



Governance and Human Resources
Town Hall, Upper Street, London, N1 2UD

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 **19 May 2016 at 7.00 pm.**

John Lynch
Head of Democratic Services

Enquiries to : Philippa Green
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Despatched : 11 May 2016

Membership

Councillor Richard Watts
Councillor Janet Burgess MBE
Councillor Joe Caluori
Councillor Kaya Comer-Schwartz
Councillor Andy Hull

Councillor James Murray
Councillor Asima Shaikh
Councillor Claudia Webbe

Portfolio

Leader of the Council
Executive Member Health and Social Care
Executive Member Children, Young People and Families
Executive Member for Community Development
Executive Member Finance, Performance and Community Safety
Executive Member Housing and Development
Executive Member for Economic Development
Executive Member for Environment and Transport

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.

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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D. 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.

E. 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.

F. 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 16 June 2016

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London Borough of Islington

Executive - 21 April 2016

Minutes of the meeting of the Executive held at Committee Room 1, Town Hall, Upper Street, N1 2UD on 21 April 2016 at 7.30 pm.

Present: **Councillors:** Watts, Burgess, Convery, Hull, Murray, Webbe and Shaikh

Also Present: **Councillors:** Councillor Diarmaid Ward attended for Item B4.

Councillor Richard Watts in the Chair

260 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Caluori.

261 DECLARATIONS OF INTEREST

None.

262 MINUTES OF PREVIOUS MEETING

That the minutes of the meeting on 10 March 2016 be confirmed as a correct record and the Chair be authorised to sign them.

263 COMMUNITY ENERGY - RECOMMENDATIONS FROM THE ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

Councillor Ward summarised the most significant evidence gathered and the main recommendations in the report. The Chair thanked the Committee for their work on this important issue, which may generate long lasting benefits for the borough's residents.

RESOLVED:

- 2.1 That the report of the Environment and Regeneration Scrutiny Committee be received.
- 2.2 That the Executive Member's response be reported to a future meeting of the Executive, including having due regard to any relevant implications of the Environment and Regeneration Scrutiny Committee's recommendations.
- 2.3 That the Environment and Regeneration Scrutiny Committee be thanked for their work on this matter.

Reasons for decision – to allow the Executive to consider and respond to the Scrutiny Committee's recommendations.

Other options considered – none

Conflicts of interest/dispensations granted – none.

264 CAPITAL PROGRAMMING - RECOMMENDATIONS FROM THE HOUSING SCRUTINY COMMITTEE

RESOLVED:

- 2.1 That the report of the Housing Scrutiny Committee be received.
- 2.2 That the Executive Member's response be reported to a future meeting of the Executive, including having due regard to any relevant implications of the Housing Scrutiny Committee's recommendations.
- 2.3 That the Housing Scrutiny Committee be thanked for their work on this matter.

Reasons for decision – to allow the Executive to consider and respond to the Scrutiny Committee's recommendations.

Other options considered – none

Conflicts of interest/dispensations granted – none.

265 COMMUNAL HEATING - EXECUTIVE MEMBER'S RESPONSE TO THE RECOMMENDATIONS OF THE ENVIRONMENT AND REGENERATION SCRUTINY COMMITTEE

RESOLVED:

- 2.1 That the qualitative research into the potential impact of heat meters be agreed.
- 2.2 That the refund of heating charges after two days (rather than three) of failure to provide heating be agreed.
- 2.3 That the increase in compensation by £6 a day during periods of failure of the system to cover the additional cost of electric heating be agreed.
- 2.4 That the improvements in communicating with residents about effective use of communal heating be noted.
- 2.5 That the council will continue to seek Energy Company Obligation (ECO) funding be noted.
- 2.6 That the council's response to the EU Energy Efficiency Directive be noted.

Reasons for decision – to respond to the recommendations of the Scrutiny Committee.

Other options considered – none

Conflicts of interest/dispensations granted – none.

266 LOCAL DEVELOPMENT SCHEME

RESOLVED:

That the Local Development Scheme 2016 as set out in Appendix 1 be approved and brought into immediate effect.

Reasons for decision – to agree an updated timescale for the review of Islington's Local Plan, and for the preparation and review of Supplementary Planning Documents.

Other options considered – none

Conflicts of interest/dispensations granted – none.

267 ADOPTION OF LOCATION AND CONCENTRATION OF USES SPD

RESOLVED:

- 2.1 That the Consultation Statement and the proposed amendments to the Location and Concentration of Uses SPD (Appendix 2 of the report) be noted
- 2.2 That the adoption of the Location and Concentration of Uses SPD (Appendix 1 of the report) be agreed.

Reasons for decision – To allow the location and concentration of use to be a material consideration in determining future planning applications.

Other options considered – none

Conflicts of interest/dispensations granted – none.

**268 CONTRACT AWARD FOR MENTAL HEALTH SUPPORTED ACCOMMODATION
CANONBURY LANE**

RESOLVED:

That the contract to deliver the service at 2-4 Canonbury Lane N1 2AP be awarded to Family Mosaic, on an on-going basis, commencing 1 April 2016 be agreed.

Reasons for decision – to allow the supported housing project for people with mental health problems to continue.

Other options considered – none

Conflicts of interest/dispensations granted – none.

269 CONTRACT AWARD - ADULT SOCIAL CARE ADVOCACY SERVICES

RESOLVED:

- 2.1 Award of the contract for the Single Advocacy Service (Adults) to POhWER be agreed.
- 2.2 That the costs may range between £315,000 to £615,000 per annum, depending upon demand for advocacy, be noted.
- 2.3 That regardless of annual value £120,000 of the contract is reserved for the delivery of non-statutory advocacy be noted.
- 2.4 That details of hourly prices and maximum amount of delivered hours are set out in the exempt appendix, be noted.

- 2.5 That POHWER propose to deliver the Single Advocacy Service (Adults) through a formal sub-contract with the Elfrida Society be noted.
- 2.6 That the contract includes provision for further delivery of non-statutory advocacy through local partners and that formal pricing arrangements have been agreed with the Manor Gardens Trust and Islington Law Centre, be noted.

Reasons for decision – To maximise the available resources for advocacy to meet increasing demand and new statutory responsibilities.

Other options considered – none

Conflicts of interest/dispensations granted – none.

270 CONTRACT AWARD HOUSING SUPPORT SERVICES FOR SINGLE ADULTS

RESOLVED:

- 2.1 That the contract for Lot 1 be awarded to Sapphire Independent Housing (formerly known as Irish Centre Housing) to deliver one contract for 60 women in supported accommodation in the Clerkenwell Ward be agreed.
- 2.2 That the contract for Lot 2 be awarded to Family Mosaic to deliver one contract for 27 single homeless men and women in supported accommodation in Bunhill Ward be agreed.
- 2.3 That the contract values in the table below, per annum and over the maximum nine year lifetime of the contracts be noted.

Service	Provider	Annual Value	9 Year Value
Lot 1	Sapphire Housing	£228,842	£2,059,578
Lot 2	Family Mosaic	£113,771	£1,023,939
Total		£342,613	£3,083,517

Reasons for decision – to enable services supporting very vulnerable people to continue.

Other options considered – none

Conflicts of interest/dispensations granted – none.

271 CONTRACT AWARD FOR SHARED SPECIALIST SUBSTANCE MISUSE SERVICES

The Chair advised this matter was considered under urgency procedures because the decision could not be deferred to allow for 28 days' notice to be published. Deliver of the revised service, via NHS partner organisations, is scheduled to commence before the end of April 2016.

RESOLVED:

That the transfer of £701,000 under a Section 76 funding arrangement between Islington Council and Islington CCG for commissioning of Islington's alcohol and drug shared care service be agreed.

Reasons for decision – to jointly commission support services for people with drug and alcohol problem across primary care, community health and social care services, to best realise the benefits for service users and value for the council.

Other options considered – none

Conflicts of interest/dispensations granted – none.

272 CONTRACT AWARD - ADULT SOCIAL CARE ADVOCACY SERVICES - EXEMPT APPENDIX

That the information in the exempt appendix to Agenda item D10 be noted (see Minute 269 for decision).

MEETING CLOSED AT 7.47 pm

CHAIR

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Report of: Assistant Chief Executive – Governance and Human Resources

Meeting of:	Date	Ward(s)
Executive	19 May 2016	n/a

SUBJECT: APPOINTMENTS TO BE MADE BY THE EXECUTIVE

1. Synopsis

1.1 This report seeks approval of the appointment of members to the following Executive and Joint committees and external organisations:

- Voluntary and Community Sector Committee
- The four area Multi-Agency Geographical Panels in Islington (MAGPIs)
- Associated Joint Committee - London Councils' Grants Committee
- London Housing Consortium Joint Committee
- Pensions CIV Sectoral Joint Committee
- Islington Ltd (iCo)
- Finsbury Park Regeneration Board

2. Recommendations

(a) To appoint Cllr Richard Watts (Chair), Cllr Andy Hull and Cllr Kaya Comer-Schwartz as members of the Voluntary and Community Sector Committee and Councillors Burgess, Caluori, Murray, Shaikh and Councillor Webbe as substitutes, for the municipal year 2016/2017, or until successors are appointed.

(b) To appoint Cllr Marian Spall, Cllr Mouna Hamitouche and Cllr Theresa Debono as observers of the Voluntary and Community Sector Committee, for the municipal year 2016/2017, or until successors are appointed.

(c) To appoint Councillor Burgess to North MAGPI, Councillor Webbe to South MAGPI, Councillor Caluori to East MAGPI and Councillor Ismail to West MAGPI, for 2016/17, or until successors are appointed.

(d) To appoint Councillor Comer-Schwartz to the Associated Joint Committee – London Councils' Grants Committee and Councillor Hull and Councillor Webbe as deputies, for the municipal year 2016/2017, or until successors are appointed.

(e) To appoint Councillor Murray and Councillor Parker as members of the London Housing Consortium for the municipal year 2016/2017, or until successors are appointed.

(f) To appoint Councillor Richard Greening as the Council's representative on the London Council's Pensions CIV Sectoral Joint Committee and Councillor Andy Hull as substitute, for the municipal year

2016/2017, or until successors are appointed.

(g) To confirm the appointment of Councillors Andy Hull and Claudia Webbe as Directors of Islington Ltd (iCo) until successors are appointed.

(h) To appoint Councillor Asima Shaikh as Chair and Councillors Richard Watts, Richard Greening and Mick O'Sullivan as members of the Finsbury Park Regeneration Board for the municipal year 2016/2017 or until successors are appointed.

3. Background

3.1 VOLUNTARY AND COMMUNITY SECTOR COMMITTEE

The Voluntary and Community Sector Committee was established by the Executive in March 2011 to oversee matters relating to Council engagement with the voluntary and community sector, including decisions relating to allocation of the Islington Community Fund. This enables Executive Members to steer funding towards those organisations and types of services they feel are of most value in tackling priorities around fairness, crime and housing and in enhancing the role of Ward Members in their local areas.

3.2 MULTI-AGENCY GEOGRAPHICAL PANELS IN ISLINGTON (MAGPIs)

MAGPIs are problem solving panels that aim to deal with issues of antisocial behaviour and low level crime through a multi agency response. This is achieved by exploring a range of enforcement, support and diversion tactics for victims and perpetrators. The Panels also assess environmental factors that may make areas more vulnerable to antisocial behaviour and low level crime. There are four MAGPIs covering the North, South, East and West of the Borough.

Meetings are held every four weeks, although they may be convened at short notice in response to a specific issue.

