

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 26 NOVEMBER 2008**

COUNCILLORS

PRESENT Michael Rye (Leader), Michael Lavender (Deputy Leader of the Council/Sustainable Communities & Employment & Place Shaping), Ertan Hurer (Finance & Resources), Jon Kaye (Leisure, Culture, Olympics 2012 & Voluntary Sector), Matthew Laban (Housing & Community Safety), Terence Neville (Environment and Street Scene), Edward Smith (Adult Social Services) and Ann Zinkin (Customer Focus, Communications and Corporate Improvement)

ABSENT Glynis Vince (Education & Children's Services)

OFFICERS: Rob Leak (Chief Executive), Peter Lewis (Director of Education, Children's Services and Leisure), Ray James (Director of Health and Adult Social Care), Ian Davis (Director of Environment and Street Scene), Marie Fallon (Interim Director of Place Shaping and Enterprise), James Rolfe (Director of Finance and Corporate Resources), Asmat Hussain (Legal Services Manager), Gary Barnes (Assistant Director of Environment and Street Scene), Suzanne Linsey (Press Officer), Paula Harvey (Legal Services) and Stuart Dennison (Assistant Director - Revenues and Benefits) Jacqui Hurst (Secretary)

Also Attending: Councillors Kate Wilkinson, Kieran McGregor, John Boast, Christopher Cole, Anne-Marie Pearce, Vivien Giladi, Ahmet Okyener and Annette Dreblow.

Mrs Ivy Beard, Mr Donald Smith, Mr Adrian Bishop-Laggett, Mr Nick De Bois and a number of members of the public in relation to the Cabinet's consideration of the Barnet, Enfield and Haringey Clinical Strategy as detailed in the minutes below.

**1
ANNOUNCEMENT**

Councillor Michael Rye (Leader of the Council) reported with regret and shock that Councillor Christopher Andrew had passed away yesterday. Members' stood for a minute's silence in his memory. Councillor Rye paid tribute to Councillor Andrew and his outstanding work both as a Ward Councillor and in his commitment and work for children and young people.

2

APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Glynis Vince (Cabinet Member for Education and Children's Services).

3

DECLARATION OF INTERESTS

There were no declarations of interest.

4

URGENT ITEMS

NOTED that the reports listed on the agenda had been circulated in accordance with the requirements of the Council's Constitution and the Local Authorities (Executive Arrangements) (Access to Information) (England) Amendment Regulations 2002 with the exception of Report No.144 – Barnet, Enfield and Haringey Clinical Strategy (Minute No.9 below refers). These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

AGREED that this report be considered as an urgent item as should Cabinet decide to challenge the Secretary of State's decision in the Courts, action would need to be initiated within three months of the decision letter from the Secretary of State i.e. by 2 December 2008.

5

DEPUTATIONS AND PETITIONS

Councillor Michael Rye (Leader of the Council) welcomed Councillors and Members of the public to the meeting and advised Members of the requests which had been received for deputations to the meeting with regard to the report on the Barnet, Enfield and Haringey Clinical Strategy (Minute No.9 below refers).

Councillor Rye invited Councillor Kate Wilkinson and Mrs Ivy Beard to present their deputations to the Cabinet.

Councillor Kate Wilkinson

Councillor Kate Wilkinson began her deputation by introducing and presenting the comments of Mr Adrian Bishop-Laggett (Chairman of FERAA who also spoke for FECA, the two federations represented more than 50% of Enfield Borough residents), and Mr Donald Smith (Chartered Engineer who had presented evidence on the local Transport and Emergency Planning issues to the Independent Reconfiguration Panel). A number of comprehensive comments were made expressing concerns regarding the future of Chase Farm hospital and the serious detrimental effects on the availability of health

facilities for the Borough's residents. Support for seeking judicial review was expressed.

Tribute was paid to the Council for the considerable work which had been undertaken in recent years including the work of the Health Scrutiny Panel and the Joint Boroughs Scrutiny Commission. Other groups and residents had all played a significant role in raising issues of concern with the relevant decision making bodies. Strong representations had been made to the Secretary of State. The work and conclusions reached by the Independent Reconfiguration Panel were also highlighted. The Letter from the Secretary of State had recognised the issues raised but had not addressed them. It was noted that Councillor Kieran McGregor had written to the Health Secretary, Alan Johnson MP, asking him to reconsider his decision. A response had not been received to date. In view of the weight of evidence against the proposals, Councillor Wilkinson felt that the decision taken had been irrational and perverse. Councillor Wilkinson felt that the only way forward now was to pursue a legal challenge. It was recognised that the decision to seek a judicial review could be a costly process.

