

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 27 APRIL 2011**

COUNCILLORS

PRESENT Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader, Public and Service Delivery), Chaudhury Anwar MBE (Cabinet Member for Community Cohesion and Capacity Building in the Third Sector), Bambos Charalambous (Cabinet Member for Young People and Culture, Leisure, Sports and the Olympics), Del Goddard (Cabinet Member for Regeneration and Improving Localities), Donald McGowan (Cabinet Member for Older People and Adult Social Services), Ayfer Orhan (Cabinet Member for Education and Children's Services), Ahmet Oykenner (Cabinet Member for Housing and Area Improvements) and Andrew Stafford (Cabinet Member for Finance, Facilities and Human Resources)

ABSENT Chris Bond (Cabinet Member for Environment, Street Scene and Parks)

OFFICERS: Rob Leak (Chief Executive), James Rolfe (Director of Finance and Corporate Resources), Andrew Fraser (Director of Schools & Children's Services), Neil Rousell (Director of Regeneration, Leisure & Culture), Asmat Hussain (Assistant Director Legal), John Austin (Assistant Director - Corporate Governance), Ian Davis (Director of Environment), Sally McTernan (Assistant Director Health, Housing and Adult Social Care), Keith Moss (Property Services), Sarah Carter (Enabling Officer), Bindi Nagra (Joint Chief Commissioning Officer), Andrew Keeling (Press Officer), Benedict Falegan (Assistant Head of Finance) and Bruce McRobie (Principal Development Surveyor, Property Services) Jacqui Hurst (Secretary)

Also Attending: Councillor Marcus East

**1
APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor Chris Bond (Cabinet Member for Environment, Street Scene and Parks) as he was attending the Crime and Safety Scrutiny Panel meeting.

An apology for lateness was received from Councillor Bambos Charalambous (Cabinet Member for Young People and Culture, Leisure, Sports and the Olympics).

2

DECLARATION OF INTERESTS

Councillor Ahmet Oykenar (Cabinet Member for Housing and Area Improvements) declared a prejudicial interest in Report Nos. 238, 240 and 240A – Ladderswood Regeneration Report: Selection of Preferred Development Partner (Minute Nos. 10 and 21 below refer). Councillor Oykenar was a Director of Cyprian Care Ltd, which is a tenant of the Notting Hill Housing Association, one of the short-listed bidders for the Ladderswood development. Councillor Oykenar left the meeting for these items and took no part in the discussion.

3

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. These requirements state that agendas and reports should be circulated at least 5 clear days in advance of meetings.

4

DEPUTATIONS AND PETITIONS

NOTED that there were no deputations or petitions to be received at this meeting.

5

ITEMS TO BE REFERRED TO THE COUNCIL

AGREED that the following items be referred to the Council following consideration by the Cabinet:

1. Report No.235 – Enfield Joint Dementia Strategy 2011-2016 (Minute No.7 below refers)
2. Report No.236 – Enfield Joint Intermediate Care and Re-ablement Strategy 2011-2014 (Minute No.8 below refers)

6

REVENUE AND PERFORMANCE MONITORING REPORT - FEBRUARY 2011

Councillor Andrew Stafford (Cabinet Member for Finance, Facilities and Human Resources) introduced the report of the Director of Finance and Corporate Resources (No.234) setting out the Council's revenue budget monitoring position for 2010/11 based on information to the end of February 2011.

NOTED

CABINET - 27.4.2011

1. Appendices 1 and 2 of the report which set out the budget carry forwards 2010/11 and project carry forwards 2010/11 respectively. Appendix 3 to the report set out the grant carry forward requests, as detailed in the report;
2. the proposed use of resources of £3.026m previously set aside for the Building Schools for the Future programme as set out in paragraph 5.8 of the report;
3. the service area monitoring information including budget pressures and projected savings as set out in section 5 of the report. The monitoring reports now also included performance indicator data;
4. the position with regard to Treasury Management as set out in paragraph 6.1 of the report;
5. that the Housing Revenue Account had a projected underspend of £1,278k as set out in section 7 of the report;
6. that the latest monitoring report confirmed that there had been no deterioration in the financial position of the Authority;
7. that whilst Members were pleased to note that current expenditure was within the Council's budget and offered a degree of flexibility, it was recognised that the level of projected savings that the Council was expected to make in the future would present challenges and risks for the Council in the next and succeeding years. The financial pressures would increase.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed to

