

**MINUTES OF THE MEETING OF THE COUNCIL HELD ON WEDNESDAY, 27 MARCH  
2013**

**COUNCILLORS**

**PRESENT** Kate Anolue (Mayor), Chaudhury Anwar MBE (Deputy Mayor), Alan Barker, Ali Bakir, Caitriona Bearryman, Chris Bond, Yasemin Brett, Jayne Buckland, Alev Cazimoglu, Lee Chamberlain, Bambos Charalambous, Christopher Cole, Andreas Constantinides, Ingrid Cranfield, Christopher Deacon, Dogan Delman, Christiana During, Patricia Ekechi, Achilleas Georgiou, Del Goddard, Jonas Hall, Christine Hamilton, Ahmet Hasan, Elaine Hayward, Robert Hayward, Denise Headley, Ertan Hurer, Tahsin Ibrahim, Chris Joannides, Jon Kaye, Nneka Keazor, Joanne Laban, Henry Lamprecht, Michael Lavender, Dino Lemonides, Derek Levy, Paul McCannah, Donald McGowan, Chris Murphy, Terence Neville OBE JP, Ayfer Orhan, Ahmet Oykenner, Anne-Marie Pearce, Daniel Pearce, Martin Prescott, Geoffrey Robinson, Michael Rye OBE, George Savva MBE, Rohini Simbodyal, Toby Simon, Alan Sitkin, Edward Smith, Andrew Stafford, Doug Taylor, Glynis Vince, Ozzie Uzoanya, Tom Waterhouse and Lionel Zetter

**ABSENT** Yusuf Cicek, Marcus East, Eric Jukes, Simon Maynard and Ann Zinkin

**151**

**ELECTION (IF REQUIRED) OF THE CHAIRMAN/DEPUTY CHAIRMAN OF THE MEETING**

The election of a Chair/Deputy Chair of the meeting was not required.

**152**

**MAYOR'S CHAPLAIN TO GIVE A BLESSING**

Father Emmanuel – Parish Priest of St Edmonds Church, Edmonton gave the blessing.

**153**

**MAYOR'S ANNOUNCEMENTS (IF ANY) IN CONNECTION WITH THE ORDINARY COUNCIL BUSINESS**

The Mayor made the following announcements:

The following achievements were highlighted:

**(a) Quality Checkers – Adult Social Care**

The Mayor congratulated all Quality Checkers within the Adult Social Care service, whom she informed the Council had been nominated for a 2013

Municipal Journal Award under the Innovation in Social Care Category. The Quality Checkers were volunteer service users and carers who, since August 2012, had visited 57 different adult care services in order to provide feedback on service provision. The visits were unannounced and had included in house day and residential services, private care homes as well as accredited equipment retailers. Feedback had been provided across four areas of care: Compassion; Choice & Control and where appropriate Food & Activities. Those involved were thanked for their dedication and enthusiasm which had helped build the programme that had been nominated for the Award.

**(b) National Gold Award PE and School Sport**

The Mayor congratulated the following schools who she was delighted to announce had attained the National Gold Award for PE and School Sport –; West Lea; Enfield Grammar; Brettenham, St James, Forty Hall, Hazelwood, St Monica's and Eversley. She invited the representatives who had been able to attend the meeting from Enfield Grammar, Brettenham, St Monica's and Eversley Schools to come forward and receive their awards. The schools were warmly congratulated by the Council for their achievement.

The award was open to all schools, with it possible to achieve the category of bronze, silver and gold. The borough also had a number of schools which had attained silver and bronze status and were working towards gold.

The Mayor also took the opportunity to highlight the increasing number of schools now entering a myriad of sporting events including borough competitions in rugby, football, netball, hockey, basketball, gymnastics and tennis. In addition the borough had been represented by 6 primary schools at the London School Games finals by schools who had won the borough sporting competitions and had been selected to play against the top teams from other London Boroughs.

The 2013 schools dance festival, held at Millfield Theatre, had also seen representatives from 65 schools participating. This highlighted the PE Teams aim to try and find a sport for everyone, reflecting the diverse range of sport and other physical activities promoted. The Torch Relay Park events last summer, had also included sports like fencing, dodgeball, cheerleading and golf for young people to try. The Mayor was pleased to announce that the 9 Park events would be taking place again this year and would be called "Inspire Enfield".

With the permission of the Mayor, Councillor Orhan took the opportunity to thank and congratulate all the schools for their efforts in achieving the gold kitemark award. The borough was very proud of this achievement as the only one in north London to have schools that had attained the gold standard.