Mrs Ivy Beard

Mrs Beard was a long time member of the Enfield Save Chase Farm Group and was a Cheshunt resident. Mrs Beard also introduced Mrs Pat Curtis, secretary of the Hertfordshire Lea Valley Area of the National Association of Women's Clubs.

Mrs Beard paid tribute to the considerable work which had been undertaken by the Council and in particular by the Health Scrutiny Panel. The scrutiny work carried out had highlighted the flaws in the consultation process. It was noted that approximately 30 to 40% of patients using Chase Farm Hospital came from Hertfordshire. Hertfordshire residents had joined with Enfield residents in protesting against the future proposals for Chase Farm. In view of the huge amount of public opinion expressed Mrs Beard felt that the Council had a clear mandate to seek a judicial review. Mrs Beard raised a number of specific concerns regarding future health service provision for residents, and the financial implications both now and in the future. Traffic and public transport issues were also highlighted. Mrs Beard reported to Members the prohibitively high costs of taxi services from Waltham Cross to local hospitals which would have a detrimental effect on both hospital patients and those wishing to visit patients. The potential delay in patients receiving urgent medical treatment in having to travel a greater distance to hospital was highlighted. Mrs Beard also noted the increasing pressures being placed on local hospitals as more housing developments progressed in both Enfield and Hertfordshire.

Mrs Beard urged the Council to seek a judicial review.

Councillor Michael Rye thanked Councillor Kate Wilkinson and Mrs Ivy Beard for their deputations and invited comments as follows:

Mr Don Smith stated that Enfield had been linked with providing emergency hospital care since World War I during times of major emergency. Enfield would no longer be able to do so if the proposals for Chase Farm were implemented. Councillor Rye stated that the potential instances of major incidents or terrorist attacks appeared not to have been taken into account. These issues had been raised previously.

Mr Adrian Bishop-Laggett expressed his support for the comments which had been made during the deputations and questioned, as suggested by Mrs Ivy Beard, whether the Council would be able to ask other affected Councils to contribute financially to any judicial review.

Mr Nick De Bois, Conservative parliamentary candidate for Enfield North, took this opportunity to present his views to the Cabinet. The Council and public would need to be realistic as to what would be achieved through a judicial review process but he felt that it was crucial for this to be explored. He highlighted the strength of public feeling and the actions which had been taken to date. A judicial review would enable the Council to meet the Government and National Health Service on level ground not on the Government's own terms. The Council was urged to take this opportunity on behalf of residents. The Council had provided clear political leadership on the Chase Farm proposals.

Councillor Michael Rye explained to those present that the Cabinet would be considering a part one and a part two (confidential) report on this subject. The press and public would need to be excluded from the meeting for the discussion of the part two information on legal grounds. Councillor Rye reported that the Council had been clear in its view that all services should be retained at Chase Farm hospital. The legal advice which had been received by the Council, which Members would be considering later in this meeting, was robust. Councillor Rye invited comments from Cabinet Members on the deputations which had been received.

Councillor Matthew Laban shared the concerns which had been raised with regard to the cost of taxi fares from Waltham Cross and that residents of North East Enfield would be most adversely affected. Other local hospitals were already working to capacity. Councillor Laban and Councillor Kaye highlighted recent personal experiences and their concerns for the future.

Councillor Terence Neville reiterated the transport implications. An analysis by a leading traffic consultant had previously been commissioned. Residents of Enfield would be adversely affected in having to be transferred to Barnet Hospital, it was not a simple route and the roads were heavily congested. There was also no guarantee that additional resources would be provided at Barnet hospital to increase its current capacity.

Councillor Michael Rye, in response to the issue which had been raised with regard to other affected Councils assisting in financing a judicial review, responded that this would not be possible. However, it was noted that London

Leaders had made representations to the Government on proposals for future local hospital provision, the majority of London Boroughs were affected by similar proposals. The decision of Enfield Council would be made known to other London Borough Leaders.

Members considered Report No.144 – Barnet, Enfield and Haringey Clinical Strategy at this point in the meeting. The minutes reflect the order of the printed agenda (Minute No.9 below refers).

**6
CAPITAL PROGRAMME AND PRUDENTIAL INDICATOR MONITORING
SECOND QUARTER 2008/09**

Councillor Ertan Hurer (Cabinet Member for Finance and Resources) introduced the report of the Director of Finance and Corporate Resources (No.140) informing Members of the current position regarding the Council's 2008 to 2013 capital programme taking into account the latest monitoring information on the progress of schemes.

