



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 **20 October 2016 at 7.00 pm.**

Stephen Gerrard
Director Law and Governance

Enquiries to : Philippa Green
Tel : 020 7527 3184
E-mail : democracy@islington.gov.uk
Despatched : 12 October 2016

Membership

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

Councillor Asima Shaikh
Councillor Diarmaid Ward
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 for Economic Development
Executive Member for Housing and 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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E. 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.

F. 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.

G. Urgent Exempt Matters

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

The next meeting of the Executive will be on 24 November 2016

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Agenda Item 3

London Borough of Islington

Executive - 29 September 2016

Minutes of the meeting of the Executive held at Committee Room 4, Town Hall, Upper Street, N1 2UD on 29 September 2016 at 7.00 pm.

Present: **Councillors:** Watts, Burgess, Comer-Schwartz, Hull, Ward and Webbe

Councillor Richard Watts in the Chair

302 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Calouri and Shaikh.

303 DECLARATIONS OF INTEREST

There were no declarations of interest.

304 MINUTES OF PREVIOUS MEETING

That the Minutes of the meeting on 21 July 2016 be confirmed as a correct record and the Chair be authorised to sign them.

305 FINANCIAL POSITION AS AT 31 JULY 2016

RESOLVED:

- 1.1. That the overall forecast revenue outturn for the General Fund (**Table 1** and **Appendix 1** of the report) of a gross overspend of £3.7m, including corporate items, and a net overspend of £0.7m after a £3.0m drawdown from the contingency reserve (**Section 3** of the report) be noted.
- 1.2. That the actions needed to reduce the underlying forecast net General Fund overspend (**Paragraph 3.2** of the report) be noted.
- 1.3. That the HRA is forecast to break-even (**Section 5, Table 1** and **Appendix 1** of the report) be noted.
- 1.4. That the latest capital position with forecast capital expenditure of £115.9m in 2016-17 be noted, and the re-profiling between financial years be agreed (**Paragraphs 6.1 to 6.5, Table 2** and **Appendix 2** of the report).
- 1.5. That the additional schemes in (**Paragraphs 6.6.1 to 6.6.4** of the report) are funded within the 2016-17 capital programme by way of a drawdown from the

earmarked capital reserve at the end of the financial year be agreed.

- 1.6. That the transfer of balances to the Invest to Save reserve from other earmarked reserves (**Paragraph 6.7** and **Table 3** of the report) and the drawdown of £7.830m from the Invest to Save reserve to the Finance and Resources revenue budget for forecast Digital Services transformation (one-off) costs in 2016-17 (**Paragraph 6.8** of the report) be agreed.
- 1.7. That the transfer of £3.0m from the housing benefit reserve to the redundancy reserve (**Paragraph 6.9 of the report**) be agreed.

Reasons for decision – to allow the Executive to monitor the budget.

Other options considered – none other than specified in the report.

Conflicts of interest / dispensations granted – none.

306 **ALTERNATIVE PROVISION SCRUTINY - RECOMMENDATIONS FROM THE CHILDREN'S SCRUTINY COMMITTEE**

The Chair noted the Executive's thanks to the Scrutiny Committee.

RESOLVED:

1. That the report of the Children's Services Scrutiny Committee be received.
- 1.2 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 Children's Services Scrutiny Committee's recommendations.

Reasons for decision – to allow the Executive to respond to the Scrutiny Committees' recommendations.

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

307 **RESPONSIVE REPAIRS SCRUTINY - RECOMMENDATIONS FROM THE HOUSING SCRUTINY COMMITTEE**

The Chair noted the Executive's thanks to the Scrutiny Committee.

RESOLVED:

- 1.1 That the report of the Housing Scrutiny Committee be received.
- 1.2 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.

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

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

308 **COMMUNITY ENERGY SCRUTINY REVIEW RECOMMENDATIONS - EXECUTIVE MEMBER'S RESPONSE**

RESOLVED:

That the actions being taken forward to address the recommendations of the Environment & Regeneration Scrutiny Committee on Community Energy be noted.

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

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

309 **ISLINGTON VCS PARTNERSHIP GRANTS PROGRAMME 2016-2020 - RETAINED FUNDING ALLOCATION**

RESOLVED:

1.1 That the recommendations set out in section 8 of this report, which seek to address the identified gaps in the portfolio of VCS organisations awarded grant funding in June 2016, be agreed.

1.2 That the allocation of funding of £131,428 per annum from the VCS budget, and a total of £460,000 between 1st October 2016 and 31st March 2020 which levers and additional £170,000 from other partners, as set in in section 8 of this report, be agreed.

Reasons for decision – to support the priorities and services outlined in “Towards a Fairer Islington: Voluntary & Community Sector Strategy 2016 - 2020”.

Other options considered – none other than specified in the report.

Conflicts of interest / dispensations granted – none.

310 **UPDATE ON COMMUNITY INFRASTRUCTURE LEVY (CIL) ALLOCATION PROCESS AND INVESTMENT PRIORITIES**

RESOLVED:

1.1 That the proposed CIL allocation process as outlined in Appendix One of this report be agreed.

1.2 That the proposed re-distribution mechanism for ensuring that each ward has a minimum level of CIL funds to allocate each year, as illustrated in Appendix Two of this report, be agreed.

1.3 That strategic CIL funding will be integrated with the capital medium term financial strategy and budget setting process and formally allocated by Executive at the end of each financial year (as part of the Financial Outturn report) to projects on the CIL Regulation 123 Infrastructure List (Appendix Three) be agreed.

1.4 That adoption of the revised CIL Regulation 123 Infrastructure List following the public consultation that was carried out between 26 May and 23 June 2016

(the final revised List is set out in Appendix Three of this report) be agreed.

- 1.5 That the proposed method for the allocation of carbon offsetting contributions set out in Sections 3.26 to 3.29 of the report, and the proposed allocations set out in Appendix Four of this report, be agreed.

Reasons for decision – to ensure the Council uses its resources in the most effective way.

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

311 **WASTE MINIMISATION AND RECYCLING ACTION PLAN 2016/17**

RESOLVED:

- 1.1 That the Waste Minimisation and Recycling Service Aims and Objectives for 2016/17 as set out in paragraph **Error! Reference source not found.** of the report, be agreed.
- 1.2 That the outcome of the recycling pilot carried out in Tollington (and neighbouring) Wards as set out in paragraph **Error! Reference source not found.** of the report be noted.
- 1.3 That the proposed changes to food and garden waste recycling collections would not deliver the level of savings originally anticipated be noted.
- 1.4 That implementation of the previously proposed changes to food and garden waste recycling collections will not proceed, as other ways of achieving the savings have been identified, including re-phasing the delivery of savings across the department and from optimising refuse and recycling rounds.
- 1.5 That implementation of optimised refuse and recycling collection rounds for properties with door to door collections based on a village principle (area based teams) be agreed.
- 1.6 That changes to the estate door to door recycling service have been completed be noted.

Reasons for decision – to enable the service to become more efficient and to deliver its MTFs savings targets

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

312 **PROCUREMENT STRATEGY FOR TUFNELL PARK PRIMARY SCHOOL REDEVELOPMENT**

RESOLVED:

- 1.1 That the procurement strategy for redevelopment of Tufnell Park Primary School as outlined in this report be agreed.
- 1.2 That the procurement of a design and build contractor to undertake pre-construction contract duties using the Southern Construction Framework

(SCF), Lot 3 London Construction Projects £5m plus, be agreed, and to undertake a mini competition pursuant to that framework be agreed.

- 1.3 That authority be delegated to the Corporate Director of Children's Services in consultation with the Corporate Directors of Finance and Assistant Chief Executive (Governance and HR) to enter into a Pre-Construction Agreement with the selected design and build contractor be agreed.
- 1.4 That the contract award of the Design and Build Contract for the works will be subject to separate Executive approval be agreed.
- 1.5 That the proposed school development will provide capacity for three forms of entry and facilities for 2 year olds and that it would help to meet the projected need for places in the borough and help to satisfy the Authority's obligation to provide sufficient school places, be noted.

Reasons for decision – to significantly enhance Tufnell Park Primary School and provide necessary school places in that part of Islington.

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

313 PROCUREMENT STRATEGY - BLOCK CONTRACTS FOR DOMICILIARY CARE SERVICES

RESOLVED:

That the procurement strategy for a block contract for domiciliary care services as outlined in the report be agreed.

Reasons for decision – to maintain safety, quality and continuous improvement in the provision of domiciliary care services for the borough.

Other options considered – none other than as specified in the report

Conflicts of interest / dispensations granted – none.

314 PROCUREMENT STRATEGY - LEARNING DISABILITIES SUPPORTED LIVING SPOT PURCHASE FRAMEWORK AGREEMENT

RESOLVED:

- 1.1 That the procurement strategy for the Council to join the Learning Disabilities Supported Living Spot Purchase Framework be agreed.
- 1.2 That authority to award any subsequent contract award for call-off from the framework be delegated to the Corporate Director for Housing and Adult Social Services be agreed.

Reasons for decision – to meet the increasing need in the borough for supported living accommodation for people with a learning disability

Other options considered – none other than as specified in the report.

Conflicts of interest / dispensations granted – none.

315 **PROCUREMENT STRATEGY FOR TUFNELL PARK PRIMARY SCHOOL
REDEVELOPMENT - EXEMPT APPENDICES**

That the information in the exempt appendix to Agenda item E11 be noted (see Minute 312 for decision).

MEETING CLOSED AT 7.15 pm

CHAIR



Report of: Executive Member for Finance, Performance and Community Safety

Meeting of:	Date	Ward(s)
Executive	20 th October 2016	

FINANCIAL MONITORING 2016-17 MONTH 5

1. SYNOPSIS

- 1.1 This report presents the forecast outturn position for 2016-17 as at 31st August 2016. Overall, there is a gross General Fund overspend of £3.9m, and a net overspend of £0.9m after a £3.0m drawdown from the contingency reserve. The report proposes actions to reduce the forecast net General Fund overspend.
- 1.2 The Housing Revenue Account (HRA) is forecast to break-even over the year.
- 1.3 It is forecast that £116.5m of capital expenditure will be delivered in 2016-17.

2. RECOMMENDATIONS

- 2.1. To note the overall forecast revenue outturn for the General Fund (**Table 1** and **Appendix 1**) of a gross overspend of £3.9m, including corporate items, and a net overspend of £0.9m after a £3.0m drawdown from the contingency reserve. (**Section 3**)
- 2.2. To note the actions needed to reduce the underlying forecast net General Fund overspend. (**Paragraph 3.2**)
- 2.3. To note that the HRA is forecast to break-even. (**Section 5, Table 1** and **Appendix 1**)
- 2.4. To note the latest capital position with forecast capital expenditure of £116.5m in 2016-17. (**Section 6, Table 2** and **Appendix 2**)

3. REVENUE POSITION: SUMMARY

- 3.1. A summary position of the General Fund and Housing Revenue Account is shown in **Table 1** with a more detailed breakdown contained in **Appendix 1** (by service area).

Table 1: 2016-17 General Fund and HRA Month 5 Forecast

	Forecast Over/(Under) Spend (£000)
<u>GENERAL FUND</u>	
Finance and Resources	684
Chief Executive's Department	1,000
Core Children's Services (Excluding Schools)	3,170
Environment and Regeneration	4,202
Housing and Adult Social Services	(17)
Public Health	7
DEPARTMENTAL TOTAL	9,046
Corporate Items	(5,168)
GROSS OVER/(UNDER) SPEND	3,878
Less: Drawdown from Contingency Reserve	(3,010)
NET OVER/(UNDER) SPEND	868
<u>HOUSING REVENUE ACCOUNT</u>	
NET (SURPLUS)/DEFICIT	0

- 3.2. There are many risks that could materialise into further overspends over the course of the financial year. To reduce the underlying, forecast net General Fund overspend, the following actions are being undertaken to bring the 2016-17 budget into balance:

- 3.2.1. Corporate Directors have identified further management actions to bring down their departmental overspends;
- 3.2.2. There will be clawback, at a level to be agreed, on new carry-forwards at the end of this financial year; and
- 3.2.3. A freeze or delay on new, non-essential spending, including filling vacant posts.

4. GENERAL FUND

Finance and Resources Department (+£0.7m)

- 4.1. The Finance and Resources Department is forecasting an overspend of (+£0.7m). This is due to the following variances:

- 4.1.1. (+£1.1m) shortfall against the commercial property income target due to savings materialising over a longer time frame.
- 4.1.2. (+£0.1m) short-term delay to the Wi-Fi income saving compared to the original estimate.
- 4.1.3. Re-phasing of the ICT shared service saving (+£0.5m) to allow the new service to get up and running.
- 4.1.4. Compensating in-year management actions of (-£0.65m) through the more efficient use of staff for processing Housing Benefit claims, (-£0.3m) property savings on the Old Street facilities management budget and the building repairs fund and (-£0.05m) of staffing efficiencies.

Chief Executive's Department (+£1.0m)

- 4.2. The Chief Executive's Department is forecasting a (+£1.4m) provisional outturn overspend. Significant New Homes Bonus (NHB) grant funding was received over the 2015-17 period and it was planned that this would replace council funding and other reducing funding streams within the Strategy and Community Partnerships division. However, this funding has already been committed against other expenditure in the division, meaning that the budgeted savings are no longer deliverable. The overall shortfall is around £1.4m; however, management actions are being put in place to reduce this pressure.