Membership

Membership is made up of representatives from the Police, Housing, Children's Services, Greenspace, Education, Islington Drug and Alcohol Action Team, elected members, Street Environment Services, Adult Outreach Teams and the Islington Antisocial Behaviour Team.

3.3 ASSOCIATED JOINT COMMITTEE - LONDON COUNCILS' GRANTS COMMITTEE

The Grants Committee of London Councils deals with the London Boroughs Grants Scheme for voluntary organisations under Section 48 of the Local Government Act 1985. Under the scheme, £28m a year is invested in voluntary organisations on behalf of all London councils. 400 organisations are funded, with individual grants ranging from between £5,000 and £500,000. All of the grants seek to improve the lives of people who live, work in and visit London.

These appointments are required to be made by the Executive because the exercise of functions under Section 48 of LGA 1985 is an executive function.

Membership

The Committee comprises 33 representative members, one from each of London's local councils. Under an agreement entered into by the London boroughs in respect of the Joint Committee, Islington Council is entitled to appoint an elected member representative and one or more deputies to the Joint Committee, who must also be members of the Executive.

3.4 JOINT COMMITTEE - LONDON HOUSING CONSORTIUM

The London Housing Consortium has existed since 1965 and was established as a Joint Committee in 2012 under section 105(1) of the Local Government Act 1972. The London Housing Consortium is a self-financing organisation which provides specialist technical and procurement services for building programmes undertaken by its constituent local authorities and other public sector bodies.

These appointments are required to be made by the Executive because the exercise of functions under Section 48 of LGA 1985 is an executive function. The non-Executive member is appointed under

section 102(3) of the Local Government Act 1972, which allows non-Executive Members to be members of Joint Committees which are comprised of five or more relevant authorities.

Membership

The LHC is governed by a Board of Elected Members which comprises two voting Councillor representatives from the eleven local authority members, one of which will be an Executive Member.

3.5 PENSIONS CIV SECTORAL JOINT COMMITTEE

The Pensions CIV Sectoral Joint Committee was established in December 2014 to act as a representative body for the London local authorities who are participating in the Local Government Pensions Scheme (LGPS) Collective Investment Vehicle in the form of a Authorised Contractual Scheme (an ACS Operator). Participation in the CIV enables the council to benefit from significant savings achieved through collective investment.

Oversight of the ACS Operator is an executive function. Accordingly the Executive appoint the members of the Pensions CIV Sectoral Joint Committee.

Membership

The Pensions CIV Sectoral Joint Committee is comprised of an elected councillor from each of the councils participating in the ACS. The committee deals with specialist investment matters and it is recommended that the Chair of each borough's pension committee is appointed, with a nominated deputy.

3.5 ISLINGTON COMPANY (iCo)

Islington Company (iCo) has been established as the council's general commercial trading company.

Membership

The Executive agreed that the Directors of the Company should include the Executive Member for Finance and Performance, and the Executive Member for Sustainability.

3.6 FINSBURY PARK REGENERATION BOARD

The Board acts as the principal vehicle for guiding and securing regeneration in Finsbury Park in accordance with the council's employment, place-shaping and economic and community development agendas, to deliver the key priorities set out in the Finsbury Park Accord.

Membership

The Board includes councillors representing the two wards in Haringey and Hackney Councils and four councillors from Islington. The Chair is to be the Executive Member with responsibility for Community Development and the remaining members are to represent the Highbury West, Finsbury Park and Tollington Wards.

4. Implications

4.1 Financial implications

The Voluntary and Community Sector Committee approves London Councils' Grants Committee budget and Islington's subscription each year.

4.2 Legal Implications

These are contained in the body of the report.

4.3 Environmental Implications

There are no environmental implications arising directly from this report.

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 21 April 2015 and this did not identify any negative equality impacts for any protected characteristic or any human rights or safeguarding risks.

A significant proportion of the grants made by the Grants Committee are to organisations meeting the needs and priorities of a wide range of Islington's community and, in particular, aimed at improving fairness and equality in the Borough.

MAGPI referrals, appropriate sanctions, intervention and support will be considered based on ethnicity, age, gender and vulnerability. Referrals also require the referring agency to determine if the antisocial behaviour or low level crime is racially motivated or homophobic.

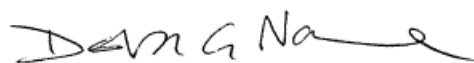
5. Conclusion and reasons for recommendations

- 5.1 The Executive is responsible for making one member appointment and up to four deputies to the Grants Committee of London Councils, two member appointments to the board of the London Housing Consortium and one member and substitute to the Pensions CIV Sectoral Joint Committee, to enable the Council's representatives to participate in meetings.
- 5.2 The councillor appointments to the four area MAGPIs enable local councillors to be involved in problem solving of low level crime and anti-social behaviour in their local areas.
- 5.3 The Voluntary and Community Sector Committee is a Committee of the Executive and therefore the Executive has responsibility for appointing its membership.
- 5.4 Islington Company has been set up pursuant to the functions of the council's Executive. Appointment of councillors as directors is therefore the responsibility of the Executive.
- 5.5 The councillor appointments to the Finsbury Park Regeneration Board provide Executive level support for this regeneration of this deprived area and enable local ward councillors to be involved in the development and monitoring of regeneration proposals.

Background papers: None.

Final report clearance:

Signed by:



Assistant Chief Executive – Governance and
Human Resources

5 May 2016

Date



ISLINGTON

Finance and Resources Department

Report of: Executive Member for Finance and Performance

Meeting of:	Date	Ward(s)
Executive	19 May 2016	All

PROVISIONAL 2015-16 OUTTURN

1. SYNOPSIS

- 1.1 This report presents the provisional outturn position for 2015-16 as at 31st March 2016. Overall, there is a gross General Fund overspend of £2.9m, and a net break-even position after a £2.9m drawdown from the contingency reserve. The Housing Revenue Account (HRA) is forecast to break-even over the year. The capital programme delivered £89.4m of capital investment.

2. RECOMMENDATIONS

- 2.1. To approve the overall provisional 2015-16 gross revenue outturn for the General Fund (**Table 1** and **Appendix 1**) of a gross £2.9m overspend, and a net break-even position after a £2.9m drawdown from the contingency reserve. (**Section 3**)
- 2.2. To agree the departmental carry forwards and transfers to reserves detailed in **Appendix 2**, including the creation of a new earmarked revenue reserve for Community Infrastructure Levy funding. (**Section 3**)
- 2.3. To note that the HRA is forecast to break-even, and to agree the creation of a new earmarked HRA reserve to mitigate against the financial risks/pressures arising from legislative changes. (**Section 5, Table 1** and **Appendix 1**)
- 2.4. To note that the Council delivered £89.4m of capital investment in 2015-16 and to agree the provisional funding of the programme and related reserves movements, including the

creation of a new earmarked revenue reserve for Section 106 funding. (**Section 6, Tables 2-3 and Appendix 3**)

- 2.5. To note the provisional outturn position in respect of the Council's sundry income management (**Section 7**) and the council tax and business rates collection (**Section 8**).
- 2.6. To note the progress on the closing of the 2015-16 accounts and to delegate to the Corporate Director of Finance and Resources the authority to agree any final changes to the accounts (including capital financing and re-profiling of resources to/from future financial years) prior to their submission to the auditor by 30th June 2016. (**Section 9**)

3. REVENUE POSITION: SUMMARY

- 3.1. A summary position of the General Fund and Housing Revenue Account is shown in **Table 1** with further detail contained in **Appendix 1**. This position is after the departmental carry forwards and transfers to reserves for use in future financial years (detailed in **Appendix 2** for agreement) are taken into account.
- 3.2. It is recommended that the gross £2.9m General Fund overspend is funded by a £2.9m drawdown from the contingency reserve. After the £2.0m transfer into the contingency reserve as part of the 2016-17 budget, this will leave £2.6m in the contingency reserve for use in 2016-17.

Table 1: General Fund and HRA Provisional 2015-16 Outturn

	Provisional Outturn (£000)
<u>GENERAL FUND</u>	
Finance and Resources	(2)
Chief Executive's	(409)
Core Children's Services (Excluding Schools)	3,100
Environment and Regeneration	2,688
Housing and Adult Social Services	1,192
Public Health	980
Net Departments	7,549
Corporate Items	(4,695)
TOTAL GROSS (UNDER)/OVERSPEND	2,854
Drawdown from Contingency Reserve	(2,854)
NET (UNDER)/OVERSPEND	0
<u>HOUSING REVENUE ACCOUNT</u>	
NET (SURPLUS) / DEFICIT	0

4. GENERAL FUND

Summary – Key General Fund Variances

- 4.1. Within the gross General Fund overspend of £2.9m there are a number of significant variances, both over and under, at provisional outturn. These include the following (with more detailed General Fund variances shown within each departmental section):
- Finance and Resources - Financial management overspend of net (+£0.7m) due to the commercial property income target for 2015-16 not being achieved.
 - Children's Services - Children Looked After placements (+£0.9m);
 - Children's Services - Increased support for 16-17 year olds in supported accommodation (+£0.7m);
 - Children's Services - Increased leaving care costs for 18+ year-olds (+£0.5m);
 - Environment and Regeneration - Delay in implementing complex changes in refuse collection, recycling and commercial waste (+£0.5m);
 - Housing and Adult Social Services - Overspend on the temporary accommodation budget due to nightly booked rates being above the local housing allowance (+£1.1m);
 - Public Health - In-year cut of (+£1.7m) to the Council's public health grant;
 - Corporate - Uncontrollable pressure due to the Council's statutory duty to provide assistance to all destitute clients who are Non-EU nationals and can demonstrate need known as No Recourse to Public Funds (+£0.9m);
 - Corporate - Continuing to pursue a policy of shorter term borrowing at lower interest rates (-£6.4m).

Finance and Resources Department (zero variance)

- 4.2. The Finance and Resources Department is forecasting a break-even provisional outturn position.

Chief Executive's Department (-£0.4m)

- 4.3. The Chief Executive's Department is forecasting a (-£0.4m) provisional outturn underspend. This is due in the main to staffing vacancies within the Governance and Human Resources division that are not to be recruited to this year, and also other savings such as additional legal income.

Children's Services (General Fund: +£3.1m, Schools: -£3.3m)

- 4.4. A (+£3.1m) provisional outturn overspend is forecast for the General Fund (non-schools) Children's Services budget. This includes a number of pressures against demand led specialist services that materialised in 2014-15 and continued into 2015-16, especially in relation to unaccompanied asylum seeking children (+£0.5m) and special guardianship orders (+£0.2m). Further overspends are forecast at provisional outturn against Children Looked After placements (+£0.9m), leaving care costs (+£0.55m), an increase in support for 16/17 years olds living in supported accommodation (+0.7m), the new remand

framework (+£0.35m), secure accommodation costs (+£0.2m), increase in care proceedings including family assessment (+£0.25m), the in-year reduction in Youth Justice Grant income (+£0.1m), lower than budgeted take-up of the traded offer in School and Pupil Services (+£0.1m), an increase in demand for short breaks (+£0.1m), an overspend against Children Looked After staffing and client related costs reflecting an increase in children looked after and care leavers during the year (+£0.35m) and an increase in special educational needs transport costs (+£0.1m). These overspends have been partly offset by forecast underspends totalling (-£1.3m) across the Learning and Schools and Partnerships and Support Services divisions.

