Waste		Waste arising from medical, nursing, veterinary, pharmaceutical, dental or related practices, where risk of infection may be present.
Combined Heat and Power	CHP	The combined production of heat (usually in the form of steam) and power (usually in the form of electricity). The heat can be used as hot water to serve a district-heating scheme.
Commercial and Industrial Waste	C&I	Waste arising from business and industry. Industrial waste is waste generated by factories and industrial plants. Commercial waste is waste produced from premises used for sport, recreation or entertainment and from traders, catering establishments, shops, offices and other businesses. May include food waste, packaging and old computer equipment.
Composting	-	A biological process which takes place in the presence of oxygen in which organic wastes, such as garden and kitchen waste, are converted into a stable, granular material. This can be applied to land to improve soil structure and enrich the nutrient content of the soil.
Construction Demolition and Excavation Waste	CD&E	Waste arising from the construction, maintenance, repair and demolition of roads, buildings and structures. It is mostly comprised of concrete, brick, stone and soil, but can also include metals, plastics, timber and glass.
Core Strategy		Part of the Local Plan (and a Development Plan Document) which provides a written statement of the core policies for delivering the spatial strategy and vision for a borough, supported by a reasoned justification.
Development Management Document		A set of criteria-based policies in accordance with the Core Strategy, against which planning applications for the development and use of land and buildings will be considered. Also known as Site Development Policies.
Development Plan		The Development Plan for the North

		London Boroughs comprises the London Plan and borough Local Plans. The NLWP must be in line with the Development Plan through general conformity with the London Plan and consistency with documents in borough Local Plans.
Development Plan Document	DPD	These are statutory local development documents prepared under the Planning and Compulsory Purchase Act 2004, which set out the spatial planning strategy and policies for an area. They have the weight of development plan status and are subject to community involvement, public consultation and independent examination.
Energy from Waste	EfW	The conversion of waste into a useable form of energy, often heat or electricity. EfW is also used to describe some thermal waste treatment plants.
Energy Recovery		The combustion of waste under controlled conditions in which the heat released is recovered to provide hot water and steam (usually) for electricity generation (see also Recovery).
End of Life Vehicle	ELV	Motor vehicles that fall into the category of 'waste' as defined by the EU Waste Directive.
Environment Agency	EA	Agency which regulates waste management activities by issuing waste management licences and other permits and exemptions. The EA also conducts national surveys of waste arising and waste facilities.
Environmental Permit	EP	A permit issued by the Environment Agency to regulate the operation of a waste management activity. Formerly known as a Waste Management Licence.
Examination		Also known as public hearings. Presided over by a Planning Inspector or a Panel of Inspectors appointed by the Secretary of State; this can consist of hearing sessions, or consideration of written representations to consider whether the policies and proposals of the local planning authority's Development Plan Documents are sound.
Further Alterations to the London Plan	FALP	In March 2015, the Mayor published (i.e. adopted) the Further Alterations to the London Plan (FALP). From this date, the

		FALP are operative as formal alterations to the London Plan (the Mayor's spatial development strategy) and form part of the development plan for Greater London.
Gasification		The thermal breakdown of organic material by heating waste in a low oxygen atmosphere to produce a gas. This gas is then used to produce heat/electricity.
Greater London Authority	GLA	The GLA is the strategic citywide government for London. It is made up of a directly elected Mayor – the Mayor of London - and a separately elected Assembly – the London Assembly.
Green Belt		A planning designation to check the unrestricted sprawl of large built-up areas.
Green Waste		Organic waste from households, parks, gardens, wooded and landscaped areas such as tree prunings, grass clippings, leaves etc.
Greenhouse Gas		A gas in the Earth's atmosphere that traps heat and can contribute to global warming. Examples include carbon dioxide and methane.
Gross Value Added	GVA	A measure of the value of the goods and services produced in the economy.
Habitat Regulation Assessment	HRA	This is a requirement of the European Habitats Directive. Its purpose is to assess the impacts of plans and projects on internationally designated sites and nature conservation sites.
Hazardous waste	-	A sub category of all waste streams. Waste that contains potentially damaging properties which may make it harmful to human health or the environment and requires specialist treatment. It includes materials such as asbestos, fluorescent light tubes and lead-acid batteries. The European Commission has issued a Directive on the controlled management of hazardous waste; wastes are defined as hazardous on the basis of a list created under that Directive.
Hectare	ha	Hectare (10,000m ² of area, which is equivalent to 2.47 acres).
Household Waste		Waste from a private dwelling or residential house or other such specified premises, and includes waste taken to household waste recycling centres.

		Together with Trade Waste known as Local Authority Collected Waste (LACW).
Household Waste Recycling Centre	HWRC	See Recycling and Reuse Centre
In-vessel Composting	IVC	Shredded waste is placed inside a chamber or container through which air is forced. This speeds up the composting process. It is a controlled process and is capable of treating both food and green waste by achieving the required composting temperatures. It is also known as enclosed composting.
Incineration		The burning of waste at high temperatures in the presence of sufficient air to achieve complete combustion, either to reduce its volume (in the case of municipal solid waste) or its toxicity (such as for organic solvents). Incinerators can recover power and/or heat. Incinerators are often referred to as EfW (energy from waste) plants.
Inert waste	-	Inert waste is waste that does not undergo significant physical, chemical or biological changes following disposal and does not adversely affect other matters that it may come into contact with, and does not endanger surface or groundwater.
Integrated resource recovery facilities / resource parks		A multi faceted waste management facility, processing recycling and treatment of waste in one location
Joint Municipal Waste Management Strategy	JMWMS	This sets out how authorities intend to optimise current service provision as well as providing a basis for any new systems or infrastructure that may be needed.
kilo-tonnes per annum	ktpa	A kilo-tonne is 1,000 tonnes
Landfill	-	Restoration of land (for example, a former quarry) using waste to provide land which may be used for another purpose..
Land recovery	-	The restoration of land using inert waste to enable the land to be used for a new purpose.
Local Authority Collected Waste	LACW	Previously known as municipal waste, LACW refers to all waste collected by a Local Authority.
Local Development Scheme	LDS	A document setting out the local planning authority's intentions for its Local Plan; in particular, the documents it intends to produce and the timetable for their production and review.
Local Plan		A portfolio of planning documents that

		provide the strategic and policy framework for delivering and managing development in an area.). The NLWP must be in general conformity with the London Plan.
Low level Radioactive Waste	LLW	Radioactive waste having a radioactive content not exceeding four GBq/te of alpha or 12 GBq/te of beta/gamma activity.
The London Plan	-	This is the Spatial Development Strategy for London, produced by the Mayor of London which forms part of the Development Plan for each borough and provides a strategic framework for the boroughs' Local Plans. The London Plan was updated in March 2015 to incorporate the Further Alterations. It also incorporates the Revised Early Minor Alterations to the London Plan (REMA), which were published in October 2013. See also Further Alterations to the London Plan.
London Plan Apportionment		Allocates to each individual borough a proportion of London's total waste (expressed in tonnes) for which sufficient sites for managing and processing waste must be identified within their Local Plans.
Materials Recycling Facility or Materials Recovery Facility	MRF	A special sorting 'factory' where mixed recyclables are separated into individual materials prior to despatch to reprocessors who prepare the materials for manufacturing into new recycled products.
Mechanical Biological Treatment	MBT	A combination of mechanical separation techniques and (either aerobic or anaerobic) biological treatment, or a combination of the two, which are designed to recover value from and/or treat fractions of waste.
Mechanical Heat Treatment	MHT	A combination of mechanical and heating techniques which are designed to sterilise, stabilise and treat waste and recover value from it.
Net self-sufficiency		Net self-sufficiency means providing enough waste management capacity to manage the equivalent of the waste generated in North London, while recognising that some imports and exports will continue.
North London Waste	NLWA	Joint Waste Disposal Authority formed by

Authority		the London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest acting as waste collection authorities
North London Waste Plan	NLWP	The North London Waste Plan will set out the planning framework for waste management in the London boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest for the next 15 years up to 2032.
North London Joint Waste Management Strategy	NLJWMS	Document produced by the NLWA to provide the strategic framework for LACW waste management in North London for the period 2004 - 2020.
National Planning Policy Framework	NPPF	The NPPF acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications.
National Planning Policy Guidance	NPPG	NPPG is an online living document providing practical guidance on delivering the NPPF.
National Planning Policy for Waste	NPPW	This document sets out the government's detailed waste planning policies.
Previously Developed Land	PDL	Land which is or was occupied by a permanent structure including any cartilage and associated fixed surface infrastructure. This excludes land that has or is occupied by agricultural or forestry building, land developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been agreed.
Policies Map		A map showing the location of the sites identified in the Local Plan. Also known as the Proposals Map.
Processing		Processing refers to the treatment of waste on site. The type of process for treating waste varies depending on the waste type but can vary from crushing construction and demolition waste into secondary aggregate to separating recyclable materials.
Pyrolysis		The heating of waste in a closed environment, in the absence of oxygen, to produce a secondary fuel product.
Railhead		This is a terminus of a railway line that interfaces with another transport mode e.g. road network.

RAMSAR		Sites which are wetlands of international importance designated under the Ramsar Convention.
Re-use (preparing for)		Checking, cleaning, repairing, refurbishing, whole items or spare parts.
Re-use and Recycling Centre (RRC)		Facilities to which the public can bring household waste, such as bottles, textiles, cans, paper, green waste and bulky household items/waste for free disposal
Recovery		The process of extracting value from waste materials, including recycling, composting and energy recovery.
Recycling		Turning waste into a new substance or product includes composting if it meets quality protocols.
Renewable Obligations Certificates	ROCs	Green certificates issued to operators of accredited renewable generating stations for the eligible renewable electricity they generate.
Self-sufficiency		Dealing with all wastes within the administrative region where they are produced.
Sites of Importance for Nature Conservation	SINC	SINCs are areas protected through the planning process having been designated for their high biodiversity value.
Site of Special Scientific Interest	SSSI	A specifically defined area which protects ecological or geological features.
Site Waste Management Plan	SWMP	A detailed plan setting out how waste will be managed during a construction project. This is a legal requirement for most construction projects.
Solid Recovered Fuel	SRF	These are solid fuels (also known as 'Refuse Derived Fuels' – RDF) prepared from non-hazardous waste to be utilised for energy recovery.
Sound (Soundness)		According to Planning Policy Statement 12 (para 4.52) for a plan to be "sound" it should be justified, effective and consistent with national policy. "Justified" means that the document must be: founded on a robust and credible evidence base and must be the most appropriate strategy when considered against the reasonable alternatives. "Effective" means that the document must be: deliverable, flexible, and able to be monitored
Source Protection zone		Area designated to protect groundwater
Spatial Planning		Spatial Planning goes beyond traditional land use planning to bring together and

		integrate policies for the development and use of land with other policies and programmes which influence the nature of places and how they function.
Special Protection Areas	SPA	A SPA is a site considered to be of international importance for species of birds and is designated under the EC Directive on the Conservation of Wild Birds.
Strategic Industrial Locations	SIL	Strategically important industrial areas designated by the London Plan and identified in Local Plans. SILs comprise Preferred Industrial Locations (PIL) and Industrial Business Parks (IBP) and exist to ensure that London provides sufficient quality sites, in appropriate locations, to meet the needs of the general business, industrial and warehousing sectors.
Strategic Environmental Assessment	SEA	A system of incorporating environmental considerations into policies, plans and programmes. It is sometimes referred to as Strategic Environmental Impact Assessment and is a legally enforced assessment procedure required by Directive 2001/42/EC.
Sustainability Appraisal (SA)		A formal process which analyses and evaluates the environmental, social and economic impacts of a plan or programme.
Thermal Treatment		The controlled high temperature burning of waste. Energy recovery is achieved by utilising the calorific value of the materials burnt. The most efficient facilities combine the production of heat (usually in the form of steam) with power (electricity) (combined heat and power referred to as CHP).
Tonnes per annum	tpa	Tonnes of waste each year
Trade waste		Non-household waste (eg business waste) collected by the local authority.
Transfer/Transfer Station		Facility for receiving and 'bulking up' waste before its onward journey for treatment, recycling or disposal elsewhere.
Treatment		Physical, chemical, biological or thermal waste management processes which change the characteristics of waste.
Waste arising		The amount of waste generated in a given locality over a given period of time.

Waste Collection Authority	WCA	Organisation responsible for collection of household and trade waste (local authority collected waste). In North London this is each boroughs.
Waste Disposal Authority	WDA	Organisation responsible for disposal of household and trade waste (local authority collected waste) and the provision of Reuse and Recover Centres (RRCs). In North London this is the North London Waste Authority.
Waste Data Interrogator/Hazardous Waste Data Interrogator	WDI/HWDI	Data tool prepared by the EA based on information provided by waste operators. It allows for assessments of strategic waste and general waste flow.
Waste Data Flow	-	WasteDataFlow is the web based system for municipal waste data reporting by UK local authorities to government
Waste Electrical and Electronic Equipment	WEEE	Term used to describe old, end-of-life or discarded appliances using electricity. This categorisation of waste electrical and electronic equipment was introduced by the European Union Waste Electrical and Electronic Equipment Directive (WEEE Directive) which aims to reduce the amount of electrical and electronic equipment being produced and to encourage everyone to reuse, recycle and recover it.
Waste facilities	-	Waste facilities include: <ul style="list-style-type: none"> • Transfer stations • Energy from Waste (Incineration with energy recovery) • Recycling facility • Treatment facility (e.g. mechanical biological treatment, mechanical heat treatment) • Composting facility (In vessel or anaerobic) • Household waste recycling centre • Anaerobic Digestion • Landfill/landraise • Materials recovery facility
Waste Hierarchy		An order of waste management methods, enshrined in European and UK legislation, based on their predicted sustainability. The hierarchy is summarised as “prevention, preparing for re-use, recycling/composting, other recovery, disposal”.

Waste Management Capacity		The amounts of waste currently able to be managed (recycled, composted or recovered) by waste management facilities within North London.
Waste Minimisation		Reducing the volume of waste that is produced. This is part of 'prevention' at the top of the Waste Hierarchy.
Waste Planning Authority	WPA	Local authority responsible for waste planning. In North London the seven boroughs are the Waste Planning Authority for their area.
Waste management routes	-	Waste management routes include: <ul style="list-style-type: none"> • Reuse • Recycling • Composting (in vessel or open windrow) • Treatment (recovery via thermal, physical, chemical or biological treatment) • Landfill/landraise • Transfer onwards to other waste management facility
Waste streams	-	Waste streams include: <ul style="list-style-type: none"> • LACW • C&I • CD&E • Hazardous • Agricultural • LLW • Waste Water/Sewage Sludge
Waste Transfer Station		A facility where waste is delivered for sorting prior to transfer to another place e.g. landfill.
Zero Waste to Landfill	-	The Mayor of London is committed to working towards zero waste to landfill by 2031. This is set out in Policy 5.16 of The London Plan which states an aim to work towards zero biodegradable or recyclable waste to landfill by 2031.

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JOINT WASTE PLANNING IN NORTH LONDON

*This Memorandum of Understanding is made this day of 20
Between*

- (1) **THE LONDON BOROUGH OF CAMDEN** of Town Hall, Judd Street, London WC1H 9LP (“Camden”) and
 - (2) **The LONDON BOROUGH OF BARNET** of Town Hall, The Burroughs, London NW4 4BG
 - (3) **THE LONDON BOROUGH OF HACKNEY** of Hackney Town Hall, Mare Street, London E8 1EA
 - (4) **THE LONDON BOROUGH OF HARINGEY** of Civic Centre, High Road, London N22 8LE
 - (5) **THE LONDON BOROUGH OF ENFIELD** of Civic Centre, Silver Street, London EN1 3XY
 - (6) **THE LONDON BOROUGH OF ISLINGTON** of 222 Upper Street, London N1 1XR.
 - (7) **THE LONDON BOROUGH OF WALTHAM FOREST** of Waltham Forest Town Hall, Forest Road, London E17 4JF
- Referred to throughout this document as the “North London Boroughs”*

I. Background and purpose of Memorandum of Understanding

- I. This Memorandum of Understanding is an updated version of a Memorandum of Understanding entered into by all the North London Boroughs on 26th February 2007.
- II. In order to meet EU and UK Government targets, there is a pressing need for new and expanded waste management infrastructure across London. There is a requirement on the North London Boroughs to make provision for managing more of the waste generated in the area.
- III. The policy of the Mayor’s London Plan is for the capital to become self-sufficient in managing waste by 2031. The North London Boroughs need to plan for a proportion of these facilities in order to maximise self-sufficiency and make provision for the management of north London’s waste in line with European, national and regional requirements.
- IV. The North London Boroughs recognise that the planning system has a central role to play in delivering the necessary infrastructure and to make the most of economic opportunities associated with re-use, recycling and recovery. Given the nature of waste arisings and the opportunity for shared use of infrastructure, the North London Boroughs agree that joint working on a Joint Waste Local Plan Document, hereinafter called the

North London Waste Plan (NLWP), is the most effective way to plan for future waste capacity needs of the North London Boroughs,. In any case, it is recognised that the production of a 'sound' NLWP will require neighbouring boroughs to collaborate in order to develop consistent policies and proposals.

- V. After the Planning Inspector declared in August 2012 that the previous version of the NLWP was not legally compliant because it did not meet the Duty to Co-operate, the North London Boroughs have all individually agreed to take part in a new NLWP and this Memorandum of Understanding details the ways the North London Boroughs will work together to facilitate the production of the new plan.
- VI. The North London Boroughs have individual responsibilities as Waste Collection Authorities and Waste Planning Authorities. Waste disposal functions are carried out on the North London Boroughs' behalf by the North London Waste Authority. This Memorandum of Understanding relates to the waste planning functions and responsibilities of the North London Boroughs, whilst being mindful of existing collection and disposal functions.
- VII. This Memorandum of Understanding provides guidance and records the agreement reached between the North London Boroughs in relation to the following areas:
- Status, duration and arrangements for amendment
 - Mission statement and objectives
 - Principles of partnership working
 - Organisational structure and accountability
 - Project management arrangements
 - Dispute resolution

Schedules

1. Organisational arrangements
2. Roles and responsibilities
3. Indicative costs and payment schedule

- VIII. The North London Boroughs are entering into this Memorandum of Understanding pursuant to section 1 of the Local Authority Goods and Services Act 1970.

1. Status

- 1.1. This Memorandum of Understanding is an agreement between the North London Boroughs to co-operate in the effective production of the North London Waste Plan (NLWP).

2. Duration

- 2.1. This Memorandum of Understanding applies to working arrangements during the lifetime of the production of the NLWP up until the point of adoption of the plan. From then on, a revised written agreement will need to be established to co-ordinate implementation and monitoring of the NLWP. An indicative timetable is set out in paragraph 8.7 below, but the North London Boroughs understand from experience that the timetable for the plan can be subject to extension because of events outside their control.

3. Arrangements for amendments

- 3.1. Any proposed amendments to the Memorandum of Understanding will be raised and discussed at meetings of the Planning Officer Group (“POG”) and Heads of Planning (“HOP”) Recommendations for amendments will be put to the Planning Members Group (“PMG”) for ratification (see **Schedule 2** for an explanation of the role of these groups). Changes to the Memorandum of Understanding should aim to enhance the delivery of the Mission Statement and objectives without prejudicing any of the partners. Changes to the Memorandum of Understanding will require approval by each of the North London Boroughs at the appropriate level of their organisation.

4. Mission Statement and Objectives

- 4.1. The Mission Statement agreed by the North London Boroughs is:

“To work together in a co-operative and transparent way to enable the effective production of a ‘sound’, legally compliant NLWP that meets the duty to co-operate and establishes a framework of policies and includes site allocations to meet future waste capacity needs in north London during the period 2016 - 2031.”

- 4.2. Within this, the North London Boroughs agree to the following Objectives:

- To develop a long-term vision for waste as a resource in north London.
- To co-ordinate the production of the NLWP as expeditiously as possible.

- To work closely with the North London Waste Authority as a key stakeholder to ensure integration with provisions for the collection and management of municipal waste.
- To ensure the NLWP conforms with the policies of the London Plan and the Local Plans of the North London Boroughs.
- To work together to raise awareness amongst stakeholders and promote sustainable waste management in north London.

5. Principles of partnership working

- 5.1. The North London Boroughs agree to conform to the following principles of partnership working:

Co-operation: agree to co-operate with each other with the aim of achieving the most sustainable waste management solutions for north London as a whole, whilst taking into consideration the implications for each North London Borough.

Accountability: actions and decisions recommended by the North London Boroughs should reflect the best interests of all council tax payers.

Transparency: will seek joint solutions to waste planning through communicating in an open and transparent manner.

6. Appointment of Lead Borough.

- 6.1. The London Borough of Camden (“Camden”) shall act as the Lead Borough and legal entity for the North London Boroughs and shall enter into all contracts with third parties on behalf of the North London Boroughs. All contracts shall be awarded by the Director of Culture and Environment at Camden in accordance with Camden’s Contract Standing Orders.
- 6.2 Camden will be responsible for the recruitment and management of the Programme Manager and any additional staff employed to support the work of the Programme Manager.
- 6.3 Camden will at all times act in accordance with the policies and project management arrangements set out in this Memorandum of Understanding.
- 6.4 Prior to entering into all contracts with third parties, Camden will convene a meeting of the Project Panel, which shall consist of the members of the POG, a representative of Camden’s Borough Solicitor, a representative of Camden’s Environment Procurement Hub and the Programme

Manager. All decisions to let contracts shall be made in consultation with this Project Panel.

7. Organisational structure and accountability

- 7.1. The North London Boroughs agree to work together within the organisational arrangements set out in **Schedule 1** and to undertake the detailed roles and responsibilities listed within **Schedule 2**.

8 Project management arrangements

Procurement of contracts

- 8.1. Camden will oversee the recruitment of consultants and contractual arrangements between Camden and the consultants. All procurement activities carried out by Camden will be conducted in line with UK and EU legislation.

Timing and frequency of meetings

- 8.2. Planning Officers Group meetings will be held every six weeks and the Heads of Planning and Planning Members Group meetings at key decision points in the plan-making process. More frequent meetings may be held to progress the plan at key stages. (See schedule 2 for terms of reference for these Groups)

Protocol for reporting and meetings

- 8.3. The North London Boroughs will provide one representative at the appropriate level to attend POG, HOP and PMG meetings and will use reasonable endeavours to provide consistent attendance of personnel.
- 8.4. The North London Boroughs will provide the consultants and the Programme Manager with information held which may assist with the production of the NLWP, with the understanding that non-publicly available information will remain confidential amongst partners.
- 8.5. The North London Boroughs will undertake regular internal briefings within their individual authority to maintain awareness of members and others and assist the decision-making process.
- 8.6. The North London Boroughs will carry out consultation arrangements in line with the timing and format set out in the revised Consultation Protocol, to be agreed by the PMG.

Decision-making arrangements

- 8.7. To enable the plan-making process to proceed as efficiently as possible, the North London Boroughs will aim to progress and not delay decisions. Predicted key decision points are listed below:

Key decision	Predicted timing
SA scoping report	Feb/March 2014
Regulation 18 draft Plan to be signed off	January 2015
Pre-submission Plan to be signed off	Winter 2015
Submission	Autumn 2016
Hearings	Winter 2017
Adoption	Autumn 2017

- 8.8. Heads of Planning will make recommendations on the content of the NLWP to the PMG. The PMG will meet before the key decision stages of the NLWP and at other times where recommended by the HOP. The PMG will review progress on the NLWP, the key issues arising during the production of the NLWP and other matters referred to them by the HOP.
- 8.9. The Programme Manager will provide Directors of Environment and HOP of the North London Boroughs with regular reports to keep them informed of progress.
- 8.10. Each of the North London Boroughs is required to seek ratification of the NLWP at each key decision stage. The North London Boroughs will use their reasonable endeavours to deal promptly and expeditiously with all required approvals of the plan in their own Borough including full Council as necessary.

Press and public relations

- 8.11. The emphasis will be on joint publicity arrangements for the NLWP in accordance with the agreed principles of partnership working and the Consultation Protocol. Publicity and public relations will be co-ordinated through the Programme Manager. Each North London Borough will endeavour to keep others informed of all relevant press releases to be publicised by Boroughs individually.

9. Costs

- 9.1. North London Boroughs agree to share on an equal basis (one seventh per borough) all costs associated with the Mission Statement and Objectives of this Memorandum of Understanding more specifically set out at paragraph 9.5 below (the "Costs"). An indicative budget for the NLWP is set out in Schedule 3. The North London Boroughs agree that control of expenditure on the NLWP is a priority and all appropriate steps will be taken by Camden to ensure that only necessary expenditure is incurred. Camden further agrees to pay the Costs only after consulting with the North London Boroughs and only on expenditure incurred which directly relates to its obligations as Lead Borough under this Memorandum of Understanding.
- 9.2. The Programme Manager will produce every quarter a financial report of the Costs of producing the NLWP, highlighting any variations. At the start

of every financial year, the Programme Manager will produce for HOP a project plan for the year ahead, reviewing expenditure in the past year and projecting expenditure for the financial year and the rest of the plan period, highlighting any changes to the indicative budget.