Children's Services

General Fund (+£3.2m)

- 4.3. A (+£3.2m) provisional outturn overspend is forecast for the General Fund (non-schools) Children's Services budget as a number of pressures against demand led specialist services have continued from 2015-16 into 2016-17; especially in relation to increasing numbers of personal budget packages, care proceedings, care leavers, unaccompanied asylum seeking children and looked after children. Further overspends are occurring against secure accommodation costs and from the late notice of a further cut in grant funding from the Youth Justice Board. An overspend is also forecast against the universal free school meals budget as pupil numbers continue to increase and eligibility for statutory free school meals reduces. The key variances are as follows:
 - 4.3.1. Increased demand for high level personal budgets to deliver community based packages. (+£0.2m)
 - 4.3.2. Increase in care proceedings including family assessment. Reflects a national trend where there has been an increase of 17% in care proceedings across the country. (+£0.10m)
 - 4.3.3. Leaving Care costs for 18+ year olds - significant increase in the number of care leavers that we are obliged to offer a service to. Includes rising 18's (Southwark judgement). (+£0.50m)
 - 4.3.4. Unaccompanied Asylum Seeker Children (UASC) - the numbers of UASC have increased by 36 over the duration of the last financial year. The authority is allocated grant to cover the costs of an individual; however, this is not sufficient to

meet the sums expended. The first 25 cases are not funded by the Home Office. (+£0.15m)

- 4.3.5. Children Looked After (CLA) staffing including Independent Futures and the associated increase on client (non-placement) costs (e.g. travel, interpreters, and rents). (+£0.1m)
 - 4.3.6. Increase in support packages for young people placed for Adoption because of severe disability and the need for 1 to 1 support to carers. (+£0.1m)
 - 4.3.7. CLA Placements – increase in the number and complexity of cases for the under-18 cohort of CLA. These are mainly regulated residential placements. (+£0.50m)
 - 4.3.8. Increase in support for 16-17 years olds living in supported accommodation. (+£0.55m)
 - 4.3.9. Youth Justice – late notification of £40k reduction of Youth Justice Board grant for 2016-17. (+£0.04m)
 - 4.3.10. Universal Free School Meals - increased pupil numbers and reduced eligibility for statutory free school meals. The forecast will be updated after the October 2016 schools' census. (+£0.5m)
 - 4.3.11. Early Years Childcare Subsidy - expanded childcare provision at Moreland Children's Centre following redevelopment of the school and children's centre site has increased the number of subsidised places on offer. (+£0.08m)
 - 4.3.12. Early Years transformation programme – estimated revenue cost of developing and implementing the new model. (+£0.2m)
 - 4.3.13. Special Educational Needs (SEN) Transport (+£0.15m) - Increasing numbers of pupils and complexity of need.
- 4.4. Management action to reduce the overspend is currently underway which includes holding vacancies and reviewing high-cost social care packages, but demand in some areas is outstripping supply.

Schools (-£1.1m)

- 4.5. A Dedicated Schools Grant (DSG) underspend of (-£1.1m), or 0.7% of DSG, is forecast. All of the provisional DSG underspend consists of balances from previous years' underspends that are being managed to support specific areas of activity as previously agreed by Schools Forum.

Environment and Regeneration (+£4.2m)

- 4.6. The Environment and Regeneration Department is forecasting a (+£4.2m) overspend. The main reasons for the overspend are a combination of longstanding structural issues previously contained by managerial action across the department, loss of income due to market conditions or decisions made by third parties impacting on earlier assumptions and delays in implementing earlier savings decisions. The main variances are detailed below.
- 4.7. The Public Realm division is forecast to be (+£3.1m) overspent. This is as a result of:

- 4.7.1. Delays in implementing complex service changes to deliver in year savings in the Refuse, Recycling and Commercial Waste Operations service, (+£2.0m).
 - 4.7.2. The delay referred to above has also had an impact on the procurement of new refuse collection vehicles as decisions around vehicle numbers and design specification cannot be made until the target operating model is finalised. Continued reliance on an ageing fleet has increased the cost of fleet hire significantly with much higher levels of vehicle downtime. This has led to ongoing lease costs that were not budgeted for of (+£0.6m).
 - 4.7.3. Additional staffing costs (+£0.5m) within the Refuse and Recycling service due to cover arrangements and additional overtime as a result of higher levels of vehicle downtime, additional staffing costs due to Health and Safety requirement for extra loaders for the first six months of the year and additional costs due to the garden waste pilot.
 - 4.7.4. Delays in realising the growth in the trade waste services have resulted in a (+0.4m) shortfall in trade waste income within this financial year.
 - 4.7.5. Advertising Concession contract saving - a (+£0.5m) pressure as a result of existing contracts delaying implementation, and difficulty in identification of suitable sites that would generate sufficient revenues.
 - 4.7.6. Delays in realising savings from income generating opportunities through the Islington Council trading company, iCo, of (+£0.1m) with a risk that income will not be achieved over and above existing service income targets.
 - 4.7.7. Data circuits saving - a pressure of (+£1.0m) due to a lack of suitable General Fund sites.
 - 4.7.8. This is offset by improvements in the income streams within the parking account of (-£2.0m). All income streams within the parking account are currently performing above the levels expected in the financial model. If this trend continues, this will result in a significant underspend against budget which can be utilised against highways and transport related spend that would otherwise need to be funded from council revenue and/or capital resources. Improvements to the accuracy of Penalty Charge Notice (PCN) issues and debt recovery have increased the average value of a PCN, and parking bay suspension income remains high as a consequence of the high levels of economic activity in the borough. Pay and display levels are on target and permit sales have increased. Improvements to the monitoring of moving traffic offences are planned to be operational within the financial year, which will also improve compliance levels in this area.
- 4.8. The Public Protection division is forecast to be (+£0.6m) overspent. There are a number of longstanding, structural budget issues within the Public Protection Division that have materialised over recent years. This was subject to extensive reporting during the 2015-16 monitoring cycle. The pressures are a mixture of unfunded staff costs through loss of grant income, unachievable income targets that relied on outdated business models (e.g. DVD / CD rentals in libraries), and other income pressures.

- 4.9. The Planning and Development division is forecast to be (+£0.5m) overspent. Within this, Development Control is forecast to be (£0.4m) overspend, comprising a (+£0.2m) base budget pressure due to unbudgeted legal costs of appeals and (+£0.2m) other net cost pressures including agency costs relating to back-filling vacant posts. This is already partly offset by strong pre-application income performance which could further reduce this net overspend if it continues over the financial year. In addition, there are net cost pressures of (+£0.1m) in Spatial Planning and Transport and Building Control due to a projected shortfall in income (+£0.2m), which is partially offset by savings due to vacancies (-£0.1m).

Housing and Adult Social Services (Break-even Position)

- **Adult Social Care (Break-even Position)**

- 4.10. Adult Social Care is forecasting a break-even position over the financial year.

- **Housing General Fund (Break-even Position)**

- 4.11. The Housing General Fund is forecast to break-even over the financial year.

Public Health (Break-even Position)

- 4.12. Public Health is funded via a ring-fenced grant of £27.3m for 2016-17. There is a forecast break-even position for the financial year.

Corporate Items (-£5.2m)

- 4.13. By integrating Strategic Community Infrastructure Levy (CIL) funding with the capital medium term financial strategy (MTFS), it is forecast that there will be £3.5m of previously unbudgeted Strategic CIL funding available for funding infrastructure in the 2016-17 capital programme. This will deliver a saving of (-£3.5m) of the annual corporate revenue contribution to the capital programme in 2016-17 and over the medium term.

- 4.14. The Council has continued to follow a successful Treasury Management Strategy of shorter-term borrowing at low interest rates. This is forecast to save the General Fund (-£2.0m) 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.

- 4.15. Additional net unbudgeted grant income (-£0.6m) has been received to compensate for the impact of Government policy on our retained business rates income in 2016-17 (e.g. the continued doubling of small business rates relief).

- 4.16. These savings are partially offset by:

4.16.1. (+£0.8m) 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).

4.16.2. (+£0.1m) further legal costs relating to a settled claim against three privately owned mature London Plane trees that had been proven to cause subsidence.

Due to strong public support, the Council argued for retaining the trees and won the appeal for the trees to be retained. The claimants then proceeded with a claim against the Council for repair costs.

5. HOUSING REVENUE ACCOUNT

- 5.1. The HRA is forecast to break-even over the financial year with no drawdown from HRA balances anticipated at this stage.

6. CAPITAL PROGRAMME

- 6.1. It is forecast that £116.5m of capital investment will be delivered in 2016-17. This is set out by department in **Table 2** below and detailed at **Appendix 2**.

Table 2: 2016-17 Capital Programme Month 5 Forecast

Department	2016-17 Capital Budget	2016-17 Capital Forecast	Forecast Re-profiling (to)/from Future Years (£m)
	(£m)	(£m)	(£m)
Children's Services	18.9	18.8	(0.1)
Environment and Regeneration	26.4	26.3	(0.1)
Housing and Adult Social Services	61.2	71.4	10.2
Total	106.5	116.5	(10.0)

Forecast Re-profiling

- 6.2. Under the Council's financial regulations, the re-profiling of capital budgets between financial years over £1m on an individual capital scheme is a function of the Executive.

Housing and Adult Social Services

- 6.3. New Homes Programme – the new homes programme is fully funded over the medium term. The first quarterly review in 2016-17 indicates deliverable new homes capital expenditure of £39.6m in 2016-17, which is £10.2m more than the £29.4m estimated when setting the 2016-17 original budget. This will be reviewed at the second quarterly review before determining the amount of resources required to bring forward from future years to 2016-17.

7. IMPLICATIONS

Financial Implications

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

Legal Implications

- 7.2. 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

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

Resident Impact Assessment

- 7.4. A resident impact assessment (RIA) was carried out for the 2016-17 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



Executive Member for Finance,
Performance and Community Safety

11 October 2016

Date

Appendix 1 - Revenue Monitoring 2016-17 Month 5 by Service Area

GENERAL FUND					
Department / Service Area	Original Budget	Current Budget	Forecast Outturn	Forecast Over/(Under) Spend Month 5	Forecast Over/(Under) Spend Month 4
	£'000	£'000	£'000	£'000	£'000
FINANCE AND RESOURCES					
Corporate Director of Finance and Resources	915	892	892	0	0
Digital Services and Transformation	1,345	8,604	9,104	500	500
Financial Management	(3,072)	(3,117)	(2,283)	834	1,214
Financial Operations	2,359	7,207	6,557	(650)	(300)
Internal Audit	551	547	547	0	0
Total Finance and Resources	2,098	14,133	14,817	684	1,414
CHIEF EXECUTIVE'S DEPARTMENT					
Chief Executive	4	0	0	0	0
Governance and Human Resources	340	448	448	0	0
Strategy and Community Partnerships	3,067	4,399	5,399	1,000	1,000
Total Chief Executive's Department	3,411	4,847	5,847	1,000	1,000
CHILDREN'S SERVICES					
Learning and Schools	21,927	22,758	22,578	(180)	(330)
Partnerships and Support Services	15,273	16,207	16,207	0	0
Targeted and Specialist Children and Families	38,482	41,028	43,268	2,240	2,390
Less Projected Ring-Fenced Schools Related Underspend	0	0	1,110	1,110	1,110
Total Children's Services	75,682	79,993	83,163	3,170	3,170
ENVIRONMENT AND REGENERATION					
Directorate	(2,458)	(1,213)	(1,213)	0	0
Planning and Development	1,796	1,894	2,439	545	412
Public Protection	10,609	11,324	11,929	605	561
Public Realm	24,694	23,368	26,420	3,052	2,337
Total Environment and Regeneration	34,641	35,373	39,575	4,202	3,310
HOUSING AND ADULT SOCIAL SERVICES (HASS)					
Temporary Accommodation (Homelessness Direct)	2,176	2,471	2,932	461	461
Housing Needs (Homelessness Indirect)	1,819	1,501	1,426	(75)	(75)
Housing Benefit	880	880	880	0	0
Housing Strategy and Development	217	174	142	(32)	(32)
Housing Administration	1,850	2,404	2,052	(352)	(352)
Total Housing General Fund	6,942	7,430	7,432	2	2
Adult Social Care	31,030	31,738	31,728	(10)	(10)
Integrated Community Services	15,772	15,534	15,353	(181)	(181)
Strategy and Commissioning	31,774	31,904	32,076	172	172
Total Adult Social Services	78,576	79,176	79,157	(19)	(19)
Total Housing and Adult Social Services	85,518	86,606	86,589	(17)	(17)
PUBLIC HEALTH					
NHS Health Checks	342	342	398	56	56
Obesity and Physical Activity	731	731	731	0	0
Other Public Health	(21,496)	(19,184)	(19,184)	0	0
Sexual Health	8,268	8,268	8,233	(35)	(35)
Smoking and Tobacco	673	673	602	(71)	(71)
Substance Misuse	7,444	7,444	7,465	21	21
Children and Young People	1,906	1,726	1,748	22	22
Children 0-5 Public Health	2,132	0	14	14	14
Total Public Health	0	0	7	7	7
DEPARTMENTAL TOTAL	201,350	220,952	229,998	9,046	8,884
CORPORATE ITEMS					
Corporate and Democratic Core / Non Distributed Costs	15,129	14,545	14,545	0	0
Other Corporate Items	290	(939)	(4,915)	(3,976)	(3,976)
Corporate Financing Account	(22,475)	(22,475)	(24,475)	(2,000)	(2,000)
Levies	22,005	22,005	22,005	0	0
Transfer to/(from) Reserves	12,555	(5,369)	(5,369)	0	0
Specific Grants	(17,960)	(17,960)	(17,960)	0	0
Core Government Funding / Council Tax	(211,162)	(211,162)	(211,162)	0	0
No Recourse to Public Funds	268	403	1,211	808	808
Total Corporate Items	(201,350)	(220,952)	(226,120)	(5,168)	(5,168)
GROSS TOTAL	0	0	3,878	3,878	3,716
Drawdown from Contingency Reserve	0	0	(3,010)	(3,010)	(3,010)
NET TOTAL	0	0	868	868	706