Schools (-£3.3m)

- 4.5. A Dedicated Schools Grant (DSG) provisional outturn underspend of (-£3.3m, 1.9% of DSG) is forecast at provisional outturn. (-£1.8m) of this is due to the carry forward of Early Years DSG funding from 2014-15 that will be used to smooth in expected Department for Education (DfE) funding reductions for the statutory entitlement for free childcare for deprived 2-year olds from 2015, now that funding is allocated to local authorities based on take-up. The remaining DSG underspend relates to the Special Educational Needs (SEN) placements contingency budget (-£1.0m) and other schools contingency and net underspends carried forward from previous years (-£0.5m).

Environment and Regeneration (+£2.7m)

- 4.6. The Environment and Regeneration Department is forecasting a (+£2.7m) provisional outturn overspend. This is after corporate savings of (+£0.5m) being applied to the structural overspend, arising due to the Government shelving plans to introduce locally set licensing fees (this is a net-nil impact overall as the Environment and Regeneration Department overspend is reduced, in respect of this applied funding, by the same amount). The main variances are as follows:
 - 4.6.1. (+£0.5m) due to delayed service changes in Street Environment Services leading to non-delivery of 2015-16 savings.
 - 4.6.2. (+£0.1m) due to unbudgeted costs associated with the pilots that will deliver future savings causing spend on new bins and other items.
 - 4.6.3. (+£0.35m) delays in re-providing the new refuse fleet pending various pilots and the introduction of a new operating model.
 - 4.6.4. (+£0.4m) shortfall in commercial waste income.
 - 4.6.5. (+£0.3m) loss of grant income from North London Waste Authority (NLWA) following price reductions for recyclable materials, and (+£0.2m) additional fleet/depot costs.
 - 4.6.6. (+£0.25m) non-delivery of the advertising concession contract saving as a result of existing contracts delaying implementation until after October 2015 and identification of suitable sites.
 - 4.6.7. (-£0.3m) improvements in the income streams within the parking account, with higher levels of pay and display and Penalty Charge Notice (PCN) income.

- 4.6.8. (-£0.2m) Additional income from the Rogue Landlord grant, fines and recovery of costs and administration fees in Private Sector Housing.
- 4.6.9. Structural budget issues within the Public Protection division: (+£0.2m) relating to staff budgets and non-staffing budgets around IT/licensing costs; (+£0.15m) unachievable Houses in Multiple Occupation (HMO) licensing income; (+£0.15m) staff costs that were part funded by 'Smoke-free' grant that is no longer received; (+£0.1m) relating to deteriorating income streams on DVD/music rentals and hall lettings; and (+£0.1m) across various other income streams.
- 4.6.10. (+£0.2m) additional agency staff and legal cost pressures within Development Control, and (+£0.2m) underachievement of building control and planning income due to a decline in activity.

Housing and Adult Social Services (+£1.2m)

- **Adult Social Care (+£0.4m)**

- 4.7. Adult Social Care is forecasting a net provisional outturn overspend (+£0.4m) relating to the older people spot placement budget.

- **Housing General Fund (+£0.8m)**

- 4.8. The Housing General Fund continues to be impacted by increased demand for temporary accommodation (TA) and the increased cost of supplying it, exacerbated by ongoing changes to the housing benefit regulations and the changes to the welfare support system. This has resulted in a net financial pressure of (+£1.1m) in 2015-16 of which the majority is due to not being able to secure nightly booked accommodation at rates that are below or equal to the Local Housing Allowance. This is offset partly by underspends across the department (-£0.3m).

Public Health (+£0.98m)

- 4.9. Public Health is funded via a ring-fenced grant of £25.4m for 2015-16. The Government announced an in-year cut of (+£1.7m) to the Council's public health grant. This has been mitigated by (-£0.72m) underspends within the department, resulting in a forecast net overspend of (+£0.98m). This was a very significant Government cut made during the financial year and means no public health reserves to mitigate against future budget pressures.

Corporate Items (-£4.7m)

- 4.10. The Council has continued to follow a successful Treasury Management Strategy of shorter-term borrowing at low interest rates. This has saved the General Fund (-£6.4m) in interest charges this financial year. The Treasury Management Strategy is kept under constant review to ensure that available resources are optimised and the longer-term interest rate position reviewed within an effective risk management framework and in line with the approved strategy.
- 4.11. This is partially offset by:
- 4.11.1. (+£0.9m) uncontrollable pressure due to the Council's statutory duty to provide assistance to all destitute clients who are Non-European Union nationals and can

demonstrate need under Section 21 of the National Assistance Act, 1948. This is commonly referred to as No Recourse to Public Funds (NRPF).

4.11.2. Corporate savings of (+£0.5m) applied to the structural overspend in Environment and Regeneration arising due to the Government shelving plans to introduce locally set licensing fees. This is a net-nil impact overall as the Environment and Regeneration Department overspend is reduced, in respect of this applied funding, by the same amount.

4.11.3. (+£0.1m) overspend on corporate levies compared to the budget estimated at the start of the financial year.

4.11.4. (+£0.2m) contribution to the bad debt provision for sundry debts.

5. HOUSING REVENUE ACCOUNT

5.1. The HRA is forecast at provisional outturn to be balanced in 2015-16. The variances are as follows:

5.1.1. Rollit House fire - expenses not covered by insurance (+£0.3m).

5.1.2. Implementation of welfare reform – staffing support (+£0.3m).

5.1.3. Finsbury library area housing office moving costs (+£0.1m).

5.1.4. Legal disrepair claims (+£0.55m).

5.1.5. ICT costs regarding repairs/parking online project (+£0.85m).

5.1.6. Major works and new build programme costs that cannot be capitalised (+£0.4m).

5.1.7. Other net general management, special management and one-off expenditure (+£0.2m).

5.1.8. Transfer to HRA reserves (+£1.3m)

5.1.9. *The above net pressures (+£4.0m) are offset by the following:*

5.1.10. Additional shared ownership rental income (-£0.9m).

5.1.11. Additional commercial property income regarding telephone masts (-£1.1m).

5.1.12. Additional leaseholder service charges (-£1.6m).

5.1.13. Heating charge refunds – prior-year (+£0.4m).

5.1.14. Higher than budgeted commission from Thames Water (-£0.3m).

5.1.15. Higher than budgeted Right to Buy administration grant income due to higher than anticipated Right to Buy sales (-£0.2m).

5.1.16. Increase parking income arising from the increase in charges for non-residents and the diesel levy (-£0.3m).

6. **CAPITAL PROGRAMME**

- 6.1. The capital programme delivered £89.4m of capital investment in 2015-16. This is set out by department in **Table 2** below and detailed at **Appendix 2**.

Table 2: Capital Programme Provisional 2015-16 Outturn

Department	2015-16 Capital Budget	2015-16 Capital Expenditure	Forecast Re-profiling (to)/from Future Years
	(£m)	(£m)	(£m)
Children's Services	9.4	8.9	(0.5)
Environment and Regeneration	16.4	15.5	(0.9)
Housing and Adult Social Services	60.1	65.0	4.9
Finance and Resources	0.1	0.0	(0.1)
Total	86.0	89.4	3.4

- 6.2. The provisional funding of the 2015-16 capital programme is shown in **Table 3** below.

Table 3: Provisional Funding of 2015-16 Capital Programme

Funding Source	(£m)
Capital Receipts	22.9
Government Grants and Other External Contributions	23.1
Major Repairs Reserve	37.6
Capital Reserve and Revenue Contributions	5.8
Total	89.4

- 6.3. As part of the funding of the capital programme, the following earmarked revenue reserves movements over £500k require Executive approval under the Council's financial regulations:

6.3.1. Net drawdown from the Capital Reserve (£14.450m).

6.3.2. Transfer to a new Section 106 reserve (£6.444m)

6.3.3. Draw down from the Invest to Save Reserve (£3.663m).

6.3.4. Transfer to the Building Schools for the Future Smoothing Reserve (£2.206m).

Treasury Management

- 6.4. As at 31 March 2016, the Council has £80.8m of temporary investments. These investments are for periods from overnight to one year at an average rate of 0.55%.
- 6.5. As at 31st March 2016 the Council's total long term debt is £268.8m (£218.7m Public Works Loan Board, £46.5m from other local authorities and a £3.6m commercial loan) compared to £285.4m as at 31st March 2015. The average rate of interest on debt has increased from 4.32% to 4.46%, which is mainly due to replacement debt being of longer periods at slightly higher rates.

- 6.6. During the financial year the Council complied within the treasury limits and Prudential Indicators set out in the Council's Treasury Policy Statement and Annual Treasury Strategy Statement.

7. SUNDRY INCOME MANAGEMENT

- 7.1. In 2015-16 £66.56m sundry income was collected which represents 88.1% of the net collectable debit. The total outstanding at year-end was £8.972m.
- 7.2. The net sum of £154k was written off, under delegated authority, during the financial year 2015-16 and has been funded from provisions already made.

8. COUNCIL TAX AND NNDR COLLECTION RATES

- 8.1. Council tax in-year collection of 96.5% is just below the target (96.6%) set for 2015-16 but nevertheless represents the highest level since collection was made more difficult by the commencement of the localised council tax support scheme in 2013-14. The actual amount collected has increased by £3.8m from the previous year. In 2015-16, £718k of council tax arrears were written-off. This is lower than previous years because we have kept more of the 'harder to recover' debt on our books to give the 'Attack Arrears' project an opportunity to recover more of it.
- 8.2. National non-domestic rates (NNDR) in-year collection of 99.1% is just above the target (99%) set for 2015-16 and is the highest level achieved to date. The actual amount collected has increased by £5m from the previous year. In 2015-16, £2.1m of NNDR arrears were written-off.
- 8.3. Collection rates for 2015-16 and the previous three financial years are shown in **Table 4** below.

Table 4: Collection Rates 2015-16

	2012-13 (Pre-Localised Council Tax Support Scheme)	2013-14	2014-15	2015-16
Council Tax Collection Rate	96.8%	95.9%	96.1%	96.5%
NNDR Collection Rate	98.5%	98.2%	99.0%	99.1%

9. CLOSING OF ACCOUNTS PROGRESS 2015-16

- 9.1. The Council has a comprehensive timetable for the closing of its accounts. Progress against this timetable is currently on track, with departmental work mainly completed and the accounts now being consolidated corporately and supporting documentation being prepared.
- 9.2. In view of the fact that there is still work to be completed before the accounts are finalised, the Executive is asked to delegate to the Corporate Director of Finance and Resources the authority to agree any final changes to the accounts (including capital

financing and re-profiling of resources to/from future financial years) prior to their submission to the auditor by 30th June 2016.

10. IMPLICATIONS

Financial Implications

- 10.1. These are included in the main body of the report.

Legal Implications

- 10.2. The law requires that the Council must plan to balance its spending plans against resources to avoid a deficit occurring in any year. Members need to be reasonably satisfied that expenditure is being contained within budget and that the savings for the financial year will be achieved, to ensure that income and expenditure balance.

Environmental Implications

- 10.3. This report does not have any direct environmental implications.

Resident Impact Assessment

- 10.4. A resident impact assessment (RIA) was carried out for the 2015-16 Budget Report approved by Full Council. This report notes the financial performance to date but does not have direct policy implications, so a separate RIA is not required for this report.