- 9.3 Camden will invoice each North London Borough for its share of the Costs twice a year. In October each North London Borough will be invoiced for expenditure incurred in the first half of the financial year. In March Camden will invoice each North London Borough for the remaining expenditure incurred in the financial year which will take into account any variation in costs detailed in the quarterly monitoring reports of the Programme Manager.
- 9.4 Where Camden seeks funds additional to the Costs in connection with the production of the NLWP, these will not be incurred without the approval of the HOP in conjunction with their PMG representative. Where this approval for additional expenditure is given, the North London Boroughs agree that Camden may undertake the additional expenditure or seek a variation of the contract with Urban Vision Partnership Limited, company number 5292634, (who have been appointed to advise and prepare the NLWP) and to give effect to such variation each of the North London Boroughs further undertakes to make payment of their proportion of the cost of such contract variation.
- 9.5. **Schedule 3** sets out a breakdown of the indicative Costs. Over a four year period the cost to each North London Borough will be approximately £159,000 or an average of approximately £39,750 per annum. The actual amount invoiced by Camden will vary depending on the stage of the NLWP.
- 9.6 In the event that any of the North London Boroughs for any reason withdraw from participation in this agreement they shall remain liable for all Costs and expenditure detailed in this clause 9 throughout the duration of this Agreement
- 9.7 All North London Boroughs shall make payment within thirty (30) days of receipt of an invoice for payment from Camden.
- 9.8. If any sum payable under this Agreement is in arrears for more than thirty (30) days after the due date, Camden reserves the right, without prejudice to any other right or remedy, to charge interest on such overdue sum on a day to day basis from the original due date until paid in full at a rate of 3% above Bank of England base lending rate in force from time to time.
- 9.9. Any North London Borough may notify Camden in writing within fourteen (14) days of receipt of an invoice if the North London Borough considers such invoice incorrect or invalid for any reason and the reasons for withholding payment failing which the North London Borough will raise

no objection to any such invoice and will make full payment in accordance with it.

10 Dispute resolution-

- 10.1 In the case of disagreement between the North London Boroughs, all efforts will be made to resolve problems and explore alternative solutions where appropriate to achieve the Mission Statement and Objectives of this Memorandum of Understanding.
- 10.2 The Programme Manager will oversee negotiations in resolving any dispute between the North London Boroughs.
- 10.3 The matter shall be referred in the first instance to the HOP who shall discuss the issue and use their reasonable endeavours to resolve the same.
- 10.4 If after discussion the matter has not been resolved, the matter relevant to the resolution shall be referred to the Directors of Environment or equivalent Chief Officer of each North London Borough who shall discuss the issue and use their respective reasonable endeavours to reach agreement. If agreement still cannot be reached the Directors of Environment or equivalent Chief Officer of the North London Boroughs may appoint an independent arbitrator who shall be a member of the Royal Town Planning Institute and whose decision shall be final and binding on the parties. All costs in connection with the appointment and services of the independent arbitrator shall be shared equally by the North London Boroughs.
- 10.5 Should disagreements between the North London Boroughs remain unresolved, all efforts will be made to maintain joint working arrangements between all North London Boroughs, with withdrawal from the agreement representing the last resort.
- 10.6 Any North London Borough may withdraw from participation in this Agreement by giving six months notice to the Programme Manager who will then notify the other North London Boroughs of this. Any North London Borough serving notice of withdrawal from the Agreement under this clause will remain liable for its share of the Costs throughout the remaining duration of the Agreement as set out in clause 9.6.
- 10.7 In the case of one or more of the North London Boroughs choosing to withdraw from joint working arrangements, the remaining North London Boroughs reserve the right to continue to work together to develop the NLWP for any remaining sub-regional area(s).

11. Further Agreements

11.1 The North London Boroughs agree to consider any legislative changes affecting this Agreement and shall consider whether any additional agreements for specific services entered into by all or some of the North London Boroughs affect this Agreement in any material way and will if necessary enter into any further Agreements.

12 Confidentiality

12.1 The North London Boroughs shall keep confidential any information obtained by reason of this Agreement and shall not without the consent of all of the other North London Boroughs during the period of the agreement or any time thereafter make use of for its own purposes (except for the purposes of carrying out any obligations under this Agreement), or disclose to any person (except as may be required by law including without limitation pursuant to the Freedom of Information Act 2000), the Agreement or any information contained therein or any material provided pursuant to the Agreement, all of which information shall be deemed to be confidential.

12.2 The North London Boroughs shall not divulge or dispose of or part with possession, custody or control of any confidential material or information provided to the North London Boroughs pursuant to this Agreement or obtained by the North London Boroughs pursuant to the Agreement, other than in accordance with the express written instructions of the other North London Boroughs.

12.3. The North London Boroughs shall take all reasonable steps as from time to time shall be necessary to ensure compliance with the provisions of Clause 12 by its employees and agents.

12.4 Clause 12 shall survive any termination of the Agreement.

13 Indemnity

13.1 Subject to clause 13.4 below the North London Boroughs will fully indemnify each other in respect of any and all costs, expenses and liabilities incurred directly or indirectly as a result of the performance of their obligations under this Agreement

13.2 Subject to clause 13.4 below the North London Boroughs will fully indemnify Camden the lead Borough in respect of all reasonable costs expenses and liabilities directly incurred with regard to the performance of all of Camden's obligations under the terms of this Agreement.

13.3 It is hereby agreed that none of the North London Boroughs shall be liable to indemnify each other or Camden for any costs expenses and liabilities (hereafter "costs") ,howsoever arising, if these costs are

incurred as a result of the wilful misconduct or negligence of any of the North London Boroughs or Camden.

13.4 To avoid doubt each North London Borough's liability under this Agreement is several and not joint.

14. Intellectual Property Rights

14.1 Camden shall procure that it shall include a clause in any consultant's or contractor's appointment appointed to carry out services or works pursuant to Camden's role as Lead Council, requiring the consultant or contractor to grant to each of the North London Boroughs all necessary intellectual property rights to copy and make full use of any work undertaken by or on behalf of the North London Boroughs for the purpose of their appointment (including but not limited to any data, reports, drawings, specifications, designs, inventions or other material produced or acquired in the course of such work). .

14.2 Each North London Borough (the Licensor) grants to each of the other North London Boroughs (the Licensee) an irrevocable, non-exclusive, non-terminable, royalty-free licence, to copy and make full use of any work carried out by the Licensor in any work undertaken by or on behalf of the North London Boroughs for the purpose of this Agreement.

14.3 The North London Boroughs together reserve the right to determine whether the result of the works shall be published and if so on what conditions.

14.4 The North London Boroughs acknowledge and agree that any proposal by one member to grant a licence to a third party to use the documents and materials described in 14.1, shall be subject to the agreement of all the other North London Boroughs.

14.5 Any changes or edits made to the documents and materials by any of the North London Boroughs, if made under the terms of the Agreement shall be jointly owned by the North London Boroughs. Copyright in any edits or changes made to the documents and materials at the expiration of the term shall be owned by the relevant author.

15. Third Parties

15.1 A person who is not a party to this Memorandum of Understanding shall have no rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any of its terms.

16. Governing Law and Jurisdiction

16.1 This Memorandum of Understanding shall be governed by English law, and each of the parties hereby submits to the exclusive jurisdiction of the Courts of England and Wales.

17. Counterparts

17.1 This Memorandum of Understanding may be entered into in the form of two or more counterparts, each executed by one of the parties.

IN WITNESS whereof this document has been executed and delivered as a Deed by the parties the day and year first before written.

THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF CAMDEN)
was hereunto affixed in the presence of:-)

Authorised Signatory

Authorised Signatory

THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF BARNET)
was hereunto affixed in the presence of:-)

Authorised Signatory

Authorised Signatory

THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF HACKNEY)
was hereunto affixed in the presence of

Authorised Signatory

Authorised Signatory

THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF HARINGEY)
was hereunto affixed in the presence of)

Authorised Signatory

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THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF ENFIELD)
was hereunto affixed in the presence of

Authorised Signatory

Authorised Signatory

THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF ISLINGTON)
was hereunto affixed in the presence of

Authorised Signatory

Authorised Signatory

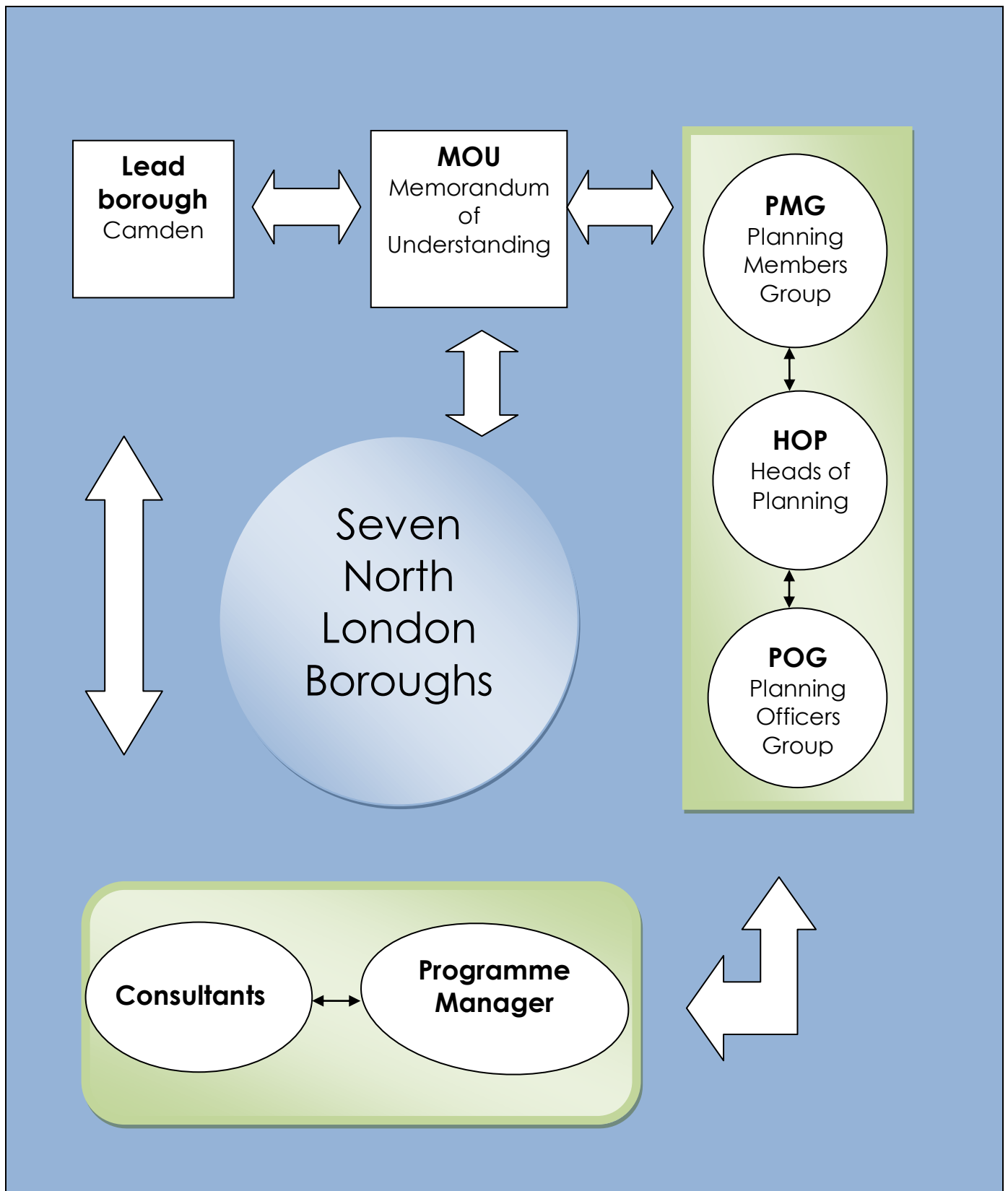
THE COMMON SEAL of THE)
MAYOR AND BURGESSES OF THE)
LONDON BOROUGH OF WALTHAM FOREST))
was hereunto affixed in the presence of:-)

Authorised Signatory

Authorised Signatory

SCHEDULE 1

Organisational arrangements



SCHEDULE 2

Roles and responsibilities

Planning Officers Group (POG)

Role

- To take ownership of the plan preparation process through a close working relationship with the Programme Manager, the consultants, the Heads of Planning (HOP), and the Planning Members Group (PMG), and where necessary provide additional capacity as a working group.

Membership/personnel

- Each North London Borough will provide one senior level planning officer to attend the POG. Officers should currently work in forward planning, and have a good overview of the Local Plan preparation process within their Borough and a broad understanding of waste planning issues.
- There may also be a need for involvement of other appropriate officers from each Borough with a background in sustainable development, at key stages of the SA/SEA process.
- The Group will be chaired by a planner from one of the North London Boroughs in rotation.
- A programme of meetings will be organised by the Programme Manager. However if two or more North London Boroughs wish there to be a meeting outside these arrangements, they may request the Programme Manager to convene a meeting and such a meeting shall take place as soon as practicably possible

Responsibilities of POG members

- To actively participate in regular six-weekly meetings with the other boroughs and the consultants, to steer the NLWP preparation process.
- To contribute to progress reports with recommendations to be put to the HOP and PMG for joint decision-making where appropriate.
- To provide comments on the work of the consultants and on documents and proposals from the Programme Manager when requested
- To provide additional working capacity at certain stages in the process – in particular logistical arrangements during consultation stages.
- Each planning officer to take responsibility for reporting progress internally within their Borough and provide regular feedback to POG members, particularly where problems are identified.
- Each planning officer to take responsibility for arranging reporting mechanisms internally within their Borough, to enable ratification of the plan to proceed according to plan-making timetable.

Heads of Planning (HOP)

Role

- To oversee the NLWP preparation process
- To consider the recommendations of the Planning Officers Group (POG) and to make recommendations to Planning Members Group (PMG) on the content of the NLWP
- To agree the timetable, and budget of the NLWP and agree any necessary changes

Membership/personnel

- The North London Boroughs shall be represented equally by the Head of the Planning Service in each of the North London Boroughs
- Meetings will be convened by the Lead Borough, through the Programme Manager. However if two or more North London Boroughs wish there to be a meeting outside these arrangements, they may request the Programme Manager to convene a meeting and such a meeting shall take place as soon as practicably possible.

Responsibilities of HOP members

- To meet at key decision points in the preparation of the plan
- To consider whether the NLWP is in line with the Local Plan and the Sustainable Community Strategy/Corporate Plan of their own Borough and to bring to the attention of HOP any inconsistencies at the earliest opportunity
- To brief the Lead Member for Planning and the PMG member, if different, within their own Borough on the progress of the NLWP and any issues that arise
- To secure funding within own Borough for the agreed budget of the NLWP
- To ensure that any approval process required for the NLWP in each North London Borough is carried out promptly and expeditiously

Planning Members Group (PMG)

Role

- To oversee the plan preparation process and provide feedback in response to recommendations of the Heads of Planning (HOP).
- To jointly approve recommendations wherever possible and seek the approval of Borough Cabinet/Executive/Policy and Resources Committee (“executive”)¹ or Full Council approval where necessary.

Membership/personnel

- The North London Boroughs will be represented equally, with one executive member or deputy (with responsibility for planning, environment or similar) from each of the seven North London Boroughs.
- Meetings will be convened by the Lead Borough, through the Programme Manager. However if two or more North London Boroughs wish there to be a meeting outside these arrangements, they may request the Programme Manager to convene a meeting and such a meeting shall take place as soon as practicably possible.

Responsibilities of PMG members

- To meet at key decision points in the plan preparation process.
- To make arrangements for appointing the chair and vice chair(s) of the PMG.
- To make joint decisions in response to recommendations from HOP throughout the development of the plan, where Borough executive or Full Council approval is not required.
- To consider agreements with other local planning authorities relating to a jointly agreed strategy on cross boundary matters under the Duty to Co-operate.
- To provide the main link between key decisions made within individual Boroughs and decisions made through joint working on the PMG
- To report back to the executive within their respective Borough and ensure key decisions are made at executive level and fed back via the Programme Manager.
- To report to Full Council and help to ensure approval is made at the Submission and Adoption stages. To report this back via the Programme

¹ Camden, Enfield, Hackney, Haringey and Waltham Forest have a Cabinet. Islington has an Executive. Barnet has a Policy and Resources Committee.

Manager.

- To use information provided by the HOP to promote progress on the development of the NLWP within their respective Borough decision-making machinery.

Programme Manager

Role

- To lead in co-ordinating activity and ensuring progress on all aspects of the plan-making process, and to provide the main point of contact for all parties.

Membership/personnel

- The Programme Manager will be a full time post suitable for a Senior Officer to be recruited externally or provided by one of the North London Boroughs, and managed and accommodated within one of the Borough's offices by Camden.

Responsibilities of Programme Manager

- To lead and take responsibility for the project programme, ensuring necessary outputs are produced by all partners at key stages of the process.
- To oversee the NLWP budget, and report on financial arrangements, ensuring Boroughs are informed of payment requirements.
- To act as the main representative for the North London Boroughs in communicating with external organisations, in particular the Greater London Authority and London Councils at key points in the process and to represent the North London Boroughs in discussions with key stakeholders.
- Take a lead on co-ordinating all aspects of consultation, in conjunction with the consultants and key external stakeholders such as the North London Waste Authority.
- To lead on the responsibilities of the North London Boroughs on the Duty to co-operate and to make responses on behalf of the North London Boroughs on relevant correspondence, plans and programmes of other organisations.
- To report recommendations from the POG to HOP and from HOP to PMG at key points in the process and report back to all bodies on all decisions made.
- To co-ordinate the production of progress reports to Directors of Environment and Heads of Planning of the North London Boroughs
- To maintain regular liaison with North London Borough Cabinet members to enable key decisions to be reported back to HOP and POG.
- To manage the contract and maintain regular liaison with the consultants

outside scheduled meetings in relation to progress, logistical arrangements etc.

- To provide members of the POG with 3-4 months notice of each ratification stage of the plan-making process, to enable reporting mechanisms to be arranged within each North London Borough in accordance with the plan-making timetable.
- To provide support to the North London Boroughs outside POG meetings in order to facilitate the plan-making process e.g. training programmes for officers and members.
- To oversee negotiations in the case of any dispute between the North London Boroughs.
- To report to the POG, HOP and PMG and act upon agreements made
- To manage additional NLWP staff

SCHEDULE 3

Indicative costs and payment schedule

Indicative Budget for the NLWP

	2013/14	2014/15	2015/16	2016/17	2017/18	Total
Consultant Data Study	£42,956					£42,956
Consultant Plan	£34,186	£113,302	£106,624	£73,097	£10,076	£337,284
Programme Management	£99,921	£105,372	£110,678	£87,701	£16,188	£419,860
Publicity	£2,065	£2,041	£43,200	£29,700	£12,700	£89,706
Legal	£2,500	£8,650	£10,000	£44,000	£5,000	£70,150
Examination				£135,000		£135,000
TOTAL	£181,628	£229,365	£270,502	£369,498	£43,963	£1,094,955
Per borough	£25,947	£32,766	£38,643	£52,785	£6,280	£156,422

All costs are shared equally by the boroughs. The indicative budget for the NLWP is based on the following assumptions

- Procurement of the NLWP data study contract
- Procurement of the NLWP consultancy support contract
- Employment of Programme Manager to end of project
- Employment of Principal Planner up to September 2016 (end of hearings)
- The NLWP goes through the following stages: Regulation 18, Regulation 19, Examination and Adoption
- Costs associated with consultation at all stages
- Provision of legal advice
- Costs of holding examination including employment of Programme Officer

Planning and Compulsory Purchase Act, Section 33A – Duty to Co-operate

Memorandum of Understanding (“MoU”) providing a framework for co-operation between London Legacy Development Corporation (“Legacy Corporation”) and the North London Boroughs of Barnet, Camden, Enfield, Hackney, Haringey, Islington and Waltham Forest (“North London Boroughs”) undertaking the North London Waste Plan (“NLWP”).

Background

1 The North London Boroughs are working together as waste planning authorities (“WPAs”) to prepare the NLWP. The NLWP will set out the planning framework for waste management in the North London Boroughs for the next 15 years. It will identify sites for waste management use and set out policies for determining waste planning applications. Adoption of the NLWP is expected to be in early 2017.

2 The Legacy Corporation is a Mayoral development corporation, established in March 2012 with responsibility for securing the regeneration of an area of London focused on the former Olympic Park. The Legacy Corporation’s area includes parts of the London Boroughs of Newham, Waltham Forest, Hackney and Tower Hamlets (“Host Boroughs”). The London Boroughs of Hackney and Waltham Forest are both members of the North London Boroughs.

3 By virtue of article 3 of the London Legacy Development Corporation (Planning Functions) Order 2012 (“2012 Order”) and section 7A of the Town and Country Planning Act 1990, the Legacy Corporation is the planning authority for the defined “*development area*”¹ for the purposes of Part 3 of the Town and Country Planning Act 1990 and Parts 2 and 3 of the Planning and Compulsory Purchase Act 2004. As a result it is responsible for all development management decisions and development plan preparation including waste planning within the Legacy Corporation’s area. In August 2014, the Legacy Corporation published its draft local plan for statutory consultation (“Local Plan”). The draft Local Plan carries forward and develops growth ambitions for the Legacy Corporation’s area that are set out in the London Plan 2011 and builds on the Host Borough development plan documents that were adopted at the time that the Legacy Corporation received its planning powers.

4 The London Plan has a strategy for London to achieve net self-sufficiency in managing waste arising in London by 2026.. Under the London Plan, each London borough including each of the North London Boroughs is given an apportionment of waste arisings for which it should plan waste management provision. The North London Boroughs are planning to meet their combined apportionment targets through the NLWP. The London Plan does not include a waste apportionment for the Legacy Corporation planning authority area, which includes parts of Hackney and Waltham Forest from the North London Boroughs. A formal working relationship is required between the Legacy Corporation and the North London Boroughs in securing the delivery of an effective waste plan for North London.

Proportion of North London Boroughs within Legacy Corporation area

5 The proportion of each borough area that falls within the Legacy Corporation Boundary is set out within Table 1 below.

¹ Defined in Article 2 to the Order as meaning the area of land described as a Mayoral development area, and in relation to which a Mayoral development corporation is established, by the London Legacy Development Corporation (Establishment) Order 2012

Table 1 Proportion of Legacy Corporation Area by Borough

LB Newham	63%
LB Tower Hamlets	16%
LB Hackney	16%
LB Waltham Forest	5%

6 Approximately seventy six percent (76%) of the projected growth in the Legacy Corporation's draft Local Plan is expected to come forward within the boundary of the London Borough of Newham. Just over a further eighteen percent (18%) is expected in the London Borough of Tower Hamlets, and the remaining six percent (6%) is expected to come forward within the London Borough of Hackney. None is planned within the London Borough of Waltham Forest as this portion comprises the Lea Valley Hockey and Tennis Centre at Eton Manor and Chobham Academy school playing fields which have open space/MOL designation, and the established Temple Mills Bus Depot site, designated as a Locally Significant Industrial Site.

Existing Frameworks for Co-operation

7 A formal memorandum of understanding governing co-operation in plan making (amongst other activities) between the Legacy Corporation and the London Boroughs of Hackney and Waltham Forest was agreed in 2013. Co-operation is already taking place between the Legacy Corporation and the London Boroughs of Hackney and Waltham Forest in terms of plan-making. This includes attendance of borough officers representing Hackney and Waltham Forest at the established Planning Policy Forum Meetings.

8 A further formal memorandum of understanding exists between the seven North London Boroughs as the basis of working collaboratively on the NLWP. It establishes the lead borough, sets out how contracts will be let and creates terms of reference for the inter-borough grouping. The memorandum of understanding between the seven North London Boroughs describes how disputes will be resolved. It sets out the timetable and budget for the NLWP and how costs will be shared.

9 The North London Boroughs have prepared a Duty to Co-operate Protocol which will be used as the basis of co-operation; principally with other WPAs who receive significant quantities of waste from north London.

Co-operation between Legacy Corporation and the North London Boroughs

10 The North London Boroughs and Legacy Corporation have co-operated in the preparation of:

- the Legacy Corporation draft Local Plan through meetings and correspondence via email and letter; and
- the NLWP through feedback on potential sites in the Legacy Corporation area provided by Legacy Corporation.

11 Co-operation will continue to take place through appropriate methods including:

- written correspondence
- exchange of information and verification of data
- meetings:
 - Attendance of borough officers representing London Boroughs of Hackney and Waltham Forest at the established Planning Policy Forum Meetings, which take place every month to six weeks in accordance with the 2013 memorandum of understanding.
 - Meetings between officers of the North London Boroughs and the Legacy Corporation at least annually and more frequently where it is agreed that such additional meetings are appropriate and necessary to the preparation or

review of relevant Development Plan Documents.

- agreement of key issues
- statement of common ground
- Memorandum of Understanding

12 The future co-operation between the Legacy Corporation and the North London Boroughs will be focused on the following areas with a view towards maximising the effectiveness of our respective plan making and securing sustainable development in accordance with our respective corporate objectives:

- policy approach to planning for waste within each local plan
- site analysis and selection within each local plan
- the further preparation, collection and updating of evidence base documents relating to waste planning
- the exchange of data (including electronically held data and GIS mapping data) relating to the evidence base for development plan documents
- the approach of the NLWP to identifying potential waste sites in North London to meet future capacity requirements in compliance with the London Plan
- the approach of the Legacy Corporation to meeting its strategic waste planning responsibilities where site capacity for waste management has not been or cannot be met by appropriate identified sites within the Legacy Corporation Local Plan for the areas of Hackney and Waltham Forest within the Legacy Corporation area

13 To secure the delivery of an effective waste plan for North London, the North London Boroughs and the Legacy Corporation agree that the areas listed in Table 2 are potentially suitable for waste management use. The North London Boroughs and Legacy Corporation have reached this conclusion after carrying out their own assessments of the areas described in evidence base documents. Acceptability of proposals for waste management uses in those locations will be determined with reference to Policy IN.2 and other relevant policies within the Legacy Corporation Local Plan and any other relevant material considerations that apply to that proposal. The North London Boroughs and the Legacy Corporation will take steps to reflect this in their respective plans.