NOTED

1. the information set out in the Executive Summary of the report. Members' attention was drawn to the additions to the existing Capital Programme (section 4 – tables 1 and 2 of the report referred);
2. the current position in respect of the prudential indicators as set out in section 8.3 of the report. Borrowing during the first quarter was well within the Council's authorised borrowing limit. The Council was in a sound financial position;
3. the scheme progress of the individual projects as set out in Appendix B to the report. Members highlighted the significant number of projects which were being undertaken and the level of resources allocated to the schemes, a number of which were in the South and East of the Borough;
4. Councillor Edward Smith welcomed in particular the Environmental Improvements to Southgate Circus;
5. Councillor Terence Neville drew Members' attention to the significant level of funding on Environment and Street Scene projects. A programme of approximately £11m was being undertaken on improvements to carriageways and footways and associated works. The current tree planting scheme was also highlighted. Members noted that approximately £19m had been spent on roads and related improvements in the East of the Borough over the last 4/5 years. Appendix A to the report set out the Capital Programme Resourcing details.

Alternative Options Considered: None stated.

DECISION: The Cabinet agreed to

1. note the outcome of the second quarter's capital monitoring and review exercise for the current year;
2. note the position regarding the Council's prudential indicators and that no revisions to the indicators were required at this stage although the indicators for 2009/10 onwards would need to be reviewed as part of the 2009/10 budget process and review of the medium term financial plan;
3. confirm the addition to the capital programme of further earmarked resources totalling £3.6m.

RECOMMENDED TO COUNCIL to agree the new capital projects totalling £19.6m included in the updated capital programme.

Reason: To maintain a prudent view of capital resources available and allow time to review the best possible use of them in the light of Council objectives to finance future capital developments.

(Key decision – reference number 2682)

7

REVENUE MONITORING REPORT SEPTEMBER 2008

Councillor Ertan Hurer (Cabinet Member for Finance and Resources) introduced the report of the Director of Finance and Corporate Resources (No.141) setting out the Council's revenue budget monitoring position for 2008/09 based on information to the end of September 2008.

NOTED

1. the contents of the report indicating a potential overspend within departmental budgets of £218k. After allowing for anticipated further interest receipts and contingent items not expected to be needed, there was a potential net corporate underspend of £2,130k;
2. the variances and risks and uncertainties set out in the report including the projected shortfall in Land Charges income and the pressures arising from the current high prices for fuel and energy;
3. the income collection targets as set out in section 8 of the report. The targets were currently being met, however, there was a risk that the worsening economic climate would impact on collection rates for the rest of the year. This would continue to be closely monitored.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed

1. that the allocation of any resources identified during the monitoring of the 2008/09 budget was to be considered as part of the 2009/10 budget process and review of the Medium Term Financial Plan;
2. to continue in the current year to ring fence and carry forward underspends on homelessness to address future pressures but that this should be subject to review in future years.

Reason: To ensure that Members were aware of the projected budgetary position for the Authority, including all major budget pressures and underspends which had contributed to the present monthly position and that were likely to affect the final outturn.

(Key decision – reference number 2681)

8

CORPORATE GROUNDS MAINTENANCE AND LANDSCAPING CONTRACT AND HOUSING GROUNDS MAINTENANCE AND LANDSCAPING CONTRACT

Councillor Terence Neville (Cabinet Member for Environment and Street Scene) introduced the report of the Director of Environment, Street Scene and Parks (No.142) detailing the evaluation exercise in regard to the Corporate Grounds Maintenance and Landscaping Contract and Housing Grounds Maintenance and Landscaping Contract, originally advertised in May 2007 and recommending the award of both Grounds Maintenance Contracts to commence on the 5 January 2009 for a period of three years, with a possible extension of two single additional years.

NOTED

1. that the contract specifications would provide for an improvement to service provision. The number of grass cuts would be increased from 11 to 20 per annum, as set out in the report. The changes in specification recognised the changing weather patterns and growing seasons now being experienced;
2. in response to questions raised, Members were advised of the procedures which had been followed with regard to expressions of interest and pre qualification questionnaires, section 3.10 of the report referred. It was noted that stage one was a standard process;
3. Councillor Matthew Laban highlighted that the Housing Grounds Maintenance Contract services would operate on all Housing Estates in the Borough, the contract would be managed by Enfield Homes;

4. Members noted the improvements to the Borough's environment and the benefits to residents.

Alternative Options Considered: NOTED the alternative options as detailed in section 4 of the report.