1. note the revenue outturn projection of £339k underspend in 2010/11;
2. approve the transfer of additional Performance Reward Grant to Earmarked Reserves as set out in paragraph 4.5 of the report;
3. approve the list of additional spending items set out in Appendix 1 of the report, of £3.902m, funded from departmental underspends;
4. approve the list of Project Carry Forwards totalling £2.706m as set out in Appendix 2 of the report;
5. approve the list of Grant carry forwards totalling £7.551m as set out in Appendix 3 of the report;
6. delegate the final decision on the allocation of funding to each of these measures to the Leader of the Council, in consultation with the Cabinet

CABINET - 27.4.2011

Member for Finance, Facilities and Human Resources and the Director of Finance and Corporate Resources;

7. note the recommended contribution to an invest to save reserve of £1.197m with regard to mixed garden and food waste as set out in paragraph 4.6 of the report;
8. approve the use of resources of £3.026m previously set aside for the Building Schools for the Future Programme as set out in paragraph 5.8 of the report.

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 3198)

7

ENFIELD JOINT DEMENTIA STRATEGY 2011-2016

Councillor Donald McGowan (Cabinet Member for Older People, Health and Adult Social Care) introduced the report of the Director of Health, Housing and Adult Social Care (No.235) proposing the agreement of an Enfield Dementia Strategy jointly with NHS Enfield.

NOTED

1. that the Strategy had been prepared and been subject to a 3 month period of consultation with key partner agencies and the voluntary sector. The strategy set out how Enfield would develop and deliver health and social care services to better meet the needs of people with dementia and their carers over the next 5 years. It was estimated that the number of people in Enfield with late onset dementia would increase, as detailed in the report;
2. that the Department of Health expected implementation to be mostly funded through efficiency savings from the acute and long term care sectors, paragraph 3.11 of the report referred. Many of the commissioning intentions set out in the strategy were cost neutral (paragraph 3.12 of the report and Annex 3 to the Strategy referred);
3. the 11 key strategic objectives of the Strategy as set out in paragraph 3.14 of the report;
4. the financial implications of the proposals as detailed in paragraph 6.1 of the report. Additional expenditure of £1.3m would be required over the next 3 years jointly across the NHS and Council;

5. Councillor Doug Taylor (Leader of the Council) commended the report and extended his congratulations to all those who had been involved in the production of the Strategy;
6. that the report would be referred to full Council for final agreement. The accompanying documents would be limited to the Executive Summary of the Strategy with full copies being available on request.

Alternative Options Considered: The Strategy sets out the case for change and the rationale for the priorities chosen and supported by local stakeholders. It proposed an approach to commissioning Dementia Services that was consistent with national policy drivers and was in line with existing Council and NHS Enfield strategies.

RECOMMENDED TO COUNCIL to approve the Enfield Joint Dementia Strategy 2011-16.

Reason: The Strategy was intended to meet the government's key objectives for the delivery of services to meet the needs of people with dementia and ensure that the best possible services were provided for residents in Enfield for the next five years.

(Key decision – reference number 3260)

8

ENFIELD JOINT INTERMEDIATE CARE AND RE-ABLEMENT STRATEGY 2011-2014

Councillor Donald McGowan (Cabinet Member for Older People, Health and Adult Social Care) introduced the report of the Director of Health, Housing and Adult Social Care (No.236) proposing the agreement of an Enfield Intermediate Care and Re-ablement Strategy jointly with NHS Enfield.