Appendix 1 - Revenue Monitoring 2016-17 Month 5

HOUSING REVENUE ACCOUNT(HRA)						
Department / Service Area	Original Budget	Current Budget	Latest Actual	Forecast Outturn	Forecast Over/(Under) Spend Month 5	Forecast Over/(Under) Spend Month 4
	£'000	£'000	£'000	£'000	£'000	£'000
Dwelling Rents	(160,331)	(160,331)	(53,444)	(162,031)	(1,700)	(1,700)
Non Dwelling Rents	(1,750)	(1,350)	(746)	(1,350)	0	0
Heating Charges	(2,000)	(2,000)	(666)	(2,000)	0	0
Leaseholders Charges	(9,748)	(9,748)	(3,250)	(9,748)	0	0
Other Charges for Services and Facilities	(4,377)	(4,377)	(1,342)	(4,577)	(200)	(200)
PFI Credits	(22,854)	(22,854)	(7,618)	(22,854)	0	0
Interest Receivable	(500)	(500)	0	(500)	0	0
Contribution from General Fund	(816)	(816)	0	(816)	0	0
Gross Income	(202,376)	(201,976)	(67,066)	(203,876)	(1,900)	(1,900)
Repairs and Maintenance	31,930	31,930	8,960	31,930	0	0
General Management	49,155	48,955	23,741	48,530	(425)	(425)
PFI Payments	39,714	39,714	17,339	39,964	250	250
Special Services	16,817	16,817	4,227	16,817	0	0
Rents, Rates, Taxes and Other Charges	739	539	286	679	140	140
Capital Financing Costs	46,387	46,387	0	46,387	0	0
Bad Debt Provisions	750	750	0	750	0	0
HRA Contingency	2,500	2,500	0	2,500	0	0
Transfer to HRA Reserves	14,384	14,384	0	16,319	1,935	1,935
Gross Expenditure	202,376	201,976	54,553	203,876	1,900	1,900
Net (Surplus)/Deficit	0	0	(12,513)	0	0	0

Appendix 2: Capital Monitoring 2016-17 Month 5

	2016-17 Budget Monitoring						
	Original Budget	Budget Changes During the Year	Revised Budget	Forecast Outturn	Forecast Re-profiling (to)/from Future Years	Expenditure to Date	% Budget Spent to Date
	£m	£m	£m	£m	£m	£m	£m
CHILDREN'S SERVICES							
Moreland Primary School	8.4	0.0	8.4	8.4	0.0	4.9	58%
Dowery Street Pupil Referral Unit	4.3	(1.9)	2.4	2.4	0.0	1.4	58%
The Bridge Free School	4.7	0.0	4.7	4.7	0.0	0.0	0%
Primary School Expansions	6.4	(6.4)	0.0	0.0	0.0	0.0	0%
Primary Capital Scheme	0.3	0.1	0.4	0.4	0.0	0.2	50%
Windows Scheme	0.4	0.0	0.4	0.4	0.0	0.1	35%
Primary Bulge Classes	0.1	0.1	0.2	0.2	0.0	0.1	48%
Primary Electrical Schemes	0.9	0.0	0.9	0.9	0.0	0.3	33%
Mechanical Schemes	0.4	0.1	0.5	0.5	0.0	0.1	20%
Early Years Two Year Old Places	0.9	(0.4)	0.5	0.5	0.0	0.0	0%
Other	3.0	(2.5)	0.5	0.4	(0.1)	0.0	0%
Total Children's Services	29.8	(10.9)	18.9	18.8	(0.1)	7.1	37%
ENVIRONMENT AND REGENERATION							
Other Environment and Regeneration	0.0	0.1	0.1	0.1	0.0	0.0	0%
Planning and Development	2.0	(1.8)	0.2	0.2	0.0	0.1	32%
Cemetaries	0.5	0.0	0.5	0.5	0.0	0.0	0%
Disabled Facilities	0.7	0.2	0.9	0.9	0.0	0.3	29%
Libraries	0.0	0.1	0.1	0.1	0.0	0.0	0%
Private Sector Housing	1.6	(0.4)	1.2	1.2	(0.0)	0.0	3%
Combined Heat and Power	4.0	0.4	4.4	4.3	(0.1)	1.2	27%
Energy Saving Council Buildings	0.2	0.7	0.9	0.9	(0.0)	0.2	19%
Vehicles	3.7	(1.6)	2.1	2.1	0.0	0.7	32%
Greenspace	0.4	1.3	1.7	1.4	(0.3)	0.3	18%
Highways	4.4	(0.1)	4.3	4.3	0.0	0.7	17%
Ironmonger Row Bath	0.0	0.0	0.0	0.2	0.2	0.2	0%
Leisure	4.5	0.1	4.6	4.6	0.0	1.2	26%
Other Energy Efficiency	0.7	0.5	1.2	1.2	0.0	0.0	0%
Recycling Improvements	0.9	(0.6)	0.3	0.3	(0.0)	0.0	0%
Special Projects	0.0	0.4	0.4	0.4	0.0	0.1	26%
Traffic and Engineering	3.3	0.2	3.5	3.6	0.1	0.6	17%
Total Environment and Regeneration	26.9	(0.5)	26.4	26.3	(0.1)	5.5	21%
HOUSING AND ADULT SOCIAL SERVICES							
HOUSING							
Major Works and Improvements	31.1	0.0	31.1	31.1	0.0	9.8	32%
New Build	29.4	0.0	29.4	39.6	10.2	8.3	28%
Total Housing	60.5	0.0	60.5	70.7	10.2	18.1	30%
ADULT SOCIAL SERVICES							
Care Services	0.0	0.7	0.7	0.7	(0.0)	0.0	1%
Total Adult Social Services	0.0	0.7	0.7	0.7	(0.0)	0.0	1%
Total Housing and Adult Social Services	60.5	0.7	61.2	71.4	10.2	18.1	30%
FINANCE AND RESOURCES							
Digital Services	1.5	(1.5)	0.0	0.0	0.0	0.0	0%
Total Finance and Resources	1.5	(1.5)	0.0	0.0	0.0	0.0	0%
TOTAL CAPITAL PROGRAMME	118.7	(12.2)	106.5	116.5	10.1	30.7	29%

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Report of: Executive Member for Housing and Development

Meeting of:	Date	Ward(s)
Executive	20 October 2016	All

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SUBJECT: Capital Programming scrutiny review – Executive member response to proposed recommendations

1. Synopsis

- 1.1 On the 21 April 2016 the Executive received a report from the Housing Scrutiny Committee concerning the Capital Programming service. The report highlighted fifteen recommendations to further improve the Capital Programming service.

2. Recommendations

- 2.1 To agree the response to the Housing Scrutiny Committee's recommendations for capital programming as detailed in paragraph 4 of this report.

3. Background

- 3.1 In September 2014 the Housing Scrutiny Committee commissioned a review of the Capital Programming service. The aim of the review was to consider the benefits and shortfalls of Capital Programming and to explore what improvements could be made to address any shortfalls of the service.
- 3.2 The review also considered other areas associated with Capital Programming. They were: to investigate how contractors are selected, to look at opportunities for using local labour, and to explore who determines what works are undertaken.
- 3.3 The committee issued a final report on the 22nd March 2016 which included fifteen recommendations. The response to each of those recommendations is set out in paragraph 4 below.

4. Response to recommendations

- 4.1 **In future capital works contracts, the Council should consider increasing its role in the selection and monitoring of sub-contractors, to ensure that those contractors which carry out high-quality work, establish positive relationships with residents and the use of local labour are preferred over those with recorded performance issues**

The Council like all other public sector organisations within the United Kingdom are bound by the rules of OJEU which requires all contracts with a value greater than five million Euros to be advertised across the EU. Given the outcome of the June referendum there is unlikely to be any change to these rules until after the UK formally departs from the EU. The Council will actively look at any new changes to the Procurement Rules placed upon public sector organisations by the UK government post-Brexit and will ensure that we use all means available to maximise the use of local sub-contractors in future capital works contracts. The Council does currently monitor the performance of each of the capital works contractors through quarterly KPIs. The targets within these KPIs will be reviewed and enhanced going forward.

- 4.2 **That penalty clauses be reinstated into future capital works contracts to ensure appropriate recourse in the event of performance issues, and incentives be explored as a means of improving performance.**

The Council has embraced the partnering ethos however it will now ensure that a full review of the pros and cons of reinstating Liquidated and Ascertained Damages and the Retention Clauses is undertaken as well as reviewing whether financial incentives should be put in place to encourage a better level of service from the successful contractors. The benefits will of course need to outweigh those of the the current arrangements and will need to be in line with the contractual requirements.

- 4.3 **That the Council further consider social value matters when procuring capital works contracts.**

The Council will ensure that all future successful contractors are fully committed to the Council's Social Value Matters agenda and that they can demonstrate this during the Invitation To Tender and the Pre-Qualification Questionnaire stages which form an important part of the tender selection process. The Council has clear over-riding policy ambitions in this regard which are periodically updated and we will ensure that we set future contract requirements in line with this policy.

- 4.4 **Given the financial challenges facing the Council, all procurement options be explored to ensure that best value is achieved when the capital works contracts are due to be re-tendered. The Council should consider if the greatest value can be obtained through term partnering agreements, procuring works in smaller lots, or carrying out certain works in-house.**

The Council will review all the available options open to it to ensure that it achieves and maximises Best Value in all future capital works contracts.

- 4.5 **To assist in the future procurement of capital works, consideration be given to establishing a benchmarking club with other London local authorities, to ensure best practice on contractual, financial, and performance matters.**

The Council will seek to establish closer working relationships with other local authorities to ensure that benchmarking of similar issues is explored and to ensure that it embraces best practice at all stages of capital works contracts. The Council will look to focus first on building relationships with specific boroughs which are facing similar challenges rather than London-wide comparison due to differing stages of Decent Homes work and the

differing implications/outcomes resulting from the recent Housing and Planning Act 2016.

- 4.6 **In order to continue gauging satisfaction and identifying performance issues, the Council should continue and expand the pilot survey of residents before, during and after capital works.**

The Council is committed to continuing to listen to residents at all stages of the capital works programme. Currently residents are consulted prior to the completion of the scope of works and at a pre-start meeting and are issued with site-specific newsletters during the course of the works and invited to an end of contract review walkabout on-site. In addition to this residents are invited to attend the 12 months defects walkabout on-site.

- 4.7 **That further work be carried out to increase the accessibility and transparency of leaseholder service charges for capital works, and the council seek to discontinue the use of commercial sensitivity clauses relating to the schedules of rates when tendering for future capital works contracts.**

The Council needs to keep this issue under review as disclosure of the rates submitted by successful contractors which they deem to be commercially sensitive is a contentious issue. If the rates are disclosed and put into the public domain this is likely to discourage some competent and competitive contractors from submitting tenders in this financially critical period. The Council employs a team of experienced and qualified quantity surveyors whose job it is to interrogate the rates and dimensions used by the capital works contractors in their priced submissions.

- 4.8 **With a view to increasing resident engagement and transparency, resident inspectors be appointed to review capital works as they are being carried out. It is suggested that the council engage with TRAs, TMOs and other resident groups on this matter.**

The Council is committed to ensuring the best standard of workmanship from all of its contractors to ensure that standards are maintained. We regularly engage with TRAs and TMOs on capital works before, during and after works on site. We will continue to invite residents to scope of works meetings, pre-start meetings, end of contract review walkabouts on-site and the 12 months defects walkabout on-site.

- 4.9 **The seven-year basis of the cyclical improvement programme be reviewed to ensure that the greatest value for money is achieved. It is suggested that the basis of any capital works programme should be flexible and based on the life-cycles of components.**

Council surveyors carry out condition surveys of the building to determine if works are necessary at that time, or if the remedial works can be deferred for another few years. The broad range of buildings within the Council's housing stock means that there is an amount of expected variability in the frequency with which different buildings require maintenance to keep them to a decent standard. This process ensures that regular inspections are carried out, but offers the flexibility to defer works where the works are not absolutely required to ensure prudent investment of resources.

- 4.10 **Following previous resident involvement in the selection of capital works contractors, tenants and leaseholders should continue to be involved in decisions about procurement and the future of the service.**

The Council will continue to have tenant and leaseholder involvement in the selection of capital works contractors and they will be involved in decisions about the procurement and the future of the service.

- 4.11 **To improve the response to capital works consultations, the Council seek to**

engage further with tenants and leaseholders, particularly those in areas without TRAs which tend to have a lower response rate to consultations.

The Council seeks to engage and encourage participation from these groups at consultation events for major works. Consultation Officers will, prior to consultation meetings taking place, remind residents by placing notices at the entrances of the estates/blocks concerned of the impending meeting. Meetings have been arranged between the Consultation Team and Resident Engagement Team to establish an engagement approach to assist in attracting more residents to major works consultation events.

4.12 The Council seek to use the capital works programme to increase the quantity and quality of local employment opportunities and implement the findings of the Employment Commission.