**(c) Equality Framework for Local Government Excellence Award**

The Mayor was delighted to announce that Enfield had been successfully accredited at the Excellent level of the Equality Framework for Local

Government. This represented the culmination of ten years of hard work by members from both groups and officers across the Council. Enfield was now one of only 12 local authorities in the country to have reached the Excellent level. Significant progress had been made in recent years and the award was testament to the Council's commitment to provide its residents and customers with services that were fair and accessible to all.

The Mayor then presented the award to Councillor Hamilton (as member champion for equalities), James Rolfe (officer champion for equalities), Ilhan Basharan (Communities Manager) and Martin Garnar (Equalities Officer). All those involved were congratulated by the Council for their success in achieving the award.

With the permission of the Mayor, Councillor Hamilton also took the opportunity to thank everyone involved for their efforts in attaining the level of Excellence. The work undertaken was felt to have demonstrated the Council's commitment to its core corporate values and the aim to ensure the provision of services that were fair and accessible for all.

As this was her final ordinary Council business meeting, the Mayor provided a review of her year in office, highlighting the following for particular attention:

- Her year as Mayor had been extremely busy, including many events linked to the Olympics, Paralympics and Jubilee celebrations. To date she had attended 465 engagements with the final total expected to be closer to approx 500.
- This had provided a fantastic opportunity to attend many varied events and meet representatives from a number of different communities across the borough. Particular highlights had included:
  - (i) attending all of the 9 Olympic torch relay events with primary schools and getting to meet the hundreds of school children who had taken part. Special thanks were given to Simon Gardner, Jan Hickman and their team for arranging the events.
  - (ii) attending the Olympic, Paralympic and London Youth Games and hosting a reception at Forty Hall for all the volunteer games keepers from Enfield, in order to acknowledge the wonderful contribution they had made towards the success of the games.
  - (iii) attending various events to celebrate the Queens Diamond Jubilee and seeing the way in which this had brought communities together across the borough.
  - (iv) visits to the boroughs Youth Centres, which had provided an opportunity to experience the excellent services available and meet so many of the borough's young people, some of whom she had actually remembered delivering as a midwife!

## COUNCIL - 27.3.2013

- (v) inviting representatives from the Youth Parliament to attend the last Council meeting in order to outline the work they were undertaking and some of their key achievements.
- (vi) having the opportunity to attend and represent the borough at conferences hosted by Essex University and the City of London focussed around issues affecting young people.
- (vii) undertaking a visit to one of the E18HTeen project care homes, as part of her focus throughout the year on young people.
- In terms of fundraising activity she had been pleased to host 3 extremely successful fundraising events – Civic Service, Sickle Cell event and Spring Charity Ball. The Mayor took the opportunity to thank everyone for their support and marvellous response to her appeal fund, which currently stood at £37,000. It was hoped that some of the funds raised could be used to assist with the setting up of a Sickle Cell Centre at North Middlesex Hospital, along with the provision of support to the Enfield Sickle Cell Support Group, Our Voice and other local causes.
- Special thanks were offered by the Mayor to the Nigerian community within the borough for their specific support to her over the year.

The Mayor thanked officers for their support over the year, with special thanks to her team of Rhoda, Mel, Norman & Andy and to John Austin, Asmat Hussain and James Kinsella (for their support and guidance on Council).

Finally the Mayor took the opportunity to thank members from both sides for their support over her year in office.

Councillor Taylor, Leader of the Council, took the opportunity to respond by placing on record his thanks to Councillor Anolue for the tremendous work undertaken as Mayor, and way she had conducted herself in the role over the year. Alongside the activities related to the Olympics and Paralympics, he felt a particular highlight had been the re opening of Forty Hall and paid tribute to the Mayors energy and enthusiasm in attending a record number of engagements. Referring back to the words of her inaugural speech he quoted the following sentence “As the First Citizen of Enfield, I will represent the Borough with dignity and I hope to work to your expectation “. He felt these aims had been more than exceeded during the year.

Councillor Lavender, Leader of the Opposition, also took the opportunity to recognise and thank the Mayor for the way in which she had represented the borough over the year and the dignity with which she had undertaken the role, which had been appreciated by all members.

Given the nature of business on the agenda for the meeting the Mayor took the opportunity, before moving on to seek members support in ensuring that the debates on items to be considered remained as full and constructive as possible. Whilst understanding that some of the issues to be debated would

generate differences of opinion, and this was to be encouraged in a healthy democracy, she hoped this exchange of views would happen in a climate of mutual respect and with due regard to the Constitution and Members Code of Conduct.

