

**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON WEDNESDAY, 23 SEPTEMBER 2009**

COUNCILLORS

PRESENT

Eleftherios Savva (Mayor), Pamela Adams (Deputy Mayor), Gregory Antoniou, Chaudhury Anwar MBE, Alan Barker, Yasemin Brett, Kris Brown, Jayne Buckland, Lee Chamberlain, Bambos Charalambous, Christopher Cole, Andreas Constantinides, Adrian Croshaw, Dogan Delman, Tony Dey, Annette Dreblow, Christiana During, Peter Fallart, Norman Ford, Achilleas Georgiou, Vivien Giladi, Del Goddard, Jonas Hall, Ahmet Hasan, Elaine Hayward, Robert Hayward, Denise Headley, Ruth Hones, Ertan Hurer, Chris Joannides, Eric Jukes, Jon Kaye, Matthew Laban, Henry Lamprecht, Bernadette Lappage, Michael Lavender, Dino Lemonides, Paul McCannah, Donald McGowan, Kieran McGregor, Chris Murphy, Terence Neville OBE JP, Ahmet Oykenner, Anne-Marie Pearce, Henry Pipe, Martin Prescott, Geoffrey Robinson, Jeff Rodin, Michael Rye, George Savva MBE, Rohini Simbodyal, Toby Simon, Edward Smith, Terence Smith, Andrew Stafford, Doug Taylor, Glynis Vince, Kate Wilkinson and Ann Zinkin

ABSENT

Kate Anolue, John Boast, Chris Bond and Ayfer Orhan

45

MAYOR'S CHAPLAIN TO GIVE A BLESSING

In the absence of the Chaplain, the Mayor invited Cem Guven, from the Mevlana Rumi Mosque and Dialogue Centre, to give a blessing on the Council.

46

MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:

1. Death Former Mayor Stanley Carter

It is with sadness that I remind members of the death of former Mayor and Councillor Stan Carter. Together with many colleagues and friends I attended his funeral on Friday 17 July . Although Stan had retired from the Council, his sharp wit and friendship will be greatly missed by us all.

Would members please stand for 1 minutes silence.

2. London Youth Games

Councillor Tony Dey joined me for the London Youth Games on Sunday 5 July at Crystal Palace. A day we both very much enjoyed by visiting as many

COUNCIL - 23.9.2009

of the borough's teams as we could . I am delighted to say that Enfield came 6th overall this year compared to 9th last year, which can only give us hope for 2012 and future world sporting events. I would like to congratulate the officers involved in organising the team this year.

3. Town Show

I am delighted to report that the Enfield Town Show was a great success this year, helped by the weather there was a very good turnout and I enjoyed visiting the various stalls and exhibits on the Saturday. My thanks to those councillors who joined me for the afternoon tea on the Sunday. I also attended the teddy bears picnic which was well organised and supported by many residents. I would like to thank all of the individuals involved and would hope that this event will be held again in the future.

4. London in Bloom

I attended a dinner and awards evening at Twickenham recently and I was extremely proud of the success that Enfield had this year. We received ten awards in all on the night, these are displayed before you in the council chamber. This is the best performance achieved to date. I would ask Karen Gurrey the Enfield in Bloom co-ordinator to come forward to receive the awards together with Graham Deal, Chairman of Enfield in Bloom.

5. Fun Run

On Sunday 14 September I attended the 11th Annual Fun Run at Forty Hall . A record 1500 people took part . It was a great day, full of atmosphere and fun which is what it is all about. My thanks to everyone involved, the participants, the volunteers and to the officers for their hard work ensuring that the event was a great success. It was good to see a number of schools also taking part. Hopefully the mayor's charity appeal will benefit from sponsorship as will other worthy causes.

47 MINUTES

AGREED that the minutes of the Council meeting held on 1 July 2009 be confirmed and signed as a correct record.

48 APOLOGIES

Apologies for absence were received from Councillors Anolue, Boast, Bond and Orhan. Apologies for lateness were received from Councillor Charalambous and E Smith.

49

DECLARATION OF INTERESTS

Councillor Lavender declared a personal interest in Item No. 13.1 – Motions, as he was a Council representative on the Enfield Enterprise Agency. Councillor Prescott also declared a personal interest in this item being a Council representative on the Enfield Enterprise Agency and EBRA.

Councillors Fallart, Taylor, Oykenner and E Smith declared personal interests in Item No. 8 – Revised Housing Capital Programme 2009/10, as they were Members of the Enfield Homes Board.

Councillor Hurer declared a personal interest in Item No. 13.2 – Motions, as he had business interests in the Palmers Green area.