NOTED

1. that the Strategy had been developed jointly with NHS Enfield with the involvement of key partner agencies, as detailed in the report. Intermediate care services were aimed at helping people avoid prolonged hospital stays or inappropriate admission to acute in-patient care, long-term social care or continuing NHS in-patient care (paragraph 1.3 of the report referred);
2. the key anticipated outcomes that the strategy aimed to achieve were:
 - A reduction in avoidable hospital admissions
 - A reduction in hospital readmissions
 - A decrease in post-hospital transfer to long-term care
 - A reduction in the use of ongoing home care packages
 - Increased user and carer satisfaction

3. that implementation of the strategy would result in an estimated saving across health and social care of approximately £1.34m over 3 years while at the same time providing higher quality, person-centred services (paragraph 1.8 of the report referred);
4. that the report would be referred to full Council for final agreement. The accompanying documents would be limited to the Executive Summary of the Strategy with full copies being available on request.

Alternative Options Considered: The Strategy set out the case for change and the rationale for the priorities chosen and supported by local stakeholders. It proposed an approach to commissioning Intermediate Care and Re-ablement Services that was consistent with national policy drivers and was in line with existing Council and NHS Enfield strategies.

RECOMMENDED TO COUNCIL to approve the Enfield Joint Intermediate Care and Re-ablement Strategy 2011-14.

Reason: The Strategy was intended to meet the government's key objectives for the delivery of personalised services that maximise people's independence and provide choice and control. It aimed to ensure that services were commissioned efficiently and effectively in order to ensure that the Council continued to meet projected increases in demand as a result of Enfield's growing population of older people. The strategy was also intended to provide a framework for a more integrated approach to the delivery of health and social care services.

(Key decision – reference number 3259)

Councillor Bambos Charalambous arrived at this point in the meeting.

9

ASSET MANAGEMENT - POTENTIAL DISPOSAL OF COUNCIL OWNED PROPERTIES BEFORE 1 APRIL 2013

Councillor Andrew Stafford (Cabinet Member for Finance, Facilities and Human Resources) introduced the report of the Director of Finance and Corporate Resources (No.237) setting out Council owned properties for potential disposal before 1 April 2013.

NOTED the list of properties for potential disposal before 1 April 2013 as detailed in Appendix 1 to the report.

Alternative Options Considered: Continuing to own the existing property estate and not dispose of property. Such a strategy would not deliver the much needed capital receipts. Borrowing more money was considered to be a less favourable option than disposing of property.

DECISION: The Cabinet agreed

CABINET - 27.4.2011

1. to authorise the disposal of properties shown at Appendix 1 of the report and delegate to the relevant Cabinet Member (in conjunction with the Cabinet Member for Finance, Facilities and Human Resources) with the relevant Director the final agreement of terms for individual disposals:
 - (a) providing the property is shown in Appendix 1 of the report;
 - (b) or, in the unlikely event that alternative property was identified (not shown in Appendix 1 to the report) which was introduced to the programme necessitating an urgent transaction decision then the transaction and reasons for the urgent action be reported at the next Cabinet meeting.

2. to note that:
 - (a) investigations were taking place regarding the potential of each property shown at Appendix 1 of the report;
 - (b) as the results of investigations became more apparent, the list of properties would be reviewed and changed as appropriate.

3. that future reports would list further properties to be added to the Disposal Programme.

Reason: Property disposal was necessary to enable the Council to achieve its objectives.

(Key decision – reference number 3218)

10

LADDERSWOOD REGENERATION REPORT: SELECTION OF PREFERRED DEVELOPMENT PARTNER

Councillor Ahmet Oykenar (Cabinet Member for Housing and Area Improvements) left the meeting for the discussion of the following item.

Councillor Del Goddard (Cabinet Member for Regeneration and Improving Localities) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Regeneration, Leisure and Culture (No.238) seeking approval to the selection of a preferred development partner for the Ladderswood regeneration project.

NOTED

1. that Report Nos.240 and 240A also referred as detailed in Minute No.21 below;

2. that the report set out a detailed summary of the competitive dialogue process delivered by the Council, including a summary of the consultation and engagement of residents and key stakeholders;

3. that the preferred development partner could not be publicly disclosed at this time as the procurement process had not yet concluded. Members discussed the timescales involved for the conclusion of the decision making and procurement processes.

