

**MINUTES OF THE MEETING OF THE CABINET
HELD ON WEDNESDAY, 14 NOVEMBER 2018**

COUNCILLORS

PRESENT

Nesil Caliskan (Leader of the Council), Daniel Anderson (Deputy Leader of the Council), Yasemin Brett (Cabinet Member for Public Health), Alev Cazimoglu (Cabinet Member for Health and Social Care), Guney Dogan (Cabinet Member for Environment), Achilleas Georgiou (Cabinet Member for Children's Services), Nneka Keazor (Cabinet Member for Community Safety and Cohesion), Dino Lemonides (Cabinet Member for Housing), Mary Maguire (Cabinet Member for Finance and Procurement) and Ahmet Oykener (Cabinet Member for Property and Assets)

Associate Cabinet Members (Non-Executive and Non-Voting): Ahmet Hasan (Enfield North) and George Savva (Enfield South East)

ABSENT

Councillor Dinah Barry (Associate Cabinet Member – Enfield West)

OFFICERS:

Ian Davis (Chief Executive), Sarah Cary (Executive Director Place), Jeremy Chambers (Director of Law and Governance), Fay Hammond (Director of Finance), Doug Wilkinson (Director of Environment & Operational Service), Anne Stoker (Director of Children's Services), Nicky Fiedler (Director - Commercial), Joanne Drew (Director of Housing and Regeneration), Garry Knights (Head of Housing Property Services), Andrew Golder (Press and New Media Manager) and Stephanie Brewer (Area Based Plans Manager) Jacqui Hurst (Secretary)

Also Attending:

Councillors Derek Levy, Gina Needs, Huseyin Akpinar and Hass Yusuf.
3 members of the public, 2 press representatives

1

APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Dinah Barry (Associate Cabinet Member – Enfield West) and Tony Theodoulou (Executive Director – People).

Apologies for lateness were received from Councillor Nneka Keazor (Cabinet Member for Community Safety and Cohesion) and Councillor Ahmet Hasan (Associate Cabinet Member – Enfield North).

2

DECLARATION OF INTERESTS

Councillor Yasemin Brett (Cabinet Member for Public Health) declared a disclosable pecuniary interest in Report No.108 – North London Waste Plan Regulation 19 Publication (Minute No.7 below refers). Councillor Brett left the meeting for this item and took no part in the discussion.

3

DEPUTATIONS

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

4

REVENUE MONITORING 2018/19: QUARTER 2 (SEPTEMBER 2018)

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Director of Finance (No.105) setting out the Council's revenue budget monitoring position based on information to the end of September 2018.

NOTED

1. The current projected outturn position of £8.9m overspend for 2018/19, as set out in paragraph 1.2 of the report.
2. The Council's financial position with regard to achieved and projected savings as detailed in paragraph 1.3 of the report.
3. The continuing financial pressures outlined in the report, including rising cost pressures from Temporary Accommodation, SEN Transport, families with no recourse to public funds, and cost and demographic pressures in social care (section 3 of the report referred).
4. The detailed departmental monitoring information, budget pressures and mitigating actions as set out in the report and its appendices.
5. The additional Department of Health funding of £1.299m for adult social care services winter funding, as detailed in section 5.2 of the report.
6. The financial developments set out in section 3.5 of the report including in relation to the London Business Rates Pool and the Strategic Investment Pool.