Table 2 Areas in Hackney and Waltham Forest portions of the Legacy Corporation area potentially suitable for waste management use

Area ref	Site Name	Borough	Waste facility type: potential suitability
HAC09	Bartrip Street LSIS	Hackney	Waste transfer; Processing and recycling
HAC13	Palace Close SIL (to the west of Chapman Road)	Hackney	Waste transfer; Processing and recycling
	Temple Mills Lane LSIS	Waltham Forest	Waste transfer; Processing and recycling

14 The Legacy Corporation will decide planning applications for waste uses in its area in line with its Local Plan including Policy IN.2: Planning for waste, taking full account of the waste apportionment targets set for each Borough within the London Plan, the adopted local waste plans or waste planning policy for that Borough and the development of new or review of existing adopted waste plans for that Borough.

Resources and timescales

15 The Legacy Corporation and the North London Boroughs will use reasonable endeavours to respond in a timely manner to any request for information from the other.

16 The Legacy Corporation and the North London Boroughs officers had a preliminary agreement in place for the hearings of the Legacy Corporation Local Plan in March 2015 which will be subject to formal ratification by each North London Borough. An update to this agreement may be required in 2016 at the submission of the NLWP to the Secretary of State.

17 Both parties will inform each other of any changes in their plan making timetable.

Level of sign off -

18 The North London Boroughs will sign off agreements under the Duty to Co-operate using appropriate measures under their respective constitutions.

19 The Legacy Corporation will sign off agreements under the Duty to Co-operate using delegated powers.

Confidentiality

20 In the course of our co-operation, the Legacy Corporation and the North London Boroughs may exchange confidential information. Each organisation will treat any confidential information provided to it by the other with the same degree of care that it treats its own confidential information, and never with less than reasonable care, and shall not at any time disclose such information except:

- a) to employees, members, officers, representatives or advisers who need to know such information for the purposes of carrying out their organisation's obligations under this letter; or
- b) as may be required by law, a court of competent jurisdiction or any governmental or regulatory authority.

21 The Legacy Corporation and the North London Boroughs shall ensure that employees, officers, representatives or the advisers to whom confidential information is disclosed shall comply with the above restrictions. Neither the Legacy Corporation nor the North London Boroughs shall use the other's confidential information for any purpose other than to perform its obligations under this letter.

Monitoring

22 This Memorandum shall continue until such time as the Legacy Corporation ceases to be the local planning authority for the development area (see para 3 above) or any part thereof. The terms of this MoU will be reviewed at a meeting between officers of the Legacy Corporation and the North London Boroughs at least annually. If either the Legacy Corporation or the North London Boroughs thinks it necessary, the terms of the co-operation can be reviewed earlier on at least seven days written notice. If following any review, either the Legacy Corporation or the North London Boroughs reasonably considers that modifications to this MoU are necessary to maximise the effectiveness of our respective plan making, the Legacy Corporation and the North London Boroughs shall use reasonable endeavours to agree such modifications.

23 Neither the Legacy Corporation nor the North London Boroughs intend this MoU to create legally enforceable obligations, and nothing in this letter should be construed as conflicting with any agreement or contract involving either the Legacy Corporation or any of the North London Boroughs, or with any statutory or other legal duties of the Legacy Corporation or any of the North London Boroughs.

Signed on Behalf of the
London Borough of Barnet

Date

Signed on Behalf of the
London Borough of Camden

Date

Signed on Behalf of the
London Borough of Enfield

Date

Signed on Behalf of the
London Borough of Hackney

Date

Signed on Behalf of the
London Borough of Haringey

Date

Signed on Behalf of the
London Borough of Islington

Date

Signed on Behalf of the
London Borough of Waltham Forest

Date

Signed on Behalf of the London
Legacy Development Corporation

Date

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Report of: Executive Member for Health and Wellbeing

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All

Delete as appropriate	Exempt	Non-exempt

SUBJECT: Care Act Eligibility Criteria Policy

1. Synopsis

- 1.1 This report describes Islington Adults Integrated Community Service's eligibility policy: its alignment with the government's National Eligibility Criteria (Care Act 2014), and explains how the policy will be applied in Islington.
- 1.2 The aim of the policy is to ensure consistent implementation of the Care and Support (Assessment) Regulations 2014 and fair and transparent application of the national eligibility framework for adults in need of care and support, and for their carers, as outlined in the Care and Support (Eligibility Criteria) Regulations 2014.
- 1.3 This report recommends that London Borough of Islington should adopt the National Minimum Eligibility Criteria as its policy for determining eligibility for adults with care and support needs. As a consequence, the existing 'Moderate' eligibility shall cease to apply and in its place the National Minimum Eligibility Criteria will come into effect from April 2015.
- 1.4 Although this report concentrates on the eligibility for adults with care and support needs, it is important to note that from April 2015 there will also be for the first time national minimum eligibility criteria for carers which local authorities must adopt.
- 1.5 The London Borough of Islington has long recognised the importance of providing effective early support by setting its eligibility criteria at "Upper Moderate" and above under the previous FACS system. Islington will continue to provide the same level of early support to people under the new arrangements introduced by the Care Act 2014. Based on the outcome of a comparative case analysis and of the precise wording of the new criteria, it is believed that people who would previously have been eligible for a service because they had "Upper Moderate" needs, will continue to be eligible for services. The way in which the Council will do this is described in the report below.

- 1.6 The London Borough of Islington also understands the importance of offering preventative support to residents and the positive impact such support can have on the outcomes that residents can achieve by preventing, delaying or reducing the amount of funded support that residents may need. To further support this approach Islington is also extending its preventative offer as described below.

2. Recommendation

- 2.1 To agree that the National Minimum Eligibility Criteria will be London Borough of Islington Eligibility Policy (appendix 1) for adults with care and support needs and that the national minimum eligibility criteria for carers is adopted from April 2015.

3. Background

Eligibility Criteria for Care and Support

- 3.1 One of the major planks of the Care Act is the introduction from April 2015 of new national minimum eligibility criteria for adults with care and support needs which all councils must follow. This is set out in section 13 of the Act. The detail of the new criteria is contained in The Care and Support (Eligibility Criteria) Regulations 2014.

The Care and Support (Eligibility Criteria) Regulations 2014 came into effect on 1 April 2015. Instead of having four different bands of eligibility as set out in set out in the 2010 guidance on eligibility criteria for adult social care "*Prioritising need in the context of putting people first*" (commonly referred to as the "FACS" criteria) people will be assessed as having needs which are 'eligible' if they meet the following threshold;

- 3.2 In summary an individual with care and support needs will meet the minimum eligibility if:
- (a) their needs arise from or are related to a physical or mental impairment or illness
 - AND**
 - (b) as a result they are unable to achieve two or more specified outcomes
 - AND**
 - (c) as a consequence there is, or is likely to be, a significant impact on their wellbeing, as defined under section 1 of the Care Act.

An adult's needs are only eligible if they meet all three of the above conditions.

- 3.3 The eligibility for adults with care and support needs is to be assessed without regard to the support provided by carers. Therefore, a person may be eligible under the Care Act without LBI necessarily having to provide significant services. In practice most people assessed as eligible will probably have their needs met by a combination of care and support provided by the council and/or their carer, if they have one. The increased rights for carers under the Act should help carers to perform this role on a sustainable basis. Support from the voluntary sector and the wider community can also be an appropriate way of meeting needs in some cases.
- 3.4 Safeguarding has separate criteria and therefore if safeguarding issues are identified, care and support can if necessary be provided regardless of whether the individual meets the minimum eligibility for care and support.
- 3.5 It is considered that the new criteria create a threshold that is lower than the previous substantial level under FACs, and is more in line with the upper moderate level which applied in LBI. It is therefore recommended that London Borough of Islington should adopt the new National Minimum Eligibility Criteria as the eligibility criteria for care and support from April 2015.
- 3.6 As the new minimum criteria is thought to offer a similar threshold for accessing care and support as the "upper moderate" level previously applicable in LBI, it is thought to be reasonable to adopt the national minimum as LBI's offer.

- 3.7 In making the above recommendation, the following factors have been taken into account from the perspectives of LBI and LBI residents:
- (a) all current service users (including those assessed as 'Upper Moderate') will continue to be eligible after April 2015. They will not be reassessed against the new criteria until their planned review or if their needs change.
- (b) it is believed that individuals who would previously be assessed as 'Upper Moderate', if they were assessed now will still be assessed as eligible if they come forward for the first time after April 2015.
- 3.8 The evidential basis for this view is a combination of analysis of the precise wording of the new criteria and an exercise comparing actual cases against both the current and new criteria.
- 3.9 Appendix 2 contains details of how the current eligibility criteria compares to the new minimum. Appendix 3 considers a number of anonymised cases assessed as 'Upper Moderate' or lower (as per FACs) to show how they would be assessed under the new criteria. It demonstrates that a case assessed now as meeting the 'Upper Moderate' criteria is likely to meet the new national minimum.
- 3.10 In order to compare the criteria against actual cases an exercise was carried out by operational staff who assessed current 'upper moderate' cases against the new national minimum.
- 3.11 The Care and Support (Eligibility Criteria) Regulations 2014 set out the minimum level of need that local authorities are obliged to meet. However local authorities have the discretion to offer support for needs that fall below the minimum eligibility threshold. Lower level needs may be met as a preventative measure to help someone regain their independence, reduce or delay the need for care and support.

In Islington the assessment process will be '**paused**' to see if preventative support can eliminate or reduce needs and restore or increase independence before the assessment process is completed. This support will be reviewed regularly with the aim of ending funded services **within** 6 weeks. By the end of 6 weeks (or before this date as appropriate) the assessment process will be completed and the person will be fully assessed with regards to national minimum eligibility criteria. If the person still needs the support after 6 weeks it's likely they meet the national eligibility criteria.

- 3.2 Islington Council has adopted the National Minimum Eligibility Framework in order to:
- Be compliant with the law, Care Act 2014
 - Determine which needs are eligible by using the eligibility criteria for adults with social care needs and carers, and;
 - Work with the whole community to make sure that the needs and outcomes of vulnerable people in the community can be met in the most effective way, reducing dependency and delaying the need for long-term care and support.

4. Implications

4.1 Financial implications

The implementation of the National Eligibility Criteria (Care Act 2014) will have no direct financial implications for Islington Council.

Any costs arising from the changes in eligibility will be met by the non-recurrent funding received from the Department of Health for the New Burdens Funding for Adult Social Care. This funding is to support Local Authorities for the implementation of the Care Act.

4.2 Legal Implications

The care and support provisions in Part 1 of the Care Act 2014 (“the Care Act”) which introduces a new legal framework for adult social care, came into effect on 1 April 2015. The provisions in Part 1 in respect of the funding reforms, namely the cap on care costs, extended means test, rights of self-funders to have their needs met by the local authority and direct payments for residential care will come into effect on 1 April 2016.

Section 13 of the Care Act 2014 introduces new national eligibility criteria for adults with needs for care and support and carers. Section 13(1) provides that having carried out a needs assessment or a carer’s assessment local authorities must proceed to determine whether a person’s needs are “eligible” needs, in other words, whether they meet the eligibility criteria set out in regulations. “Eligible” needs are those needs of a level or nature which the local authority may be under a duty to meet.

Section 20 of the Care Act, gives carers parity with the people they look after in terms of their entitlement to an assessment and support, consequently the Regulations also set out a new eligibility threshold for carers.

Guidance on interpreting the eligibility criteria for adults and carers is set out in chapter 6 of the Care and Support Statutory Guidance.

A local authority which had been providing services to adults with needs at a level lower than that which is described in the Regulations is required to consider carefully any proposals to restrict local eligibility to those needs described within the minimum threshold. If having done so it was apparent that individuals would be adversely affected by the change, the local authority would be required to consult with the local population prior to making such a change to its eligibility policy. “

4.3 Environmental Implications

There are no clear significant environmental implications related to the adoption of this policy.

4.4 Equality Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

An Equality Impact Assessment was completed on 8th May 2015.

5. Conclusion and reasons for recommendations

5.1 To adopt the Eligibility Policy for Islington Adults Integrated Community Services

- To ensure compliance with the Care Act 2014
- To direct resources to those most in need
- To support a proactive and preventative approach
- To promote well-being
- To meet needs in the most effective way, reducing dependency and promoting independence.

Appendices

- Appendix 1 - Eligibility Policy
- Appendix 2 - Comparison of FACs 2010 Moderate Risk to Independence with The Care Act 2015

National Eligibility Criteria

- Appendix 3 – Case Study Analysis

Final report clearance:

Signed by:

Janet Burgess

Executive Member for Health and Wellbeing

Date: 3 July 2015

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Islington Adults Social Care Eligibility Policy (How Islington prioritises need)

Contents

1. Purpose of Policy
2. Scope of the policy
3. Legal Context
4. Eligibility criteria
 - a. Transparency
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7. Notification and recording of eligibility decisions
8. Support for people who are not eligible
9. Self-funders and care cap
10. Appeal process

Islington Adults Integrated Community Service Eligibility Policy Draft V3.

1. Purpose

This policy describes Islington Adults Integrated Community Service's eligibility policy: its alignment with the government's National Eligibility Criteria as set out in Care Act 2014 and regulations made under the Act, and explains how the policy will be applied in Islington. The aim of the policy is to ensure consistent implementation of the Care and Support (Assessment) Regulations 2014 and fair and transparent application of the national eligibility framework for adults in need of care and support, and for their carers, as outlined in the Care and Support (Eligibility Criteria) Regulations 2014.

1.1 Duties

The Assistant Director of Islington Adults Integrated Community Services is responsible for implementation and monitoring of the policy. Integrated Community Service teams are responsible for applying the Eligibility Criteria policy.

1.2 Responsibility for Policy

The Islington Adults Integrated Community Services senior management team will be responsible for reviewing the policy and the Adult Social Care Services Policy Officer has responsibility for retention, storage and retrieval of the document.

2. Scope

This policy is for all adults with needs for care and support Islington, their informal carers and staff working for Islington Adults Integrated Community Service who complete assessments and apply the eligibility criteria on behalf of Islington Council.

The Eligibility Criteria policy applies to:

- Islington residents who request or agree to an assessment of need from Islington Adults Integrated Community Services, including self-funders;
- Any prisoner in Holloway or Pentonville Prisons with care and support needs who requests or agrees to an assessment of need from Islington Adults Integrated Community Services;
- Informal Carers of Islington residents with care and support needs;
- Adults whose care is received outside of the borough but is funded by Islington Adults Integrated Community Services;
- Self-funders who apply for an assessment in order to register in April 2016 for a care account;
- Transition assessments in relation to children and young carers (depending when the assessment is undertaken in relation to the timeframe for transition).

It does not apply to:

- Children under the age of 18;
- Islington residents accessing universal services or information and advice to meet non-eligible needs;
- Assessment for Blue Badges or Freedom Passes;
- Registration as physically disabled/partially sighted or deaf/hard of hearing;
- Islington residents accessing NHS services including Intermediate Care;

- People who are not ordinarily resident in London Borough of Islington except for carers who are caring for an Islington resident
- Where it is necessary to respond to any safeguarding concerns;
- Where there is a need to apply The Mental Health Act 1983 and Mental Capacity Act 2005 (including Deprivation of Liberties).

3. Legal context

The Care Act 2014 (“the Care Act”) sets out a single legal framework for the provision of adult social care and support. The Care Act is underpinned by Regulations which set out the more detailed legal provisions. Guidance on applying the provisions in the Act and the Regulations is set out in the Care and Support Statutory Guidance. .

The care and support provisions are set out in Part 1 of the Care Act which sets out a number of general duties of local authorities, including the following:

- The duty to promote an individual’s well-being whenever the local authority is carrying out a function under Part 1 of the Care Act in relation to that person. This is known as ‘the wellbeing principle’;
- Responsibilities for preventing, reducing or delaying the development of care and support needs;
- The duty to establish and maintain a service for providing people in its area with information and advice relating to care and support;

The Care and Support (Eligibility Criteria) 2014 (“the Regulations”) set out national eligibility criteria with a minimum eligibility threshold. All local authorities must comply with this national threshold.

The Regulations set out eligibility criteria for:

1. Adults in need of care and support.

The threshold for adults is based on identifying how a person’s needs affect their ability to manage aspects of their lives (i.e. specified outcomes) and how this impacts on their wellbeing.

2. Carers in need of support.

The Care Act gives carers the same entitlement to an assessment and support as those they are caring for. The national eligibility threshold for carers is based on the impact of a carer’s needs for support on their wellbeing.

4. Islington’s Adult Integrated Community Services Eligibility Criteria

Islington Council has adopted the national minimum eligibility criteria in order to;

- Ensure compliance with the Care Act 2014
- Determine which needs are eligible by using the eligibility criteria for adults with social care needs and carers, and;
- Work with the whole community to make sure that the needs and outcomes of vulnerable people in the community can be met in the most effective way, reducing dependency and delaying the need for long-term care and support.

4.1 The National Minimum Eligibility Criteria

The Care and Support (Eligibility Criteria) Regulations 2014 came into effect on 1 April 2015. Instead of having four different bands of eligibility as set out in the 2010 guidance on eligibility criteria for adult social care "*Prioritising need in the context of putting people first*" (Commonly referred to as the "FACS" criteria) people will be assessed as having needs which are 'eligible' if they meet the following threshold;

1. Their needs **arise from or are related to** a physical or mental impairment or illness
2. **As a result of these needs**, they are unable to achieve **2** or more of the specified outcomes (see below) and;
3. **As a consequence** there is, or is likely to be a **significant impact** on the adult's well-being.

The specified outcomes are:

- a) Managing and maintaining nutrition;
- b) Maintaining personal hygiene
- c) Managing toilet needs
- d) Being appropriately clothed
- e) Being able to make use of the adult's home safely
- f) Maintaining a habitable home environment
- g) Developing and maintaining family or other personal relationships
- h) Accessing and engaging in work, training, education or volunteering
- i) Making use of necessary facilities or services in the local community including public transport, and recreational facilities or services; and
- j) Carrying out any caring responsibilities the adult has for a child.

The Regulations state that an adult is to be regarded as unable to achieve an outcome if the adult:

- (a) Is unable to achieve it without assistance;
- (b) Is able to achieve it without assistance but doing so causes the adult significant pain, distress or anxiety;
- (c) Is able to achieve it without assistance but doing so endangers or is likely to endanger the health or safety of the adult, or of others; or
- (d) Is able to achieve it without assistance but takes significantly longer than would normally be expected.

The eligibility determination should be made based solely on the person's needs and abilities without support. The fact that they have a carer supporting with those needs does not impact on whether the need is eligible or not.

If the person has a carer, the care provided should only be taken into account when considering whether the local authority has a duty to meet the eligible needs or not.

4.2 Well-being

The '**well-being principle**' is a thread that runs through the heart of the Care Act. For eligibility decisions, the inability to achieve specified outcomes and the impact of this on a person's well-being (adult and informal carer) is key to deciding if they have eligible needs. The eligibility decision hinges on whether the impact on well-being is, or is likely to be '**significant**'. The term significant is not defined in the regulations and the statutory guidance says that it must be understood to have its everyday meaning. **A need becomes an eligible need if all three conditions specified above are met.**

The concept of well-being is personal to each individual but section 1 of the Care Act describes it as relating to a number of areas to enable a broad shared understanding of the concept of wellbeing. Section 1 of the Care Act describes well-being as including the following areas in particular;

- (a) Personal dignity (including treatment of the individual with respect);
- (b) Physical and mental health and emotional well-being;
- (c) Protection from abuse and neglect;
- (d) Control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);
- (e) Participation in work, education, training or recreation;
- (f) Social and economic well-being;
- (g) Domestic, family and personal relationships;
- (h) Suitability of living accommodation;
- (i) The individual's contribution to society¹.

There is no hierarchy in the areas of wellbeing listed above – all are equally important. These areas will vary in their application and relevance depending on the individual, their circumstances and their priorities. Therefore a holistic and personalised approach, taking into account the person's views on the impact on their well-being is essential when assessing the impact on well-being.

4.3 Fluctuating Needs

Deciding eligibility can be complicated when someone has a fluctuating health condition or social situation so that their level of need can change from week to week, day to day or even hour to hour. Some short term changes in need are predictable, for example increasing needs after a treatment like chemotherapy or reduced support from informal carers with children during school holidays. Others are unpredictable and can be substantial, for example during a sickle cell crisis.

Islington Council will take fluctuating needs into account during the assessment and work with the person to estimate how much extra support may be needed at times of increased need. The council will work in partnership with the person with eligible needs and their carers to plan for increased need and make sure increased support is available quickly when needed.

4.4 Eligibility and prevention

The Care and Support (Eligibility Criteria) Regulations 2014 set out the minimum level of need that local authorities are obliged to meet. Lower level needs may be met as a preventative measure to help someone regain their independence, reduce or delay the need for care and support.

These preventative measures can include reablement, equipment to reduce risks and increase independence and other preventative support (including short term focused home care support, voluntary support or support from alternative organisations) for up to 6 weeks.

Islington's approach to eligibility is that the assessment process will be '**paused**' to see if preventative support can eliminate or reduce needs and restore or increase independence before the assessment process is completed.

This support will be reviewed regularly with the aim of ending funded services **within** 6 weeks. By the end of 6 weeks (or before this date as appropriate) the assessment process will be completed and the person will be fully assessed with regards to national minimum eligibility criteria. If the person still needs the support after 6 weeks it's likely they meet the national eligibility criteria.

4.5 Assessment of Eligibility

¹ The Care Act 2014 Chapter 23 Part 1 2a)-i) <http://www.legislation.gov.uk/ukpga/2014/23/section/1/enacted>

Decisions about eligibility can only be made once the person has been assessed by the local authority. (The only exception may be in an emergency when local authority can provide support to meet social care needs in the short-term and carry out an assessment afterwards). The assessment should be completed in partnership with the person and any other person that the adult asks the Local Authority to involve, or where the adult lacks capacity, any person that appears to the authority to be interested in the adult's welfare, to discuss the adults presenting needs, strengths and preferred outcomes.

After the assessment the Islington Adults Integrated Community Services has to decide if the person has any eligible needs and if so how those needs could be met to meet the agreed outcomes. The Council has a duty to meet a person's eligible needs. Needs can be met in a variety of ways including existing or new support from willing family or friends, universal services, information and advice and from voluntary agencies as well as or instead of funded support.

5. Notification and Recording of Eligibility Decisions

Any decisions about eligibility will be recorded as part of the assessment process on the assessment or review form which will be shared with person and any other person that the adult asks the Local Authority to involve, or where the adult lacks capacity, any person that appears to the authority to be interested in the adult's welfare. The assessor will identify;

- if any identified needs arise from or are related to a physical or mental impairment or illness
- as a result of identified needs the adult is unable to achieve 2 or more specified outcomes, and
- as a consequence there is, or is likely to be a significant impact on the persons wellbeing

The assessor will write to the service-user explaining whether they are eligible for support or not, giving reasons why and explaining next steps such as information and advice or setting up a care and support, or in the case of carers a support plan.

6. Meeting Eligible Needs

- 6.1 The decision on how to meet eligible needs and achieve agreed outcomes is separate from the decision about whether the person has eligible needs or not.
- 6.2 Decisions about how eligible needs will be met are made on a case by case basis which weighs up the total costs of meeting needs and include the cost as a relevant factor in deciding between suitable alternative options for meeting needs. This does not mean choosing the cheapest option, but one which delivers the outcomes desired for the best value.
- 6.3 The Council does not have to meet any eligible needs of an adult which are being met by an informal carer who is willing and able to do provide the support, as long as this is considered to be sustainable for the carer and doesn't put their well-being at considerable risk. However the Council must still record the eligible needs being met by a carer, in the event the caring arrangement breaks down the Council can step in and arrange care and support to meet the eligible need.

7. Contributions for support

Once a decision has been made that the person has eligible needs which the Council is required to meet, the council must carry out a financial assessment to work out if the person will need to make a financial contribution towards the cost of any funded support provided.

If the person has capital above the limit set in the Care and Support (Charging and Assessment of Resources) Regulations 2014 (currently £23,500) their contribution will be the full cost of their care. Some people who have to contribute the full cost decide to arrange their support privately.

Further information about the financial assessment can be found at;

<http://www.islington.gov.uk/services/social-care-health/pay-care/Pages/Paying-for-nursing-homes.aspx?extra=9>

<http://www.islington.gov.uk/services/social-care-health/pay-care/Pages/Paying-for-homes-support-services.aspx?extra=8> or Financial Assessment and Income Recovery Team 0207-527-2178

8. Eligibility and Safeguarding

The Councils responsibilities in relation to safeguarding adults at risk of abuse and neglect are not dependent upon a person having eligible needs. Islington Adult Integrated Community Services has a duty to safeguard adults at risk in Islington. If you are worried about an adult at risk, please contact the Access and Advice Service, part of Adult Integrated Community Services:

Tel: 020 7527 2299

Fax: 020 7527 5114

Email: access.service@islington.gov.uk

9. Support for Adults who do not have eligible needs

If the person does not have eligible needs the professional who undertook the assessment on behalf of Islington Adults Integrated Community Services will write to them explaining how they have reached this decision. The professional will provide information and advice on what other sources of support might be available to meet or reduce their current needs and what can be done to prevent or delay the development of future needs.

10. National eligibility criteria for carers

10.1 A carer has eligible needs if they meet the following **three** criteria,

1. Their needs arise as a consequence of providing **necessary care** for an adult.
2. As a result:

their physical or mental health is at risk of deteriorating **OR**

they are unable to achieve **any** of the following specified outcomes;

- Carrying out caring responsibilities for a child
- Providing care to another adult
- Maintaining a habitable environment
- Managing and maintaining nutrition
- Developing and maintaining family or other significant personal relationships
- Engaging in work, training, education or volunteering
- Making use of necessary facilities or services in the local community
- Engaging in recreational activities

3. As a consequence there is, or is likely to be, **a significant impact on the carer's wellbeing.**

- 10.2 The person being cared for does not need to have eligible needs but the carer must be providing ‘**necessary care**’. This means that the cared for person must be unable to provide this support for themselves. If the care being provided is not considered ‘necessary’ Islington Adults Integrated Community Services will provide the carer with information and advice about how to find the support they need within their own network or the community.
- 10.3 In order to establish whether a carer has eligible needs the Islington Adults Integrated Community Services will complete a carer’s assessment with them. A carer can complete the assessment on their own or with support from someone else but an assessor from Islington Adult Integrated Services will need to validate the assessment (usually during a meeting with the carer) and decide if they have eligible needs.
- 10.4 The council will provide a written record of the determination on eligibility and the reasons for it.

