

**MINUTES OF THE MEETING OF THE COUNCIL
HELD ON WEDNESDAY, 24 FEBRUARY 2010**

COUNCILLORS

PRESENT Eleftherios Savva (Mayor), Pamela Adams (Deputy Mayor), Kate Anolue, Gregory Antoniou, Chaudhury Anwar MBE, Alan Barker, John Boast, Chris Bond, Yasemin Brett, 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, Ahmet Hasan, Elaine Hayward, Robert Hayward, Denise Headley, Ruth Hones, Ertan Hurer, Chris Joannides, Eric Jukes, Jon Kaye, Matthew Laban, Henry Lamprecht, Michael Lavender, Dino Lemonides, Paul McCannah, Kieran McGregor, Chris Murphy, Terence Neville OBE JP, Ayfer Orhan, 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 Kris Brown, Del Goddard, Jonas Hall, Bernadette Lappage and Donald McGowan

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MAYOR'S CHAPLAIN TO GIVE A BLESSING

Father Richard gave a blessing on the Council.

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MAYOR'S ANNOUNCEMENTS

The Mayor made the following announcements:

- 1 Dancing through the world at Millfield Theatre on Sunday 31st January 2010

Members I am please to report that 150 young people took part in the event from schools and clubs in the borough. It was a fantastic evening which everyone enjoyed. The event raised over £2000 for the Mayor's Charity Appeal. I would like to place on record my thanks to Paul Everitt and his staff for all their hard work in making the evening such a success.

- 2 Opening of Dugdale Centre Thursday 11 February 2010

This is an excellent facility which I opened recently. The event was well attended by the public and I hope that they will appreciate the theatre, the exhibition areas and this wonderful facility in the centre of Enfield Town.

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3 Opening of the John Jackson Library Tuesday 23rd February 2010

It was a privilege to attend the launch of the John Jackson Library which is a fitting tribute to John Jackson who served this borough for over 40 years. A plaque was unveiled in his memory by his wife Sylvia Jackson.

4 Edmonton Carnival 20th March 2010

This colourful lively street parade is designed to reflect and celebrate Edmonton and its diverse communities. Over 200 members of the community are taking part.

The Council is developing our international friendships with our twin towns and consequently the Mayors of Halandri & Sariyer as well as the Deputy Mayor of Gladbeck will be walking with me together with 6 schools and 20 community groups. We will gather at Millfield Theatre and walk to the Edmonton Green Shopping Centre.

5 Mayor's Charity Dinner & Dance 20th March 2010

I would ask members to buy their tickets as their support would be very much appreciated.

118 MINUTES

AGREED that the minutes of the Council meeting held on 26 January 2010 be confirmed and signed as a correct record.

119 APOLOGIES

Apologies for absence were received from Councillors Goddard, Hall, Lappage and McGowan. Apologies for lateness were received from Councillors Buckland, E Smith and Taylor.

120 DECLARATION OF INTERESTS

Councillors Anwar, Barker, Boast, Constantinides, Delman, Dey, Dreblow, During, Ford, Giladi, Jukes, Murphy, Neville, Pearce, Robinson, G Savva, Simon and Vince declared personal interests in Item 14 – Motions as they were in receipt of a Freedom Pass entitling them to free off - peak bus travel.

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BUDGET 2010/11 AND MEDIUM TERM FINANCIAL PLAN (GENERAL FUND)

The Mayor proposed in accordance with past practice, that the Leader of the Council and the Leader of the Opposition be permitted up to 15 minutes to speak during the budget debate. This was put to the Council and agreed.

Councillor Rye moved and Councillor Hurer seconded the report of the Director of Finance and Corporate Resources (No.222) which provided information on the outcome of the recent budget consultation; confirmation of the local government financial settlement; a summary of the Council's Medium Term Financial Plan over the next five years; proposals regarding the level of the 2010/2011 Council Tax; the Council's revenue budget requirement for 2010/11; and, the Council Tax to be levied for the year ahead for each property band, including the Greater London Authority precept for 2010/2011.

NOTED that

1. that the recommendations set out in the report were endorsed at the Cabinet meeting held on 10 February 2010.
2. that during the debate the Leaders of all 3 groups on the Council thanked James Rolfe and his team for all of their hard work in pulling together this years budget.
3. the provisions of Section 106 of the Local Government Finance Act 1992 that required any Member who is two months or more in arrears on their Council Tax to declare their position and not to vote on any issue that could affect the calculation of the budget or Council Tax.