**154  
MINUTES**

**AGREED** that the minutes of the Council meeting held on Wednesday 27 February 2013 be confirmed and signed as a correct record.

**155  
APOLOGIES**

Apologies for absence were received from Councillors Yusef Cicek, Marcus East, Eric Jukes, Simon Maynard & Ann Zinkin.

An apology for lateness was received from Councillor Chris Deacon.

**156  
DECLARATION OF INTERESTS**

John Austin (Assistant Director Corporate Governance) reminded members of the requirements within the new Member Code of Conduct, relating to the declaration of interests. The code had introduced a new category of disclosable pecuniary interests (DPIs) which in effect had replaced the previous category of prejudicial interests.

Members were advised that:

- these interests extended not only to themselves but also to those of their spouse, partner, civil partner, family members or persons with whom they had a close association or personal relationship, and where they were aware that they had an interest.
- when considering registering or disclosing any interests, they would still need to consider whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as so significant that it would be likely to prejudice their judgement of the public interest and if so the interest should be declared.
- If they considered they had a DPI or prejudicial interest in any matter being considered at the meeting they would need to declare that interest and must leave the meeting until the conclusion of the matter under discussion. They would not be permitted to discuss or vote on the matter in question and would also need to ensure that the Monitoring Officer was notified of the interest (if not already declared), unless a dispensation had been granted.

The following interests were declared at the meeting:

**Agenda Item 9 – Review and Adoption of a Statutory Pay Policy Statement**

Disclosable Pecuniary Interests were declared by the following members in the respect of the above item as they were closely related to individuals employed as members of staff by the Council, to which the policy would apply – Councillors Joanne Laban & Dinos Lemonides.

**157**

**OPPOSITION BUSINESS - LACK OF CORPORATE GOVERNANCE AT ENFIELD COUNCIL**

Councillor Lavender introduced the issues paper, prepared by the Conservative Group. Issues highlighted were as follows:

- The Opposition Group were concerned at what they felt to be a lack of corporate governance recently demonstrated in a number of areas.
- The key focus of the concerns raised had been highlighted in the case study detailed in Appendix A of the Opposition Business Paper relating to the appointment of Cornerstone, which covered a number of specific issues including:
  - (i) the way in which the attempts to address the shortfall in Primary School Places within the borough had been managed;
  - (ii) the basis of the decision to dispose of the Council's Carterhatch depot and acquire the Morson Road site;
  - (iii) the due diligence undertaken and background to the contractual arrangements relating to the appointment of Cornerstone and way in which the constitutional requirements under the Council's decision making procedures had been complied with in terms of publication of relevant decisions;
  - (iv) the provision of information at the call-in meeting relating to the appointment of Cornerstone regarding the payment of invoices, which the Opposition felt had been misleading;
  - (v) the way in which the decision making process in relation to the statutory consultation provision for the school, expansion programme had been complied with;
- Reference was made to the report produced by Grant Thornton setting out the results of their Local Government Governance Review 2013: "Improving council governance – A slow burner", and the consequences that a lack of good governance would have on service provision. In addition to the issues raised in relation to the case study the Opposition highlighted concerns around:

## COUNCIL - 27.3.2013

- (i) the value currently being added through the scrutiny function as a result of the adversarial way in which it was felt Overview & Scrutiny Committee had dealt with issues being raised under call-in;
- (ii) the way in which it was felt the Administration had managed recent Council meetings in an effort to avoid discussion, scrutiny or the questioning of major decisions;
- (iii) the publication of decisions and their implementation without the proper governance or decision making processes having been exhausted or complied with;
- (iv) the whipping of Majority Group members on Planning Committee

As a result of the concerns expressed the Opposition Group made a number of recommendations including the need for an urgent review and benchmarking of the Council's corporate governance arrangements against the review undertaken by Grant Thornton and employment of a rigid first line of defence model of corporate governance. It was also felt that the Council should receive an apology from the Leader of the Council for the lapses it was felt had occurred in the Council's corporate governance arrangements, highlighted as a result of the Opposition Business Paper.