7. The management action being taken to reduce costs including: additional scrutiny on any agency arrangements; review of all outsourcing arrangements; implementation of the review of management structures previously agreed as part of the Enfield 2017 workstreams and where appropriate vacant posts were being held in advance of future restructures. A Pressures Challenge Board had been established, (section 4 of the report referred). The projected savings for the Council needed to be realistic and achievable.
8. That Report No.109 – Children’s Social Care Demand and Pressures and Report Nos. 112 and 113 – Variation to the Co-Managed Procurement and Commissioning Hub Contract (Minutes Nos. 8, 10 and 17 below referred), included implications for the revenue budget, the impact of which had been included within this report.
9. The developments taking place with regard to Children’s Social Care as set out in section 5.2 of the report and the reasons for this. This was a priority for the Council. The £0.6m for 2018/19 was proposed to be funded from reserves and therefore did not form part of any forecasted variance. The £1.0m for 2019/20 and beyond would need to be considered in the budget setting process for 2019/20. Members were reassured that the Council’s finances could absorb these proposals.
10. In response to questions of clarification raised, the continued work being undertaken concerning families with “no recourse to public funds” was outlined, as set out in Appendix C of the report; including the work of a fraud officer and an immigration officer.
11. The work being carried out by several charities, including Project 17, specialising in immigration advice and support; and, the opportunities to be explored in linking up with appropriate Council services including social services and housing assessments. Members noted the communities that were in general most affected. The development of the Council’s housing strategy would take such matters into consideration.
12. The public health implications for certain communities who were not registered with local GPs and the impact on schools as well. Councillor Brett outlined the work being undertaken in this area.
13. That the saving identified with regard to the Youth Offending Unit (Appendix C of the report referred) was due to a vacancy not a reduction in staffing levels. The difficulties faced in recruiting such specialised staff was explained together with the actions being taken.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed to note:

1. The financial backdrop to the Council’s budget position (described in paragraphs 3.1 to 3.9 of the report).

2. The £8.9m overspend revenue outturn projection and use of £4.2m of capital receipts to support organisation transformation.
3. That Cabinet Members would continue to work with Executive Directors to implement action plans to reduce the forecast overspend in 2018/19 and implement savings.

Reason: To ensure that Members were aware of the projected budgetary position, 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 4765)

5

CAPITAL PROGRAMME MONITOR SECOND QUARTER (SEPTEMBER) 2018

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Director of Finance (No.106) setting out the Council's Capital Programme (2018/19 - 2021/22) as at September 2018. The report included the latest information for all capital schemes including the funding arrangements.

NOTED

1. That the overall expenditure for the approved programme was projected to be £233m. This consisted of General Fund £122m, Housing Revenue Account (HRA) £86m and Enfield Companies £25m for 2018/19.
2. That Council's capital programme was continually reviewed. The Council sought to maximise external grants and contributions, attracting new income streams to fund projects wherever possible and minimising the need to borrow.
3. That Enfield had been allocated £18m to deliver 571 new homes from the Mayor of London's grant allocation.
4. The recent announcement of the Prime Minister that the Housing Revenue Account borrowing cap would be lifted to enable councils to build more homes subject to the affordability for the Housing Revenue Account (HRA) to meet the revenue costs of the borrowing.
5. That the Council had set up a new Capital Review Board as set out in paragraph 4.2 of the report.
6. That Appendix A of the report set out the detailed four-year capital programme. Members' attention was also drawn to the financial information set out in tables 1 and 2 of the report.

Alternative Options Considered: Not applicable to this report.

DECISION: The Cabinet agreed to note:

1. The revised four-year approved programme totalling £488m as set out in Appendix A of the report.
2. The receipt of GLA Funding of £18m, that would support the delivery of 571 new homes.

Reason: To ensure that Members were kept informed of the Council's current capital programme.

(Key decision – reference number 4766)

6

ANNUAL TREASURY MANAGEMENT MID-YEAR REVIEW 2018/19

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Director of Finance (No.107) reviewing the activities of the Council's Treasury Management function over the half year period ended 30 September 2018.

NOTED

1. The key points highlighted in the report including the debt outstanding, average interest on total debt, interest earned on investments, and, investments and net borrowing.
2. The Council's compliance with treasury management indicators as set out in section 7 of the report.
3. The economic background outlined in section 4 of the report.

Alternative Options Considered: None. This report was required to comply with the Council's Treasury Management Policy statement, agreed by Council.

DECISION: The Cabinet agreed to note the contents of the report.

RECOMMENDED TO COUNCIL to consider the 2018/19 Mid-Year Treasury position.

Reason: To inform the Council of Treasury Management performance in the financial year 2018/19.

(Key decision – reference number 4768)

7

NORTH LONDON WASTE PLAN REGULATION 19 PUBLICATION

Councillor Yasemin Brett (Cabinet Member for Public Health) left the meeting for this item, Minute No.2 above referred.