DECISION: The Cabinet

1. agreed to confirm their decision to increase the number of grass cuts from eleven to twenty per annum;
2. noted and approved the award of the Corporate Grounds Maintenance and Landscaping Contract and Housing Grounds Maintenance and Landscaping Contract (G/MD329 and G/MD332 respectively) to Enterprise MRS to commence on 5 January 2009 for a three-year term with a possible two single year extensions;
3. agreed to an extra visit to shrub beds making three visits per annum;
4. noted that the details of the evaluation exercise were contained in part 2 of this report (Minute No.21 below refers).

Reason: The tender received from Enterprise MRS was recommended for acceptance as their tender achieved the highest overall combined (quality and financial) evaluation score. The company scored the highest on quality, being able to meet substantially more of the specification requirements than the other five companies. Their financial evaluation was scored as the second placed company. The evaluation process was detailed in part 2 of the report.
(Key decision – reference number 2696)

9 ANNUAL COMPLAINTS REPORT 2007/08

Councillor Ann Zinkin (Cabinet Member for Customer Focus, Communications and Corporate Improvement) introduced the report of the Director of Finance and Corporate Resources (No.143) outlining performance and organisational learning in respect of complaints handling for 2007/08.

NOTED

1. the content of the report in terms of performance and organisational learning derived from complaints handling;
2. that responses to Ombudsman enquiries had for the third year running been within Ombudsman's target time and the percentage of Council Complaint Scheme responses within target time had improved from 78% in 2006/07 to 85% in 2007/08;

3. the annual letter from the Local Government Ombudsman and statistics as set out in Appendix C to the report. A similar level of complaints had been received (113 in 2007/08 and 109 in 2006/07). Complaints had been targeted and dealt with speedily. The Ombudsman had praised the Council's action in settling complaints.

Alternative Options Considered: None.

Reason: To ensure the appropriate focus on complaints handling performance and learning from complaints was maintained.
(Non-key)

10

BARNET, ENFIELD AND HARINGEY CLINICAL STRATEGY

Councillor Michael Rye (Leader of the Council) introduced the report of the Director of Health and Adult Social Care, Director of Education, Children's Services and Leisure, Director of Finance and Corporate Resources (No.144) seeking a formal decision about whether or not the Council should issue a legal challenge to the Secretary of State's decision on the future of local acute hospital services at this time.

NOTED the contents of the report and that the issues were to be considered alongside confidential legal advice detailed in a part two report (Minute No.22 below refers).

Alternative Options Considered: NOTED that having reviewed the detailed advice contained within the subsequent part two report (Minute No.22 below refers), Members would need to consider whether it was in the Council's best interest to issue a legal challenge to the proposals for the future of local hospital services at this time. In doing so Members would need to consider; the likelihood of any such challenge being successful, the outcomes that could be secured if the case was won and the direct and indirect cost of such a challenge alongside any impact on local health services or future plans.

Reason: To be addressed in the part two report (Minute No.22 below refers).
(Key decision – reference number U135/2785)

11

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY COMMITTEE/SCRUTINY PANELS

There were no issues arising for consideration at this meeting.

12

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED that the following report be referred to the Council:

1. Report No.140 – Capital Programme and Prudential Indicator Monitoring Second Quarter 2008/09

13

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED the list of provisional items scheduled for future Cabinet meetings.

14

KEY DECISIONS FOR INCLUSION ON THE COUNCIL'S FORWARD PLAN

NOTED that the next Forward Plan was due to be published on 16 December 2008. The Plan would cover the period from 1 January to 30 April 2009.

15

MINUTES OF LOCAL DEVELOPMENT FRAMEWORK CABINET SUB-COMMITTEE - 29 OCTOBER 2008

NOTED the Minutes of a meeting of the Local Development Framework Cabinet Sub-Committee held on 29 October 2008.

16

MINUTES

AGREED that the Minutes of the meeting of the Cabinet held on 5 November 2008 be confirmed and signed by the Leader as a correct record.

17

MATTERS ARISING

There were no matters arising from the minutes.

18

ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

NOTED that the Enfield Strategic Partnership had not met recently.

19

NOTICE OF WORK IN PROGRESS

18.1 Customer Focus, Communications and Corporate Improvement

Councillor Ann Zinkin (Cabinet Member for Customer Focus, Communications and Corporate Improvement) reported on the success of a recent Business Breakfast which had been organised by the Council. The breakfast had been well received and attended.