11. How to appeal

If you want more information or are unhappy with your eligibility decision you can ask the person who assessed you to look at the decision again. If you are still unhappy with the outcome you can speak to the team manager to ask for a further explanation and to have the decision reviewed.

If the issue cannot be resolved by the team manager you can access the council’s complaints procedure by contacting: socialservices.complaints@islington.gov.uk, 0207-527-8047 or text 07860 026 673.

12. Eligibility Criteria for Self-funders and the Cap on Care Costs

At the moment there is no limit to what care and support can cost, and this means that people with very high care needs may have to pay expensive bills. But from April 2016 there will be a new form of protection from unlimited costs. This protection is called the ‘**cap on care costs**.’

It means that no one will have to pay more than £72,000 towards the care element of the costs of meeting their eligible needs in their lifetime, and many people will pay much less. This applies to people funding their own care and support, as well as those helped by the council.

From April 2016, you will be able to register with the council to keep track of how much your care and support costs.

If you get help from the council with your care and support costs already, we will start to count how much is being spent on your care straight away. If the amount the care element of the cost of meeting your eligible needs reaches £72,000, we will step in and pay for the rest of your care costs.

The Council will use the national minimum eligibility criteria to identify your eligible needs in order to establish the costs that will be included in your care account and which will count towards the cap. This applies equally to people who pay for all of their care and support cost themselves. You can obtain more information at, [The Care Act - Islington Council](#).

13. Review

This policy will be reviewed bi-annually within the Islington Adults integrated Community Services Division.

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Comparison of FACs 2010 Moderate Risk to Independence with The Care Act 2015

National Eligibility Criteria

Basic premise comparison

1. **FACs 2010** eligible needs are based on risks to independence. It defines 4 bandings low, moderate, substantial and critical risk to independence. It is focused on identifying needs rather than outcomes.

Moderate needs are eligible only if,
 'there is clear evidence that meeting these needs would prevent deterioration in the next 2-3 months or where some time-limited support is needed to promote independence from formal help'.

2. The eligibility threshold in the **Care and Support (Eligibility Criteria) Regulations 2014** is based on how a person's needs affect their ability to achieve relevant outcomes **and** how this impacts on their wellbeing.

These needs must stem from a physical or mental impairment or illness.

Their needs will be eligible if;

- they are unable to achieve **two or more** outcomes from a list of outcomes
- **AND**, as a consequence **there is or is likely to be**, a significant impact on the adult's well-being.

So under the Care and Support (Eligibility Criteria) regulations, if someone is not able to access or engage in work and is not able to make use of facilities in the local community, for example, but doesn't want to anyway, this may not have a significant impact on their well-being and so are not eligible for support in these areas. Under FACs they may be identified needs but not eligible if they did not put that person's independence at risk.

FACS 2010	Care and Support (Eligibility Criteria Regulations 2014)
<p>Moderate Risk to Independence.</p> <ul style="list-style-type: none"> • There is, or will be an inability to carry out several personal care or domestic routines; and/or • Involvement in several aspects of work, education or learning cannot or will not be sustained and/or • Several social systems and relationships cannot be or will not be sustained; and/or • Several family and other social roles and responsibilities cannot or will not be undertaken. 	<p>Person is;</p> <ul style="list-style-type: none"> • unable to achieve without assistance • able to achieve w/out assistance but causes significant pain, distress or anxiety • able to achieve w/out assistance but it takes significantly longer than would be normally expected <p>TWO of outcomes below AND there is, or is likely to be a significant impact on the adult's well-being</p>
<p>Safety – You have a need for someone to check on you regularly because you are at continuing risk of harm</p>	<p>Able to achieve outcome (ADLS, personal care, maintaining home/family relationships/caring responsibilities /work / training / education / volunteering /accessing and using community / recreational facilities) but doing so endangers or is likely to endanger the health and safety of the adult and or others</p> <p>Being unable to make use of the adult's home safely – <i>(guidance includes managing steps, accessing kitchen/bathroom and immediate environment outside the home i.e. access in and out of property)</i></p>
<p>Health - You have an illness which is at risk of deteriorating to the extent that your safety or the safety of others will be at risk in the next 2-3 months if support is not provided</p>	
<p>Your mental health - You have a diagnosed mental health problem which can limit your insight into your ability to cope and this poses a moderate risk to health, safety or independence over the medium term (2-3 months)</p>	
<p>You need help with your personal care/activities of daily living</p> <p>You have some difficulty with managing some essential daily activities e.g. maintaining personal hygiene, or have lost your confidence in managing these tasks</p> <p>You are not able to carry out regular domestic routines such</p>	<p>Unable or difficulty meeting outcomes of</p> <p>Maintaining personal hygiene – <i>(guidance includes ability to launder clothes)</i> Managing toilet needs; Being appropriately clothed – <i>(guidance includes ability to dress self and dress appropriately for weather to maintain health);</i></p>

<p>as shopping or laundry, and assistance is not otherwise available to you</p> <p>You need support to develop skills which you will need in order to look after yourself</p>	<p>Maintaining a habitable home environment – <i>(guidance includes keeping home clean and safe, also maintaining amenities gas, electricity, water).</i></p> <p>Managing and maintaining nutrition [does this include shopping or ordering food?]</p>
<p>You need community care services to maintain your employment or improve your chances of getting a job</p> <p>You are finding it very difficult to access or maintain your principal daytime activity e.g. working or learning, without some assistance. In many cases responsibility for assisting you to maintain employment will rest with your employer or with the Department of Work and Pensions</p> <p>You require time-limited assistance to take up, or continue with, job related training or education or learning opportunities</p>	<p>Accessing and engaging in work, training, education or volunteering <i>(guidance includes physical access and support to take part in activity).</i></p>
<p>You need help to retain your support networks</p> <p>You are isolated and need help to access or maintain any social support systems or relationships.</p>	<p>Developing and maintaining family or other personal relationships <i>(Guidance includes if s/user is lonely or isolated because of their needs)</i></p>
<p>You need help to maintain essential family responsibilities</p> <p>You are sometimes unable to care for dependants</p>	<p>Carrying out caring responsibilities the adult has for a child.</p>
	<p>Making use of necessary facilities or services in the local community including public transport and recreational facilities or services <i>(guidance includes transport to attend health care appointments but not access to patient transport which is an NHS service)</i></p>

Differences and Potential Impact

Physical and Mental Health Needs

FACs 2010 highlights physical and mental health as eligible needs if they are likely to deteriorate and this poses a moderate risk to their safety, independence or safety of others in the next 2-3 months without support.

Maintaining physical and mental health, are not specified as required outcomes in the Care and Support (eligibility criteria) Regulations. However the most likely reason for someone not being able to achieve two or more of the 10 specified outcomes is deterioration in physical or mental health. And a person will only be considered under the national eligibility criteria, if their needs arise from or are related to 'a physical or mental impairment or illness'. Therefore I do not think this change will impact on service-users who meet this moderate need criteria under FACs 2010 not being eligible under the National minimum eligibility criteria.

Language to describe degree of difficulty

The Care Act definition of being 'unable' includes someone being able to manage an outcome independently if doing so;

- causes them 'significant pain, distress and anxiety',
- endangers or is likely to endanger the health or safety of themselves or others or
- it takes them significantly longer than would normally be expected
- AND has a 'significant' impact on wellbeing.

Moderate need under FACs 2010 uses the following phrases 'you have some difficulty with' 'you are finding it very difficult to', 'you are sometimes unable to' to encompass people who may be able to meet a need independently but have difficulty with this (for example due to pain, distress, anxiety, it taking a long time which causes problems or it puts the person or someone else at risk). The 'difficulty' was not as clearly defined as in the Care Act 2014 so this may be an area where some eligible under FACs with a moderate need, may not be eligible.

The term 'significant' will be open to interpretation and is likely to be subjective from the point of view of the assessor and the service-user and carer. This however also applies to the terminology of 'difficulty' in FACs 2010 so challenges on this basis are as likely under either system.

Caring for Dependents

FACs 2010 takes account of difficulties caring for 'dependents' which could include dependent adults.

The Care and Support (Eligibility Criteria) Regulations only covers caring responsibilities 'an adult has for a child'. The assumption here is that the child is someone under 18 and therefore not another adult (so does not necessarily include and dependent adult son or daughter).

If someone was eligible for support under FACs 2010 for help to support an adult dependent, they may not be eligible under the new criteria but they would still be able to seek support in the role of carer, particularly as the definition of a carer in the Care Act 2014 is no longer time or task dependent. Therefore it's unlikely any support provided in these circumstances would be withdrawn.

Accessing and using community and recreational facilities

This outcome is in the new eligibility criteria but not in FACS 2010 which could potentially contribute to some people becoming eligible if this outcome and one other had a significant impact on their wellbeing, whilst under FACS 2010 they would not. It may be difficult to assess how many more people may become eligible under this outcome if the issues of access to recreational and community facilities are not registered in past assessments or decisions on eligibility.

It may however increase the number of people who are eligible for social care support.

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The following is an analysis of case studies of service users who meet the current “upper moderate” criteria in FACs and looks at whether they would be eligible under the new national minimum criteria to be introduced in April 2015. It should be stressed that once an individual is assessed as eligible, there might be various ways to meet needs which do not only include the provision of services by LBI on an ongoing basis. Also, eligibility should be assessed without reference to any care provided by a carer. What the carer can or cannot do only comes into the equation after the eligibility decision during the care and support planning stage.

Case Details	“Upper Moderate”	New National Criteria
81 year old female, lives alone. Has type 2 diabetes, emphysema, RA, OA, Hypothyroidism, Breathing difficulties	Upper moderate in relation to managing home and safety/neglect (daytime)	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
70 year old male, heart problems, type 2 diabetes, previous stroke	Upper moderate in relation to ADLs, Health, Mental health, Safety	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
72 year old female, lives alone, some limited mobility	Upper moderate ADL, health, mental, health, Safety	Insufficient evidence in assessment to confirm eligibility, may only meet 1 outcome
66 year old female, MS, lives alone, fluctuating condition	Upper moderate ADL, safety	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
81 year old male, Frailty, Physical Health, social isolation	Upper moderate ADL, health, Social, Safety	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
49 year old female, lives alone, degenerative disc disease	Upper moderate ADL, Health, Mental Health	Insufficient evidence in assessment to confirm eligibility, may only meet 1 outcome
47 year old male, lives alone, HIV, peripheral neuropathy, depression	Upper moderate ADL, Mental health, Safety, Social	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
80 year old female, lives alone, RA diagnosed 30 years, non-weight-bearing, ulcerated legs	Upper moderate ADL	Significant deterioration since last application of eligibility, on current needs would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
97 year old female, lives alone, OA and poor mobility.	Upper moderate ADL, Social, Safety	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)
84 year old male, lives with wife, limited movement R arm and shoulder, neurological symptoms Parkinson's	Upper moderate ADL	Would meet at least 2 outcomes so would be eligible (assumes would have a significant impact if not met)

67 year old female, lives with husband. Poor mobility, brittle bones wears body brace	Upper moderate ADLs, Social, Safety, Managing home	Would meet at least 2 outcomes so would be eligible(assumes would have a significant impact if not meet)
78 year old male, lives alone, OA knees, hips, spine, limited mobility, 4 wheeled walker	Upper moderate ADLs, Social, Safety	Would meet at least 2 outcomes so would be eligible(assumes would have a significant impact if not meet)
87 year old male, lives alone, frailty, limited movement/mobility	Upper moderate ADLs, Health, Social, Mental health, Safety, Home	Would meet at least 2 outcomes so would be eligible(assumes would have a significant impact if not meet)
80 year old man, lives with wife, some limited movement in ability to dress and complete household tasks	Upper moderate ADLs,	Would likely only meet 1 outcome so may not be eligible



Report of: Executive member for Health and Wellbeing

Meeting of:	Date	Ward(s)
Executive	16 July 2015	ALL

Delete appropriate	as	Exempt	Non-exempt

SUBJECT: Health Visiting and Family Nurse Partnership Service

1. Synopsis

- 1.1 On 1st October 2015, responsibility for commissioning Health Visiting Services and the Family Nurse Partnership (FNP) programme will transfer from NHS England to local authorities.
- 1.2 The current NHS England contract, which will be novated to the Local Authority on 1 October 2015, will have an end date of 31st March 2016. This means the Local Authority will have to make provision for contracting these services after April 2016, either by re-procuring the service or by seeking an extension/ waiver to the current contract.
- 1.3 We are seeking approval for a 12 months waiver, from April 2016 to March 2017, to allow time to review the service and to develop a service model focused on the delivery of key local priorities, including the development of an integrated early years workforce focused on improving outcomes for Islington children and their families. This waiver period will also allow for the procurement timetables for health visiting and FNP services to be aligned with those of school nursing services, as part of our Procurement Strategy for Universal Child Health Services 0-19.
- 1.4 The value of the contract is £4,184,000 per annum for Islington (the duration of the waiver.)

2. Recommendations

- 2.1 To agree to a waiver of procurement rules in order to award a 12 month contract

extension for Health Visiting and Family Nurse Partnership Services, to Whittington Health NHS Trust, to the value of £4,184,000.

- 2.2 To note the reasons for the waiver, namely to allow the service to settle post transition, allow time to review the service delivery model in order to support the delivery of key local priorities and align procurement timescales with the School Nursing Service as part of our Procurement Strategy for Universal Child Health Services 0-19.

3. Background

- 3.1 Under the Health and Social Care Act (2012), responsibility for commissioning public health services for children aged 0-5 will transfer from NHS England to Local Authorities on 1 October 2015. This includes the following two services:

- Health Visiting Services.
- The Family Nurse Partnership (FNP) programme.

- 3.2 The provision of Health Visiting services by Local Authorities in five key areas has been mandated by Government in the Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) (Amendment) Regulations 2015. These are: the antenatal health promotion review; the new baby review; the 6-8 weeks assessment; the 1 year old assessment; and the 2 to 2 ½ year old review. The mandate will be for an initial period of 18 months following the transfer, until 31 March 2017.

- 3.3 The transfer of responsibility for the commissioning of health visiting is a significant opportunity for the Council and its partners to further ensure all children have the best start in life. Health visiting teams see every new mother and child born in Islington and are trained to identify needs, provide support and ensure mothers and families are engaged in other services where necessary. The service includes screening tests, immunisations, developmental reviews, and information and guidance for every family to support parenting and healthy choices. They are of fundamental importance to ensuring early child health (through delivery of the healthy child programme), safeguarding and delivering an effective early help service at the point in life when services can make the most difference to children's life chances.

The Family Nurse Partnership (FNP) is a small, dedicated and evidence-based health visiting service for pregnant teenagers and teenage mothers, which has been shown in many evaluations to transform the lives of parents and children. The FNP service covers structured home visits delivered by family nurses from early pregnancy to two years of age. This service has been provided in Islington since 2007

- 3.4 In Islington, both the Health Visiting and Family Nurse Partnership services are provided by Whittington Health. There are currently co-commissioning arrangements set up between Islington Council and NHS England through an Integrated Governance Framework.
- 3.5 Contract negotiations are currently taking place between NHS England and Health Visiting providers to agree a 12 months contract for these services from 1 April 2015 to 31 March 16. The contracts will be in the form of an NHS Standard Contract, with a deed of novation confirming that the contract will transfer to the Local Authority on 1

October 2015.

- 3.6 NHS England have confirmed there will be a “sunset clause” of 18 months at the point of transfer in relation to the five mandated elements. This means the Local Authority will be required by legislation to provide these five mandated elements for a period of 18 months following transfer.
- 3.7 This report seeks approval for a 12 month waiver, from April 2016 to March 2017 This will allow sufficient time for the service to settle post transition, allow time to review the service delivery model, in order to ensure the service is delivering key local priorities and align procurement timescales with the School Nursing Service, as part of our Procurement Strategy for Universal Child Health Services 0-19.
- 3.8 A pre-tender Executive report “Procurement Strategy for Universal Child Health Services 0-19” has already been approved by Islington Executive in January 2015. This report specifically seeks a 12 month waiver for the Health Visiting Service and FNP, as part of this wider procurement strategy.
- 3.9 In September, an Integrated Governance Framework (IGF) was agreed between NHS England and Islington Council, which allows NHS England and Islington’s Public Health, Children Services and Joint Commissioning teams to work together to commission health visiting services during the transition period, and to ensure there is continuity with existing commissioning and service development arrangements as responsibilities transfer to Islington Council in October 2015.
- 3.10 An Islington Health Visiting Transition Working Group has been established and meets regularly to undertake the joint commissioning of health visiting with NHS England. The steering group is chaired by the Assistant Director of Public Health and includes representatives from public health, children services, joint commissioning, Whittington Health and NHS England. The Steering Group has developed a transition action plan to work on the current and future service model for the Health Visiting service.
- 3.11 The current health visiting workforce in Islington is 49.36 WTE posts (September 2014), 16 WTE posts short of the “call to action” trajectory. The trajectory calculated by NHS London’s workforce for Islington by the end of March 2015 is 65.36 WTE. Performance of the health visiting current service is good in relation to DNA rates, coverage of new birth visits (90% are being completed within 14 days), high rates of coverage for childhood immunisation and a high quality breast feeding support programme. Key areas of challenge going forward are higher than average health visitor caseloads and problems with recruitment of trainee health visitors, which is a London wide problem. There is also a need to improve performance for one and two year health reviews, especially as these reviews will be part of the mandated service.
- 3.12 The Islington FNP programme is delivered by a well-established and stable team, comprising a service coordinator and four full time Family Nurses. The service co-ordinator also supervises the staff delivering the Camden FNP. The programme is overseen by a partnership FNP Board, chaired by Public Health.

4. Implications

4.1 Financial implications

The responsibility around commissioning of health visiting and family nurse partnership

services will pass from NHS England to the Council in October 2015.

The annual cost of health visiting and family nurse partnership services is £4.184m. From October 1st 2015 we will receive £2,092,000 for the services covering 1st October 2015 – 31st March 2016. The Council's allocation for funding the service will be confirmed as part of the Public Health grant settlement, to be announced later on in the year, although we do not expect this waiver to create specific cost pressure for the Council.

The Council's Public Health expenditure must be contained entirely within the grant funded cash limit indicated above. If any additional pressures are incurred management actions will need to be identified to cover this.

4.2 Legal Implications

The council has a duty to improve public health under the Health and Social Care Act 2012, section 12. The council must take such steps as it considers appropriate for improving the health of the people in its area including providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way) as well as providing services or facilities for the prevention, diagnosis or treatment of illness (National Health Service Act 2006, section 2B, as amended by Health and Social Care Act 2012, section 12 and Regulation 2013/351 made under the National Health Service Act 2006, section 6C). Therefore the council may establish a contract for the provision of health visiting and family nurse partnership services.

These services are subject to the light touch regime set out in Regulations 74 to 77 of the Public Contracts Regulations 2015 (the Regulations). The threshold for application of this light touch regime is currently £625,050.00. The value of the proposed contract is above this threshold. It therefore ought to be advertised in the Official Journal of the European Union (OJEU). There are no prescribed procurement processes under the light touch regime. Therefore the council may use its discretion as to how it conducts the procurement process provided that it: discharges its duty to comply with the Treaty principles of equal treatment, non-discrimination and fair competition; conducts the procurement in conformance with the information that it provides in the OJEU advert; and ensures that the time limits that it imposes on suppliers, such as for responding to adverts is reasonable and proportionate. The council's Procurement Rules require contracts over the value of £100,000 to be subject to competitive tender.

In extending the existing contract with Whittington Health NHS Trust without transparency or competition, as proposed in the report, there is a potential risk of procurement challenge. This is because the value of the extension is significant, being £4,184,000 over the proposed period of 12 months. However, this risk is mitigated to some extent by the procurement strategy approved by the Executive at its meeting on 15th January 2015 for the procurement of Universal Child Health Services 0-19. It is likely that the benefits of the approach recommended in the report are, however, likely to be greater than the potential risks.

4.3 Environmental Implications

An environmental impact scoping exercise has been carried out and it was identified that the proposals in this report would have no impacts on the following:

- Use of natural resources
- Climate change adaptation
- Biodiversity
- Pollution.

The scoping exercise identified that there may be negative impacts on:

- Energy use and carbon emissions
- Travel and transportation
- Pollution
- Waste and recycling.

The main environmental impacts of the Health Visiting Service and the Family Nurse Partnership contract are related to transportation and waste. The service requires Health Visitors to make home visits with equipment that is not easily transported using public transport, meaning they will use their own vehicles, which generate emissions and contribute to congestion. The emissions can be mitigated by encouraging staff to use low emission vehicles and by optimising journeys through route planning and co-ordinating visits. Clinical waste is produced in clinics run by the service in the form of sharps, and appropriate storage and disposal will be required.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

The RIA has been completed. Its main findings are that there will be no negative impact across the community and that there will be some positive impact within many areas of those residents within the protective Characteristics as defined in the Equality Act 2010.

5. Conclusion and reasons for recommendations

- 5.1 It would be extremely difficult for the local authority to achieve procurement timescales for a new service starting in April 2016, especially as commissioning responsibility currently sits with NHS England and will not legally transfer to the Council until 1 October 2015.
- 5.2 Although there is a co-commissioning arrangement in place, this is very recent and the local authority has only recently started receiving information on service workforce and performance. More time is needed for commissioners in the local authority to review current performance and the service delivery model required going forward, to support the delivery of key local priorities and to develop a commissioning strategy for these services which best meets the needs of our local population

- 5.3 A review of the service is planned over the next few months, including identifying options for increasing efficiencies and effectiveness and improving outcomes, including the provision of mandated elements.
- 5.4 Funding for these services has only been confirmed for the initial 6 months following transition. The Health Visiting Service and the FNP allocation for 2016/17 will be announced later on in the year as part of the overall public health grant allocation for 2016/17. It would be difficult to start a procurement process immediately without knowledge of the future budget for the service
- 5.5 The 18 months sunset clause attached to the transfer in relation to the mandated elements (until March 2017) means that the local authority would not be able to significantly alter the service specification until after April 2017.
- 5.6 Reviewing and rethinking Islington Council's strategic approach to the commissioning of these important universal child public health services requires sufficient time to develop well-planned, needs-led and evidence based approach. Not agreeing this waiver would mean that there would not be time to develop this more strategic commissioning approach.
- 5.7 Therefore, given the time constraints, the ongoing reviews of the service model and performance as well as constraints around the mandated elements, a 12 month extension from 1 April 2016 to 31 March 2017 is recommended for both health visiting and the FNP in Islington.

Appendices: None

Background papers: None.

Final report clearance:

Signed by:



Executive member for Health and Wellbeing Date: 2 July 2015

Report Author: Mark Watson
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Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All
Delete as appropriate	Exempt	Non-exempt

SUBJECT: Communal Heating Consultation Results – June 2015

1. Synopsis

- 1.1 This report provides feedback on the heating season consultation carried out in April 2015. It recommends a heating policy that is in line with residents' preferences and will ensure our residents stay warm throughout the year.

2. Recommendations

- 2.1 To note the responses received to the consultation.
- 2.2 Subject to recommendation 2.3 below, to approve the continuation of the current policy of providing communal heating for 36 weeks per year (October to May).
- 2.3 To approve provision of heating to the Spa Green and Kings Square estates in June and September (when external temperatures drop below 16 degrees centigrade), at no additional charge due the poor thermal performance of these blocks, which is significantly below that of other estates.
- 2.4 To approve the cessation of the additional charge for overnight heating to Spa Green residents and to approve the refund to current residents of the amounts paid for overnight heating from 1 April 2012.

3. Background

- 3.1 The council is committed to ensuring that residents stay warm in their council dwellings throughout the year. Communal heating is a key tool to help achieve this. Communal heating and hot water are currently provided at 48 gas fuelled boiler sites to 4000 homes. Communal heating has a range of benefits; it provides cheaper, greener heat than individual boilers, helps to protect tenants and leaseholders from big increases in energy prices, and prevents damp and condensation.
- 3.2 The current communal heating policy was agreed in October 2010 following resident consultation in the summer of that year. The current policy is that heating will be provided for 36 weeks of the year and operate for 18 hours per day where the boiler functionality allows this. Heating is turned on during late September and turned off towards the end of May. Within this period heating is provided between 6am and 12am (midnight).

- 3.3 In response to feedback from some residents that they sometimes felt the temperature was too low in June and September, the council consulted residents in April 2015 on extending the heating season into June and earlier in September when the outside temperature drops below a certain level. Not all of the council's communal boiler houses are able to be programmed in this way so the consultation was only sent to 1781 residents where the boiler houses have this option.

4. Results of 2015 consultation exercise

- 4.1 447 responses were returned giving a response rate of 25%, of which 424 expressed a preference for one of the three options offered. The consultation options and results are set out in the table below.

All Estates	%increase in heating costs	Number voting for this option	% of respondents voting for this option
A. Current arrangement no heating provided in summer months	0.0%	218	51.4%
B. Heating provided in June and September when daytime outside temperature drops below 16 degrees Celsius	5.3%	125	29.5%
C. Heating provided in June & September when the daytime outside temperature drops below 18 degrees Celsius	7.2%	81	19.1%
Total voting		424	100%

- 4.2 A very slight majority of residents who chose an option opted for no heating in June and September. The majority of residents did not respond to the consultation at all, which may suggest that they are also in favour of no change. If the residents from Spa Green and King Square are stripped out of the table above the percentage in favour of no change increases to 55%.