Councillor Taylor, Leader of the Council, responded on behalf of the Majority Group, highlighting:

- what was felt to be the limited scope and focus of the introduction provided by the Leader of the Opposition compared with the wider range of issues outlined within the Opposition Business Paper.
- His concern at the tone of the language and unsubstantiated nature of many of the comments made within the introductory statement by the Leader of the Opposition and need for care, during the remainder of the debate, in relation to reference to individual members, officers or other third parties.
- The Administration's view that the decision making process and legal advice provided in relation to the disposal of Carterhatch depot, acquisition of Morson Road, appointment of Cornerstone and management of the Primary Expansion Programme had been appropriate and complied with the Council's decision making procedures. For these reasons the Leader of the Council advised that he did not feel any apology to the Council would be required. In addition he highlighted the opportunity provided at the Council meeting in July 2012, as a result of concerns expressed by the Opposition, to extend the time of the meeting to enable a debate on the acquisition of the Morson Road site.
- The need to recognise that the Council had been assessed as complying with all of the relevant CIPFA corporate governance requirements as demonstrated though the Annual Governance Statement. It was pointed

## COUNCIL - 27.3.2013

out that the opportunity to raise the type of concerns highlighted at the meeting in relation to the Council's corporate governance arrangements already existed through the Audit Committee and Members & Democratic Services Group but these mechanisms had not been used to date.

- The aim of the Administration to work in the best interests of the borough and nature of representative democracy which often required tough decisions to be made, as had been the case in relation to the decisions on which the Opposition's case study had been based.
- The allegations in relation to whipping of Majority Group members on Planning Committee were strongly denied with evidence also provided of the number of times the Opposition members on the Committee had voted as a block against the recommendations of the Planning Officer over the previous 15 months.

Other issues highlighted during the debate were as follows:

- Whilst recognising the difficulties and costs involved in providing additional school places there was a need to actively consider other available options such as the creation of free schools.
- The poor commercial judgement which the Opposition Group felt had been displayed in relation to the terms of the sale of the Carterhatch depot and acquisition of the Morson Road site. In response the Cabinet Member for Environment explained the rationale for the relocation of the Council's depot. The views expressed in relation to the commercial judgement of the Majority Group were also challenged, with reference made to the successful implementation of the recent Energy Retrofit pilot programme.
- The need to recognise that the Audit Committee had undertaken a review of the Grant Thornton report "Towards a Tipping Point" referred to within the Opposition Business Paper and had noted that Enfield had been green rated in relation to each of the relevant corporate governance benchmarks.
- The need to recognise that the application of the Nolan principles in relation to standards in public life, referred to within the Opposition Business Paper, would also apply to members' activities in other areas for example as freemasons.
- The need to recognise the requirement for transparency in the decision making process and valid role for the Opposition Group in holding the Executive to account as part of a healthy representative democratic process. As part of this the Opposition Group highlighted specific concerns about what they felt was the use of "filibustering" motions and the excessive manipulation of items on Council agendas to avoid dealing with more substantive and important issues.



At this stage in the debate the Mayor advised that the time available for Opposition Business had expired. In view of the nature of the discussion and number of members who had indicated they still wished to speak it was agreed that the time available should be extended for a further 20 minutes. This was subsequently extended again for an additional period of 30 minutes.

The debate continued with the following issues raised:

- It was not felt that an analysis of the voting record of Majority Group members on Planning Committee supported the concerns raised by the Opposition Group in relation to the whipping of members.
- Concerns were highlighted by the Opposition Group at the record of Overview & Scrutiny Committee in referring issues back under the call-in process. In response the Chair of Overview & Scrutiny Committee, whilst recognising the value of call-in, felt there was also a need to accept the impact which the quality of the reasons provided for call-in would have on how issues were dealt with.
- The need for scrutiny to be undertaken on a non party political basis, as far as was possible, and to recognise the variety of options available for members to scrutinise issues and hold the Executive to account.
- The objective of the current Administration to address the shortfall of school places in the borough, which it was pointed out had also been an issue for the previous Conservative Administration, and which the decision to appoint Cornerstone had been designed to assist with. The Deputy Leader took the opportunity to confirm that a Portfolio decision relating to the final terms and sales agreement for the disposal of Carterhatch was shortly due to be approved and would be open to the usual call-in arrangements.

Councillor Lavender summed up on behalf of the Opposition Group. He highlighted what he felt to be the factual basis of the concerns raised within the Opposition Business Paper in relation to (a) the basis of the appointment of Cornerstone, due diligence undertaken as part of this process and way in which the decision making process had complied with the necessary constitutional requirements; and (b) the implementation of the decision in relation to the statutory consultation on the expansion of Grange Park School and the planning process in relation to the expansion of George Spicer School under the school expansion programme. As a result the Opposition had significant concerns regarding the corporate governance procedures followed. It was felt these issues required further review in order to ensure that the appropriate checks and balances were in place to preserve the integrity of the Council and confidence in its corporate governance processes.