The Council's local employment targets are currently being met by both capital works contractors. These targets will be reviewed for any future contracts and made more demanding if it is realistic to do so. It should be noted that there are limitations on the range of apprenticeships that can be offered by the capital works contractors via our workstreams as the works themselves do not encompass a sufficiently broad range of experience on certain trades e.g. bricklaying where we could only offer experience on repairs and not on new building.

4.13 Consideration be given to establishing an in-house capability to carry out a proportion of planned maintenance works, subject to consultations with labour unions.

Consideration of all options is undertaken when reprocurring contracts. It should be noted that direct works operatives are already used for some planned maintenance works, although these works are not included in the capital works contracts.

4.14 Future capital works contracts should require property data compiled by contractors to be held in an accessible format to enable integration into the council's own ICT systems. The contracts should stipulate that all such data is owned by the council.

The Council works very closely with the two capital works contractors on data management as the exchange of information is key to the success of the contracts. The contractors are required to provide records against each project identifying the works that have been carried out to each flat and/or on each block/estate. The Council used these records to update its own asset management database, Codeman.

4.15 The service explore opportunities for income generation, such as providing contractors with on-site facilities on a commercial basis.

The Council has negotiated a source of income from one its contractors for the hire of the disused underground garages on the Girdlestone Estate. Similar arrangements to these will apply to all new long term site storage facilities. It should be noted that the Council is contractually required to provide each contractor with welfare and storage facilities within easy reach of estates they are working on. Adequate site welfare is often a very real challenge due to the highly built-up nature of the borough, so it is imperative we retain some flexibility in this regard to ensure the effective delivery of the capital works programme.

5. Implications

5.1 **Financial implications:**

Given the resourcing pressures facing the HRA the financial impact of any proposals would need to be funded from within existing budgets or from additional external income generated. A full financial assessment of individual proposals will be carried out when they are fleshed out in more detail & it is decided which of the proposals are to be moved forward.

5.2 **Legal Implications:**

There are no specific legal implications on this report. Where required, legal advice and support will be provided to Housing Services in respect of the implementation of the recommendations.

5.3 **Environmental Implications:**

Some of the recommendations made in this report may have a positive environmental impact. Better selection and monitoring of subcontractors could help ensure that they comply with the environmental requirements placed upon them, whilst an in-house service would also give greater control over performance and compliance with requirements. The use of local labour may reduce vehicular emissions by reducing the distances travelled by contractors to carry out the works.

The need to ensure best value should be balanced with the environmental impacts of the work being done.

5.4 **Resident Impact Assessment:**

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

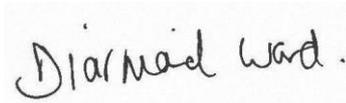
Where the proposals in this report may have equalities implications and other implications for residents. Resident Impact Assessments (including assessment of equalities implications) will be undertaken as part of the process of developing and implementing policies and actions arising from this report.

6. Conclusion and reasons for recommendations

- 6.1 This report details the Executive's response to the recommendations of the Housing Scrutiny Committee.

Final report clearance:

Signed by:

A handwritten signature in black ink that reads "Diarmaid Ward." The signature is written in a cursive style.

10 October 2016

Executive Member for Housing and Development **Date:**

Report Author: Damian Dempsey - Group Leader Quantity Surveyors
Tel: 020 7527 1795
Email: damian.dempsey@islington.gov.uk



Report of: Executive Member for Housing and Development

Executive	Date: 20 10 16	Ward(s): All
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SUBJECT: Confirmation of Article 4 Directions to withdraw Permitted Development right for change of use from shops to financial and professional services

1. Synopsis

- 1.1 This report proposes that three non-immediate Article 4 Directions made by the Council on 26 May 2016 are confirmed to come into force on 26 May 2017. These Directions will withdraw the permitted development right which allows A1 shops to change to A2 financial and professional services without planning permission.
- 1.2 The three Directions cover (i) Town Centres, (ii) Local Shopping Areas and (iii) the rest of the borough (to ensure that dispersed shops are protected). The Directions are considered necessary as the permitted development right has significant potential harm on local amenity and wellbeing; in particular it could lead to a loss of essential services and accessible retail for local residents, and could affect the vitality and viability of retail areas which jeopardises the long-term future of local businesses.

2. Recommendations

- 2.1 To agree to confirm three Article 4 Directions that will withdraw the permitted development right which allows A1 shops to change to A2 financial and professional services without planning permission. The three Directions will come into force on 26 May 2017 and cover the following areas:
- (i) Town Centres;
 - (ii) Local Shopping Areas; and
 - (iii) The rest of the borough, i.e. any area not designated as a Town Centre or Local Shopping Area.

3. Background

- 3.1 In April 2015, the government amended the Town and Country Planning (General Permitted

Development) (England) Order (the GPDO) to grant new permitted development (PD) rights to allow Class A1 uses (shops) to change use to a Class A2 uses (financial and professional services). Unlike other PD rights, there are no restrictions to using the PD right, with no requirement for prior approval of any details, or even to notify the Council of the change of use. The Council has power to withdraw this right by Article 4 of the GPDO, if it is satisfied that it is expedient that development should not be carried out unless planning permission is granted on the application. In determining whether it is expedient the Council should have regard to material considerations including its Local Plan, the National Planning Policy Framework (NPPF) and national Planning Practice Guidance (PPG)

Article 4 Directions – background and process

- 3.2 Article 4 Directions (A4Ds) allow local planning authorities to remove PD rights that would otherwise apply by virtue of the GPDO. An A4D does not prohibit the development to which it applies, but instead requires that planning permission is first obtained from the local planning authority for that development. This gives a local planning authority the opportunity to consider a proposal in more detail, i.e. assessing against local planning policies and other material considerations, and to apply conditions.
- 3.3 Government policy/guidance (as set out in the NPPF and PPG) is that the use of Article 4 directions should be limited to situations where they are necessary to protect local amenity and/or the wellbeing of the area. These criteria are not further defined in the NPPF or the PPG. The PPG notes that the potential harm that the direction is intended to address should be clearly identified. For the proposed Directions, this is set out below.
- 3.4 Provided that the local authority considers it expedient, an Article 4 Direction can cover an area of any geographic size, from a specific site to a local authority-wide area. It is open to a local planning authority to make a number of different directions specifying particular areas. In this case the three directions together cover the entire borough. PPG advises that a direction which covers a wide area such as an entire local authority area should have particularly strong justification.
- 3.5 A4Ds can be made with immediate effect or following a defined period of notice. The Council ‘made’ three Directions on 26 May 2016, and subsequently consulted on these Directions. Planning regulations require that any Directions that are ‘made’ must be confirmed before they can come into force. This report recommends that the Council confirms three non-immediate A4Ds with a 12 month notice period (which started when the Directions were ‘made’), in order to remove the Council’s liability to compensate landowners affected by the removal of PD rights. This is discussed further in the legal implications section below
- 3.6 During the 12-month notice period, the A1 to A2 PD rights would continue to apply. Following this period, the PD right would be withdrawn by the Article 4 Direction, and a specific grant of planning permission by the Council would be required for the change of use.
- 3.7 The Secretary of State for Communities and Local Government has the power to revoke or modify Article 4 directions at any time.

Policy and material considerations

- 3.8 In deciding whether an Article 4 Direction is expedient, regard has been had to various national, London-wide and local planning policies and considerations.
- 3.9 Islington is the most densely populated local authority area in the UK, with further significant increases in population projected in future years. Islington is also an important centre for employment; the 2016 Employment Study projects an increase of approximately 50,000 jobs in the borough between 2016 and 2036. The Retail Study which underpins the Local Plan identifies a significant need for new retail in the borough. Islington is also a popular tourism destination. Retail uses provide an important service for residents, business and visitors, for example, a good level of retail can be a key draw for businesses looking to locate in certain areas.
- 3.10 In order to facilitate sustainable population and employment growth, and to maintain and improve the

wellbeing of the borough's residents and businesses, the Council needs to ensure that sufficient land is available for different land uses, including retail floorspace. This is currently done through the planning system, and the implementation of Local Plan policies.

- 3.11 Islington's Local Plan is made up of several documents which provide the basis for assessing planning applications in the borough; the Local Plan includes the Core Strategy (adopted February 2011), Development Management Policies, Finsbury Local Plan and Site Allocations (all adopted June 2013). The Local Plan is up-to-date and is fully consistent with the NPPF.
- 3.12 Islington's Local Plan policies positively promote sustainable development to ensure that social, environmental and economic goals are achieved across the lifetime of the plan. One of the fundamental Core Strategy objectives, which underpins Islington's entire Local Plan, is to promote neighbourhoods which support a sense of wellbeing. Unrestricted ad-hoc loss of shops (A1 uses) and development of A2 uses could undermine the sustainable development of the borough, particularly in terms of economic and social sustainability, and impact negatively on local amenity and wellbeing.
- 3.13 The Local Plan retail policies aim to maintain and enhance retail provision in the borough; specific policies which link to the justification for each proposed Article 4 Direction are discussed in relevant sections below. However, the A1 to A2 PD rights further erode one of the few mechanisms the Council can use to protect important retail uses across the borough; they inhibit the Council's ability to ensure that Town Centres and local shopping areas retain a sufficient critical mass of retail provision accessible by walking, cycling and sustainable transport modes. This is particularly important for the wellbeing of a growing population.
- 3.14 Islington has a diverse retail character with a strong emphasis on small and independent shopping. It is important to ensure that the vitality and viability of Islington's retail hierarchy – Town Centres, Local Shopping Areas and dispersed A1 shops - is not adversely affected, and that these centres and other stand-alone shop units and small parades across the borough are able to continue to provide a diverse range of services (including everyday essential services) to safeguard amenity for local residents, local businesses and visitors to the borough.
- 3.15 Policy CS14 of Islington's Core Strategy aims to provide a healthy retail and service economy by providing a good range of goods and services for people who live, work and study in the borough. This supports economic development and also ensures people can shop locally. The Core Strategy also has a number of key area policies, several of which cover Town Centres, Local Shopping Areas and dispersed shops. These key area policies generally support the protection and enhancement of retail. Map 3.9 of the Core Strategy shows the spread of retail provision across the borough (at [http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Quality-and-performance/Reporting/2011-2012/\(2012-03-03\)-Core-Strategy-February-2011.pdf](http://www.islington.gov.uk/publicrecords/library/Environmental-protection/Quality-and-performance/Reporting/2011-2012/(2012-03-03)-Core-Strategy-February-2011.pdf)).
- 3.16 At the national level, paragraph 23 of the NPPF directs Local Planning Authorities (LPAs) to develop planning policies which are positive, promote competitive town centre environments and set out details of the management and growth of centres over the plan period.
- 3.17 Paragraph 70 of the NPPF directs LPAs to prepare policies which:
- plan positively for the provision and use of community facilities (such as local shops) and other local services to enhance the sustainability of communities and residential environments;
 - guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and
 - ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.
- 3.18 The PPG notes the importance of a positive vision or strategy for town centres, articulated through the Local Plan; this is key to ensuring successful town centres which enable sustainable economic growth and provide a wide range of social and environmental benefits. The PPG notes that once adopted, a Local Plan, including any town centre policy that it contains, will be the starting point for any decisions on individual developments.

- 3.19 At the London level, the London Plan (consolidated with alterations since 2011) identifies London's town centres as a key spatial priority as they provide access to a range of services and enable all parts of London to make a greater contribution to London's economic success. This spatial priority should be reflected in local policies and decisions.
- 3.20 Policy 2.15 of the London Plan highlights that neighbourhood/local centres can play a key role in addressing areas deficient in local retail and other services
- 3.21 Policy 4.7 notes that the availability of accessible local shops and related uses meeting local needs for goods and services (including post offices and public houses) is also important in securing 'lifetime neighbourhoods' – places that are welcoming, accessible and inviting to everyone regardless of age, health or disability and which provide local facilities available to all. Policy 7.1 expands on this, stating that people should be able to live and work in a safe, healthy, supportive and inclusive neighbourhood with which they are proud to identify, where access to public transport, basic amenities, local shops, cultural facilities, places to meet and relax, and green and open spaces are within easy reach of homes.
- 3.22 Policy 4.8 highlights that the Mayor will, and boroughs and other stakeholders should, support a successful, competitive and diverse retail sector which promotes sustainable access to the goods and services that Londoners need and the broader objectives of the spatial structure of the London Plan. Local planning policies should take a proactive approach to planning for retailing and related facilities and services; provide a policy framework for maintaining, managing and enhancing local and neighbourhood shopping and facilities which provide local goods and services; and develop policies to prevent the loss of retail and related facilities that provide essential convenience and specialist shopping
- 3.23 The Town Centres Supplementary Planning Guidance (July 2014) expands on the London Plan policies identified above, in particular providing further guidance on the Mayor's aspiration to support and retain small shops. Small shops can improve consumer choice and convenience to the communities they serve, benefit the local economy in terms of local employment and income generation, and enhance the character and vibrancy of town centres. However, the number of small shops in London has fallen by 20 per cent in the past decade due to a number of factors. The SPG encourages boroughs to set out appropriate local policies for protecting and promoting small shops in their areas, for example policies to mitigate the loss of small shops.