5. Thermal performance at Spa Green and Kings Square

- 5.1 The council has undertaken an exercise to assess the energy efficiency of its communally heated housing. This affects whether the buildings stay warm overnight in winter and during cooler weather in the summer when the heating is turned off. This exercise has demonstrated that due to their construction Spa Green and Kings Square lose a lot more heat than our other communally heated estates, with Spa Green being the least able to retain heat.
- 5.2 Feedback received from the recent consultation, feedback from the 2014 summer heating hours pilot, and complaints about heating also confirm that residents on these estates feel colder than residents in other communally-heated properties.
- 5.3 To make things fairer for these residents it is recommended that heating is provided to Spa Green and King Square estates during June and September at no additional cost to the residents. This heating will come on when the daytime temperature drops below 16 degrees centigrade. The new policy would be introduced from September 2015. This is in recognition that the residents at Spa Green and King Square have no control over the energy efficiency of their home. This small cost will be absorbed into the pooled heat charges for communal heating, and evened out across tenants' bills. This is in the same way that other variations such as different boiler efficiency are evened out across the heat charges pool, ensuring fair charges for all tenants.

- 5.4 Different heating hours are currently in place at Spa Green Estate. Heating is provided for an additional 6 hours overnight and residents pay an increased charge for this. This was introduced following a Spa Green-specific consultation in 2011. In recognition of the particularly poor thermal efficiency of the Spa Green estate it is recommended that this additional level of heating is maintained but that the additional charge is removed from September 2015. It is recommended that current council tenants are refunded the additional amount that they have been paying since this policy was introduced in April 2012.

6. Implications

6.1 Financial Implications

The financial implications are summarised below:

6.1.1 Spa Green and Kings Square summer heating costs

The additional cost of gas for the provision of heat in June and September when outside temperatures drop below 16 degrees, estimated at 5.3% increase in gas usage, is approximately £15,000 per year.

Spread over the whole heat charges pool the cost of the summer heating provision on these two estates is estimated to be between £5.00 and £5.50 per year or between 10p and 11p per week per tenant.

6.1.2 Removing the additional charge for Spa Green

If applied from September '15 this would save each Spa Green tenant approximately £45 per year. The income to the heating pool would be reduced by £4k per year. The cost to the rest of the heating pool would be approximately £1.35 per year or 2 pence per week for each tenant.

6.1.3 Refunding Spa Green tenants the additional amount they have paid since 2012

The total cost would be £17k. Each current tenant would receive approximately £190. The cost of this refund will not be added to tenants' heating bills.

6.2 Legal Implications

- 6.2.1 The council is required to consult its secure tenants on its proposals regarding housing management matters (section 105 Housing Act 1985). A matter is one of housing management if it relates to the provision of services or amenities in connection with dwellings and therefore would include options for proposed changes to the operation of the communal heating system. Whilst the obligation to consult does not extend to leaseholders it is reasonable for the council to include them in the consultation exercise.

- 6.2.2 Accordingly, the Executive should have full and proper regard to the consultation responses before making any decision on the communal heating policy. Tenants will need to be given four weeks' notice if a charge in the policy results in an increase in heating charges.

- 6.2.3 It would be reasonable for the Executive to decide to extend the heating season only on the Spa Green and Kings Square Estates given the poor thermal performance of the blocks on those estates.

- 6.2.4 The council has a fairly wide discretion as to the level of its heating charges provided that they are reasonable. The Executive may reasonably decide not to charge residents of Spa Green and King's Square estate for additional heating and to refund charges paid by Spa Green residents provided it is satisfied that the additional heating is necessary to deliver a similar level of temperature in their dwellings to that enjoyed by residents of other communally heated estates.

6.3 Environmental Implications

- 6.3.1 Providing additional heating to residents of the Spa Green and Kings Square estates during June and September will result in an increase in CO₂ emissions and also affect air quality in the area. A longer-term solution to the problems experienced by residents of these estates could be to carry out insulation

works to the buildings, which will significantly improve their thermal performance and possibly negate the need for the additional heating.

6.4 Resident Impact Assessment

- 6.4.1 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 6.4.2 The recommendations in this paper will help to ensure that residents are provided with their preferred amount of heating throughout the year. It will also help to ensure that residents on the Spa Green and King Square estates pay a fair amount for heating that will keep them warm throughout the year. This will have a positive impact on elderly people, young children, those with disabilities, and those from BME backgrounds – all of whom are more likely to live in our accommodation.

7. Conclusions and Reasons for Recommendations

- 7.1 This report recommends a heating policy that will improve fairness by helping to ensure all residents in communally-heated properties stay warm throughout the year. All tenants will pay the same for their heating service. This follows the principles of 'pooling' used for all other council service charges.

Final report clearance:

Signed by:



Executive Member for Housing and Development

Date: 2 July 2015

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Report of: Executive Member for Health and Well-Being

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All

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SUBJECT: Procurement Strategy for Substance Misuse Residential Detox and Rehabilitation Services

1 Synopsis

- 1.1 This report seeks pre-tender approval for the procurement strategy in respect of Substance Misuse Residential Detox and Rehabilitation in accordance with Rule 2.5 of the Council's Procurement Rules.
- 1.2 These services play a key role in promoting recovery and reducing the harm caused by alcohol and drug misuse which are significant causes of health inequalities in Islington. Residential detox and rehabilitation services enable people who have significant needs to cease their substance abuse, in order to avoid the psychological, legal, financial, social, and physical consequences that can be caused through their substance misuse.
- 1.3 The contract to be re-procured is for residential detox and rehabilitation services for drug and alcohol users under a framework agreement in collaboration (joint procurement) with the London Borough of Camden. It is anticipated that jointly commissioning these services with Camden will result in greater value for money, improved treatment outcomes and a wider choice for Camden and Islington residents.

2 Recommendations

- 2.1 To approve the procurement strategy for a Residential Detox and Rehabilitation framework as outlined in this document.
- 2.2 To delegate to the Corporate Director of Public Health, in consultation with the Executive Member Health and Wellbeing, the authority to award the contracts to the successful tenderers.

3 Background

Nature of the service

- 3.1 Substance misuse (alcohol and drugs) is a cause of considerable harm to the health and wellbeing of Islington residents. In terms of alcohol, around one in three residents are estimated to drink at increased or high risk levels. The borough also has one of the highest levels of incapacity benefit claimants for alcoholism in London. Islington has the largest number of people accessing alcohol misuse treatment in London reflecting these high levels of population need. Islington has the second highest rate of opiate and crack use in London and the number of non-opiate users attending treatment is also increasing. Drug and alcohol use has a significant impact on health services, crime and community safety and is an important contributor to adult and children's social care needs.
- 3.2 The impacts of substance misuse are felt across the population, and the evidence base shows investment in drug and alcohol service results in a strong and substantial return on investment. For example:
- The National Audit Office estimates that £2.50 is saved for every £1 invested;
 - It is estimated that if all drug users who started their recovery in 2010-11 sustain it, the estimated benefit would be £2.6bn;
 - For every £100 invested in drug treatment services a crime is prevented making treatment an effective intervention in crime reduction as well as community safety and health improvement.
- 3.3 Residential detox and rehabilitation provision (which is also referred to as tier 4 treatment) is for clients who experience a number of complex issues that make achieving abstinence through community based support challenging. Residential rehabilitation services, which are often run by voluntary and private sector organisations, are a key part of a recovery focused treatment system (these organisations are geographically spread across the country and largely outside of London). They offer structured programmes that may include psychosocial interventions, individual and group therapy, education and training and social and domestic skills. The common factors for this provision are that residents stay overnight for a period of time at the facility to receive treatment and they are expected to be drug and alcohol free before they start the programme. Detox clients receive a medically assisted withdrawal from opiates or alcohol, often before moving on to residential rehabilitation.
- 3.4 It is proposed that the new services will be delivered through a framework. The framework agreement is an overarching contract setting out a clear and robust expectation for quality and outcomes and a set price for the interventions delivered. There is no upper limit to the number of providers on the framework, all providers who meet price and quality criteria will be invited to join. All placements are funded on a spot basis, no block or retainer fee is paid.
- 3.5 The new service will be accessible by people who meet the eligibility criteria under the Care Act and who are over the age of 18. All providers are required to be Care Quality Commission (CQC) registered. It is expected that people under the age of 18 who would require residential treatment would be placed outside the framework due to the limited and highly specialist nature of interventions for this age group. People will be able to access residential treatment at any point of their treatment journey as part of an integrated offer of care with total abstinence of drugs or alcohol as one of the intended outcomes.
- 3.6 The proposed service will deliver high quality, recovery focused, interventions for Islington residents. This will support delivery of the objectives of the Islington Fairness Commission by contributing to a reduction in inequalities in the borough and the Health and Well-Being Board

priority of *preventing and managing long term conditions to enhance both length and quality of life.*

3.7 The contract consists of 6 lots:

- Lot 1 – Crisis Detox: Medically assisted withdrawal from opiates for the most vulnerable clients, e.g. those who are street homeless, most people self-refer. Crisis detox is for clients who have identified an immediate crisis that they are experiencing in the community. This is done by using a model of crisis intervention - a place of safety, high level of staff interventions and a focus on the current problems and solutions.
- Lot 2 - Detox with 24 hour cover: Medically assisted withdrawal from opiates or alcohol; intended to remove the physiological effects of the addictive substances.
- Lot 3 – Detox (Medically assisted withdrawal from opiates or alcohol with a short stay (up to 12 weeks)); with Primary rehabilitative programme focusing on intensive therapeutic interventions. The therapeutic interventions that can be offered include cognitive behavioural therapies, motivational therapies, coping strategies, relapse prevention and psychological therapies.
- Lot 4 – Primary rehabilitative programme (a short stay - up to 12 weeks): focusing on intensive therapeutic interventions and the immediate responses for becoming drug/alcohol free. The therapeutic interventions that can be offered include cognitive behavioural therapies, motivational therapies, coping strategies, relapse prevention and psychological therapies.
- Lot 5 - Secondary stage rehabilitation programme (up to 12 weeks): focusing on the development of life skills, reintegration through education training or employment-focused needs; the skills required to sustain a drug-free lifestyle while still receiving intensive support from the programme. Individuals move onto secondary stage when they have successfully completed the primary stage.
- Lot 6 – Complex: e.g. Dual Diagnosis and women who are pregnant.

3.8 Providing access to residential rehabilitation treatment is an integral part of commissioning a local drug treatment system. National guidelines state substance misuse commissioners are responsible for ensuring that people who need residential detox and rehabilitation can access a range of services according to their needs.

3.9 In 2014/15 activity for rehabilitation showed 112 people received one of these packages (with or without detox).

The successful completion rate for residential rehabilitation (the services in scope for this framework) was 39% in 2014/15, based on data received via the NDTMS. Whilst this is below the national average, which was 54%, issues with data completeness mean it is likely local performance is better. Commissioners are investigating this issue. In addition, there is an action plan to develop more robust contractual arrangements with providers in year which will build in greater assurance that outcome data are recorded accurately and in a timely fashion. The proposed framework will further improve the management of these residential detox and rehabilitation providers by including a provision to remove those who fall below the agreed target for successful treatment completions.

3.10 Currently, residential rehabilitation in Islington is spot purchased on a client by client basis. Planned detoxes are purchased via a framework agreement held by the Tri-Borough (Hammersmith & Fulham, Westminster and Kensington and Chelsea). The detox framework arrangements end in March 2016. The crisis detox service which is commissioned on a block contract basis with City Roads will also end in March 2016.

Estimated Value

3.11 The current budget for residential treatment in Islington is £590k per annum. There is a further budget allocation of £385K per annum for the provision of detoxification (including

inpatient health care provided detox which is excluded from this procurement) and £42K for crisis detox. The total budget for substance misuse residential detox and rehabilitation in Islington is currently £1,017,000.

- 3.12 The actual spend for this service over the last 2 years is given in table 1. The variation in spend reflects the variation in annual demand for different packages of residential rehabilitation care, which is spot purchased. The proposed move to a framework will provide greater stability in spend as prices of care will be agreed in advanced during procurement.

Table 1: Spend on residential rehab and detox for substance misuse, 2013-14 and 2014-15

	2013-2014	2014-2015
Social Care Drugs (funds residential rehab placements)	£650,000	£475,400
Crisis Detox (block contract with City Roads)	£42,106	£42,106
Inpatient Detox Framework	£346,254	£343,894
Total spend	£1,038,360	£861,400

- 3.13 The re-procurement of the residential rehabilitation framework is part of the wider Public Health Substance Misuse Transformation Programme to ensure the delivery of high quality, accessible substance misuse services, that better meet and respond to the changing needs of Islington’s population with substance misuse problems. The transformation programme will deliver a total of £2,529,000 savings by 2017/18.
- 3.14 A benchmarking exercise carried out to compare cost of the residential rehabilitation service in Islington and Camden. Taking account of the comparable levels of need, it is expected that Islington’s expenditure on residential detox and rehabilitation treatment will reduce significantly if the recommended option for procuring a framework with the London Borough of Camden is accepted. This exercise showed that the framework could be expected to save between 15% - 40% when compared to spot placement charges at the same providers.
- 3.15 The planned maximum cost for residential detox and rehabilitation services under the new proposed arrangement will initially be set at £795K for year 1 (2016/17); from year 2 the budget will be reduced by £50k, resulting in a total annual budget of £745k from 2017/18. The total maximum cost to Islington Council of the framework for four years is £3.03m
- 3.16 An additional £50k budget allocation will be required to fund inpatient health care provided detoxes which are outside of the scope of the residential detox and rehabilitation framework. This budget will fund detoxes for individuals with complex physical health conditions who will require 24 hour medical supervision whilst detoxing – a need that cannot routinely be met by the anticipated providers on the framework. Therefore, the total budget in 2016/17 for all detox and rehabilitation (in and out of scope of this procurement) will be £845,000 and in years 2-4 (2017-18 to 2019/20) it will be £795,000 per annum.
- 3.17 Islington will realise an initial £172k recurrent saving in 2016/17 and a further minimum recurrent saving of £50k per year in the subsequent three years of the framework agreement (£322k saved over the 4 year contract term).
- 3.18 This is a significant reduction to the current Islington budget for these services. In order to ensure this reduced budget is managed effectively, a panel process will be established with key stakeholders. The panel will review eligibility and agree funding for packages of care through the framework on a case by case basis. It will provide a robust process for decision making for substance misuse residential detox and rehabilitation placements, ensuring these decisions are based on a robust assessment of need that is based on a clear evidence based and to ensure due diligence for funding arrangements without compromising quality of care.

3.19 The budget and potential savings will be reviewed annually based on demand for residential based interventions which is anticipated to reduce. The work commissioners are undertaking as part of the substance misuse transformation programme aims to develop a pathway with more abstinent focussed recovery opportunities within the local community. It is anticipated this will result in a further reduction in need for residential rehabilitation and detox.

3.20 There are no other financial implications that are not covered in the financial implications section.

Timetable

The key dates:

Milestone	Date
Procurement Board	28 May 2015
Report to Joint Board	23 June 2015
Report to Executive	16 July 2015
Service Specification finalised	22 July 2015
Advertise and invitation to tender	29 July 2015
Tender close, compliance checks and evaluation	30 September – TBC 2015
Award	TBC
Current Contracts expire	31 March 2016
Contract Start	1 April 2016

Options appraisal

3.21 The options for consideration are:

- Option 1: Do nothing. The current framework with the Tri-boroughs and the crisis detox contract end in March 2016. Unless procurement takes place, access to all residential treatment provision will be funded as on spot placements. This will cost Islington considerably more and will have less impact in assuring that certain quality thresholds and minimum monitoring requirements are maintained. Available benchmarking evidence shows that this is a more costly way of providing these services.
- Option 2: Procure services alone for residential detox and rehabilitation (without Camden). This would limit the opportunity to negotiate best prices with providers based on higher anticipated volume of activity that will occur as a result of procuring as two boroughs.
- Option 3: Procure a new residential treatment framework in partnership with Camden, to include crisis detox provision previously commissioned under a block contract. This will achieve better value for money across both boroughs and will increase the choice of access for residents who require these types of services. Noting the key role that residential rehabilitation services play in the overall treatment pathway, it is anticipated that the levels of activity will stay similar. However, the overall cost of activity is anticipated to reduce as the new framework will include more specialist provision e.g. for women who are pregnant, which is currently procured outside the framework at a high cost. The framework agreement and service specification will give Camden and Islington the opportunity to put in place minimum quality and reporting requirements. This will ensure that these services align with local integrated community substance misuse pathways.

3.22 **Option 3 is the preferred approach.** The development of a joint framework with Camden, including a standard specification and agreed quality criteria will deliver the best quality and value for money for Islington residents.

3.23 Other London boroughs were invited to take part in the framework agreement; there were

limited expressions of interest. However of those boroughs who did express an interest it was not possible for them to align their processes according to our timetable. In addition, we have considered staying in the Tri-Borough Framework, however benchmarking indicates collaboration with Camden provides greater value for money than staying within the current arrangements. There is scope for other boroughs to adopt the Camden and Islington framework for their own local procurement. Joint contract review processes would allow value for money to remain under review should other boroughs choose to pursue this option.

3.24 It has been agreed that Camden will lead the procurement process, but as with other joint procurements, there will close collaboration with procurement teams in both boroughs - all decisions will be made jointly. Islington's governance arrangements have been built into the timeframe for the procurement.

Key Considerations

3.25 The proposed service will bring the following benefits:

- Reduce the harms of drug and alcohol misuse by supporting the continued access for those that require detox and residential treatment and gaining successful outcomes in terms of treatment completion.
- Sustained abstinence and successful reintegration into work and their communities for individuals who successfully leave residential detox and rehabilitation services.
- Improved health and wellbeing outcomes for Islington residents affected by their own or someone else's substance misuse.
- Contribute to actions to reduce drug and alcohol related crimes, sexual violence, anti-social behaviour and wider health inequalities.
- Anticipated savings to NHS and Local Authority through a reduction in A&E visits and inappropriate hospital admissions.
- Better value for investment through a standardised service specification and agreed price.

London Living Wage, TUPE and staffing implications

3.26 Providers will be expected to pay staff the living wage (or the London living wage for those based in London). There are no TUPE implications.

Economic, social and environmental sustainability

3.27 The investment is entirely spent on interventions to improve the lives of adults misusing drugs and alcohol, their families and the wider community.

3.28 Economic, social and environmental sustainability will be considered as part of the tender evaluation.

Evaluation

3.29 The recommended contracting procedure for this service is a one stage open tender process. These services will be purchased via a framework arrangement. There will be no upper limit to the number of providers able to join as long as they meet the price and quality criteria.

3.30 Based upon the assessment of the market and the strategic direction of the service, it is recommended that a contract term is 4 years. This is the standard duration of framework agreements.

3.31 Camden will be the lead authority in this tender process however

3.32 Potential Tender award criteria, subject to further development and refinement, are set out below:

Tender Award Criteria Total	Total
Cost	60%
Quality	40%
Quality breakdown	
Service Methodology and Partnership Working	17%
Service Outcomes, Quality, Assurance and Performance Management (<i>incorporating Social, Economic and Environmental Value where relevant</i>)	13%
Proposed Staffing and Workforce Management	10%

3.33 As part of the procurement process, providers will be given maximum prices for the types of interventions that Islington and Camden expect to be provided within each lot. Providers who demonstrate the lowest costs and highest quality will be placed the highest on the framework and are likely to receive more business. Reducing costs and spend is an integral part of this proposal as set out above.

3.34 It is anticipated that bids received will be awarded on the basis of 60% cost and 40% quality. This overall score will be used to order providers on the framework (as described above). The service workforce will include clinical and non-clinical staff that are skilled and appropriately supervised to offer clinically appropriate and recovery focussed interventions in residential settings detailed in national guidelines. The clinical quality of provision will be assured by the Lead Clinician at Camden and Islington NHS Foundation Trust who will review the clinical governance arrangements and prescribing protocols of providers put forward to the framework. In addition commissioners will agree a robust monitoring approach with the framework providers to assure consistent high quality service.

Business Risks

3.35 There are few business risks with this procurement as there are no premises or staff issues to take into consideration. The business risks associated with this procurement are:

1. Insufficient number of bidders: The recent market engagement event and the feedback from the recent survey suggest there are a sufficient number of providers able to deliver these services. Available rates will be informed by market research to ensure they remain commercially viable whilst delivering best value for money for Islington.
2. Delay with approval of award in Camden or Islington: Any delay could impact on the start date of the service. Dates have been discussed and agreed in both boroughs.
3. Changes to available resource may impact the funding available from April 2016. The service is funded from Public Health Grant. This funding is ring fenced in local authorities until 2015/16. Savings have already been identified in respect of public health transformation programme. The re-procurement of the residential treatment framework takes place in the context of overall PH service transformation that will improve recovery opportunities in the community. It is anticipated that this should reduce the demand for the more expensive residential treatment and thereby supporting further savings from the substance misuse treatment pathway.

3.36 There are no service user implications to be considered as the full range of services will be available as they are currently. Collaboration with service users will be used throughout the selection and the award processes. Commissioners have engaged with users of services and providers during the project development. The recommendations from users of services and feedback from market testing has helped to shape the service outcomes and approach to procurement. Feedback from users includes users wanting a wider range of options of

residential treatment to better meet differing needs. This has been addressed by increasing the options (lots) available. Service users also wanted clear information around access and support, with residential treatment being more integrated within the wider pathway including community services. This has been addressed within both the specification for the residential rehabilitation services and also the specification for the specialist treatment services which are currently being developed. Camden and Islington will collaborate further with users of services during the procurement process; feedback will be sought on the quality criteria, and user representatives will be invited to join the tender evaluation and award panel.

3.37 The Employment Relations Act 1999 (Blacklist) Regulations 2010 explicitly prohibit the compilation, use, sale or supply of blacklists containing details of trade union members and their activities. Following a motion to full Council on 26 March 2013, all tenderers will be required to sign the Council's anti-blacklisting declaration. Where an organisation is unable to declare that they have never blacklisted, they will be required to evidence that they have 'self-cleansed'. The Council will not award a contract to organisations found guilty of blacklisting unless they have demonstrated 'self-cleansing' and taken adequate measures to remedy past actions and prevent re-occurrences. The adequacy of these measures will initially be assessed by officers and the outcome of that assessment will be reviewed by the Council's Procurement Board

3.38 The following relevant information is required to be specifically approved by the Executive in accordance with rule 2.6 of the Procurement Rules:

Relevant information	Information/section in report
1 Nature of service	Residential detox and rehabilitation services: see 3.2-3.7
2 Estimated value	£3,030,000: see 3.15
3 Timetable	See 3.20
4 Options appraisal for tender procedure including consideration of collaboration opportunities	See 3.21
5 Consideration of: Social benefit clauses; London Living Wage; Best value; TUPE, pensions and other staffing implications	Social benefit clauses: the investment is entirely spent on the interventions that aim to improve the lives of adults misusing drugs and alcohol, their families and the wider community. Living wage will be part of the terms and conditions of the services being commissioned (London Living wage where appropriate) There are no TUPE implications See paragraph 3.5
6 Evaluation criteria	The evaluation criteria of 40% quality and 60% costs will be used. See paragraph 3.6
7 Any business risks associated with entering the contract	See 3.26-3.28
8 Any other relevant financial, legal or other considerations.	None

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4 Implications

4.1 Financial implications:

The current budget earmarked by Islington for the procurement of Substance Misuse Residential Detox and Rehabilitation Services is £1.017m p.a. This is funded primarily from Public Health grant with £225k funding from Adult Social Care.

This procurement should achieve savings of at least 15% and as such any award should not create a budget pressure for the Council.

Providers will be required to ensure that all staff working on this contract are paid at least the London Living Wage.

To avoid future financial pressure for the Council, this contract would need to have a termination clause which allows the ending of this contract if it becomes unaffordable.

4.2 Legal Implications:

The council has a duty to improve public health under the Health and Social Care Act 2012, section 12. The council must take such steps as it considers appropriate for improving the health of the people in its area including providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way) as well as providing services or facilities for the prevention, diagnosis or treatment of illness (National Health Service Act 2006, section 2B, as amended by Health and Social Care Act 2012, section 12). Therefore the council may provide services in relation to substance misuse and residential detoxification and rehabilitation services as proposed in this report. The Council has power to enter into contracts under section 1 of the Local Government (Contracts) Act 1997. The Executive may provide Corporate Directors with responsibility to award contracts with a value over £500,000 (Procurement Rule 14.2). The Council has power to undertake a joint procurement exercise with another local authority under section 111 of the Local Government Act 1972 which provides the power for the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

The public health services being procured are subject to the light touch regime set out in Regulations 74 to 77 of the Public Contracts Regulations 2015 (the Regulations). The threshold for application of this light touch regime is currently £625,050.00. The value of the proposed contract is above this threshold. It will therefore need to be advertised in the Official Journal of the European Union (OJEU). There are no prescribed procurement processes under the light touch regime. Therefore the council may use its discretion as to how it conducts the procurement process provided that it: discharges its duty to comply with the Treaty principles of equal treatment, non-discrimination and fair competition; conducts the procurement in conformance with the information that it provides in the OJEU advert; and ensures that the time limits that it imposes on suppliers, such as for responding to adverts is reasonable and proportionate. Following the procurement a contract award notice is required to be published in OJEU. The council's Procurement Rules require contracts over the value of £100,000 to be subject to competitive tender.

The joint procurement led with Camden council will need to ensure compliance with the requirements of the light touch regime in the Regulations and the council's Procurement Rules, including the need to advertise a call for competition in OJEU and procure the services using a competitive tender process.

4.3 Environmental Implications

The environmental implications of Substance Misuse Residential Detox and Rehabilitation Services are those associated with residential living, i.e. energy and water usage, purchasing of domestic goods and waste generation (potentially including clinical waste). During the procurement process, tenderers should be asked what processes they have put in place for reducing and minimising their energy and water usage, whether they consider the environmental impacts of the goods they purchase, how they minimise the amount of non-recyclable or compostable waste generated, and how they dispose of waste, including any clinical waste.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding. A resident impact assessment has been carried out as part of the procurement strategy. It found that no specific group of residents would be discriminated against as a result of this proposal.