In response to the debate, Councillor Taylor, felt that the appropriate checks and balances were already in place to guarantee the integrity of the Council's corporate governance procedures. The Audit Committee and Members &

Democratic Services Group would both be willing to consider any issues raised through the Opposition members on those bodies and he advised the Majority Group were not therefore minded to accept the recommendations within the Opposition Business Paper.

As an outcome of the debate the Leader of the Opposition requested that a vote to be taken on the following recommendations within the Opposition Business Paper:

- (1) request cabinet as a matter of urgency to benchmark the Council's corporate governance arrangements against the report by Grant Thornton "Local Government Governance Review 2013: Improving council governance – A slow burner"
- (2) set up a cross party public investigation into the decision making process on the planning committee and in particular the allegations of "whipping"
- (3) request the Members and Democratic Services Group to review procedure at council meetings so to ensure that motions requiring notice can never be taken ahead of main items on the agenda unless urgent, and in that case the meeting has to be extended to accommodate the time taken for an urgent motion; and
- (4) The Council should employ rigidly a first line of defence model of corporate governance, as detailed within the Opposition Business Paper.

The above recommendations were put to the vote and not approved, with the following result:

For: 22  
Against: 32  
Abstention: 0

## **158**

### **PROPOSED SUBMISSION DEVELOPMENT MANAGEMENT DOCUMENT**

Councillor Goddard moved and Councillor Bond seconded the report from the Director of Regeneration, Leisure & Culture (No.179) seeking approval of the Proposed Submission Development Management Documents (DMD) and subsequent consultation and submission, together with the necessary supporting documents to the Secretary of State for independent examination.

#### **NOTED**

1. The report and Proposed Submission DMD had been approved by the Local Plan Cabinet Sub Committee (18 March 2013) and Cabinet (20 March 2013) for recommendation on to Council. This had been subject to a schedule of minor changes to the Development Management Document a copy of which had been emailed to members in advance of the meeting and tabled with the amendment sheet.

2. The next steps in the consultation and approval process for the Proposed Submission DMD, following consideration by Council, which would require its publication for a six week consultation period before being submitted to the Government for independent examination.
3. Although subject to potential objection by the Greater London Authority, reference to affordable rents had been retained within the section on Affordable Housing in the Proposed Submission DMD.
4. The support from the Opposition Group towards the recommendations within the report and recognition that the comments they had submitted in relation to parking levels within developments had been incorporated within the Proposed Submission DMD.

## **AGREED**

- (1) To approve the proposed submission version of the DMD and Policies Map (including the schedule of minor changes referred to at the meeting) for a statutory 6 week publication and subsequent submission to the Secretary of State.
- (2) The Cabinet member for Business & Regeneration be authorised to approve the publication of the Sustainability Appraisal and Equality Impact Assessment of the proposed submission DMD.
- (3) The Director of Regeneration, Leisure & Culture, in consultation with the Cabinet member for Business & Regeneration, agree appropriate changes to the proposed submission version of the DMD and undertake any further consultation required in the run up to and during the public examination process into the document, in response to representations received, requests from the Planning Inspector and any emerging evidence, guidance or legal advice. Changes of a substantive nature may be considered by the Local Plan Cabinet Sub Committee.

## **159**

### **REVIEW & ADOPTION OF A STATUTORY PAY POLICY STATEMENT**

Councillor Simon moved and Councillor Brett seconded the report of the Chief Executive (No.171A) presenting the Council's Statutory Pay Policy Statement for consideration and approval.

## **NOTED**

1. The Draft Pay Policy Statement had been subject to review and recommendation on to Council for approval, by the Remuneration Sub Committee on 19 March 2013.
2. The report had been withdrawn from the agenda at the last meeting to allow consideration to be given to additional supplementary guidance from the Department of Communities & Local Government (DCLG) relating to the approval of salary and severance packages of £100k or above.
3. The supplementary guidance had been considered by the Remuneration Sub Committee (19 March 2013) who had:

## COUNCIL - 27.3.2013

- a. been satisfied, on the basis of the detail provided in section 3.4 of the report, that the existing mechanisms relating to senior appointments provided an appropriate level of accountability in relation to the approval of any salary level of £100k or above. The mechanisms already in place to address the requirements within the supplementary guidance had been included within section 3.9.1 of the Pay Policy Statement;
  - b. recommended that the supplementary guidance in relation to severance payments should not be incorporated into the Pay Policy Statement, at this stage, given:
    - the lack of clarity on what constituted a severance payment and whether non-discretionary elements would need to be included;
    - at what level its application would be appropriate;
    - concerns regarding compliance with data protection and Article 8 Human Rights considerations;Further advice was being sought on these issues and in the interim, in order to address the supplementary guidance, it had been recommended that the Assistant Director Human Resources in consultation with the Cabinet Member for Finance & Property and relevant Cabinet Member(s) and Director(s) would make decisions on a case by case basis to decide whether severance payments in excess of £100k should be referred to Council.
4. The concerns raised by the Opposition Group in relation to the approach outlined in 3. above towards addressing the supplementary guidance. It was felt the Council needed to be fully transparent in relation to the level of senior officer pay and severance packages.

As a result of the concerns raised Councillor Neville moved and Councillor Rye seconded an amendment to the recommendation within the report so that adoption of the Pay Policy Statement would be subject to the Council resolving with immediate effect (in accordance with DCLG Guidance) that all proposed appointments at a salary in excess of £100,000 and all proposed severance arrangements in excess of £100,000 go to full council for approval. The amendment was subsequently withdrawn, after a period of further debate, on the basis that:

- details of all senior officer posts attracting a salary of £100k or above were already published within the Council's accounts; and
  - further advice was still being sought from DCLG and London Councils on the extent of what needed to be included in the definition of severance payments within the guidance. Once clarified, the Leader of the Council advised that further consideration of the guidance on severance payments would be undertaken as part of the next annual Pay Policy Statement review process.
5. In response to a query raised by the Opposition Group at the meeting the Assistant Director Human Resources would be asked to provide Councillors Rye & Prescott with written details of the changes to the car mileage allowance adopted by the Council in 2012.

**AGREED** to

- (1) adopt the Statutory Pay Policy Statement attached as Appendix 2 of the report.
- (2) note that further advice was being sought in relation to the DCLG guidance around severance payments and this issue would be subject to further consideration as part of the next annual review process.

**160**

**ESTABLISHMENT OF HEALTH & WEALTH BEING BOARD ENFIELD**

Councillor McGowan moved and Councillor Orhan seconded the report of the Director of Health, Housing & Adult Social Care (No.200) seeking approval to the establishment of the Health & Wellbeing Board in Enfield.

**NOTED**

1. The requirement on all unitary councils contained within the Health & Social Care Act 2012, to establish a Health & Wellbeing Board by 1 April 2013.
2. The partnership status of the Boards which were being set up with the aim of bringing greater democratic accountability and legitimacy to the NHS and promoting better integration across health and social care in the interests of patients and the public.
3. The proposals for the Health & Wellbeing Board in Enfield had been designed to reflect the practice and experience gained from operation of the pilot arrangements by Enfield's Shadow Board, which had been in existence since December 2011.
4. The key initiatives developed across Enfield as a result of partnership working mechanisms in relation to health and social care including programmes relating to blood testing and to tackle child obesity, which the Health & Wellbeing Board had been designed to continue building upon.
5. The concerns raised by the Opposition Group at the lack of any Opposition Member within the proposed membership of the Board, as a means of encouraging cross party engagement, support and also, where relevant, greater accountability in relation to the work of the Board. Whilst noting that the requirements for political proportionality contained within the Local Government Housing Act 1989 had been disapplied in relation to Health & Wellbeing Boards, it was pointed out that this, at the same time, had enabled individual Councils to decide their own approach towards councillor representation on the Board.

As a result of these concerns Councillor Headley moved and Councillor Chamberlain seconded the following amendment to recommendation 2.2 in the report:

"To agree the membership of the Board as proposed in para 3.4.2 of the report, subject to the Opposition Lead Member for Adult Social Services being included as a additional member"

Following a debate, the amendment was put to the vote with the following result:

For: 22  
Against: 33  
Absentions: 0

The amendment was not therefore approved. Members then moved on to consider the original and substantive recommendations within the report, which were put to the vote and approved with the following result:

For: 33  
Against: 22  
Abstentions: 0

In reaching this decision members noted the requirements, highlighted as a result of the Public Inquiry into operation of the Mid Staffordshire NHS Foundation Trust to ensure that a suitable separation was provided in the relationship between health scrutiny and the Executive, which it was felt needed to be reflected in relation to membership of the Board. As a way forward it was suggested that the concerns and possible solution (involving opposition health scrutiny members not being allowed to serve on the Board) highlighted by the Opposition Group be raised for further consideration with the Members & Democratic Services Group.