Proposed Article 4 Directions – general justification

- 3.24 Islington has a diverse range of retail in various areas across the borough. Based on the Council's latest survey information, A1 uses are the predominant use in Islington's shopping areas, particularly within the four designated Town Centres and the majority of the 40 Local Shopping Areas; there are also a significant number of dispersed A1 local shops across the borough. The adopted Local Plan has several policies which aim to maintain and promote A1 uses in order to ensure healthy retail areas. The amendment to the GPDO (see paragraph 4.1) means that A1 uses can change use without the need for planning permission. This could lead to a diminution of A1 uses, and could harm local amenity and wellbeing.
- 3.25 The potential impacts provide significant justification for implementing Article 4 Directions to remove A1 to A2 PD rights. There is evidence of a significant rise in estate agents in Islington since early 2015 and within A2 use class¹ in the borough, estate agents represent the single biggest element. The Islington Gazette² reported a 26% increase (based on industry sources) over this period - meaning that Islington, the second smallest local authority area in London, now has 111 estate agents, the second highest number of all London boroughs - and highlighted the impact this can have on local shops and the vitality of retail areas.
- 3.26 While the A1 to A2 PD right might be beneficial in areas with high A1 vacancy - by introducing a degree

¹ A2 uses include estate agents, banks, professional services (such as solicitors offices) and employment agencies.

² http://www.islingtongazette.co.uk/news/number_of_estate_agents_in_islington_up_26_per_cent_in_a_year_1_4430481

of flexibility to appeal to a wider range of occupiers - it is likely to have the opposite effect and adversely impact the vitality, viability and diversity of successful retail areas such as Islington where vacancy is low. This is likely to compromise the ability of the Council to plan properly for these areas and ensure valuable local services are protected and local wellbeing is maintained. Loss of valuable A1 local services poses a threat to the achievement of sustainable development in the borough.

- 3.27 Given that other PD rights exist which allow change of use to A2 use (namely from A3, A4 and A5 to A2), and that change within the A2 use class itself is not restricted (e.g. change from a bank to an estate agent), the level of A2 in the borough is likely to fluctuate which makes it difficult to establish a precise number of A2 uses at any point. The July 2015 survey³ shows that A2 uses make up a significant proportion of overall uses in Islington's retail areas. Across both Town Centres and Local Shopping areas, there is a high ratio of A2 to A1 units.
- 3.28 Although the A2 use class includes a number of types of use such as banks, it is estate agents which are the most common A2 use. Estate agents⁴ do not attract footfall in the same way as A1 uses or even in the same way as other A2 uses, and could undermine vitality and viability of retail areas.
- 3.29 The following Article 4 Directions are proposed. These are considered necessary because of the likely adverse impacts that the PD rights will have on local amenity and wellbeing, as outlined (in addition to the general justification above).

Article 4 Direction for Town Centres – potential harm to local amenity and wellbeing

- 3.30 Development Management Policy DM4.4 seeks to maintain and enhance the retail and service function of the borough's Town Centres. These areas cover a wider-than-local catchment and draw visitors from further afield, not just from the rest of the borough but from other parts of London, e.g. Angel Town Centre's range of independent shops is considered a destination for tourists and residents from other parts of London. Islington's Town Centres also increase the attractiveness of the borough as an employment location, as they include numerous uses which support offices and provide facilities for employees. Policy DM4.5 identifies primary and secondary frontages within Town Centres; proposals in these frontages must meet certain criteria, including meeting a minimum proportion of A1 uses.
- 3.31 Islington's Town Centres are the core retail areas in the borough as they contain the greatest quantum of A1 uses. Islington's Town Centres all have a specific shopping function with a high concentration of A1 uses. This draws people to these centres and gives them access to important shopping facilities and services; and enables these centres to maintain their vitality and viability and to remain vibrant, which benefits local businesses. Cumulatively, the level of A1 across Town Centres is a significant positive factor in maintaining a good level of local amenity and in achieving a sense of wellbeing across the borough as a whole. The A1 to A2 PD right poses a real risk to Islington's Town Centres, as it removes the Council's ability to properly assess the impacts of changes of use from A1 to A2; this could significantly undermine the level of A1 and therefore pose significant potential harm to local amenity and the wellbeing of residents and businesses in these areas.
- 3.32 All recent surveys of Islington's four Town Centres (the latest dated July 2015) show that, on the whole, these areas can be considered very healthy, with a low vacancy level relative to the national average. The following table identifies the proportion of A1, A2 and vacancy for various levels of Town Centres, both overall and for primary and secondary frontages⁵. There is approximately an 1:4.5 ratio of A2 to A1 across Town Centres, which effectively means that for every four or five A1 units within Town Centres,

³ The survey counted betting shops and payday loan shops as A2 units. This is appropriate as these units remain lawful A2 use, hence they can be occupied by A2 uses such as estate agents or banks at any time. Betting shops and payday loan shops who occupied these units prior to the reclassification of use can continue to operate from the units, as reclassification of a use does not amount to development within the meaning of the TCPA 1990 and hence there is no material change which triggers requirement for planning permission.

⁴ The A2 use class uses the term estate agencies. There can be some confusion between estate agents (who are focused on selling property) and letting agents (who are focused on rental properties). Where this report refers to estate agents, it means both these subsets, and agents who offer both functions.

⁵ A3, A4, A5, B1, D2 and some Sui Generis uses are also classed as main Town Centre uses, but the percentage of these uses is not given here as it is not relevant to the Article 4 Direction.

there is also an A2 unit. This is considered a high frequency.

Level of retail hierarchy	Percentage of A1	Percentage of A2	Percentage of vacant units
Primary and Secondary Frontages (within Town Centres)	56%	9.3%	6.6%
Town Centres overall	46%	10%	8.1%

- 3.33 The unfettered loss of A1 units in Town Centres could affect retail provision in the borough and deprive local communities of important retail services, including specialised shopping. Development Management Policy DM4.9 seeks to protect and promote the role of specialist shopping areas in the borough, particularly Camden Passage in Angel Town Centre and Fonthill Road in Finsbury Park Town Centre. Both of these areas have a very high proportion of specialist A1 uses and attract visitors from outside the borough.
- 3.34 The PD right is therefore a significant potential harm to the amenity of these specialist shops, in terms of businesses continuing to trade effectively, and in terms of impact on footfall and wider Town Centre vitality, viability and vibrancy. Businesses in Town Centres often depend on agglomeration of similar uses, from which they can draw trade. The PD right offers no certainty to local businesses that a critical mass of A1 units can be maintained, and actually increases the risk that A1 uses will deteriorate over time.
- 3.35 The presence of A2 uses (particularly where these uses are clustered together) can also have significant adverse amenity impacts, in reducing the attractiveness of Town Centres, via less active frontages which do not generate passing trade and visual interest in the same way as A1 uses.
- 3.36 Also, change of use to A2 could have cumulative impacts and lead to an over-concentration of A2 uses which could affect amenity; this is exacerbated by other longstanding PD rights (which allow A3, A4 and A5 uses to change to A2) and change within the A2 use class itself which is not restricted (e.g. change from a bank to an estate agent). The Development Management Policies Local Plan document, in policy DM4.3 (supplemented by the Location and Concentration of Uses Supplementary Planning Document) aims to ensure this does not happen. These PD rights could compromise the objectives of this policy and mean that adverse cumulative impacts on amenity and wellbeing cannot be properly prevented or mitigated. This is a borough-wide concern, although it is noted that there are existing prominent concentrations of A2 uses in some Town Centres, notably Angel (as was raised by two respondents to the consultation exercise, see Appendix 2).

Article 4 Direction for Local Shopping Areas – potential harm to local amenity and wellbeing

- 3.37 Development Management Policy DM4.6 identifies 40 Local Shopping Areas across the borough. Proposals within Local Shopping Areas will only be permitted where an appropriate mix and balance of uses, which maintains and enhances the retail and service function of the area, is retained. Local Shopping Areas within the Finsbury Local Plan area must maintain a percentage of A1 above 35%.
- 3.38 Local Shopping Areas serve smaller catchment areas than Town Centres but play a critical role in the borough’s retail hierarchy. Local Shopping Areas vary in size from a few units to 100+ units but they all play a role in servicing local communities, including, but not limited to, essential services and provision of everyday goods. Local Shopping Areas are predominantly A1 in nature although they often have a distinct leisure offer, notably cafes and restaurants. Even a small change in the quantum of A1 through the PD right could drastically alter the role and function of these areas and endanger their long-term future. Such adverse impacts could affect local amenity and wellbeing of communities across the borough, in particular the ability of local residents to have convenient access to essential services and for local businesses to continue to trade.
- 3.39 The unfettered loss of A1 units could affect retail provision in the borough and deprive local communities of important accessible provision of everyday essential services. It could also compromise clusters of retailers evident in many Local Shopping Areas and adversely affect the vitality and viability

of retail areas. It also makes it impossible to ensure the achievement of the Local Plan policy aim of maintaining at least 35% A1 uses in Local Shopping Areas in the Finsbury Local Plan area.

- 3.40 All recent surveys of Islington’s 40 Local Shopping Areas (the latest dated July 2015) show that, on the whole, these areas can be considered very healthy, with a low vacancy level relative to the national average. The following table identifies the proportion of A1, A2 and vacancy for Local Shopping Areas⁶. There is approximately a 1:5 ratio of A2 to A1 across Local Shopping Areas, which effectively means that for every five A1 units within Local Shopping Areas, there is also an A2 unit. This is considered a high frequency of A2 uses for a Local Shopping Area.

Level of retail hierarchy	Percentage of A1	Percentage of A2	Percentage of vacant units
Local Shopping Areas	40%	7.7%	8.0%

- 3.41 As with Town Centres above, change of use to A2 could have cumulative impacts and lead to an over-concentration of A2 uses which could affect amenity. This is exacerbated by other longstanding PD rights (which allow A3, A4 and A5 uses to change to A2) and change within the A2 use class itself which is not restricted (e.g. change from a bank to an estate agent). The Development Management Policies Local Plan document, in policy DM4.3 (supplemented by the Location and Concentration of Uses Supplementary Planning Document) aims to ensure this does not happen. These PD rights could compromise the objectives of this policy and mean that adverse cumulative impacts on amenity and wellbeing cannot be properly prevented or mitigated. This is a borough-wide concern, although there are a number of Local Shopping Areas with several existing A2 uses, particularly along Holloway Road and Caledonian Road.
- 3.42 The presence of A2 uses (particularly where these uses are clustered together) can also have significant adverse amenity impacts, in reducing the attractiveness of Local Shopping Areas, for example, via less active frontages which do not generate passing trade and visual interest in the same way as A1 uses.

Article 4 Direction for the rest of the borough – potential harm to local amenity and wellbeing

- 3.43 Development Management Policy DM4.7 protects dispersed A1 units (i.e. those outside designated retail areas) from change of use. This general protection is necessary as protecting specific addresses/premises would be ineffective given that dispersed shops can close for site specific reasons and another shop that might open in undesignated premises after the production of the Local Plan policy would not benefit from any policy protection. Policy DM4.1 also places great weight on the need to retain small shops.
- 3.44 Outside of designated retail areas, dispersed shops play a vital, distinct role in Islington’s retail hierarchy, largely delivering essential day-to-day services which serve the most basic needs (e.g. corner-shops) of the local population and which are more readily accessible to these local communities (i.e. within a very short walking distance). Without the ability to assess applications involving the loss of these important facilities, there is a distinct risk of harm to local amenity and wellbeing. The proposed Article 4 Direction covers a wide area but this is necessary as individual designation would not be possible or effective.
- 3.45 The dispersed shops policy protects individual local shops and small shopping clusters/parades which did not warrant designation as a Local Shopping Area due to their size. Given this, and the fact that dispersed shops can often be located close to designated retail areas, change of use from A1 to A2 through PD could have cumulative impacts and lead to an over-concentration of A2 uses which could affect amenity; this is exacerbated by other longstanding PD rights (which allow A3, A4 and A5 uses to change to A2) and change within the A2 use class itself which is not restricted (e.g. change from a bank to an estate agent). The Development Management Policies Local Plan document, in policy DM4.3 (supplemented by the Location and Concentration of Uses Supplementary Planning Document) aims to

⁶ A3, A4, A5, B1, D2 and some Sui Generis uses are also classed as main Town Centre uses, but the percentage of these uses is not given here as it is not relevant to the Article 4 Direction.

ensure this does not happen. These PD rights could compromise the objectives of this policy and mean that adverse cumulative impacts on amenity and wellbeing cannot be properly prevented or mitigated. This is a borough-wide concern.

Consultation on Article 4 Directions

- 3.46 In line with planning regulations, the Council consulted on the three Article 4 Directions from 26 May 2016 (the day the Directions were made) to 7 July 2016, a period of six weeks. This is double the minimum period specified in the regulations. In deciding whether to confirm the Directions, the local planning authority must take into account any representations received during the period.
- 3.47 Seven responses were received (see Appendix 2). Three responses (two local organisations and one local resident) expressed support for the Directions in order to prevent an adverse effect on available retail and shopping habits; to enable a continued strategic view of planning for retail in the borough; and to retain vibrancy of areas (particularly areas with an existing high proportion of A2).
- 3.48 The City of London Corporation response noted that there is likely to be no impact on the City of London as a result of the Directions. The remaining three responses were from national organisations and did not offer any comments on the Directions.
- 3.49 The responses received reinforce the justification for the Directions set out in section 3 of this report. No issues were raised during the consultation which would affect the decision to confirm the Directions.