Background papers: None

Responsible Officer:

Mike Curtis
Corporate Director of Finance and Resources

Report Authors:

Martin Houston
Strategic Financial Advisor

Tony Watts
Head of Financial Planning

Signed by



4 May 2016

Executive Member for Finance and
Performance

Date

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Appendix 1 - Revenue Monitoring 2015-16 Provisional Outturn

GENERAL FUND					
Department / Service Area	Original Budget	Current Budget	Forecast Outturn	Variance Month 12	Variance Month 10
	£'000	£'000	£'000	£'000	£'000
FINANCE AND RESOURCES					
Corporate Director of Finance and Resources	(62)	1,213	1,153	(60)	0
Digital Services and Transformation	562	1,240	1,258	18	0
Financial Management	(7,532)	(15,509)	(14,996)	513	0
Financial Operations	6,911	8,177	7,708	(469)	0
Internal Audit	588	658	654	(4)	0
Total	467	(4,221)	(4,223)	(2)	0
CHIEF EXECUTIVE'S DEPARTMENT					
Chief Executive	(16)	37	(17)	(54)	(25)
Governance and Human Resources	1,140	1,578	1,129	(449)	(273)
Strategy and Community Partnerships	5,478	6,899	6,993	94	0
Total	6,602	8,514	8,105	(409)	(298)
CHILDREN'S SERVICES					
Learning and Schools	27,763	17,563	14,093	(3,470)	(3,725)
Partnerships and Support Services	9,292	16,804	15,954	(850)	(720)
Targeted and Specialist Children and Families	36,889	40,759	44,874	4,115	2,920
Less Projected Ring-Fenced Schools Related Underspend	0	0	3,305	3,305	3,035
Total	73,944	75,126	78,226	3,100	1,510
ENVIRONMENT AND REGENERATION					
Directorate	(1,387)	73	75	2	0
Planning and Development	2,484	2,796	3,055	259	361
Public Protection	9,685	13,154	13,575	421	683
Public Realm	19,782	30,364	32,370	2,006	1,900
Total	30,564	46,387	49,075	2,688	2,944
HOUSING & ADULT SOCIAL SERVICES					
Temporary Accommodation (Homelessness Direct)	1,391	1,576	2,683	1,107	1,275
Housing Needs (Homelessness Indirect)	2,000	2,304	2,107	(197)	(331)
North London Housing Partnership	0	45	45	0	0
Housing Benefit	880	880	880	0	0
Housing Strategy and Development	231	260	120	(140)	(125)
Housing Administration	2,291	6,465	6,477	12	(10)
Housing General Fund Total	6,793	11,530	12,312	782	809
Adult Social Care	30,917	26,964	26,971	7	(18)
Integrated Community Services	13,554	16,459	16,262	(197)	(119)
Strategy & Commissioning	30,355	31,228	31,828	600	600
Adult Social Services Total	74,826	74,651	75,061	410	463
HASS Total	81,619	86,181	87,373	1,192	1,272

Appendix 1 - Revenue Monitoring 2015-16 Provisional Outturn

Department / Service Area	Original Budget £'000	Current Budget £'000	Forecast Outturn £'000	Variance Month 12 £'000	Variance Month 10 £'000
PUBLIC HEALTH					
NHS Health Checks	371	371	365	(6)	(16)
Obesity and Physical Activity	1,009	1,009	993	(16)	20
Other Public Health	(20,739)	(20,455)	(19,381)	1,074	984
Sexual Health	8,273	8,394	8,540	146	145
Smoking and Tobacco	786	786	723	(63)	(91)
Substance Misuse	8,466	8,343	8,481	138	151
Children and Young People	1,834	1,836	1,669	(167)	(129)
Children 0-5 Public Health	0	0	(126)	(126)	(101)
	0	284	1,264	980	963
GROSS DEPARTMENT TOTAL	193,196	212,271	219,820	7,549	6,391
CORPORATE ITEMS					
Corporate and Democratic Core / Non Distributed Costs	16,675	15,053	15,053	0	0
Other Corporate Items	4,204	7,181	7,736	555	260
Corporate Financing Account	(16,129)	(20,901)	(27,324)	(6,423)	(4,000)
Levies	22,247	22,247	22,362	115	0
Transfer to/(from) Reserves	14,293	(5,966)	(5,966)	0	0
Specific Grants	(16,103)	(19,478)	(19,478)	0	0
Core Government Funding / Council Tax	(218,651)	(218,651)	(218,651)	0	0
No Recourse to Public Funds	268	268	1,164	896	800
Appropriations and Technical Accounting Entries	0	7,976	7,976	0	0
Provisions	0	0	162	162	0
Corporate Items Total	(193,196)	(212,271)	(216,966)	(4,695)	(2,940)
TOTAL NET OF CORPORATE ITEMS	0	0	2,854	2,854	3,451

Appendix 1 - Revenue Monitoring 2015-16 Provisional Outturn

HOUSING REVENUE ACCOUNT(HRA)					
Department / Service Area	Original Budget	Current Budget	Forecast Outturn	Variance Month 12	Variance Month 10
	£'000	£'000	£'000	£'000	£'000
Dwelling Rents	(162,778)	(162,778)	(163,666)	(888)	(300)
Non Dwelling Rents	(1,708)	(1,708)	(2,796)	(1,088)	(900)
Heating Charges	(2,357)	(2,357)	(1,971)	386	340
Leaseholders Charges	(9,348)	(12,128)	(13,683)	(1,555)	(1,500)
Other Charges for Services and Facilities	(3,870)	(3,870)	(4,830)	(960)	(905)
PFI Credits	(22,855)	(22,855)	(22,855)	0	0
Interest Receivable	(2,044)	(576)	(475)	101	0
Contribution from General Fund	(852)	(816)	(816)	0	0
Gross Income	(205,812)	(207,088)	(211,092)	(4,004)	(3,265)
Repairs and Maintenance	29,748	31,150	31,026	(124)	800
Revenue Contribution to Capital	10,359	1,540	1,540	0	1,840
General Management	48,803	48,412	51,389	2,977	590
PFI Payments	40,114	40,114	40,170	56	(150)
Special Services	15,530	16,988	17,200	212	0
Rents, Rates, Taxes and Other Charges	739	740	774	34	0
Capital Financing Costs	56,769	49,092	48,893	(199)	0
Bad Debt Provisions	750	750	498	(252)	0
HRA Contingency	3,000	9	0	(9)	(1,100)
Transfer to HRA Risk Equalisation Reserve	0	18,293	18,293	0	0
Transfer to HRA Reserves	0	0	1,309	1,309	1,285
Gross Expenditure	205,812	207,088	211,092	4,004	3,265
Net (Surplus) / Deficit	0	0	0	0	0

Appendix 2: 2015-16 Provisional Outturn Carry Forwards and Transfers to Reserves

Directorate	Service Area	Amount (£)	Description	Reserve
Chief Executive's Department	Strategy and Community Partnerships	21,018.83	Grants awarded by Councillors that span more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	51,592.01	Grants awarded by Councillors that span more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	28,257.55	Grants awarded by Councillors that span more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	23,903.68	Grants awarded by Councillors that span more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	95,105.48	Contingency funding for Voluntary and Community Sector (VCS) projects	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	124,251.00	Contingency funding for Voluntary and Community Sector (VCS) projects	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	2,419.14	Projects spanning more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	23,417.45	Projects spanning more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	43,589.00	Projects spanning more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	122,220.84	Finsbury Park Improvements - projects spanning more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	248,643.06	Finsbury Park Improvements (bridges) - projects spanning more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	11,722.00	Finsbury Park Creative Hub	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	30,000.00	George Robey Project - reallocated for the broader regeneration of the Finsbury Park area, overseen by Finsbury Park Regeneration Board	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	107,880.16	Childcare bursaries that span more than one financial year	Carry Forward via Services Specific Reserve
Chief Executive's Department	Governance and Human Resources	8,081.86	Contributions/donations/fundraising for Mayor to spend. Term runs to May and must be spent in full. Carry forward is the amount not spent as at 31st March.	Carry Forward via Services Specific Reserve
Chief Executive's Department	Governance and Human Resources	3,000.00	Contributions/donations/fundraising for Deputy Mayor to spend. Term runs to May and must be spent in full. Carry forward is the amount not spent as at 31st March.	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	28,076.00	Identification and Referral to Improve Safety (IRIS) project funding - for a general practice based domestic violence training, support and referral programme.	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	5,000.00	Dame Alice Owen's Foundation - to fund an independent music consultant to develop and implement a 5 year music education strategy	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	27,000.00	Local Leadership Grant - to assist in the development of a solution to a local 'wicked' / intractable issue through leadership development	Carry Forward via Services Specific Reserve
Chief Executive's Department	Strategy and Community Partnerships	16,434.00	Creative Employment Programme - to create meaningful and high quality work opportunities for young unemployed people aged 16-24 to improve long-term employment prospects	Carry Forward via Services Specific Reserve
Environment and Regeneration	Spatial Planning and Transport	25,000.00	Tall buildings study to explore the growth potential in the borough, in particular for office and employment space	Carry Forward via Services Specific Reserve
Environment and Regeneration	Spatial Planning and Transport	60,000.00	This grant is for flood and coastal erosion assessments within the borough. This information may then be used to formulate future policies, but not to decide whether to create or enhance any capital assets	Carry Forward via Services Specific Reserve
Environment and Regeneration	Community Infrastructure Levy (CIL)	54,488.09	CIL allows for a 5% admin charge to be applied. This will carry forward the surplus on the 2015-16 admin fee charge to be applied against admin fees in 2016-17.	Carry Forward via Services Specific Reserve
Environment and Regeneration	Education Library Services	23,295.06	To cover potential rent following a possible move and / or investment in equipment	Carry Forward via Services Specific Reserve
Environment and Regeneration	Library Services (Heritage Project)	444.27	Grant funding towards the costs of Word 2015 and 2016 - a two year festival programme to encourage and celebrate reading and writing	Carry Forward via Services Specific Reserve
Environment and Regeneration	Library Services (Heritage Project)	8,973.21	Grant funding for The Bevin Court community restoration project	Carry Forward via Services Specific Reserve