Councillor Ahmet Oykenner (Cabinet Member for Property and Assets) introduced the report of the Executive Director – Place (No.108) recommending that the council progress towards the North London Waste Plan's timely adoption.

NOTED

1. That this was a long-term plan that has been subject to extensive negotiations over several years. The seven North London Boroughs, as detailed in the report, have been working together to produce the North London Waste Plan (NLWP) which would cover the period to 2035. Once adopted it would form part of the statutory Development Plan for all seven boroughs, including Enfield.
2. That the NLWP did not in itself allocate specific sites for waste facilities nor grant planning permission for new waste operations, its primary function is to provide broad "areas of search" that meet specific criteria, as well as planning policies for the assessment of future applications. The Plan provides for one "area of search" in Enfield of 26 hectares; this has been negotiated down from over 200 hectares previously sought.
3. The detailed and lengthy process to be undertaken following the approval of all 7 boroughs, including publication, public consultation, external examination and final adoption as outlined in the report.
4. That not progressing with the NLWP would leave Enfield vulnerable to challenge, and potentially subject to unsuitable waste development proposals that would be difficult to resist without a Plan in place. This could then impact on land needed for other priorities such as regeneration, housing growth and infrastructure projects such as Crossrail 2.
5. The significant work that had been undertaken to reach this stage in the proposals. Officers that had been involved were commended.
6. A detailed discussion took place on the proposals contained within the Plan and outstanding concerns were highlighted regarding potentially suitable areas and, their impact including transport and environmental issues. In response, it was explained that this was a planning policy document to set policies and identify "areas of search", it was not granting planning permission or allocating sites and any specific applications coming forward in the future would be subject to the planning application process. The required detailed approval process of the waste plan going forward was outlined to Members.
7. The public consultation that would take place and the evidence gathered as part of this process. Negotiations would continue with the other Boroughs. In

response to questions raised, Members were advised of the importance of positively engaging with the other Boroughs and how the progress of this Plan could impact on the approval of the Council's Local Plan which will be out to consultation from December 2018 and due for adoption in 2021. Enfield needs to be positively engaging in progressing a waste plan to show that it can accommodate its future waste management needs.

8. A discussion took place on the levels of recycling rates as set out in the NLWP including the need for clear Government policy on reducing business waste and increasing recycling rates. Several of the figures detailed in the Plan were outside of the Council's direct control. It was noted that the targets were ambitious.
9. In conclusion it was noted that the seven North London Boroughs would continue to negotiate and work together as the NLWP progressed.

Alternative Options Considered: NOTED, the detailed alternative options which had been considered as set out in section 4 of the report.

DECISION: The Cabinet agreed to:

1. Endorse the North London Waste Plan (set out in Annex 1 of the report) for publication and subsequent submission to the government.
2. Authorise that the Executive Director – Place, in consultation with the Cabinet Member for Property and Assets, and in conjunction with the other North London boroughs, to submit appropriate changes to the Waste Plan in the run up to, and during, the public examination into the document.

RECOMMENDED TO COUNCIL to approve the North London Waste Plan.

Reason: NOTED, the detailed reasons for the above recommendations as set out in section 5 of the report.

(Key decision – reference number 4709)

Councillor Brett returned to the meeting.

8

CHILDREN'S SOCIAL CARE DEMAND AND PRESSURES

Councillor Achilleas Georgiou (Cabinet Member for Children's Services) introduced the report of the Executive Director – People (No.109) addressing children's social care demand and pressures following a recent Ofsted focused visit.

NOTED

1. That this was a key priority for the Council, as outlined in the report. The proposed investment would enable recruitment to 18 frontline posts to

address the demands and relieve pressure in Children's Social Care. It would increase the social care workforce and reduce caseloads to an acceptable level in line with the Pan London agreement.

2. That the level of demand was continuing to increase. The proposals would help to protect those most vulnerable and provide support to frontline staff. It was noted that such pressures were being experienced across other local authorities; Enfield's experience was not unique. The continued pressures on adult social care provision was also highlighted.
3. Members supported the proposals and reiterated the Council's priority to support those most vulnerable in the Borough.

Alternative Options Considered: NOTED, that there were a small number of social care agencies who provided additional capacity to local authorities who had demand issues. Some enquiries had been made, but they were not cost effective.