During the debate Councillor Rodin moved and Councillor Charalambous seconded the following amendment:

"To add at recommendation 2.6

(v) Agrees that the revenue budget for 2011/12 will include no increase in the Council Tax for Enfield services and the tax at Band D will remain at £1,100.34"

Following a lengthy debated and in accordance with Council Procedure Rule 15.4, a roll call was requested to show how each Member present cast their vote.

On being put to the vote the amendment was lost with the following result:

For: 23

(namely Councillors Anolue, Anwar, Bond, Brett, Charalambous, Cole, Constantinides, During, Georgiou, Giladi, Hasan, Lemonides, McGregor,

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Murphy, Orhan, Oykenner, Robinson, Rodin, G Savva, Simbodyal, Simon, Stafford and Taylor)

Against: 33

(namely Councillors Adams, Antoniou, Barker, Boast, Chamberlain, Croshaw, Delman, Dey, Dreblow, Fallart, Ford, E Hayward, R Hayward, Headley, Hones, Hurer, Joannides, Jukes, Kaye, Laban, Lamprecht, Lavender, McCannah, Neville, Pearce, Pipe, Prescott, Rye, E Smith, T Smith, Vince, Wilkinson and Zinkin)

Abstained: 1

(namely Councillor E Savva)

Following further debate the recommendations set out in the report were put to the vote and unanimously agreed by the Council.

AGREED

1. with regard to the revenue budget for 2010/11 it is recommended that:
 - (i) the net budget requirement for Enfield be set at £242.576m in 2010/11;
 - (ii) subject to final pupil count data, approval is given to expenditure of £227.309m on the schools' budget, funded from the Dedicated Schools' Grant;
 - (iii) the Council Tax at Band D for Enfield's services for 2010/11 be set at £1100.34 (para 10.1), there being no increase over the 2009/10 Council Tax.
 - (iv) the statutory calculations and resolutions set out in Appendix 7 are approved;
 - (v) it be noted that the recommended budget adequately funds the Council's financial obligations relating to the achievement of Local Area Agreement targets;
 - (vi) it is agreed that the Council supports the energy efficiency programme set out in paragraph 8.64.
2. with regard to the Prudential Code and the Capital Programme it is recommended that Council:
 - (i) notes the information regarding the requirements of the Prudential Code (section 11);
 - (ii) agrees the proposals for allocating resources to capital projects as set out in para 11.26 and Appendix 10;
 - (iii) agrees the recommendations regarding the additions to the capital programme, as set out in Appendix 10;
 - (iv) agrees the Prudential Indicators, the Treasury Management Strategy, the Minimum Revenue Position statement and the criteria for investments, set out in section 11 and Appendix 9.
3. with regard to the ICT Work programme it is recommended that Council agrees the additions to the ICT work programme set out in section 9 and Appendix 12.

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4. with regard to the Medium Term Financial Plan it is recommended that Council notes the forecast for the medium term as set out in section 12 and that efficiency and other savings of £13m on average per annum will need to be found over the period 2011/12 to 2014/15.
5. with regard to the robustness of the 2010/11 budget and the adequacy of the Council's earmarked reserves and balances it is recommended that Council:
 - (i) notes the risks and uncertainties inherent in the 2010/11 budget and the Medium Term Financial Plan (section 13);
 - (ii) notes the advice of the Director of Finance & Corporate Resources regarding the recommended levels of contingencies, balances and earmarked reserves (section 14) and has regard to the Director's statement (section 17 and Appendix 16) when making final decisions on the 2010/11 budget;
 - (iii) agrees the recommended levels of central contingency (paragraph 14.8) and general balances (paragraph 14.11);
 - (iv) agrees the reallocation of the specific earmarked reserves set out in paragraph 14.12 of the report.

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HOUSING REVENUE ACCOUNT ESTIMATES 2010/11 AND MEDIUM TERM FINANCIAL PLAN (RENT SETTING - HRA)

Councillor Laban moved and Councillor Dey seconded the report of the Director of Finance and Corporate Resources and Director of Place Shaping and Enterprise (No. 223) presenting for approval the revenue estimates of the Housing Revenue Account (HRA) for 2010/2011 following consultation with residents on the Housing Revenue Account budget position.

