

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON MONDAY, 30 OCTOBER 2017**

**COUNCILLORS**

**PRESENT**

Doug Taylor (Leader of the Council), Achilleas Georgiou (Deputy Leader), Daniel Anderson (Cabinet Member for Environment), Yasemin Brett (Cabinet Member for Community, Arts and Culture), Alev Cazimoglu (Cabinet Member for Health and Social Care), Dino Lemonides (Cabinet Member for Finance and Efficiency), Ayfer Orhan (Cabinet Member for Education, Children's Services and Protection), Ahmet Oykener (Cabinet Member for Housing and Housing Regeneration) and Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development)

**Associate Cabinet Members (Non-Executive and Non-Voting):** Dinah Barry (Enfield West), Vicki Pite (Enfield North), George Savva (Enfield South East)

**ABSENT**

Krystle Fonyonga (Cabinet Member for Community Safety and Public Health)

**OFFICERS:**

James Rolfe (Executive Director of Finance, Resources and Customer Services), Ian Davis (Chief Executive), Peter George (Assistant Director, Regeneration and Planning), Jayne Middleton-Albooye (Acting Assistant Director Legal and Governance), Paul Sutton (Assistant Director, Youth and Service Development), Bindi Nagra (Assistant Director Health, Housing and Adult Social Care) and David Greely (Corporate Communications Manager) Jacqui Hurst (Secretary)

**Also Attending:**

Councillors Derek Levy (Chair of the Overview and Scrutiny Committee), Joanne Laban (Leader of the Conservative Group), Michael Lavender, Ertan Hurer, Mike Rye, Robert Hayward, Elaine Hayward, Lee Chamberlain, Jim Steven and Nick Dines.

Representatives from Trowers and Hamlins

**1**

**APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Krystle Fonyonga (Cabinet Member for Community Safety and Public Health), Gary Barnes, (Acting Executive Director of Regeneration and Environment), Ray James (Executive Director of Health, Housing and Adult Social Care), and Tony Theodoulou (Executive Director of Children's Services).

**2**

**DECLARATIONS OF INTEREST**

Councillor Achilleas Georgiou (Deputy Leader) declared a non pecuniary interest in Report Nos. 80, 81 and 81A – Meridian Water Update (Minute Nos. 6 and 10 below refer).

**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 and Meetings) (England) Regulations 2012 with the exception of Report Nos. 80 and 81 – Meridian Water Update (Minute Nos. 6 and 10 below refer). These requirements state that agendas and reports should be circulated as least 5 clear days in advance of meetings.

**AGREED**, that the above reports be considered at this meeting.

**4**

**DEPUTATIONS**

NOTED, that no requests for deputations had been received for presentation to this Cabinet meeting.

**5**

**ITEMS TO BE REFERRED TO THE COUNCIL**

There were no reports to be referred to full Council.

**6**

**MERIDIAN WATER UPDATE**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.80).

NOTED

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1. That Report No.81 and 81A also referred as detailed in Minute No.10 below.
2. That the preferred bidder for the Meridian Water Regeneration Scheme, Barratt formally withdrew their bid on 25 October 2017. Members noted the consequent termination of negotiations with Barratt and the requirement to proceed to open negotiations with the Reserve Bidder, PCPD.
3. That a recent meeting of the Overview and Scrutiny Committee had received and considered a Meridian Water update and, a number of the issues being discussed this evening had previously been raised at the Scrutiny meeting.
4. Councillor Ahmet Oykenor (Cabinet Member for Housing and Housing Regeneration) reminded Members that in 2015 the Council had begun a process to find a partner who could deliver its vision for Meridian Water. A partner who shared the Council's commitment to: the delivery of over 8,000 mixed tenure homes; over 3,000 high quality jobs; and, the creation of a whole new neighbourhood with all of the essential facilities and parks in a quality setting. In 2016, the Council found a partner whose bid exceeded this – 10,000 homes and 6,700 new jobs. However, in summer 2017 it had become clear that the preferred bidder was no longer prepared to meet their original bid commitments. The Council remained committed to its ambitions for Meridian Water.
5. Councillor Oykenor outlined the progress which had been made to date with regard to land purchases; Network Rail; planning permission; and, remediation works. The Council would continue to seek to work with the private sector in order to deliver the required outcomes for the Borough.
6. Councillor Oykenor outlined the way forward with regard to the Council's reserve bidder and the processes that would now be followed in order to seek to deliver the Meridian Water development. The time delay that had been experienced through the negotiations with the preferred bidder was highlighted. Councillor Oykenor commended the report and its recommendations to the Cabinet.
7. In conclusion of the discussion on the part one report, Members agreed the recommendations set out in the decisions below and continued their discussion in part two, Minute No.10 below referred.

**Alternative Options Considered:** As detailed in the super part 2 report (Report No.81A), Minute No. 10 below refers.

**DECISION:** The Cabinet agreed to

1. Note that Barratt had formally withdrawn as the preferred bidder for the Meridian Water Regeneration Scheme and that negotiations with

## **CABINET - 30.10.2017**

Barratt to finalise the terms of the Master Developer Framework Agreement (MDFA) had therefore terminated.