DECISION: The Cabinet agreed to:

1. Approve the action plan, detailed in Appendix 1 of the report.
2. Allocate a one-off £600k from reserves this year and £1 million ongoing funding to invest in permanent increased capacity in the Referral and Assessment service to be included as part of the medium term financial planning in the 2019/20 budget setting process.

Reason: A full inspection of Enfield Children's Social Care was expected in early 2019. Increasing frontline staffing in the Referral and Assessment team would firm up the strong foundations in social care and further hone our trajectory of continuous improvement. Ensuring that Enfield Council delivered high quality, safe services to children and families and met regulatory expectations through additional investment in the service.

(Key decision – reference number 4771)

9

HOUSING REPAIRS - UPDATE ON IMPROVEMENTS AND FUTURE OPTIONS

Councillor Dino Lemonides (Cabinet Member for Housing) introduced the report of the Executive Director – Place (No. 110) setting out progress to date in improving the customer experience for responsive repairs; a timeline for a full options appraisal of future delivery models; and, a recommendation based on the outcome of that analysis.

NOTED

1. The detail of the current housing repairs service provision in Enfield as set out in the report including the number of repairs undertaken, levels of

satisfaction and, the contracts in place. All of the five-year contracts as set out in the report were due to expire in March 2020.

2. That in light of the concerns about current performance, an improvement plan was currently in place, and consideration was being given to how these functions could best be delivered in the future.
3. The establishment of an officer/member repairs task force; the improvements that had been made since its inception; and, the work of the transformation team on repairs as set out in the report.
4. The development of the property MOT team outlined in section 6 of the report.
5. The timeline for the future delivery model as detailed in section 7 of the report. The proposed timeline would mean that the existing contracts might need to be extended for circa four months whilst the new contracts were mobilised.
6. In response to questions raised by Members, the number of outstanding complaints together with the progress which had been made over a 15-week period were outlined in detail. A targeted and focused approach was being taken on all aspects of the repairs service as highlighted.
7. Members welcomed the proposals and were pleased to note the progress and improvements to date. The extract of the minutes of the Overview and Scrutiny Committee meeting held on 7 November 2018, when this report had been considered, were tabled at the meeting and noted by the Cabinet. The work undertaken by the Council's Scrutiny function regarding this area of work was praised and acknowledged.
8. That the task force would continue to drive improvements and take action where necessary. The proposals would be cost neutral. It was important to allow sufficient time to determine the best options going forward.
9. That it was intended to present a further report to Cabinet in April 2019 making recommendations on the future delivery model for repairs.
10. Members welcomed the proposals and the good partnership working between Members, Officers and contractors. The effective work of the Repairs Task Force was noted. Housing repairs was a frequent issue of concern raised with Ward Councillors; the improvement in service and reduction in the number of complaints was praised.
11. That improvements were continuing and trends would be closely monitored and appropriate action taken where necessary.

Alternative Options Considered: NOTED, the alternative timeline options which had been considered as set out in section 9 of the report.

DECISION: The Cabinet agreed to:

1. Note the establishment of the officer/member repairs task force and the improvements made since its inception, along with the work of the transformation team on repairs.
2. Note the creation of a small in-house “property MOT” team under delegated authority to work alongside the term contractors, improving the quality of stock data and resolving routine repairs issues.
3. Note the options for the future delivery now being assessed, and delegate authority to the Director for Housing and Regeneration to consider further these options in consultation with the Cabinet Member for Housing.
4. Approve the timeline and actions shown at paragraph 7.7 of the report, including the presentation of a further paper in April 2019 making recommendations on the future delivery model for repairs.
5. Note the draft minutes for the Overview and Scrutiny Committee tabled at the meeting.

Reason: NOTED, the reasons for the recommendations as set out in section 10 of the report. The approach of allowing sufficient time to undertake a fuller options appraisals exercise and allowing a suitable mobilisation/conversion period was recommended to achieve the optimum model. The service would continue in the interim to work on performance improvement with the current contractors, resulting in ongoing improvements in residents’ experience of the repairs function.