NOTED that

1. the recommendations set out in the report were endorsed at the Cabinet meeting held on 10 February 2010.
2. Councillor Laban thanked Darren Welsh and his team for their hard work in pulling together the budget for the HRA and he wished Daren well for the future in his new job.

AGREED

1. that the detailed revenue estimates of the Housing Revenue Account for 2010/11 be approved and the forecast set out in table 1 of the report for the medium term be noted.
2. that the formula rents be increased by 3.1% in line with Government guidance. To note that this will result in an average increase of 0.4% for Enfield tenants and that the difference between formula and actual is caused by the negative RPI of 1.4% this year and other factors within the calculation.

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3. the level of service charges as set out in paragraph 16 of the report for those properties receiving the services be agreed for 2010/11.
4. that the proposals for increases in other income as detailed in Appendices 2 and 3 of the report be agreed for 2010/11.
5. that the Temporary Accommodation rents as set out in Appendix 5 of the report be agreed for 2010/11.

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BOROUGH WIDE HALLS PHASES 2 AND 3

Councillor Laban moved and Councillor Dey seconded the report of the Director of Place Shaping and Enterprise (No.196) seeking approval for additional funding to complete the Borough Wide Programme of Disability Discrimination Act (DDA) and refurbishment works to 9 Community Halls under Phases 2 and 3. The report also sought approval to include Boleyn Hall in the Borough wide refurbishment programme and bring it back into use.

NOTED that the recommendations set out in the report were endorsed at the Cabinet meeting held on 10 February 2010.

AGREED

1. that the proposed scheme be funded from the Housing Capital Budget;
2. that additional capital resources of £1,200,000 are approved for the proposed works and associated fees for Phases 2 & 3 of the Borough Wide Halls DDA Alterations and Refurbishments;
3. that subject to approval and receipt of satisfactory and competitive tenders, Enfield Homes is authorised to accept the tenders offering best value subject to them not exceeding the cost of £1,200,000, inclusive of consultant fees.
4. to bring Boleyn Hall back into use and include it in the Community Hall Refurbishment programme and a block booking for the use of the Hall be offered to the Enfield Cypriot Association (ECA), but also for the hall to be let out to the local community.

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YOUNG PEOPLES LIFE OPPORTUNITIES COMMISSION FINAL REPORT

Councillor Prescott moved and Councillor Dreblow seconded the report of the Young Peoples Life Opportunities Commission (No. 224) seeking approval of a costed action plan and funding to deliver the reports recommendations. Council was also asked to confirm that the Overview and Scrutiny Committee monitor the reports recommendations to completion and provide an update to Council within 12 months.

NOTED the thanks expressed by Councillor Prescott to all of the Members and officers involved in the Commission.

AGREED

1. The action plan produced as part of the Young People's Life Opportunities Commission's final report and note the funding strategy required to deliver the reports recommendations.
2. That the Overview and Scrutiny Committee monitor the recommendations to completion, providing an update to Council within 12 months.

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CONSERVATION AREA REVIEW PHASE IV - APPROVAL OF PROPOSED ARTICLE 4 DIRECTIONS TO SUPPORT NEW CONSERVATION AREA AT THE LAKES ESTATE

Councillor Neville moved and Councillor R Hayward seconded the report of the Director of Place Shaping and Enterprise (No. 225) recommending that the permitted development rights be withdrawn from householders within the new conservation area.

NOTED that the Cabinet agreed on 10 February 2010 to designate a new conservation area at The Lakes Estate.

AGREED

1. that the dwelling houses listed within Appendix A of the report be subject to an Article 4(2) Direction under The Town & Country Planning (General Permitted Development) (Amendment) (No. 2) (England) Order 2008, in respect of those Parts/Classes of the Order scheduled against the 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 of the report.
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. to delegate authority to the Planning Committee to carry out 3 above, in relation to these proposed Directions.

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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 of an 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 of 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 this report.
7. that 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.

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APPOINTMENT OF INDEPENDENT MEMBERS OF THE STANDARDS COMMITTEE

Councillor Dreblow moved and Councillor Constantinides seconded the report of the Director of Finance and Corporate Resources (No. 226) proposing changes to the way in which the Council appoints independent members to the Standards Committee. The report recommended that the appointments be staggered to bring about more continuity on the Committee in relation to the independent members. This includes an interim arrangement to enable one of the current members to remain on the Committee for a further period of 12 months and the other for 24 months.