5 Conclusion and reasons for recommendations

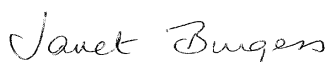
- 5.1 Substance misuse substantially contributes to inequalities in ill health and early death, with a wide range of other social and economic impacts to individuals, families and communities. National modelling shows value for money for drug and alcohol investment.
- 5.2 The existing residential detox and rehabilitation contracts will end on 31 March 2016. The proposed strategy is to re-tender the service using a competitive process given the value of the contract on offer.
- 5.3 The recommended option to procure a new residential detox and rehabilitation framework jointly with the London Borough of Camden will enable clients to have access to a range of residential detox and rehabilitation services, exercise service user choice in which would best suit their needs and will reduce expenditure for Islington significantly. The new contract will commence on 1 April 2016. This service is an important component of an effective integrated approach to improving recovery outcomes of substance misusers with complex needs.

Appendices: None

Background papers: None

Final report clearance:

Signed by:



Date: 2 July 2015

Executive Member for Health and Well-Being

Report Author: Emma Stubbs and Claire Mulligan-Ward

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Report of: Executive Member for Health and Wellbeing

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All
Delete as appropriate	Exempt	Non-exempt

SUBJECT: Procurement Strategy - Single Advocacy Service (Adults)

1. Synopsis

- 1.1 This report seeks pre-tender approval for the procurement strategy in respect of the Single Advocacy Service in accordance with Rule 2.5 of the Council's Procurement Rules.
- 1.2 The Single Advocacy Service will deliver a single point of access to a range of statutory and non-statutory advocacy services, primarily for adults, in Islington. It is the intention that through this procurement the Council can meet the statutory duties around the provision of independent advocacy services ensuring that appropriately qualified advocates are available to work in these roles. The service will also ensure that local, specialist, providers continue to have a role in the provision of advocacy services and help us maintain and develop a vibrant local market. .
- 1.3 Current services which will be brought together by this procurement include:
- Statutory Independent Mental Capacity Advocacy
 - Statutory Independent Mental Health Advocacy
 - Statutory Independent Advocacy under the Care Act 2014
 - Statutory Deprivation of Liberty Standards – Paid Representatives
 - Generic and Health Advocacy for People with Learning Disabilities
 - Non-Statutory Community Advocacy.

The Service will bring together this provision through a single access route improving the accessibility of the service and providing better continuity of advocacy for service users whilst still seeking to retain access to distinct local advocacy offers.

- 1.4 NHS Complaints Advocacy is not covered by this procurement as current arrangements are in place that involve the collaboration of 27 London boroughs. Contingency arrangements will be included in this contract that is being procured to allow for this service to be included if the pan-London arrangement ends or fails during the lifetime of the proposed contract.

2. Recommendations

- 2.1 To approve the procurement strategy for the Single Advocacy Service as outlined in this report.
- 2.2 To note the Executive will be asked to approve the award of the contract at the conclusion of the procurement process.
- 2.3 To note the uncertainty around the levels of demand for elements of this service as outlined in section 3 below.

3. Background

3.1 We wish to procure a single gateway service into advocacy services for Adults with Health and Social Care Needs in Islington and for people outside the borough where Islington retains statutory responsibility for the provision of these services. Elements of the provision will also extend to young people undergoing transition between Children's and Adult Services and young carers.

3.2 The following advocacy services are in the scope of this tender – currently these are all delivered through separate contracts.

- Statutory Independent Mental Capacity Advocacy
- Statutory Independent Mental Health Advocacy
- Statutory Independent Advocacy under the Care Act 2014
- Statutory Deprivation of Liberty Standards – Paid Representatives
- Generic and Health Advocacy for People with Learning Disabilities
- Non-Statutory Community Advocacy.

The contract will also encompass activity currently purchased outside of contractual arrangements across Adult Social Care including the provision of out of borough Independent Mental Capacity Advocacy and Deprivation of Liberty Standards paid representatives.

3.3 The total current spending on these services is a minimum of £619,770 p.a. – but could be in excess of £700,000 p.a. due to uncertain levels of demand for certain types of advocacy. The total number of advocate hours commissioned across all statutory advocacy services is approximately 11,000 hours.

A summary of current contracts and spending is given in Appendix A.

3.4 The total suggested contract price for new services is a minimum and maximum arrangement of £450,000 - £750,000 p.a. This accounts for the fact that demand for Independent Advocacy under the Care Act 2014 is still unknown but predicted in Department of Health modelling to be significant whilst also allowing for savings to be made on some of our existing contracts. The budget envelope for the service should allow comfortably for the delivery of current statutory advocacy service demand and be able to accommodate a significant increase in demand due to the introduction of Independent Advocacy under the Care Act.

3.5 Proposed new service model

3.5.1 Under the new service model a Lead Provider would be contracted to provide the elements of Statutory Advocacy. This is highly specialist provision requiring the provision of advocates with specialist knowledge and training. Two providers hold over 40% of national market share of IMCAs with only a single other provider holding significant multiple contracts and that provider currently only operates services in Yorkshire and the North East. Other boroughs contract with highly local providers often specific to their borough for this service.

3.5.2 In Islington no local provider currently has advocates trained to the minimum required standard - a City and Guilds level three diploma in Independent Mental Capacity Advocacy (Deprivation of Liberty Safeguards). This level of qualification for advocates is set out in the Social Care Institute for Excellence Best Practice Guidelines for commissioning independent advocacy. Islington has signed up to these standards after being involved in testing this guidance as part of its development process. Similar qualifications and patterns of service provision exist for other types of statutory advocacy.

3.5.3 It is proposed that under this procurement an advocacy provider able to provide suitably qualified advocates would be invited to become the lead provider. The lead provider would take on the following roles:

1. Provision of Statutory Advocacy Services (IMCA, DOLs Paid Representatives, IMHA, Independent Care Act Advocacy and Independent NHS Complaints Advocacy) – ensuring continuity of advocates for service users.
2. Coordination of the provision of Statutory Advocacy Services for persons living outside of the borough where Islington retains a duty to provide an advocate.
3. Coordination of the provision of non-statutory community advocacy and health advocacy through the sub-commissioning of local and specialist providers.
4. Ensuring the skills of the advocacy workforce across the entire pathway – providing training and development to local and specialist providers to increase the pool of qualified advocates in the borough – particularly amongst speakers of community languages.

The model is shown in figure 1 (in paragraph 3.12 below).

The provision of many of the services considered in this procurement are statutory requirements (Care Act 2014, Mental Capacity Act 2005, Mental Health Act 1983 as amended in 2009). Local authorities cannot provide these services themselves as the legislation requires them to be provided independent of the local authority or NHS providers. The statutory guidance around the Care Act 2014 also strongly suggests that local authorities consider the joining up of these services particularly Independent Advocacy under the Care Act 2014 and IMCA and DOLs Representation in order to improve continuity of service for service users.

3.5.4 However, under the new model we are also seeking to improve the offer of non-statutory advocacy. Local and Specialist providers would be sub-commissioned by the lead provider to provide non-statutory community advocacy and health advocacy.

3.5.5 Health Advocacy would include:

- Identifying unmet health needs amongst people receiving statutory advocacy and ensuring appropriate health services were in place to meet these needs
- Providing Independent Care Act Advocacy-like services to people undergoing assessment for continuing health care.

3.5.6 Non-Statutory Community Advocacy would include:

- Supporting service users to participate in consultations
- Personal Budgets Advocacy
- Working with statutory advocates to improve the accessibility of these services for people with very particular access needs – i.e. need for advocacy in a community language.

3.5.7

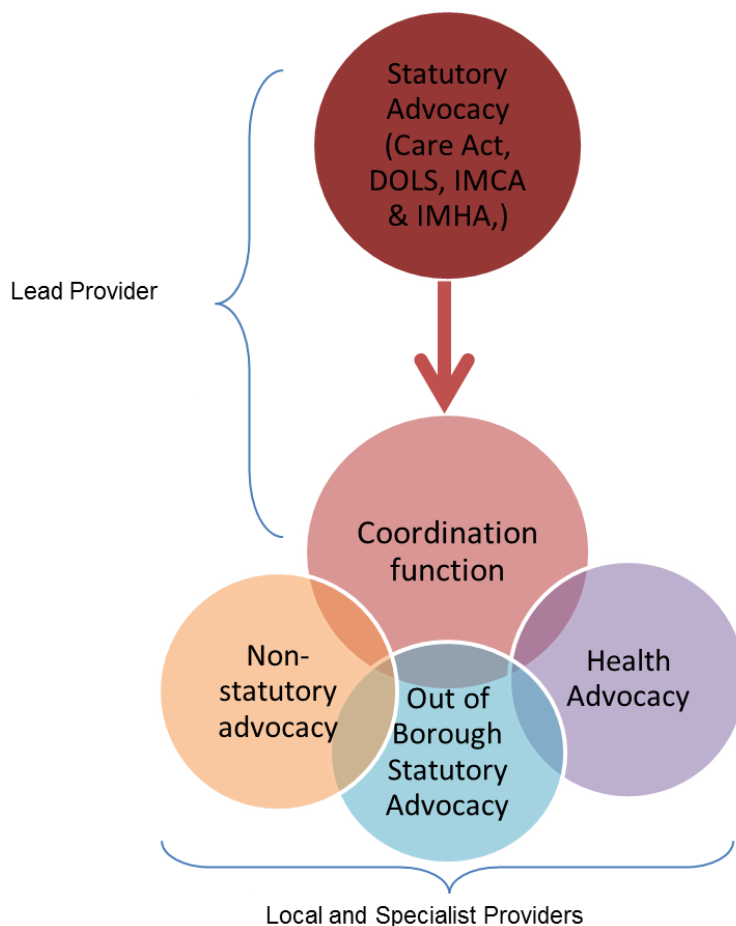


Figure 1: Proposed Service Model

3.5.8 Elements of non-statutory activity that have also been included in the proposed procurement whilst not being statutory requirements help the Council ensure equitable access to health and social care services and provide additional benefits in terms of delivery of health advocacy. A condition of the new contract would be the lead provider sub-contracts the provision of these elements of the service to local or specialist providers.

3.6 Scoping Activity Completed to date

We have engaged with the Safeguarding Team to scope how much activity and spending is currently being spent on out of borough IMCA and DOLs advocates/representatives.

Service user and carer coproduction events have been undertaken, or are in the process of being undertaken, to give service users and carers the chance to contribute to the design of the service specification and development of contract award criteria.

Market intelligence suggested that a payment level of £30 per hour of advocacy was too low to attract interest from suppliers able to provide suitably qualified advocates.

3.7 Estimated Value

A cap and collar is therefore suggested with the collar set slightly below current known usage and the cap set significantly in excess of this value. A range of £450,000 to £750,000 per annum is suggested (existing usage priced at £33.50 an hour would equate to spending of approximately £375,000 per annum) however the new contract must also account for increasing uptake of Care Act Independent Advocacy and the uncertainty about the scale of this demand.

- 3.8 A cap and collar contract sets minimum and maximum thresholds of contract price. This allows us to control the uncertainty around the demand for advocacy (particularly the Care Act Independent Advocacy) whilst giving the market security about the opportunity presented by the contract.

If subsequent demand for Care Act Independent Advocacy is significantly above or below what is estimated, the contract will include provision to renegotiate the cap and collar levels.

- 3.9 Most of the funding needed for this contract is already committed within existing contracts. Efficiencies have been identified in some of these contracts – where hourly rates (planned and actual) are significantly above the cost of the recently negotiated Care Act Independent Advocacy provision. Additional funding was granted by the Department of Health to meet the cost of Care Act Independent Advocacy – although this is unlikely to cover the full cost of the service.

The Safeguarding Team currently holds the budget for the provision of out of borough IMCA and DOLs – budget would need to be transferred to the Commissioning Team from them to fund this contract equivalent to current expenditure on out of borough IMCA and DOLs.

- 3.10 The contract also proposes to maintain a fixed amount of the contract - £120,000 p.a. – to be earmarked for non-statutory advocacy. This represents a small increase in investment in non-statutory advocacy compared to current arrangements. However, again we are expecting to see improved unit prices delivered which would allow non-statutory advocacy to be delivered to a greater number and broader range of service user and carer groups.

The contract will include provision for this value to be reviewed if overall demand for advocacy is significantly above or below what is expected.

- 3.11 The Department of Health has modelled the likely take up of Care Act Independent Advocacy within the overall impact assessment for the Care Act 2014. This modelling suggests we could see the volume of activity increase threefold over the next two to three years; however, there is a high degree of uncertainty around these estimates. It is likely that overall demand for advocacy will increase it seems unlikely that a reduction in budget could be sustainably absorbed as efficiencies will need to be reinvested in the service to deliver extra activity.

However, savings have been built into the design of the new service so that we are achieving a better unit price for all types of service included in the advocacy even though total overall spend may increase due to increased demand for these services. Efficiencies generated against individual types of advocacy will be reinvested in the service.

- 3.12 Key cost drivers are the cost of staff. Advocates need to hold appropriate specialist qualifications and are paid accordingly. The growth of advocacy duties brought in with the Care Act might also lead to a short to medium term shortage in the number of qualified advocates and a successful provider will need to be able to offer competitive rates of pay to attract advocates to work in the Islington service.

- 3.13 It should be noted that if the maximum level of the contract (£750,000 p.a.) is required to be utilised that this would result in a shortfall of approximately £100,000 on current expenditure which would need to be found. This is largely to cover the cost of providing Care Act Independent Advocacy if demand for the service grows as predicted by the Department of Health.

- 3.14 **Timetable**

Joint Board – 23 June 2015

Executive – 16 July 2015

Conclusion of Procurement – 10 October 2015

Contract Award – 09 January 2016

Contract Start – 01 April 2016

3.15 A number of contracts are involved – most expire on 31 March 2016, however, the IMCA contract expires later on 31 March 2017. The value of this contract is low, approximately £36,000 p.a., so it is unlikely therefore to affect the overall price offered for the service. To avoid duplication of service the current contract will continue until its expiry and the new service would not start to act in IMCA cases until 01 April 2017. There are statutory requirements to provide these services so a break in service is not possible.

3.16 **Consultation with Service Users and Carers**

A number of consultation exercises have taken place or are scheduled. A complete list of consultation activity undertaken and how service user and carer views have influenced this tender is included in Appendix C.

3.17 **Options appraisal**

Commissioners considered the following routes to market:

- Competitive Tender,
- Framework Agreements,
- SPOT purchasing.

Competitive Tender is the preferred option.

It is not possible to insource the majority of these services due to statutory requirements.

3.18 Market Consultation on previous procurement exercises for the provision of the interim Care Act Independent Advocacy service revealed significant provider reluctance to participate in framework or SPOT arrangements as it didn't give sufficient security for them to employ and train staff to the required standard.

3.19 Collaboration was considered with Camden but contract timetables did not line up in a way that made this possible. Collaboration was actively sought with other local boroughs – City of London and Hackney – but they did not want to pursue this at this time.

A full options appraisal of the approaches considered is included in Appendix B.

3.20 **Key Considerations**

Economic Considerations

Much of the advocacy provided is highly specialist with suitably qualified staff required. Currently there are no local organisations able to offer this provision. The design of the new contract though will support Islington-based voluntary sector organisations through:

- a) A requirement for the lead contractor to sub-contract for the provision of non-statutory advocacy included in the contract with local or highly specialist providers.
- b) A requirement for the lead contractor to offer training to staff in these organisations to bring them up to the required standard for the delivery of statutory advocacy – thereby increasing long term diversity in the local advocacy market.

3.21 *Social/Community Benefits*

Social benefits likely to derive from this contract are:

- a) Healthy, active and independent lifestyles – through the provision of advocacy services that enable people to be fully involved in social care assessment, care planning and review processes and the availability of health advocacy

3.22 Other Considerations

LLW should apply to this contract.

No significant environmental impacts were identified as applying to this contract.

The contract will achieve best value through the delivery of a cap and collar block contract. A block contract provides greater market interest and security to the provider than other arrangements which should lead to an overall lower unit rate than otherwise would be achieved.

Cap and Collar arrangements on this contract will ensure that we do not overpay for under delivery against current levels of activity or a downward shift in patterns of demand. Whilst collar arrangements will allow significant scope to respond to increased demand for the service.

TUPE will apply to this contract – precise staffing numbers affected are not currently clear due to some of the current contracts being cross borough and the use of bank staff in some contracts. This information will be sought as part of the preparation of the procurement.

3.23 Evaluation

This tender will be conducted in two stages, known as the Restricted Procedure as the tender is 'restricted' to a limited number of organisations. The first stage is Selection Criteria through a Pre-Qualification Questionnaire (PQQ) which establishes whether an organisation meets the financial requirements, is competent and capable and has the necessary resources to carry out the contract. The PQQ is backwards looking and explores how the organisation has performed to date, its financial standing, information about their history and experience.

A limited or 'restricted' number of these organisations meeting the PQQ requirements as specified in the advertisement are then invited to tender (ITT). The second stage is the ITT is now forwards-looking using Award Criteria. Tenders are evaluated on the basis of the tenderers' price and ability to deliver the contract works or services as set out in the evaluation criteria in order to determine the most economically advantageous offer.

The proposed headline evaluation criteria are:

Cost – 30%
Quality – 70%

A high quality component has been proposed because of a number of factors, including:

- The particularly sensitive nature of the service and vulnerable nature of service users involved.
- The extent of coproduction activity undertaken with service users and the expectation of a quality service this creates.
- The need to secure suitably qualified advocates to act in the statutory advocacy roles and the limited amount of current supply in this respect.

Cost will be evaluated by:

- 1) unit cost per hour for statutory advocacy services. 15%
- 2) unit cost per hour for non-statutory advocacy services 5%

£120,000 within the contract will be set aside for the delivery of non-statutory hours. This will ensure that the statutory duties are delivered but there is also increased investment in non-statutory activity.

Quality Award criteria will be clarified by the time of Executive Report. However, a number of service user and carer engagement events are in progress to inform the development of Quality criteria.

Proposed Quality Sub Criteria:

- 1) **Service Model** – 10%
Outline of the proposed delivery model including the overall approach to ensuring effective customer service for people using the advocacy service.
- 2) **Understanding of the role of the Advocate** – 25%
This will require a demonstration of how you will ensure the independence of advocates, how advocates will form relationships with service users/carers and confidently represent them and how your advocates will empower service users/carers to act for themselves as much as possible.
- 3) **Managing conflict** – 10%
This will include the service's approach to managing conflicts between advocates and professionals employed by the council, the local NHS or other partners as well as how conflicts between advocates and service users and carers are managed.
- 4) **Demonstrating local partnerships** – 10%
Providers will be asked to demonstrate how they plan to ensure that the service is linked in with local and specialist services, particularly around the delivery of non-statutory advocacy.
- 5) **System wide training and development** – 10%
Providers will be asked to demonstrate how they plan to provide training and development opportunities to develop the local supply of qualified advocates.
- 6) **Implementing the new service** – 5%
Providers will be asked to demonstrate they have appropriate plans in place to implement the service by the contact start date including managing smooth transitions for service users and staff.

3.24 **Business Risks**

The amount of funding required to support the service is not yet certain. This is a result of the Care Act Advocacy being a new statutory duty, the impact of which is not fully understood. These risks are being managed through the design of the procurement and contract to accommodate a range of activity through a cap and collar contractual arrangement. The contract will also be drafted to include further scope for the service to be varied if demand differs significantly from what is expected – in accordance with the new EU regulations relating to contract variations.

3.25 The contract offers a long term opportunity to develop a market for advocacy services locally. Currently the market is restricted to effectively two national providers who have advocates of the appropriate qualifications and experience to deliver statutory advocacy. The contract will ask the successful provider to work in partnership with local services to improve accessibility of advocacy services and to provide training to local services so that a pool of qualified advocates is developed locally leading to a more competitive market in the future.

3.26 Service users are affected across adult social care service user groups. However, the contract proposes meeting our statutory duty to service users and building upon it to deliver additional benefits such as health advocacy.

If the Generic and Health Advocacy for People with Learning Disabilities is included in this procurement (subject to strategic review of the service) a specific health advocacy services for this service user group will cease. However, access to health advocacy services will be opened up to all adult social care user groups providing a similar level of service to service users from all service user groups.

3.27 The following relevant information is required to be specifically approved by the Executive in accordance with rule 2.6 of the Procurement Rules:

Relevant information	Information/section in report
1 Nature of the service	A single service for the delivery of statutory advocacy and other similar types of advocacy to adult social care service users. See paragraph [1.2]

<p>2 Estimated value</p>	<p>The estimated value per month/year is £450,000 – £750,000</p> <p>The agreement is proposed to run for a period of '3' with an optional extension of '2' years.</p> <p>See paragraph [3.1, 3.2]</p>
<p>3 Timetable</p>	<p>Joint Board – 23 June 2015 Executive – 16 July 2015 Conclusion of Procurement – 10 October 2015 Contract Award – 09 January 2016 Contract Start – 01 April 2016 See paragraph [3.3]</p>
<p>4 Options appraisal for tender procedure including consideration of collaboration opportunities</p>	<p>That the proposed service is competitively tendered using the restricted procedure.</p> <p>See paragraph [3.4]</p>
<p>5 Consideration of: Social benefit clauses; London Living Wage; Best value; TUPE, pensions and other staffing implications</p>	<p>Significant social benefits have been identified as relating to this tender including significant service user health benefits and economic benefits derived from planned inclusion in the contract of requirements to work in partnership and deliver training to local providers.</p> <p>LLW will apply to this contract.</p> <p>This contract will have TUPE implications for staff in existing voluntarily sector commissioned services.</p> <p>See paragraph [3.5]</p>
<p>6 Evaluation criteria</p>	<p>The proposed award criteria are Cost 30%, Quality 70%. The award criteria price/quality breakdown is more particularly described within the report (at time of writing this is due to be developed at scheduled service user coproduction events).</p> <p>See paragraph [3.6]</p>
<p>7 Any business risks associated with entering the contract</p>	<p>There are risks around uncertain levels of expenditure and activity under the new contract due to the introduction of Independent Care Act Advocacy as a new service. These risks will be managed through the design of the procurement and new contract.</p>
<p>8 Any other relevant financial, legal or other considerations.</p>	<p>See paragraph [4.1, 4.2]</p>

4. Implications

4.1 Financial implications

The Single Advocacy Service will amalgamate current services into one single point of access to a

range of statutory and non-statutory advocacy services for Adult Social Services in Islington.

The current cost of these services is £620k, and it is proposed the new service will cost in the range of £450-£750k per year. Based on the existing unit cost, this would equate to a contract value of £375k per year so there may be scope for efficiency savings from the new contract.

The potential increase in contract value is attributed to the allowance for the growth in uptake of Care Act Independent Advocacy, and uncertainty about the scale of the demand. If uptake for Care Act Independent Advocacy is high, then this pressure will be need to be reviewed and managed by the department within existing financial resources.

4.2 Legal Implications

The council has various duties to provide advocacy services under: the Care Act 2014, section 67; Mental Capacity Act 2005, sections 35-41; and Mental Health Act 1983 (Independent Mental Health Advocates)(England) Regulations 2008/3166. These duties require that the providers of the advocacy services are independent of the council. The statutory guidance associated with the Care Act 2014 also strongly suggests that local authorities consider the joining up of these services particularly Independent Advocacy under the Care Act 2014 and IMCA and DOLs Representation in order to improve continuity of service for service users. The council has power to provide other non-statutory advocacy services under section 111 of the Local Government Act 1972 which enables the council to carry out any activity that is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The council may enter into contracts for such services under section 1 of the Local Government (Contracts) Act 1997.

The advocacy services being procured are subject to the light touch regime set out in Regulations 74 to 77 of the Public Contracts Regulations 2015 (the Regulations). The threshold for application of this light touch regime is currently £625,050.00. The value of the proposed contract is above this threshold. It will therefore need to be advertised in the Official Journal of the European Union (OJEU). There are no prescribed procurement processes under the light touch regime. Therefore the council may use its discretion as to how it conducts the procurement process provided that it: discharges its duty to comply with the Treaty principles of equal treatment, non-discrimination and fair competition; conducts the procurement in conformance with the information that it provides in the OJEU advert; and ensures that the time limits that it imposes on suppliers, such as for responding to adverts is reasonable and proportionate. Following the procurement a contract award notice is required to be published in OJEU. The council's Procurement Rules require contracts over the value of £100,000 to be subject to competitive tender.

In compliance with the requirements of the light touch regime in the Regulations and the council's Procurement Rules the proposal outlined in the report is to advertise a call for competition in OJEU and procure the service using a competitive tender process

4.3 Environmental Implications

An environmental impact assessment has been conducted on the proposed contract and identified no significant impacts. Minor impacts associated with staff travel and office -based work include vehicular emissions, congestion, energy and water usage, procurement and waste generation, all of which should be minimised by the contractor.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

The initial screening for a Resident Impact Assessment was completed on 07 May 2015 and this did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks.

A copy of the RIA is available from the author upon request.

5. Conclusion and reasons for recommendations

- 5.1 To approve the procurement strategy for the Single Advocacy Service as outlined at paragraph 1.2.
- 5.2 To note the Executive will be asked to approve the award of the contract at the conclusion of the procurement process.
- 5.3 To note the uncertainty around the levels of demand for elements of this service as outlined in section 3 below.