Appendix 2: 2015-16 Provisional Outturn Carry Forwards and Transfers to Reserves

Environment and Regeneration	Library Service (Heritage Project)	13,410.00	Grant funding for Imagine Islington project where Islington Museum will be working with 6 local primary schools and an artist to reinterpret the museum collections	Carry Forward via Services Specific Reserve
Environment and Regeneration	Pollution Projects	150,000.00	Installation of rapid electrical vehicles charging points	Carry Forward via Services Specific Reserve
Environment and Regeneration	Private Sector Housing	19,497.62	Decent Homes funding - pays for an officer to carry out street surveys to find non decent homes	Carry Forward via Services Specific Reserve
Environment and Regeneration	Private Sector Housing	83,154.27	Continuation of the additional Houses in Multiple Occupation (HMO) licensing scheme from 1st September 2015 for 5 years	Carry Forward via Services Specific Reserve
Environment and Regeneration	Trading Standards	16,796.83	Integrated Victim Service (IVS) grant funding from the Mayor of London Office for Policing And Crime (MOPAC)	Carry Forward via Services Specific Reserve
Environment and Regeneration	Greenspace and Leisure	85,000.00	To pay for outstanding legal fees relating to Richmond Avenue tree claim	Carry Forward via Services Specific Reserve
Environment and Regeneration	Highways and Energy	325,000.00	Building a new generator in Upper Street	Carry Forward via Services Specific Reserve
Environment and Regeneration	Highways and Energy	325,000.00	Replacing the current generator in the Waste Recycling Centre with a larger model due to additional needs	Carry Forward via Services Specific Reserve
Environment and Regeneration	Highways and Energy	227,000.00	Cost of replacing the water digester at the Waste Recycling Centre, plus backdated penalty charges	Carry Forward via Services Specific Reserve
Environment and Regeneration	Traffic and Engineering	297,272.15	Funding for additional street lamp columns for new developments	Carry Forward via Services Specific Reserve
Environment and Regeneration	Cemeteries Service	449,837.03	Ring-fenced trading account	Transfer to Cemeteries Reserve
Environment and Regeneration	Street Trading	47,541.10	Ring-fenced trading account	Transfer to Street Markets Reserve
Environment and Regeneration	Community Infrastructure Levy (CIL)	2,561,152.72	Strategic CIL - Represents 80% of LBI CIL collected in 2015-16 for use in future financial years	Transfer to CIL Strategic Reserve
Environment and Regeneration	Community Infrastructure Levy (CIL)	480,216.23	Local CIL - Represents 15% of LBI CIL collected in 2015-16 for use in future financial years	Transfer to CIL Local Reserve
Environment and Regeneration	Community Infrastructure Levy (CIL)	173,457.33	Final pay back to Services Specific Reserve for CIL Admin Team costs in 2012-13 and 2013-14	Transfer to Services Specific Reserve
Finance and Resources	Financial Operations	159,000.00	Telecare Equipment Project	Carry Forward via Services Specific Reserve
Finance and Resources	Financial Operations	166,000.00	Fraud Team Grant	Transfer to Housing Benefit Reserve
Finance and Resources	Financial Operations	50,000.00	IMAX Team	Transfer to Housing Benefit Reserve
Finance and Resources	Financial Operations	562,000.00	Housing Benefit Client Side	Transfer to Housing Benefit Reserve
Finance and Resources	Financial Operations	138,000.00	Residents Support Grant	Carry Forward via Services Specific Reserve
Finance and Resources	Financial Operations	227,000.00	Boiler for Municipal Buildings	Carry Forward via Services Specific Reserve
Finance and Resources	Financial Operations	133,000.00	Boiler for Municipal Buildings	Carry Forward via Services Specific Reserve
Finance and Resources	Financial Operations	125,000.00	Boiler for Municipal Buildings	Carry Forward via Services Specific Reserve
Finance and Resources	Financial Operations	15,000.00	Boiler for Municipal Buildings	Carry Forward via Services Specific Reserve
Finance and Resources	Financial Operations	190,000.00	Vehicle Replacement Fund	Transfer to Capital Reserve
Finance and Resources	Financial Operations	60,000.00	Vehicle Replacement Fund	Transfer to Capital Reserve
Finance and Resources	Financial Operations	46,000.00	Payment Card Industry Standards	Carry Forward via Services Specific Reserve
Finance and Resources	Digital Services	25,000.00	Northgate Review	Carry Forward via Services Specific Reserve
Finance and Resources	Digital Services	38,000.00	Enterprise Agreement funding prepaid by departments	Carry Forward via Services Specific Reserve
Finance and Resources	Digital Services	850,000.00	Carry forward for future IT projects	Carry Forward via Services Specific Reserve
Finance and Resources	Digital Services	350,000.00	To fund implementation costs of IT shared service	Transfer to Invest to Save Reserve
Finance and Resources	Financial Operations	190,000.00	To fund implementation costs of IT shared service	Transfer to Invest to Save Reserve
Finance and Resources	Financial Operations	100,000.00	To fund implementation costs of IT shared service	Transfer to Invest to Save Reserve
Finance and Resources	Financial Operations	300,000.00	Rent Allowance Housing Benefit Claim	Transfer to Housing Benefit Reserve
Housing and Adult Social Services	Housing General Fund	200,000.00	Preventing Homelessness Grant	Carry Forward via Services Specific Reserve
Children's Services	Targeted and Specialist Children and Families	300,000.00	Council contribution to Innovations project "Doing What Counts Measuring What Matters". This is a multi-year programme that the carry forward is required to fund in future financial years.	Carry Forward via Services Specific Reserve
Children's Services	Targeted and Specialist Children and Families	915,939.00	DfE funding for the Innovations project "Doing What Counts Measuring What Matters". This is a multi-year programme that the carry forward is required to fund in future financial years.	Carry Forward via Services Specific Reserve
Children's Services	Targeted and Specialist Children and Families	1,517,941.00	Multi-year Community Based Budget (CBB) project including the Families First, Exemplar and Troubled Families services	Carry Forward via Services Specific Reserve
Children's Services	Targeted and Specialist Children and Families	71,140.00	Balance of funding that the Council manages on behalf of the North London Adoption Consortium and belongs to local authorities in the consortium	Carry Forward via Services Specific Reserve

Appendix 2: 2015-16 Provisional Outturn Carry Forwards and Transfers to Reserves

Children's Services	Targeted and Specialist Children and Families	40,467.00	Balance of Children Looked After (CLA) Pupil Premium	Carry Forward via Services Specific Reserve
Children's Services	Partnerships and Support Services	31,818.00	In-year underspend from early decommissioning of youth offer carried forward and reinvested in Targeted Youth	Carry Forward via Services Specific Reserve
Children's Services	Partnerships and Support Services	97,182.00	In-year underspend from early decommissioning of youth offer carried forward and reinvested in Targeted Youth	Carry Forward via Services Specific Reserve
Children's Services	Partnerships and Support Services	70,000.00	Share of surplus income across adventure play earmarked for the employee led mutual that is due to commence in 2016-17	Carry Forward via Services Specific Reserve
Children's Services	Partnerships and Support Services	26,000.00	Funding set aside to meet one-off commitments in relation to a Communications and Training portal and QES data matching system in 2016-17	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Early Years	49,394.00	Balance from Andover Bright Start playgroup provision that is owed to Montem Primary School following the transfer of provision	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Upward Bound	8,061.00	Third party contribution from Dame Alice Owen for the Upward Bound Programme	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Special Educational Needs and Disability (SEND)	25,670.00	Grant funding from the DfE to enable implementation of SEND reforms.	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Early Years	97,282.00	Carry forward of funding for the Childcare Strategy	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Early Years	72,730.00	Funding from the GLA to provide wrap around childcare in schools	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Early Years	135,000.00	Funding received at the end of 2015-16 from the DfE to undertake a pilot project in 2016-17 in relation to the implementation of 30 hours free childcare for 3 and 4 year olds	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Early Years	20,000.00	Funding received at the end of 2015-16 from the DfE to undertake a project in 2016-17 in relation to free childcare for 2 year olds	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Asset Management	38,855.00	Surplus asset management income from schools being held for capital maintenance needs in schools	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Catering Pooled Budget	116,251.00	Money pooled from school budgets for the Caterlink contract. This money belongs to schools in the pool and is automatically rolled forward and future year contributions adjusted accordingly.	Carry Forward via Services Specific Reserve
Children's Services	Learning and Schools - Post 16 Bursary	267,986.00	Carry forward of funding for the Post 16 bursary	Carry Forward via Services Specific Reserve
	GENERAL FUND TOTAL	14,273,863.97		
Children's Services (Dedicated Schools Grant)	Learning and Schools - Early Years	1,775,000.00	Carry forward of 2-year old DSG funding from previous years that is being used to smooth in funding reductions for the statutory entitlement for free childcare for deprived 2-year olds now funding is allocated to local authorities based on take-up	Dedicated Schools Grant Carry Forward
Children's Services (Dedicated Schools Grant)	Learning and Schools - Special Educational Needs and Disability (SEND)	1,050,000.00	Balance of one-off SEND placements contingency	Dedicated Schools Grant Carry Forward
Children's Services (Dedicated Schools Grant)	Learning and Schools - Early Years Special Educational Needs and Disability (SEND)	195,000.00	The net underspend against the Early Years Block is being carried forward to offset pressures in 2016-17 against Early Years SEND	Dedicated Schools Grant Carry Forward
Children's Services (Dedicated Schools Grant)	Learning and Schools - Excluded Pupils / Alternative Provision	145,000.00	Balance of funding for a one-off piece of work on extended educational opportunities for excluded pupils and those in alternative provision	Dedicated Schools Grant Carry Forward
Children's Services (Dedicated Schools Grant)	Learning and Schools - Schools Block Balance	140,000.00	Balance of the DSG underspend to be allocated by Schools Forum	Dedicated Schools Grant Carry Forward
	DEDICATED SCHOOLS GRANT TOTAL	3,305,000.00		

Appendix 3: Capital Monitoring 2015-16 Provisional Outturn

	2015-16 Capital Monitoring					
	Original Budget	Budget Changes During the Year	Revised Budget	Expenditure	% Budget Spent	Re-profiling (to)/from Future Years
	£m	£m	£m	£m	£m	£m
CHILDREN'S SERVICES						
Dowery Street Pupil Referral Unit	3.3	(2.8)	0.5	0.5	94%	(0.0)
Early Years Two Year Old Places	1.0	0.1	1.1	0.9	82%	(0.2)
Mechanical Schemes	0.0	0.5	0.5	0.3	64%	(0.2)
Moreland Primary School	6.1	(1.8)	4.3	4.3	99%	(0.0)
Newington Green Primary School Refurbishment	0.3	0.3	0.6	0.6	102%	0.0
Other	0.0	0.4	0.4	0.4	100%	0.0
Primary Bulge Classes	0.2	0.4	0.5	0.5	88%	(0.1)
Sacred Heart Primary School Extension Grant	1.3	0.0	1.3	1.3	100%	0.0
The Bridge Free School	3.7	(3.7)	0.0	0.0	0%	0.0
Windows Scheme	0.3	(0.1)	0.2	0.2	91%	(0.0)
Total Children's Services	16.1	(6.7)	9.4	8.8	94%	(0.6)
ENVIRONMENT AND REGENERATION						
Other E&R	0.0	0.7	0.7	0.0	0%	(0.7)
Combined Heat and Power	3.4	(1.3)	2.1	1.9	89%	(0.2)
Disabled Facilities	0.6	(0.6)	0.0	0.0	0%	(0.0)
Energy Saving Council Buildings	1.9	(0.5)	1.4	1.0	70%	(0.4)
Greenspace	0.8	(0.6)	0.2	0.0	0%	(0.2)
Highways	1.4	1.0	2.4	2.4	100%	0.0
Leisure	3.4	(0.7)	2.7	2.6	99%	(0.0)
Libraries	0.0	1.2	1.2	1.1	93%	(0.1)
Other Energy Efficiency	2.2	(2.2)	(0.0)	0.0	0%	0.0
Planning and Development	2.1	(2.0)	0.1	0.0	0%	(0.1)
Private Sector Housing	1.5	(1.2)	0.3	0.0	0%	(0.3)
Special Projects	0.0	0.6	0.6	0.1	22%	(0.4)
Traffic and Engineering	3.6	(0.6)	3.0	3.0	100%	0.0
Vehicles	8.5	(6.7)	1.8	3.4	188%	1.6
Total Environment and Regeneration	29.4	(13.0)	16.4	15.5	94%	(0.9)
HOUSING AND ADULT SOCIAL SERVICES						
HOUSING						
Housing Improvements	40.3	(6.3)	34.0	36.2	106%	2.2
New Build	40.8	(15.4)	25.4	28.8	113%	3.4
Total Housing	81.1	(21.7)	59.4	65.0	109%	5.6
ADULT SOCIAL SERVICES						
Adaptations	2.3	(2.3)	(0.0)	0.0	0%	0.0
Care Services	1.0	(0.3)	0.7	0.0	0%	(0.7)
Total Adult Social Services	3.3	(2.7)	0.7	0.0	0%	(0.7)
Total Housing and Adult Social Services	84.5	(24.4)	60.1	65.0	108%	4.9
FINANCE AND RESOURCES						
Finance	0.0	0.1	0.1	0.0	0%	(0.1)
Digital Transformation	1.5	(1.5)	0.0	0.0	0%	0.0
Total Finance and Resources	1.5	(1.4)	0.1	0.0	0%	(0.1)
TOTAL CAPITAL PROGRAMME	131.5	(45.5)	86.0	89.4	104%	3.3

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Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Executive	19 May 2016	All

Delete as appropriate	Exempt	Non-exempt
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SUBJECT: Temporary Accommodation Location Policy

1. Synopsis

- 1.1 This report seeks approval for the proposed Temporary Accommodation Location Policy as detailed in Appendix 1.
- 1.2 The council is required to have in place a policy for the procurement of suitable and affordable temporary accommodation for homeless households. When placing homeless households the council is required to pay due regard to the location of the accommodation in relation to distance away from Islington.