4. Implications

Financial implications:

- 4.1 Any applicants submitting applications for planning permission which would have been unnecessary, prior to an Article 4 Direction removing PD rights are entitled to apply for planning permission without paying standard application fees. The Article 4 Directions are therefore likely to lead to an increase in the number of planning applications for which planning application fees will not be applicable.
- 4.2 If a local planning authority makes an Article 4 Direction, it may be liable to pay compensation to those whose PD rights have been withdrawn in the event that planning permission is refused for such development. However, no compensation is payable if the following procedure is followed, as set out in section 108 of the Town and Country Planning Act:
- The planning permission withdrawn is of a prescribed description as set out in the Town and Country Planning (Compensation) (England) Regulations 2015 (as amended). Part 3, Class D Permitted Development rights are included in this list.
 - The permitted development right is withdrawn in the prescribed manner.
 - Notice of withdrawal is given in the prescribed manner:
 - not less than 12 months before it takes effect.
 - not more than the prescribed period (two years)
- 4.3 The process followed by the council with regard to these Directions means that no compensation will be payable once the Direction comes into force on 26 May 2017.
- 4.4 Costs associated with publishing the confirmation of the Article 4 Directions will be met from the Spatial Planning and Transport Team budget.

Legal Implications:

- 4.5 Legal implications are contained within the body of this report. An Article 4 Direction removes the specified PD right and means that an express grant of planning permission will be required for the change of use. If the non-immediate procedure is followed then the Article 4 Directions would, if confirmed, come into force one year from the date of the publication of the notice, so that the council would not be liable to pay compensation should planning permission be refused or granted subject to conditions.

- 4.6 Legal Services are advising on the form of the notice and linked procedures which are specified in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The Secretary of State has power to withdraw or modify the direction at any time. The council has power to cancel the direction by subsequent direction.
- 4.7 If confirmed by the Executive, the local planning authority must, as soon as practicable, give notice of the confirmation and the date on which the Directions will come into force; and send a copy of the confirmed Directions to the Secretary of State. Any notice given must follow the same process as the notice given when the Directions were made. Therefore, the confirmed Directions will be publicised via the press (local advertisement), site notices and by serving notice on affected properties. To identify affected properties, data held on the Council's Business Rates database will be used as a starting point and a Use Class will be attributed to individual premises' records. Reasonable efforts will be made to capture all properties which are likely to be affected by the Directions. All the addresses on the business rates database will be written to where it appears that the premises are in A1 use.

Environmental Implications:

- 4.8 The Article 4 Directions are likely to have a positive environmental impact as, by re-introducing the need for planning permission for certain proposals, they will allow relevant planning policies to be applied – in particular the Core Strategy, Development Management Policies and Finsbury Local Plan. Islington's planning policies look to achieve a high level of environmental standards.
- 4.9 The loss of local shops can have an adverse environmental impact, as it leads to local residents having to travel further in order to buy goods or use services, which in turn may increase vehicular emissions (CO₂ and NO_x) and congestion. Withdrawing the PD right for change of use from shops to financial and professional services could help ensure that local shops are less likely to be lost, resulting in less adverse impacts from possible changes of use.

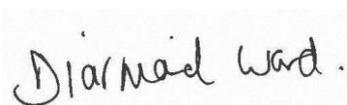
Resident Impact Assessment:

- 4.10 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.11 A Resident Impact Assessment (RIA) has been completed and has shown that there are no specific equalities implications relating to the Article 4 Directions.
- 4.12 The assessment of equality impacts is an iterative process and has been considered throughout the development of the Directions. The initial screening for a Resident Impact Assessment (RIA) was completed on 7 April 2016, in respect of the Article 4 Directions which were then consulted on. This screening did not identify any specific equalities implications.
- 4.13 The RIA was been revisited in August 2016 following the consultation on the Directions. The representations received raised no negative equality impacts and the conclusions of the April 2016 RIA remain relevant.

5. Reasons for the recommendations

- 5.1 Islington has a diverse range of retail shops in various areas across the borough. The A1 to A2 PD right poses significant potential harm to local amenity and the wellbeing of the borough. In order to ensure proposals in these areas are fully considered against adopted policies, and therefore that local amenity and wellbeing considerations are properly taken into account, we propose that three Article 4 Directions are confirmed to cover these retail areas. These Directions are justified taking into account adopted planning policy and other material considerations and address the criteria for Article 4 Directions set out in the NPPF and PPG, as follows:
- 5.2 **Town Centres** - Islington's Town Centres are the core retail areas in the borough as they contain the greatest quantum of A1 uses. Islington's Town Centres all have a specific shopping function with a high concentration of A1 uses. This draws people to these centres (including residents from other London boroughs and tourists) and gives them access to important shopping facilities and services; and enables these centres to maintain a good level of vitality and viability and to remain vibrant, which benefits local businesses. Cumulatively, the level of A1 across Town Centres is a significant positive factor in maintaining a good level of local amenity and in achieving a sense of wellbeing across the borough as a whole. The A1 to A2 PD right poses a real risk to Islington's Town Centres, as it removes the Council's ability to properly assess the impacts of changes of use from A1 to A2; this could significantly undermine the level of A1 as well as lead to overconcentration of A2 uses. It therefore poses significant potential harm to local amenity and the wellbeing of residents and businesses in these areas.
- 5.3 **Local Shopping Areas** – Local Shopping Areas serve smaller catchment areas than Town Centres but play a critical role in the borough's retail hierarchy. Local Shopping Areas vary in size from a few units to 100+ units but they all play a role in servicing local communities, including, but not limited to, essential services and provision of everyday goods. They also often have a distinct leisure offer, notably cafes and restaurants. Local Shopping Areas are predominantly A1 in nature; even a small change in the quantum of A1 through the PD right could drastically alter the role and function of these areas and endanger their long-term future. Such adverse impacts could affect local amenity and wellbeing of communities across the borough, in particular the ability of local residents to have convenient access to essential services; and for local businesses to continue to trade.
- 5.4 **Rest of the borough** - dispersed shops play a vital, distinct role in Islington's retail hierarchy, largely delivering essential day-to-day services which serve the most basic needs (e.g. corner-shops) of the local population and which are more readily accessible to these local communities (i.e. within a very short walking distance). Without the ability to assess applications involving the loss of these important facilities, there is a distinct risk of harm to local amenity and wellbeing.

Signed by:



10 October 2016

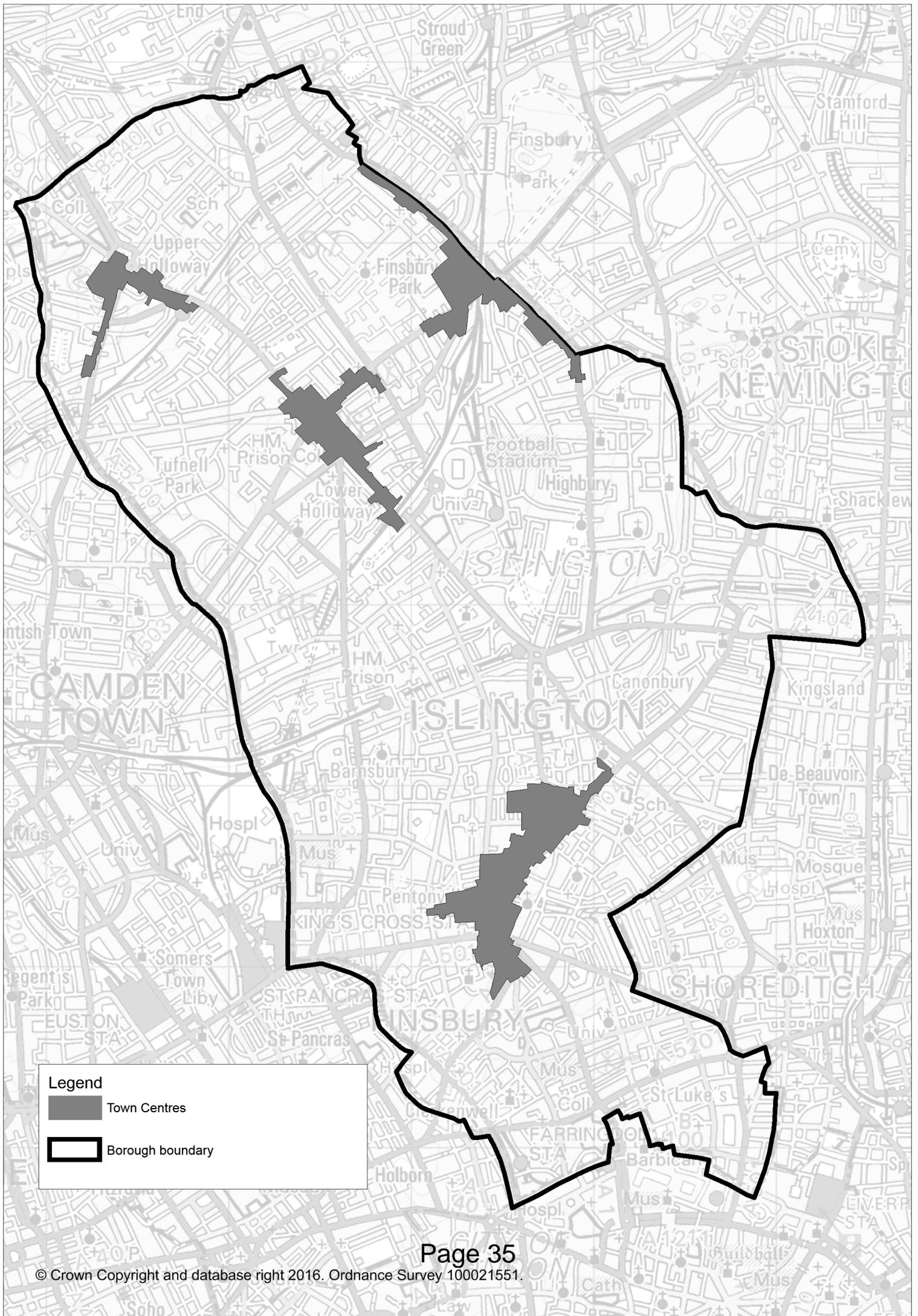
Executive Member for Housing and Development

Date

Appendices

1. Maps of areas to be covered by each Article 4 Direction
2. Summary of representations received during consultation (26 May 2016 to 7 July 2016)

Report Author: Ben Johnson
 Tel: 020 7527 2720
 Email: Ben.johnson2@islington.gov.uk



Legend

 Town Centres

 Borough boundary



Legend

- Local Shopping Areas
- Borough boundary



Legend

 Rest of the borough outside Town Centres and Local Shopping Areas

 Borough boundary

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Article 4 Direction to remove Part 3, Class D Permitted Development Rights – representations received during consultation (26 May 2016 to 7 July 2016)

Consultee ID	Name of organisation (if applicable)	Comment	Islington Council response
A4D1	angel.london (Angel Business Improvement District Ltd)	<p>angel.london would like to support the Article 4 Directions to withdraw the Permitted Development right for change of use from shops (A1 use class) to financial and professional services (A2 use class). We believe that lack of these Directions would have a detrimental effect on the Town Centres within the borough for the following reasons</p> <p>1. This will result in an imbalance within Angel and all the town centres affected. Changing to A2 will have an adverse effect on available retail and local shopping habits. Angel is a primary retail area for Islington</p> <p>2. This would remove power from the Local Authority and they are best placed to have a strategic view of planning within the borough</p> <p>3. Angel already has a high proportion of A2. The vibrancy of the area would suffer.</p>	Support noted.
A4D2	Canal & River Trust	With regard to the notification of Article 4 Directions to remove Permitted Development right for change of use from A1 use class to A2 use class, I can confirm that the Trust has no comments to make.	Noted.
A4D3	City of London Corporation	The Article 4 Direction removes the permitted development right for change of use from A1 to A2 across the borough. The Direction does not prevent the change of use, only require the submission of an application. There is likely to be no impact on the City.	Noted.
A4D4	Individual	Agrees with support of Article 4 Directions by angel.london (consultee ID A4D1)	Support noted.
A4D5	Highbury Community Association	Highbury Community Association represents around one thousand residents and businesses in Highbury. We support the council's decision to make an Article 4 Direction to remove permitted development rights for change of use from shops (A1 use class) to financial and professional services (A2 use class).	Support noted.
A4D6	Highways England	<p>Highways England has been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.</p> <p>Highways England will be concerned with proposals that have the potential to impact on the safe and efficient operation of the Strategic Road Network (SRN).</p> <p>Having examined the above documents, we do not offer any comment to this proposal.</p>	Noted.
A4D7	Natural England	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England does not consider that this Notification of Article 4 poses any likely risk or opportunity in relation to our statutory purpose, and so does not wish to comment on this consultation.</p> <p>The lack of comment from Natural England should not be interpreted as a statement that there are no impacts on the natural environment. Other bodies and individuals may wish to make comments that might help the Local Planning Authority (LPA) to fully take account of any environmental risks and opportunities relating to this document.</p> <p>If you disagree with our assessment of this proposal as low risk, or should the proposal be amended in a way which significantly affects its impact on the natural environment, then in accordance with Section 4 of the Natural Environment and Rural Communities Act 2006, please consult Natural England again.</p>	Noted.