Appendices

- Additional Contract Information - Appendix A
- Routes to Market Options Appraisal – Appendix B
- Summary of Service User and Carer Involvement – Appendix C

Final report clearance:

Signed by:



Executive Member Health and Wellbeing

Date: 25 June 2015

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Additional Contract Information

Contract	Provider	Value (p.a)	Activity	Hourly Rate	End Date	Comments
Independent Care Act Advocacy	Voiceability	£65,000-£95,000	N/A – new contract – maximum 2750 contracted.	£33.50	31/3/2016	Flexible contract to account for unknown demand. Demand likely to increase as Care Act beds down. Could be in excess of £250,000 p.a.
Independent Mental Capacity Advocacy (IMCA) and Deprivation of Liberty (DOL) Paid Representatives	Voiceability	£35,329	1000 hours contracted	£35.33	31/03/2017	Contract usage now exceeding the contracted amount – additional activity being spot purchased (see below)
Independent Mental Health Advocacy (IMHA)	Voiceability	£152,848	2340 hours contracted 674 hours delivered	£65.32 contracted £226.78 delivered	31/03/2016	Suggested saving of £44,025 achievable on this contract.
Learning Disabilities Generic and Health Advocacy*	Elfrida	£110,000	c.2900 hours	£37.93	31/03/2016	Under delivering by about 1000 hours per year
NHS Independent Complaints Advocacy**	Voiceability	£76,000	Part of pan-London service			

Other advocacy taking place outside of commissioned contracts:

Contract	Provider	Spend	Activity	Hourly Rate	End Date	Comments
Non-statutory community advocacy	Various	Unknown, but amounts likely to be low	Unknown, but amounts likely to be low	£22.50-£24.90	N/A	Purchased via a previous framework agreement.
Out of borough IMCA and DOLs RPR provision	Various	Est. £150,000	133 service users	Up to £35 per hour	N/A	Currently SPOT purchased through the DOLs Team. Demand has significantly increased after Cheshire West ruling. Cost depends on location and part of the country.

Routes to Market Options Appraisal

Approach	Benefits	Drawback	Comments
Competitive Tender (using the restricted procedure)	<p>Secures specific capacity for the borough.</p> <p>Incentivises the provider to invest in the service.</p> <p>Prices are locked for the life of the contract</p> <p>Prices are competitively tested.</p> <p>More attractive to the provider market.</p>	Risk of collar payment being above the amount of advocacy actually required or the cap being below.	Cap and Collar activity risks mitigated by variation clauses within the contract.
Framework	<p>We only pay for activity we use</p> <p>Prices are competitively tested</p> <p>Prices are locked in for life of the Framework</p>	<p>Prices likely to be higher to reflect greater degree of provider uncertainty</p> <p>No incentive for provider to invest in the service in Islington – i.e. no dedicated advocates for the borough.</p> <p>Concern about security of the supply of advocacy in the borough if regional demand is very high</p> <p>Providers have expressed reluctance to participate in Frameworks.</p>	
Spot Arrangements	We only pay for activity we use	<p>Providers pricing may change</p> <p>Not competitively tested</p> <p>Prices likely to be higher to reflect greater degree of provider uncertainty.</p> <p>No incentive for provider to invest in the service in Islington – i.e. no dedicated advocates for the borough.</p> <p>Concern about security of the supply of advocacy in the borough if regional demand is very high.</p> <p>Providers have expressed reluctance to participate in SPOT arrangements.</p>	

Summary of Service User and Carer Involvement

Service users and carers were involved in the co-production of the service specification and tender quality evaluation criteria. Service users were consulted through the following routes:

- Consultation meeting with the Islington (mental health) Borough User Group meeting on the 26 May 2015.
- Consultation with the Power and Control Group (Learning Disabilities Service Users) on the 10 June 2015.
- A widely advertised event specifically for carers held on 29 May 2015 at Lift, Angel.
- A widely advertised event open to the general public on 01 June 2015 at Lift, Angel.

A summary of the discussion at the consultation events is included below as well as details of commissioner's responses and actions taken is detailed below.

Theme	What you told us	Commissioners Response	Actions Taken
What sort of person makes a good advocate?	The most frequently mentioned qualities were that advocates should be good listeners and good communicators . Advocates need to be open and approachable .	Commissioners agree that good communication and listening skills will be essential qualities in independent advocates.	These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.
	Advocates should be empathetic, understanding, sensitive, compassionate and patient towards the service users and carers they are supporting.	Commissioners also agree that these are essential behaviours for advocates to demonstrate in their interactions with service users and carers.	These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.
	Service users and carers felt it was important that advocates were able to be demonstrably independent of the council and confident and able to communicate service user/carer views to professionals. It was also noted that they must be able to be seen to be able to operate without interference from their own organisation in the interests of their service users/carers.	Commissioners agree that it is important that advocates are demonstrably independent of the council and empowered to stand up for the people they are standing for.	<p>These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.</p> <p>The service specification will also set expectations for the provider to support advocates to confidently challenge decisions where they feel this is the service user/carers wish and/or best interest.</p> <p>Quality Evaluation Criteria for the tender will be included about how the provider will demonstrate that advocates are empowered to act independently on behalf of service users and carers.</p>

Theme	What you told us	Commissioners Response	Actions Taken
	<p>Service users felt it was important that advocates had lived experience of the issues faced by service users and carers</p>	<p>Commissioners agree that advocates with lived experience will improve the overall advocacy service.</p> <p>However, we also recognise that many good advocates may not have direct lived experience and still be fantastic advocates.</p>	<p>Islington Council expects its contracts to provide added social value to the borough.</p> <p>The service specification will include provision for services to recruit and train advocates with lived experience from the local area.</p> <p>Quality Evaluation Criteria for the tender will ask providers to demonstrate how they are proposing to deliver added social value to the borough.</p>
	<p>Service users and carers expect advocates to be respectful, polite, culturally sensitive, non-judgemental and capable to of tackling stigma. This was felt also to include provision to access advocacy in community languages.</p>	<p>Commissioners agree that these are important qualities for an advocate to demonstrate.</p>	<p>These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.</p> <p>Commissioners also expect the provision of non-statutory advocacy to bring in local organisations that can provide support in community languages to work alongside qualified advocates.</p>
	<p>Service users in particular expected that advocates would be consistent in their behaviour and generally reliable and focused on delivering a good service.</p>	<p>Commissioners agree that these are important qualities for an advocate to demonstrate.</p>	<p>These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.</p>
<p>How do advocates act towards people they are advocating for?</p>	<p>Many of the themes identified were cross cutting with the expected qualities of an advocate such as the need for advocates to listen, act in a non-judgemental manner, and to act with empathy and respectfully.</p>	<p>Commissioners agree that these are important behaviours.</p>	<p>These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.</p>
	<p>Service users also expected that advocates were passionate about representing service users and carers and treated there role as more than 'just a job'. Advocates should be genuinely "interested in you" and care about the feelings and wellbeing of service users/carers.</p>	<p>Commissioners agree that advocates have a role will require them to demonstrate commitment to service users/carers.</p>	<p>It is difficult to judge this commitment to service users as a specific quality to be demonstrated in the tender or include in the specification. Commissioners expect that an advocate able to demonstrate the wider competencies being required will be in possession of this commitment.</p>

Theme	What you told us	Commissioners Response	Actions Taken
	<p>It is important that advocates build trust over time with service users/carers and are easily contactable by service users/carers. This will require advocates act in a confidential way and develop service user/carer confidence over time and can be counted on to always act in the service user/carer's best interests.</p> <p>In ensuring advocates act in the service users/carer's best interests it should be important that advocates don't impose their own views – "doing things with you not to you".</p> <p>Advocates need to work with service users (and their carers) to put plans into action.</p> <p>It will also be important that service users do not feel passed on constantly by advocates and in all matters service users are kept informed about what is happening and.</p>	Commissioners agree that it will be important to advocates to act in this way.	Quality Evaluation Criteria will be developed to ask providers to demonstrate how their advocates will build trust with service users/carers and work in the service user/carer's best interests.
What do advocates need to know?	Service users and carers all thought that it was important that advocates acting in statutory roles understand all relevant law and are appropriately qualified and had experience of providing advocacy .	Commissioners agree that these will be essential requirements.	The service specification will set out the qualifications we expect advocates acting in statutory roles to hold and what areas of law they should be trained in.
	Service users and carers also thought it will be important that advocates know about the person they are advocating for and that every case will be different.	Commissioners agree and the requirement for the Council and other partners to provide the advocate with the information they need is set out in legislation.	The service specification will reiterate what information advocates should expect to receive.
	<p>Knowledge of Islington – its people, services available and other local assets and resources was also felt to be important to enable advocates to appropriately support service users/carers.</p> <p>Knowing how to find things out should be an important skill for advocates.</p>	Commissioners agree that developing local knowledge of the borough and our services and other assets will be important for advocates.	<p>The Service Specification will include a requirement(s) for the provider to develop local partnerships and knowledge.</p> <p>Quality Evaluation Criteria will be developed to test how the provider plans to develop local knowledge and utilise local services, assets and networks to support service users/carers.</p>

Theme	What you told us	Commissioners Response	Actions Taken
	<p>Service users and carers felt that it would be important that advocates received training that would support them to act with many of the behaviours desired (see above). This would include equal opportunities training and listening/communication skills training including thinking about how body language and eye contact are important and how to speak without using jargon.</p> <p>Specialist communication skills such as BSL, Makaton and knowledge of community languages would also be desirable.</p> <p>Specific knowledge and experience about issues such as mental health, dementia and learning disabilities.</p>	<p>Commissioners agree that training like this will be important.</p> <p>Whilst not everyone may be able to become proficient in BSL, Makaton and community languages the service should work in partnership with local and specialist services to meet these needs.</p> <p>Commissioners agree that training and knowledge in these areas will be important.</p>	<p>These training requirements will be included in the service specification.</p> <p>Quality Evaluation Criteria will be developed to test how the provider plans to develop local knowledge and utilise local services, assets and networks to support service users/carers.</p>
How do advocates help service users/carers?	<p>Advocates should empower service users and carers to act for themselves as much as possible and help service users make their own choices and decisions. This would be supported by clear standards about the role of the advocate and what they can do underpinned by clear agreements about the support they will give and completion of actions. Where necessary they should have the skills and knowledge to speak up on behalf of the people they advocate for.</p> <p>Advocates need to communicate excellently at all times including writing down what they say and do.</p> <p>Advocates will need to be able to explain complex information simply.</p> <p>A crucial role for advocates is helping people understand and break through bureaucracy around health and social care. Advocates should communicate using jargon free language and work with partners to ensure assessments and care plans are right first time and don't make a bad situation worse..</p> <p>Advocates have a role in ensuring service user and carer's needs are considered holistically and that people are signposted to the appropriate support.</p>	<p>Commissioners also believe that supporting people to act for themselves as much as possible is crucial for the service.</p> <p>Commissioners agree these are essential skills that should underpin how advocates act.</p> <p>Commissioners also see this as a key role for advocates</p> <p>Commissioners see this as part of the advocates role and will rely on the development of key local partnerships and knowledge of services and assets in Islington.</p>	<p>How advocates seek to empower the people they advocate for will be included as a quality criterion for assessing the tender.</p> <p>This will also be included in the service specification around the overarching role of advocates.</p> <p>These qualities will be included in the service specification as competencies we expect advocates to be able to demonstrate.</p> <p>This will also be included in the service specification around the overarching role of advocates.</p> <p>These will be included in the service specification around the overarching role of advocates and development of local partnerships.</p>

Theme	What you told us	Commissioners Response	Actions Taken
	Service users and carers suggested that they would like advocates to provide continuous, long term support and provide one to one support and counselling . Some service users and carers also felt advocates should assist with activities such as escorting to appointments, filling in forms etc.	Commissioners agree that the new advocacy service should be able to provide continuity of advocates for service users/carers. Continuous long term support may not always be appropriate for service users, especially from statutory advocates but non-statutory advocacy may be more appropriate to offer people who need this. Likewise, whilst commissioners see the provision of one to one advocacy support to service users/carers as an essential feature of the service more appropriate services exist to provide counselling, case work, escorting etc. and we would expect the advocates to signpost service users/carers to these services or represent their wishes and needs as part of the care planning process to ensure that this is addressed in care plans. There may be a role for non-statutory advocates working in the service to provide this kind of support in the short term whilst other arrangements are put in place.	The service specification will require continuity of advocates to be provided wherever practicable.
	Advocates should provide support at mental health tribunals	This is a core requirement of the role of an IMHA.	This will be included in the service specification.
	Community advocacy should be provided to extend support to dealing with services provided in the voluntary sector, housing and health services.	This will be a core part of the role of non-statutory advocacy in the new service.	This will be detailed in the service specification.
What support do organisations give advocates?	The provision of specialist training (i.e. mental health, learning disabilities, dementia, and advocacy) and supervision were key functions of the overall advocacy service. This should equip advocates to be able to work with people in complex situations . The service should also be able to give good advice to advocates about specialist areas of law and practice.	Commissioners agree and wish to see the service offer specialist training to its advocates as well as advocates working in local and specialist organisations the provider partners with as part of this contract.	This will be included in the service specification. Quality criteria will be developed to test how the incoming provider intends to provide specialist training to local and specialist providers.
	The service should also help advocates gather a good understanding of what is available locally.	Commissioners agree that the service has an important role in developing this knowledge amongst its advocates.	This will be included as a standard within the service specification.
	Advocates will need support from their organisation to have difficult conversations with services and service users/carers and to be able to work as part of a team around the service user/carer , through joint working with partners.	Commissioners agree and wish to see the service offer this training and support to its advocates as well as advocates working in local and specialist organisations the provider partners with as part of this contract.	This will be included in the service specification. Quality criteria will be developed to test how the incoming provider intends to provide training and support to local and specialist providers.

Theme	What you told us	Commissioners Response	Actions Taken
	<p>Service users identified record keeping, ensuring training is kept up to date, safeguarding, managing finances and setting quality standards as key things an organisation would provide support around.</p> <p>Appropriate confidentiality would also be maintained by the service.</p> <p>The service should have a clear complaints policy.</p>	<p>Commissioners believe a responsible organisation should provide key back office functions such as record management, quality management, financial management and have an appropriate set of operational policies (confidentiality, complaints etc.) to run the service.</p>	<p>This will be tested during the pre-qualification process of the tender.</p>
	<p>Service users felt that the organisation running the service would need to have realistic expectations about the time advocates need to develop relationships and managed the service in such a way that would enable personal choice for service users/carers.</p> <p>Another key role of the organisation running the service would be to ensure there was a process for matching people with appropriate advocates in a timely manner and for reviewing relationships to ensure they were working effectively.</p> <p>Managers and support staff will need access to training so they understand the challenges advocates face.</p>	<p>Commissioners agree that these are important factors in the success of the service. Sufficient funding will be allocated to allow service providers to give advocates the time they need to develop relationships and to employ sufficient advocates to allow service users/carers choice about the advocate they receive.</p>	<p>These will be included as standards within the service specification.</p>
	<p>The service should publicise itself to professionals, service users and carers so people who need the service are able to learn about it.</p>	<p>Commissioners agree that this should happen.</p>	<p>This will be included in the service specification.</p>
<p>What is it like when you phone or visit the service?</p>	<p>All service users and carers consulted with felt that good customer service was essential with key aspects being:</p> <ul style="list-style-type: none"> - Flexible hours – information made available out of hours. - Polite, respectful and friendly contact with service users/carers. - Accessibility – of buildings and operates out of a local base - Responsive – phone calls are returned quickly - Information is in accessible formats - Service users being able to directly contact their advocate. - People aren't kept waiting <p>It is also important that service users/carers are kept informed about what is happening.</p>	<p>Commissioners agree that good customer service is essential for the service.</p>	<p>The service specification will include quality standards around this – evaluation criteria will be developed that seek to test providers' responses to these standards amongst other crucial for the service.</p>

Theme	What you told us	Commissioners Response	Actions Taken
	<p>Service users in particular felt it was important that the service was available where people are most comfortable whether that is at home, in another service or in the community.</p> <p>The service should be able to read between the lines and make a holistic offer to service users who contact them.</p> <p>The service should set realistic expectations from the outset.</p>	<p>Commissioners agree that this is an important aspiration but one which may occasionally be hindered by practicalities of gaining access to locations.</p> <p>Commissioners agree that as far as possible the service should be considering the service user/carer's wider needs at each contact and for realistic expectations to be set early in the relationship with an advocate.</p>	<p>This will be included as an aspiration in the service specification.</p> <p>These will be included in the service specification.</p>
What should be important to the organisation?	<p>Service users and carers expect the organisation to be values led. Advocacy should be part of the organisation's mission and organisations should be committed to:</p> <ul style="list-style-type: none"> • confidentiality, • quality, • communicating effectively, • respectful of service users, • approachable • assertive on behalf of service users • honest • fair, • caring, • empathetic, • listening • impartial. <p>A good organisation should be one that provides support and guidance to its staff and service users.</p>	Commissioners agree that these are key qualities they would like to see in a successful organisation.	These will be included in the service specification as values we'd expect the organisation running the service to have and be communicated to potential providers through market engagement events.
	Service users and carers also felt the service should be locally grounded with a strong focus on partnership working and joint approaches with other organisations. Particularly with preventative services and advice services.	Commissioners agree and providers will be encouraged to make links with local and specialist providers especially around the provision of non-statutory advocacy.	Quality criteria will be developed to demonstrate how the provider will develop strong connections with local and specialist services.
	A proven track record of the provision of advocacy services was also felt to be important.	Commissioners agree that this is important.	This will be tested as part of the pre-qualification questionnaire stage of the tender.
How does the service ensure that service users and carers are involved in decision making?	<p>Clear communication was felt to be an underlying feature of the organisation that would support this.</p> <p>Service users need to know what decisions are coming up and be involved from the start of a process. Services would need to see what barriers there are to service users taking part and address these.</p>	Commissioners agree with this.	A number of previous actions have considered various aspects of effective communication and how these will be addressed in the specification and tender evaluation.

Theme	What you told us	Commissioners Response	Actions Taken
	Evidence of service user involvement in important decisions such as recruitment of staff, sitting on the board of trustees is important.	Commissioners agree that this will be important in demonstrating a commitment to service user involvement in decision making.	A number of elements of the specification relate to service user involvement. This commitment is something that could be tested in the pre-qualification questionnaire.
	Service users and carers also wanted to see a user led organisation . Peer research would be a key tool the service would use to improve services and the use of peer support should be encouraged.	Commissioners also agree that having a user led ethos is an important value for the service provider to have.	This will be included in the service specification as a value we expect the organisation running the service to have this approach. This will be communicated to potential providers through market engagement events.
Other areas of consideration	The service needs to be provided locally for the person using the advocate. Where cross authority boundary issues exists there should be a clear process for communicating with other authorities.	Commissioners agree and will ensure this is clear in the specification.	These requirements will be clearly set out in the service specification.
	How the advocates work closely with people already involved in a service user/carer's care and support needs to be considered including the role of advocates in mediating disputes.	Commissioners agree that these are important partnership working roles for the advocate to fulfil.	The service specification will reflect this in the description of the role of an advocate.
	Advocates should support people in contacts with the police as well as health and social care services.	There may well be many occasions where an advocate should be working with service users/carers to communicate effectively with the police although this is not a core part of the service.	The service specification will reflect that there may be situations where it is appropriate for an advocate to be involved in this way.
	It is important the council/NHS properly briefs advocates and that they receive all the information they need to do their job well.	Commissioners agree that the council and NHS partners also have significant responsibility in making advocacy work.	The expectations on the council and NHS partners will be reiterated in the service specification.
	Specific community needs should be recognised and service/user carer choice should be respected – especially if the service user is currently receiving non-statutory advocacy from another source.	Commissioners agree that choice should be offered as far as possible and that specific community needs should be met – although there is an overriding requirement to ensure that advocates are suitably qualified and experienced.	This will be reflected in the service specification and providers will be invited to consider how they can work with local and specialist organisations to ensure that specific community needs can be addressed by the service.

Theme	What you told us	Commissioners Response	Actions Taken
	<p>Transparency of process, structure and governance is essential alongside clear guidance around eligibility for the service and to demonstrate the independence of advocates from the council and from undue pressure from their own organisation.</p> <p>Effective handover processes need to be developed around referrals and signposting to reduce the duplication of assessments.</p>	Commissioners agree that transparency is important – key policies and procedures and other information of the service should be made available to service users in accessible formats.	This will be reflected in the service specification around how the service is governed.
	Health advocacy has a specific role in identifying unmet health needs advocates need the knowledge to identify needs and links with services to identify people with unmet needs.	Commissioners agree that these are important additional skills for health advocates to possess.	This will be reflected in the service specification around non-statutory advocacy.
	There should be consideration made of what contingency plans will be in place to ensure the service can continue to operate during a wider crisis.	Commissioners agree and require providers to have appropriate contingency plans in place.	This will be reflected in the service specification.
	Commissioners should think about whether younger adults need a specific offer.	Commissioners are aware of the specific needs of many younger service users – particularly those who have transitioned from Children’s Services Pathways.	Input into the service specification will be sought from the Transitions Project Manager.
	Service users are keen that advocacy for groups of vulnerable people including those experiencing domestic violence and rough sleeping is made available.	<p>Commissioners recognise the needs of these groups. Many service users in these circumstances may be eligible for the advocacy service.</p> <p>Other specific support services also exist to support these groups.</p>	
	Concerns were expressed about what the costs would be of providing advocacy through a single contract and whether a network of local advocates would be more appropriate.	<p>Commissioners are of the belief that overall management costs will be reduced under the proposed service.</p> <p>A single local network of advocates is not practical due to the increased administration costs and lack of organisational support around training, development, supervision and quality assurance.</p>	
	The contract should include measures to end the service if it is not delivering for service users/carers.	Clauses to allow the termination in the event of continuing poor performance of the service are included in all our contracts.	
	Commissioners need to consider how potential conflicts between advocates and carers are managed .	Commissioners agree that this is a very important consideration that would need to be carefully managed if it arises.	This will be reflected in the service specification and be included in the quality evaluation criteria.
	The contract should be only awarded to a sustainable organisation.	Commissioners test the financial sustainability and quality record of organisations prior to award of contracts.	This will be included in the pre-qualification process for the service.
	What systems are in place to launch the service quickly and smoothly?	Commissioners expect providers to outline how they will ensure this as part of their tenders.	This will be evaluated as part of the quality criteria for the tender.

Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Executive	16 July 2015	Canonbury

Delete as appropriate	Exempt	Non-exempt
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THE APPENDIX TO THIS REPORT IS NOT FOR PUBLICATION

SUBJECT: Contract award for the Construction of 70 new homes and associated improvements for the Dover Court Estate, N1 3HN

1. Synopsis

- 1.1 Through building new council homes we can help tackle the cost of living crisis faced by many of our residents by creating more jobs for local people that pay the London Living Wage (LLW) and training opportunities, including apprenticeships, and help increase the supply of decent, genuinely affordable homes
- 1.2 This report seeks approval to award a construction contract for a development of 70 new homes, a community centre and associated improvements for the Dover Court Estate, N1 3HN. A robust procurement process has been undertaken in accordance with policies and procedures adopted by the Council and the current New Build Contractor Framework.

2. Recommendation

- 2.1 To approve the award of a contract to Lovell Partnerships for the construction of 70 new homes, a community centre and associated improvements for the Dover Court Estate.

3. Background

- 3.1 The development consists of building 70 new homes, a community centre and extensive public realm improvements across 9 infill sites on the Dover Court Estate.
- 3.2 The sites are currently occupied by a ball court, 81 garages and the two storey residential block Romford House. These are to be demolished as part of the development.
- 3.3 The new homes comprise of 29 x 1 bed units, 22 x 2 bed units, 17 x 3 bed units and 2 x 5 bed units. The 70 new homes will be designed and constructed to a high design quality to meet the needs of existing and future residents of the London Borough of Islington. 51 of the new homes will be for council rent and the remaining 19 will be for outright market sale.

- 3.4 Romford House consists of 18 units – a mixture of bedsits and one bedroom properties. The majority of residents currently living in Romford House will be offered homes in a new over 55's block being built as part of the scheme. Those tenants that do not qualify to move to the over 55's block will be relocated and this process is currently underway. One resident leaseholder property will be bought back by the council to enable the block to be demolished and the site to be redeveloped
- 3.5 Following consultation with local residents of the Dover Court Estate, neighbouring properties and other key stakeholders, the scheme was submitted for planning approval in August 2014 and received consent at Planning Committee on 20 January 2015.

4. The procurement process

- 4.1 We have undertaken a mini-competition in accordance with the provisions of the New Build Contractor Framework which was procured through an EU compliant process in 2014. The mini-competition process has involved all 8 contractors appointed to Lot 2 of the Framework, for contract awards over £2m, being asked to express an interest in submitting a tender for this new build project.
- 4.2 All contractors appointed to the Framework have been required to sign up to paying their own employees, and those employed by their sub-contractors, the LLW.
- 4.3 Further, all Framework contractors have signed a declaration to confirm that they have not and/or will not participate in the blacklisting of trade union members or activists contrary to the Employment Relations Act 1999 (Blacklisting) Regulations 2010 and the Data Protection Act 1998.
- 4.4 The 4 contractors who provided a positive response were invited to submit a tender for this new build project – Stage 1.
- 4.5 Each contractor was asked to submit a Priced Schedule, incorporating preliminary items, costs for design, surveys, fees and allowances for overheads, profit and risk. They were also asked for a written submission in response to set quality questions contained within the invitation to tender.
- 4.7 All 4 companies submitted tenders which were then scored and weighted on the basis of 60% quality and 40% price.
- 4.8 Lovell Partnerships achieved the highest overall score and, it is therefore recommended, that they are awarded the contract.

Value for Money

- 4.9 Lovell Partnerships have entered into a pre - construction services contract and are continuing with the detailed design and final tender price which it is anticipated will be finalised before a contract award report is finalised for inclusion on the agenda for the meeting of the Council's Executive on 16th July 2015.
- 4.10 The Employers Agent appointed by the council for this new build scheme, Summers Inman have advised that the estimated final tender price should represent VFM for the council.