50

CHANGE OF ORDER OF BUSINESS

Councillor Hurer moved and Councillor Rye seconded a motion to change the order of business on the agenda under paragraph 2.2 (page 4-5) of the Council's Procedure Rules to enable the meeting to take the motions in the names of Councillors Lavender and Charalambous (agenda items 13.1 and 13.2) as the next items of business. This was agreed by the meeting.

51

MOTIONS

1. Councillor Lavender moved and Councillor Hurer seconded the following motion:

“This Council approves the Council's Recession Action Plan which is attached to this motion (the 'Plan'). It recognises that this is an evolving plan and invites suggestions as to how it can be developed and implemented. It resolves to seek the views of local businesses through organisations such as EBRA, Chambers of Commerce and the Enfield Enterprise Agency for such purposes. It invites the Place Shaping and Enterprise Scrutiny Panel to review the Plan and to make recommendations to the Cabinet Member for Place Shaping and Enterprise.”

NOTED the request of Councillor Lavender that the Place Shaping and Enterprise Scrutiny Panel look into the things that the Council is doing that could be undermining businesses in this area.

Following a lengthy debate the motion was put to the vote and agreed with the following result:

For: 33

Against: 0

Abstained: 24

COUNCIL - 23.9.2009

2. Councillor Charalambous moved and Councillor Cole seconded the following motion:

“This Council agrees to retain Southgate Town Hall and Palmers Green Library buildings, at the junction of Broomfield Lane and Green Lanes, Palmers Green, London, N13, wholly and exclusively for public use. “

During the debate Councillor Pipe moved and Councillor Rye seconded the following amendment:

“This Council agrees to retain Southgate Town Hall and provide public access to the Council Chamber. Enfield Council is committed to place shaping in Palmers Green and New Southgate enhancing council facilities and improving residents’ quality of life.”

During the debate Councillor Rye confirmed that it was this Administration’s intention to retain the freehold of the Town Hall site, with any capital receipt obtained from the disposal being ring fenced for investment in Broomfield House.

Councillor Hurer moved and Councillor Rye seconded a procedural motion that the question be now put. This was put to the vote with the following result:

For: 32
Against: 24
Abstained: 0

The amendment was then put to the vote and agreed with the following result:

For: 32
Against: 24
Abstained: 0

The motion as amended was then put to the vote and agreed with the following result:

For: 32
Against: 24
Abstained: 0

52

CONSERVATION AREA REVIEW PHASE III ARTICLE 4 DIRECTIONS

Councillor Neville moved and Councillor R Hayward seconded the report of the Director of Place Shaping & Enterprise (No. 83) recommending that the permitted development rights be withdrawn from the householders within the extended and the new conservation areas.

NOTED

1. that at the meeting held on 16 September 2009, Cabinet decided not to change the Fore Street, Edmonton Conservation Area at this time to enable further communication between departments to be undertaken.
2. that Cabinet had endorsed the remaining recommendations set out in the Cabinet report.

AGREED

1. that the dwelling houses listed within Appendix A of the report be subject to an Article 4(2) Direction under the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008, in respect of those Parts/Classes of the Order scheduled against each Conservation Area in Appendix A, removing permitted development rights.
2. that the Director of Place Shaping and Enterprise undertakes the necessary steps to serve Article 4 Directions on the properties within the conservation area referred to in Appendix A.
3. that any representations arising from the serving/publication of the Article 4 Directions be reported to the Planning Committee for consideration and a final formal decision be made as to whether the Directions should be made permanent with regard to any of the affected properties.
4. that Council delegates the authority to Planning Committee to carry out 2 above in relation to these proposed Directions.
5. that the Conservation Advisory Group is advised when the Directions are made.
6. that the Director of Place Shaping and Enterprise be further instructed to apply to the Secretary of State for approval on and Article 4(1) Direction removing the permitted development right to install solar PV or solar thermal equipment on the principal or side roof slopes of householders allowed under Part 40 of Class A Schedule 2 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2008 as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 for all properties shown on the Schedule in Appendix A to the report.
7. should the Secretary of State approve the Article 4(1) Direction, the Director of Place Shaping and Enterprise be instructed to carry out resolutions 2 – 5 above in this regard.

53

CHANGE OF ORDER OF BUSINESS

Councillor Hurer moved and Councillor Constantinides seconded a motion to change the order of business on the agenda under paragraph 2.2 (page 4-5) of the Council's Procedure Rules to enable the meeting to take Item 11 – Young Peoples Life Opportunities Commission Final Report as the next item of business. This was agreed by the meeting.

54

YOUNG PEOPLES LIFE OPPORTUNITIES COMMISSION FINAL REPORT

Councillor Prescott moved and Councillor Taylor seconded the report of the Director of Finance and Corporate Resources (No. 85) providing Council with a summary of the Commission's findings and recommendations.