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Report of: Executive Member for Environment and Transport

Executive	Date: 20 10 16	Ward(s): All
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SUBJECT: Interim Local Implementation Plan (LIP) Delivery Plan 2017/18, TfL funding for Bus Reliability Programme, and Major Schemes bid

1. Synopsis

- 1.1 The Local Implementation Plan (LIP) sets out how the Council will deliver local transport improvements in the borough. The LIP is the mechanism by which boroughs deliver locally the Mayor's Transport Strategy objectives, and by which TfL provides funding support to the boroughs to this end. All London local authorities are required to prepare a new interim LIP delivery plan for 2017/18 by October 2016 for submission to Transport for London (TfL). The Council's interim LIP Delivery Plan 2017/18 is attached at Appendix 1.
- 1.2 Transport for London (TfL) has made funding available for a Bus Reliability Programme to deliver bus reliability improvements across London. TfL identified potential bus priority schemes along 24 bus routes that are in need of protection from delays due to congestion and other obstacles. Route 21, where it runs through Islington, is one of the priority routes experiencing severe delays to bus journey times. Funding to develop and implement bus priority measures is available only for the purpose of delivering bus reliability measures and is not transferrable to other projects. The Council's proposed Bus Reliability Programme for 2016/17 and 2017/18 is attached at Appendix 2.
- 1.3 TfL's Major Schemes programme provides funding to deliver transformative schemes in strategically significant locations that support economic growth and improved quality of life. Proposals contribute to wider policy objectives including supporting sustainable travel and delivering reductions in casualties, particularly among vulnerable road users. Funding is available for schemes that cost more than £1m over the whole life of the project. The Clerkenwell Green Public Realm Improvements project is being developed as a Major Schemes application for submission in early September 2017. If successful, the scheme will deliver substantial public realm improvements at Clerkenwell Green from 2018/19.
- 1.4 The LIP Delivery Plan, Bus Reliability Programme and Major Schemes bid have been prepared in consultation with the Executive Member for Environment and Transport. Once approved, the

implementation of these programmes will contribute towards the Council’s fairness agenda, ensuring that transport investment is targeted to areas experiencing:

- high levels of deprivation;
- high levels of road traffic casualties;
- high levels of localised air pollution;
- low car ownership; and
- a need for transport investment to support local businesses and shops.

2. Recommendations

- 2.1 To agree the proposed programmes and bid for the interim Local Implementation Plan Delivery Plan 2017/18, the Bus Reliability Programme 2016/17 - 17/18, and note the Clerkenwell Green Major Schemes bid submission to TfL.
- 2.2 To authorise the Corporate Director of Environment and Regeneration, in consultation with the Executive Member for Environment and Transport, to make any necessary changes to these programmes.

3. Background

- 3.1 The Mayor’s Transport Strategy (MTS) is the principal policy tool through which the Mayor of London exercises his responsibilities for the planning, management and development of transport in London. The MTS supports the London Plan (the Mayor’s Spatial Plan for London) and provides the policy context for the detailed transport plans of TfL and the borough’s LIPs.
- 3.2 Islington’s Local Implementation Plan (LIP), also known as Islington’s Transport Strategy, was first adopted by the Council in 2006. A revised and updated LIP was produced and adopted by the Council in March 2012. The LIP provides the context for the LIP Delivery Plan which sets out a three year programme of projects that help deliver the objectives of the LIP. On 17 October 2013, the Executive approved the Council’s last three year LIP Delivery Plan for 2014/15 to 2016/17.
- 3.3 Following his election in May 2016, London’s new Mayor has directed TfL to prepare a new Transport Strategy. The Mayor has also required that councils in London submit an interim LIP Delivery Plan that covers 2017/18 (rather than the usual three year programme), while his new transport strategy is being prepared. TfL has set out the expected timetable for the preparation of this new strategy in the table below. This table also includes dates for when the Council will be required to respond to new guidance to prepare a new transport strategy for Islington (a new LIP), which will be the Council’s response to the Mayor’s new Transport Strategy. The council understands that the Mayor will require the Council to submit a further interim one year LIP Delivery Plan in 2018/19, taking into account the fact that the Council will be preparing its own transport strategy during 2018/19. It is not yet clear what the arrangements will be for the 2019/20 LIP Delivery Plan.

Date	Activity
Sept/Oct 2016	“Towards...” Mayoral direction of travel document published
Oct 2016	Boroughs submit 2017/18 LIP programmes
Mar 2017	Draft Mayor’s Transport Strategy published, alongside: <ul style="list-style-type: none"> • TfL Business Plan • Mayor’s Environment Strategy • Mayor’s Economic Development Strategy • Mayor’s Housing Strategy TfL issues draft new LIP Guidance to the boroughs
May 2017	TfL issues 2018/19 LIP Delivery Plan Guidance
Jul 2017	Draft London Plan published
Oct 2017	Final MTS published Final new LIP Guidance published Boroughs submit 2018/19 LIP programmes

Nov 2017	Boroughs begin preparing new LIP documents (a new transport strategy for Islington)
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3.4 Under normal circumstances, the Council would receive an indicative allocation of its LIP funding for 2017/18 from TfL in May 2016, together with guidance setting out the criteria against which all London authorities would be expected to submit their proposed 2017/18 funding programmes. However, TfL's internal financial review and the election of the new mayor have resulted in delays to the announcement of the funding allocations and the publication of the guidance. TfL has advised all boroughs to adopt a 'business as usual' approach when preparing their 2017/18 programmes, relying on the current guidance and funding levels until new guidance has been prepared.

Borough transport objectives

- 3.5 To ensure that Islington's transport challenges are addressed, the objectives of Islington's Transport Strategy are to make Islington's transport environment:
- **Fair** – Everyone in the borough will be able to access opportunities and services
 - **Efficient** – Islington's limited road space and public transport capacity will be managed to reduce crowding, congestion and unreliability
 - **Safe** – Road dangers will be minimised ensuring that fewer people are injured or killed on Islington's streets
 - **Secure** – Crime and the fear of crime will be reduced on Islington's streets, housing estates and public transport network
 - **Vibrant** – Streetscape and public realm improvements will contribute towards regeneration and local economic recovery and growth
 - **Healthy** – More active forms of travel will be encouraged, and the negative impacts of travel, especially on Islington's poorer communities, will be reduced
- 3.6 The Council will keep these objectives under review as the Mayor's transport objectives emerge. The Council will also contribute to the debate with the Mayor to help shape the emerging transport priorities for London. As outlined in paragraph 3.3 above, the Council will begin work on updating the Council's Transport Strategy to respond to the Mayor's new Transport Strategy in 2017.

2017/18 Delivery Plan

- 3.7 The key schemes in the 2017/18 Delivery Plan are:
- **Archway pedestrian and public realm improvements**
The Council will develop public realm and environmental improvement designs that complement the gyratory removal including improvements to St John's Grove and Whitehall Park.
 - **Highbury & Islington Station Square**
Funding will be provided to help develop designs for a new station square following the planned reconstruction of the rail and road bridge on Holloway Road.
 - **Central Street Master Plan**
Proposals include improved public spaces, footway widening, new trees and planting, cycle facilities, lighting, resurfacing and better access to local estates along Central Street.
 - **Safer Routes to Estates**
A programme of public realm measures to improve access, safety and security for residents and visitors of estates to local shops and services, and to public transport.
 - **Traffic Management, Environmental Improvement and Road Safety schemes**
A programme of projects to deliver significant improvements at a number of locations across Islington during this period. Specific project locations include the Holloway Road, Old Street, Clerkenwell Green, Tufnell Park Road and Moreland Street. This programme also includes the investigation of traffic control measures to restrict the use of residential streets by larger vehicles, and discourage through lorry movements in residential areas. Streets included in this year's programme include Drayton Park and Martineau Road, Gillespie Road, St George's Avenue as well as several streets in Canonbury and Barnsbury wards.
 - **Making the most of public spaces**
A programme that identifies small public spaces for improvement to benefit local communities

and businesses, including the Wallace Road / Grosvenor Street public space (adjacent to Canonbury Station) and York Way / Copenhagen Street public space.

- **Play Streets**

This scheme will focus on delivering initiatives including Play Streets, and consider other temporary and permanent road closures put forward by the community.

- **Scootability**

The Council will continue to support a borough-wide scheme to provide mobility scooters to older and disabled residents.

- **Borough wide road safety schemes**

Road safety funding will be targeted at specific locations, mainly on principal roads, where there are high numbers of road traffic casualties and where other sources of funding are not available to address the issues.

- **Road safety education**

A comprehensive range of road safety initiatives for various school and community-based organisations in the borough, aimed at reducing road traffic casualties.

- **School travel plans**

A programme of school travel plans to raise awareness of road safety and environmental issues, and to increase the number of pupils, parents, teachers and visitors who walk, cycle, use public transport or car share to get to and from school.

- **Improving existing cycle routes across Islington**

A programme to bring existing signed cycle routes across Islington up to recently updated standards by delivering improved safety features where needed and better wayfinding. The improvements will be designed to complement the significant investment the Council has made in delivering the Quietways programme in Islington.

- **Cycle training programme**

To encourage people to cycle while also reducing road accidents. The Council will offer cycle training to residents, employees, students as well as vulnerable groups in Islington, and in particular focused in areas where new cycling routes are being introduced.

- **Secure Cycle Parking**

The roll out of secure bike parking on streets across the borough at locations where there is high demand from residents.

- **Traffic management to improve air quality at sensitive locations**

To reduce the number of vehicle trips and vehicle speeds at sensitive locations, including schools. This programme will seek to reduce exposure to air pollution by delivering traffic management measures that encourage walking and cycling, including special safety zones at school entrances.

- **Air Pollution awareness**

This programme will focus on raising awareness of air pollution at events, through education programmes with students and businesses, and as part of air quality monitoring and freight consolidation activities.

- **Electric vehicle charging point programme**

To develop and manage a programme that will deliver electric vehicle charging points in Islington. This will help to support the transition of residents to electric vehicles after the introduction of the Ultra Low Emission Zone in 2019.

- **The City Fringe Low Emission Zone (LEN)**

Working in partnership with Hackney Council to reduce air pollutants for those living, working and visiting the City Fringe area. The projects seeks to reduce vehicle mileage in the area, encourage the uptake of low-emission vehicles, and support a shift to sustainable modes of travel such as walking and cycling.

- **Archway Zero Emissions Network (ZEN)**

This project will support and enhance the newly configured town centre by encouraging business and residents to adopt sustainable transport and energy options. The project will seek to introduce measures that reduce the number of servicing and delivery trips to reduce congestion and improve air quality.

Interim LIP programme

- 3.8 In June 2016, TfL provided guidance to all local authorities in Greater London to inform the production of a new interim LIP delivery plan. This guidance sets out what this document should include. Mandatory components of all LIPs are; the borough transport objectives, a one-year delivery plan for 2017/18 and mandatory performance indicators and targets.
- 3.9 TfL is expected to confirm its funding allocations in December 2016. In the meantime, the Council has been advised to assume an indicative funding allocation of £1.9m for 2017/18 split across three programme areas:
- Corridors, Neighbourhoods and Supporting Measures;
 - Maintenance; and
 - Major Schemes (generally those schemes over £1 million).
- 3.10 The Council's interim LIP Delivery Plan is attached at Appendix 1. The programme comprises projects that meet the objectives of the Council's fairness agenda and the criteria set out in paragraph 1.4. The projects will also deliver the Borough's transport objectives, as set out in paragraph 3.5.

Bus Reliability Programme

- 3.11 In January 2016, TfL announced they would invest £200m in bus priority schemes across London to help passengers get through busy parts of London more quickly. This funding has been allocated to address a recent reduction in bus journey reliability across London as a result of an increase in congestion from construction works, population growth leading to more traffic, and illegal loading or parking in bus lanes. TfL undertook an assessment of 24 high frequency bus routes to identify which would benefit from further protection from congestion impacts. Route 21, which runs through the eastern parts of Bunhill and St Peter's wards, has been prioritised by TfL for investment.
- 3.12 The Council's Bus Reliability Programme 2016/17 - 2017/18 is attached at Appendix 2. The following schemes have been identified to deliver improvements to bus journey reliability for the route 21 at key locations in 2016/17 and 2017/18:
- City Road Corridor Feasibility Study (from Ropemaker Street to Epworth Street)
 - Newington Green Bus Stand Repairs
 - Mildmay Park investigation and delivery of remedial repairs
 - New North Road and Baring Street junction signal changes

Major Schemes bid

- 3.13 TfL's Major Schemes programme focuses on delivering projects that develop a comprehensive, transformational and cost effective treatment of an area. Projects should be located within strategically significant places such as town centres, around stations or other public transport interchange hubs, or in areas with high visitor numbers. Projects are expected to support the objectives of economic growth and improved quality of life, while also contributing to wider policy objectives, such as improving people's movement within and between areas, promoting sustainable travel, improving safety through casualty reductions and acting as a catalyst for positive change. Boroughs can use the Major Schemes competitive bidding process to apply for a proportion of the funding required for schemes costing more than £1m.
- 3.14 Clerkenwell Green has been selected because of its close proximity to Farringdon Station, which is expected to see significant increases in visitors to the surrounding area when the new Crossrail service opens in December 2018. Clerkenwell Green is currently a traffic dominated space, with poor provision for cyclists and pedestrians. The current layout does little to enhance the rich history of the area or improve the quality of life for the local community and visitors, or to support the local economy and surrounding businesses.
- 3.15 As one of London's oldest squares, with landmarks including; the Marx Memorial Library, the Old Sessions House and St James' Church, the Council wants to improve and redesign the square to coincide with the proposed installation of a statue of Sylvia Pankhurst (1882 – 1960), best known for her

role as a campaigner for the suffragette movement. Considering its role in political history, Clerkenwell Green is considered an appropriate location for the statue. An installation in 2018 would help mark the centenary of women being afforded fairer voting rights. The Council considers the anniversary to be the ideal opportunity to celebrate the life and legacy of Sylvia Pankhurst.