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

DECISION: The Cabinet agreed to

1. note the detailed summary of the competitive dialogue process delivered by the Council;
2. note the consultation and community engagement carried out as part of the Ladderswood redevelopment;
3. note the outcome of the legal, financial and design evaluation of the Bids submitted by the two short-listed Bidders at the final tender stage;
4. appoint Bidder A as the Council's preferred Development Partner for the Ladderswood regeneration and then enter the Development Agreement with the preferred Development Partner;
5. authorise the Council's Legal Services to obtain all the necessary statutory consents and to exchange contracts in respect of the Development Agreement and all other association legal documentation that the Council was obligated to complete to comply with the Development Agreement including those agreements that would govern the relationship between the preferred Development Partner and the Council;
6. note the actions still required by the Council post contract closure;
7. note the position on the adoption of roads and public realm areas in Ladderswood;
8. delegate authority to the Authorised Officer within legal services to sign the Development Agreement and all other associated legal documentation that the Council was obliged to complete to comply with the Development Agreement including those agreements that govern the relationship between the preferred Development Partner and the Council.

Reason: To enable the Council to select a preferred Development Partner, to agree the final form of the documentation and to then enter into contract to deliver the regeneration of the Ladderswood Estate and the New Southgate Industrial Estate.

(Key decision – reference number 3220)

EXTENSION OF EXISTING SUPPORTING PEOPLE CONTRACTS

Councillor Donald McGowan (Cabinet Member for Older People, Health and Adult Social Care) introduced the report of the Director of Health, Housing and Adult Social Care (No.239) seeking a decision to enter into supporting people contracts for a period of two years.

NOTED

1. that Report No.241 also referred as detailed in Minute No.22 below;
2. the rationale for entering into the contracts, as detailed in the report. The proposed way forward would provide a period of time to undertake a programme of consultative, collaborative re-modelling and re-tendering of services;
3. the financial implications as set out in the report.

Alternative Options Considered: The alternative option would be to delay issuing contracts until a tender process had taken place. Tendering for all Supporting People services in a short period of time would present considerable resource implications for the Council and providers, would destabilise the market, and possibly affect client care. A phased tendering approach would take time, and contracts were required for services until such time that tendering takes place to ensure that the Council was not at risk not having a written contract in place.

DECISION: The Cabinet agreed that approval be given for the Council to enter into 1 year plus 1 year contracts with the providers set out in the Appendix of Report No.241 (containing exempt information).

Reason: The issuing of new contracts allowed the Council to achieve the necessary cost savings, to introduce improved contract clauses to the Council's benefit, to reduce risks in the case of potential disputes, and to ensure certainty by having a written contract in place.

(Key decision – reference number 3250)

12

ISSUES ARISING FROM THE OVERVIEW AND SCRUTINY PANEL/SCRUTINY PANELS

There were no issues arising.

13

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED

1. the provisional list of items scheduled for future Cabinet meetings. This list was subject to further change;

2. that the proposed Cabinet meeting in May 2011 had been cancelled due to a lack of items for consideration at this meeting. All items would be deferred for consideration at a Cabinet meeting in June 2011.

AGREED that the membership of the Cabinet Sub-Committees for the municipal year 2011/12 would be delegated to Councillor Doug Taylor (Leader of the Council) to agree on behalf of the Cabinet. The membership details would be reported to the June Cabinet meeting for information.

14

KEY DECISIONS FOR INCLUSION ON THE COUNCIL'S FORWARD PLAN

NOTED that the next Forward Plan was due to be published on 17 May 2011, this would cover the period from 1 June to 30 September 2011.

15

MINUTES OF LBE/EREC - 11 JANUARY 2011

NOTED, for information, the minutes of a meeting of LBE/EREC held on 11 January 2011.

16

MINUTES OF HEALTH CABINET SUB-COMMITTEE - 7 APRIL 2011

NOTED, for information, the minutes of a meeting of the Health Cabinet Sub-Committee held on 7 April 2011.