## **AGREED**

- (1) To approve the Terms of Reference for the Board, as set out in Appendix A of the report.
- (2) To agree the membership of the Board as detailed in para 3.4.2 of the report.
- (3) That no further functions be delegated to the Board, other than those proposed by statute.
- (4) To note that the Council's Code of Conduct will apply to all Board members.
- (5) To approve inclusion of the Terms of Reference for the Health & Wellbeing Board within the Council's Constitution.

**161**

## **COUNCILLORS' QUESTION TIME (TIME ALLOWED - 30 MINUTES)**

### 1.1 Urgent Questions

None received.

### 1.2 Questions by Councillors

NOTED

1. The forty one questions on the Council's agenda which had received a written reply from the relevant Cabinet Member or Scrutiny/Committee Chair.
2. The following supplementary questions received for the questions indicated below:

**Question 2 (proposals to dispose of Council owned golf courses) from Councillor Levy to Councillor Stafford, Cabinet Member for Finance & Property.**

"At the last Council meeting Councillor Zetter referred to the potential of selling off Council owned golf courses. Can the Cabinet Member confirm if Councillor Zetter has identified which courses he was referring to?"

**Reply from Councillor Stafford:**

"Unfortunately Councillor Zetter has not shared his thoughts with me on which courses he feels are surplus to requirement. Perhaps these proposals will be developed in more detail as part of his Groups Manifesto for next years local elections"

**Question 3 (New Homes Bonus and s.106 levy) from Councillor Lavender to Councillor Stafford, Cabinet Member for Finance & Property**

"The written response to this question made reference to assumptions being included with the 2013/14 budget relating to the New Homes Bonus. What were the assumptions made and which sites do they relate to?"

**Reply from Councillor Stafford:**

"These assumptions were detailed within the budget setting report. It is also important to remember in relation to the allegations made about s.106 shortfall that s.106 contributions are treated as earmarked expenditure and will not have any impact on the medium term financial strategy. A written response would be provided in relation to the sites for the New Homes Bonus."

**Question 4 (funding for rape crisis work) from Councillor Ibrahim to Councillor Hamilton, Cabinet Member for Community Wellbeing & Public Health**

Whilst grateful for the assurance received from the Mayors Office for Policing & Crime (MOPAC) that they will not be reducing their funding contribution towards the rape crisis centres can the Cabinet Member advise what she feels caused MOPAC to decide not to reduce their investment in these centres.

**Reply from Councillor Hamilton:**

“There is no doubt that the recent motion agreed by Council and subsequent lobbying by representatives from both Groups on the Council did influence MOPACs decision. However it was important to note the need for lobbying to continue in relation to the Community Safety Fund, which at the same time had seen a 59% reduction over recent years.”

**Question 6 (youth achievement foundation) from Councillor Cranfield to Councillor Orhan, Cabinet Member for Children & Young People**

Can I congratulate the Cabinet Member on the implementation of the scheme and ask for further details on the prospects for young people on the programme.

**Reply from Councillor Orhan:**

“The RAISE – Youth Achievement in Enfield is a full time programme which incorporates:

- a BTEC centralised learning programme
- core learning in functional English and functional Maths
- community and work internship placements
- college placement

The unique programme supports learners from the moment they leave home, providing holistic support to enable the student to best manage the external pressures that can hinder their achievements. In addition it focuses on the development of social interaction, engagement in curriculum working and increased positive behaviour routines and attitudes.

Current students have, within a six month period, increased their average attendance from 30% to 85%, are engaging in work related learning and the curriculum as well as communicating more effectively. Within the first eight week period all learners had made at least one sub level progress.

Teachers from the schools who have bought places on the 2012 programme have also been complimentary about the significant changes in their students. Students on the programme have also provided very positive feedback with one commenting that it had helped them to choose the right pathway and get a job.”

**Question 7 (s.106 in relation to Cat Hill development & public health) from Councillor Lavender to Councillor Hamilton, Cabinet Member for Community Wellbeing & Public Health**

“Why has the Cabinet Member copied the response provided under question 5 and not directly answered the question in relation to the discharge of public health functions?”

**Reply from Councillor Hamilton:**

“My response reflects the fact that you had asked the same question, so I have responded in the same way.”



162

**COUNCIL PROCEDURE RULE 8 - DURATION OF THE COUNCIL MEETING**

The Mayor advised, at this stage of the meeting, that the time available to complete the agenda had now elapsed so Council Procedure Rule 8 would apply.