NOTED that the recommendations set out in the report were endorsed at the Standards Committee meeting held on 3 February 2010 and the Governance Review Working Group meeting held on 4 February 2010.

AGREED the following changes to the Constitution to enable:

1. the appointment of independent members of the Standards Committee to be staggered to increase continuity of membership as set out in paragraph 3.4 of the report.
2. as an interim arrangement, one independent member remains on the Committee for a period of 2 years, another for 1 year, with a new member being appointed prior to May 2010 through the statutory competitive recruitment process.

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COUNCILLORS' QUESTION TIME

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

The Mayor confirmed that having taken advice from officers, he had agreed to accept the following urgent question in accordance with the Council's Constitution.

Question 1 from Councillor Chamberlain to Councillor Rye, Leader of the Council:

“Could the Leader of the Council inform the Council of any action that he or the Council has taken with regard to the unexpected closure of the main Post Office in Enfield Town that stopped providing services last week?”

Reply from Councillor Rye:

“Like most residents I was shocked to learn last week of the sudden closure of the Enfield Town main post office.

Immediately I learnt of this closure I instructed the Chief Executive to contact the most senior person in the Post Office responsible for Enfield.

We have been informed that a planned audit showed up concerns that required a closure and lengthy investigation. The Post Office have confirmed they have no plans to close the main Post Office in Enfield Town and apologise for the inconvenience caused to many residents and shoppers in Enfield. The closure is likely to be for some weeks and we continue to press the Post Office for an early re-opening of the branch and their own press statement when this is possible. “

2. Questions by Councillors

NOTED

1. the eleven questions, on the Council's agenda, which received a written reply by the relevant Cabinet Member.
2. the following supplementary questions received for the questions indicated below:

Question 3 from Councillor Chamberlain to Councillor Kaye, Cabinet Member for Leisure, Culture, Olympics 2012 & Voluntary Sector

“Can Councillor Kaye indicate the current footfall at the new Millfield Theatre Restaurant?”

Reply from Councillor Kaye:

"I am please to confirm that 25,000 people have now used this very popular and successful facility and I am sure that its use will continue to grow."

Question 4 from Councillor Charalambous to Councillor Kaye, Cabinet Member for Leisure, Culture, Olympics 2012 & Voluntary Sector:

"Does Councillor Kaye think that replacing the existing 86 free parking spaces at the current Southgate Library with just 3 disabled parking spaces at the proposed new library is adequate?"

Reply from Councillor Kaye:

"There is no free parking at other Council libraries and we will be considering the parking options for this site over the coming months."

Question 6 from Councillor Charalambous to Councillor Kaye, Cabinet Member for Leisure, Culture, Olympics 2012 & Voluntary Sector:

"What are your plans for the future use of the current Palmers Green Library site, I have an email from a Council officer confirming that the library will not be used as a primary school, this contradicts your written response, which statement is correct?"

Reply from Councillor Kaye:

"No decision has been taken on this and all options are still open for the current Palmers Green Library site. The use of the site for a school is a possibility, but there will be an open consultation on this before any decision is taken."

Question 7 from Councillor Bond to Councillor Neville, Cabinet Member for Environment and Street Scene

"Given that it is well known that the developer of this site is a leading member and funder of the Enfield North Conservative Association, when this application is resubmitted after the election, will members of the Enfield North Conservative Association on the Planning Committee be able to vote on the matter. Given the comments of a prospective Conservative candidate in this ward on the traffic situation in Chase Side, what does Councillor Neville propose to do to improve the traffic situation?"

Reply from Councillor Neville:

"It was likely that this application would have been refused by officers under the planning scheme of delegation. If this application is resubmitted, members of the Planning Committee will have to be guided by officers on any declarations to be made at the meeting. On the second part of your question, this question was dealt with in the main answer, however the impact of any

application on the traffic in the area does form an integral part of the consideration of any planning application”

Question 10 from Councillor Bond to Councillor Neville, Cabinet Member for Environment and Street Scene

"In response to Councillor Neville's 3 questions, my responses are yes, I have not seen the books and no, can Councillor Neville confirm if he or an officer of the Council has signed any agreements for the provision of wheelie bins before the end of the current pilot scheme?"