Councillor Taylor (Leader of the Council) advised Members that the Council's submission in respect of the Barnet, Enfield and Haringey (BEH) Clinical Strategy had now been sent to the Secretary of State for Health (Minute No.4 referred).

17

MINUTES

AGREED that the minutes of the previous meeting of the Cabinet held on 9 March 2011 be confirmed and signed by the Chairman as a correct record.

18

ENFIELD STRATEGIC PARTNERSHIP FEEDBACK

NOTED that there had been no recent meeting of the Enfield Strategic Partnership.

19

DATE OF NEXT MEETING

NOTED that the next meeting of the Cabinet currently scheduled to take place on Wednesday 25 May 2011 had been cancelled.

The first Cabinet meeting in the new municipal year would take place in June 2011, the date to be confirmed following agreement of the Council's calendar of meetings for the municipal year 2011/12

**20
EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the press and public from the meeting for the item of business listed on part 2 of the agenda on the grounds that it involves the likely disclosure of confidential information as defined in Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

Councillor Doug Taylor (Leader of the Council) varied the order of the part 2 agenda, the minutes reflect the order of the printed agenda.

**21
LADDERSWOOD REGENERATION REPORT: SELECTION OF
PREFERRED DEVELOPMENT PARTNER**

Councillor Ahmet Oykenner (Cabinet Member for Housing and Area Improvements) left the meeting for the discussion of the following item.

Councillor Del Goddard (Cabinet Member for Regeneration and Improving Localities) introduced the report of the Director of Health, Housing and Adult Social Care and Director of Regeneration, Leisure and Culture (No.240) providing a detailed summary of the scheme submitted by Bidder A, who was being recommended to Cabinet as the preferred development partner.

NOTED

1. that a Super Part 2 report (No.240A) was circulated at the meeting and collected in following discussion. Relevant Opposition Members had been briefed on the report;
2. that Councillor Ahmet Oykenner had not been consulted on Report No.240A and had not been party to the report. Only Councillor Del Goddard should be detailed as having been consulted on Report No.240A;
3. the preferred Development Partner as set out in Report No.240A;
4. the financial implications for the Council as detailed in Report No.240A and the options described in the report;
5. Members thanks to the officers involved in the project for the considerable work which had been undertaken to date and for the

CABINET - 27.4.2011

production of the comprehensive reports now being presented to the Cabinet.

Alternative Options Considered: As detailed in Report No.238, Minute No.10 above refers.

DECISION: The Cabinet confirmed the decisions detailed in Minute No.10 above having noted the additional information provided in the part 2 report (No.240) and super part 2 report (No.240A) and agreed the following recommendations arising from Report No.240A:

1. to appoint a company, as detailed in recommendation 2.1 of the report, as the Council's preferred Development Partner for the Ladderswood regeneration and then enter the Development Agreement with the preferred Development Partner based on their mandatory Variant Bid;
2. agreed recommendation 2.2 of Report No.240A (containing exempt information);
3. agreed to delegate authority to the Cabinet Member for Regeneration and Improving Localities and Cabinet Member for Finance, Facilities and Human Resources to agree the decision detailed in recommendation 2.3 of Report No.240A (containing exempt information).

Reason: As detailed in Report No.238, Minute No.10 above refers.
(Key decision – reference number 3220)

22

EXTENSION OF EXISTING SUPPORTING PEOPLE CONTRACTS

Councillor Donald McGowan (Cabinet Member for Older People, Health and Adult Social Care) introduced the report of the Director of Health, Housing and Adult Social Care (No.241) presenting contract financial information.

NOTED

1. that Report No.239 also referred as detailed in Minute No.11 above;
2. the additional information in support of the part one report (No.239).

Alternative Options Considered: As detailed in Minute No.11 above

Reason: As detailed in Minute No.11 above.
(Key decision – reference number 3250)

CABINET - 27.4.2011

Councillor Doug Taylor (Leader of the Council), on behalf of the Cabinet, expressed his thanks to Councillor Chaudhury Anwar (Cabinet Member for Community Cohesion and Capacity Building in the Third Sector) for his contribution to the Cabinet during the municipal year 2010/11.