NOTED

1. the thanks expressed by Members of the Council to all of the individuals involved in the work of the Commission.
2. that during the debate Councillor Vince confirmed that the Co Director of Education, Children's Services and Leisure had been asked to work up a fully costed action plan by 30 November 2009 for consideration by the Commission.

During the debate Councillor Goddard moved and Councillor Prescott seconded an amendment to the report recommending that the report be put before the Enfield Strategic Partnership and its Thematic Action Groups.

This amendment was agreed by the Council.

AGREED

1. the findings and recommendations in the Young People's Life Opportunities Commission Final report
2. that an Action Plan be produced by end November 2009.
3. to the continuation of the Young People's Life Opportunities Commission to monitor implementation of the recommendations. The Commission to provide Council with an update in March 2010.
4. to refer the report to all of the Council's Scrutiny Panels for consideration.
5. that the report be put before the Enfield Strategic Partnership and its Thematic Action Groups.

55

REVISED HOUSING CAPITAL PROGRAMME 2009/10

Councillor Laban moved and Councillor Hurer seconded the report of the Director of Place Shaping & Enterprise (No. 79A) seeking approval to a revised and extended Housing Capital Programme to take account of the additional funds available to the Council.

NOTED that the recommendations set out in the report were endorsed at the Cabinet meeting held on 16 September 2009.

AGREED

1. to approve the revised Housing Capital Programme 2009/10.

2. that where schemes have not already been tendered, they are, with the tender acceptance reports subject to sign off by the Cabinet Member for Housing and Community Safety.

56

SCRUTINY ANNUAL WORK PROGRAMME 2009/10

Councillor Prescott moved and Councillor Pearce seconded the report of the Overview and Scrutiny Committee (No. 69B) setting out the annual work programme for the Council's Scrutiny Panels and Overview & Scrutiny Committee (OSC).

NOTED

1. that the Council's Constitution requires that the combined work programmes proposed by each Panel are adopted by Council (as an annual scrutiny work programme), on the recommendation of the Overview & Scrutiny Committee, following consultation with the Cabinet and Corporate Management Board (CMB).
2. that at the meeting held on 16 September 2009, Cabinet agreed to recommend the 2009/20 Annual Scrutiny Work Programme onto Council for formal approval.

AGREED to adopt the Annual Scrutiny Work Programme for 2009/10.

57

ENVIRONMENT AND STREET SCENE ADDITIONAL CAPITAL AND REVENUE ALLOCATIONS

Councillor Neville moved and Councillor R Hayward seconded the report of the Director of Environment & Street Scene (No. 84) proposing the release of additional capital and one off revenue funding to allow improvements to services identified by residents and officers as priority areas.

NOTED that the recommendations set out in the report were endorsed at the Cabinet meeting on 15 July 2009.

AGREED

1. to release the capital and one off revenue funding to the sum of £1.5m to undertake improvements to services as detailed in paragraph 3.7 of the report.
2. to delegate authority to the Cabinet Member for Environment and Street Scene to agree specific highways and borough gateway schemes up to the value of £800k.

58

COUNCILLORS' QUESTION TIME

1. Urgent Questions (Part 4 - Paragraph 9.2.(b) of Constitution – Page 4-9)

None received.

2. Questions by Councillors

NOTED

1. the fifteen questions, on the Council's agenda, which received a written reply by the relevant Cabinet Member.
2. the amended responses to questions 8 and 10 circulated prior to the Council meeting.
3. the following supplementary questions received for the questions indicated below:

Question 4 from Councillor Goddard to Councillor Prescott, Chairman of the Overview and Scrutiny Committee

"Can Councillor Prescott assure the Council that the necessary resources will be found to undertake the essential work of Scrutiny before the end of the Municipal Year?"

Reply from Councillor Prescott:

"In a word Yes, I will provide a more detailed answer for the minutes"

Councillor Prescott provided the following response after the meeting:

"Resources for Scrutiny are of course two fold:

1. There is a Councillor resource for undertaking effective scrutiny and members will need to consider their own time and availability in undertaking scrutiny of Place Shaping. They will need to set work-programmes that are achievable.
2. There are also the officers from within the Corporate Governance Division that support the Panels and OSC.

OSC has responsibility for managing the resources and will keep this under review. The Chairman of the Place Shaping Panel is a member of OSC and I will liaise with him to ensure that the panel has appropriate officer support.

It should also be remembered that scrutiny is further supported by officers from within the departments who provide information and reports, and who will usually attend at the request of scrutiny panels."

Councillor Question 8 from Councillor Rodin to Councillor Hurer, Cabinet Member for Finance and Resources

"The amended response provided does not answer the question put, will you please provide an answer to this question?"