2. Recommendation

- 2.1 To approve the proposed Temporary Accommodation Location Policy, and agree its immediate implementation.

3. Background

- 3.1 Part 7 of the Housing Act 1996, as amended, governs the provision by local housing authorities of assistance to homeless persons. Where the authority decides that a person is eligible for assistance, homeless, in priority need and not homeless intentionally (section 193(1)), they have a duty to secure that accommodation is made available for their occupation (unless they refer the applicant to another authority under the local connection provisions of Pt 7, 1996 Act).

Any accommodation secured in discharge of a duty under section 193 must be suitable: section 206(1). Case law has established that the location of accommodation is relevant to suitability.

When discharging their housing duties under Pt 7, an authority must, so far as reasonably practicable, secure that accommodation is available for the applicant's occupation in their own district: section 208(1).

The Homelessness (Suitability of Accommodation) (England) Order 2012 (SI 2012/2601). Article 2, provides that authorities must, where the accommodation is situated outside of their district, take into account the distance of the accommodation from the authority's district.

Generally, where possible, authorities should try to secure accommodation that is as close as possible to where an applicant was previously living. Securing accommodation for an applicant in a different location can cause difficulties for some applicants. Local authorities are required to take into account the significance of any disruption with specific regard to employment, caring responsibilities or education of the applicant or members of their household. Where possible the authority should seek to retain established links with schools, doctors, social workers and other key services and support."

Local authorities in England are also under a duty to make arrangements to ensure that they have regard "to the need to safeguard and promote the welfare of children" when discharging their functions: Children Act 2004, section 11.

3.2 Landmark Supreme Court Decision

In May 2015 The Supreme Court looked at the suitability of 'out of borough' temporary accommodation, in the case of *Nzolameso v Westminster CC* [2015] UKSC 22.

The court found that there was insufficient evidence that serious consideration was given by the local authority to its obligations before the decision was taken to offer the client a property a considerable distance away from Westminster. The court upheld the appeal in favour of the appellant.

The court recognised that 'out of borough' placements by London boroughs have become increasingly common in recent years. However, local authorities have a statutory duty to provide accommodation in their own area "so far as reasonably practicable". And if that is not practicable, statutory guidance requires them "where possible" to try to secure accommodation as close as possible to where the applicant was previously living.

The authority should also have regard to the need to safeguard and promote the welfare of the children in the household. The decision-maker should identify the principal needs of the children, both individually and collectively, and have regard to the need to safeguard and promote them when making the decision.

Decisions as to the suitability of temporary accommodation offered should be explained to the homeless client and it must be clear from the decision that proper consideration has been given to the relevant matters required by the Act and the Guidance.

3.3 Implications for Islington council

The Supreme Court indicated that ideally each local authority should have, and keep up to date, a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming year. The policy should be approved by Members and be made publicly available.

The court also provided guidance that each local authority should have, and keep up to date, a

policy for allocating units to individual homeless households. Where there was an anticipated shortfall of 'in borough' units, the policy would explain the factors which should be taken into account in offering households the units, the factors that would be taken into account in offering units close to home, and if there was a shortage of such units, the factors which would make it suitable to accommodate a household further away. This policy should also be approved by Members and be made publicly available.

3.4 The proposed Islington policy

Executive is asked to approve the Temporary Accommodation Location Policy, attached as Appendix 1.

The two requirements mentioned under 3.3 above are combined in one policy; it covers the procurement of sufficient units of temporary accommodation as well as guidance for allocating suitable accommodation to meet households' needs.

Checklists will be used to assess how practicable it would be for the applicant and his/her family to move out of Islington.

There isn't a legal requirement for the policy to be in place, but such policy would enable homeless applicants and the local agencies which advise them to understand what to expect and what factors will be relevant to the decision. And it would enable reviewing officers to review the decisions made in individual cases by reference to the published policies.

3.5 Implementation of the policy will involve a more detailed assessment by staff when assessing a homeless application.

The council currently houses 63% of its homeless households within Islington (an increase of 10% compared with the previous year). The policy is to be implemented for placements into temporary accommodation out of borough as appropriate.

4. Implications

4.1 Financial implications

The current annual spend on temporary accommodation is £11.7m

There are no financial implications as a direct result of this report although the proposed Temporary Accommodation location policy will result in increased officer time. We are also at risk of further challenge and there is a possibility that this may lead on to legal expense.

Any pressures arising as a result of this report should be managed within existing resources.

4.2 Legal Implications

Sections 206 and 208 of the Housing Act 1996 and the Homelessness Code of Guidance for Local Authorities 2006 oblige local authorities to provide homeless applicants with "in-borough" accommodation so far as reasonably practicable. The Supplementary Guidance on the homelessness changes in the Localism Act 2011 and the Homelessness (Suitability of Accommodation) (England) Order 2012 provide that the location of the temporary accommodation offered is relevant to its suitability.

In the case of *Nzolameso v Westminster City Council* (2015) the Supreme Court held that local

authorities are entitled to take account of the resources available to them, the difficulties of procuring sufficient temporary accommodation at affordable prices in their area, and the practicalities of procuring accommodation in nearby authorities.

In giving judgement, Lady Hale provided the following guidance – “Ideally, each local authority should have, and keep up to date, a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming year. That policy should, of course, reflect the authority's statutory obligations under both the 1996 Act and the Children Act 2004. It should be approved by the democratically accountable members of the council and, ideally, it should be made publicly available. Secondly, each local authority should have, and keep up to date, a policy for allocating those units to individual homeless households. Where there was an anticipated shortfall of “in borough” units, that policy would explain the factors which would be taken into account in offering households those units, the factors which would be taken into account in offering units close to home, and if there was a shortage of such units, the factors which would make it suitable to accommodate a household further away. That policy too should be made publicly available. This approach would have many advantages. It would enable homeless people, and the local agencies which advise them, to understand what to expect and what factors will be relevant to the decision”.

4.3 Environmental Implications

Housing in the UK accounts for around 25% of the country's carbon emissions, more than either transport or industry, which is primarily due to the energy used for heating, hot water and household appliances. As a result any accommodation utilised by the council will have an environmental impact, which should be considered during the procurement process for temporary accommodation.

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 was completed out on 4th April 2016. It is attached as Appendix 2, and a summary is included below;

It is unavoidable that the placement of homeless households outside the borough will have some negative impact on clients, especially on women as they make up 67% of households in temporary accommodation (due to the fact that the single largest client group is lone parent households headed by women).

Households on low incomes, and those affected by welfare reform and housing policy changes may be unable to afford accommodation in Islington. The council may have no option but to find secure, suitable and affordable accommodation outside of the borough.

This may have some negative impacts on those having to move away from existing community and support networks.

However, the policy is expected to benefit residents in the greatest need of accommodation.

The council will attempt to mitigate negative impacts by seeking accommodation as near to Islington as possible, in locations with good transport links and easy access to Islington. Accommodation will be sought in areas with relevant services and facilities to meet clients' needs.

Floating Support services such as Families First and Single Homeless Project are set up to provide services to clients in temporary accommodation out of borough.

Disabled clients attending regular medical appointments in Islington will be prioritised for an offer of accommodation within the borough, as will families with a child protection plan.

The council is also diversifying its temporary accommodation portfolio by making use of own council stock, to create more affordable supply within borough.
63% of all temporary accommodation is now within Islington.

5. Reasons for the recommendations

- 5.1 Local authorities have a duty to provide suitable and affordable temporary accommodation for homeless households. The proposed Temporary Accommodation Policy is designed to help the council carry out robust and detailed assessments to ensure that the accommodation offered meets household needs.

Appendices

- Appendix 1: Temporary Accommodation Location Policy
- Appendix 2: Resident Impact Assessment

Finance report clearance

Signed by:



4 May 2016

Executive Member for Housing and Development

Date:

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Housing Policy *Temporary Accommodation Location Policy*

Author: Service Development Team
To be Approved by: Council's Executive
Date to be Approved: 19 May 2016
Policy review date: As required

This policy affects

- Homeless clients seeking housing assistance from the council
- Council or Housing Association tenants fleeing DV/harassment in need of temporary accommodation

1. Background

When making offers of temporary accommodation (TA) under the Housing Act 1996 Part VII, local authorities must take account of the applicant's circumstances and their need to be placed in Islington or as near as possible to Islington. When assessing this, the council can only take account of actual need and not the applicant's preference to be offered temporary accommodation in or near to the borough.

Local authorities have a statutory duty to provide accommodation in their own area "so far as is reasonably practicable". Statutory guidance requires them "where possible" to try and secure accommodation as close as possible to where an applicant was previously living (Housing Act 1996, Part vii, Section 208(1)).

2. Legal framework

- S188 Housing Act 1996
- S 193 Housing Act 1996
- S 208 Housing Act 1996
- Homeless (Suitability of Accommodation) Order 2012
- Localism Act 2011
- Homelessness Code of Guidance for Local Authorities (Department for Communities and Local Government, 2006)
- S.11 Children Act 2004

Supplementary guidance to the homelessness changes in the Localism Act 2011 and the Homeless (Suitability of Accommodation) Order 2012 states the following:

"Where it is not possible to secure accommodation within the district, and an authority has secured accommodation outside their district, the authority is required to take account of the distance of that

accommodation from the district of the authority. Where accommodation which is otherwise suitable and affordable is available nearer to the authority's district than the accommodation which it has secured, the accommodation which it has secured is unlikely to be suitable unless the authority has a justifiable reason or the applicant has expressed a preference."

Case law

- *Nzolameso v Westminster City Council* – Supreme Court Judgment 02.04.15; paragraphs 38 and 39 include that local authorities need to explain their decisions as to the location of properties offered. They are entitled to take account of the resources available to them, the difficulties of procuring sufficient units of temporary accommodation at affordable prices in their area, and the practicalities of procuring accommodation in nearby authorities.

The court proposed that each local authority should have, and keep up to date, a policy for procuring sufficient units of temporary accommodation to meet the anticipated demand during the coming year. That policy should reflect the authority's statutory obligations under both the 1996 Act and the Children Act 2004. Secondly, each local authority should have, and keep up to date, a policy for allocating those units to individual homeless households. Where there was an anticipated shortfall of "in borough" units, that policy would explain the factors which would be taken into account in offering households those units, the factors which would be taken into account in offering units close to home, and if there was a shortage of such units, the factors which would make it suitable to accommodate a household further away.

- *Birmingham City Council v Ali*; *Moran v Manchester City Council* [2009] ; the court observed that 'what is regarded as suitable for discharging the interim duty may be rather different from what is regarded as suitable for discharging the more open-ended duty in section 193(2).'