Councillor Zinkin was also pleased to advise Members that Enfield had been awarded working neighbourhoods renewal funding of £2.8m (£1.2m for 2010/11 and £1.6m for 2011/12).

18.2 Adult Social Services

Councillor Edward Smith (Cabinet Member for Adult Social Services) reported that Enfield had been visited by Beacon Assessors on 19 November 2008 following the Council's application for a beacon award for its work in enabling disabled people to lead independent lives. The Council had been shortlisted for an award and the decision was awaited. Councillor Smith praised the amount of work which had been undertaken to make the visit informative and successful, in particular the event which had been hosted at the Park Avenue Day Centre.

18.3 Environment and Street Scene

Councillor Terence Neville (Cabinet Member for Environment and Street Scene) was pleased to report that 18 refuse staff had been successful in passing the literacy awards.

Members noted that works had commenced on the planting of the trees along the Hertford Road. To date 34 trees had been planted, with approximately 350 trees due to be planted in total.

The Council had been shortlisted for the Association for Public Service Excellence "Best Performer – Street Cleansing 2008" award and for the "Most Improved Performer – Street Cleansing 2008". The awards were due to be announced on 4 December 2008.

Councillor Neville also reported that Enfield's entry into the London Planning Awards – Lee Valley Athletics Centre had been shortlisted under the Best Built project category. The winners would be announced in late January 2009.

The Council had also been shortlisted for the Sustainable Environment category of the Local Government Chronicle Awards in March. The themes of the Council's submission had been selected to become a short 5 minute film which would be shown at a Sustainable Communities Seminar to be hosted by the Prime Minister at the end of March 2009.

Councillor Neville advised Members of the TfL grant which had been awarded to the Council for the coming year. No funds had been included to deal with parking issues including the problems which were being experienced on the Borough's boundary with Haringey. A letter of representation would be sent to the Mayor of London.

18.4 Housing and Community Safety

Councillor Matthew Laban (Cabinet Member for Housing and Community Safety) reported that the Metropolitan Police had carried out a pro-active

enforcement operation in partnership with Enfield Council to reduce the incidences of road traffic collisions and to educate and change driver behaviour. A number of arrests had been made for a variety of offences.

The Borough's cross agency crime fighting team had won a prestigious award for its innovative approach. At a ceremony in City Hall, the Enfield Crime Reduction Implementation Team had won the London Compact Award for innovation and proactivity.

Councillor Laban was due to attend the Annual Tenant and Leaseholder Conference tomorrow which was being held at the Royal Chase Hotel.

18.5 Leisure, Culture, Olympics 2012 and Voluntary Sector

Councillor Jon Kaye (Cabinet Member for Leisure, Culture, Olympics 2012 and Voluntary Sector) was pleased to report that the Council's draft Olympic strategy was now on the Council's website for public consultation. Councillor Kaye highlighted the main aims of the draft strategy.

Members were also advised that Enfield Council's Arts and Events Team had been awarded £25,000 from the Arts Council of England for the Sites and Sounds of Edmonton. This would be a month long arts festival.

Councillor Kaye reported that the new Enfield Island Village Library was due to open next month and the new Fore Street Library in January 2009.

Members were pleased to note that grants worth nearly £2m had been announced by the Heritage Lottery Fund (HLF) for the project to restore Grade I listed Forty Hall in Enfield. The HLF had earmarked £1,832,000 for the full restoration of the property, with a further £167,500 to help the Council create a detailed development plan for the project.

18.6 Education and Children's Services

On behalf of Councillor Glynis Vince, Councillor Jon Kaye reported on the Education and Children's Services work in progress items.

Members noted that the unique Enfield Community Help Point Scheme had won the "Staying Safe" award at the Children and Young People's Award Ceremony held on 20 November 2008.

A consultation on the viability of the new Oasis academy, which would replace the current Albany School, ran until 12 December 2008. Residents and community groups were encouraged to get involved in the consultation.

On "takeover day", held on 7 November 2008, pupils from Chace Community School had chaired and clerked a successful Children's Trust Board meeting. In addition, Cuckoo Hall Primary School pupils had taken over their school for the day.

Members were pleased to note that 11 members of the Council's catering staff had recently completed their NVQ Level 2 catering course.

18.7 Finance and Resources

Councillor Ertan Hurer (Cabinet Member for Finance and Resources) reported that the Enfield Annual Report for 2007/2008 had now been published. The report outlined the Council's capital and revenue programmes and expenditure, spending priorities and performance for the year, as well as the Council's key achievements.