NOTED that in accordance with Council Procedure Rule 8 (page 4-8 – Part 4), the remaining items of business on the Council agenda were considered without debate, as the time available for the meeting had elapsed.

The remaining items of business were then considered without debate.

163

**MOTIONS**

The following motions listed on the agenda, lapsed due to lack of time:

1.1 In the name of Councillor Goddard

“This Council believes that the recent report, No Stone Unturned - In pursuit of Growth - by the Right Honourable Lord Heseltine, provides a possible framework for sustainable growth not only in the UK but in Enfield and our region and sub region.

This Council endorses the general principle within the report that Local Government (Local and Regional) has the capability to generate growth.

Whilst there may be issues regarding some of the 89 recommendations which may be open to debate, Council calls upon the Government, the Mayor of London and the London LEP to begin substantial discussions with London Councils and the sub regions of London regarding the announced implementation of the report.”

1.2 In the name of Councillor Hamilton

“We ask this Council to note the One Billion Rising Campaign, and the call to end violence against women and girls; and we call on Enfield Council to support the call to introduce statutory provisions to make personal, social and health education, include a zero tolerance approach to violence and abuse in relationships.

We call on this Council to invite a speaker from the national campaign to address the Council meeting in November to mark White Ribbon Day, in recognition that Enfield Council was the first London Authority to be awarded white ribbon status for its work on raising awareness and tackling violence against women and girls.”

1.3 In the name of Councillor Rye

“Enfield Council congratulates the Chancellor of the Exchequer The Rt Hon George Osborne on his recent Budget – as the Conservative led Government reduces the huge deficit left by the last Labour Government, this will help promote growth and benefit Enfield residents.”

1.4 In the name of Councillor Neville

“The Council is concerned to retain and improve the appearance of the borough’s street scene and instructs the Environment Cabinet Member to ensure that repairs to footways are carried out on a like for like basis i.e. replacing broken pavings with paving/blocks unless a change to tarmac is favoured by the majority of residents of a road in a consultation exercise.”

1.5 In the name of Councillor Levy

“Contrary to popular belief, the number of licensed betting shops currently operating in Enfield is approximately the same as it was in 2007.

But even were there to have been the kind of proliferation locally that is perceived to be the case, local authorities such as Enfield Borough Council are almost powerless to exert effective controls of the spread of such premises under current legislation and guidance. In the case of the Gambling Act 2005, councils are explicitly prevented from even considering cumulative impact as a policy option.

In a political climate where the concept of localism is given primacy, and where local government is continually being told to assume more responsibilities and keep its house in order, it is a major anomaly that national law places unworkable constraints on councils and other authorities in addressing the concerns of a wide constituency of local public opinion as to the trend towards increasing numbers of licensed betting shops.

Central Government is clearly more influenced by the powerful lobbying force of the Association of British Bookmakers and the extensive tax revenues generated through the betting industry than responding to the ever more vocal opposition from local residents, local businesses, their representatives and advocates, concerned by issues such as community safety, public protection, and imbalanced high street offerings.

Council is therefore asked to agree it that it is essential to be given the opportunity to restrict and limit betting shops, where appropriate, by:-

- a) Supporting intensified efforts by the Administration in its lobbying of the Department of Culture Media and Sport for reform of the Gambling Act 2005 such that cumulative impact may be written into

local licensing policy and the scope for making representations is widened.

- b) Supporting similar pressure upon the Department for Communities and Local Government, and working with the Local Government Association and others, in seeking to achieve a distinctive usage classification for betting shops under the planning regime.
- c) Uniting with London Councils to explore parallel ways of securing more powers of control of betting shops through the provisions of the London Local Authorities Act 2012.”

**164**

**USE OF URGENCY PROCEDURES - MONITORING UPDATE**

NOTED the details of the following decision taken under the Council's urgency procedure relating to the waiver of call-in. The decision had been made in accordance with the urgency procedures set out in Paragraph 17.3 of Chapter 4.2 (Scrutiny) of the Council's Constitution.

1. Primary Expansion Programme – Extension of early project orders

**165**

**MEMBERSHIPS**

No changes to committee memberships were identified for consideration at the meeting.

**166**

**NOMINATIONS TO OUTSIDE BODIES**

No changes to outside body membership were identified for consideration at the meeting.

**167**

**CALLED IN DECISIONS**

None received.

**168**

**DATE OF NEXT MEETING**

NOTED that the next meeting of the Council would be held at 7.00pm on Wednesday 8 May 2013 at the Civic Centre. This would be the Annual Council meeting.