3. Islington Policy Statement

- The council will, wherever possible, offer accommodation within the borough.
- If this is not possible, the council will offer accommodation as near as possible to the borough.
- The council will take account of relevant need factors when assessing the suitability of location of temporary accommodation, including:
 - Affordability: We will take into account a household's income and source a property which has a rent that is affordable, as well as meets the household's needs. Due to high rents within Islington, this will often mean securing a property out of the borough. The household's ability to meet any shortfall between housing benefit paid and the rent charged will be taken into account. We will determine whether a household may be exempt from the general household benefit cap or whether they may be eligible for a Discretionary Housing Payment (DHP) to help pay the rent.
 - Location: Where accommodation is sourced outside Islington, the distance of the property from Islington together with services, amenities and transport links in the new area will be taken into account. The potential impact of the location on family members will be considered. Specifically, the factors below will be taken into consideration;
 - Children's education: Children's ages and key educational stages will be taken into consideration, including any public examinations they will be taking. The practicalities of travel arrangements to existing schools will be considered including the cost and ease/length of time of travel. The possibility of transferring to schools closer to the property offered will also be considered. Children of primary school age may need to move to schools closer to their new home. Support (to be) provided to any children with special educational needs will also be taken into consideration.

- Child care and other caring responsibilities: The feasibility of maintaining existing child care and / or other caring arrangements will be considered. The cost and availability of caring arrangements in the new area will also be explored, including travel time to that care provision.
- Employment: The ease and cost of travel from the location of the new property to existing place of work, including any shift patterns will be taken into account. The possibility of transferring to a workplace in the new area will also be explored.
- Health and support needs: Any medical or support needs will be taken into account, including any existing health or support services provided. We will consider whether moving the client's healthcare or support services would have a detrimental effect. Any needs for accessible accommodation would be addressed. Where there is Children's Services involvement, they will be consulted about transferring a household to an alternative location.
- Cultural and religious requirements: any specific requirements, such as the availability of community centres and places of worship in the new TA area would be explored.
- Children's needs: We will consider the needs of all children in the household and any arrangements for safeguarding those needs (in accordance with Section 11 of the Children Act 2004).
- Risk: Where a household is perceived to be at risk from others, or where there is a history of risk to others, the extent, nature, likelihood and gravity of the risk will be assessed and taken into account.
- Special circumstances: Households with children at risk, on the Child Protection Register or significantly disadvantaged, will be prioritised for an offer of accommodation within Islington. A person suffering from a terminal illness or having a severe disability and receiving regular treatment under the care of a Islington hospital will also be prioritised.

The council will keep daily records of all available properties, and will allocate accommodation to clients which is in, or as near to Islington, as possible.

However, when making any offer of accommodation, the council needs to take into account what accommodation is available at the time and prioritise use of the nearest accommodation to those applicants with the highest needs.

The council will keep details of what properties are available on each day, and file these for three months.

In order to make an offer of accommodation that is suitable to the client, the council will make use of a number of checklists, which will be reviewed from time to time.

Having taken into account all information gathered as part of the suitability and affordability assessment, the council will then make the applicant an offer of accommodation.

The council will explain to the applicant in writing why they have been offered accommodation in a certain location and the factors that have been taken into consideration when making the offer.

Where the council is unable to source temporary accommodation that meets all the client's needs, it will offer available accommodation that meets the applicant's needs as closely as possible.

4. Procurement of temporary accommodation

As there is a thriving private sector rental market in London landlords are often able to obtain more rental income on the open market (in particular in inner-London boroughs including Islington) than from temporary accommodation lettings.

The Council provides temporary accommodation to a large number of homeless applicants each year. During the financial year 2014/15 the Council made 865 placements into temporary accommodation in discharge of s188.

Islington council has been very successful for an Inner London borough in having 63% (as at 31 December 2015) of its temporary accommodation in the borough of Islington, and 36% in greater London. This is achieved by clear and transparent procurement, timely and efficient management and payment, and partnership working with local private landlords, through the Private Landlords Forum.

The council has contracts in place with providers to supply temporary accommodation within Islington and in other boroughs. These include Framework Agreements and Service Level Agreements with private accommodation agencies, estate agents, lettings agents, private sector landlords and Registered Providers.

In addition to the use of private rented accommodation for the use of temporary accommodation, the council also makes use of some of its own stock, including reception centres, properties earmarked for future regeneration and former Right to Buy properties through a Buy Back scheme.

In order to secure a sufficient supply of temporary accommodation we will:

- Agree a budget based on best available cost modelling
- Agree the limited use of council's own stock for temporary accommodation
- Support the Private Landlords Forum in order to maintain and develop supplier relationships
- Re-procure temporary accommodation under a Framework Agreement
- Further develop our Social Lettings Agency, Islington Lettings.

Resident Impact Assessment

Title of policy, procedure, function, service activity or financial decision: Temporary Accommodation Location Policy

Service Area: Housing Needs and Strategy

1. What are the intended outcomes of this policy, function etc?

86% of the council's temporary accommodation portfolio consists of properties leased or licensed from private landlords and agents. Currently 63% of households in temporary accommodation are placed within Islington, with the rest placed in Greater London – predominantly north and east London with good transport links to Islington.

Due to Local Housing Allowance caps and the introduction of the Total Benefit Cap, coupled with a general lack of housing supply and constantly rising private sector rents, it has become increasingly difficult to secure affordable temporary accommodation, especially within Islington. The purpose of this policy is to meet the housing need of homeless households in as fair and transparent way as possible, using objective assessments using needs based criteria. The council intends to continue to procure as much temporary accommodation within the borough as possible. This policy gives a clear framework for deciding where households go.

The intended outcome of the new policy is to ensure that homeless households are offered temporary accommodation that is suitable and affordable. The council will undertake a comprehensive assessment of households' needs to ensure that the location and physical aspects of the temporary accommodation are suitable for them.

2. Resident Profile

Who is going to be impacted by this change i.e. residents/service users/tenants? Please complete data for your service users. If your data does not fit into the categories in this table, please copy and paste your own table in the space below. Please refer to **section 3.3** of the guidance for more information.

		Borough profile	Service User profile
		Total: 206,285	Total:
Gender	Female	51%	It has the potential to impact on all of these groups.
	Male	49%	
Age	Under 16	32,825	For specific profiles of temporary accommodation clients, please see 3.1
	16-24	29,418	
	25-44	87,177	

	45-64	38,669	below.
	65+	18,036	
Disability	Disabled	16%	
	Non-disabled	84%	
Sexual orientation	LGBT	No data	
	Heterosexual/straight	No data	
Race	BME	52%	
	White	48%	
Religion or belief	Christian	40%	
	Muslim	10%	
	Other	4.5%	
	No religion	30%	
	Religion not stated	17%	

3. Equality impacts

With reference to the [guidance](#), please describe what are the equality and socio-economic impacts for residents and what are the opportunities to challenge prejudice or promote understanding?

3.1 Service Users Profile

- There are approximately 940 homeless households currently placed in temporary accommodation by the council. Of those:
 - 750 (80%) are households with children
 - 190 (20%) are single persons
- Of the families with children, 585 (80%) are lone parent households.
- There are 1260 children living in temporary accommodation.
- Women represent 67% of all homeless households in temporary accommodation. This is largely due to the fact that the vast majority of single parent families are headed by women (95%).
- 55% of households are from BME groups.
- Over 95% of all households in temporary accommodation are in receipt of housing benefit to help pay their rent.

3.2 How will the new policy impact on clients with protected characteristics?

Age

Age is only recorded for single clients, age data are therefore not representative of the temporary accommodation population as a whole.

Amongst single clients the most prevalent age group is 25-44 years, followed by 45-49 years and 16-24 years in equal proportions.

Many households have school age children. Being placed in accommodation outside of the borough could have a potential impact on households in terms of changing schools, and loss of educational support services and networks.

When placing a family out of borough, the council will take childrens' ages and their educational and support needs into consideration, and will make every effort to establish the availability and location of schools and required services in the new area.

Households with children at risk, on the Child Protection Register or significantly disadvantaged, will be prioritised for an offer of accommodation within Islington.

Disability

Disabled clients may be negatively impacted by being placed out of the borough, by being further away from hospitals, clinics, support centres etc, They may also find it harder to travel.

Disabled clients who have regular medical appointments in borough will be prioritised for an offer of accommodation within or as near as possible to Islington.

When placed out of borough, consideration will be given to the ease of transport for disabled clients to and from Islington.

For clients with sensory disabilities, special equipment can be provided or arrangements put in place to adapt the accommodation to the client's specific needs.

Gender re-assignment

We do not have data available on gender re-assignment of clients in temporary accommodation.

However, the council will endeavour to place clients close to locations with appropriate community support services.

Marriage / Civil Partnership

We do not have data available on marriage or civil partnership status of clients in temporary accommodation.

It is not envisaged that the new policy will have a specific impact on this protected characteristic.

Pregnancy + Maternity

Pregnant women are included in 'Households with children', for temporary accommodation data recording purposes. Separate figures for pregnant women are not available.

Households with children make up the majority of all homeless households (80%), with each household having 1.7 children on average.

A transition of services during pregnancy could have a potential negative impact, as could a potential loss of support networks.

The council will actively seek to link clients in to maternity and support services in the new area.

All staff have been trained in safeguarding matters and procedures to ensure potential issues are identified and dealt with appropriately.

A dedicated mother and baby TA scheme has been set up in the past year within Islington.

Race

Clients from BME groups are slightly over represented amongst homeless clients compared with the general population (55% against 52%).

There is a significant potential negative impact on BME groups if they were to be placed in areas which are less diverse, possibly causing isolation and potential discrimination.

Every effort will be made to place families in areas that will welcome and meet the needs of BME groups, and with appropriate existing community groups in place.

Clients from BME groups are more likely to be affected by housing benefit caps, which will in turn impact on being able to secure affordable accommodation.

Affordability assessments will be carried out for all clients, not only BME groups, to try and ensure that people are being placed in accommodation that is affordable to them.

Religion and belief

There is a potential negative impact on clients being placed in areas where they may be unable or meet hostility to practice their religions. The council will ensure that clients are placed in locations with reasonable access to appropriate institutions of worship.

Sex

There is a higher ratio of women in temporary accommodation mainly due to the number of lone parent households headed by women.

The new policy therefore unavoidably has a greater impact on women than men.

Efforts will be made to place women clients in safe and secure accommodation, in areas with good transport links, and with support and community facilities in place.

Sexual orientation

Due to under-reporting, no comprehensive data are available of sexual orientation of temporary accommodation clients.

Where specific needs are identified, the council will take these into consideration when allocating temporary accommodation.

3.3 Socio-economic impacts

Households on low incomes, and those affected by welfare reform and housing policy changes may be unable to afford accommodation in Islington. The council may have no

option but to find secure, suitable and affordable accommodation outside of the borough. This may have some negative impacts on those having to move away from existing community and support networks.

However, the policy is expected to benefit residents in the greatest need of accommodation.

The council will attempt to mitigate negative impacts by seeking accommodation as near to Islington as possible, in locations with good transport links and easy access to Islington. Accommodation will be sought in areas with with relevant services and facilities to meet clients' needs.

Floating Support services such as Families First and Single Homeless Project are set up to provide services to clients in temporary accommodation out of borough.

Increased use of text and email in communication between the council and clients also helps to overcome geographical distances; it reduces the need to travel and makes communication more instant and effective.

The council is also diversifying its temporary accommodation portfolio by making use of own council stock, to create more affordable supply within borough. 63% of all temporary accommodation is now within Islington.