2. Note that in accordance with the recommendations of the Cabinet meeting of 18 May 2016 (KD 4241) which had confirmed the selection of Bidder C (being PCPD) as the Reserve Bidder, PCPD be approached to open negotiations with a view (subject to agreeing terms) to PCPD being appointed as Master Developer.
3. Delegate authority to officers to commence and progress financial and commercial negotiations with PCPD on the basis set out in the letter attached at Appendix 1 (attached to Report No.81A).
4. Note that in the event that a satisfactory financial and commercial commitment could be agreed with PCPD then the decision to approve the award of the MDFA to PCPD on the terms of the commitment would be referred back to Cabinet for approval.
5. Note that in the event that a satisfactory financial and commercial commitment could not be agreed with PCPD, the decision to terminate negotiations with Bidder C would be referred back to Cabinet for approval.

**Reason:** As detailed in the super part 2 report (Report No.81A), Minute No. 10 below refers.

**(Key decision – reference number 4241)**

## **7 MINUTES**

**AGREED**, that the minutes of the previous meeting of the Cabinet held on 18 October 2017 be confirmed and signed by the Chair as a correct record.

## **8 DATE OF NEXT MEETING**

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 15 November 2017 at 8.15pm.

## **9 EXCLUSION OF THE PRESS AND PUBLIC**

**RESOLVED**, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and public from the meeting for the item listed on

part two of the agenda on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 (information relating to the financial or business affairs of any particular person (including the authority holding that information) of Part 1 of Schedule 12A to the Act (as amended by the Local Government (Access to Information) (Variation) Order 2006).

## **10**

### **MERIDIAN WATER UPDATE**

Councillor Alan Sitkin (Cabinet Member for Economic Regeneration and Business Development) introduced the report of the Executive Director of Regeneration and Environment (No.81).

#### **NOTED**

1. That Report No.80 also referred as detailed in Minute No.6 above.
2. That a super part two report was circulated at the meeting (No.81A) and collected in again following consideration by the Cabinet.
3. Members noted the detailed content within the super part two report, and Councillor Taylor invited comments and questions from those Members present at the meeting. A discussion followed on various aspects of the process which had taken place to date and the proposed way forward. It was noted that the recommendations within the super part two report were as detailed in the part one report, outlined in Minute No.6 above.
4. The legal requirements with regard to the proposed way forward and negotiations with the reserve bidder were outlined and discussed, as set out in the report.
5. The key issues for the Council were highlighted.
6. The detail of the discussion which had taken place at the Overview and Scrutiny Committee.
7. The detail and timescales of the negotiations which had taken place with the preferred bidder.
8. Councillor Laban (Leader of the Conservative Group) was invited to address the Cabinet and raised a number of concerns and points of clarification which were considered at the meeting. Members' attention was drawn to a number of specific paragraphs within the super part two report including 3.17, 6.1.3 and 6.3.2. The issues raised were discussed and addressed at the meeting. Councillor Laban also acknowledged the need to ensure the successful delivery of much needed new homes within the Borough.

9. Councillor Taylor responded to the points raised and outlined the proposed way forward; the timescales involved and the on-going issues to be addressed. The Council had a legal commitment to go to the reserve bidder. There were a number of challenges that would need to be met in order to agree an acceptable way forward.
10. Officers outlined the current position with regard to the designation of strategic industrial land, the progress of the Mayor's London Plan and ongoing work with Network Rail.
11. That all Cabinet meetings now received an update on Meridian Water and any required decisions would be brought back to a future Cabinet meeting. Paragraphs 3.23 and 3.24 of the super part two report were highlighted.
12. The legal requirements which needed to be met with regard to the reserve bidder and the timescales, as outlined in detail in the report. Members reiterated the importance of ensuring that the Council achieved the best deal possible for Enfield residents; the Council would continue to act in the best interests of the Borough.
13. Members would reflect on the negotiations which had taken place with the preferred bidder and learn from that experience in moving forward. The legal advisers present at the meeting outlined in detail the changed position of the preferred bidder and gave assurances on the Council's position with regard to moving forward with Meridian Water.
14. The anticipated timing that could be achieved in the provision of new homes at Meridian Water.
15. The terms of the procurement requirements to be met with regard to the reserve bidder and the timings for this to take place.
16. Paragraph 6.2.1 of the report and the implications of this. A discussion on the legal issues followed and a number of points raised by Members were clarified by the external legal representatives present at the meeting.
17. In conclusion Councillor Taylor outlined the proposed way forward. Further reports would be presented to future Cabinet meetings as and when appropriate.

**Alternative Options Considered:** As detailed in the super part two report (No.81A), section 4 of the report referred.

**DECISION:** The Cabinet agreed recommendations 2.1 to 2.5 set out in the super part two report (No.81A) and reflected in the part one report (Minute No.6 above refers).

**Reason:** As detailed in the super part two report (No.81A), section 5 of the report referred.

**(Key decision – reference number 4241)**