- 3.16 A design team was appointed in August 2016 and the Clerkenwell Green Stakeholder Group has been established to assist the Council in developing, refining and consulting on options for the redesign of the Green. The group includes representatives of the local community, including residents, businesses and relevant organisations. Public consultation on proposals for improvements will take place in 2017. Funding will be sought to deliver the proposals from external funds including from TfL. The scheme is expected to cost in excess of £2 million.

4. Implications

Financial implications:

- 4.1 The development of the LIP and Bus Reliability Programme is funded from the Environment and Regeneration (Spatial Planning and Transport) revenue budget.
- 4.2 TfL approval of the programme will provide funding to plan and implement traffic, transportation and cycling improvement projects in 2017/18.

Legal Implications:

- 4.3 The Council has a statutory duty under Section 145 of the Greater London Authority Act 1999 (1999 Act) to produce a Local Implementation Plan (for Islington Council, this has been titled 'Islington's Transport Strategy') that is consistent with the Mayor's Transport Strategy. Under section 146 of the Act, the Mayor will only approve the strategy if it is consistent with his own Transport Strategy.
- 4.4 TfL has the power to provide financial assistance for projects which improve transport (s159 of the 1999 Act). The proposed strategy funding process is the vehicle by which TfL provides annual funding to each of the 33 London boroughs. The legal implications of specific schemes will be reported as decisions are made on those individual schemes.
- 4.5 TfL may give financial assistance to the Council for projects which in its opinion are conducive to the provision of safe, integrated, efficient and economic transport facilities or services to, from or within Greater London (section 159 of the Greater London Authority Act 1999).
- 4.6 The Council has the power to implement the schemes for which TfL funding is being sought pursuant to various statutes including the Highways Act 1980, the Town and Country Planning Act 1990 and the Road Traffic Regulation Act 1984.
- 4.7 In exercising its powers under the Traffic Regulation Act 1984, section 122 of that Act imposes a duty on the Council to have regard (so far as practicable) to securing the 'expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway. The Council must also have regard to such matters as the desirability of securing and maintaining reasonable access to premises, and the effect on the amenities of any locality affected. Any final decision to implement any scheme needs to take account of the considerations set out above and the outcome of public consultation.
- 4.8 Where implementation of the proposed schemes requires public consultation to be carried out either on an informal or statutory basis, it must follow public law principles in that it must be carried out at a formative stage of the decision making process, last for a reasonable period, provide sufficient information for consultees to make an informed representation and all representations must be taken into account before any decision is made.

Environmental Implications

- 4.9 Successful implementation of Islington's Transport Strategy and TfL's funding programmes will increase walking and cycling, reduce carbon emissions, reduce local pollution to air, increase bus reliability and reduce the number of people killed or injured on Islington's roads. No negative environmental impacts

are anticipated.

- 4.10 A full Strategic Environmental Assessment (SEA) of the Strategy has been carried out, and was published on the Council's website as part of the adopted strategy.

Resident Impact Assessment

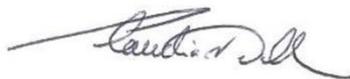
- 4.11 The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.
- 4.12 A Resident Impact Assessment of Islington's Transport Strategy has been carried out and is included in the Transport Strategy. In general, the impacts from the Transport Strategies policies, upon which the Interim LIP Delivery Plan 2017/18 is based will be positive to all equality groups and benefit all groups, particularly in relation to the following themes such as improving transport safety and security, enhancement to the living environment through removing barriers (such as congestion), improvements to air quality and encouragement of growth, and creation of a fair and high-quality transport system. The RIA for the Transport Strategy is published on the Council's website as part of the adopted strategy and can be found at <https://www.islington.gov.uk/~media/sharepoint-lists/public-records/environmentalprotection/businessplanning/plans/20122013/20120530appendixequalityimpactassessmenteqia.pdf>.
- 4.13 A Resident Impact Assessment for the Bus Reliability Programme was completed on 30 September 2016 and a summary is included below.
- a) No negative equality impacts from the Bus Reliability Programme have been identified for any of the people with protected characteristics. Investment that improves bus reliability will benefit all passengers, including those with protected characteristics.
 - b) No safeguarding risks have been identified from the Bus Reliability Programme.
 - c) No Human Rights breaches have been identified from the Bus Reliability programme.
 - d) Key actions to take as a result of this RIA:

Action	Responsible person or team	Deadline
Ongoing monitoring of bus performance and reliability levels will be undertaken to ensure changes from investment do not disproportionately or negatively affect people with protected characteristics.	Spatial Planning and Transport Team.	Ongoing.

5. Reasons for the recommendations / decision:

- 5.1 The Council is operating in a sustained period of pressure on financial resources, so it is particularly important that the Council takes advantage of funding grants available to it to deliver projects that are focused on its priorities. While the Mayor of London begins to develop a new transport strategy for London, the interim Local Implementation Plan 2017/18 Delivery Plan, Bus Reliability Programme and Major Scheme's bids will ensure that investment in Islington remains directed towards those people and places that need it most, and in a way that is supportive of the Council's broader strategic priorities.
- 5.2 The Local Implementation Plan will set out the Council's transport priorities for the short term, will assist in determining future transport investment priorities, and will identify how the Council will prioritise and deliver transport, public realm and cycling improvements across the borough.

Signed by:



10 October 2016

Executive Member for Environment and Transport Date

Appendices

- Appendix 1 – Interim LIP Delivery Plan 2017/18
- Appendix 2 - Bus Reliability Programme 2016/17 and 2017/18

Background papers: none

Report Author: Eshwyn Prabhu & Linda Brosnan
Tel: 020 7527 2450 / 3017
Email: Eshwyn.Prabhu@islington.gov.uk
 Linda.Brosnan@islington.gov.uk

Appendix 1: Interim Local Implementation Plan (LIP) Delivery Plan 2017/18

Project Description	Interim programme 2017/18 (£000's)	Comments
Archway Pedestrian and Public Realm Improvements: Public realm and environmental improvements at Archway including Archway Station, St John's Grove and the Whitehall Park area.	50	Environmental improvements at Archway that complement the gyratory removal.
Highbury and Islington Station Square: improvements to the public realm and the station.	20	The delivery of any improvements are likely to be deferred until after TfL's rail bridge maintenance works are completed in late 2017. This funding will help provide resources to the council to lobby for the delivery of a transformational design at Highbury Corner.
Central Street Master Plan: significant public realm improvements including footway widening, new trees and planting, improved public spaces, cycle facilities, lighting, resurfacing, and better access to local estates along Central Street.	100	The masterplan will be finalised in 2016, further design work, consultation on and delivery of improvements is expected to take place in 2017/18 and 2018/19. This project will be supported by funding from other sources (including S106 funding).
Safe Routes to Estates: A programme of public realm measures to improve access, safety and security for residents and visitors of estates to local shops and services, and to public transport.	100	A rolling programme of projects delivered across Islington in close consultation with TRAs and other residents.
Traffic Management, Environmental Improvement and Road Safety schemes: Holloway Road - To develop and deliver road safety, public realm and environmental improvements along Holloway Road.	40	To address road safety issues and growing pressures on transport and the public realm resulting from growth in the population living and working on Holloway Road, and around the Nag's Head Town Centre. The project will focus on parts of Holloway Road, in particular between the Archway gyratory and the junction of Holloway Road with Tufnell Park Road, the Nag's Head Town Centre, and the area around Holloway Road Underground station. The Council will seek additional funding to support this project directly from TfL.
Traffic Management, Environmental Improvement and Road Safety schemes: Old Street Southern Footway Improvements	50	To deliver significant improvements to the public realm on the southern side of Old Street between the roundabout and Bunhill Row. The project will be developed in close consultation with the local community. A feasibility study and initial design proposals will be completed in 2017/18 to generate further investment from external sources, such as S106 funding. Delivery of improvements will be subject to public consultation.

Traffic Management, Environmental Improvement and Road Safety schemes: Clerkenwell Green	50	To support the delivery of designs that will transform Clerkenwell Green to improve the public realm, and create a space that prioritises and supports the use of sustainable transport modes such as walking and cycling. This project will be supported by funding from other sources (including S106 funding).
Traffic Management, Environmental Improvement and Road Safety schemes: Tufnell Park Road	150	Improvements to be determined following consultation with Junction and St George's ward partnerships.
Traffic Management, Environmental Improvement and Road Safety schemes: Moreland Street - Transformation of the public realm on Moreland Street and in particular around the new Moreland Primary School.	100	Public realm improvements designed to improve road safety and environmental amenity. Measures include pedestrian and cycle priority facilities, street trees, planting, seating and cycle parking. This project will be supported by funding from other sources (including S106 funding).
Traffic Management, Environmental Improvement and Road Safety schemes: A programme of traffic management measures at locations across the borough to address residents concerns with large vehicles, road safety and anti-social behaviour.	190	Measures to address concerns raised by local residents relating to inappropriate use of residential streets by large vehicles, and also to address anti-social behaviour. Locations include: Carleton Road (St George's ward), Halliford Road and Elmore Street (Canonbury Ward), Wynford Road (Barnsbury), and Gillespie Road (Highbury West).
Making the most of public spaces - Improvements to small public spaces across Islington to better serve local communities and support local businesses.	100	A programme that identifies discrete small public spaces for improvement to promote their use and value by local residents and businesses.
Play Streets - Play Streets give local children a safe and secure environment to play outdoors near their home.	10	This funding allocation will encourage local communities in all areas across the borough to work together, and engage with the Council and other agencies, to take greater ownership of their local streets and to organise community led activities on residential streets.
Scootability: mobility scooters loaned to disabled and older residents.	85	This initiative provides scooters and power chairs to residents with restricted mobility issues. The scooters improve our residents quality of life by providing opportunities to access local services and shops. Residents benefitting from the scheme are empowered to live more independent lives.
Borough Wide Road Safety Schemes: targeted at specific locations where higher numbers of road traffic casualties occur.	350	This ongoing programme delivers road safety improvements to the roads and junctions in the borough to help reduce accidents, and in particular focuses on vulnerable road users such as pedestrians and cyclists. Locations will be selected based on the most recent accident data.
Road Safety Education: promotion and education initiatives.	25	A programme of activities primarily focused at schools to raise awareness of road safety issues and to help reduce road accidents.
School Travel Programme: awareness raising initiatives with schools across the borough.	72	A programme of activities to provide awareness of the advantages of sustainable travel at schools in Islington. The intended audience is the children and their parents, as well as the teaching staff.

Improved Existing Cycle Routes Across Islington - A programme to improve existing signed cycle routes across Islington.	20	A project to ensure existing signed cycle routes across Islington meet recently updated standards by delivering improved safety features where needed and better wayfinding. The improvements will be designed to encourage and support the uptake of cycling amongst all residents in Islington, and complement the significant investment the Council has made in delivering the Quietways programme in Islington.
Cycle Training Programme: For residents, employees and students in Islington.	132	To support the increasing popularity of cycling in Islington, this programme is growing to offer more student and adult cycle training with a particular focus on vulnerable cyclists, including persons with restricted mobility and young women.
Secure Cycle Parking - including funding to support the ongoing pilot of bike hangers in priority locations across the borough.	20	Funding to address the numerous requests from local residents for on-street secure cycle parking on residential streets across the borough.
Traffic management to improve air quality at sensitive locations: Investigation, design and delivery of measures to address traffic domination at sensitive locations (including schools).	100	This scheme will investigate the potential to provide school safety zones outside two schools in Islington to reduce the number of vehicle trips and vehicle speeds, reduce exposure to air pollution, and encourage greater uptake of cycling as a safe travel choice for students, parents and staff. The schools will be selected in consultation with ward members and school staff. The potential for innovative traffic management will also be explored as part of the scheme.
Air Pollution Awareness: Initiatives focused on raising awareness and education on air quality issues to encourage positive behaviour change.	20	Initiatives include, events, school education programmes, awareness campaigns, business engagement, monitoring, and freight consolidation.
Electric Vehicle Charging Point Programme: To develop and manage a programme that will deliver electric vehicle charging points in Islington.	20	To develop and manage a programme that will deliver electric vehicle charging points in Islington. This will help to support the transition of residents to electric vehicles after the introduction of the Ultra Low Emission Zone in 2019.
The City Fringe Low Emission Neighbourhood (LEN): Working in partnership with Hackney Council to reduce air pollutants for those living, working and visiting the City Fringe area.	30	The projects seeks to reduce vehicle mileage in the area, encourage the uptake of low-emission vehicles, and support a shift to sustainable modes of travel such as walking and cycling. These measures will be delivered in partnership with Hackney Council.
Archway Zero Emissions Network (ZEN): Activities that support and enhance the quality of the environment at Archway by encouraging the adoption of sustainable transport and energy options by business and residents.	100	The project will focus on working collaboratively with businesses to reduce the number of servicing and delivery trips to reduce congestion and improve air quality.
Programme Totals (£000's)	1934	

Appendix 2 - Bus Reliability Programme 2016/17 and 2017/18

Project Description	Funding (£000's)			Comments
	2016/17	2017/18	Total	
City Road Corridor Feasibility Study: from Ropemaker Street to Epworth Street.	28	TBC	TBC	To identify bus priority measures on this part of City Road. Implementation in 2017/18 subject to the outcomes of design and feasibility.
Newington Green Bus Stand Repairs	42	0	42	Implementation in 2016/17.
Mildmay Park investigation and delivery of remedial repairs	30	0	30	Implementation in 2016/17.
New North Road and Baring Street junction signal changes	80	0	80	Implementation in 2016/17.
Programme Totals	180	TBC	TBC	

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