(Key decision – reference number 4773)

10

VARIATION TO THE CO-MANAGED PROCUREMENT AND COMMISSIONING HUB CONTRACT

Councillor Nesil Caliskan (Leader of the Council) re-ordered the agenda at this point in the meeting with consideration of this report being taken at the end of the part one agenda. The minutes reflect the order of the published agenda.

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Director – Commercial (No.112) recommending a variation to the contract and transitioning the service back in house.

NOTED

1. That Report No.113 also referred, as detailed in Minute No.17 below.
2. The background to and reasons for the review of the contract as outlined in detail in the report.

3. That this Council administration had made a clear commitment to review all current contracts. This was a significant contract and the recommendations for going forward were considered and noted by the Members.

Alternative Options Considered: NOTED, the following alternative options:

1. To continue with the current contract. This would increase the core contract costs by £2.46m over the remaining 38 months of the contract. Further it would leave uncertainty over the future risk and reward payments which were cumulative but also linked to the adjustment factor.
2. Seek to terminate the contract. Based on the current performance there was no basis to do this.

DECISION: The Cabinet agreed to:

1. Vary the contract to reflect the changes as set out in the heads of terms in Report No.113 – Appendix 1 (Minute No.17 below refers) with a resultant deed of variation to be entered into by the parties.
2. End the current risk and reward element of the contract.
3. Transition the service back to the London Borough of Enfield and reduce the core fee by £2.46m over the three year remainder of the contract.
4. Note that there would be a need for investment in staff to deliver the new operating model as the current Ernst and Young resource on the contract was reduced.
5. Delegate authority for agreement of the final form of the transition and transformation plan and specification to the Director – Commercial in consultation with the Director of Law and Governance as detailed in section 3.12 of the report.

Reason: The Council had undergone an executive level restructure and the review of the contract by the Commercial Director had concluded that going forward the contract in its current form did not represent value for money and through a variation it should be transformed and transitioned back in house. Section 5 of the report referred to further reasons for the recommendations set out above.

(Key decision – reference number 4754)

11

CABINET AGENDA PLANNING - FUTURE ITEMS

NOTED, for information, the provisional list of items scheduled for future Cabinet meetings.

12

MINUTES

AGREED, that the minutes of the previous meeting of the Cabinet held on 17 October 2018 be confirmed and signed by the Chair as a correct record.

13

MINUTES OF LOCAL PLAN CABINET SUB-COMMITTEE

This item was deferred to the next Cabinet meeting.

14

MINUTES OF SHAREHOLDER BOARD MEETING

NOTED, for information, the minutes of a meeting of the Shareholder Board held on 3 October 2018.

15

DATE OF NEXT MEETING

NOTED, that the next meeting of the Cabinet was scheduled to take place on Wednesday 12 December 2018 at 7.15pm.

16

EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED, in accordance with Section 100(A) of the Local Government Act 1972 to exclude the press and the 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)).

17

VARIATION TO CO-MANAGED PROCUREMENT AND COMMISSIONING HUB CONTRACT

Councillor Mary Maguire (Cabinet Member for Finance and Procurement) introduced the report of the Director – Commercial (No.113).

NOTED

1. That Report No.112 also referred as detailed in Minute No.10 above.
2. The outcomes of the core contract review as set out in section 3 of the report.
3. The financial information set out in table 1 of the report.
4. The proposals in going forward and, the measures being put in place concerning the award and monitoring of future contracts.
5. The detailed negotiations which had taken place and the conclusions reached as reflected in the recommendations of the report. A discussion took place with officers responding to any points of clarification raised by Members in their consideration of the report and its proposals.

Alternative Options Considered: NOTED the alternative options considered as set out in section 4 and paragraph 3.16 of the report.

DECISION: The Cabinet, in addition to the decisions set out in Minute No.10 above, agreed to:

1. Accept that outstanding contractual obligations be remedied as part of the transformation and transition plan.
2. Approve the payment of the figure detailed in recommendation 2.2 of the report, to Ernst and Young (EY) to end the current risk and reward element of the contract, including the cumulative element and all other associated liabilities.

Reason: NOTED the reasons as set out in section 5 of the report.
(Key decision – reference number 4754)