Reply from Councillor Neville:

"If it is decided to roll out this scheme, more bins will have to be bought. I am glad to hear that Councillor Bond is committed to retaining weekly rubbish collections."

**128
MOTIONS**

Councillor Rye moved and Councillor Hurer seconded, the following motion:

"This Council deplores the Government's plan to halve its contribution to the London Councils to meet the cost of extending off-peak free bus travel to non-Londoners."

During the debate Councillor Rodin moved and Councillor Orhan seconded the following amendment :

"Delete the word "deplores" and substitute the word "notes".

Add as an additional sentence "It further notes that London Councils as a whole received £55.4m in 2008/09 even though the additional costs of the National Bus Concession to London Councils was only forecast to be £5.1m. This Council further notes that the grant distribution for 2010/11 is likely to be substantially more than the cost of the scheme to London Authorities."

Following a brief debate the amendment was put to the vote and lost with the following result:

For: 22

Against: 30

Abstained: 1

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

For: 30

Against: 0

Abstained: 23

129

**DECISION UNDER COUNCIL URGENT ACTION PROCEDURE -
PURCHASE OF THE FREEHOLD INTEREST IN OAKWOOD LIBRARY, 185
- 187 BRAMLEY ROAD, N14 4XA**

NOTED the decision taken by the Leader of the Council set out below made in accordance with the Council's Constitution and Council Rules of Procedure (Paragraph 30 - Part 4 of the Council's Constitution which allows the Leader, in consultation with the relevant Cabinet Member(s), to exercise the powers of the Council in any matter of immediate urgency making the prompt exercise of the powers of the Council desirable and which cannot await the next ordinary meeting of the Council):

- i. Purchase of the freehold interest in Oakwood Library, 185 - 187 Bramley Road, N14 4XA

Decision:

To approve the purchase of the freehold as a new Capital scheme to an upper limit of the purchase price of £680,000 (plus tax and costs) on behalf of the Council.

Reasons for Urgency:

- a. The funding of the purchase of the freehold interest in this property would represent an addition to the Capital Programme, to an upper limit of the purchase price of £680,000, plus tax and costs thus requiring the approval of full Council (under the Finance Procedure Rules);
- b. The property is due for sale by auction at 11am on 10th February 2010;
- c. If the Council is to be able to bid for the freehold at auction the matter cannot, therefore, await approval at the next meeting of the Council on 24 February 2010.

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

NOTED the decisions taken and the reasons for urgency set out below were made in accordance with the Council's Constitution and Scrutiny Rules of

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Procedure (Paragraph 17.3 – relating to the waiving of the requirement to allow a 5-day call-in period):

i. Conservation Area Review Phase IV (The Lakes Estate)

Decision:

That the Conservation Area Review Phase IV (The Lakes Estate) be implemented with immediate effect.

Reason for Urgency:

To ensure that appropriate planning controls are immediately available following the decision of Cabinet to prevent works that could harm the conservation area's character.

ii. Purchase of the freehold interest in Oakwood Library, 185 - 187 Bramley Road, N14 4XA

Decision:

To approve the purchase of the freehold as a new Capital scheme to an upper limit of the purchase price of £680,000 (plus tax and costs) on behalf of the Council.

Reasons for Urgency:

- a. The funding of the purchase of the freehold interest in this property would represent an addition to the Capital Programme, to an upper limit of the purchase price of £680,000, plus tax and costs thus requiring the approval of full Council (under the Finance Procedure Rules);
- b. The property is due for sale by auction at 11am on 10th February 2010;
- c. If the Council is to be able to bid for the freehold at auction the matter cannot, therefore, await approval at the next meeting of the Council on 24 February 2010.

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MEMBERSHIPS

NOTED the following change in remit of a Cabinet Portfolio recently confirmed by the Leader of the Council:

Cabinet Member for Adult Social Services and Wellbeing - Councillor Edward Smith.

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NOMINATIONS TO OUTSIDE BODIES**

None received.

**133
CALLED IN DECISION**

None received.

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DATE OF NEXT MEETING**

NOTED that the next meeting of the Council was to be held on Wednesday 31 March 2010 at 7.00 p.m. at the Civic Centre.