4. Safeguarding and Human Rights impacts

a) Safeguarding risks and Human Rights breaches

Please describe any safeguarding risks for children or vulnerable adults AND any potential human rights breaches that may occur as a result of the proposal? Please refer to **section 4.8** of the [guidance](#) for more information.

The principles of the Human Rights act are incorporated into the policy, and particular regard has been given to article 8 - Right to privacy and family life - everyone has the right to respect for his private and family life, his home and his correspondence.

The policy includes provisions to ensure safeguarding risks are dealt with appropriately.

If potential safeguarding and human rights risks are identified then **please contact equalities@islington.gov.uk to discuss further:**

5. Action

How will you respond to the impacts that you have identified in sections 3 and 4, or address any gaps in data or information?

For more information on identifying actions that will limit the negative impact of the policy for protected groups see the [guidance](#).

Action	Responsible person or team	Deadline
Carry out comprehensive suitability and	Housing Solutions and	Ongoing. Review

affordability assessments when placing clients in temporary accommodation	Temporary Accommodation teams	to be carried out in 4 months after policy implemented
Produce information leaflet for clients explaining the limitations of sourcing affordable accommodation, esp within Islington	Temporary Accommodation Team	July 2016
Work with IMAX and IWORK to maximise clients' income, and assist them mitigate the impact of welfare reform.	Temporary Accommodation Team	Ongoing
Secure funding for feasibility study for converting some existing reception centre units into accessible and affordable accommodation for disabled clients	Karen Lucas + Irna van der Palen	September 2016

Please send the completed RIA to equalites@islington.gov.uk and also make it publicly available online along with the relevant policy or service change.

This Resident Impact Assessment has been completed in accordance with the guidance and using appropriate evidence.

Staff member completing this form:

Signed: ___Irna van der Palen

Date: 04/04/2016

Head of Service or higher:

Signed: _____

Date: [Click here to enter a date.](#)



Report of: Executive Member for Environment and Transport

Executive	Date: 19 May 2016	Ward(s): All
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Delete as appropriate		Non-exempt
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SUBJECT: Adoption of Fixed Penalty Notices for fly tipping offences

1. Synopsis

- 1.1 Recently introduced Regulations have granted Local Authorities powers to issue fix penalty notices for contraventions of section 33 (1)(a) of Environmental Protection Act 1990 (EPA) for fly tipping. The purpose of this report is to seek authorisation for the level of penalty to be fixed at a maximum of £400 per penalty notice with a reduced penalty to £200 if the penalty is paid within 10 days of issue.

2. Recommendations

- 2.1 To agree to set the level of Fixed Penalty Notices as provided for under Regulation 2 of the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 at £400 per penalty notice for fly tipping, such penalty to be reduced to £200 if paid within 10 days of issue.

3. Background

- 3.1 Fly tipping in Islington is a serious problem. The table below shows the number of annual fly tipping reports received by the Council for the last 5 years.

Year	Number of Fly tips
April 2015 to March 2016	4174
April 2014 to March 2015	3166
April 2013 to March 2014	5246
April 2012 to March 2013	2231
April 2011 to March 2012	2047

- 3.2 To reduce incidents of fly tipping the Council has undertaken a wide range of education programmes encouraging residents and businesses to dispose of their waste correctly. The Council has also carried out both high visibility and covert patrols throughout the borough, including targeted patrols.

- 3.3 Section 33(1)(a) of the Environmental Protection Act 1990 creates an offence for depositing controlled waste or knowingly permitting controlled waste to be deposited on any land unless the person has a valid permit authorising him to do so. A person found to have contravened this provision is liable to prosecution. London Boroughs are enforcement authorities under the provisions of the Act. The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 comes into force on 9th May 2016. These regulations amend section 33 of the Environmental Protection Act 1990 by inserting a new section 33ZA into the EPA 1990. The Regulations introduce new powers for local authorities to issue fixed penalty notices (FPNs) for such offences, including small scale fly tipping, providing Councils with an alternative remedy to prosecutions.
- 3.4 The Regulations allow for a fixed penalty of £150 to £400 with a minimum reduced rate of £120 if paid within 10 days.
- 3.5 Prosecutions for fly tipping are difficult and expensive to pursue whilst FPNs will be immediate and easier to issue.
- 3.6 The change provides local authorities with a more efficient and proportionate response to small-scale fly-tipping of waste.
- 3.7 This report seeks authorisation to set the level of penalty for fly tipping FPNs at the £400 maximum to be reduced to £200 if paid within 10 days of issue.
- 3.8 It is believed that the level of penalty sought will be an appropriate level of deterrent. The Government was to issue guidance on Fixed Penalty Notices on 11th March 2016 but at the time of writing, this is still awaited. Defra have now stated that the Guidance will be issued before the 9th May 2016 and in which case, this report may be updated.
- 3.9 Enforcement officers in Public Protection are authorised by the Constitution to enforce the provisions of Section 33 (1) (a) of the Environmental Protection Act and will be able to serve the fixed penalty notices for small scale fly tipping.

4. Implications

Financial implications:

- 4.1 The introduction of fixed penalty notices will mean that the cost of the associated enforcement activities will be reduced and can be reclaimed through fines. At present, the costs of taking court actions against perpetrators are high and even if prosecutions are successful, full costs are not always granted or recovered.

Legal Implications:

- 4.2 The legal implications are set out in the body of the report.

Environmental Implications

- 4.3 Fly tipping is detrimental to areas and can be unsightly, hazardous and an attraction to pests depending on the nature of the materials. The Regulations will enable the Council to take a faster and more direct approach to ensuring that perpetrators are made accountable.

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. No negative impacts have been identified in

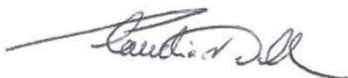
relation to protected characteristics. No human rights breaches or safeguarding issues have been identified. The change is considered positive and beneficial to all.

5. Reasons for the recommendations / decision:

- 5.1 Under section 33 of the EPA 1990, the previous option with fly-tipping was to prosecute offenders. This was a time-consuming and costly procedure for both local authorities and magistrate's courts. The Government preference is now to issue fixed penalty notices from May 2016. The provisions of the regulations are welcomed as they allow the introduction of an immediate penalty to act as a deterrent to fly-tipping in Islington.

Signed by:

5 May 2016



Executive Member for Environment and Transport Date

Appendices

1 - Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016

Background papers: none

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2016 No. 334

ENVIRONMENTAL PROTECTION, ENGLAND

**The Unauthorised Deposit of Waste (Fixed Penalties)
Regulations 2016**

<i>Made</i>	- - - -	<i>7th March 2016</i>
<i>Laid before Parliament</i>		<i>11th March 2016</i>
<i>Coming into force</i>	- -	<i>9th May 2016</i>

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(a).

The Secretary of State is designated(b) for the purposes of the European Communities Act 1972 in relation to the environment.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 and come into force on 9th May 2016.

(2) These Regulations extend to England and Wales and Scotland.

Amendment of the Environmental Protection Act 1990

2.—(1) Part 2 of the Environmental Protection Act 1990 (waste on land)(c) is amended as follows.

(2) After section 33 (prohibition on unauthorised or harmful deposit, treatment or disposal etc. of waste) insert—

“33ZA Fixed penalty notices for contravention of section 33(1)(a): England

(1) Where an authorised officer of an English waste collection authority has reason to believe that a person has committed a waste deposit offence in the area of the authority, the officer may give the person a notice under this section in respect of the offence.

(2) In subsection (1), “waste deposit offence” means an offence under section 33 in respect of a contravention of subsection (1)(a)(d) of that section.

(3) A notice under this section is a notice offering the opportunity of discharging any liability to conviction for the offence to which it relates by payment of a fixed penalty.

(a) 1972 c. 68. Section 2(2) was amended by section 27(1)(a) of the Legislative and Regulatory Reform Act 2006 (c. 51) and by Part 1 of the Schedule to the European Union (Amendment) Act 2008 (c. 7).

(b) S.I. 2008/301.

(c) 1990 c. 43.

(d) Section 33(1)(a) was amended by S.I. 2007/3538 and 2009/1799.

- (4) Where a person is given a notice under this section in respect of an offence—
- (a) no proceedings may be instituted for the offence before the end of the period of 14 days following the date of the notice; and
 - (b) the person may not be convicted of the offence if the person pays the fixed penalty before the end of that period.
- (5) A notice under this section must give such particulars of the circumstances alleged to constitute the offence as are necessary for giving reasonable information about the offence and must state—
- (a) the period during which, by virtue of subsection (4)(a), proceedings will not be taken for the offence;
 - (b) the amount of the fixed penalty; and
 - (c) the person to whom and the address at which the fixed penalty may be paid.
- (6) If an authorised officer proposes to give a person a notice under this section, the officer may require the person to give the person's name and address.
- (7) It is an offence to—
- (a) fail to give a name or address when required to do so under subsection (6), or
 - (b) give a false or inaccurate name or address in response to a requirement under that subsection.
- (8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (9) The fixed penalty payable in pursuance of a notice under this section—
- (a) is an amount not less than £150 and not more than £400, as specified by the English waste collection authority whose authorised officer gave the notice, or
 - (b) if no amount is specified by that authority, is £200.
- (10) An English waste collection authority to whom a fixed penalty is payable pursuant to a notice under this section may make provision for treating the fixed penalty as having been paid if a lesser amount of not less than £120 is paid before the end of the period of 10 days following the date of the notice.
- (11) In any proceedings a certificate which—
- (a) purports to be signed by or on behalf of the chief finance officer of an English waste collection authority to whom a fixed penalty is payable pursuant to a notice under this section, and
 - (b) states that the payment of a fixed penalty was or was not received by a date specified in the certificate,
- is evidence of the facts stated.
- (12) In this section—
- “authorised officer”, in relation to an English waste collection authority, means—
- (a) an employee of the authority who is authorised in writing by the authority for the purposes of giving notices under this section;
 - (b) a person who, in pursuance of arrangements made with the authority, has the function of giving such notices and is authorised in writing by the authority to perform that function;
 - (c) an employee of such a person who is authorised in writing by the authority for the purpose of giving such notices;
- “chief finance officer”, in relation to an English waste collection authority, means the person having responsibility for the financial affairs of the authority;
- “English waste collection authority” means a waste collection authority whose area is in England.”.

(3) In section 73A (use of fixed penalty receipts), in subsection (2)(a), after “section” insert “33ZA,”.

7th March 2016

Rory Stewart
Parliamentary Under Secretary of State
Department for Environment, Food and Rural Affairs

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations insert provisions into the Environmental Protection Act 1990 (c. 43) (“the Act”) to allow a waste collection authority in England to issue a fixed penalty notice for a contravention of section 33(1)(a) of the Act. Section 33(1)(a) prohibits a person from depositing controlled waste or extractive waste in or on any land unless in accordance with an environmental permit.

The new provisions provide for a fine of not less than £150 and not more than £400 as specified by the waste collection authority, and £200 if no amount is specified.

An impact assessment of the effect that this instrument will have on the costs of business is available from the Waste Regulation and Crime Team at the Department for Environment, Food and Rural Affairs, Area 2B, Nobel House, 17 Smith Square, London SW1P 3JR and is published with the Explanatory Memorandum alongside this instrument on www.legislation.gov.uk.

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(a) Section 73A was inserted by section 52 of the Clean Neighbourhoods and Environment Act 2005 (c. 16). Section 73A(2) was amended by section 58(5) of the Deregulation Act 2015 (c. 20).

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