Members noted that the Council's budget consultation process for 2009/10 had now started with a publication in "Our Enfield", the Council's magazine. Budget consultation discussions would also take place at forthcoming Area Forum and Scrutiny Panel meetings.

18.8 Sustainable Communities and Employment and Place Shaping

Councillor Michael Lavender (Deputy Leader/Sustainable Communities and Employment and Place Shaping) reported in further detail the recent Business Breakfast which had taken place on 21 November 2008. The Council wanted to engage with local businesses and had encouraged attendance by business intermediaries such as solicitors and accountants in order to establish and enhance communication with them. The event had been successful and useful feedback had been received.

An event had taken place on 24 November 2008 at the Civic Centre to recognise the valuable work undertaken by over 200 volunteers in the Borough who had carried out 100 hours of voluntary work over a one year period.

Councillor Lavender reported on a recent "Dragons Den" event which had taken place at the Business Innovation Centre (BIC). Local companies had been invited to come forward with ideas to present to the panel of judges with the prize being the use of a vacant unit at the BIC for a specified period. The event had been very successful.

Members noted Enfield's success at the recent London in Bloom awards, as reported in full at the recent Council meeting.

Councillor Lavender reported on the funding which had been awarded to specific parks in the Borough and the benefit of issues being dealt with at a community level by the Friends of Parks.

Members were advised that the Council had recently appointed the master planning consultants for the Ponders End Place Shaping proposals. Representatives of the local community had been involved in the process.

Property Services had been successful in reducing the Council's archive storage boxes by 363 as the Council moved towards an electronic based archive system.

Councillor Lavender reported that the Council had successfully signed twinning agreements with Halandri in Greece and Sariyer in Turkey. The benefits of the twinning arrangements were highlighted, there were significant Greek and Turkish speaking communities within the Borough. It would be important to foster valuable business links.

18.9 Leader of the Council

Councillor Michael Rye (Leader of the Council) highlighted the sad death of Baby P in Haringey. He had requested a review of the procedures followed in Enfield to ensure that they were robust.

20

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet had been scheduled to take place on Wednesday 17 December at 8.00pm at the Civic Centre.

Councillor Ann Zinkin (Cabinet Member for Customer Focus, Communications and Corporate Improvement) extended her apologies for absence for this meeting.

21

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED in accordance with the principles of Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

22

CORPORATE GROUNDS MAINTENANCE AND LANDSCAPING CONTRACT AND HOUSING GROUNDS MAINTENANCE AND LANDSCAPING CONTRACT

Councillor Terence Neville (Cabinet Member for Environment and Street Scene) introduced the report of the Director of Environment, Street Scene and Parks (No.145) supplementing the part one report as detailed in Minute No.7 above.

NOTED the tender evaluation details set out in the report.

(Exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Schedule 12A to the Local Government Act 1972 as amended)

(Key decision – reference number 2696)

23

BARNET, ENFIELD AND HARINGEY CLINICAL STRATEGY

Councillor Michael Rye (Leader of the Council) introduced the report of the Director of Health and Adult Social Care, Director of Education, Children's Services and Leisure and Director of Finance and Corporate Resources (No.146) supplementing the part one report as detailed in Minute No.9 above, which was circulated at the meeting for Members' consideration.

NOTED

1. the detailed legal advice which had been provided for Members' consideration;
2. the matters requiring Members' consideration as set out in the report;
3. the views of individual Cabinet Members on the preferred way forward for the Council;
4. that the decision would be open to the Council's call-in procedures. In order to comply with the legal timetable, the Council would need to issue proceedings which would not prejudice the call-in process;
5. the Council's community leadership role, and that it was a legitimate function to consider a legal challenge.

Alternative Options Considered: NOTED the alternative options considered as set out in section 4 of the report.

DECISION: The Cabinet agreed following a unanimous vote that the Council should seek to challenge the decisions of the Secretary of State for Health and Barnet, Enfield and Haringey Primary Care Trusts about the future of services at local hospitals. It was agreed that the Council should seek a judicial review in the courts.

Reason: For Cabinet to make a formal decision about whether to challenge the Secretary of State/Primary Care Trusts' decision.

(Exempt information as defined in Paragraph 5 (information in respect of which a claim to legal professional privilege could be maintained in legal proceedings) of Schedule 12A to the Local Government Act 1972 as amended)

(Key decision – reference number U135/2785)

The meeting ended at 10.00pm