Reply from Councillor Hurer

"I apologise for this error and will provide Councillor Rodin with a written response."

Question 9 from Councillor Barker to Councillor Lavender, Deputy Leader of the Council / Sustainable Communities, Employment and Place Shaping

"Would Councillor Lavender consider alternative materials as a replacement, in place of bronze to avoid future temptation in terms of theft?"

Reply from Councillor Lavender

"Yes I will look at different types of material. Plastic does not strike me as a fitting tribute, but the issue is a valid one. Enfield is not alone, this is a major problem across the UK and other countries. It is a difficult situation. If the memorials are replaced, we can't guarantee that we will be able to keep them safe, but we will consider other materials that offer a fitting tribute."

59

STANDING ORDER 8 - DURATION OF COUNCIL MEETING

NOTED

1. that in accordance with Council Procedure, Rule 8 (page 4-7 – part 4), the Mayor advised the Council that the time available for the meeting had elapsed and the remaining items of business would be dealt with in accordance with the expedited procedure.
2. that the remaining items of business would be put to the vote without debate.

60

MOTIONS

The motions set out below lapsed due to lack of time:

13.3 In the name of Councillor Buckland

"This Council accepts that the Equalities Bill sets out the basis of a modern and confident society in tackling equality and discrimination.

The Council welcomes the changes to the legal framework and additional powers of the Bill. In taking it's responsibilities seriously, the Council will ensure that greater equality for all is at the heart of all Council policy and actions."

13.4 In the name of Councillor Cole

“This Council adopts a Cruelty Free Purchasing Policy. This Council and its contractors will only use cleaning products that are not tested on animals and have been approved under the BUAV Humane Household Products Standard.”

61

URGENT DECISIONS REQUIRING THE WAIVING OF THE CALL-IN PROCEDURE (PART 4.2 – PARAGRAPH 17.3 – PAGE 4-34)

NOTED the urgent decision below taken in accordance with the Council’s Rules of Procedure (Paragraph 17.3 – relating to the waiving of the requirement to allow a 5-day call-in period):

1. Conservation Area Review Phase III

Decision:

That the designation of the new conservation areas should have immediate effect upon the decision of Cabinet.

Reason for Urgency:

To prevent owners / developers within conservation areas from exploiting the call-in period to commence works to houses that harm the area’s character.

62

MEMBERSHIP OF COMMITTEES AND PANELS

RECEIVED the report of the Director of Finance and Corporate Resources (No. 86) asking Council to determine the constitution and political balance of the committees, joint committees and panels that have been set up for the discharge of the Council’s functions, following the recent change in the political makeup of the Council.

NOTED the amendment to the total number of seats to 238 reported at the meeting. This was to reflect the recent increase in the composition of the Overview and Scrutiny Committee from six to seven members.

AGREED

1. that the seats be allocated to each political party, on the committees and boards to which Section 15 of the Local Government and Housing Act 1989 apply in accordance with the following proportions and the number of available seats:

Total number of available seats - 238

% of seats allocated to each Group -

Conservative 54.18% (129 seats)
Labour 42.84% (102 seats)
Save Chase Farm 2.94% (7 seats).

2. that in accordance with paragraph 3.3 of the report, Council resolved without dissent that the rules of political proportionality should not apply to the Adoption Panel, Fostering Panel and the Standards Committee.

63

MEMBERSHIPS

AGREED the following changes to Committee Memberships:

1. Place Shaping and Enterprise Scrutiny Panel

To appoint Councillors Goddard (Vice Chair), During, McGowan, Stafford, Hall (Chairman) Headley, Croshaw, Adams and Zinkin.

2. Health Scrutiny Panel

Councillor Anwar to replace Councillor Headley.

3. Edmonton Partnership Working Party

Councillor Headley to replace Councillor Croshaw.

4. Audit Committee

To appoint Councillor Delman as Chairman and Councillor Hall as Vice-Chairman.

5. Planning Committee

Vacancy to replace Councillor Dreblow.

6. Green Belt Forum

Councillor Dreblow to replace Councillor Dey.

7. Overview and Scrutiny Committee

Simon Goulden to replace Helen Rosen as the Jewish statutory co-optee.

8. Children's Scrutiny Panel

Simon Goulden to replace Helen Rosen as the Jewish statutory co-optee.

64

NOMINATIONS TO OUTSIDE BODIES

AGREED the following change to nominations to outside bodies:

1. Enfield Norse Ltd

Councillor Hurer to remain a Council representative.

65

CALLED IN DECISIONS

None.

66

DATE OF NEXT MEETING

AGREED the next meeting of the Council be held on Wednesday 11 November 2009 at 7.00 p.m. at the Civic Centre.