Quality Assessment

- 4.11 There have been extensive discussions and design review meetings with Lovell Partnerships regarding the preparation of their price and further investigative works undertaken to remove conditions, provisional sums and caveats. There are no immediate concerns as to their capability of undertaking the works from a technical and resourcing point of view.
- 4.12 Additionally council officers and the Employer's Agent have met with Lovell Partnerships in order to confirm the acceptability of their approach, both in terms of pricing, construction methods and on-site management.

5. Implications

5.1 Financial Implications

The Council's approved 3 year (2015/16 to 2017/18) new build programme totals £118.8m. The latest indicative 7 year (2015-16 to 2021-22) new build programme totals £170.9m.

The construction contract value in relation to the Dover Court new build scheme which comprises 70 new homes and associated improvements is included in the Council's latest 7 year new build programme. The on-going revenue costs of managing and maintaining the new homes are included in the HRA's medium term financial strategy.

The scheme will be funded from the combination of resources i.e. capital receipts from sales, RTB 1-4-1 receipts and some internal resources e.g. borrowing, RCCO and other capital receipts.

5.2 Legal Implications

Under Section 9 of the Housing Act 1985 the Council has the power to provide housing accommodation by building houses on land acquired for that purpose or by converting buildings into houses and to sell part of that accommodation. Accordingly the council may enter into a contract for the proposed works (section 1 Local Government Contracts Act 1997).

Lovell Partnerships have been appointed to the Council's New Build Development Framework following a competitive tendering exercise in accordance with EU Procurement Legislation. Under the Framework Agreement a new build works contract may be awarded to a Framework Constructor either following a mini competition or by direct selection. In this case, Lovell Partnerships were selected to take this scheme forward having submitted the most favourable tender in a mini-competition.

In these circumstances it would be reasonable for the construction contract to be awarded to Lovell Partnerships provided that the Executive are satisfied that their price represents value for money.

In these circumstances it would be reasonable for the construction contract to be awarded to Lovell Partnerships provided that the Executive are satisfied that their price represents value for money.

5.3 Environmental Implications

It will be essential during both the demolition and construction periods to ensure the contractor adheres to environmental legislation, particularly around waste regulations. The contractor will be required to implement the waste hierarchy, giving priority to reuse and recycling of the material from the demolished buildings. The council also has a duty of care to ensure that the contractor has the appropriate waste licences and permits.

During the demolition of the garages and pram sheds, disturbance of protected species, which includes all nesting birds, is a risk. This can be mitigated by timing the works so that they are done outside of nesting season. Staff working on site should be trained to identify likely biodiversity risks, including the presence of bat roosts. Careful management of local nuisance issues such as noise, dust and air pollution will also be required. Travel to and from the site should be minimised to reduce the impact of vehicular emissions and traffic congestion. The same biodiversity and nuisance issues will also be relevant during the construction phase.

With regards to design, environmental implications include the building materials and energy efficiency. When choosing building materials, whole-life costs, including embedded emissions should be taken into consideration, and during purchasing, priority should be given to sustainable materials, such as FSC- or PEFC-certified timber. The energy efficiency of the new buildings should be maximised, potentially including the installation of renewable energy; the buildings will meet at least Level 4 of the Code for Sustainable Homes.

5.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding

A Resident Impact Assessment has been carried out and it has identified that there will be positive impacts on people living in the new dwellings and the immediate neighbourhood. There are no identifiable negative impacts.

A copy of the RIA is available upon request from the author of this report.

6. Conclusions and Reasons for Recommendations

- 6.1 In conclusion, and based on the outcome of the procurement process outlined in this report, Lovell Partnerships have offered a contract price that has been shown to be financially competitive and their quality proposals deemed to meet the required standards.
- 6.2 It is, therefore, recommended that a contract be awarded to Lovell Partnerships for the construction of 70 new homes and associated improvements as their tendered price forms an acceptable basis for agreeing the final contract sum.

Appendices

Exempt Appendix 1: Tender evaluation and value for money assessment

Final report clearance:

Signed by:



Executive Member for Housing and Development

Date: 25 June 2015

Report Author: Alistair Gale. Principal Housing Development Project Manager
Tel: 020 7527 3976
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Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward
Executive	16 July 2015	Holloway Ward
Delete as appropriate	Exempt	Non-exempt

THE APPENDIX TO THIS REPORT IS NOT FOR PUBLICATION

SUBJECT: Contract award for the construction of 20 new homes on Camden Estate land and 1-8 Rowstock Gardens & Garages opposite 77-84 Rowstock Gardens, London N7 0BG

1. Synopsis

- 1.1 Through building new council homes we can help tackle the cost of living crisis faced by many of our residents by creating more jobs for local people that pay the London Living Wage (LLW) and training opportunities, including apprenticeships, and help increase the supply of decent, genuinely affordable homes
- 1.2 This report seeks approval to award a construction contract for a development of 12 new council homes for social rent and 8 homes for outright sale and associated environmental improvements on Camden Estate, N7. A robust procurement process has been undertaken in accordance with policies and procedures adopted by the Council and the current New Build Contractor Framework. This has resulted in a direct negotiation process with a contractor who has a good track record of delivering new homes in Islington to the required quality standards and achieving value for money (VFM) for the council.

2. Recommendation

- 2.1 To approve the award of a contract to Osborne for the construction of 20 new homes, and associated environmental improvements at Camden Estate.

3. Background

- 3.1 The development consists of building 20 new homes, and environmental improvements across 2 infill sites on the Camden Estate.
- 3.2 Site A is two storey block of bedsits (1-8 Rowstock Gardens) which are no longer fit for purpose due to their poor quality. Site B consists of 22 garages. Housing are working closely with the Customer Services Manager at the local Area Housing Office to find alternative car parking spaces/parking bays

for residents. The two blue badge holders who use the garages have been found suitable alternative parking.

- 3.3 The new homes comprise of 2 x 1 bed units, 14 x 2 bed units, and 4 x 4 bed units. The 20 new homes will be designed and constructed to a high design quality to meet the needs of existing and future residents of the London Borough of Islington. 12 of the new homes will be for council rent and the remaining 8 will be for outright market sale.
- 3.5 Following extensive consultation with residents a planning application was submitted for approval and received consent on 23 April 2015 under Planning Reference P2015/0294/FUL.

4. The Procurement Process

- 4.1 We have undertaken a mini-competition in accordance with the provisions of the New Build Contractor Framework which was procured through an EU compliant process in 2014. The mini-competition process has involved all 8 contractors appointed to Lot 2 of the Framework, for contract awards over £2m, being asked to express an interest in submitting a tender for this new build project.
- 4.2 All contractors appointed to the Framework have been required to sign up to paying their own employees, and those employed by their sub-contractors, the LLW.
- 4.3 Further, all Framework contractors have signed a declaration to confirm that they have not and/or will not participate in the blacklisting of trade union members or activists contrary to the Employment Relations Act 1999 (Blacklisting) Regulations 2010 and the Data Protection Act 1998.
- 4.4 The 2 contractors who provided a positive response were invited to submit a tender for this new build project – Stage 1.
- 4.5 Each contractor was asked to submit a Priced Schedule, incorporating preliminary items, costs for design, surveys, fees and allowances for overheads, profit and risk. They were also asked for a written submission in response to set quality questions contained within the invitation to tender.
- 4.6 All 4 companies submitted tenders which were then scored and weighted on the basis of 60% quality and 40% price.
- 4.7 Osborne achieved the highest overall score and it is therefore recommended that they are awarded the contract for the construction of 20 new homes at Camden Estate.

Value for Money

- 4.8 Osborne will be entering into a pre - construction services contract and are continuing with the detailed design and final tender price which it is anticipated will be finalised before a contract award report is finalised for inclusion on the agenda for the meeting of the Council's Executive on 16th July 2015.
- 4.9 The Employers Agent appointed by the council for this new build scheme, Walker Management have advised that the estimated final tender price should represent VFM for the council.

Quality Assessment

- 4.12 There have been extensive discussions and design review meetings with Osborne regarding the preparation of their price and further investigative works undertaken to remove conditions, provisional sums and caveats. There are no immediate concerns as to their capability of undertaking the works from a technical and resourcing point of view.
- 4.13 Additionally council officers and the Employer's Agent will be meeting with Osborne in order to confirm the acceptability of their approach, both in terms of pricing, construction methods and on-site management.

5. Implications

5.1 Financial Implications

- 5.1.1 The Council's approved 3 year (2015/16 to 2017/18) new build programme totals £118.8m. The latest indicative 7 year (2015-16 to 2021-22) new build programme totals £181.7m based on June 2015 forecast
- 5.1.2 The construction contract value of £5.3m plus demolition cost of £70k in relation to the Camden Estate new build project, which comprises 12 homes for social rent, and 8 for sale is included in the Council's June 15 forecast 7 year new build programme
- 5.1.3 The scheme will be funded from the combination of resources i.e. capital receipts from sales, RTB 1-4-1 receipts and some internal resources e.g. borrowing, RCCO and other capital receipts.
- 5.1.4 The scheme has been financially appraised based on the tender price of £5.3m & taking into account all relevant cash flows such as the net cost of the initial investment, ongoing income (rent) & expenditure is considered viable given that it produces a positive NPV over a 30 year time frame.
- 5.1.5 The scheme will be funded from the combination of resources i.e. capital receipts from sales, RTB 1-4-1 receipts and some internal resources e.g. borrowing, RCCO and other capital receipts.

5.2 Legal Implications

- 5.2.1 Under Section 9 of the Housing Act 1985 the Council has the power to provide housing accommodation by building houses on land acquired for that purpose or by converting buildings into houses and to sell part of that accommodation. Accordingly the council may enter into a contract for the proposed works (section 1 Local Government Contracts Act 1997).
- 5.2.2 Osborne have been appointed to the Council's New Build Development Framework 2014 -2018 following a competitive tendering exercise in accordance with EU Procurement Legislation. Under the Framework Agreement a new build works contract may be awarded to a Framework Constructor following a mini competition or by direct selection. In this case, Osborne were selected to take scheme forward having submitted the most favourable tender in a mini competition.

In these circumstances it would be reasonable for the construction contract to be awarded to Osborne provided that the Executive are satisfied that their price represents value for money.

5.3 Environmental Implications

- 5.3.1 It will be essential during both the demolition and construction periods to ensure the contractor adheres to environmental legislation particularly around waste regulations. The contractor will be required to implement the waste hierarchy, giving priority to reuse and recycling of the material from the demolished buildings. The council also has a duty of care to ensure that the contractor has the appropriate waste licences and permits.
- 5.3.2 Clearly defined roles on who is responsible for waste management and disposal, obtaining licences and permits and liability will be essential before work commences. Appropriate legislation will be applied rigorously and full method statements for all activities will be required from the contractor before commencement in order to mitigate these risks.
- 5.3.3 With regards to design, environmental implications include the building materials and energy efficiency. When choosing building materials, whole-life costs, including embedded emissions should be taken into consideration, and during purchasing, priority should be given to sustainable materials, such as FSC- or PEFC-certified timber. The energy efficiency of the new buildings should be maximised,

potentially including the installation of renewable energy; the buildings will meet at least Level 4 of the Code for Sustainable Homes.

5.4 Resident Impact Assessment

5.4.1 The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding

5.4.2 A Resident Impact Assessment has been carried out and it has identified that there will be positive impacts on people living in the new dwellings and the immediate neighbourhood. There are no identifiable negative impacts.

5.4.3 A copy of the RIA is available from the author upon request.

6. Conclusions and Reasons for Recommendations

6.1 In conclusion, and based on the outcome of the direct negotiation process outlined in this report, Osborne has offered a contract price that has been shown to be financially competitive with their quality proposals deemed to meet the required standards.

6.2 It is, therefore, recommended that a contract be awarded to Osborne for the construction of 20 new homes as their tendered price forms an acceptable basis for agreeing the final contract sum.

Appendices:

Exempt Appendix 1: Tender evaluation and value for money assessment

Final report clearance:

Signed by:



Executive Member for Housing and Development

Date: 29 June 2015

Report Author: Thandi Gonzales
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Email: thandi.gonzales@islington.gov.uk



Report of: Executive Member for Environment and Transport and the Executive Member for Community Safety

Meeting of:	Date	Ward(s)
Executive	16 July 2015	All

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SUBJECT: Contract Award Approval for 'CCTV Supply, Installation and Maintenance' contract

1. Synopsis

- 1.1 This report seeks approval to participate in a four year framework agreement procured in partnership with the London Boroughs of Ealing and Hounslow, for maintenance, supply and installation of closed circuit television cameras (CCTV) and ancillary equipment. This procurement allows continuity of service in supporting the Council's current and future CCTV requirements.
- 1.2 On 23.10.2014 the Executive agreed to the procurement strategy for this contract that outlined that the Council would be a named partner in a collaborative Ealing led framework agreement. The old contract expired on 31.12.14 but an extension waiver was obtained. The new contract will commence on 1.9.15 and last for four years.
- 1.3 CCTV is an invaluable tool for improving public safety and the environment, enhancing the quality of life for Islington residents and visitors, safeguarding their security and reducing the fear of crime. This is a key concern for many residents and CCTV plays an essential part in improving public safety and fulfilling the Council's strong commitment towards crime reduction within the borough.

2. Recommendations

- 2.1 To agree to endorse the decision of the Cabinet of Ealing Council (due 13.7.15) to approve the award of the collaborative framework 'CCTV Supply, Maintenance and Installation contract' to Tyco Integrated Systems (TYCO) as primary contractor and Quadrant Security Group (QSG) as secondary contractor.
- 2.2 To agree that the Council will use this new framework contract with effect from 1.9.15.

3. Background

- 3.1 The Council requires providers of CCTV solutions to maintain our existing infrastructure of over 1,000

camera installations, the command and control suite and satellite area hubs, and to supply equipment and support services to meet future demand.

- 3.2 The Council entered into a joint procurement with LB Ealing and LB Hounslow with Ealing as lead Borough. Our Procurement Unit and Legal Services provided support and advice during the process.
- 3.3 The benefits of this partnership approach include savings through economies of scale and efficiency in procurement costs.
- 3.4 The total estimated value of the contract is up to £5m over 4 years. This covers the necessary £500K maintenance cost and also any potential future expansion and system flexibility if needed.
- 3.5 Of the 55 suppliers that expressed an initial interest, 10 returned at pre-qualification questionnaire (PQQ) stage and six suppliers were short-listed to tender. Ultimately, three suppliers returned compliant tender documents for evaluation.
- 3.6 An evaluation panel was formed and included officers from Islington, Ealing and Hounslow, alongside an appointed industry consultant.
- 3.7 The panel recommendation has been lodged for approval with the Ealing Cabinet, subsequent to which, Islington may choose to draw down from the contract as appropriate.

4. Implications

4.1 Financial implications:

The cost of the contract will be met from existing budgets within the CCTV service.

4.2 Legal Implications:

The Council has power to provide CCTV on any land in their area for the prevention of crime or the welfare of the victims of crime subject to prior consultation with the Chief Officer of Police for the area (section 163 of the Criminal Justice and Public Order Act 1994). The Council may use CCTV for the purposes of enforcing traffic regulations provided that the devices used are approved by the Secretary of State (Statutory guidance under section 87 of the Traffic Management Act 2004 and the Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007). Public space CCTV systems must be operated in accordance with the Data Protection Act 1998 and the principles as set out in the Human Rights Act 1998. The ICO has issued a Code of Practice for the use of CCTV setting out these requirements and principles and these must be complied with. The Council is required to notify the Office of the Information Commissioner of the operation of the CCTV system. Covert 'Directed' surveillance may only be conducted if formal authorisation is provided in accordance with the Regulation of Investigatory Powers Act 2000 (as amended by the Protection of Freedoms Act 2012).

The Council has power to enter into contracts for CCTV supply, installation and maintenance under section 1 of the Local Government (Contracts) Act 1997. The Council has power to make use of a procurement conducted by another contracting authority under section 111 of the Local Government Act 1972 which provides the power for the Council to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions.

This contract was procured under the Public Contracts Regulations 2006 (the Regulations). The threshold for application of the Regulations is £173,934. CCTV supply, installation and maintenance services are Part A services for the purposes of the Regulations.

The contract was procured by Ealing Council with Islington Council named in the contract notice. Therefore the Executive may approve the contract award decision that is adopted by Ealing council in respect of this procurement.

4.3 Environmental Implications:

An environmental impact scoping exercise has been carried out and it was identified that the proposals

in this report would have positive environmental impacts.

4.4 Residents Impact Assessment:

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

The initial screening for a Resident Impact Assessment was completed on 2 July 2014 and this did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks. For residents in general, maintenance and installation of CCTV across the Borough will improve public safety and the environment.

5. Conclusion and reason for recommendation

- 5.1 It is recommended that approval be given to endorse the decision of Ealing's Cabinet to award a 4 year framework agreement to TYCO and QSG, maintenance, supply and installation of CCTV camera and ancillary equipment, commencing on 1.9.15

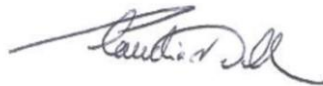
This award will allow a continuity of service provision to ensure the current infrastructure is adequately maintained and that any future requirement can be sourced effectively.

Appendices; none

Background papers: none

Final report clearance:

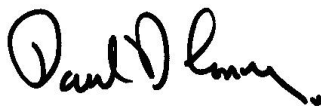
Signed by:



30.6.15

Executive Member for Environment

Date



30.6.15

Executive Member for Community Safety

Date

Report Author: George Heath
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Email: george.heath@islington.gov.uk

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Report of: Executive Member for Health and Wellbeing

Meeting of:	Date	Ward(s)
Executive	16 th July 2015	ALL

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APPENDIX A FOR THIS REPORT IS NOT FOR PUBLICATION

Subject: Contract award report for Joint Camden and Islington Oral Health Promotion Service

1. Synopsis

- 1.1 This report summarises the outcome of the procurement process in respect of the Joint Camden and Islington Oral Health Promotion Service and seeks approval to award the contracts to the Whittington Health Trust.
- 1.2 The award of the contract is for a period of 3 years for the sum of £985,296 at an average annual value of £328,432 for Islington (plus 2 contract extensions of 1 year each). The aggregate value of the 5-year contract is £1,642,160. The Islington element of the service represents 52% of the total budget.
- 1.3 The contract is to commence on 2nd November 2015.

2. Recommendations

- 2.1 To approve the award of the contract for oral health promotion service to the Whittington Health Trust commencing on 2nd November 2015 for a period of up to five years.
- 2.2 To note the contents of Exempt Appendix A.

3. Background

3.1 The aim of the procurement is to provide an oral health promotion service in Camden and Islington to improve oral health and address health inequalities. This tender exercise was undertaken to address high level of need identified locally. An oral health needs assessment and review of the oral health promotion services in Islington and Camden, undertaken in 2013, confirmed that both boroughs continue to have a higher prevalence and severity of dental decay in young children, when compared with neighbouring boroughs and the England average. Local health intelligence also identified significant oral health needs in older people and other vulnerable groups. The existing oral health promotion contracts in Islington and Camden end on 31 October 2015 (the Islington Community Based Fluoride Varnish Programme ends on 31st March 2016). The procurement provided an opportunity to review the service provision and to improve effectiveness and value of these services.

3.2 The overarching strategic outcomes are:

- Reduction in prevalence of tooth decay in children (Public Health Outcome Framework indicator) and adults
- Reduction in oral health inequalities
- Increased access to the NHS dental services in children and adults
- Increased oral health quality of life

3.3 The service will deliver the following outcomes to improve oral health in the local population:

- To maximise appropriate delivery of fluoride to children, children with additional needs and vulnerable adults (including people with mental health problems, learning disabilities, substance misuse problems, people with long term conditions, older people and their carers)
- To integrate oral health promotion with general health promotion through innovative working and developing strong partnerships
- To develop oral health promotion capacity across communities, partner agencies and local dental services
- To engage with local community on assessing oral health needs, priorities and actions
- To evaluate and monitor oral health promotion activity and provide feedback on progress to key stakeholders.

3.4 The service will build on a successful approach that has been developed in Islington over recent years. This includes oral health promotion targeting families through children's centres, work in schools, colleges and with vulnerable older populations including in care homes. Alongside this the service will deliver a fluoride varnish programme in primary schools and children centres.

The service model will take a life-course approach, delivering evidence-based interventions to the following at-risk groups: children and young people, including those with disabilities, and vulnerable adults such as people with mental health problems, learning disabilities, substance misuse problems, people with long term conditions, older people and their carers. The contract will commence on 2nd November 2015.

This procurement was undertaken in collaboration with Camden Council as a lead. Specific performance indicators have been developed to measure the achievement of these

outcomes. Bidders were invited to make proposals against these indicators which were assessed as part of the tender process.

3.5 The procurement model:

The procurement process was a one stage tender process leading to the award of a single contract. An advert was placed on Compete to enable organisations to submit a tender.

Tender evaluation was divided into two main criteria; Selection Criteria, that tested organisational capacity and experience and Award Criteria that examined how a tenderer proposes to deliver the service. Tenderers had to pass all Selection Criteria to be considered.

All organisations invited to tender were required to submit an application form which included method statement questions addressing each of the Quality Criteria and pricing schedule. Invitation to Tenders was assessed as most economically advantages against the following criteria:

Quality Criteria - 60%

- Implementation of the Service (project implementation plan, risk log and staffing action plan) - 9%
- Service Model - 23%
- Performance Management and Service Evaluation - 14%
- Proposed Workforce Management – 5%
- Presentation - 9%

Cost - 40%

The tender evaluation panel assessing the bids consisted of Managers from Public Health and Older People and Learning Disabilities Joint Commissioning and a service user for the presentation part of the evaluation.

3.6 Two organisations submitted tenders. A further two organisations that expressed an interest, but did not submit a tender, stated that they could not achieve service outcomes within the proposed budget (annual proposed budget for the service was £700,000 across both boroughs and £362,500 per year for Islington Council).

3.7 The procurement has resulted in the outcome shown in the attached appendix A.

3.8 The Whittington Health Trust scored higher in both quality and price criteria.

3.9 Budgets and savings are summarised in the attached appendix A.

4. Proposed Decision

4.1 Based on the results of the tender, the tender evaluation panel recommends the award of contract to the Whittington Health Trust.

5. Implications

5.1 Financial Implications

Islington Council receives a ring-fenced Public Health grant from the Department of Health to fund the cost of its Public Health service. The total funding for 2015/16 is £25.429m.

The Council is entering into this contract with Camden Council collaboratively in order to provide oral health promotion services.

The Islington element of this contract is £328,117 per annum, this will result in a total contract value over the 3 year life of £985,296 and £1,642,160 with extensions. The result of this procurement is a saving of 22% on Islington's current annual contribution.

The Council's Public Health expenditure must be contained entirely within the grant funded cash limit indicated above. If any additional pressures are incurred management actions will need to be identified to cover this.

Payment of London Living Wage is a requirement of the contract and will not result in any additional costs.

Any TUPE cost implications that may arise from this tender will have to be met by existing resources outlined above.

To avoid a potential future financial pressure for the Council, any future contracts should have a termination clause which allows them to end if they become unaffordable.

5.2 Legal Implications

The council has a duty to improve public health under the Health and Social Care Act 2012, section 12. The council must take such steps as it considers appropriate for improving the health of the people in its area including providing services or facilities designed to promote healthy living (whether by helping individuals to address behaviour that is detrimental to health or in any other way) as well as providing services or facilities for the prevention, diagnosis or treatment of illness (National Health Service Act 2006, section 2B, as amended by Health and Social Care Act 2012, section 12 and Regulation 2013/351 made under the National Health Service Act 2006, section 6C). The council may enter into contracts with providers of such services under section 1 of the Local Government (Contracts) Act 1997.

This contract was procured under the Public Contracts Regulations 2006 (the Regulations). The threshold for application of the Regulations is £173,934. The value the proposed contract is above this threshold. These services fall within Part B of the Regulations. Although Part B services do not need to strictly comply with the provisions of the Regulations, there is a requirement under EU rules for part B services to comply with the principles of equal treatment, non discrimination and fair competition. The council's Procurement Rules require contracts over the value of £100,000 to be subject to competitive tender. In compliance with the principles underpinning the Regulations and the council's Procurement Rules a competitive tendering procedure with advertisement has been used.

Bids were subject to evaluation in accordance with the tender evaluation model and Whittington Health Trust gained the highest evaluation score and may therefore be awarded the contract.

In deciding whether to award the contract to the recommended service providers the Executive should be satisfied as to the competence of the suppliers to provide the services and that the tender prices represent value for money for the Council. In considering the recommendations in this report members must take into account the information contained in the exempt appendix to the report.

5.3 Environment Impact Assessment

The Environment Impact Assessment was completed on 1st October 2014. There are no Environmental Implications in the proposed procurement. The main areas of environmental impact of the contract would be the travel of outreach workers, who should be encouraged to travel by foot or public transport where possible, and the energy performance of the buildings from which services are delivered.

5.4 Equalities Impact Assessment

The Council must, in carrying out its functions, have due regard to the need to eliminate unlawful discrimination and harassment and to promote equality of opportunity in relation to disability, race and gender and the need to take steps to take account of disabilities, even where that involves treating the disabled more favourably than others (section 49A Disability Discrimination Act 1995; section 71 Race Relations Act 1976; section 76A Sex Discrimination Act 1975).

A Resident Impact Assessment (RIA) was completed on 8th December 2014.

The RIA identified that there would be no differential impacts. This decision was made because this proposed procurement would have no disproportionate impact on any of the equality groups accessing the services.

6 Conclusion and recommendations

- 6.1 To approve the award of the contract for oral health promotion service to the Whittington Health Trust.

Final report clearance:

Signed by:



Executive Member for Health and Wellbeing

Date: 29th June 2015

Report

Authors: Dorota Juskiewicz, Public Health Strategist

Tel: 020 7527 8773

Email: dorota.juskiewicz@islington.gov.uk

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of the Local Government Act 1972.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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